

South Hams Executive



Title:	Agenda						
Date:	Thursday, 30th November, 2023						
Time:	10.00 am						
Venue:	Council Chamber - Follaton House						
Full Members:	<p style="text-align: center;">Chairman Cllr Brazil</p> <p style="text-align: center;">Vice Chairman Cllr Thomas</p> <p><i>Members:</i></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 33%;">Cllr Abbott</td> <td style="width: 33%;">Cllr Hopwood</td> </tr> <tr> <td>Cllr Birch</td> <td>Cllr McKay</td> </tr> <tr> <td>Cllr Hodgson</td> <td>Cllr O'Callaghan</td> </tr> </table>	Cllr Abbott	Cllr Hopwood	Cllr Birch	Cllr McKay	Cllr Hodgson	Cllr O'Callaghan
Cllr Abbott	Cllr Hopwood						
Cllr Birch	Cllr McKay						
Cllr Hodgson	Cllr O'Callaghan						
Interests – Declaration and Restriction on Participation:	Members are reminded of their responsibility to declare any disclosable pecuniary interest not entered in the Authority's register or local non pecuniary interest which they have in any item of business on the agenda (subject to the exception for sensitive information) and to leave the meeting prior to discussion and voting on an item in which they have a disclosable pecuniary interest.						
Committee administrator:	Democratic.Services@swdevon.gov.uk						

1. Minutes	1 - 14
to approve as a correct record the minutes of the meeting of the Executive held on 21 September 2023;	
2. Urgent Business	
brought forward at the discretion of the Chairman;	
3. Division of Agenda	
to consider whether the discussion of any item of business is likely to lead to the disclosure of exempt information;	
4. Declarations of Interest	
In accordance with the Code of Conduct, Members are invited to declare any Disclosable Pecuniary Interests, Other Registerable Interests and Non-Registerable Interests including the nature and extent of such interests they may have in any items to be considered at this meeting;	
5. Public Question Time	15 - 16
a period of up to 15 minutes is available to deal with questions submitted to the Council in accordance with the Executive Procedure Rules;	
6. Executive Forward Plan	17 - 26
7. Plymouth and South Devon Freeport: Report of Task & Finish Group	27 - 44
8. Corporate Strategy (The Council Plan) & Outline Delivery Priorities	45 - 74
9. Draft Revenue and Capital Budget Proposals for 2024-25	75 - 98
10. Electric Vehicle (EV) Strategy Update	99 - 140
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12. Housing Policy Update	147 - 274
13. Investing In Our Local Economy	275 - 332
14. Working with our Communities - our Framework for Community Development	333 - 346
15. Car Parking Charges - Update	347 - 350

16.	Planning Enforcement Plan Task and Finish Group Review Report to follow	
17.	South Devon Area of Outstanding Natural Beauty (National Landscape) Partnership	351 - 368
18.	Q3 and Q4 Write-off Report 2022/23	369 - 382
19.	Totnes Neighbourhood Plan	383 - 454
20.	South Milton Neighbourhood Plan Modification	455 - 552
21.	Reports of Other Bodies	553 - 562
	(a) Salcombe Harbour Board Meeting – 18 September 2023	
	(b) Salcombe Harbour Board Meeting – 13 November 2023	

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MINUTES OF A MEETING OF THE EXECUTIVE HELD IN THE COUNCIL CHAMBER ON THURSDAY 21 SEPTEMBER 2023

Members in attendance:			
* Denotes attendance			
∅ Denotes apologies for absence			
*	Cllr V Abbott	*	Cllr N A Hopwood
∅	Cllr J P Birch (via Teams (<i>am only</i>))	*	Cllr J McKay (<i>am only</i>)
*	Cllr J Brazil (Chairman)	*	Cllr D M O'Callaghan
*	Cllr J M Hodgson (<i>am only</i>)	*	Cllr D Thomas (Vice Chairman)

Non-Executive Members also present either in person or remotely for all or part of the meeting:
Cllrs Allen, Bonham, Carson, Dommett, Hancock, Hawkins, Long, Nix, Oram, Penfold, Rake, Steele

Officers in attendance and participating:		
All items		Senior Leadership Team; Monitoring Officer; Head of Democratic Services; Assistant Director – Strategy; Principal Climate Change Officer; Head of Housing; Head of Revenues and Benefits; Assistant Director – Planning; Neighbourhood Plan Specialist; and Deputy Section 151 Officer

E.13/23 MINUTES

The minutes of the Executive meeting held on 28 June 2023 were confirmed as a true and correct record.

E.14/23 DECLARATIONS OF INTEREST

Members and officers were invited to declare any interests in the items of business to be considered during the course of this meeting and these were recorded as follows:

Cllr J Hodgson declared a personal interest in agenda item 14: 'Totnes Neighbourhood Plan' (Minute E.24/23 below refers) by virtue of being a member (in an observational capacity) of the Neighbourhood Plan Steering Group' and remained in the meeting and took part in the debate and vote on this item.

E.15/23 QUESTION TIME

The Leader informed that the following question had been received in accordance with the Executive Procedure Rules:

(a) **Question from Cllr Pannell**

‘South Hams is one of ten Councils across the Southwest which issued no fines for fly-tipping in 2021-22. Can the Lead Member assure me that a more robust approach to enforcement and prosecution will be taken to deter those who continue to blight our countryside and communities?’

In reply, the lead Member for Community Services and Operations advised that agenda item 11 (Minute E.21/23 below refers) set out the emerging corporate priority in relation to fly tipping. The Member stated that this illustrated the emphasis that would be given to this very important matter during this four-year Council term.

E.16/23 **EXECUTIVE FORWARD PLAN**

Members were presented with the most recently published version of the Executive Forward Plan that set out items on the agenda for Executive meetings for the next four months.

In discussion, reference was made to:

- the Leader being the lead Member for the Council Tax Reduction Scheme agenda item (Minute E.25/23 below refers);
- likely additional items to be included on the Plan for consideration at the next Executive meeting to be held on 30 November 2023 including:
 - o Waste Services Update;
 - o Umbrella Community Land Trust;
 - o Planning Enforcement Plan: Task and Finish Group Review; and
 - o Freeport: Task and Finish Group Review.

E.17/23 **DRAFT CORPORATE STRATEGY**

The Executive considered a report that set out the progress made in the preparation of the draft Corporate Strategy for the period 2024-28.

During the ensuing debate, reference was made to:

- (a) an amendment to the report recommendation. At the request of the Leader of the Main Opposition Group, an amendment to part 2 of the report recommendation was **PROPOSED** and **SECONDED** to delete reference to her being involved as a consultee in the delegation process prior to the Corporate Strategy being subject to public consultation. When put to the vote, the amendment was declared **CARRIED**;

- (b) the lack of reference to the agricultural industry in the Climate and Biodiversity section of the draft Strategy. The lead Member felt that the Climate and Biodiversity section should include at least some reference to the agricultural industry. In accepting the point, it was agreed that the Leader and Deputy Leader would discuss in detail with the lead Member following this meeting and would then ensure that minor amendments were made in accordance with part 2 of the report recommendation;
- (c) the contents of the Strategy. Members recognised that the actual test of whether the adopted Strategy was a success would be in its actual delivery and how realistic (and achievable) it proved to be;
- (d) the importance of engagement with parish councils. Members recognised the importance of the consultation not being too town council focused. Having been informed that Kingsbridge Town Council had invited representatives from the hinterland parish councils to attend a joint meeting, it was hoped that a similar approach could be replicated throughout the district;
- (e) comments received during the public consultation exercise. The Leader gave an assurance that every comment and representation received would be taken into account as the draft Strategy evolved.

It was then:

RESOLVED

1. That the draft Corporate Strategy (as set out at Appendix A of the presented agenda report) be endorsed;
2. That authority be delegated to the Assistant Director Strategy, in consultation with the Leader and Deputy Leader of the Council to apply any final amendments to the draft Corporate Strategy prior to commencement of the public consultation exercise;
3. That the formal consultation on the draft Strategy be commenced;
4. That the Senior Leadership Team and Assistant Director Strategy be instructed to support Executive Lead Members in the development of detailed delivery and resourcing plans for the Strategy; and
5. That an Advisory Group for Economy and Jobs be established.

E.18/23

CLIMATE CHANGE & BIODIVERSITY EMERGENCY VERBAL UPDATE – STANDING AGENDA ITEM

The lead Member for Climate Change and Biodiversity provided the following update:

- he had held a number of conversations with local farmers and food producers and providers, which had proven to be incredibly helpful; and
- a key stakeholder meeting had been arranged to be held on 10 November 2023. Whilst the lead Member did not wish for this meeting to be open to all interested parties to attend, he did commit to investigating the merits of livestreaming the meeting and/or providing a recording that could be made publicly available.

E.19/23 **PROGRESS UPDATE ON HOUSING PROJECTS**

The Executive considered a report that provided an update on the various Housing projects taking place across the South Hams.

In discussion, the following points were raised:-

- (a) As part of investigating all possible housing solutions, a Member asked that the merits of constructing smaller timber frame units and the use of houseboats be included as part of these investigations;
- (b) With regard to the properties at St Anns Chapel, some Members asked that every step be taken to ensure that these were allocated to local residents. Officers made reference to the Housing Act and specifically the 'reasonable preference criteria' and committed to providing a Briefing Note to Members outside of this meeting. In addition, the Leader asked that the Overview & Scrutiny Committee give consideration to undertaking a review into the Local Lettings Policy;

The Chairman of the Audit & Governance Committee also informed that it was intention to ask that his Committee undertake a review into the St Anns Chapel project to ascertain what (if any) lessons could be learned.

It was then:

RESOLVED

1. That the progress in the purchase of 7 properties through the Local Authority Housing Fund 1 (LAHF 1) be noted;
2. That the additional purchase of an 8th property as a result of achieving an underspend from the agreed budget for LAHF 1 be approved;
3. That participation in Local Authority Housing Fund 2 (LAHF 2) and purchase an additional 3 properties (the maximum permitted) be approved;

4. That £475,000 from the capital receipts reserve to match fund expenditure for LAHF 2 to purchase 3 properties be approved;
5. That the progress on construction of the 8 new homes for rent at St Anns' Chapel be noted and the management arrangements, including the local lettings policy and rent, and to commence the advertising and letting of the properties through Devon Home Choice as soon as available be agreed; and
6. That the marketing and subsequent sale of the 3 open market properties at St Anns Chapel be agreed in accordance with the approved business case.

E.20/23

DELIVERING OUR STRATEGIC OUTCOMES FOR HOUSING

A report was considered that set out a series of options to address the Council's ambitions regarding Housing.

During debate, particular reference was made to:

- (a) the relationship between the Thriving Towns & Villages and Plymouth Policy Areas. Whilst acknowledging that it was a fine balancing act, the need to provide a reasonable blend of development between the two Policy Areas was noted;
- (b) agricultural need. It was requested that all aspects of agricultural need be given detailed consideration as part of the upcoming Joint Local Plan review;
- (c) the proposal to present a report on an umbrella Community Land Trust (CLT). Without wishing to pre-empt the contents of the report, some Members provided their initial thoughts on the concept of an umbrella CLT and advised that they were looking forward to reviewing the report at the next Executive meeting;
- (d) being given first refusal on properties being disposed of by Housing Associations. In citing the levels of frustration experienced by local communities when Housing Associations disposed of homes within the district, widespread support was expressed for the proposal whereby the Council sought first refusal on these.

It was then:

RESOLVED

1. That, where possible, all plan led housing meets or exceeds policy levels of affordable and social housing, including open market mix and tenure;

2. That the existing policies of the Joint Local Plan (JLP) be refined to ratchet up affordable housing outcomes in the new plan period;
3. That a subsequent report detailing the mechanisms, resources, costs and outcomes of an umbrella Community Land Trust (CLT) for the district be considered by the Executive at its meeting to be held on 30 November 2023;
4. That work be commenced on securing an RP (Registered Provider) delivery partner that can work within a CLT framework or direct with the Council as is required;
5. That a framework be prepared for a targeted acquisitions programme to mitigate ultra rural RP property disposals and support targeted groups in high need. The framework to set out financial envelope, governance arrangements, value for money test, demonstrable need evidence base and be presented to the Executive at its meeting on 30 November 2023;
6. That first refusal be requested on all homes being disposed of in the District by Housing Associations.
7. That every opportunity to secure good quality temporary accommodation be supported;
8. That the formation of a housing company not be progressed at this time.

E.21/23

DELIVERING STRATEGIC PRIORITIES THROUGH COMMUNITY SERVICES AND OPERATIONS

Members considered a report which sought agreement to align the Council's Street Cleansing service with the Community Services and Operations team to deliver services more effectively.

In the ensuing debate, reference was made to:

- (a) the street cleaning and cleansing operation. A number of Members repeated their longstanding requests to be in receipt of the programme and/or schedule of works. If this was not possible in the short-term, a Member asked that a broad idea of frequency of street cleaning visits per town and parish area could be made available to all Members. In reply to a question, the lead officer cited the response to the recent floods in the South Hams and confirmed that the schedule of works for street cleaning was sufficiently flexible to be able to respond to unforeseen (ad-hoc) events;

- (b) the condition of the mechanical street sweepers. Some Members were of the view that the mechanical street sweepers were no longer reliable or fit for purpose. Officers agreed with this viewpoint and informed that they were exploring putting forward a capital bid to upgrade the sweepers as part of the 2024/25 budget setting process;
- (c) the proposals to align service resources. A Member expressed the hope that, as part of the service review into aligning resources, all Members would be consulted, with the consequent outcome being to build upon the existing capacity and resilience of the team. Officers replied that they would look to convene a meeting of the Community Services Advisory Group prior to the report being presented back to the next Executive meeting;
- (d) the lack of a lengthsman service. Members highlighted that, in many instances, town and parish councils were struggling to recruit lengthsman. As part of the initiative to explore commercial opportunities, Members therefore felt that there was scope for the Council to explore delivering an opt-in commercial service to interested town and parish councils.

It was then:

RESOLVED

1. That the overall approach to improving Community Services and Operations (as set out in section 3 of the presented agenda report) be endorsed;
2. That a progress update from the Lead Executive Member be considered by the Executive in March 2024;
3. That the opportunity to provide greater support to community groups and volunteers working across the district to deliver better outcomes for their local environment be noted; and
4. That the Lead Executive Member for Community Services works with the Lead Executive Member for Community Development to align resources to provide a defined Community Development team and bring a report setting out the Community Development plans to the next Executive meeting in November 2023.

E.22/23

SUPPORTING OUR CARE LEAVERS: COUNCIL TAX

A report was considered that sought approval for the adoption of a Council Tax Discount Scheme relating to Care Leavers.

In discussion, Members welcomed the leading role that had been taken on by the Council in the development of this Scheme and wished to record their thanks to the Chief Executive for being instrumental in this regard.

It was then:

RESOLVED

That, with effect from 1 October 2023, Council be **RECOMMENDED** to adopt a Council Tax Discount Scheme for Care Leavers.

E.23/23 PLANNING IMPROVEMENT PLAN UPDATE

The Executive considered a report that provided an update on the progress made against key elements of the Planning Improvement Plan.

In discussion, the following points were raised:

- (a) To provide more meaningful information, it was hoped that the performance figures relating to Extensions on Time, could be separated between those that had been requested by the Council and those requested by applicants. Once separated, it was the wish for the lead Member that those requested by the Council were reduced;
- (b) It was hoped that the Overview & Scrutiny Committee would accept the recommendation to establish a Task and Finish Group to develop a new Planning Enforcement Plan. Such is the timely nature of this matter, it was also hoped that the Group would be able to report its conclusions to the next Executive meeting to be held on 30 November 2023;
- (c) As a plea, the lead Member referenced the role that all Members played in the service and asked that, when consulted for a delegated decision, all Members reply to officers as soon as was practically possible;
- (d) A number of Members highlighted the limitations and restrictions of the current IT portal for planning and were assured that a vast majority of these would be overcome as part of the new IT software that was to be rolled out;
- (e) Several Members expressed their concerns over the use of Planning Performance Agreements (PPAs). Following a debate on the merits of PPAs, it was agreed that a discussion would be held on them at a future informal Executive briefing and, until that discussion had taken place, officers confirmed that no new PPAs would be entered into by the Council;

- (f) It was agreed that consideration should be given to how best to obtain both qualitative and quantitative feedback information from applicants and agents once their respective planning applications had been determined by the Council;
- (g) Members noted that there would be a procedural change for dealing with requests to vary Section 106 agreements which would result in consequent minor changes being required to the Council Constitution and this proposal was supported by the meeting.

It was then:

RESOLVED

1. That progress made on delivery of the Planning Improvement Plan and update on performance be noted;
2. That the return to the advertising of applications in accordance with the adopted Statement of Community Involvement with effect from 1 October 2023 be noted ; and
3. That the Overview and Scrutiny Committee be **RECOMMENDED** to set up a Task and Finish Group to further develop the new approach to enforcement and report back to a future meeting of the Executive.

E.24/23 TOTNES NEIGHBOURHOOD PLAN

Members considered a report that sought approval for a referendum on the Totnes Neighbourhood Plan

In discussion, reference was made to:

- (a) an addition to part 4 of the report recommendation. In his introduction, the lead Member advised that, at the appropriate time, he would be **PROPOSING** an addition to part 4 of the report recommendation that read as follows:

*'4. That the Totnes Neighbourhood Plan, as modified as recommended by the Examiner (attached at Appendix B of the presented agenda report) proceed to referendum, **subject to deletion of reference to Appendix E: 'Former Dairy Crest Site Development Brief in the introductory contents section;'***

When put to the vote, this addition was declared **CARRIED**;

- (b) a request to proceed to Referendum as quickly as possible. Whilst accepting the associated statutory timescales, Members asked that officers work swiftly to ensure that the Plan proceeded to Referendum.

It was then:

RESOLVED

1. That the Examiner's report for the Totnes Neighbourhood Plan (as set out at Appendix A to the presented agenda report) be noted;
2. That each of the recommendations made by the report and the reasons for them be noted;
3. That it be agreed that the Totnes Neighbourhood Plan meets the Basic Conditions and is compatible with the Convention Rights, subject to being modified as recommended by the Examiner;
4. That the Totnes Neighbourhood Plan, as modified as recommended by the Examiner (attached at Appendix B of the presented agenda report) proceed to referendum, subject to deletion of reference to Appendix E: '*Former Dairy Crest Site Development Brief*' in the introductory contents section;
5. That the referendum area not be extended beyond the Totnes Neighbourhood Plan Area (as shown on the map at Appendix D of the presented report);
6. That the Assistant Director Planning be authorised to publish the Decision Statement (as set out at Appendix E of the published agenda report); and
7. That the Returning Officer be instructed to conduct a referendum on the Totnes Parish Neighbourhood Plan.

(At this point (12.50pm), the meeting was adjourned and reconvened at 1.30pm).

E.25/23 PROPOSED CHANGES TO THE COUNCIL TAX REDUCTION SCHEME 2024/25

The Executive was presented with a report that set out the annual requirement for Councils to revisit their existing council tax support scheme and decide whether to replace or revisit their scheme, the requirements for changing the scheme and the associated time constraints.

With no debate ensuing, it was then:

RESOLVED

1. That the proposed public consultation on a Council Tax Reduction Scheme for 2024/25 (as detailed in section 3 of the presented agenda report) be approved; and
2. That the results of the public consultation exercise are presented back to the Executive prior to a Council Tax Reduction Scheme for 2024/25 being considered for approval by the Council.

E.26/23 INTEGRATED PERFORMANCE MANAGEMENT REPORT JANUARY 2023 – JUNE 2023

Members considered a report that provided an update on the progress made against the Council's adopted strategy and key projects. The report covered the periods Quarter 4 of 2022/23 and Quarter 1 of 2023/24.

In discussion, the following points were raised:

- (a) Lead officers were thanked for their efforts in the successful transition of the waste service returning in-house;
- (b) In respect of the performance figures relating to Freedom of Information requests, it was noted that more detailed analysis of these figures would be undertaken by officers.

It was then:

RESOLVED

That the contents of the Integrated Performance Management Report (as contained in Appendix A of the presented agenda report) be noted.

E.27/23 2022 / 23 FINAL REVENUE AND CAPITAL OUTTURN

Members considered a report that provided the draft Revenue and Capital Outturn position for 2022/23 and also provided a schedule of the Reserve balances at 31 March 2023.

In discussion, particular reference was made to:

- (a) the previous Council administration. Members thanked their colleagues who had led the Council during 2019/23 for their sound financial management;

- (b) the figures being draft. The Section 151 Officer confirmed that the figures were considered to be in draft form because they were still subject to being external audited.

It was then:

RESOLVED

That the draft Revenue and Capital outturn figures for the 2022/23 financial year including the overall Revenue outturn position of a surplus of £57,000 for 2022/23 (0.5% of the total Budget £10.464 million) be noted.

E.28/23

REVIEW OF CAPITAL PROGRAMME (CAPITAL PROGRAMME MONITORING) AND REVIEW OF EARMARKED RESERVES

Members considered a report that provided an update on the progress of individual schemes within the approved capital programme, including an assessment of their budgets and financial position.

In discussion, the following points were raised:

- (a) A local Ward Member highlighted the desperate need to revisit the car parking strategy for Salcombe and hoped that alternative proposals for the Shadycombe car park would come forward in the near future. In reply, the Leader highlighted the positive initial meetings that been held with both Devon County Council and the town council in an attempt to improve the parking arrangements in Salcombe;
- (b) Whilst the proposal was to withdraw the Whitestrand capital project from the scheme, Members had requested that a review be carried out into the entire infrastructure around Salcombe Harbour.

It was then:

RESOLVED

That Council be **RECOMMENDED** to:-

- 1) withdraw three capital projects from the current Capital Programme, being Whitestrand replacement of toilets and showers (£659,993), the currently unallocated residual housing capital budget (£85,157) and the Contingency Capital Budget (£268,184). This would free up capital resources of £1.013m which is potentially available for future corporate priorities and can be re-purposed;
- 2) withdraw Shadycombe car park and Sherford Commercial Land Acquisition from the Capital Programme and to note that this would not free up any capital resources;

- 3) continue to progress all other capital projects, in line with the existing capital projects within the overall Capital Programme;
- 4) note the content of the Capital Programme Monitoring Report in Appendix B of the published agenda papers which shows the current expenditure on capital projects between April 2023 and July 2023 of £1.400m, being 13% of the profiled budget for 2023/24 (the first four months of the financial year); and
- 5) approve the outcome of the review of revenue reserves, releasing revenue reserves of up to £1.541m which is potentially available to support the delivery of the emerging Corporate Strategy.

E.29/23 **REVENUE BUDGET MONITORING REPORT 2023 / 24**

Members considered a report that provided a forecast for the year end budget position and that also enabled them to monitor income and expenditure variations against the approved budget for 2023/24

In discussion, the following points were raised:

- (a) The spiralling costs associated with Homelessness – Temporary Accommodation were recognised as a cause for concern and it was felt that these costs were likely to continue to increase;
- (b) Following a discussion on the annual staff pay award, the recruitment and retention measures that were implemented as part of the 2023/24 budget setting process had been deemed to be relatively successful and the Chief Executive committed to providing a more detailed update to a future informal Executive session.

It was then:

RESOLVED

That the forecast income and expenditure variations for the 2023/24 financial year and the overall projected surplus of £79,000 (0.7% of the total Budget £11.738 million), be noted.

E.30/23 **MEDIUM TERM FINANCIAL STRATEGY (2024 / 25 – 2026 / 27)**

Consideration was given to a report that presented the Council's Medium Term Financial Strategy from 2024/25 to 2028/29.

In discussion, particular reference was made to:

- (a) the intention to arrange the annual all-Member budget workshop during the Autumn;
- (b) an anticipation that the financial gains to the Council from being part of the Business Rates Pool could be close to £400,000. This news was welcomed by Members;
- (c) the second homeowners Council Tax premium. The Section 151 Officer advised that the Levelling Up Bill was still awaiting Royal Assent. As a result, the earliest opportunity that the Council could apply the premium would not now be before 1 April 2025.

It was then:

RESOLVED

1. That the forecast budget gap for 2024/25 of £382,194 (2.9% of the projected Net Budget of £13.05million) and the position for future years be noted; and
2. That the Senior Leadership Team and Executive Members be tasked with bringing back further options of how to close the predicted budget gap for 2024/25, as part of future budget reports (once more detail of the Local Government Finance settlement is known), for Members' consideration.

(Meeting commenced at 10.00 am and concluded at 2.15 pm)

Chairman

(NOTE: THESE DECISIONS, WITH THE EXCEPTION OF MINUTES E.22/23 AND E.28/23 WHICH ARE RECOMMENDATIONS TO THE COUNCIL MEETING TO BE HELD ON 28 SEPTEMBER 2023, WILL BECOME EFFECTIVE FROM 5.00PM ON MONDAY, 2 OCTOBER 2023 UNLESS CALLED IN, IN ACCORDANCE WITH SCRUTINY PROCEDURE RULES)

PUBLIC QUESTIONS AT EXECUTIVE MEETINGS

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

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

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

Questions should be sent to Democratic Services (Democratic.Services@swdevon.gov.uk) by **1.00pm** on the Monday before the meeting (the deadline will be brought forward by a working day if affected by a bank holiday). This will allow a detailed response to be given at the meeting. If advance notice of the question cannot be given the Chairman of the meeting has the discretion to allow questions on matters that are felt to be urgent;

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

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Executive Leader's Forward Plan

About the Forward Plan

This is the Leader of Council's provisional forward plan for the four months starting November 2023. It provides an indicative date for matters to be considered by the Executive. Where possible, the Executive will keep to the dates shown in the plan. However, it may be necessary for some items to be rescheduled and other items added.

The forward plan is published to publicise consultation dates and enable dialogue between the Executive and all councillors, the public, and other stakeholders. It will also assist the Council's Overview and Scrutiny Committee in planning their contribution to policy development and holding the Executive to account.

Local authorities are required to publish updated forward plans on a regular basis. The Plan is published on the Council's website (www.southhams.gov.uk)

About the Executive

The Executive consists of eight Councillors. Each has responsibility for a particular area of the Council's work.

- Leader of the Council with specific responsibility for Waste and Recycling; Strategic Planning; Finance and Communications – Cllr Julian Brazil
- Deputy Leader of the Council with specific responsibility for Planning; Corporate Performance Oversight; Organisational and Community Development – Cllr Dan Thomas
- Lead Executive Member for Climate Change & Biodiversity – Cllr John McKay
- Lead Executive Member for Economic Development; Commercial Strategy; and Governance – Cllr John Birch
- Lead Executive Member for Housing; Environmental Health & Licensing – Cllr Denise O'Callaghan
- Lead Executive Member for Community Services & Operations – Cllr Victor Abbott
- Lead Executive Member for Waste & Community Composting – Cllr Jacqi Hodgson
- Lead Executive Member for Service Quality – Cllr Nicky Hopwood

Further information on the workings of the Executive, including latest information on agenda items, can be obtained by contacting Democratic Services on 01803 861105 or by e-mail to democratic.services@swdevon.gov.uk

All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated with *



Forward Plan from November 2023

Portfolio Area	Report Title and Summary	Lead Member / SLT Lead / Report Author	Documents to be considered in making decision	Date of Decision	Consultees and means of consultation
Leader	<p>Title: Draft Corporate Strategy</p> <p>Purpose: To consider a report that presents the draft Corporate Strategy and indicative Delivery Plans for the period 2024-28.</p>	Cllr Brazil / Andy Bates / Neil Hawke	Report of the Assistant Director – Strategy & Organisational Development	30 November 2023	
Climate Change & Biodiversity	<p>Title: Climate Change – Electric Vehicle (EV) Strategy Update</p> <p>Purpose: To consider a report that presents for consideration a progress update on the EV Strategy.</p>	Cllr McKay / Drew Powell / Adam Williams	Report of the Director for Strategy and Governance	30 November 2023	
Climate Change & Biodiversity	<p>Title: Climate Change – Update</p> <p>Purpose: In line with the standing agenda item on Climate Change & Biodiversity, to receive an update on the Climate Change agenda.</p>	Cllr McKay / Drew Powell / Adam Williams	Report of the Director for Strategy and Governance	30 November 2023	
Housing, Environmental Health & Licensing	<p>Title: Housing update report</p> <p>Purpose: To enable the Committee to receive an update from the lead member for Housing.</p>	Cllr O’Callaghan / Chris Brook / Issy Blake	Report of the Head of Housing	30 November 2023	
Economic Development, Commercial Strategy & Governance	<p>Title: UK Shared Prosperity Fund</p> <p>Purpose: To consider a report that presents an update to Members on the UK Shared Prosperity Fund.</p>	Cllr Birch / Chris Brook / Chris Shears	Report of the Head of Economy & Place	30 November 2023	



Portfolio Area	Report Title and Summary	Lead Member / SLT Lead / Report Author	Documents to be considered in making decision	Date of Decision	Consultees and means of consultation
Economic Development, Commercial Strategy & Governance	<p>Title: Freeport Task and Finish Group Review</p> <p>Purpose: To consider a report that presents the concluding report of the Freeport Task and Finish Group review.</p>	Cllr Birch / Chris Brook / Lisa Buckle	Report of the Task and Finish Group	30 November 2023	
Deputy Leader	<p>Title: Community Development</p> <p>Purpose: To consider a report that sets out the Council's proposed approach to Community Development.</p>	Cllr Thomas / Steve Mullineaux / Neil Hawke	Report of the Assistant Director – Strategy and Organisational Development	30 November 2023	
Leader	<p>Title: Draft Revenue and Capital Budget Proposals 2024/25</p> <p>Purpose: To consider a report that sets out a draft set of Revenue and Capital Budget proposals for 2024/25.</p>	Cllr Brazil / Lisa Buckle	Report of the Section 151 Officer	30 November 2023	
Leader	<p>Title: Quarter 3 and Quarter 4 Write-Off Report 2022/23</p> <p>Purpose: To consider a report that outlines the proposed write-offs of a series of irrecoverable debts from Quarters 3 and 4 for 2022/23.</p>	Cllr Brazil / Lisa Buckle / Geni Hotchkiss	Report of the Head of Revenues & Benefits	30 November 2023	
Community Services & Operations	<p>Title: Car Parking Fees and Charges</p> <p>Purpose: To consider a report that presents a Car Parking Update to the Executive.</p>	Cllr Abbott / Chris Brook / Emma Widdicombe	Report of the Principal Assets Officer	30 November 2023	



Portfolio Area	Report Title and Summary	Lead Member / SLT Lead / Report Author	Documents to be considered in making decision	Date of Decision	Consultees and means of consultation
Deputy Leader	<p>Title: Planning Enforcement Plan Task and Finish Group Review</p> <p>Purpose: To consider a report that presents the concluding report of the Planning Enforcement Plan Task and Finish Group review.</p>	<p>CLlr Thomas / Drew Powell / Ali Wagstaff</p>	<p>Report of the Task and Finish Group</p>	<p>30 November 2023</p>	
Climate Change & Biodiversity	<p>Title: South Devon AONB Unit</p> <p>Purpose: To consider a report that provides an update on the work of the AONB Unit.</p>	<p>CLlr McKay / Chris Brook / Roger English</p>	<p>Report of the Director – Place & Enterprise</p>	<p>30 November 2023</p>	
Leader	<p>Title: Totnes Neighbourhood Plan</p> <p>Purpose: To consider a report that provides a progress update on the Totnes Neighbourhood Plan.</p>	<p>CLlr Brazil / Drew Powell / Graham Swiss</p>	<p>Report of the Senior Strategic Planning Officer</p>	<p>30 November 2023</p>	
Leader	<p>Title: South Milton Neighbourhood Plan</p> <p>Purpose: To consider a report that provides a progress update on the South Milton Neighbourhood Plan.</p>	<p>CLlr Brazil / Drew Powell / Graham Swiss</p>	<p>Report of the Senior Strategic Planning Officer</p>	<p>30 November 2023</p>	
Leader	<p>Title: Salcombe Harbour Board Minutes</p> <p>Purpose: To receive the minutes arising from recent Salcombe Harbour Board meetings that presents recommendations on the Harbour Budget and</p>	<p>CLlr Brazil / Chris Brook / Darryl White</p>	<p>Minutes arising from recent Harbour Board meetings</p>	<p>30 November 2023</p>	



Portfolio Area	Report Title and Summary	Lead Member / SLT Lead / Report Author	Documents to be considered in making decision	Date of Decision	Consultees and means of consultation
	Fees and Charges for 2024/25				
Waste & Community Composting	<p>Title: Waste Services Update</p> <p>Purpose: To consider a report that provides a service update on Waste.</p>	<p>CLlr Hodgson / Steve Mullineaux / Sarah Moody</p>	<p>Report of the Deputy Chief Executive</p>	<p>25 January 2024</p>	
Leader	<p>Title: Corporate Strategy & Delivery Plans</p> <p>Purpose: To consider a report that presents a draft set of indicative Delivery Plans that will underpin the Council's Corporate Strategy.</p>	<p>CLlr Brazil / Drew Powell / Neil Hawke</p>	<p>Report of the Assistant Director – Strategy & Organisational Development</p>	<p>25 January 2024</p>	
Leader	<p>Title: Draft Revenue and Capital Budget Proposals 2024/25</p> <p>Purpose: To consider a report that sets out a draft set of Revenue and Capital Budget proposals for 2024/25.</p>	<p>CLlr Brazil / Lisa Buckle</p>	<p>Report of the Section 151 Officer</p>	<p>25 January 2024</p>	
Leader	<p>Title: Revenue Budget Monitoring Report to Month 7</p> <p>Purpose: To consider a report that presents the Council's Revenue Budget Monitoring position to Month 7.</p>	<p>CLlr Brazil / Lisa Buckle / Pauline Henstock</p>	<p>Report of the Section 151 Officer</p>	<p>25 January 2024</p>	
Leader	<p>Title: Capital Programme Monitoring Report to Month 7</p> <p>Purpose: To consider a report that presents the Council's Capital</p>	<p>CLlr Brazil / Lisa Buckle / Pauline Henstock</p>	<p>Report of the Section 151 Officer</p>	<p>25 January 2024</p>	



Portfolio Area	Report Title and Summary	Lead Member / SLT Lead / Report Author	Documents to be considered in making decision	Date of Decision	Consultees and means of consultation
	Programme Monitoring position to Month 7.				
Leader	<p>Title: Council Tax Discounts 2024/25</p> <p>Purpose: To consider a report that seeks to recommend to Council a series of Council Tax Discounts for 2024/25</p>	CIlr Brazil / Steve Mullineaux / Geni Hotchkiss	Report of the Head of Revenues & Benefits	25 January 2024	
Leader	<p>Title: Council Tax Reduction Scheme 2024/25</p> <p>Purpose: To consider a report that seeks adoption of a revised Council Tax Reduction Scheme.</p>	CIlr Brazil / Steve Mullineaux / Geni Hotchkiss	Report of the Head of Revenues and Benefits	25 January 2024	
Leader	<p>Title: Discretionary Rate Relief Policy</p> <p>Purpose: To consider a report that presents an updated Discretionary Rate Relief Policy for approval.</p>	CIlr Brazil / Steve Mullineaux / Geni Hotchkiss	Report of the Head of Revenues and Benefits	25 January 2024	
Leader	<p>Title: Corporate Debt Policy</p> <p>Purpose: To consider a report that seeks approval of an updated Corporate Debt Policy.</p>	CIlr Brazil / Steve Mullineaux / Geni Hotchkiss	Report of the Head of Revenues and Benefits	25 January 2024	
Community Services & Operations	<p>Title: Dartmouth Health Hub – Off-Street Parking Order Amendment: Six Month Review</p> <p>Purpose: To consider a report that presents the results of a six-month review into the Dartmouth</p>	CIlr Abbott / Chris Brook / Emma Widdicombe	Report of the Principal Assets Officer - Buildings, Parking and Public Conveniences	25 January 2024	



Portfolio Area	Report Title and Summary	Lead Member / SLT Lead / Report Author	Documents to be considered in making decision	Date of Decision	Consultees and means of consultation
	Health Hub Off-Street Parking Order amendment.				
Deputy Leader	<p>Title: Conservation Area Appraisals – Totnes, Kingsbridge & Dartmouth</p> <p>Purpose: To consider a report that seeks to adopt the proposed new Conservation Area Appraisals for Totnes, Kingsbridge & Dartmouth.</p>	<p>CIlr Thomas / Drew Powell / Ali Wagstaff</p>	<p>Report of the Assistant Director: Planning</p>	<p>25 January 2024</p>	
Leader	<p>Title: Brixton Neighbourhood Plan</p> <p>Purpose: To consider a report that provides a progress update on the Brixton Neighbourhood Plan.</p>	<p>CIlr Brazil / Drew Powell / Graham Swiss</p>	<p>Report of the Senior Strategic Planning Officer</p>	<p>25 January 2024</p>	
Leader	<p>Title: Staverton Neighbourhood Plan</p> <p>Purpose: To consider a report that provides a progress update on the Staverton Neighbourhood Plan.</p>	<p>CIlr Brazil / Drew Powell / Graham Swiss</p>	<p>Report of the Senior Strategic Planning Officer</p>	<p>25 January 2024</p>	
Leader	<p>Title: Joint Local Plan Review</p> <p>Purpose: To consider a report that provides an update on the Joint Local Plan.</p>	<p>CIlr Brazil / Chris Brook / Jo Lee</p>	<p>Report of the Strategic Planning Manager (Joint Local Plan)</p>	<p>25 January 2024</p>	
Service Quality	<p>Title: Quarter 1 and Quarter 2 Write-off Report 2023/24</p> <p>Purpose: To consider a report that seeks to write-off a number of debts that are deemed to be</p>	<p>CIlr Hopwood / Lisa Buckle / Geni Hotchkiss</p>	<p>Report of the Head of Revenues and Benefits</p>	<p>25 January 2024</p>	



Portfolio Area	Report Title and Summary	Lead Member / SLT Lead / Report Author	Documents to be considered in making decision	Date of Decision	Consultees and means of consultation
	irrecoverable from Quarters 1 and 2 in 2023/24				
Community Services & Operations	<p>Title: Dog Control Public Space Protection Orders</p> <p>Purpose: To consider a report that presents the results of the public consultation exercise into the Dog Control Public Space Protection Orders.</p>	CLlr Abbott / Steve Mullineaux / Karen Proctor	Report of the Principal Environmental Health & Licensing Officer	25 January 2024	
Climate Change & Biodiversity	<p>Title: Climate Change & Biodiversity Emergency Update – Standing Agenda Item</p> <p>Purpose: To enable the Committee to receive an update from the lead Member for Climate Change & Biodiversity.</p>	CLlr McKay / Drew Powell / Adam Williams	Report of the Director for Strategy & Governance	25 January 2024	
Housing, Environmental Health & Licensing	<p>Title: Progress Update on Housing Projects</p> <p>Purpose: To enable the Committee to receive an update from the lead member for Housing.</p>	CLlr O’Callaghan / Chris Brook / Issy Blake	Report of the Head of Housing	25 January 2024	
Leader	<p>Title: Revenue Budget Monitoring Report to Month 10</p> <p>Purpose: To consider a report that presents the Council’s Revenue Budget Monitoring position to Month 10.</p>	CLlr Brazil / Lisa Buckle / Pauline Henstock	Report of the Section 151 Officer	7 March 2024	
Leader	<p>Title: Capital Programme Monitoring Report to Month 10</p>	CLlr Brazil / Lisa Buckle / Pauline Henstock	Report of the Section 151 Officer	7 March 2024	



Portfolio Area	Report Title and Summary	Lead Member / SLT Lead / Report Author	Documents to be considered in making decision	Date of Decision	Consultees and means of consultation
	Purpose: To consider a report that presents the Council's Capital Programme Monitoring position to Month 10.				
Leader	Title: Discretionary Housing Payments Policy Purpose: To consider a report that seeks approval of a revised Discretionary Housing Payments Policy.	CLlr Brazil / Steve Mullineaux / Pauline Henstock	Report of the Head of Revenues and Benefits	7 March 2024	
Climate Change & Biodiversity	Title: Climate Change & Biodiversity Emergency Update – Standing Agenda Item Purpose: To enable the Committee to receive an update from the lead Member for Climate Change & Biodiversity.	CLlr McKay / Drew Powell / Adam Williams	Report of the Director for Strategy & Governance	7 March 2024	
Housing, Environmental Health & Licensing	Title: Progress Update on Housing Projects Purpose: To enable the Committee to receive an update from the lead member for Housing.	CLlr O'Callaghan / Chris Brook / Issy Blake	Report of the Head of Housing	7 March 2024	

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Report to: **Executive**

Date: **30 November 2023**

Title: **Plymouth and South Devon Freeport: Report of Task & Finish Group**

Portfolio Area: **Economic Development**

Wards Affected: **All**

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

Date next steps can be taken: The Full Council meeting to be held on 14 December 2023

Author: Task and Finish Group Role:

Contact: email: chris.brook@swdevon.gov.uk

RECOMMENDATIONS:

That the Executive:

- 1. Thank the Task and Finish Group for their considerable and in-depth work reviewing the risks and opportunities of the Freeport; and**
- 2. Consider the 17 recommendations set out by the Task and Finish Group in section 2 of this report and make a recommendation to Full Council.**
- 3. Agree that the Executive's recommendations on the report are considered by Full Council on 14 December 2023**

1. Executive summary

- 1.1 The Task and Finish Group arising from the Audit and Governance Committee conducted an investigation into the costs, opportunities, risks and governance of the Plymouth and South Devon (PASD) Freeport. This report to the Executive is a conclusion from that investigation and sets out recommendations for the Executive to consider. Given the current situation, the Task and Finish Group feel that it is important that all Members have a chance to understand the opportunities and risks that the Freeport represents and have an opportunity to consider and debate the topic.

1.2 The Task & Finish (T&F) Group feel that the complex Freeport project has been well managed and that a great deal of work has been done by officers. The T&F Group has appreciated the information provided by Council officers and Members upon which this report is based.

1.3 The following aspects were investigated by the T&F Group:

- i. Costs & financial returns
- ii. Benefits and opportunities
- iii. Risk management
- iv. Governance and engagement

1.4 The Council has published Frequently Asked Questions and Answers regarding the Plymouth and South Devon Freeport on its website at the link below:

<https://www.southhams.gov.uk/ferry-and-harbour/plymouth-and-south-devon-freeport>

Task And Finish Group Report of the Audit and Governance Committee

2. Summary Recommendations

1. That the Executive considers the recommendations in this report and presents an update on the Freeport to Full Council, including a copy of this report, at an early opportunity.
2. That the Council works to simplify the land acquisition plan and separate the two transactions. The purchase of Sherford can go ahead as approved by the Council; but the Langage purchase should be put on hold and be subject to a later approval by the Council if and when necessary.
3. If land values or the situation changes, the Council may want to update any valuation as required.
4. That the Council strives to achieve best value in any land sale, balanced against best outcomes in employment and economic investment.
5. That the latest financial projections, showing best estimates of business rates income, interest rate payments and the worst-case scenario (as reviewed by the T&F Group) is set out in a report to the Executive with any recommendations being presented to the Full Council.
6. The Executive takes a close look at the current finance projections, as well as the worst-case scenario, to ensure that costs and financial risks are understood and acceptable to the Council. We suggest a stage gate process so that a future explicit investment decision (such as Langage) is made using the most up to date information.

7. That the Director of Place reports every three months on the progress of the that part of the development of the Freeport in South Hams to the Executive, comparing actual progress of the development and occupancy to the plan; and that mitigating actions are put in place where necessary.

8. That the Monitoring Officer provides a report to the Executive on the strength of the legal agreements entered into by the Council and in particular those parts relating to the land assets and income stream.

9. The Council encourages the Freeport company to investigate the possibility of the Gateway policy being strengthened, or other controls could be put in place to ensure that the land is only used for suitable purposes that are consistent with the Freeport principles.

10. That the Council works with and/or encourages the Freeport company to develop clear outcomes and tangible delivery plans for the benefits to the environment, the green economy, skills, well-paid jobs, small business, and social outcomes in the South Hams area of the Freeport, through which progress can be monitored and evaluated so that these wider benefits can be realised. The T&F group see these wider benefits crucial to long-term legitimacy of the Freeport.

11. That the Council works with and/or encourages the Freeport company to enhance the focus on net zero and the green economy as a priority objective for the Freeport. This objective should be supported through the establishment of a net zero Advisory Board to deliver this part of the mission.

12. The Council seeks to encourage the Freeport company to ensure that all construction at Sherford and Langage should explicitly consider net zero targets, an environmental impact assessment should be done, and mitigation should be carried out if needed.

13. That the Council requests the Freeport company to publish its risk management framework and update it on a six-month basis.

14. That the Council develops and publishes its own risk policy and risk register for its involvement in the Freeport, so that each risk can be managed and so that the plan can be reviewed by Audit and Governance and others.

15. That the Freeport company be encouraged to monitor the movement of businesses into the Freeport to ascertain any possible localised economic displacement and produce such a report with possible remedial measures should such displacement becomes apparent SHDC should consider the use of a proportion of retained business rates generated through the Freeport to mitigate any localised economic damage, such as through localised stimulus spending.

16. That the Executive reviews the delegated powers and authority related to the Freeport and determines if any changes are needed.

17. That the Council together with the Freeport company instigates a communication and engagement programme to publish information explaining the benefits of the Freeport to the local parish and the wider South Hams region, to inform public opinion and help answer any questions that might arise.

2.1 Background

- 2.2 The T&F Group recognises the potential benefits that the Freeport offers for residents of the South Hams. However, there are a number of costs and risks which we wish to highlight and will need to be well managed going forward.
- 2.3 As of September 2023, SHDC has entered into legal agreements relating to the Freeport. Costs incurred by SHDC so far have been £75,300 (Appendix B). Additional anticipated costs for SHDC are in the order of £5 million in the early years of the project, raised from PWLB borrowing and paid for by business rates generated from the Freeport over the life of the project. Therefore the Freeport is projected to be self-financing, in that the business rates generated will pay for the borrowing costs.
- 2.4 The Council has signed an MoU (Memorandum of Understanding) with Government along with a partnership agreement with Devon County Council and Plymouth City Council both of which impose legal obligations on the Council. Any unilateral withdrawal from the Freeport will result in the Council being in breach of its obligations. Furthermore, we believe it makes sense to continue to pursue the Freeport project for the following reasons:
- i. The Freeport will bring new investment, projected to be over £300 million, and an estimate of 3,500 jobs across Plymouth and South Hams, together with enhancements to skills and infrastructure.
 - ii. 100% of the business rates paid by businesses operating in that part of the Freeport within South Hams will be retained in a South Hams District Council ringfenced business rates account, rather than the 14% normally retained by the Council, to be used for the delivery of Freeport objectives¹. This results in a potential fund of £24m (see 3.4 for how this is allocated) over 25 years (after the deduction of expenses) for investment in the South Hams area for Freeport-related investments.

¹ The expenditure of retained business rates is set out in the business rates sharing agreement between SHDC and DCC, as outlined in section 3.4 of the report

- iii. Although there are risks within the project there are also very grave risks from withdrawing at this stage, in reputational, legal and cost terms. **The T&F Group believes that on balance the benefits of the Freeport outweigh the costs and risks involved, so long as these are understood and continue to be well managed.**
- 2.5 Furthermore, if the Council proceeds with the Freeport project there is an opportunity for SHDC to shape the goals and the work of the Freeport to align it more closely to the priorities of the Council. In particular, we see an opportunity for clearer and stronger Freeport outcomes that would help the environment, the green economy, local skills, well-paid jobs, small business, and social outcomes, and **we recommend more focus on these desirable outcomes.**

3. Cost and Financial Returns

- 3.1 Total capital investment in the Freeport is predicted to reach £314m over 25 years with £25m of seed capital (Government grant) from the Government, £29m from local council funding and up to £250m from business (private sector investment).
- 3.2 Around £5m of the investment would come from SHDC and most of this investment will be used to purchase land, as the Council is responsible for making land at Sherford available for the Freeport. To enable this SHDC intends to borrow funds from the Public Works Loan Board (PWLB) for the investment. In March 2022 the Council approved borrowing up to £5m (this was increased to £5.5million in March 2023). Other Freeport funding will come from the SHDC Business Rates reserve.
- 3.3 This investment will be recouped as a capital receipt through the sale of land (which is the intent at the current time), and in addition the PWLB loan will be repaid by business rates income from Langage and Sherford from the retained business rates fund.
- 3.4 Of the £40m projected surplus after 25 years, 20% is to be allocated to Devon CC, and 20% for SHDC specific priorities, leaving £24m for spending in the South Hams area. This spending will be on Freeport related projects guided by the three Councils, with priorities being on skills, innovation, and carbon net zero projects, and to reduce and mitigate and displacement of jobs.

- 3.5 Borrowing was originally intended for the purchase of the Langage site, and the Council agreed in September 2022 to make a CPO (Compulsory Purchase Order) application. A decision was then made in March 2023 to reallocate the Langage funds to be used for either the same purpose or for the acquisition of land at Sherford instead.
- 3.6 Some members of T&F Group feel that decisions like this, close to the May 2023 election, were not ideal and heightened a sense of cynicism and public doubt around the project. The T&F group is concerned about the public perception of the project and hopes that more open information and accountable decision-making will restore confidence.
- 3.7 The business case submitted by the Council and approved by government was to purchase land at Sherford, which would then be sold on to an appropriate developer / occupier. In this way, releasing seed funding (Government grant funding) for investment in Langage, if needed.
- 3.8 However, the flow of money and approvals is complex (as set out in Appendix A) and it is important to clarify that there is no obligation nor approval in place for the Council to acquire both Sherford **and** Langage.
- 3.9 **We recommend that the Council works to simplify the land acquisition plan and separate the two transactions. The purchase of Sherford can go ahead as approved by the Council; but the Langage purchase should be put on hold and be subject to a later approval by the Council if and when necessary.**
- 3.10 We understand that officers have land valuations from one valuer following the red book process. **We recommend that if the land values or the situation changes, the Council may want to update any valuation as required.**
- 3.11 We also understand that if any losses on the sale of land are made (after deduction of SHDC's selling costs) these would fall proportionately on SHDC, in accordance with the ratio of seed funding to match funding. A lower sale value would mean that the capital receipt which is retained by SHDC is lower in value.
- 3.12 This would not cause a loss to SHDC's finances as the borrowing on the land would continue to be paid for from the business rates income generated by the Freeport. The T&F Group highlight this risk, but also the mitigation that the land sale capital receipt is not required to repay the PWLB borrowing, as this will continue to be repaid from the business rates generated in the Freeport. **We recommend that the Council strives to achieve best value in any land sale, balanced against best outcomes in employment and economic investment.**

- 3.13 The income stream to fund interest and capital payment is dependent on retained business rates income from occupiers of the Freeport. We recognise that the financial success depends on a number of factors such as on-time delivery of the land, the occupancy rates, and inflation (which increases business rate income).
- 3.14 The financial viability is also affected by the interest rate to be paid on the £5.5m borrowing, which has increased since the initial plans were made. **We recommend that the latest financial projections, showing best estimates of business rates income, interest rate payments and the worst-case scenario (as reviewed by the T&F Group) is set out in a report to the Executive with any recommendations being presented to the Full Council.**
- 3.15 **We recommend that the Executive takes a close look at the current finance projections, as well as the worst-case scenario, to ensure that costs and financial risks are understood and acceptable to the Council. We suggest a stage gate process so that a further explicit investment decision (such as the purchase of Langage) is made using the most up to date information.**
- 3.16 The report to Council in March 2022 stated that "The assumptions used within the financial model for business rates income are that there will be 16% occupancy of the light industrial business park by 2024/25 and 90% occupancy of the warehouse; other industrial sites will be between 11% and 90% occupancy by 2024/25". The most up to date assumptions used within the September 2023 financial modelling are 25% occupancy at Langage in 25/26, 46% occupancy in 2026/27 and 60% occupancy by 27/28. Occupancy at Sherford is projected to commence in 2027/28.
- 3.17 If development is delayed and the tenant occupies the sites late, then the retained business rate income stream is delayed and net income would be reduced. Information provided to the T&F Group suggest that some aspects of the Freeport timescale, planned in January 2023, are already up to five months late by August 2023.
- 3.18 Slippage of the infrastructure development has mitigated this and positively impacted the cash flow in the early years, as shown in Appendices C and D which compares the net income model shown to Council in March 2022 with the latest one provided to the T&F Group in late August 2023. In these 18 months the net income in the first 5 years of operation has changed from net positive projection of £2m to a net deficit of £288,000. This cashflow impact is because of the delay in occupancy and due to the fact that business rate income from both Langage and

Sherford has moved back approximately 2 years. Overall, it can be seen from the graphs in Appendices C and D that the total forecast for business rate income is greater than was previously forecast.

- 3.19 In the event that SHDC and DCC borrowing is fully drawn down and there was no business rate income from any tenant, it would result in a maximum of £366,000 cost per year for South Hams District Council (£5.125m borrowed over 23 years at 4.5% fixed interest costs). Therefore, it is essential that the development and borrowing costs stay synchronised so as to mitigate this risk.
- 3.20 **We recommend that the Director of Place reports every three months on the progress of that part of the development of the Freeport in South Hams to the Executive, comparing actual progress of the development and occupancy to the plan; and that mitigating actions are put in place where necessary** and phasing the payment for the land purchase at Sherford to be the most favourable for the Council (for example, in the case of stage payments, using the Government seed funding first and the Council's borrowing in the latter stage payments). This then delays the borrowing costs until later years when there is more business rates income to meet the costs.
- 3.21 However, it should also be noted that the latest projection and modelling **shown in Appendix D** shows an increase in the amount of residual business rates income building up over the 25 years due to the higher business rates income, as a result of higher projected inflation. In March 2022, the residual business rates income was projected to be £27.32million over the 25 years, with a 41% risk sensitivity. The latest modelling in September 2023 shows the residual business rates income is projected to be £40.989million over the 25 years, with a 47% risk sensitivity. This means that the projected business rates income would have to fall by 47% (roughly half) before the costs within the ringfenced business rates account (such as the borrowing costs) would not be covered by the business rates income generated by the Freeport and not be self-financing.
- 3.22 If, for any reason, the Freeport is wound up or its conditions varied by a future Government, the expected benefits and income might be lost. **We recommend that the Monitoring Officer provides a report to the Executive on the strength of the legal agreements entered into by the Council and in particular those parts relating to the land assets and income stream.**

4. Benefits and Opportunities

- 4.1 It is claimed that the Freeport will supercharge the local and regional economy by building on our nationally unique

capabilities in marine, defence and space, including low carbon applications.

- 4.2 Expected benefits of the freeport include: the attraction of new businesses; the creation up to 3,500 new jobs paying at or above the national average (with an average wage level of at least £13.92 per hour); skills development, innovation, and the support of climate goals.
- 4.3 To ensure that the Freeport attracts businesses that are consistent with Freeport principles it has put in place a Gateway policy. This ensures that business rates relief are only applied to businesses that meet the criteria. However, some organisations, which may not be compliant, are interested in acquiring the Sherford site. The current plan is for SHDC to purchase the site to ensure that we have full control and therefore can preserve the integrity of the Freeport and ensure land is used aligned to its strategic purpose.
- 4.4 This scenario highlights that Gateway policies, however robust can only levy financial sanctions, rather than place an absolute barrier to non-aligned use in the Freeport and reinforces the policy of the Council acquiring the site.
- 4.5 **We recommend that the Council encourages the Freeport company to investigate the possibility of the Gateway policy being strengthened, or other controls could be put in place to ensure that the land is only used for suitable purposes that are consistent with the Freeport principles.**
- 4.6 There are a number of other potential benefits to our region including training, skills, cycle tracks, innovation and zero carbon commitments. However, the action plans to deliver these benefits for the region are still at an early stage in planning. We see an opportunity for clearer and stronger Freeport outcomes in line with SHDC priorities, by using the retained business rates surplus.
- 4.7 **We recommend that the Council works with and/or encourages the Freeport company to develop clear outcomes and tangible delivery plans for the benefits to the environment, the green economy, skills, well-paid jobs, small business, and social outcomes in the South Hams area of the Freeport, through which progress can be monitored and evaluated so that these wider benefits can be realised. The T&F group see these wider benefits crucial to long-term legitimacy of the Freeport.**
- 4.8 The Langage site includes the proposal to build a 10MW green hydrogen hub, the first of its kind in Devon and Cornwall. In March 2023 the Government announced financial support to the

project through its Hydrogen Business Model. The Freeport has an ambition to act as an exemplar to deliver net zero for the wider region significantly ahead of 2050, but there is no Advisory Board in the Freeport company tasked with making sure this goal is met, unlike for other areas such as skills and innovation.

4.9 We recommend that the Council works with and/or encourages the Freeport company to enhance the focus on net zero and the green economy as a priority objective for the Freeport. This objective should be supported through the establishment of a net zero Advisory Board to deliver this part of the mission.

4.10 We recommend that the Council seeks to encourage the Freeport company to ensure that all construction at Sherford and Langage should explicitly consider net zero targets, an environmental impact assessment should be done, and mitigation should be carried out if needed.

5. Risk Management

5.1 In addition to the points noted above, the project raises a number of strategic, financial, operational and reputational risks for SHDC. Although risks for the Freeport body have been identified, and some initial risks are outlined in the Council paper of March 2022, we believe there is no full risk analysis or management plan in place for the Council itself. We see the following as some of the potential risks for the Council arising from this project and the *mitigations* discussed with the T&F group:

- i. Risk that a new Government changes the way the Freeport operates, or the way that retained business rates can be used.
- ii. Risks that costs escalate, or that the projected income stream fails to meet its target so that income does not cover the loan repayments costs. This could be caused by a lack of tenants, delays in the developments or other factors beyond the control of the Council.
The break-even point needs to be monitored and the synchronising of borrowing against income maintained, so that the costs of borrowing do not exceed the ability to repay the loan. Income would need to drop by nearly half before the income and costs break-even point is breached.
- iii. Risk that land values decline after an SHDC purchase, leading to a reduced capital receipt.
The current valuation and historic land values do not suggest this would be the case, but it is a possibility.
- iv. Risks that the operational or other costs increase.

The costs of operating the Freeport are set by the annual business plan, which is a reserved matter and therefore in the control of the Council.

- v. Risk of land contamination or environmental or carbon impact from the works on the sites.
Each land parcel is subject to its own due diligence undertaken by the appropriate promotor / developer / land owner.
- vi. Risk that there are fewer Freeport jobs created than projected, or that the jobs are lower paid, leading to reduced economic or social benefits for residents.
- vii. Risk that firms from other parts of the South Hams relocate into the Freeport, displacing jobs and reducing the net benefit for the region. This may be particularly the case for small and medium sized companies.
The gateway policy is specifically drafted to prevent this and needs to be applied robustly.
- viii. Risk that the Freeport body becomes unmanageable due to political or other differences between the Members (Councils) and the other Directors and / or the landowners, leading to lack of progress and success.
Strong relationships are in place between the three local authorities, which are underpinned by tripartite agreements.
- ix. Risk that any delay or cost escalation leads to a reputational impact on the Council.
- x. Risk that local training infrastructure cannot meet the skills needs of businesses locating to the Freeport thus adding inward migration pressure and associated impacts to the housing market, whilst also blocking local people from the economic opportunities offered.
The Freeport programme includes skills and training, delivered through a formal collaboration of the universities and colleges to mitigate this risk.

5.2 We recommend that the Council ask the Freeport to publish its risk management framework and update it on a six-monthly basis.

5.3 We recommend that the Council develops and publishes its own risk policy and risk register for its involvement in the Freeport, so that each risk can be managed and so that the plan can be reviewed by Audit and Governance and others.

5.4 We recommend that the Freeport company be encouraged to monitor the movement of businesses into the Freeport to ascertain any possible localised economic displacement and produce such a report with possible remedial measures should such displacement becomes apparent SHDC should consider the use of a proportion of retained

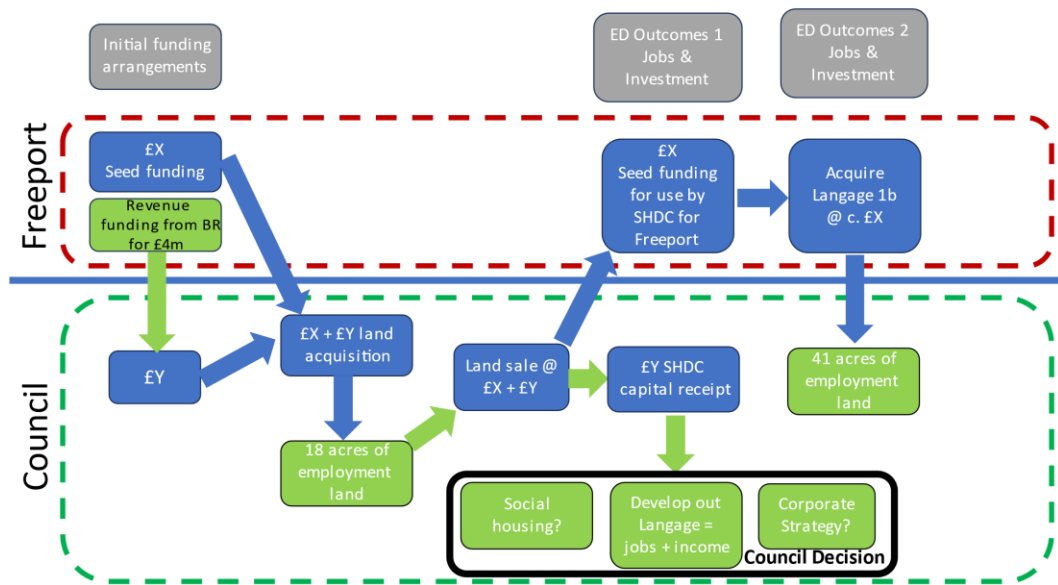
business rates generated through the Freeport to mitigate any localised economic damage, such as through localised stimulus spending.

- 5.5 There were also some risks identified at an earlier stage of the project relating to weakened planning controls and the extension of the Freeport (or enterprise zone) to a much wider area. This risk now seems not to be real as we understand that traditional planning rules still apply to the Freeport and the enterprise zone applies to Plymouth Oceansgate only. However, the Council should keep a watch on this potential risk.

6. Governance & Engagement

- 6.1 In March 2022 the Council gave authority to the Director of Place and Enterprise, in consultation with the Leader of the Council, Executive Member for Economy and S151 Officer to purchase land at Langage (later amended to include Sherford.). **We recommend that the Executive reviews the delegated powers and authority related to the Freeport and determine if any changes are needed.**
- 6.2 While the planning policy around Sherford and Langage has been through normal planning consultation, the Freeport investment and the decision by SHDC to proceed has not had any public consultation, either in the relevant parishes or across the region.
- 6.3 **We recommend that the Council together with the Freeport company instigates a communication and engagement programme to publish information explaining the benefits of the Freeport to the local parish and the wider South Hams region, to inform public opinion and help answer any questions that might arise.**

Appendix A: Funding Flow Chart



Appendix B: Expenditure to September 2023

FREEPORT EXPENDITURE		£		
COST CENTRE S1037/3677				
Financial Year 2022-23				
Legal Fees for the Compulsory Purchase		43,764	paid	
Financial Year 2023-24				
Legal Fees for the Compulsory Purchase		3,036	paid	
Subsidy control advice at Sherford		3,500	not yet paid	
Land Valuation of Sherford		25,000	not yet paid	
TOTAL		75,300		
Business Rates - Memorandum Account				
Plymouth and South Devon Freeport				
Annual Landowner contribution for 2022-23 to the Freeport		50,000		
Funded by the Business Rates Retention fund.				
TOTAL		50,000		

Appendix C: Net Business rates projections for PASD Freeport

South Hams and Devon County Council ringfenced Business Rates Account – Original financial forecasting as set out within the Council report on 31st March 2022

South Hams ringfenced Business rates account	22/23 £'000	23/24 £'000	24/25 £'000	25/26 £'000	26/27 £'000	Yrs 6-10	Yrs 11-15	Yrs 16-20	Yrs 21-25	Total £'000
						27/28 - 31/32 £'000	32/33 - 36/37 £'000	37/38 - 41/42 £'000	42/43 - 46/47 £'000	
Retained Business Rates - Langage	0	7	600	1,224	1,564	10,817	12,190	13,456	14,862	54,719
Retained Business Rates - Sherford	0	0	0	420	428	2,272	2,508	2,768	3,058	11,454
Total South Hams Retained Business Rates	0	7	600	1,644	1,992	13,089	14,698	16,224	17,919	66,173
Total debt charges - Langage DCC	0	0	(96)	(339)	(629)	(4,434)	(4,434)	(4,434)	(4,434)	(18,800)
Total debt charges - Langage SHDC	(6)	(63)	(267)	(267)	(267)	(1,334)	(1,334)	(1,334)	(1,334)	(6,206)
Total debt charges - Sherford	0	0	0	0	0	0	0	0	0	0
Total South Hams Debt Charges (Langage)	(6)	(63)	(363)	(606)	(895)	(5,768)	(5,768)	(5,768)	(5,768)	(25,006)
Lifecycle costs - Langage	0	0	(38)	(37)	(45)	(569)	(962)	(1,133)	(1,757)	(4,541)
Lifecycle costs - Sherford	0	0	0	(1)	(7)	(169)	(333)	(388)	(394)	(1,291)
Total South Hams Lifecycle Costs	0	0	(38)	(38)	(52)	(738)	(1,295)	(1,521)	(2,151)	(5,832)
Freeport operating costs - Langage	0	0	0	0	0	(1,145)	(1,264)	(1,395)	(1,540)	(5,343)
Freeport operating costs - Sherford	0	0	0	0	0	(572)	(632)	(697)	(770)	(2,672)
Total South Hams Contribution to Freeport Operating Costs	0	0	0	0	0	(1,717)	(1,895)	(2,092)	(2,310)	(8,015)
Residual Business Rates - Langage	(6)	(57)	199	581	624	3,334	4,196	5,160	5,796	19,829
Residual Business Rates - Sherford	0	0	0	419	421	1,531	1,543	1,683	1,894	7,491
Total South Hams Residual Business Rates	(6)	(57)	199	1,001	1,044	4,865	5,739	6,844	7,690	27,320
<i>Risk sensitivity</i> (% that business rates income would need to fall so that residual business rates income would be Nil)			33%	61%	52%	37%	39%	42%	43%	41%

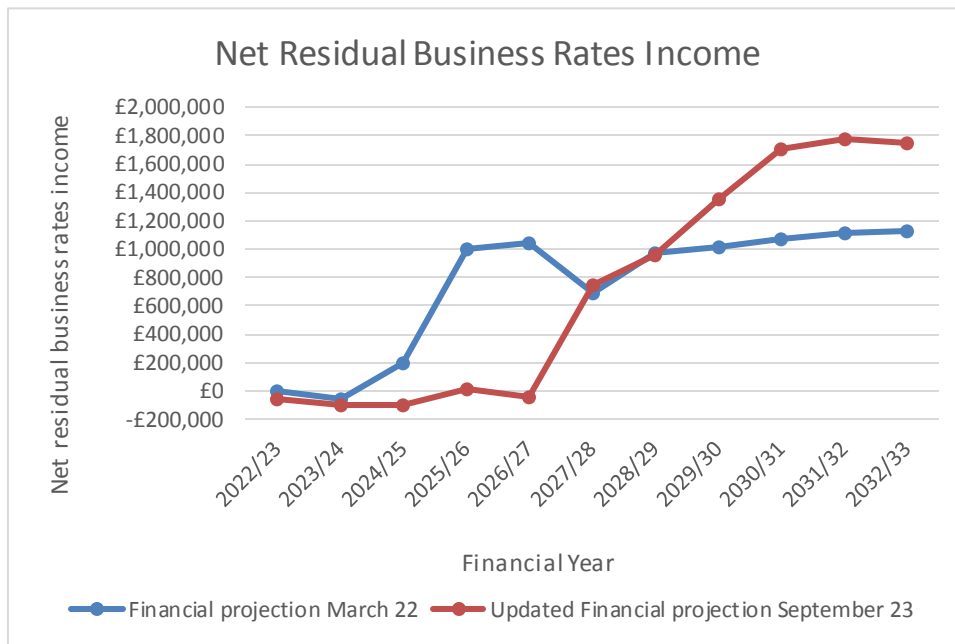
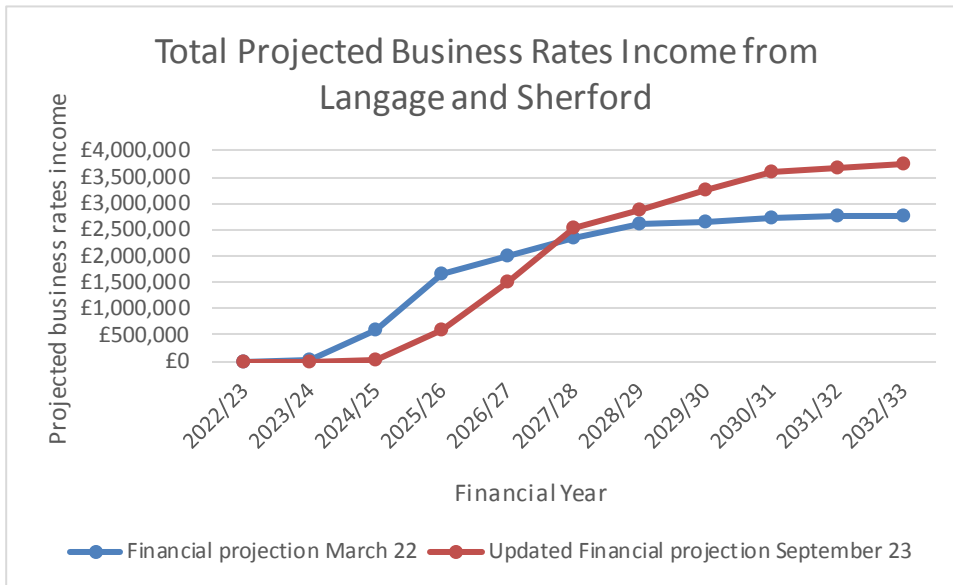
Appendix D: South Hams and Devon County Council ringfenced Business Rates Account

Latest (September 2023) financial forecasting

South Hams	0	1	2	3	4	5	Yrs 6-10	Yrs 11-15	Yrs 16-20	Yrs 21-25	Total
	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	28/29 - 32/33	33/34 - 37/38	38/39 - 42/43	43/44 - 47/48	
	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000	£'000
Retained Business Rates - Langage	0	0	8	600	1,505	1,961	14,043	16,466	18,181	20,074	72,838
Retained Business Rates - Sherford	0	0	0	0	0	589	3,126	3,451	3,811	4,207	15,184
Total South Hams Retained Business Rates	0	0	8	600	1,505	2,550	17,169	19,917	21,992	24,281	88,022
Total debt charges - Langage DCC	0	0	0	(322)	(1,021)	(1,021)	(5,105)	(5,105)	(5,105)	(5,105)	(22,784)
Total debt charges - Langage SHDC	0	0	0	(25)	(80)	(80)	(400)	(400)	(400)	(400)	(1,785)
Total debt charges - Sherford	0	0	0	(90)	(286)	(286)	(1,430)	(1,430)	(1,430)	(1,430)	(6,382)
Total Debt Charges for SHDC and DCC	0	0	0	(437)	(1,387)	(1,387)	(6,935)	(6,935)	(6,935)	(6,935)	(30,951)
Life Cycle costs - Langage	0	0	0	(42)	(41)	(49)	(625)	(1,060)	(1,248)	(1,931)	(4,996)
Life Cycle costs - Sherford	0	0	0	0	(1)	(8)	(184)	(365)	(426)	(434)	(1,418)
Total South Hams Lifecycle Costs	0	0	0	(42)	(42)	(57)	(809)	(1,425)	(1,674)	(2,365)	(6,414)
Freeport operating costs - Langage	0	0	0	0	0	(237)	(1,257)	(1,392)	(1,532)	(1,695)	(6,113)
Freeport operating costs - Sherford	0	0	0	0	0	(119)	(631)	(696)	(768)	(848)	(3,062)
Total South Hams Contribution to Freeport Operating Costs	0	0	0	0	0	(356)	(1,888)	(2,088)	(2,300)	(2,543)	(9,175)
Landowner Contribution SHDC	(50)	(104)	(109)	(113)	(117)	0	0	0	0	0	(493)
Total Landowner Contribution - Langage - SHDC	(50)	(104)	(109)	(113)	(117)	0	0	0	0	0	(493)
Residual Business Rates - Langage	(50)	(104)	(101)	98	246	574	6,656	8,509	9,896	10,943	36,667
Residual Business Rates - Sherford	0	0	0	(90)	(287)	176	881	960	1,187	1,495	4,322
Total South Hams Residual Business Rates	(50)	(104)	(101)	8	(41)	750	7,537	9,469	11,083	12,438	40,989
<i>Risk sensitivity - South Hams</i>				1%	-3%	29%	44%	48%	50%	51%	47%

	Net Residual Business rates per year; £ '000					Next 20 years	25-year Total
	2022-23	2023-24	2024-25	2025-26	2026-27		
Original plan (March 2022)	-6	-57	199	1,001	1,044	25,138	27,320
Current plan (August 2023)	-50	-104	-101	8	-41	41,277	40,989

Appendix E: Comparison of Financial Projections between March 2022 and September 2023



7. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>As part of the Audit and Governance Committee's Workplan for 2023/24, the Committee agreed to establish a task and finish group to consider the governance and other arrangements relating to the creation of the Freeport (Min AG.8/23 refers)</p> <p>Although the task and finish group was to report back to the Audit and Governance Committee, with the view that the Committee would make any recommendations to the Executive, at the meeting of the Audit and Governance Committee on 28 August 2023 it was agreed that the Task and Finish Group would make any recommendations directly to the Executive.</p>
Financial implications to include reference to value for money		<p>The latest projection and modelling shown in Appendices C, D and E shows an increase in the amount of residual business rates income building up over the 25 years due to the higher business rates income, as a result of higher projected inflation. In March 2022, the residual business rates income was projected to be £27.32million over the 25 years, with a 41% risk sensitivity. The latest modelling in September 2023 shows the residual business rates income is projected to be £40.989million over the 25 years, with a 47% risk sensitivity. This means that the projected business rates income would have to fall by 47% (roughly half) before the costs within the ringfenced business rates account (such as the borrowing costs) would not be covered by the business rates income generated by the Freeport and not be self-financing.</p>
Risk		See Risk Management (Section 5).
Supporting Corporate Strategy		Economy

Consultation & Engagement Strategy		<p>How are stakeholders engaged?</p> <ol style="list-style-type: none"> 1) Built on the extensive public consultation through the Plymouth and South Devon Joint Local Plan 2) Held two major stakeholder events with the chamber of commerce, local MPs and 100+ other delegates prior to submitting the Full Business Case to Government 3) Secured formal political decisions from each of the three local authorities ensuring democratic accountability. <p>Going forward the Freeport plans to:</p> <ol style="list-style-type: none"> 1) Deliver stakeholder event to cover cross cutting issues, such as clean growth and CNZ 2) Continue to be subject to joint scrutiny by the local authority partners and government 3) Publish board meetings on the website (complete) 4) Adopt Freeport company policies covering feedback and FOI and Nolan requirements 5) Follow normal local authority statutory processes
Climate Change - Carbon / Biodiversity Impact		Decarbonisation and green economy are a golden thread running through the Freeport requirements (as set out by Government). This report makes further recommendations that can be acted upon to further these benefits.
Comprehensive Impact Assessment Implications		
Equality and Diversity		
Safeguarding		
Community Safety, Crime and Disorder		
Health, Safety and Wellbeing		
Other implications		

Supporting Information

Appendices:

Appendix A: Funding Flow Chart

Appendix B: Expenditure to September 2023

Appendix C: Net Business rates projections for PASD Freeport

Appendix D: South Hams and Devon County Council ringfenced Business Rates Account

Appendix E: Comparison of Financial Projections between March 2022 and September 2023

Background Papers: N/A

Report to: **Executive**

Date: **30 November 2023**

Title: **Corporate Strategy (The Council Plan) & Outline Delivery Priorities**

Portfolio Area: **Councillor Julian Brazil
Leader of the Council**

Wards Affected: **All**

Author: **Andy Bates** Role: **Chief Executive**
Neil Hawke **Assistant Director Strategy**

Contact: Directors@swdevon.gov.uk

RECOMMENDATIONS:

That the Executive:

- 1. Note the consultation responses at Appendix A;**
- 2. Consider the updated draft Corporate Strategy (now 'The Council Plan') as set out in Appendix B;**
- 3. Hold a further meeting of each Advisory Group (and an initial meeting of the Economy Advisory Group) to inform the final delivery plans alongside the budget for 2024/25 and the Medium Term Financial Strategy; and**
- 4. Note that a further report will be presented to the next Executive meeting that seeks to make a final recommendation to the Full Council meeting to be held on 15 February 2024 to adopt The Council Plan.**

1. Executive summary

- 1.1 The Executive considered a draft corporate strategy for the Council at its meeting on 21 September 2023 and agreed to proceed to public consultation in order to inform its detailed delivery plans.
- 1.2 The consultation period has been extended to the end of November 2023 in order to enable maximum engagement, particularly with Town and Parish Councils, many of whom would be considering the draft strategy through their formal meetings.
- 1.3 This report sets out the consultation response to date, recommendations on any amendments to the draft strategy, outline delivery plans and next steps.

- 1.4 It is considered that to better reflect the intention of the document, from this point forward, it be known as 'The Council Plan'.

2. Public Consultation

- 2.1 The public consultation on the draft corporate strategy commenced on Monday 25th September 2023 and is intended to run through until 30th November 2023 – a total of ten weeks.
- 2.2 The consultation included a range of ways to seek views on the draft strategy including:
 - a. An online public consultation platform with survey.
 - b. A dedicated email address to send 'free-text' responses
 - c. Two online Parish Council briefings.
 - d. Face-to-face meetings between Executive Lead for Economy and each Town Council – with a primary focus on economic support and alignment.
 - e. Resident engagement at Ivybridge, Kingsbridge and Totnes Markets.
- 2.3 While levels of response to the consultation were relatively low, the responses received were broadly in support of the priorities for the Council.
- 2.4 The key points from the consultation are set out in Appendix A to this report and have informed some minor amendments to the final strategy. A common theme emerging from the consultation was the wish for the Council to have greater clarity on exactly what it will deliver and to focus on delivering core services well.
- 2.5 The amendments made include:
 - a. Renaming from 'Corporate Strategy' to 'The Council Plan'
 - b. Clarifying on the front cover that the Strategy covers the period 2024-2028.
 - c. Addition of a specific primary aim under the Housing theme to specifically reflect the needs of our most vulnerable residents.
 - d. Minor amendments to reflect that the consultation so far has requested it contain less technical language.
- 2.6 The updated draft Council Plan can be found at Appendix B to this report. The Council Plan will remain a draft until it is considered alongside the delivery plans and the Council Budget in February 2023. This means that any further key points coming out of the consultation (which runs up until the date of today's Executive), can be taken into consideration in the final version.

3. Outline delivery plans

- 3.1 The Council Plan sets out a number of focus areas for the next four years including an overall ambition statement, a small number of primary aims and some initial actions for the first 12 months.
- 3.2 In order that the consultation responses be fully considered to shape the delivery plans, it is proposed that Executive Leads for each theme hold a further meeting of their respective Advisory Groups to shape the plans alongside setting of the budget for 2024/25.
- 3.3 While the final delivery plans will not be agreed until February 2024, it is important to note that plans are already underway to deliver projects where we can do so within the existing budget. The following sections set out progress already made under each of the themes.

3.4 Climate Change and Biodiversity

To support our primary aims for Climate and Biodiversity we have:-

- a) launched a thermal imaging camera lending scheme to enable homes and businesses to assess where they may be losing heat – we'll continue to review the scheme and consider extending it.
 - b) agreed to lobby Government for changes in order to simplify the setting up of community energy generation schemes.
 - c) completed power upgrades at Totnes Depot as a first part of the full electrification of our fleet.
 - d) held a symposium with Sustainable South Hams to begin the development of a 'Keep it Local' Scheme.
 - e) Agreed a £62,000 community projects fund for Climate and Biodiversity initiatives – giving each District Councillor £2,000 to support local schemes.
 - f) Commissioned the Bioregional Learning Centre to conduct learning and capacity building for local climate adaptation.
 - g) Developed an Electric Vehicle Charging Strategy for the District (for consideration by Executive today).
- 3.5 In order to shape the detailed delivery plans, it is proposed to hold a further meeting of the Climate and Biodiversity Advisory Group in December 2023 (date to be confirmed).

3.6 Housing

To support our primary aims for Housing we have:-

- a) Undertaken comprehensive research into the benefits of Community Land Trust's, community development and the role of delivery partners.

- b) Developed for launch the South Hams Housing Offer (for consideration at this meeting of the Executive) package to enable local communities to bring forward affordable housing schemes – this is scheduled to launch in early 2024. Worked with Kingsbridge Town Council to engage with the market and selected a delivery partner (Hastoe Housing) to bring forward a fully affordable housing scheme on sites owned by the Council in the town.
 - c) Secured three Ministry of Defence properties to provide temporary housing for those fleeing conflict.
 - d) Invested in the purchase 11 properties to address the need for temporary accommodation.
 - e) Implemented a Council Tax discount scheme for Care Leavers
 - f) Successfully lobbied government to enable us to implement a 100% Council Tax premium on second homes from 2025.
- 3.7 In order to shape the detailed delivery plans, it is proposed to hold a further meeting of the Housing Advisory Group in December 2023 (date to be confirmed).

3.8 **Economy and Jobs**

To support our primary aims for Economy and Jobs we have:

- a) Progressed delivery of town economy strategies (Town Plans). Starting with Ivybridge we have requested that each Town Council submit their priorities to inform their own Town Plans. All plans are expected to be in place by July 2025.
 - b) Launched grant schemes including diversification grants and community resilience grants.
 - c) Commenced development of a Local Cycle and Walking Infrastructure Plan ('LCWIP') due for completion by March 2024.
 - d) Supported over 40 agricultural businesses with intensive packages of assistance for diversification.
 - e) Commenced a project (with The Apricot Centre) to support farmers and food producers bring local products to new markets.
 - f) Begun developing a Marine Economic Strategy – due for completion in March 2024 which will set out specific projects to be delivered.
- 3.9 In order to shape the detailed delivery plans, it is proposed to hold a meeting of the Economy and Jobs Advisory Group in December 2023 (date to be confirmed).

3.10 Services for our Communities

To support our primary aims for Services for our Communities we have:-

- a) Implemented full kerb side recycling and food waste collection for all homes across the district.
- b) Worked with Sustainable South Hams to support the delivery of community composting schemes.
- c) Brought a wide range of Council services under the same management structure to offer an even better frontline service.(community services report – include specifics from each of the individual services).
- d) Started to realign resources to form a small Community Development team to work with our communities to support their own ambitions.

3.11 Good quality Core Services

In order to deliver on our wider aims and ambitions, we have continued to focus on delivering good quality core services. Since May we have:-

- Launched a new website to make it easier for customers to interact online;
- Commenced a detailed review of our approach to planning enforcement to improve transparency and speed of decisions;
- Improved performance and responsiveness in our revenues and benefits service; and
- Launched a consultation portal to inform our future plans and priorities, listening to our residents.

4 Proposed next steps

- 4.1 It is important that detailed delivery plans are developed alongside the budget setting framework so that we can be assured we are resourced to deliver on the priorities. As set out earlier in the report, it is proposed to hold a further meeting of each Advisory Group to shape the strategic delivery plans. The Council Plan and strategic delivery plans will be considered by the Executive in January 2024 and Council alongside the budget in February 2024.

5. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Council Plan is one of the plans and policies that comprise the Council's Policy Framework. Consequently, decisions to approve, adopt or amend the final Council Plan and themes will be decisions of the Full Council.
Financial implications to	N	There are no direct financial implications arising from this report. The Council will seek and align

include reference to value for money		The Council Plan (what we plan to do) to the Council's medium-term financial strategy (how we plan to resource it).
Risk	Y	Having an agreed corporate plan ensures that Council resources are aligned to delivering on agreed priorities and plans. There is a risk that the plan is not agreed when finally considered by Council however this is mitigated through our consultation and engagement activity and by forming cross-political party Advisory Groups to shape the strategy and delivery plans.
Supporting Corporate Strategy		This report sets out the progress in developing the four-year strategy for the Council.
Consultation & Engagement Strategy		This report includes an appendix specifically covering the consultation responses to the The Council Plan.
Climate Change - Carbon / Biodiversity Impact		The Council Plan will set out our primary commitments to tackling climate change and increasing biodiversity.
Comprehensive Impact Assessment Implications		
Equality and Diversity		Equality and Diversity Implications will be assessed alongside the final Council Plan and detailed delivery plans.
Safeguarding		Safeguarding implications will be assessed alongside the final strategy and detailed delivery plans.
Community Safety, Crime and Disorder		
Health, Safety and Wellbeing		Health and Safety Implications will be assessed alongside the final strategy and detailed delivery plans.
Other implications		None at this stage

Supporting Information

Appendices:

- Appendix A – The Council Plan Consultation Responses as at 9th November 2023
- Appendix B – Updated version of The Council Plan

Background Papers:

- Executive -Draft Corporate Strategy – E17.23
<https://democracy.swdevon.gov.uk/documents/s30730/Draft%20Corporate%20Strategy.pdf>

Corporate Strategy – Interim Consultation Update

Executive Summary

The council launched its consultation on its draft corporate strategy on Monday 25th September 2023 and it is scheduled to continue until 30th November. While it should be stated that this is the date of the Executive meeting, there will still be a chance to make any final amends in respect of any significant point being raised between the Executive meeting and Full Council consideration of the Strategy.

The consultation took the form of:-

1. An online consultation which included the full strategy and a short questionnaire
2. Short online 'polls'
3. Face to face engagement
4. Meetings with each of the town Councils
5. An opportunity for parish councils and other partners to submit a full written response to the draft priorities

While the formal consultation phase has remained open for 8 weeks, it should be noted that this is the beginning of the conversation and we would welcome views of partner organisations throughout the term of this council to ensure we focus on the right activities.

A common theme in responses was that it will be important to have detailed delivery plans against which we can be measured. This will be addressed through the Strategic Delivery Plans.

This report includes consultation responses up to 22nd November 2023 and the consultation will continue through until 30th November 2023.

1. Online consultation

The online consultation platform was launched on Monday 25th September and will remain open until 30th November 2023. The online portal can be found here

<https://ourcorporatesstrategy.commonplace.is/>

The online survey was promoted via social media, included in our press release and included in our residents e-newsletters on a number of occasions during the consultation window. We also provided posters to Members with a QR code and web address and handed out QR codes / web addresses to residents that stopped by during our marketplace events.

In the period to 25th September to 22nd November, a total of 99 responses were submitted to the online survey.

	Yes	No	Don't Know / Skipped
1. Did you find the Strategy easy to read and understand?	76%	9%	15%
2. Does the Strategy reflect the South Hams you live or work in and the challenges it faces?	59%	22%	19%
3. Do you feel that the ambitions, aims and actions set out in the strategy address those challenges suitably?	45%	23%	31%
4. Thinking about our broad ambitions around Climate and Biodiversity, do you think that our ambition and aims are right?	45%	25%	29%
5. Thinking about our priority area of Housing, do you think that our aims and ambitions are right?	47%	16%	36%
6. Thinking about our priority area of the Economy, do you think that our aims and ambitions are right?	47%	13%	39%
7. Thinking about our priority area of Community Services, do you think that our aims and ambitions are right?	49%	14%	36%

Overall the level of response to our online survey was low but many helpful comments were made from those responses we did receive. It is clear however that a number of respondents sought clarity on specific deliverables in order to respond (relatively high % of Don't know / skipped responses)

Some of the Comments for each of the above questions are as follows:-

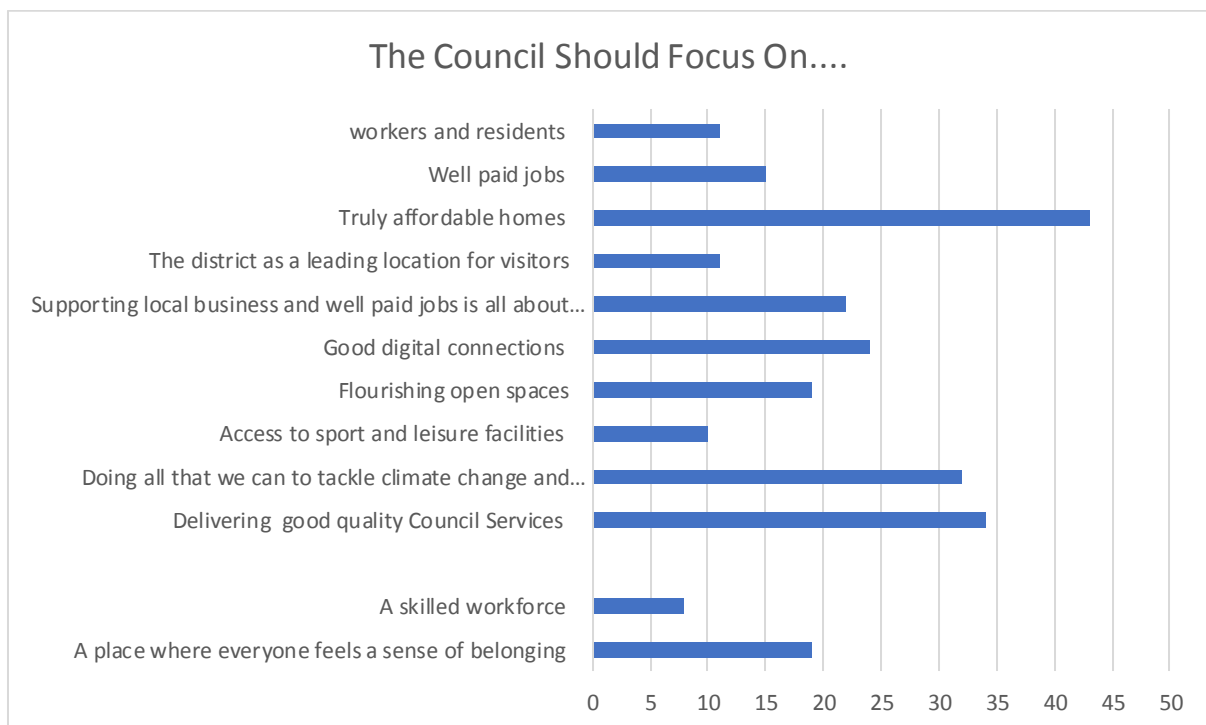
1. Did you find the Strategy easy to read and understand?

- Yes but it doesn't explain some of the terminology or implications (like Freeport)
- How are these ambitions being assessed , by who, what will we see as outcomes ? Who is responsible? How are they accountable? Until we know this the statements of intent mean nothing
- Too long, Skipped a lot of it
- Overall this report is easy to read. Good images ... lots of white space and bullet points. It is written like a press-release, very glossy and simplistic, with

an uber positive spin for the council. I would have found it helpful to have had further links to better understand some of the areas that I didn't fully understand. What are 'community assets' - what is a Freeport? A further link to the relevant info would have been helpful. Also - there are some wishy washy statements like "Develop plans to increase responsiveness of enforcement action to provide better outcomes for communities." What does that mean? It's hard to translate. An example might have been helpful for me.

- On the whole, I found the strategy too glib and full of buzzwords. It was also fairly light on actual initiatives and targets.
- Easy enough - still quite jargon heavy.
- The document reads like a rather vague corporate plan. It's very light on specific initiatives and heavy on vague intentions.
- It's a load of nonsense and a waste of taxpayers money.
- Not enough emphasis on waste management - its a primary part of what you are there for & it doesn't look anywhere near enough up the priority list
- At Kingsbridge Town Council's meeting held on 14 November 2023 there was much support for the strategy document and its commendable intentions. Members considered it to be well presented and approved of the Councillors' photos effectively taking ownership of the various ambitions and actions. However, it was suggested to drop the word "Corporate" which sounds highfalutin and refer to as either a "Strategy" or "Future Strategy". Moreover, some of the working is 'local government speak' and it may be wise to make it more taxpayer friendly.

As a final question in the survey, we asked respondents to select what they felt should be the most important for South Hams with the responses as follows:-



The full open text comments can be seen in Appendix 1 to this consultation report.

2. Short Online Polls

We know that typically, full online surveys for Corporate Strategy consultations do not generate a high level of response due to most residents only wishing to comment on one or two priorities that are of interest to them. To further promote the consultation and encourage completion of the overall survey, we posted a number of single question polls on social media platforms. The response levels to these posts were low for most questions however those that attracted the greatest response rate were as follows:-

- I am considering moving myself or my family out of the South Hams in the future, due to the affordability of houses? **37 Votes – 24% yes, 76% no**
- Have you already, or are you thinking about switching to an all-electric car in the near future? **21 votes, 52% yes, 48 % no**
- Are you worried about your carbon footprint? **19 votes - 42.9% yes, 57.1% no**

3. Face to face engagement

In order to ensure we reached out to as many residents as possible, we carried out some face to face engagement.

Firstly, we attended three Council operated Markets in Kingsbridge, Ivybridge and Totnes. We know that when people are out and about, they don't want to read a full strategy so we very much focused on setting out the high level ambitions of the Council and then asked residents what matters most to them in terms of the Council. During these events, we engaged with over 100 residents each of whom spent at least 5 minutes sharing their thoughts. It did become clear that there is much confusion over which Council has responsibility for what. For example, many residents commented that the Council should focus on sorting out potholes (which is a Devon County Council function). Another common theme coming up that is not delivered by the Council is the struggle to access dentistry and GP appointments. A number of residents felt that the Council should champion for improvements in these areas.

Access to housing, and the concept of truly affordable housing was important to residents.

In addition to the resident engagement, Sustainable South Hams arranged a meeting of interested individuals to consider our strategy, and in particular the climate elements. The online meeting was an opportunity for the Lead Member Climate and Biodiversity to set out our aims and ambitions. The meeting then broke out into a number of smaller sessions where attendees could discuss in detail and report back.

Finally, we also attended the South Hams CVS (now South Hams Community Action) AGM where we were offered the chance to set out the draft strategy and our ambition to work closer with the voluntary sector in the future. Positive feedback was received about the inclusion of Community Development as a core to underpinning the strategy. It was also

considered that the Council supporting voluntary groups and working closer with the CVS would be a welcome addition.

Points raised at each event include:-

Totnes

- Concern about the ongoing cost of living impacts.
- Frustration with ATMOS site progress.
- Young people need to be given more of a voice over the future.
- What's happening with Follaton House – could be put to better use by community.
- Concern about impact of Dartington Trust potential collapse
- Not enough GP's and Dentists – and as more houses come along it's only going to become more difficult to access

Ivybridge

- General feeling that while more housing is needed in the district, the supporting infrastructure and support services is already lacking and therefore more houses will only make this situation worse
- Positive feedback on some of our frontline services particularly Housing, Waste and grounds maintenance
- Condition of the roads and road safety was a common theme
- Access to GPs and Dentists in Ivybridge was also raised by a number of individuals
- Climate action came through strongly as a must, volumes of traffic in Ivybridge are a concern and there needs to be many more safer routes for cycling to reduce pollution. A few residents were concerned about the air quality in the town, particularly Western Road.
- Many residents felt that the Town Centre is declining and would benefit from the reintroduction of butchers and local produce stores –but at the same time, a number of residents felt that a value supermarket would also be a welcome addition in the right place.
- The Watermark is a great facility in the town, but several residents felt that more community activities are needed to bring people together. A number of residents said that the main reason they came into the town was because they felt isolated. One lady said that we were the first people she had had a conversation with in a week and would likely go another week before another conversation.
- There is good provision of activities for young children, but slightly older Children (early teens) lack anything constructive to do and as a result do tend to gather around in groups which some residents found quite intimidating.
- A couple of residents asked us to do all we could to stop DCC from stopping the mobile library service

Kingsbridge

- While supportive of additional housing, concern that infrastructure may not cope – including access to other services such as GP's and Dentists
- Challenges with local public transport – buses not being frequent enough
- Have the Council thought about an e-bike scheme?

- Balance of wildflowering vs areas looking untidy
- Real sense of community action in the area with groups such as Kingsbridge in Bloom being highlighted but it all costs money and accessing funds for community schemes is becoming more difficult. Locks Hill a cause of concern for some residents
- Need more electric vehicle charging points

4. Meetings with Town Councils

The Lead Member for Economy arranged meetings with each of South Hams Town Councils - Salcombe, Dartmouth, Kingsbridge, Ivybridge and Totnes in order to understand if our aims and ambitions aligned with their own.

Overall there was good support for the draft strategy, aims and ambitions and a positive response to better collaboration between the Town Councils and SHDC.

Each Town was asked to provide a written response to the council including any areas where they feel we might be able to work together in the future and to inform their future Town Plans.

Key priorities emerging from initial discussions with the town councils include:-

- **Salcombe** – resolving the significant parking challenges within the town, protecting marine businesses and future options for Whitestrand
- **Ivybridge** – Housing challenges – particularly for younger residents, better support for community groups and projects and improvements to the town centre (even though relatively few vacant shops)
- **Dartmouth** – Awaiting formal response
- **Kingsbridge** – working together on affordable housing schemes, want to build on the positive relationship with SHDC grounds maintenance teams
- **Totnes** – focus on ensuring thriving public spaces within the town

All of these are issues that can be addressed through draft aims and ambitions and included in town plans for the future. Each Town has also been asked to develop formal proposals for us to consider around the above themes.

5. Parish and Key Partner Responses

Finally, key partners including Parish Councils were asked to consider the draft strategy. A webinar is scheduled for 23rd November to get overall feedback and written responses will be considered in line with development of the delivery plans

The Council Plan 2024-2028

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South Hams
District Council

Draft following Consultation



Introduction from the Leader

The South Hams is a unique and glorious place to live in. It has a landscape second to none and vibrant towns and local communities that make it very special.

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However, dig below the surface and there are worrying underlying trends and sources of concern. The serious lack of affordable housing and soaring rents are causing real hardship as well as damaging the local economy.

We have an ageing population with all the care and support needs that implies. There are pockets of real deprivation as well as issues of rural isolation and loneliness.

Our local infrastructure is inadequate and not serving the needs of communities or the local economy. The effects of climate change and biodiversity loss are already knocking at our door.



Cllr Julian Brazil

Leader
South Hams District Council

I am pleased to be able to set out our plan for how we intend to deal with these fundamental issues and urgently work toward a realistic vision of the South Hams as a place with the best environment for people and for nature and which is resilient in the face of an increasingly uncertain future.

To deliver on our ambition, we have developed four key policy areas. These policy areas are not independent but, are designed to form part of a coherent programme and each policy will contribute to our climate change and biodiversity loss agenda. They will aid the building of sustainable, resilient communities across the South Hams.

We must be ambitious and driven. Rather than settle for being part of the pack, we should lead the pack; developing positive and ambitious policies that others can follow.

Of course, none of this can be achieved on our own. At the heart of The Council Plan, is the need to work in partnership with communities and to involve them in all aspects of the work of the Council and the journey ahead.



Our priorities

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We have four key focus areas for the next four years, with our ambitions around Climate and Biodiversity being a consideration through everything we do.

We also know that we cannot achieve these aims alone. Working with our communities, and where possible, supporting them to achieve their own local ambitions will also be an important consideration for the Council.





As well as delivering our ambitions around climate, housing, economy, and frontline community services, we need to make sure that all our services are delivered efficiently and to a good standard. This particularly includes services that are delivered to all households and every community.



Cllr John McKay
Executive Member
for Climate & Biodiversity

Why Act?

July 2023 – highest global air temperature since records began.

2020 Greenhouse Gas Emissions across South Hams – 745 ktCO₂e.

15% of species are threatened with extinction from Great Britain.



Climate & Biodiversity

Our Ambition

There is a Climate Emergency and while the South Hams contributes an insignificant amount to global warming, and the diffuse nature of local biodiversity loss will mean it has a very small overall effect, we have a duty to contribute to the huge challenge of Global Climate Change and to take real action now. There is an opportunity to show what can be done and have a much wider effect. The South Hams can, and should, strive to become an exemplar for what can be achieved.

Beyond doing what we can to drive down emissions, we must accept that climate change is already happening and we need to have in place a quantified strategy for adapting to changing conditions.

The Council is already starting to do a great deal with the funding it has received through the UK Shared Prosperity Fund and the Rural England Prosperity Fund, including supporting agricultural diversification and schemes to adapt the marine economy and we need to build on this. There is however a desperate need for further help from central government in terms of both funding and legislation. We will use our influence to lobby central government directly, working with other Local Authorities and organisations such as the Local Government Association to address this.

Where possible, aligning objectives with other organisations, such as the South Devon AONB, the Devon Local Nature Recovery Strategy, the Devon Carbon Emergency Response team and others, we will be able to amplify the effectiveness of the funding available.



Our Key Partners and networks

Sustainable South Hams

Climate Experts Panel

Community energy groups

South Devon AONB

Our Primary Aims

1. Striving to achieve the necessary 12% per year reduction in eCO2 emissions across the South Hams with a 40% reduction in 4 years.
2. Target a 5.5% per year increase in biodiversity in the South Hams with a 20% increase in 4 years.
3. To form an adaption plan for the South Hams so there is a pathway to deal with the consequences of climate change.
4. To make the South Hams an exemplar for other local authority areas by showing what can be achieved.

Our Initial Actions

- Form a Climate & Biodiversity Experts' Advisory Panel.
- Implement Project Assessment tool to consider environmental and social impacts.
- Continue to fund Sustainable South Hams.
- Launch a thermal imaging camera lending scheme.
- Hold a Climate & Biodiversity Assembly.
- Promote the action taken across the South Hams to tackle the climate emergency – tell the story.
- Carry out feasibility studies on viable council car parks for solar canopies.
- Increase tree planting in urban areas, extend and improve our woodland and protect wildlife habitats.
- Set up a Councillor Environmental Fund to support community action.
- Work with a community energy group to increase availability of community owned energy within the District.
- Deliver schemes to reduce the impact of our ferry and harbour operations.



Cllr Denise O'Callaghan

Executive Member
for Housing

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Why Act?

**Average House Price
12.8 x Average Income.**

3,895 second homes.

**1,585 applicants on
housing waiting list.**



Housing

Our Ambition

Providing good quality, genuinely affordable housing is a top priority for the Council. We understand the challenges for our residents languishing on housing waiting lists because of high demand and high prices. There are plenty of houses being built across the District, but not enough of them that locals can afford.

We'll be looking to make the best use of existing housing. Through grants, we have already begun upgrading the energy efficiency in homes for people on low incomes, and helped long-term landlords improve insulation and draught proofing – but we can, and will, do more. In one of the richest countries in the world, people should have a basic right to damp and mould-free homes, in reasonable repair, and the right to redress if they don't.

In the private rental market, prices are soaring, exacerbated by rising mortgage rates, with this shortage made worse by landlords switching to more lucrative short term holiday lets.

There are already 3,895 second homes in the District and only 3,450 units of social housing – this in itself tells a story of the challenges being faced.

We will work with our Registered Provider partners and communities to get genuinely affordable housing built while supporting our most vulnerable residents find a home they can call their own, and wherever possible prevent homelessness.



Our Key Partners and networks

Registered Providers
i.e. LiveWest etc.

Private Landlords

Devon County Council

Our Primary Aims

1. Take action to ensure a good mix of the right houses, in the right places to meet the needs of residents, with a focus on affordable social housing.
2. Tackle damp and disrepair in rented properties.
3. Make sure that all new housing developments are carbon neutral as far as possible.
4. Support the housing needs of our most vulnerable residents

Our Initial Actions

- Support communities, and encourage Town and Parish Councils and landowners (such as farmers) to bring forward affordable housing schemes through Community Land Trusts and partnerships with other providers or charities.
- Review existing capital programme to make sure construction of council-owned and the existing Housing Association (HA) homes is a key part of capital spending.
- Invest in suitable property in our towns and villages to provide affordable and social rented accommodation.
- Mandate affordable and social housing as a high proportion of all new developments (Joint Local Plan (JLP) review process) and for all new homes to be primary residence only.
- Delivery of specialist accommodation and adaptations for older / or disabled residents to remain in their communities.
- Explore options for all new developments to be connected to nearest town or village by cycle routes or other means of carbon efficient transport.
- Implement holiday and second home double Council Tax as soon as we can.
- Deliver good quality temporary accommodation by accessing opportunities for grant funding (such as Local Authority Housing Fund).



Cllr John Birch
Executive Member
for Economy & Jobs

Why Act?

Supporting our 8,000 local businesses to flourish will help our residents to meet their career aspirations.

Our innovative businesses can lead the UK on crucial developments in decarbonisation, food resilience and the future of eco-tourism.

Economy and Jobs

Our Ambition

We are fortunate to have five vibrant towns in the South Hams along with a number of smaller but equally important community centres such as Modbury and South Brent.

Our ambition is to transform the South Hams economy into one which leads the way in business decarbonisation, the development of future green energy solutions, and where clean business growth is nurtured and supported. Our business community will play a significant role in meeting future food resilience in the UK, and growth within key sectors including marine, hospitality and agriculture will have a positive impact on local ecosystems, biodiversity and climate change.

We will work with the existing Plymouth and South Devon Freeport to ensure that it delivers inward investment, business growth and high-quality job opportunities to the benefit of South Hams' residents.

We will create a collaborative environment with our business community, empowering them to shape local economic policies, and Council activities including business grants and support programmes.

The Council is delivering a number of projects that directly support the economy; our UK Shared Prosperity Programme will provide targeted support for a number of important sectors including agricultural schemes such as regenerative farming, local food and drink distribution projects and a greener marine economy.

We aim, with businesses and partner organisations, to support a thriving, resilient economy that will lead on innovative solutions to national issues and provide residents with the opportunities to meet their aspirations.

Our Key Partners and networks



Devon County, Plymouth City and the Town and Parish Councils

Local Chambers of Commerce and other business led groups

Specialist business support providers

Our Primary Aims

1. Support our high streets and businesses to adapt for future demands.
2. Create an environment in which businesses in all sectors can innovate.
3. Champion for local infrastructure (including broadband) to support economic growth.
4. Further develop our active travel network to sustainably connect our communities.
5. Leverage the strength of partner organisations to develop the skills of our residents.
6. Maximise the benefits of the Freeport and the business it brings to our area.

Our Initial Actions

- Help to transform the South Hams into an exemplar green sustainable economy.
- Develop a South Hams business forum, and support local business partnerships to strengthen the Council's understanding of local business needs through continued engagement.
- Ensure that the Council's capital programme and investment strategies focus on investment in local community projects and business opportunities.
- Bring additional funding into the area to increase support and deliver crucial infrastructure.
- Provide bespoke support to business start-ups, growing businesses and inward investors.
- Continue to operate and increase our portfolio of business units.
- Deliver our programme of UK Shared Prosperity activities including -
 - Regenerative Farming Project;
 - Decarbonisation Plans;
 - Agri-Tech Adoption Project;
 - Food and Drink Distribution Projects;
 - Marine Economy schemes.



Cllr Victor Abbott
Executive Member
for Community Services

What we deliver

Community Services include:-

- Public Spaces
- Waste and Recycling
- Grounds Maintenance
- Tree inspections
- Leisure Centres
- Car Parks
- Public Toilets

and many more!

Community Services

Our Ambition

There are many frontline council services which improve the lives of our residents and enhance public spaces. We will make sure we have the right staff, with the right tools and skills to deliver frontline services that our residents will value.

We will directly support our communities by carrying out playground checks, taking steps to discourage littering and fly-tips and carrying out environmental health checks. Our Grounds Maintenance and Property Services Teams will make sure that the parks, open spaces and buildings we own or look after, are maintained to a high standard. We'll also offer our services to our town and parish councils to do the same. At the same time, we will inspect, manage and protect more trees.

Our car parks are important for residents and visitors, from shopping in our town centres, to leisure visits to the coast. We'll work with town and parish councils to make sure we strike the right balance of cost to park while ensuring we can invest in improvements.

We know that our residents are concerned about the environment. Through our own frontline services we will make sure we do all we can to respond to these concerns including taking action to protect trees in our area. We'll also contribute to our efforts on mitigating climate change by exploring from above-car park solar panels and working with our leisure facilities provider (Fusion) to address energy use while also forming a part of our multi-faceted approach to better living.

By delivering effective frontline services, we will take steps to address our climate impact while also enhancing the wellbeing of communities across the District.



Our Key Partners and networks

Town and Parish Councils

Fusion Leisure

Voluntary sector organisations

Our Primary Aims

1. Provide good quality responsive frontline services that represent good value for money for our communities.
2. Take steps to safeguard community assets for the people of South Hams.
3. Support local leisure and community facilities and promote the development of cycle routes and open spaces.

Our Initial Actions

- Review our resident-facing frontline services to make sure they are aligned to our priorities for the District.
- Support our communities to maintain and where possible enhance the everyday facilities within the community.
- Refresh our Equality Impact Assessments when making decisions about community facilities, making sure all policies and processes are fair and do not present barriers, particularly to those with access challenges
- Develop a plan to safeguard community assets for the future.
- Work with our leisure centre provider and community groups to promote active involvement in outdoor spaces.
- Enhance our green spaces and improve street sweeping and litter picking.
- Roll out the full Kerbside recycling and food waste service across the District so that all 45,000 households in the District can reduce their non-recyclable waste and increase recycling.



Cllr Dan Thomas

Deputy Leader & Lead Member for
Planning and Enforcement Services



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Cllr Jacqi Hodgson

Executive Member for
Community Composting and
Chair of Waste Working Group



Cllr Nicky Hopwood

Executive Member for
Customer Experience
and Information
Technology



Good Quality Core Services

Our Ambition

As well as delivering our ambitions around climate, housing, economy, and frontline community services, we need to ensure that all our services, in particular those that are delivered to all households and every community, are delivered efficiently and to a good standard.

Our waste and recycling service is one which must be delivered well, and we are committed to making sure this happens. But we want to go further by taking a lead in encouraging residents to use less in the first place, and by supporting community compost schemes and other initiatives which support recycling and biodiversity, and divert waste from incineration at the energy from waste plant.

Our planning and enforcement service is incredibly important to protecting the character of the District but also enabling delivery of homes that are energy efficient and meet the needs of our residents. So, we will drive forward our plans to speed up and improve the planning process.

We will also continue to focus on improving customer access across our services, from enhancing and simplifying our online access while also making sure that those residents who cannot do it online are able to get the bespoke support they need.

Our Primary Aims

1. Make sure all residents can access the services they need easily, however they chose to do so.
2. To get things right the first time and respond.
3. To enhance services such as planning, enforcement and waste & recycling (including support for community composting).

Our Initial Actions

- Improve communication with applicants and the overall speed of planning decisions, supported by the delivery of a new online planning system.
- Develop plans to increase responsiveness of enforcement action to provide better outcomes for communities.
- Deliver on our organisational development plan which focuses on making sure we have the right skills, tools and organisational culture to meet the needs of our residents.
- Review all customer contact routes to guarantee consistency for our customers including delivery of new website.
- Make sure that our communications are clear and that residents are kept informed of important information and proposed changes that could impact them.
- Plan how we can assess the impact that our service and policy decisions have on the environment and on our communities.

... underpinned by

Financial Sustainability

Our financial sustainability is important to ensuring that we can deliver our priorities and good quality services to our residents. For many years local councils have received single year finance settlements. We will continue to lobby government for longer term certainty of our budgets, allowing us to make longer term plans.

Good Governance

We will make sure that we have a robust governance framework, improve scrutiny of council decision making, and that we shape our policies and strategies in consultation with our communities and key stakeholders – including transparency.

Community Development

We know that we cannot deliver a better future for South Hams alone. Our communities and the voluntary sector play a critical part in this. We will work with them and where we can, support them to deliver projects and schemes that will enhance the area for us all. We will also ensure that we invest in our own staff, making sure that they are equipped with the right skills and tools to provide responsive services.



Our contribution to a global blueprint

Adopted by the United Nations Members States in 2015, the sustainable development goals provide a shared blueprint for peace and prosperity for people and the planet now and into the future.

They are an urgent call to action by all countries, recognising that ending poverty and other deprivations must go hand-in-hand with strategies that improve health and education, reduce inequality, and spur economic growth – all while tackling climate change and working to preserve our oceans and forests. This plan directly contributes to 11 of the 17 goals as highlighted throughout the document.



Want to know more?

<https://sdgs.un.org/goals>



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South Hams
District Council

www.southhams.gov.uk

Report to: **Executive**

Date: **30 November 2023**

Title: **Draft Revenue and Capital Budget Proposals for 2024-25**

Portfolio Area: **Cllr J Brazil – Budget Setting Process**

Wards Affected: **All**

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

Author: **Lisa Buckle** Role: **Corporate Director for Strategic Finance**

Contact: Email: lisa.buckle@swdevon.gov.uk

RECOMMENDATIONS

It is RECOMMENDED that the Executive considers the Draft Revenue and Capital Budget Proposals for 2024-25 and:

- a) Notes the forecast budget gap for 2024/25 of £146,185 (1.1% of the projected Net Budget of £13.3million) and the position for future years; and**
- b) Tasks the Senior Leadership Team and Executive Members with bringing back further options of how to close the predicted budget gap for 2024/25, as part of future budget reports in early 2024 (once more detail of the Local Government Finance settlement is known), for Members' consideration.**

It is RECOMMENDED to Council:

- c) To fund the one-off cost of £450,000 of the roll out of the Devon Aligned Service for kerbside waste collection on 20 November 2023, from the Business Rates Retention Earmarked Reserve in 2023/24. Further details are in section 3.26 to 3.29.**
- d) To set up an advisory Committee comprising of all Non-Executive Members to meet in January 2024, to consider the 2024/25 Revenue and Capital Budget Proposals and make recommendations to the Executive on the Budget Proposals (meeting date proposed of Thursday 11th January 2024, 1pm)**

e) That South Hams District Council continues to be part of the Devon Business Rates Pool for 2024/25, subject to there being no announcements within the Finance Settlement (expected to be announced in mid December), which in the opinion of the S151 Officer (in consultation with the Leader of the Council), would change this recommendation.

1. Executive summary

- 1.1 The Council's Medium Term Financial Strategy (MTFS) is based on a financial forecast over a rolling three year timeframe to 2026/27. The Executive considered the MTFS at its meeting on 21 September 2023.
- 1.2 The Council, along with other local authorities, has faced unprecedented reductions in Government funding. Between 2009/10 and 2020/21, the Council's Core Government funding has reduced by £4 million. The Council now receives minimal Government Grant (Revenue Support Grant) of £138,000 to fund its services and the Council must be self-sufficient.
- 1.3 The Council has continued to work in partnership with West Devon Borough Council which has allowed South Hams to achieve annual savings of £3.9 million and more importantly protect all statutory front line services. Between both Councils the annual shared services savings being achieved are over £6 million per annum. However, the Councils continue to face considerable financial challenges as a result of uncertainty in the wider economy and constraints on public sector spending.
- 1.4 It is important to note that this Medium Term Financial Strategy (MTFS) sets out the budget strategy for the Council for the next three years, with regular reviews (at least annually) and updates when items are further known or are announced by the Government.
- 1.5 Prudent financial management in the past, has meant that the Council was in a relatively healthy position financially before the pandemic hit. The management of risk and promoting financial resilience is a key principle of our budget strategy and this has helped facilitate our response. Key to the authority's financial resilience are our reserves, which are at a prudent level.
- 1.6 The Fair Funding Review, business rates baseline reset, and other funding reforms now look set to be pushed back to 2026/27 although this has not been confirmed by the Government so the MTFS and Budget Proposals for 2024/25 assumes that these changes will happen in 2026/27. The Council is awaiting a Policy Note from the Government (due to be issued in November 2023) on the key principles upon which the Finance Settlement for 2024/25 will be based.

1.7 The Medium-Term Financial Strategy in September 2023 identified a budget gap of £382,194 for 2024/25. Since that report, there have been several updates to the proposed Budget for 2024/25. This has been set out in Section 3.1 of the report.

1.8 The following table illustrates the predicted budget gap from 2024/25 onwards for the Council **as shown in Appendix B**:

Budget Gaps	2024/25 £	2025/26 £	2026/27 £	Total Aggregated Budget Gap £
'New' Budget Gap each year	146,185	330,045	1,332,045	1,808,275
*Cumulative Budget Gap	146,185	476,230	1,808,275	2,430,690

*(Cumulative Budget Gap assumes annual new budget gaps have not been addressed)

1.9 ***The forecast budget gap for 2024/25 is £146,185. This is 1.1% of the Projected Net Budget for 24/25 of £13.3million.*** A cumulative budget gap of £476,230 is predicted for 2025/26 (the £476,230 assumes that the 24/25 budget gap of £146,185 has not been closed). The cumulative aggregated Budget Gap by 2026/27 is £2.43 million, if no action has been taken in each individual year to close the budget gap annually.

1.10 The budget gap for next year of £146,185 is very much in line with the level expected at this point in the financial planning cycle. In the year after, the budget gap is £330,045. The budget gap increases to £1.3m in three year's time, 2026/27, due to the local government reforms that are expected. These are the reset of the business rates baseline, the fair funding review and the impact of negative RSG (Revenue Support Grant), coupled with the loss of the business rates pooling gain.

1.11 There are continuing uncertainties about the level of local government funding for 2024/25 and there is no indication yet of the detailed local government funding levels for 2024/25 and beyond. Therefore, there are many uncertainties in preparing for the challenges we know we will face soon. It is thought that the first realistic opportunity for implementing funding reforms is 2026/27. There is now a very pressing need to update population and council tax data (both of which are at least a decade old). It is assumed that the core finance settlement for 2024/25 will increase in a similar manner as that for 2023/24.

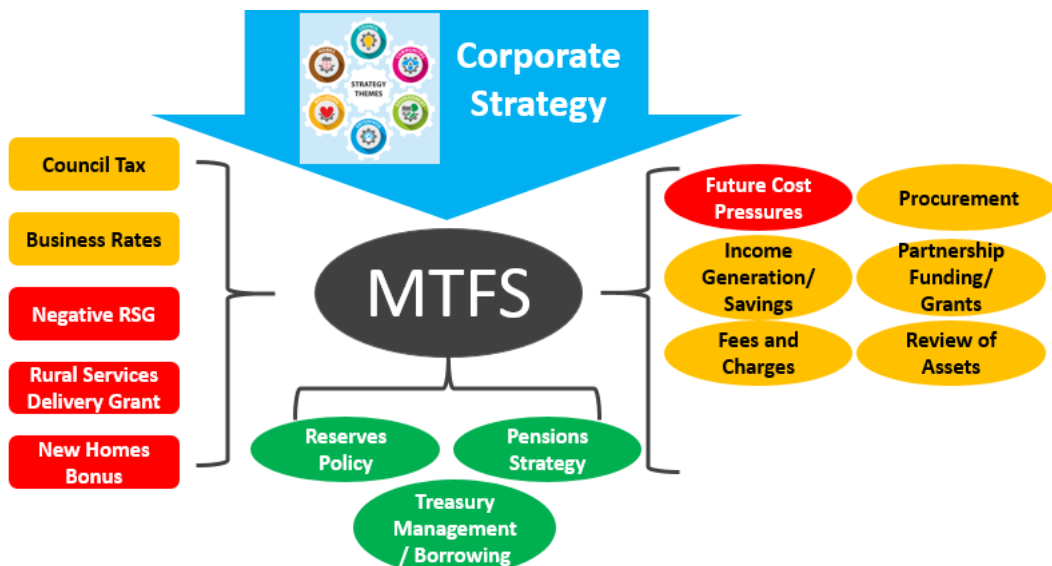
1.12 The provisional local government finance settlement is likely to be published late (just before Christmas), due to delays to the Autumn Statement.

1.13 Further options for Members' considerations of how to close the predicted budget gap of £146,185 will be presented as part of future budget reports.

2 KEY ASSUMPTIONS

2.1 The Diagram below sets out all of the component parts which constitute the make-up of a Medium Term Financial Strategy. Items in Green denote those elements where the Council has a large degree of control over the setting of policies and strategies. Items in Amber denote those components of the MTFs where the Council has a degree of control. Red items signal components where the Council has hardly any control over funding allocations which are decided by the Government and future cost pressures which can largely be outside of the Council's control or influence.

2023/24 Net Budget £11.74 million



2.2 The key assumptions within the Medium-Term Financial Strategy and the latest Budget Proposals for 2024/25 are as below.

- The business rates baseline reset will be deferred until 2026/27 at the earliest (with no negative Revenue Support Grant in 2024/25 or 2025/26)
- There will be a phasing in of negative Revenue Support Grant as part of the business rates baseline reset (predicted to be in 2026/27) with a transition period, to avoid Local Authorities losing/gaining too much in one go. The modelling assumes negative RSG of £450,000 in 2026/27. Some of the negative RSG could be offset by growth.
- It is assumed Council Tax limits for District Councils will remain at the higher of £5 or 2.99% for 2024/25 onwards
- It is assumed that 2024/25 will be another roll over settlement, which will give an amount of around £700,000 of NHB funding (or

a similar replacement housing incentive scheme) that could be used to fund the 2024/25 revenue base budget.

- A business rates pooling gain of £400,000 has been modelled for 2024/25 and 2025/26, with no further gains for 2026/27 onwards.
- A council tax surplus of £59,000 for 24/25 has been assumed, with a council tax collection rate of 98% (98.55% was achieved in 2022/23)
- Rural Services Delivery Grant has been assumed to continue annually at the same level for 23/24 (£478,583)
- A 4% pay increase has been modelled from 2024/25 onwards (4% equates to £456,000 on total pay of £11.4m). The pay assumption has been reduced to 3% in 2025/26 and 2026/27

3 UPDATES TO THE BUDGET POSITION FOR 2024/25

3.1 The Medium-Term Financial Strategy in September 2023 identified a budget gap of £382,194 for 2024/25. Since that report, there have been several updates to the proposed Budget for 2024/25 which are summarised in the Table below.

	£
<i>Budget gap for 24/25 reported in the Medium Term Financial Strategy in September 2023</i>	382,194
Additional cost pressures identified £150,000	
Increase the cost pressure for IT software and support contracts from £90,000 to £150,000 as per the latest budget monitoring report. This is reflective of increased cyber security risks and inflationary pressures.	60,000
Cost pressure for flooding – recent events have highlighted the need to add a cost pressure for dealing with the impacts of climate change, such as flooding, on our communities. This would give a contingency budget each year so that the cost of responding to and recovery from such events is covered (i.e. contractors used for the clear up, skip hire for disposal of waste etc.)	50,000
Additional cost pressure for external audit fees – audit fees are increasing nationally	40,000
Changes to Financing of the Base Budget (£206,019)	
Increase the amount of New Homes Bonus used to fund the Base Budget from £500,000 to £700,000 (see section 3.20)	(200,000)

Increase the estimate of the funding from the Funding Guarantee (3% increase in Core Spending Power) – increase from £810,000 to £850,000	(40,000)
Decrease the Council's share of the Collection Fund surplus for 2024/25 (decreased from £80,000 to £59,000)	21,000
Decrease the estimate of Services Grant for 2024/25 (Reduce the estimate from £77,991 to £65,000)	12,991
Additional income/savings identified (£180,000)	
Increase the business rates pooling gain from £300,000 to £400,000 (see 3.17)	(100,000)
Increase the additional income target for income from treasury management from £700,000 to £800,000 – This would set an income target of £1.6million for 2024/25 for treasury management income and it is proposed to reduce the target to £1.2million for 2025/26.	(100,000)
Employment estates – reduction from an extra £50K of income in 24/25 to an extra £30K of income	20,000
<i>Latest Budget gap for 2024/25 as set out in this report (as at November 2023)</i>	146,185

- 3.2 The Council is awaiting a Policy Note from the Government (due to be issued in November 2023) on the key principles upon which the Finance Settlement for 2024/25 will be based. The provisional local government finance settlement is likely to be published late (just before Christmas), due to delays to the Autumn Statement.
- 3.3 Further options for Members' considerations of how to close the predicted budget gap of **£146,185** for 2024/25 will be presented as part of future budget reports in early 2024.

OVERALL POSITION – BUDGET GAP

- 3.4 Financial modelling has been undertaken for the next three years to predict the Council's financial situation for the short and medium term.
- 3.5 **Appendix A** to the Budget report sets out the Budget Pressures forecast for the next three years and the additional savings and income forecast. **Appendix B** illustrates the overall financial forecast for the forthcoming five years. The Council's Net Budget is £11.74 million in 2023/24.
- 3.6 A Summary forecast is shown below of the potential budget situation if all the budget pressures and the savings and income generation in Appendix A were approved. It also shows the situation if the Council Tax is increased by £5 per annum (shown in Appendix B).

- 3.7 The following table illustrates the predicted budget gap from 2024/25 onwards for the Council **as shown in Appendix B:**

Budget Gaps	2024/25 £	2025/26 £	2026/27 £	Total Aggregated Budget Gap £
'New' Budget Gap each year	146,185	330,045	1,332,045	1,808,275
*Cumulative Budget Gap	146,185	476,230	1,808,275	2,430,690

* (Cumulative Budget Gap assumes annual new budget gaps have not been addressed)

- 3.8 ***The forecast budget gap for 2024/25 is £146,185. This is 1.1% of the Projected Net Budget for 24/25 of £13.3million.*** A cumulative budget gap of £476,230 is predicted for 2025/26 (the £476,230 assumes that the 24/25 budget gap of £146,185 has not been closed). The cumulative aggregated Budget Gap by 2026/27 is £2.43 million, if no action has been taken in each individual year to close the budget gap annually.

Council Tax

- 3.9 The Council Tax Referendum limits for District Councils for 2023/24 was the higher of 2.99% or £5. An increase in council tax of £5 for the next three years has been modelled for council tax purposes. This would equate to a Band D council tax for the District Council of £190.42 in 2024/25 as shown in Appendix B (an increase of £5 for the year, less than 10 pence per week) which equates to a 2.70% increase. The Council's share of the council tax for 2024/25, will be set at the Council meeting on 15th February 2024. (A 1% increase in council tax generates £75,000 of extra council tax income).
- 3.10 Of an average Band D Council Tax within the District of £2,261.19, an amount of £185.42 is the element of a council tax bill set by South Hams District Council. Therefore 8pence of every £1 paid (8%) in council tax is received by South Hams District Council to pay for our services. The rest of the council tax bill is set by Devon County Council, the Fire, the Police and Town and Parish Councils to fund the services they provide.
- 3.11 **The Council collected 98.55% in council tax in 2022/23 which was in the top quartile of all Councils nationally.** A council tax collection rate of 98% has been assumed for 2023/24. It has been assumed that the number of properties within the District will increase by 500 per annum from 2024/25 onwards.

Business Rates and Negative Revenue Support Grant (RSG)

- 3.12 It has been assumed that the Business Rates Reset will be delayed to 2026/27. Whilst this change is not confirmed by the Government, a reset based on the current taxbase would appear very unlikely.
- 3.13 The Fair Funding Review, business rates baseline reset, and other funding reforms now look set to be pushed back to 2026/27 although this has not been confirmed by the Government so the MTFS assumes that these changes could happen in 2026/27. The 2025/26 finance settlement will be the first year of a new spending review period.
- 3.14 The MTFS assumes that the full range of changes from the Fair Funding Review will be implemented based on the proposals in the December 2018 consultation paper, plus the latest population estimates (2022) and the latest council tax data. It is assumed that the business rates baseline reset will happen in 2026/27.
- 3.15 Estimates have been made of the business rates baseline funding levels for 2024/25 onwards and the relative deductions for negative RSG in 2026/27. For example in 2024/25, the £3.45m is the amount the Council is projected to retain from its business rates income collected of around £25 million (this equates to around 14p in every £1 collected of business rates). The 2022/23 collection rate for South Hams for business rates was 97.95%, which was in the second quartile of all Councils nationally.
- 3.16 It is modelled to take £400,000 funding from the business rates retention on an annual basis. This would reduce the business rates retention reserve by £1.2m over the next 3 years to smooth the impact of the business rates baseline reset and the future loss of pooling gains. There will also be £1.5m coming out of this business rates retention reserve in 2023/24, for the transitional cost of the waste and recycling service coming back in house in October 2022. This reserve is predicted to have more business rates income being set aside into the reserve in 23/24, due to the way that business rates income flows through the collection fund over a period of years.

Devon Business Rates Pool

- 3.17 South Hams District Council has elected to remain part of the Devon-wide Business Rates Pool for 2024/25. The latest modelling shows that a pooling gain in the region of £9.7million is forecast for 2024/25, with the Council's share of the pooling gain being in the region of £400,000.

Rural Services Delivery Grant

- 3.18 Rural Services Delivery Grant has been modelled to continue for 2024/25 onwards at previous levels (SHDC share of £478,583) and the methodology for distribution is assumed to remain unchanged from 2023/24. This is Government grant to recognise the additional cost of delivering services in rural areas.

New Homes Bonus (NHB)

- 3.19 A decision on the future of New Homes Bonus funding (NHB) will be announced before the 2024-25 finance settlement. The consultation on the future of NHB was in February 2021. In the absence of any decision or announcement, it is assumed that NHB will continue for one more year in 2024-25.
- 3.20 In 2023/24 the NHB allocation for the Council was £456,012. The latest modelling of the potential NHB payment for 2024/25 is an amount in the region of £700,000. This is based on a property increase of 595 properties. (The amount received is 595 less the baseline of 0.4% (188 properties) at 80% of £2,065 which is an average national council tax). It is modelled that all of the 24/25 NHB payment will be used to fund the revenue base budget in 2024/25.
- 3.21 The Consumer Price Index (CPI) was 4.6% (September 2023 CPI), which is down from 6.7% in August. Inflation over the past 18 months has been at a 40 year high. An extra £450,000 cost pressure for inflation on goods and services and increases in utility costs has been included within the cost pressures in Appendix A. The latest minutes from the meeting of the Monetary Policy Committee (MPC) state that it is expected that inflation will drop back to 4.8% by the end of 2023, accounted for by lower energy, and to a lesser degree, food and core goods price inflation. At present, there is no indication from Government of any additional funding to meet inflationary cost pressures.
- 3.22 A provision for the 2024/25 pay award has been modelled in the MTF5 at 4% (£456,000), with total pay being £11.4million. This has been reduced to 3% in 2025/26 and 2026/27. The Medium-Term Financial Strategy is not an expression of Council Policy on pay awards, but a means of ensuring an appropriate provision is made as part of the overall financial planning of the Council. The Council is particularly affected by inflation in terms of the Local Government Pay Award as staffing forms a significant proportion of the Council's budget.
- 3.23 The pay award for 2023-24 has now been agreed. This is for £1,925 per Scale Point or a 3.88% increase for Scale Point 44 upwards. This would cost an extra £550,000 and this amount also needs to be built into the Base Budget for 2024-25 as a 'catch up' as the budget for 23/24 has already been set.
- 3.24 The current Bank Base Rate will increase the Council's income from treasury management investments and additional income of £800,000 has been built into the Budget for 2024/25. This would set an income

target of £1.6million for 2024/25 for treasury management income and it is proposed to reduce the target to £1.2million for 2025/26. It is predicted that bank base rate will remain at 5.25% until September 2024 when it is predicted to reduce to 5%, with a predicted reduction to 4.5% by December 2024 and 4% by March 2025.

- 3.25 As per the report to Council on 13 April 2023, an extra £270,000 per annum needs to be built into the base budget for the waste collection, recycling and cleansing service. A breakdown of the £270,000 is shown in the Waste Memorandum note in Appendix A. Cost pressures for insurance (£130,000) and IT inflation cost pressures (£150,000) have also been built into the MTFs.

Waste and Recycling services – roll out of the Devon Aligned Service

- 3.26 The roll out of the Devon Aligned Service (DAS) for kerbside waste collection was originally planned for 6 October 2023 and the 2023/24 budget was based on this 'go-live' date. The go live date was always contingent on the vehicle procurement and delivery, infrastructure works at Torr Depot and operational resources.
- 3.27 Due to a delay in a part (hydraulic valves) for the recycling vehicles, it has not been possible to go live on 6 October and instead the roll out of DAS will start on 20 November. This has an additional one-off cost of £450,000 due essentially to each month of delay of DAS incurring additional costs of £170,000, plus some additional one-off costs.
- 3.28 It is recommended to fund the one-off cost of £450,000 of the roll out of the Devon Aligned Service for kerbside waste collection on 20 November 2023, from the Business Rates Retention Earmarked Reserve in 2023/24.
- 3.29 Every single property in the South Hams will be affected by the changes which will see all residents being able to recycle food waste. The upcoming changes will mean that everyone is on the same service, using kerbside boxes, a white reusable sack and food waste caddy to present their recycling each week. Residents can check changes to their collection day online on waste.southhams.gov.uk from 18 November.

Corporate Strategy (Council Plan)

- 3.30 There is a separate report on this Executive agenda on the Draft Corporate Strategy (Council Plan) for the period 2024-2028. Once adopted, the strategy will be the Council's overarching strategic document setting out our ambitions and priorities for the District. The report also sets out how we will shape delivery plans for consideration by Members in early 2024.

Climate Change

- 3.31 The Council's annual delivery plan on 'Adapting and mitigating climate change and increasing biodiversity' sets out the Council's action plan for addressing climate change and the carbon/biodiversity impact.

OTHER BUDGET ITEMS

- 3.32 The Levelling Up and Regeneration Act 2023 allows Billing Authorities the discretion to charge second homeowners a council tax premium of 100% (so a second home dwelling would pay double the council tax charge). The Act requires Billing Authorities to have a minimum period of 12 months between making its first determination and the financial year in which it takes effect. That means the earliest that Councils can introduce it is for the start of the 2025-26 financial year, i.e. 1 April 2025. At Council on 21 February 2023, Council approved charging up to an extra 100% council tax in second homes. Modelling shows that extra council tax income of £800,000 could be generated and this has been modelled for the 2025-26 financial year (see Memorandum note).
- 3.33 There is a Housing Policy update report on the Executive agenda for 30th November 2023. This report recommends that the Executive agrees an annual budget of £100,000 to fund the community affordable housing offer. It is recommended that this is financed from the funding identified from the review of the capital programme and the review of earmarked reserves which equated to £2.554m in total. Further detail is in Section 7.3.
- 3.34 The revenue budget monitoring report to the Executive on 21 September shows an overall projected surplus of £79,000 for the 2023/24 financial year. This is 0.7% of the overall net budget set of £11.738million.

4. Treasury Management and Borrowing Strategy

- 4.1 The Council has previously taken external treasury management advice on the Council's overall borrowing levels and debt levels. The Council set an Upper Limit on External Borrowing (for all Council services) as part of the Medium Term Financial Strategy of £75 million in 2019 and it is not proposed to change this limit at present.
- 4.2 In 2022/23 the long term borrowing of the Council decreased from £14,284,000 (21/22) to £13,825,000. Short term borrowing increased from £96,000 to £459,000. This is due to the profiling of the debt repayments where long term borrowing has moved to short term borrowing. No further external borrowing took place during 2022/23.
- 4.3 Council has also approved future borrowing of up to £5.5million for the Plymouth and South Devon Freeport (Council report 30th March 2023, Council Minute CM 77/22). The borrowing will be paid for from the

business rates income generated by the Freeport and therefore it will be self-financing.

5 FEES AND CHARGES

- 5.1 As part of the budget process, fees and charges will be reviewed. A delegation is in place to enable service managers to increase fees and charges by inflation where these are not material changes or increases.
- 5.2 DEFRA has confirmed that the implementation of the Extended Producer Responsibility (EPR) will be deferred from October 2024 to October 2025.
- 5.3 As referenced in the report to Council on 13th April 2023, the setting of fees and charges for the waste and recycling service is delegated to the Director of Customer Service and Delivery, in consultation with the Leader of the Council, the lead Executive Members for waste and recycling and the Section 151 Officer (Minute reference CM 84/22).

6 FINANCIAL SUSTAINABILITY AND TIMESCALES

- 6.1 The Council will continue to assess various options for closing the budget gap for 2024/25 onwards, and in the longer term, to achieve long term financial sustainability and further options will be presented to Members in further budget reports. This will consider ways to reduce the Council's operating costs and generating further income and savings.
- 6.2 Making the best use of our resources and setting a balanced budget annually is within the Council's Delivery Plan.

7 Earmarked and Unearmarked Reserves Policy

- 7.1 Unearmarked Reserves total £2.113 million at 31 March 2023. There was a surplus of £57,000 on the outturn position for 2022/23 (0.5% of the net budget of £10.464m) as shown in the Draft Statement of Accounts for 2022/23 published by the end of June 2023. In accordance with normal accounting practice, this underspend has gone into Unearmarked Reserves.
- 7.2 **Earmarked Reserves** have reduced by £5.415m in 2022/23 moving from £20.839m on 1 April 2022 to **£15.424m at 31 March 2023**. This follows the application of £3.066 million of the S31 Business Rates compensation grant received in 2020/21 and 2021/22 which was held in the S31 Compensation Grant Business Rates Reserve. This is a technical adjustment as part of the Collection Fund. In addition, the Business Rates Retention Earmarked Reserve has reduced by £2.570

million in 2022/23 partly due to supporting the costs of bringing the Waste and Recycling Service back in house from October 2022 (£1.448 million) and partly to support the Business Rates Collection Fund deficit in 2022/23 (£0.785 million).

- 7.3 There was a separate report on the Executive agenda of 21st September 2023, regarding a review of Earmarked Reserves and the Capital Programme. This report identified £1.541m of Earmarked Reserves which are potentially available to support the delivery of the emerging corporate strategy and £1.013m of capital resources. These are one-off amounts, so £2.554million in total. This was subsequently approved at Council on 28 September 2023 (Minute CM 30).
- 7.4 The proposed contributions to/from Earmarked Reserves for 2024/25 are shown in Appendix C. It is recommended to make an annual contribution of £75,000 to a JLP reserve, to commence the JLP review.
- 7.5 Reserve levels will be kept under constant review and will be reviewed throughout the budget setting process to consider commitments against Earmarked Reserves, their unallocated balance and the contributions to/from Earmarked Reserves for 2024/25 and future years also.
- 7.6 At Council on 16th February 2023, Members set a minimum balance for Unearmarked Reserves of £1.5million, with an operating level of a minimum of £2million (Minute reference CM 59/22). This was based on a risk assessment basis and a sensitivity analysis. Therefore the current level of £2.113million at 31 March 2023 is still above these levels which are set annually.
- 7.7 Legislation does not prescribe how much the minimum level of reserves should be. The Section 151 Officer is tasked with recommending the minimum level of reserves required as part of the budget setting process having regard to elements of risk in the Council's finances (this was recommended at £1.5million being the minimum level in February 2023, with an operating level of £2million). Section 25 of the Local Government Act 2003 requires the Section 151 officer to report on the adequacy of the Council's financial resources on an annual basis.
- 7.8 The provision of an appropriate level of balances is a fundamental part of prudent financial management, enabling the Council to build up funds to meet known and potential financial commitments.
- 7.9 As highlighted above there is a high degree of uncertainty about future levels of funding for local government. However, the Section 151 Officer is keeping a close watch on developments and planning for this longer-term uncertainty.

8 CAPITAL PROGRAMME AND PRUDENTIAL BORROWING

8.1 The Capital Programme is set by the Council and may be funded by sale proceeds from the disposal of assets (capital receipts), external grants and contributions, directly from revenue or from borrowing.

8.2 Capital projects will be scored on the following criteria:

- Health and Safety compliance
- Essential to keep operational assets open
- Fit with the Council's Delivery Plans for the new emerging Council Plan
- To rationalise service delivery or service improvement
- To generate income, capital value or to reduce revenue costs

8.3 It is important that future bids for capital are aligned with the review of the new emerging Council Plan. See 7.3 regarding funding.

8.4 There is a capital bid for 2024/25 (£90,000) that it is recommended forms part of the Capital Budget Proposals for 2024/25 and be funded from capital receipts. This is detailed below: -

- £90,000 – to renew and upgrade the Councils' bank reconciliation software (This is 50% of the projected cost, which is shared with WDBC)

This will be a recommendation as part of the Budget Proposals report in January 2024.

8.5 The Council's Asset Base is £108.2 million at 31 March 2023. The Council will continually review and challenge its asset base in order to deliver the optimum value for money from the Council's Assets.

9 NEXT STEPS AND PROPOSED WAY FORWARD

9.1 The MTFs is the starting point for developing a meaningful three year strategy that sets out the strategic intention for different strands of funding available to the Council. The Council will then be able to rely on this to inform future decisions.

9.2 The Council's budget is essentially fixed in cash terms and its ability to raise income is limited as there are national controls in place around council tax and business rates.

9.3 Officers will continue to work with the Executive and the results of this will be incorporated into future Budget reports. This will consider ways to reduce the Council's operating costs and generating further income and savings.

9.4 Further options for Members' considerations of how to close the predicted budget gap of £146,185 will be presented as part of the 25th January 2024 report. The table below shows the budget timetable for the budget meetings for the 2024/25 Budget process.

21st September 2023	Executive – To consider the three year MTFS (Medium Term Financial Strategy) for 2024/25 to 2026/27
30 th November 2023	Executive – To consider draft proposals for the Revenue and Capital Budget for 2024/25
Tuesday 9 th January 2024 (4pm)	All Member Briefing on the Draft Budget for 2024/25
Early January 2024	It is recommended to set up a meeting of the Budget Advisory Committee (meeting date proposed of Thursday 11th January 2024, 1pm)
25th January 2024	Executive – To recommend Final Budget Proposals to Council for 2024/25
12th February 2024 (9am)	Date which Council Procedure Rule 16 applies
15th February 2024	Full Council – To approve Final Budget Proposals for 2024/25 and set the SHDC share of the Council Tax
22 February 2024	Council Tax Resolution Panel – to agree the Council Tax Resolution for 2024/25 (This is SHDC share plus all other precepting authorities share).

Note 1- Council Procedure Rule 16 states that 'Where a member intends to move a motion or amendment in relation to the Budget, the text of that motion or amendment must be put in writing and submitted to the Head of Paid Service by 9am on the third working day before the meeting, in order that officers may have sufficient time to consider and advise the Council of the financial implications of any such motion or amendment'. As per the timetable above,

this would need to be submitted by 9am on Monday 12th February 2024.

10. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The Executive is responsible for recommending to Council the budgetary framework. It is the role of the Overview and Scrutiny Committee to scrutinise the Budget proposals being proposed by the Council on an annual basis. In accordance with the Financial Procedure Rules, Council must decide the general level of Reserves and the use of Earmarked Reserves.</p> <p>The preparation of the Budget report is evidence of whether the Council has considered and taken into account all relevant information and proper advice when determining its financial arrangements in accordance with statutory requirements, and in particular, that it will set a lawful budget.</p>
Financial implications to include reference to value for money		<p>The forecast budget gap for 2024/25 is £146,185. This is 1.1% of the Projected Net Budget for 24/25 of £13.3million. A cumulative budget gap of £476,230 is predicted for 2025/26 (the £476,230 assumes that the 24/25 budget gap of £146,185 has not been closed). The cumulative aggregated Budget Gap by 2026/27 is £2.43 million, if no action has been taken in each individual year to close the budget gap annually.</p> <p>It is recommended to Council to fund the one-off cost of £450,000 of the roll out of the Devon Aligned Service for kerbside waste collection on 20 November 2023, from the Business Rates Retention Earmarked Reserve in 2023/24. Further details are in section 3.26 to 3.29.</p> <p>There is no indication yet of the detailed local government funding levels for 2024/25 and beyond. Therefore there are many uncertainties in preparing for the challenges we know we will face in the near future.</p>

		<p>As part of Grant Thornton's external audit of the Statement of Accounts for 2022/2023, they will assess the arrangements the Council has in place for:-</p> <ul style="list-style-type: none"> • Improving economy, efficiency and effectiveness • Financial Sustainability • Governance <p>The outcome of Grant Thornton's work in this area will be reported to Members at the Audit Committee meeting in December 2023.</p>
Risk		Each of the budget options taken forward by Members will consider the risks of the option.
Supporting Corporate Strategy		The majority of activities set out in the Council's delivery plans can be delivered through refocusing and reprioritisation of existing resources however, in order to realise the ambition set out in the strategy, some of the activities will require additional resources.
Climate Change - Carbon / Biodiversity Impact		<p>The Council declared a Climate Change and Biodiversity Emergency on 25 July 2019 and the potential for this to have significant financial implications for the Council was highlighted.</p> <p>A Climate Change Action Plan was presented to Council in December 2019. Following this report, a strategy is being implemented as to how the Council can finance the items within the Action Plan, whether that is from external grant sources or some funding from the Council's own resources.</p> <p>The Council has Earmarked £400,000 in a Climate Change Earmarked Reserve as part of the 2020/21 Budget, with a further £200,000 being agreed as part of the 2021/22 Budget Process.</p>
Comprehensive Impact Assessment Implications		
Consultation and Engagement Strategy		External consultation and engagement has not been undertaken with regard to this report.
Equality and Diversity		Equality Impact Assessments are completed for the budget proposals.
Safeguarding		None directly arising from this report.

Community Safety, Crime and Disorder		None directly arising from this report.
Health, Safety and Wellbeing		None directly arising from this report.
Other implications		None directly arising from this report.

Supporting Information

Appendices:

Appendix A – Budget pressures and savings

Appendix B – Modelling of the Budget Position

Appendix C – Contribution to/from Earmarked Reserves

Background Papers:

None

SOUTH HAMS DISTRICT COUNCIL - BUDGET PROPOSALS 2024/25
(This shows the changes to the existing Base Budget)

APPENDIX A

	BASE 2023/24	Yr1 2024/25	Yr2 2025/26	Yr3 2026/27
	£	£	£	£
BUDGET PRESSURES				
Inflation and increases on goods and services	450,000	450,000	300,000	300,000
Triennial Pension revaluation (increase in Pension Employer primary rate contributions)	150,000	150,000	250,000	250,000
Salaries - provision for pay award at 4% (£456,000) for 2024/25 (total pay of £11.4m), reducing to 3% in 25/26 and 26/27	280,000	456,000	342,000	342,000
Pay award 2022-23 - £1,925 per Scale Point (£630,000 is the amount over the current budget provision of £185,000 for 2022-23) - This will need to be built into the Base Budget in 2023-24	630,000	0	0	0
Pay award 2023-24 - Initial figures of £1,925 per Scale Point or a 3.88% increase for Scale Point 44 upwards. (£550,000 is the amount over the current budget provision). This will need to be built into the Base Budget in 2024-25.	0	550,000	0	0
Increase in salaries - increments and pay and grading	200,000	0	0	0
The Planning Improvement Plan, Executive 26.5.22, noted that the cost of the staffing restructure, £98k per annum, will be funded for the first three years from the additional planning income held in the planning earmarked reserve.	98,000	0	0	0
Additional inflation for the waste service - 12.2% for 2022/23 (extra £360K) plus assume 5% for 2023/24 onwards (£205K)	565,000	205,000	205,000	205,000
Waste collection, recycling and cleansing service - Council 14 July 2022	1,250,000	0	0	0
Waste collection, recycling and cleansing service - Council 13 April 2023 - See Waste Memorandum note below	0	270,000	0	0
Waste collection, recycling and cleansing service - additional properties	90,000	90,000	100,000	100,000
National Living Wage and National Insurance (assumes NLW will increase from £10.42 to around £11 from April 2024)	75,000	50,000	50,000	50,000
Business Rates Revaluation 2023 - Increase in the Rateable Value of SHDC Assets which are liable to business rates	75,000	50,000	50,000	50,000
IT inflationary cost pressure - increases in prices and additional software and security	0	150,000	0	0
Additional Insurance costs		130,000		
Car Parking payment collection fees (Ringo) - 60% of transactions are now made through Ringo which means banking costs (2.4%) have risen. The Council has also exceeded the annual target of 500,000 transactions which has triggered 4p per transaction.	0	70,000	0	0
Ecology Consultations	0	25,000	0	0
Flooding - recent events have highlighted the need to add a cost pressure for dealing with the impacts of climate change, such as flooding, on our communities.	0	50,000		
Dartmouth Lower Ferry - increase the R & M budget	80,000	0	0	0
Increased external audit fees (fees are increasing nationally)	75,000	40,000	0	0
South Devon AONB Partnership - Executive report 30 November 2023	0	20,000	0	0
Head of Revenues and Benefits Executive 7th April 2022	45,000	0	0	0
Housing Delivery Team Executive 26th May 2022	44,700	0	0	0
TOTAL BUDGET PRESSURES	4,107,700	2,756,000	1,297,000	1,297,000
Changes to contributions to Earmarked Reserves				
New Homes Bonus Reserve - assumes an annual contribution of £700,000 for 24/25 from NHB to fund the revenue base budget (an increase of £200,000 from the £500,000 used in 2023/24)	0	(200,000)	0	0
Dartmouth Ferry (£147,000 contribution to the reserve in 23/24 and £177,000 in 24/25)	30,000	30,000	0	0
Elections - £50,000 contribution to the reserve per annum	30,000	10,000		
Contribution to a Joint Local Plan Earmarked Reserve - to commence the JLP review - £75,000 contribution to the reserve per annum	0	75,000	0	0
Contribution from Business Rates Retention reserve to smooth the volatility in business rates income from the baseline reset and the loss of a pooling gain (This would use £0.1m of the BRR Reserve in 22/23 and use £400,000 from the reserve for 23/24, 24/25 and 25/26)	(300,000)	0	0	0
Contribution from the Planning Reserve (£98,000 per annum) for the cost of the restructure within the planning service - Executive 26 May 2022 - to be funded for the first three years from the additional planning income held in the planning earmarked reserve	(98,000)			
Reduce contribution to Pension Reserve - Nil contribution into the reserve from 2023/24 onwards	(99,000)	0	0	0
Repairs and Maintenance Reserve (£105,000 annual contribution from 23/24 onwards)	25,000	0	0	0
Total changes in contributions to Earmarked Reserves	(412,000)	(85,000)	0	0

SOUTH HAMS DISTRICT COUNCIL - BUDGET PROPOSALS 2024/25
(This shows the changes to the existing Base Budget)

APPENDIX A

SAVINGS AND INCOME GENERATION IDENTIFIED

	BASE 2023/24	Yr 1 2024/25	Yr 2 2025/26	Yr 3 2026/27
Management fee income from external contracts such as leisure	0	0	(230,000)	(200,000)
IT FIT Project - software savings	(10,000)			
Establishment savings (salary savings) gained from IT and digital communications	(50,000)	TBC		
Employment Estates - additional rental income - Base budget of £1.117m in 2023/24	(150,000)	(50,000)	(100,000)	
Extra recycling income - additional income has already been achieved in 2021-22	(90,000)			
Car parking income (from extra usage of the car parks particularly in the coastal areas) - Base budget of £3.412m in 2023/24 - New approach from 2025/26	(250,000)	(200,000)	(450,000)	
Dartmouth Lower Ferry (from extra usage of the Ferry and a review of charges for 2023) - Base budget of £1.077m in 2023/24 - Fees and charges are reviewed every 2 years	(250,000)	(50,000)	(150,000)	
Extra treasury management income - to reflect increases in bank base rate - Base budget of £800,000 in 2023/24	(677,000)	(800,000)	400,000	
Extended Producer Responsibility (EPR - waste service) - potential for a new income stream. DEFRA has confirmed that it is going to defer the implementation of EPR from October 2024 to October 2025.			TBC	
Charged Garden Waste service - Base budget of £575,000 in 2023/24	(575,000)			
Savings on Trade Waste tipping fees and extra income on recycling sacks, due to more trade waste being recycled. Extra income from Controlled Waste Regulations (CWR) properties. These savings were already achieved in 2021-22.	(190,000)			
Funding from Homelessness prevention government grant (this funds housing posts - funding to be reflected within the base budget)	(180,000)	(10,000)		
TOTAL SAVINGS AND INCOME GENERATION	(2,422,000)	(1,110,000)	(530,000)	(200,000)

WASTE MEMORANDUM showing annual expenditure and income (before inflation)	BASE 2023/24	Yr 1 2024/25	Yr 2 2025/26	Yr 3 2026/27
Expenditure				
Additional Full year costs of the service	2,030,000	1,465,000	1,465,000	1,465,000
Borrowing costs for Torr Depot works	0	35,000	35,000	35,000
Income and savings				
Transitional funding (remainder of the £3million from the business rates retention reserve)	(1,500,000)			
In year savings	(150,000)	(245,000)	(270,000)	(270,000)
Additional Income generated (Garden Waste, CWR charges, Trade waste, Bulky items etc)	(380,000)	(535,000)	(660,000)	(660,000)
Additional Income from the recovery of recycling values (prices for recyclables)	0	(150,000)	(300,000)	(300,000)
Potential food waste new burdens funding	0	(300,000)	0	0
NET COST PRESSURE (as per report to Council in July 2023)	0	270,000	270,000	270,000

Memorandum note on Planning Fee Income

The Government has confirmed that a 35% increase for major applications and 25% for all other applications is anticipated to apply from 1 April 2024. This is expected to generate around £150,000 to £180,000 of additional planning income for each year. In 2022-23, the Council experienced a shortfall in planning income of £350,000 (32%) against the budgeted income target of £1.08million. Therefore no additional income has been built into the base budget for 2024/25.

Memorandum on 'Better Lives for all' cost pressure

There is currently a £110,000 base budget for the 'Better Lives for all' corporate strategy. This was agreed at Council on 23 September 2021. This budget has not been taken out of the base budget in the MTFS as it is assumed that a similar level of investment will be needed for the new corporate strategy.

	BASE 2023/24	Yr 1 2024/25	Yr 2 2025/26	Yr 3 2026/27
Second Homes 200% council tax - Projected Income and Expenditure				
Income				
Discretion to charge up to an extra 100% extra council tax on Second Homes (timescale is that legislation is introduced for 25-26). There was a separate report on the Council agenda of 16 February 2023 regarding this. This could generate further council tax income (SHDC share) of £800,000 from 25/26 onwards.			(800,000)	(800,000)
Expenditure				
The Council is experiencing a higher level of temporary accommodation costs and there will be a need to build in a further cost pressure for this		150,000	150,000	150,000
Annual budget to fund the community affordable housing offer - see 'Housing Policy' update (financed from the funding identified from the review of the capital programme and the review of earmarked reserves - Council Minute CM30, 28 September 2023)	100,000	100,000	100,000	100,000

Line	Appendix B	BASE	Yr 1	Yr 2	Yr 3
No.	Modelling for the financial years 2024/25 onwards	2023/24 £	2024/25 £	2025/26 £	2026/27 £
1	Base budget brought forward	10,464,367	11,738,067	13,152,882	13,589,837
2	Budget pressures (as per Appendix A)	4,107,700	2,756,000	1,297,000	1,297,000
3	Savings already identified (as per Appendix A)	(2,422,000)	(1,110,000)	(530,000)	(200,000)
4	Changes in contributions to Earmarked Reserves (App A)	(412,000)	(85,000)	0	0
5	Projected Net Expenditure:	11,738,067	13,299,067	13,919,882	14,686,837
	Funded By:- (See Note 1 below regarding New Homes Bonus funding)				
6	Council Tax income (TaxBase multiplied by Band D Council Tax) - modelling a £5 increase in council tax each year	7,407,344	7,702,299	8,002,254	8,307,209
7	Collection Fund Surplus	332,000	59,000	60,000	60,000
8	Increase in Council Tax in year collection and recovery (Revenues and Benefits Review)	0	140,000	140,000	140,000
9	Localised Business Rates (estimate of business rates resources received in the year)	2,447,681	3,200,000	2,900,000	3,000,000
10	Increase in Business Rates in year collection and recovery (Revenues and Benefits Review)	0	250,000	300,000	350,000
11	Negative Revenue Support Grant (RSG) Adjustment - Assumes a change to Baseline Need from 26/27 onwards	0	0	0	(450,000)
12	Revenue Support Grant	138,000	146,000	144,000	204,000
13	Business Rates Pooling Gain	300,000	400,000	400,000	0
14	Rural Services Delivery Grant	478,583	478,583	478,583	478,583
15	Funding from Funding Guarantee (3% increase in Core Spending Power) - this was a new grant for 23/24 onwards. Assume discontinued when the Fair Funding Review is implemented in 26-27.	694,468	850,000	1,100,000	0
16	Less grants rolled into the Funding Guarantee amount	(138,000)	(138,000)	0	0
17	Transitional funding - assume the introduction of the business rates baseline reset and the Fair Funding Review will translate into some transitional funding being available to Councils	0	0	0	1,200,000
18	Services Grant	77,991	65,000	65,000	65,000
19	Total Projected Funding Sources	11,738,067	13,152,882	13,589,837	13,354,792
20	Budget Gap per year (Projected Expenditure line 5 - Projected Funding line 19)	0	146,185	330,045	1,332,045
	Actual Predicted Cumulative Budget Gap	0	146,185	476,230	1,808,275
	Aggregated Budget Gap (if no action is taken in each individual year to close the budget gap annually)	0	146,185	622,415	2,430,690
Modelling Assumptions:					
	Council Tax (Band D) - modelling a £5 increase each year	185.42	190.42	195.42	200.42
	Council Tax Base (Assumes an increase in Band D Equivalent properties of 500 per annum)	39,949.00	40,449.00	40,949.00	41,449.00

Note 1 - New Homes Bonus Funding

The modelling for 2024/25 onwards includes a contribution of £700,000 from New Homes Bonus to fund the Base Budget. Although the NHB scheme is due to be replaced after 2023/24, it is assumed that a successor scheme will be implemented that will also be based on housing growth.

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ANALYSIS OF CONTRIBUTIONS TO/(FROM) EARMARKED RESERVES

Budget 2023/24			Estimate 2024/25		Estimate 2025/26	
To £	(From) £		To £	(From) £	To £	(From) £
181,600		Capital Programme	181,600		181,600	
16,900		Community Parks & Open Spaces	16,900		16,900	
40,000		District Elections	50,000		50,000	
147,000		Ferry major repairs & renewals	177,000		177,000	
	(500,000)	New Homes Bonus (assumes a replacement scheme in 25/26 onwards)		(700,000)		(700,000)
	(72,700)	Flexible Homelessness Gov Grant		(72,700)		(72,700)
	(400,000)	Business Rates Retention Reserve		(400,000)		(400,000)
20,800		Pay & Display Equipment	20,800		20,800	
0		Pension Fund Strain Payments	0		0	
105,000		Repairs and maintenance	105,000		105,000	
550,000		Vehicles & Plant Renewals and additions	550,000		550,000	
7,000		Land and Development Reserve	7,000		7,000	
50,000		IT Development Reserve	50,000		50,000	
25,000		Sustainable Waste Management	25,000		25,000	
50,000		Planning Policy and Major Developments	50,000		50,000	
	(98,000)	Planning Policy and Major Developments (to fund salary costs)		(98,000)		(98,000)
25,000		Joint Local Plan (to part fund salaries of the JLP team)	25,000		25,000	
0		Joint Local Plan - to commence the JLP process	75,000		75,000	
2,000		Interest from Reserves	2,000		2,000	
1,220,300	(1,070,700)	TOTALS	1,335,300	(1,270,700)	1,335,300	(1,270,700)
149,600		GRAND TOTAL	64,600		64,600	

The change in contributions to Earmarked Reserves is the difference between £149,600 in 23/24 and £64,600 in 24/25, being a change of £(85,000), as shown in Appendix A.

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Report to: **Executive**

Date: **30th November 2023**

Title: **Electric Vehicle Strategy Update**

Portfolio Area: **Cllr John McKay**
Climate Change and Biodiversity

Wards Affected: **All**

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

Date next steps can be taken: Any recommendations will be presented to the Full Council meeting to be held on 14 December 2023.

Author: **Adam Williams** Role: **Principal Climate Change Officer**

Contact: **adam.williams@swdevon.gov.uk**

RECOMMENDATIONS:

That the Executive:

- 1. RECOMMENDS that Council adopts the South Hams District Council Electric Vehicle Strategy 2023-2025; and**
- 2. Authorises officers to enter into a collaboration agreement with the Devon Council Council Local Electric Vehicle Infrastructure Scheme for the installation of Electric Vehicle Charging Points and to enter into a lease with the appointed supplier for a 20-year period.**

1. Executive Summary

- 1.1** The Council declared a Climate and Biodiversity Emergency in 2019 and developed and implemented a strategy and action plan in response to the declaration.

- 1.2 In support of the declaration, Action AM1.5 within the Council's corporate strategy commits the council to developing and adopting an Electric Vehicle (EV) Strategy.
- 1.3 Development of the strategy began in 2022 and was followed by public consultation in early 2023.
- 1.4 The report recommends that the updated Electric Vehicle Strategy 2023-2025 be adopted by Council.
- 1.5 Since the EV strategy was developed and consulted on, learning and reflection on EV charging roll-out on our own land has taken place. This report sets out a new approach in this regard and recommends participation in the Local Electric Vehicle Infrastructure Scheme.

2. Background

- 2.1. At its meeting on 21 July 2022, the Overview & Scrutiny Committee considered the following formal request arising from the Executive meeting held on 7 July 2022 (Minute E.21/22 refers):

"That the Overview and Scrutiny Committee be asked to consider forming a Task and Finish Group to support Officers in the development of an Electric Vehicle Charging Strategy for the District."

- 2.2. On 21 July 2022, the Committee concluded that a Group should be established for this purpose, and it was requested that it comprise of 5 Members. It was also concluded that the lead Executive Members for Climate Change and Car Parks should be invited to attend Task and Finish Group meetings when arranged (Minute O&S.18/22(b) refers).
- 2.3. On 12 January 2023, the Overview & Scrutiny Committee considered the final draft of the EV strategy and recommended to the Executive that a consultation was carried out. On the 23 January 2023, the Executive resolved to carry out a consultation (Minute E.76/22 refers)

3. Consultation Summary

- 3.1. A consultation on the Council's EV strategy took place between 17 February and 17 March 2023.
- 3.2. The consultation was survey based with links posted in Council bulletins, on social media with a press release sent to media agencies in advance of the consultation beginning. The survey was short and asked respondents to rate their

agreement with our chosen actions on a sliding scale, the end of the survey had some open-ended responses where participants were able to write about opportunities for the Council's fleet as well as anything else they felt might be missing from the strategy.

- 3.3. 261 people responded to the consultation and out of all the questions asked, respondents predominantly agreed or strongly agreed with the actions. Appendix A contains a summary of the consultation outcomes and some written responses to some of the open questions.

4. EV Strategy Review

- 4.1. The EV Strategy presented as Appendix B of this report contains amendments to the draft presented in January 2023. Whilst much of the structure remains the same, some of the actions have been amended to take account of changes in existing projects.
- 4.2. Alongside small amendments to the background text, the aims have been altered to include reference to community chargers as this was highlighted as a need through consultation.
- 4.3. An important change relates to broadening the options for EV charging installations on our land, for both council and public use.
- 4.4. Since we have been involved with the DELETTI (Devon Low carbon Energy and Transport Technology Innovator) and ORCS (Off-street Residential Charging Scheme) programmes, which has seen the council enter into collaborative agreements with the private sector to install chargers in our car parks, we have gained greater understanding around the installation and management of EV chargers.
- 4.5. To this end, we have developed skills in-house to install EV chargers, created close working relationships with National Grid, adopted back-office management software to take care of payments and management, and are now registered with the Officer for Low Emissions Vehicles (OLEV) as a registered installer of EV chargers.
- 4.6. Using the approved £170,000 budget agreed the Council has:
 - increased charging capabilities to facilitate a fleet transition,

- Installed 6 x 22kW chargers at Totnes Depot (with a further 120 kW charger coming in November 2023),
 - Facilitated a grid upgrade at Follaton House to install a dual outlet 120kW DC rapid charger (Due in February 2024)
- 4.7. In addition, using budget in the capital programme for Dartmouth Health Hub, the Council has installed 3 x 7.4 kW dual socket chargers in the Health Hub car park, which will be owned and operated by the Council. Should further funding be made available, it is hoped that the Council will be able to install the necessary infrastructure to allow the future provision of more 22kW fast chargers.
- 4.8. In view of this, alongside the public/private concessionary model and a private operator funded, we will look at options to fund the installation of EV charges directly and benefit from the ability to control pricing and useage. It is proposed that each site is assessed and, where relevant, a business case for funding be brought forward. The EV strategy has been amended to reflect this and establish a 'South Hams Network Ownership' model.
- 4.9. Our recent installations have shown what we can achieve ourselves. Accordingly, the EV strategy has been amended to reflect this in Aim 1 and Aim 2, as well as in the delivery section. Whilst a public and private concessionary model will be our preferred option for the hard to deliver sites i.e those with grid upgrade demands, we will be looking to monitor the ongoing use of the public chargers at Dartmouth Health Hub and carrying out feasibility studies on the rest of our assets where EV charging makes most sense. If successful we will hope to also offer installation to meet community needs also and discussions are taking place with a zero-emissions bus service to achieve that end.
- 4.10. In-line with Aim 3 of the draft EV strategy, South Hams District Council has been successful in obtaining £90k of grant funding through the Clean Maritime Demonstrator Competition Round 3. The consortium bid, led by Aqua SuperPower, ZPN Energy, University of Plymouth and Bournemouth and Poole Council will see the South Hams join a marine charging network across the south coast. Further changes include references in the marine actions to investigate energy solutions to provide power to off grid pontoons and decarbonise the Salcombe water taxi services in addition to the Lower Dart Ferry.

5. Local Electric Vehicle Infrastructure Fund (LEVI)

- 5.1. Whilst we are looking to do more installations ourselves it is also important to lever in any additional funding where it is available. Through the Local Electric Vehicle Infrastructure Fund (LEVI) Devon County Council (DCC) has been allocated £660,000 revenue funding and £7,067,000 capital funding.
- 5.2. DCC will be invited to submit a full application for specific sites in LEVI "Tranche 1" by end of November 2023. Sites can be added after this date.
- 5.3. Based on DCC's previous experience of chargepoint delivery we expect the delivery stage of the project to last until at least March 2027. There will then be an ongoing need to manage the chargepoint contracts for 10 to 20 years.
- 5.4. Officers intend to submit the following sites through the LEVI fund as these are sites which we would be unlikely to deliver ourselves;
 - Sunbay Layby – Hope Cove
 - North Sands – Salcombe
 - Old Market – Totnes
 - Strete Gate - Slapton
- 5.5. This report seeks Members agreement to enter the required collaboration agreement. This documents our commitment to proceed with the Devon County Council led procurement of an approved supplier and thereafter, enter a 20-year lease of the required car parking spaces to the appointed supplier. Please note, this does not restrict our ability to charge parking fees for those spaces.

6. Proposed way forward

- 6.1. It is proposed that the Executive committee notes the new approach to EV charging roll out, moving towards more in house EV charging installs but also continuing with collaboration arrangements so we can achieve faster EV charging roll out across the District.
- 6.2. In doing so, the Executive recommends the Council to adopt the revised EV strategy and put forward new sites through the LEVI fund in collaboration with Devon County Council.

7. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	<p>This report includes an overview of process in developing the strategy.</p> <p>The Public Charge Point Regulations 2023 come into force on 24 November 2023. They apply to charge points which are intended for use primarily by members of the public and includes a charge point that may only be accessed during specific hours; or are situated in a public car park, whether that car park is available only to persons intending to purchase specific goods or services. The Regulations impose requirements on those owning or operating public charge points on behalf of the owner to (a) ensure that a person can pay to charge an electric vehicle by contactless payment without a pre-existing contract with the operator; (b) ensure that, by 24 November 2024, their network of rapid charge points is, on average, 99% reliable; (c) ensure by 24 November 2025, a person is able to pay to charge an electric vehicle using a payment service provided by a third party roaming provider; and (d) to provide a staffed telephone helpline that is available 24 hours a day to provide assistance to those using their charge points.</p>
Financial implications to include reference to value for money	Y	<p>There are no financial implications as part of this report. The workstreams that will develop out from the action plan will either be resourced internally or funding applications made to support new EV charging infrastructure</p>
Risk	Y	None

Supporting Corporate Strategy	Y	This report related to action AM1.5 of Better Lives for All. This reports relates to the Climate and Biodiversity commitments of the new South Hams District Council Corporate Strategy
Climate Change - Carbon / Biodiversity Impact	Y	This report provides an update on the development of an EV strategy which aims to increase the uptake of EV's in the area, thereby helping to reduce transport emissions
Comprehensive Impact Assessment Implications		
Equality and Diversity		None as a direct implication of this report
Safeguarding		None as a direct implication of this report
Community Safety, Crime and Disorder		None as a direct implication of this report
Health, Safety and Wellbeing		None as a direct implication of this report
Other implications		

Supporting Information

Appendices:

Appendix A – EV Strategy Consultation summary

Appendix B – Revised EV Strategy

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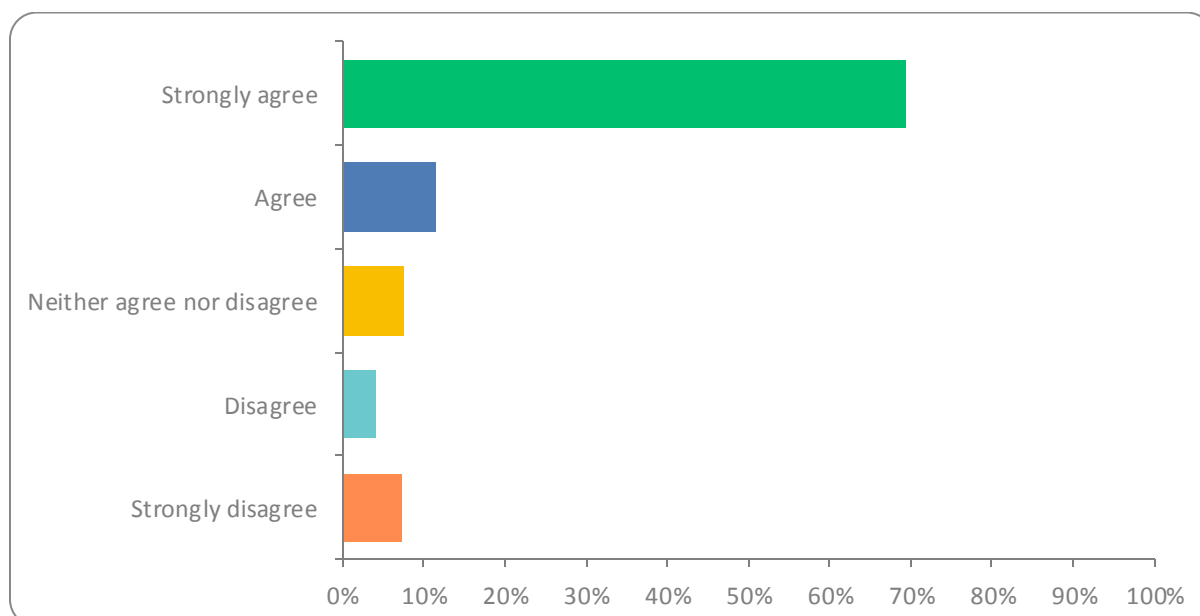
South Hams District Council EV Strategy Consultation Outcomes

A consultation on the Council’s EV strategy took place between 17th February and 17th March 2023. The council began its pre-election period on 23rd March 2023 where it was not possible to report on the outcomes.

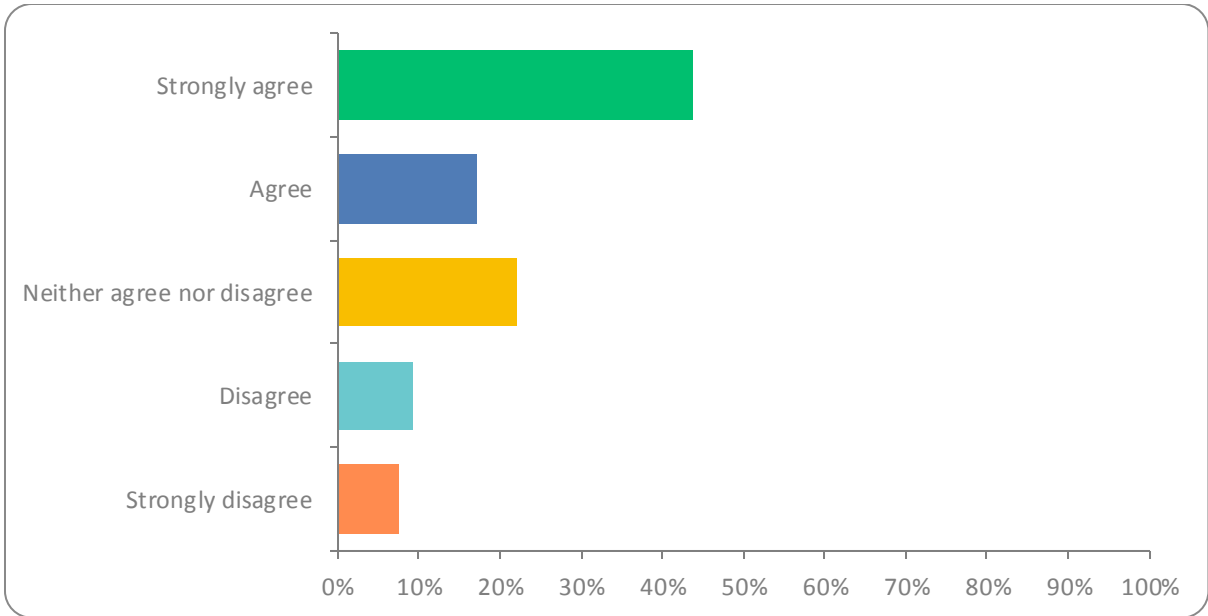
The consultation was survey based with links posted in Council bulletins, on social media with a PR sent to media agencies in advance of the consultation beginning. The survey was short and asked respondents to rate their agreement with our chosen actions on a sliding scale, the end of the survey had some open-ended responses where participants were able to write about opportunities for the council’s fleet as well as anything else they felt might be missing from the strategy.

261 people responded to the consultation and out of all the questions asked, respondents predominantly agreed or strongly agreed with the actions.

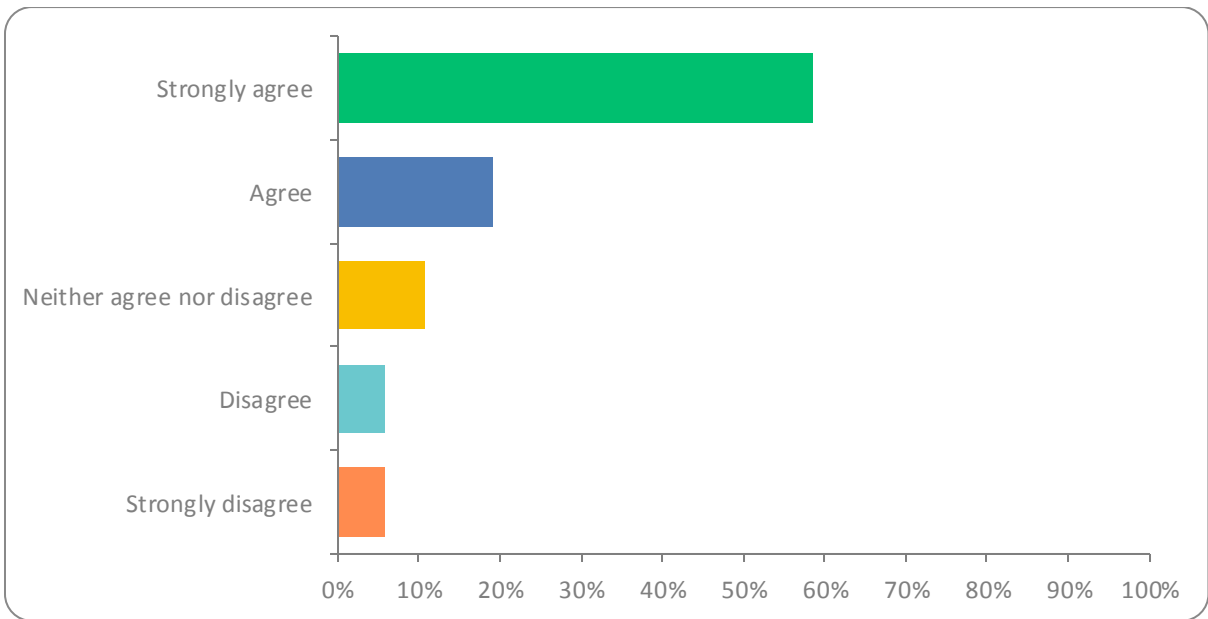
Q1: We’re looking to identify opportunities to support research and innovation in electric vehicles. One part of this would be to submit a new bid under the new Local Electric Vehicle Infrastructure scheme. This would involve a call for sites to identify areas for off-street rural charging hubs. Do you think this action would benefit your area?



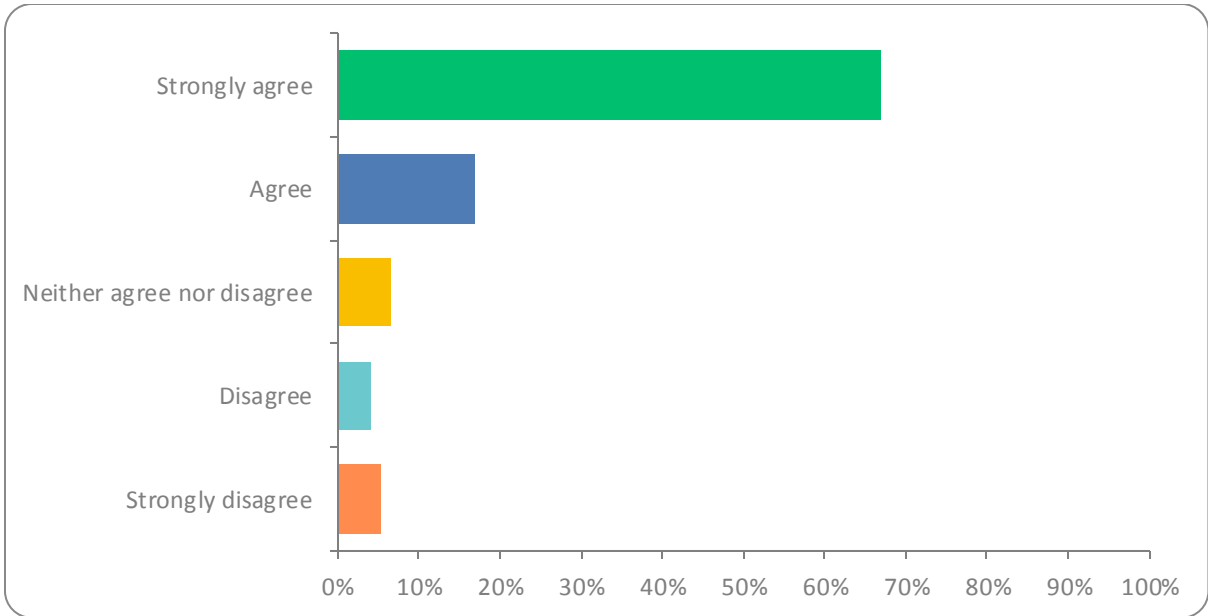
Q2: We’re looking to promote and support community charge schemes, such as Zap-Home and Co Charger. Both organisations have a network of residences with home charge points of users that have decided to share them with other EV drivers. Would supporting these organisations be beneficial in your area?



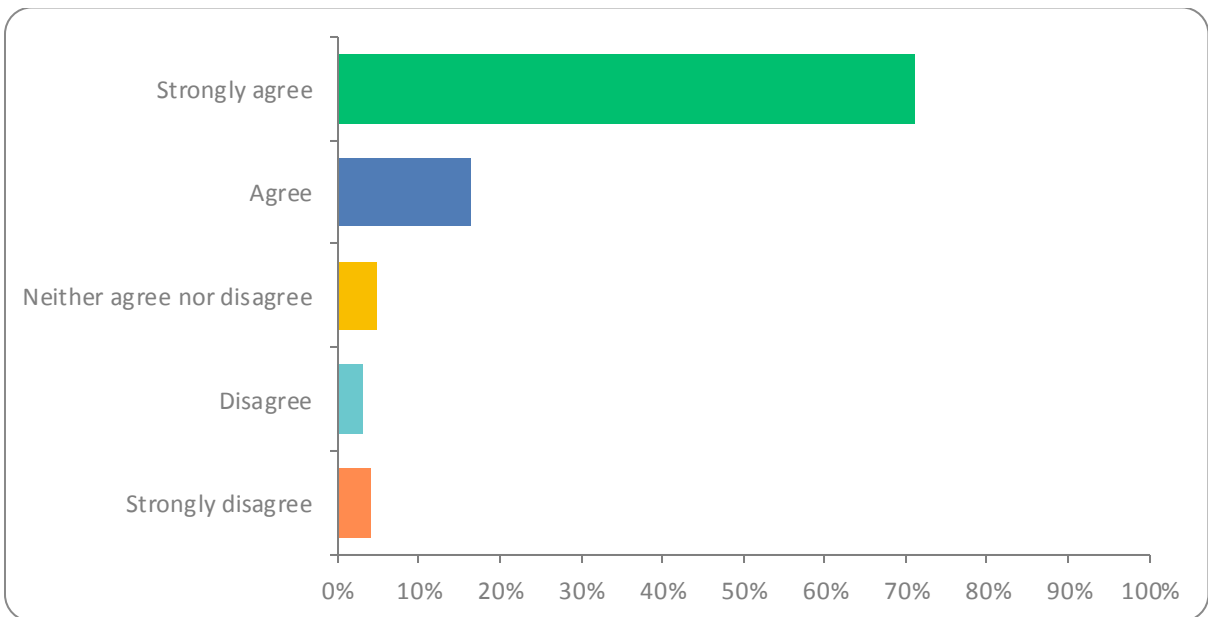
Q3: We're looking to promote the Office for Low Emission Vehicles (OLEV) Workplace Charging Scheme to businesses and workplaces in the district. The scheme provides eligible businesses with support towards the upfront costs of the purchase and installation of EV charging points. Do you think us promoting the scheme is worthwhile?



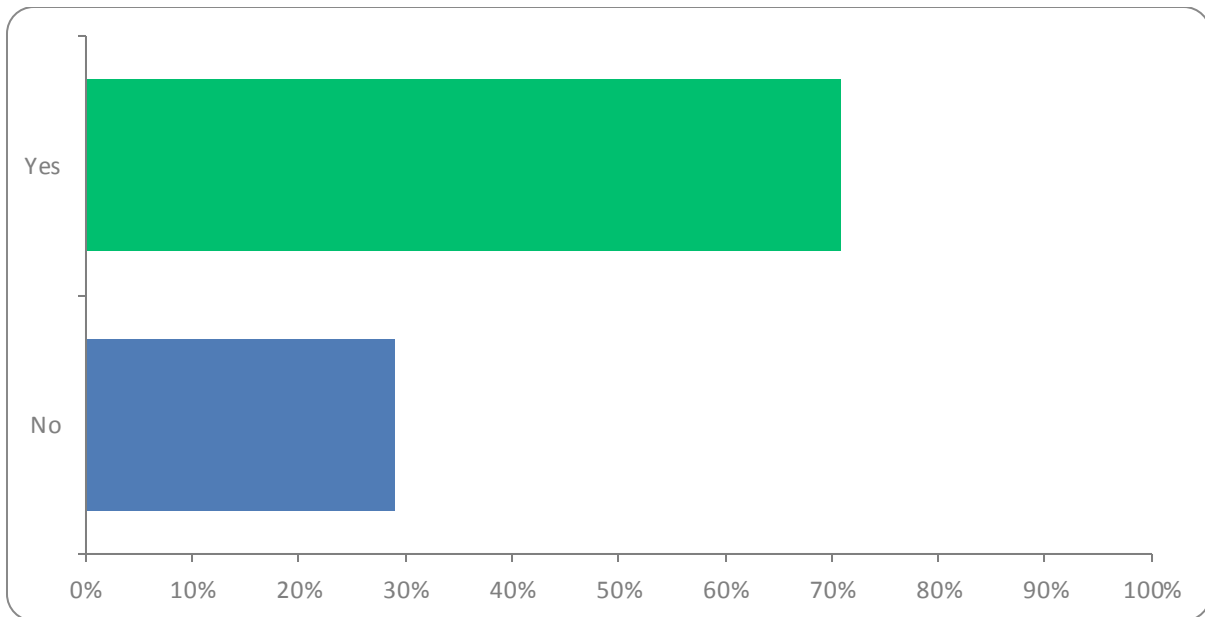
Q4: We want to work with Devon County Council, OLEV and the National Grid to install ten more charging points at Council-owned car parks. Would this be beneficial to EV drivers in the South Hams?



Q5: We want to encourage supermarkets, rail stations and other partners and stakeholders to deliver EV charging points at other key destinations across the South Hams. Do you think this is worth us doing?



Q7: Do you think our EV strategy should include investigating other methods of e-mobility, such as e-bikes or car sharing?



Two open ended questions were asked,

Q6. What else do you think the Council can do to help improve the number of EV charging points in the South Hams?

And

Q8. Is there anything the Council should specifically be doing as it transitions its "light vehicle" fleet to electric vehicles?

In terms of question 6, there were some comments and suggestions that are beneficial to explore or comment on

Comment	SHDC Response
Provide grants to homeowners to install charging points if they will share them with others - on co-charger or zap-home (4 similar comments)	Something we will explore in collaboration with Devon County Council
Grants to support businesses to install charging points immediately.	The Workplace Parking Scheme exists for this reason
Publicise where they are. They should be in all SHDC parking lots. You need to think that car production after 2030 is EVs only	A new section of our website will list this as they go on online
Locals discounted pre-pay scheme.	To consider as part of wider charging bids, although this can only be achieved through our own EV charging installs and something we will consider
Look at installing lamppost chargers (4 comments)	Streetlighting is largely owned by Devon County Council. Constraints dictate this is not feasible currently
Encourage the creation of sustainable transport hubs in partnership with organisations like Co-Cars/Co-Bikes, and trailing further locations for shared transport. For each chargepoint they	To be explored through a call for sites exercise.

deliver 1 open chargepoint, 1 for the shared car.	
Charging points at council owned business units	We are exploring the feasibility of installing charging points at these units and managed by SHDC.
Ensure planning approvals require EV charging (8 comments).	2021 Part S building regs now require this, minimum standards exist in planning now for commercial, between 11 and 22 kW.
'Channel' across pavements so homeowners can manage EV charging when they don't have a private/off street driveway. Promote and encourage much more People are not getting behind this as they need to and charging is one of 3 main reasons. Cost and range are the others, but the councils can't fix that	Pavement Gully trials will be conducted by Devon County Council as highway authority. Pavement Gullies are an ambition within their own EV strategy
Encourage all pubs and restaurants to have rapid chargers.	We will include this within action EV.3
Help Parish councils and community buildings identify and install community charging facilities in their parishes. (6 similar comments).	A call for sites will be conducted, sites collated through this exercise will inform a bid under LEVI in collaboration with Devon County Council and other Devon Councils
Install at tourist car parks ideally in conjunction with adjacent solar pv array.	SHDC has investigated Solar Canopies and many of our sites are not feasible due to size and other physical constraints. Some are and will be considered in due course.
Could discussions be held with the national trust about their parking facilities? they are typically in remote locations in the South Hams and really should be stepping it up in terms of this type of offer	We will do this
Encourage active travel, use cars less.	We need to accommodate multi modal travel uses, to accommodate this requires bespoke pieces of work. Active Travel will form part of our Shared Prosperity Fund work and we will be producing a new Local Cycling and Walking Infrastructure Plan.
Add EV points to car parks within towns, such as Heath's Nursery and Victoria Street in Totnes.	Victoria Street Car Park now has EV chargers

As for question 8, there were some comments and suggestions that are beneficial to explore or comment on

Comment	SHDC Response
consider funding e-bike hire schemes in rural areas.	We have already funded two trials, due to start in late summer in Totnes and Dartmouth, other

	locations have potential, but the outcomes of the trails are needed to ascertain levels of investment required and ancillary benefits
Think about what you are trying to achieve before jumping on the electric only bandwagon. Eg hydrogen power is green if the hydrogen is produced from renewable energy sources.	In 2018, The Climate Change Committee (CCC) published a report regarding the role of Hydrogen in a low carbon economy. While battery electric vehicles are now well placed to deliver the bulk of decarbonisation for cars and vans, hydrogen fuel cell vehicles could play an important role for heavy-duty vehicles (e.g. buses, trains and lorries) and potentially for longer-range journeys in lighter vehicles, where the need to store and carry large amounts of energy is greater. There is also a potentially important role in decarbonising shipping, especially if an international market in low-carbon hydrogen or ammonia develops. The primary issue with Hydrogen is that because renewables are needed to produce truly 'green' ¹ hydrogen, producing hydrogen in bulk from electrolysis in this way would be much more expensive and would entail extremely challenging build rates for zero-carbon electricity generation capacity, curtailing renewable energy from the grid supply. Therefore, the IPCC and the Climate Change Committee sees its role mainly in hard to decarbonise industries like shipping, aviation, and steel manufacturing (and other heat intensive industrial processes)
Don't use public charging points until the availability is very much higher than it is now.	We will be building and providing enough of our own EV chargers for fleet vehicles and don't envisage fleet users using public chargers
Convert to EV school buses and refuse collection vehicles (3 comments)	At this stage we are only looking at our light vehicle fleet, switching Refuse Collection Vehicles to electric is not yet feasible due to routing demands. School busses are run and owned by Devon County Council
Publicise performance data on light vehicle fleet, EV and non-EV to give locals a better idea on what performance is possible in our locality. eg small roads, hills etc	Dependant on the systems used to monitor performance, carbon reduction and running costs we will publish what's available.
Put in more chargers to Council premises car parks. There should be another bank of chargers available at Follaton House and ALSO on the side available to the public on weekends and out-of-business hours...don't gate off the next lot of installed chargers please!	We are conducting feasibility studies at all Council premises to install chargers and to upgrade and increase the number of chargers at locations that currently have chargers. The next phase of charger installation at FH will see rapid charging which will be available 24/7 and not gated-off. Car parks are also be reviewed and where feasible proposals will be put forward.

¹ Green hydrogen is made using electrolyzers powered by renewable electricity, while blue hydrogen is made using natural gas.

Encourage sub-contractors and partners of the council to investigate what they can do with their vehicles to make them more environmentally friendly.	This can form part of our procurement questions/processes
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Electric Vehicle Strategy 2023-2025

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South Hams
District Council

October 2023



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Foreword

Whilst EVs aren't the primary panacea for our transport emission in South Hams, the adoption of electric vehicles (EVs) represents one of many technological changes needed to reduce greenhouse gas emissions. The development and implementation of an Electric Vehicle Strategy is a testament to our commitment to leading this charge.

It is imperative to recognise that the decisions we make today will shape the future for generations to come. As such we need to embrace innovation, adaptability, and a forward-thinking approach. This Electric Vehicle Strategy serves as our blueprint for navigating this dynamic terrain, to both help facilitate people's transition from fossil fuels and also our own transition to reduce or organisational emissions.

By embracing EVs, we pave the way for cleaner air in our towns and reduced noise pollution. Moreover, the transition to electric mobility presents an opportunity to empower individuals, businesses, and communities alike with greater choices.

In these pages, you will find a plan that encompasses not only the development and deployment of electric charging but also plans to reduce marine emissions and help improve the resiliency of our charging network as we look to bring charging installation in house so we can have greater controls on delivery and costs.



Cllr John McKay

South Hams
District Council

Executive Member
for Climate &
Biodiversity



Introduction

South Hams District Council declared a Climate and Biodiversity Emergency in July 2019. Following this a Climate Change and Biodiversity Strategy was adopted in December 2020.

The Council has committed to the following aims:

- That the Council aim to reduce its organisational carbon emissions to net-zero by 2030;
- That the Council commit to working with partners through the Devon Climate Emergency Response Group to aim to reduce the District of South Hams' carbon emissions to net-zero by 2050 at the latest;
- That the Council aim for a 10% Biodiversity Net Gain in the habitat value of its green and wooded public open space by 2025.



As a proportion of overall emissions, **Transport emissions account for around 27% of all emissions** in South Hams and as opposed to other sectors, hasn't seen much of a reduction. The Council's Climate and Biodiversity Strategy recognises that a **reduction in total vehicle miles travelled and electrification of surface transport is needed** to meet both climate and air quality goals, and that Electric Vehicle (EV) charging infrastructure in South Hams needs to scale up significantly. However, for certain activities and particularly in rural areas of South Hams with limited public transport provision, cars and vans are the most suitable means of transport. Replacing petrol and diesel vehicles with electric vehicles, alongside facilitating a modal shift in the better populated areas is a key part of our decarbonisation goals.

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This is supported nationally through the Department for Transport's (DfT) Decarbonising Transport document July 2021, which sees increasing cycling, zero emission vehicles and accelerating maritime decarbonisation as key issues¹. Furthermore, the Office for Zero Emission Vehicle's (OZEV) Taking the Charge EV strategy launched in March 2022, which outline the Government's plans for meeting targets to decarbonise transport and reduce reliance on fossil fuels. The Local Authority Toolkit, launched in April 2022, also offers additional evidence to support this, and highlights the

¹ Department for Transport. 2020. Transport Decarbonisation Plan. www.gov.uk/government/publications/transport-decarbonisation-plan

synergies with other low carbon transport modes.

The UK Government has revised its targets to phase out petrol and diesel cars, they will require 80% of new cars and 70% of new vans sold in Great Britain to be zero emission by 2030, increasing to 100% by 2035.

According to the Department for Transport, the current transport system places wider costs on society:

- **Air pollution costs** to health and social care could reach £5.3 billion by 2035.
- The Stern Review estimated the **overall costs of unmitigated climate change** to be equivalent to 5–20% of global GDP each year £10bn.
- It's estimated that the **annual social cost of urban road noise** in England is £7 to 10 billion.
- **Health and obesity** – The UK-wide NHS costs which are attributable to overweight and obesity are projected to reach £9.7 billion by 2050.
- **Overall the current cost of the transport system** to society is £49.9bn with wider costs to society estimated to reach £49.9 billion per year.

The Government see a clear role for local authorities for the roll out of EV chargers in particular through its EV strategy 'Taking charge: the electric vehicle infrastructure strategy'² stating that local authorities are fundamental to successful chargepoint rollout, particularly for the deployment of widespread on-street charging. They are therefore ideally placed to identify the local charging needs of residents, fleets and visitors.

In order to demonstrate our commitment to the uptake and deployment of electric vehicles, this document sets out our vision and planned approach to EV and travel support. A two-year time horizon has been set for this EV strategy, covering 2023–25. This short time horizon allows the strategy to focus on what is currently known, the current funding streams on offer, what can be practically delivered, and for the EV market in the UK to mature. The strategy will be reviewed regularly to provide opportunity to reflect upon rapid technological and socio-economic change, with a refresh published in 2025.

² HM Government, 2022. Taking charge: the electric vehicle infrastructure strategy. https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1065576/taking-charge-the-electric-vehicle-infrastructure-strategy.pdf

Scope of this Strategy

The scope of this Strategy is limited to vehicle charging with an element of transport decarbonisation through the use of electric power in the bike and marine sectors.

We agree with the Committee for Climate Change in their view that zero emission cars and lorries cannot on their own meet all our climate goals or solve all our problems. However, we do need to influence this transition as an electrified transport fleet is a piece of puzzle, alongside reducing the need for trips to reduce congestion and provide safe alternatives to improve air quality, reduce noise and increase health and wellbeing. In essence, a rural solution to transport decarbonisation will involve combining public transport with more tailored on-demand and shared mobility services, including peer-to-peer and volunteer-based solutions.

With all that in mind, this electric vehicle strategy covers the following areas:

- Destination Charging
- Residential and Community Charging
- Marine Charging
- EV and Charge Sharing
- E-bikes
- Council Fleet transition
- Charging at Council assets



The following is not included within the scope of this strategy:

- **Motorbikes** – There is currently low demand for e-motorbikes. Almost all e-motorcycles currently use 3-pin chargers and therefore no dedicated charging infrastructure is required.
- **Rail transport** – rail infrastructure is the responsibility of Network Rail. The Council has limited powers to influence the rail sector and its adoption of zero emission rail technology.
- **Heavy goods vehicles** – The adoption of zero emission vehicle technology will occur later than the period covered by this strategy. It is unclear at this time if electric or hydrogen will emerge as the primary energy source for powering freight vehicles.
- **Hydrogen power solutions** – The Climate Change Committee conclude that while battery electric vehicles are now well placed to deliver the bulk of decarbonisation for cars and vans, hydrogen fuel cell vehicles could play an important role for heavy-duty transportation (e.g. buses, trains, lorries and marine) where the need to store and carry large amounts of energy is greater. For personal transportation, hydrogen solutions are no better, or in some cases worse than current fossil fuel technology.
- **Active Travel** – Whilst this strategy will cover e-bikes, it is not a supplement to a full active travel strategy which will emerge as part of our Placemaking commitments through the 'Local Walking and Cycling Infrastructure Plan' we are developing.

Local Picture

The main challenges involved with rural transport are symptoms of a car-oriented road infrastructure and geographically sparse population which makes it unsafe to walk and cycle. Coupled with insufficient provision of public transport and a lack of critical mass for shared mobility and market-driven solutions³, the challenges around decarbonising rural transport are vast and well documented.

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In relation to the transition to electric vehicles, South Hams faces very specific challenges and there is a risk that more rural locations are left behind. For instance, many private charging businesses require high turnover of users, which is why cities and service areas off motorways have seen the largest increase in charging availability. Furthermore, many of the more remote areas in the District has issues around grid capacity, with some new EV connections requiring substation upgrades which can run into the tens of thousands of pounds. Equally, there is greater dependence on car travel, with longer trip distances than urban areas, providing a significant opportunity to reduce carbon emissions.

The number of EVs in South Hams is growing each year, with nearly four times as many EVs registered in both areas compared to just four years ago. There are high levels of interest in EVs in the District, combined with high levels of potential tourist demand for EV charging infrastructure. A range of EV charging infrastructure projects are already underway to support and enable this growth.

³ UTIP, 2022. The rural mobility challenge for public transport: How combined mobility can help https://cms.uitp.org/wp/wp-content/uploads/2022/02/Knowledge-Brief-Rural-Mobility_FEB2022-web.pdf



Figure 1: BEVs registered within the South Hams between 2018 and 2023 (DVLA, 2023)



Figure 2: Distance Travelled to work in South Hams, working age population (Census, 2011)

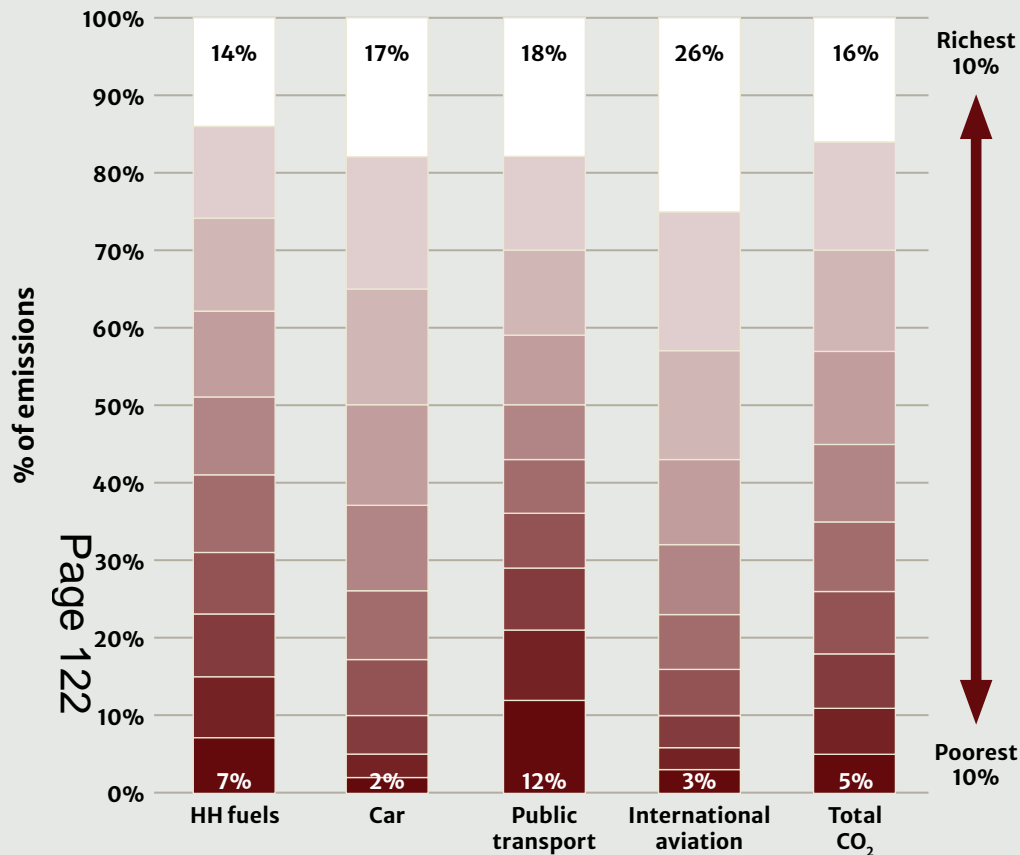


Figure 3: Percentage of UK household emissions from different travel sources by income decile – Source: CSE (2013)⁴

⁴ www.cse.org.uk/downloads/file/distribution_of_uk_carbon_emissions_implications_for_domestic_energy_policy.pdf

In terms of future EV forecast, WSP have developed EV:Ready, which is a modelling tool that has been developed over the past five years to forecast electric vehicle uptake and charge point requirements for a chosen study area, between now and 2050. Forecast data is available from a consultation draft of the Devon County Council Electric Vehicle Charging Strategy by WSP. For South Hams, **table 1** (below) shows the forecast of EVs in 2025, 2030 and 2035 as well as a forecast percentage of overall vehicle types.

Table 1: EV Forecasts up to 2035, EV:Ready, WSP, 2022

Area	2025 Mid scenario	2030 Mid scenario	2035 Mid scenario	2025 (%) Mid scenario	2030 (%) Mid scenario	2035 (%) Mid scenario
South Hams	5,370	21,396	45,277	7.65%	30.02%	62.61%

The mid scenario represents the most likely level of uptake expected by 2030, there are wide variants between the scenarios however this is based on technological forecasts and behavioural change, as well as Government policy, legislation and subsidies that are available.

The majority of emissions are generated by the most affluent citizens, both globally and at a local level. Across the UK, the highest income group has more than three times the household emissions of the lowest income group. **Figure 3** shows UK household emissions from different sources by income decile. It shows that the most affluent in society have by far the largest share of transport emissions, primarily because of increased travel distances both by car and aviation.

In order to effectively tackle transport emissions through electrification, the solutions need to be equitable, fair and seek to provide different options for different people according to their needs and circumstances. Part of this will be ensure the charging infrastructure is available for those either living in remote areas or unable to install charging points at their own home but also to facilitate the availability of different options such as e-bikes and car sharing.

Relevant to South Hams is its marine transport. South Hams District Council is home to Dartmouth, Salcombe and Yealm harbours, all of which are popular with recreational boat users. The District Council own and operate a vehicular and passenger ferry service at Dartmouth and a busy water taxi service at Salcombe. The marine sector is currently undergoing considerable technological innovation. In terms of recreational boating, there has been a rapid increase in the demand for electric-powered motors amongst recreational boat users and this is likely to continue. Alongside this, there has also been an increase in, the availability of small electric onboard motorboats and electric outboard motors used to power RIBs and tenders. We have an opportunity to lead in this transition by supporting and accommodating the necessary charging infrastructure at our waterfront locations, working closely with harbour authorities and landowners.

Constraints

EV charging delivery is heavily reliant on costs and grid capacity the UK EVSE Association have available some indicative costs associated with each charging type⁵.

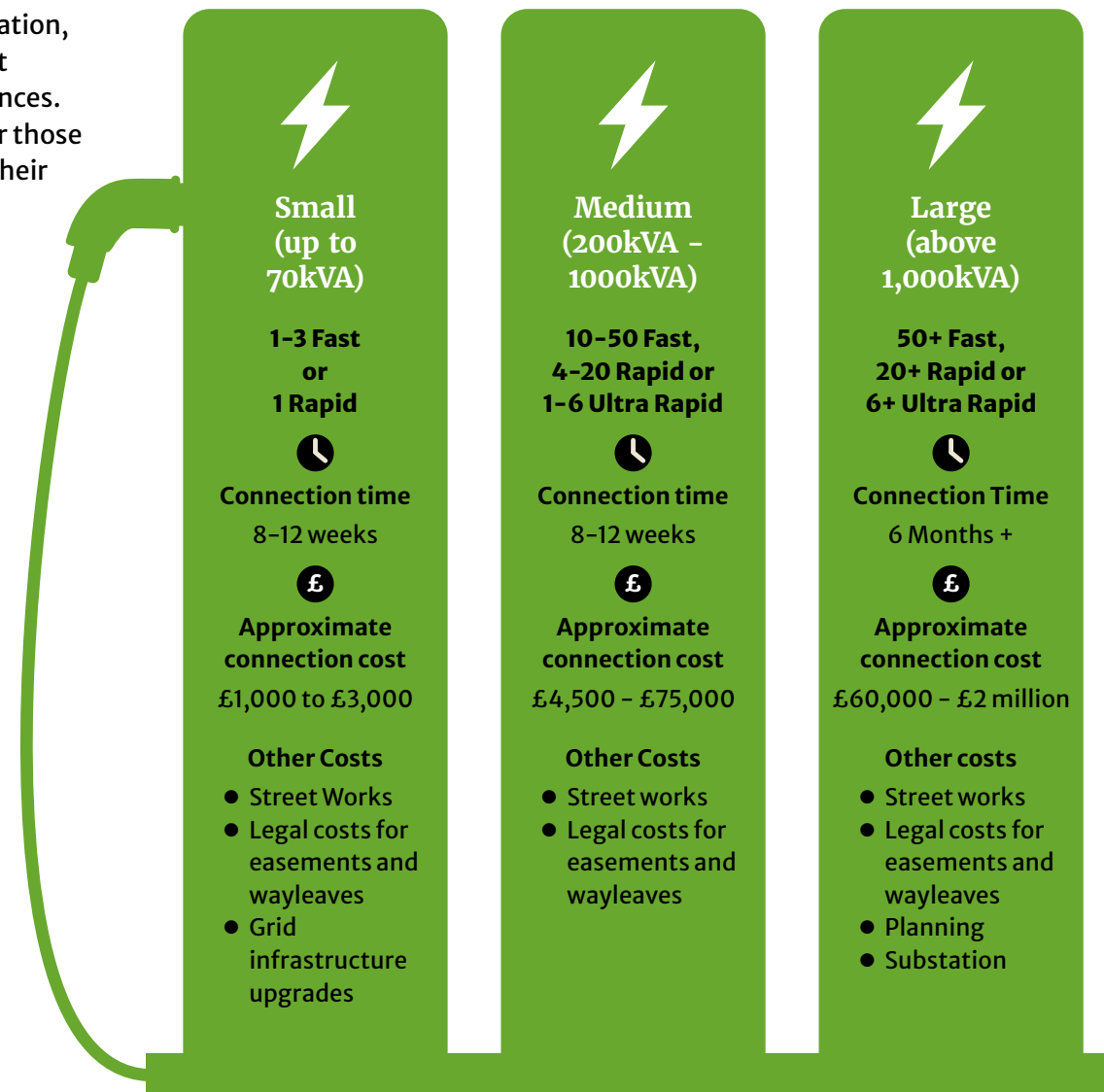


Figure 4 – Indicative connection costs, UK EVSE Association

⁵ www.r-e-a.net/wp-content/uploads/2020/03/Updated-UK-EVSE-Procurement-Guide.pdf



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Figure 5 - Primary supply substations capacity for demand in Devon, National Grid, 11/2022

Primary - Intermediate substation generally where 33kV is transformed down to 11kV

- High - 20% total site capacity still available
- Medium - 10% to 20% total site capacity still available
- Low - Less than 10% total site capacity available

Contains Ordnance Survey data © Crown Copyright and database right 2023

Grid capacity varies across the District. National Grid has a map showing the capacity of primary substations for both generation and demand, EV chargers will be a demand type, the capacity of South Hams primary substations are shown on the left, this map does not show the entire picture in terms of constraints however.

Due to the large power demand of banks of EV chargers, grid upgrades will in most circumstances be required.

Local Policy Context

This section presents a policy review, summarising relevant local policy. The South Hams District Council EV strategy should align with local policies and priorities.

Devon Carbon Plan

The Devon Carbon Plan describes Devon's net-zero vision, specific actions within the Devon Carbon are related to EV. It notes:

- T32.** Develop EV Charging Strategies to deploy the right chargers in the right place.
- T33.** DCE partners to use their assets to provide publicly-accessible EV charging and shared mobility infrastructure.
- T34.** Provide electric charging infrastructure in harbours and marinas.
- T35.** DCE partners and organisations in the County to transition their fleets to Ultra Low Emission Vehicles.
- T36.** Accelerate the switch to Ultra Low Emission Vehicle taxis by placing requirements and incentives within the licensing process.



Devon County Council EV Strategy

The Devon County Council EV Strategy was out for public consultation in December 2022. The recommended actions involve co-ordination between authorities and DCC to increase the availability of charging in more challenging areas and to collaborate on funding bids through schemes such as LEVI (Local Electric Vehicle Infrastructure Fund). Some of the relevant actions read:

- 2c. Deliver off-street residential hubs** - DCC will identify where there are overlaps between areas of need and Council or district-owned assets to see if publicly-accessible charging could be installed.



3. **Plug gaps in private-sector destination and intermediate charging provisions** - DCC will actively identify sites where destination and/or en-route charging could be installed to meet market need. DCC will then work with landowner, community, public sector and private sector stakeholders to facilitate installation of rapid charging hubs.
7. **Leverage scale through Devon-wide funding applications and procurement** - DCC will seek to collaborate with local districts and other strategic partners when applying for grant funding, procuring services, and delivering the strategy. Specific emphasis on packaging up more and less commercially viable sites together.
8. **Lead on local district co-ordination** - clear benefits of ensuring local councils are co-ordinated, including strengthened funding bids. DCC will coordinate with district councils to ensure Local Plans and EV policies are consistent.

What have we done so far?

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- Local planning policy requires EV chargers for new major development (Plymouth & South West Devon Climate Emergency Planning Policy Guidance).
- 14 chargers installed through DELLETI and ORCS. The chargers installed at Mayors Avenue, Dartmouth are the most highly used of all the DELETTI charger installations in Devon.
- Introduced a salary sacrifice scheme for staff to lease EVs, currently 18 members of staff have taken up the offer.
- Undertook a survey with the Energy Saving Trust to help understand our fleet requirements.
- Acquired 4 fleet EVs and installed chargers at our depot.
- Installed chargers at new Batson Units in Salcombe and the Dartmouth Health Hub which are installed, owned and operated by South Hams District Council.



Our Vision

How will we achieve this?



Aim 1

Work with partners to provide high quality, and well distributed chargepoint provision

- Focus on identifying charging locations in less viable and remote locations to help grow demand in those areas.
- Assist residents and communities without off-street parking to access public chargepoints through partnership working.
- Make sure chargepoints and designated parking spaces are accessible and maintained.
- Begin to roll out EV chargers installed by SHDC which will be owned and operated by the Council.



Aim 2

Increase visibility of EV uptake and lead by example

- Conversion of Council light fleet vehicles (Vans, cars and grounds maintenance equipment).
- Support the implementation and promotion of alternative and more affordable transport modes including EV car clubs and electric micro mobility options such as e-bikes.

Help to increase the number of charge points in the authority area by 50% to support uptake of 5370 EVs by 2025 and aim to reduce our organisational light fleet emissions by 50% from 166 tCO₂e by 2025.





Aim 3

Support the push for electrically propelled watercraft

- Decarbonise the tugs and floats used to operate the Lower Dart Ferry service through the use of alternative low carbon propulsion options over the long term.
- Provide information for visitors about electric motors and battery technologies.
- South Hams is already working with partners on The Electric Seaway project to install a rapid charger in Salcombe and Dartmouth.

Why do we want to achieve this?

- Achieve air quality improvements.
- Carbon emission reductions to support the Council's climate emergency declaration aims.
- Resident and business engagement:
 - a. To understand likely demand for EV charging and their locations;
 - b. To gain support for infrastructure delivery;
 - c. Increase the uptake of fossil fuel transport alternatives through knowledge share (for example try before you buy schemes) and providing alternative options to car ownership.

Aims and Actions



Aim 1: Increase EV Chargepoints across the District

Availability of public charging points is an important issue, as range anxiety is the single most quoted reason why individuals will not yet buy an electric vehicle. Different speeds of charge points are available and chargers are divided into types, based on capacity:

- 'Slow' chargers are 3 kW (AC);
- 'Fast' chargers are 7kW to 22 kW (AC);
- 'Rapid' chargers are 50 kW but DC in nature;
- 'Ultra rapid' chargers are 150 – 350 kW and again DC in nature.

At home, many people will either make use of a 3pin plug (3 kW) or have a chargepoint installed outside, usually at a rate of 7kW. Fast chargers (7kW to 22kw) are often installed in car parks, Council owned ones and business car parks with some even installing rapid chargers. The type of charger installed is also dependent on grid capacity, many of the more remote areas of the district are grid constrained, meaning there is little capacity to install banks of fast and rapid chargers without an upgrade to a nearby substation.

To make the best use of resource, the Council will seek to unlock opportunities to provide charging points for those who are not catered for elsewhere or lack sufficient off street home charging. This would mean ignoring the motorway / trunk road network and workplaces. We will also focus on the Councils' own needs (for our own vehicles), which will need adequate charging availability around the most remote areas of the District. Innovative solutions are emerging for those areas with little off street parking, retractable charge stations are now available to reduce street clutter and provide places to charge vehicles on street.

We will also be using our own capability to install public EV chargers which will be owned and operated by SHDC, this will enable us to have more control over local pricing, structure and access.



Emerging and continually evolving technology, like those above, are why this strategy has a two-year time horizon, covering 2023–25. We will make sure we keep our attention directed towards emerging technology and solutions to EV charging to provide the best possible strategic direction for EV charging over the next few years.

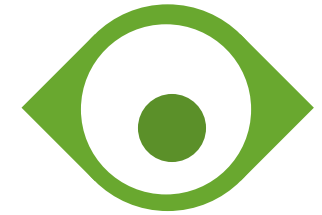
The Council only has so much land available and often has to balance the need to secure parking income whilst providing charging infrastructure to visitors. To maximise opportunity, South Hams’ communities and Parish Councils play a key role in identifying local EV charging needs and could help expand the community charging network by installing chargepoints on community spaces such as village halls and parking areas. We already have a baseline of sites following a survey carried out in December

2021, which ran until February 2022. The purpose of this survey was to find out which Town and Parish Councils were interested in hosting chargepoints and whether they had suitable land or buildings.

To achieve a suitable number of chargepoints, it’s crucial that we engage with neighbouring local authorities, Town and Parish Councils, landowners, local chargepoint stakeholders, and commercial network operators.

Action Plan

Action Ref	Action	Partners	Resources	When
EV.1	Support a bid to the LEVI Scheme with Devon County Council and also explore sites where SHDC can own and operate EV chargers on its assets.	OLEV, DCC	Existing internal resource	2024/25
EV.2	Promote and support community charge sharing scheme such as Zap–Home and CoCharge.	Zap–home, CoCharge, Town and Parish Councils	Existing Internal Resource	2023–2025
EV.3	For existing workplaces, promote the OLEV Workplace Charging Scheme.	LEP, DCE,	Existing Internal Resource	2023–2025
EV.4	Carry out feasibility of EV chargers at locations in SHDC ownership (currently 27 location are in consideration).	DCC, OLEV, National Grid	Funded through DELLETTI and ORCS and internal resource	2024/25
EV.5	Encourage stakeholders to deliver EV chargepoints at other key destinations including supermarkets and rail stations.		Existing Internal Resource	2023–2025



Aim 2: Increase the visibility of EV uptake and lead by example

The Council currently operate a fleet of 67 vehicles, which are primarily used by Mobile Locality Officers and Grounds Maintenance personnel. Use of these vehicles accounts for 12% of the Council's overall operational carbon emissions.

We will also be undertaking a strategic installation of EV chargers across our estate to include:

- Totnes Depot – 6 x 22kW and 1 rapid charger by the end of 2023;
- Dartmouth – 6 x 7.4 kW installed;
- Follaton House – increasing EV charging for staff and tenants.

Alongside the availability of public charging points many people simply are unaware of how EVs operate or cannot afford to finance the cost of the vehicle when the used combustion engine vehicle market remains buoyant and affordable, which will only increase as more people begin to sell petrol and diesel cars to buy EVs.

Even as the EV market increases and costs decrease, these vehicles will still be costly for those on lower incomes. It's here where an available and affordable EV sharing scheme can help, to increase mobility, bring costs down and clean up our transport emissions across the District.

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Our vehicles include cars, vans, cranes, tippers, tractors and ride on mowers. This fleet transition will be dependent on the availability of public chargers for fleet staff, however we will explore alternative options for fleet chargers through solutions such as [Paua](#) and [CoCharge](#).

Action Plan

Action Ref	Action	Partners	Resources	When
EV.6	Complete Fleet Review to identify ICE to BE vehicle replacement schedule and costs. Analysis of existing vehicle routing and usage using teletrac software already underway.	National Grid, Energy Saving Trust		March 2024
EV.7	Install 10 chargepoints at key council locations to facilitate fleet transition.	National Grid, Charge providers (TBA)	Internal resource seconded for feasibility, electrical, installation and management and maintainence	2025
EV.8	Explore additional local incentives to increase EV uptake beyond additional chargepoint infrastructure, such as car sharing clubs (explore car share as part of pool car provision).		Internal Resource	2024-2025
EV.9	Explore e-bike trial opportunities across the District	DCC, e-bike providers	Shared Prosperity Fund	2024



Aim 3: Support the push for electrically propelled watercraft

South Hams is home to three popular harbours at Salcombe, Dartmouth, Newton Ferrers and Noss Mayo.

Many visitors to South Hams' harbours who arrive by boat use tenders to approach the foreshore. These are often powered by petrol and diesel outboard motors.

We are keen to lead by example by decarbonising our own watercraft and by supporting residents, and visiting boat owners, in making the switch to electric. South Hams is already working to develop a charging infrastructure. We are currently working with partners on The Electric Seaway project to install rapid chargepoints in Salcombe and Dartmouth.

We are also keen to extend charging infrastructure to remote pontoon locations in Salcombe Harbour that are currently off-grid.

Electric boat charging is already starting to appear locally, Queen Anne's Battery in Plymouth is now home to a 75kw chargepoint with another 24kw chargepoint at the Barbican Landing Stage.

South Hams District Council has recently funded an electric marine propulsion project through the Climate Engagement Fund which was launched in early 2022. The project has seen demonstrations of electric outboard motors and workshops held in spring 2023 with more due in 2024. The outcomes of this project will be key to helping leisure users understand the benefits and ease of switching to electric propulsion for small craft.



Action Plan

Action Ref	Action	Partners	Resources	When
EWV.1	Investigate sites and renewable energy solutions to provide power to off-grid pontoon, engage with harbour authorities and marine sector partners.	Salcombe Harbour Authority, Yealm Harbour Master, RYA and third party landowners	Internal resources, capital fund required	Rolling programme – 2024/25
EWV.2	Decarbonise the Lower Dart Ferry and Salcombe Water Taxi services.		Internal resources, capital fund required	Rolling programme – 2024 – 2032
EWV.3	Support marine sector specialists engaging with businesses to help them transition to more energy-efficient activities and processes as part of a shift to decarbonisation. This includes the SHDC funded e-transition workshop project, which ran its first event in May 2023. As well as support offered to businesses to test new technologies and processes.	Blue Environment, Plymouth City Council, Harbour Authorities	Climate Engagement Fund	Rolling programme – 2023/2024

Delivery

Historically, the Council has jointly procured EV charging with partner authorities such as Devon County Council. Alongside this, the Council will seek opportunities to deliver its own charging infrastructure, it's important to highlight the different delivery models.

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Delivery Model	Advantages	Disadvantages
<p>South Hams' network ownership</p> <p>This 'own and operate' model is an approach in which the Council appoints a supplier to install and manage chargepoints on Council-owned land for the contract period and fully funds the installations, typically using grant funding and local authority capital.</p>	<ul style="list-style-type: none"> ● Retains full ownership of the charging infrastructure ● Retains revenue ● Able to select sites regardless of viability ● Full flexibility of back office function such as tariffs and rates 	<ul style="list-style-type: none"> ● Cover costs of ongoing operation, maintenance and upgrade ● Risk of equipment becoming outdated and left with obsolete charging ● Reputational risk associated with unreliability
<p>Public / private concessionary model</p> <p>This is a model where the charging is part funded by the public sector but a private sector operators runs and maintains the charge points. i.e. DELETTI.</p>	<ul style="list-style-type: none"> ● Potential for income share or land leasing revenue ● Reduced reputational risk associated with unreliability ● Local authority has no responsibility or costs associated with maintenance and repair ● Potential for charging type upgrades in the future as part of an agreement ● no control over delivery timescales 	<ul style="list-style-type: none"> ● Reduced income vs full ownership ● Not all chargepoint operators are amenable to the terms, reducing the choice of suppliers ● Lengthy tender exercise ● Private operator will likely require large number of sites to make installation viable ● Burden of contractual disputes
<p>Private operator</p> <p>Full ownership and responsibility from a private operator.</p>	<ul style="list-style-type: none"> ● Lowest risk across all issues highlighted above ● If on public sector land, potential for long term rental income 	<ul style="list-style-type: none"> ● Many of our rural sites will likely be not viable for a private operator ● Least control, difficult to achieve ambition and vision for far reaching and equitable charging infrastructure



Based on the advantages and disadvantages of the different models, and from existing experience, the concessionary model, with a private sector delivery partner provides a good balance of risk and control. However there is a need to make sure that the network operator fulfils their service level obligations to maintain a reliable network and provide a customer focussed support function as set out in any framework.

Following learning from our existing partnership schemes, we have also developed skills internally and will therefore consider all options for EV charging delivery across the district.

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How will success be monitored and any lessons learned implemented?

Over the course of the strategies life, we will measure the following:

- Monitor charge point use and other market trends to inform future provision of fast and rapid charge points;
- Monitor EV take up;
- No of charge points delivered each year.

Glossary

Term	Explanation
Battery electric vehicle (BEV)	A vehicle powered by a battery, which can be plugged into an electricity source to recharge. Also known as 'pure' or '100 per cent' EVs, they have zero tailpipe emissions.
Chargepoint	A charging socket which is connected to an electric vehicle via a charging cable to allow the battery to be recharged with electricity.
Chargepoint Network	The way that users access a chargepoint via RFID card or web or app.
DELETTI	Devon Low carbon Energy and Transport Technology Innovator.
eBike	An electrically assisted pedal cycle. The maximum power output of 250 watts should not be able to propel the bike when it is travelling more than 15.5mph. In the UK you must be over 14 years old to ride an e bike.
eCargo bike	An electrically assisted pedal cycle featuring a minimum 125 litre cargo volume capacity and minimum 130 kg weight capacity.
EV	Electric Vehicle; the vehicle is powered by electricity so requires plugging in to recharge the battery.
ICE	Internal combustion Engine.
kWh	Kilowatt Hour; unit of electricity. Car batteries are sized in kWh i.e. a 50 kWh battery stores 50 kWh of electricity.

Term	Explanation
LEVI	Local Electric Vehicle Infrastructure.
p/kWh	Pence per Kilowatt Hour. Users are charged for each kWh they consume. Charging tariffs are in pence per kilowatt Hour.
Payment by bank card	In line with national regulations, all new Rapid and Ultra Rapid chargers will accept payment via a contactless bank card (credit or debit card). This allows users to access these chargers without joining a Network.
PHEV	Plugin Hybrid Electric vehicle; combines a smaller battery with a conventional internal combustion engine and an electric motor. This allows an electric range of between 20 – 50 miles and the ability to drive with an empty battery for hundreds of miles using petrol or diesel.
Pool car	A vehicle that is made available to staff to book for business travel.
ORCS	On-street Residential Chargepoint Scheme.
Overstay fee	To encourage appropriate use of charging bays and assure they are available for people who need them an overstay fee will apply after a vehicle has finished charging and grace period has been exceeded.
OZEV	Office for Zero Emission Vehicles.
WSP	Williams Sale Partnership, lead consultants for the Devon County Council EV Strategy



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South Hams
District Council

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Report to: **Executive**
Date: **30th November 2023**
Title: **Climate Change and Biodiversity Update**
Portfolio Area: **Cllr John McKay**
Climate Change and Biodiversity
Wards Affected: **All**
Urgent Decision: **N** Approval and clearance obtained: **Y**

Date next steps can be taken: Upon the expiry of the call-in period: 5.00pm on Monday, 11 December.

Author: **Drew Powell** Role: **Director of Strategy and Governance**
Adam Williams **Principal Climate Change Officer**

Contact: Adam.williams@swdevon.gov.uk

RECOMMENDATIONS:

That the Executive:

- 1. Approves allocating £62,000 per year to establish a new Members 'Green Fund' to support community-based climate and biodiversity projects for 2023/24 and 2024/25. This will be funded from the climate change and biodiversity earmarked reserve;**
- 2. Notes that the Bioregional Learning Centre has been commissioned as a partner to conduct learning and capacity building for local climate adaptation;and**

3. Requests that the Audit and Governance Committee review the merits of awarding Yealm Community Energy a grant in the order of £100,000 to further the Council's strategic ambitions around climate change and biodiversity.

1. Executive Summary

- 1.1. The Council declared a Climate Change and Biodiversity emergency in 2019 and subsequently adopted a Strategy and Action plan and established a climate change and biodiversity (CC&B) earmarked reserve to deliver against its commitments.
- 1.2. The Council is progressing a range of actions and developing further work in support of the declaration which will be set out in the emerging corporate strategy which is subject to a separate report on this agenda.
- 1.3. This report sets out a number of actions that are already in progress and proposes the setting up of a new for Members to support local 'green initiatives' and the potential to award a grant to Yealm Community Energy to support community energy initiatives within the local community.
- 1.4. The report also offers an opportunity for initial feedback on the 'Keep it Local' Symposium held on 10 November 2023 at the Council offices.

2. Background.

- 2.1. The primary aims of the emerging corporate strategy that support the Council's climate change and biodiversity ambitions are:
 - A 12% per year reduction in eCO2 emissions across the South Hams with a 40% reduction in 4 years
 - A 5.5% per year increase in biodiversity in the South Hams with a 20% increase in 4 years
 - To form an adaption plan for the South Hams so there is a pathway to deal with the consequences of climate change.
 - To make South Hams an example for other Local Authority areas by showing what can be achieved.

- 2.2. To work towards these aims the Council is establishing relationships with key strategic partners.
- 2.3. The Council continues to fund Sustainable South Hams and has now commissioned the Bioregional Learning Centre (BLC) as a partner to conduct learning and capacity building for local climate adaptation. The BLC work will cost £46,000 funded through the established climate change and biodiversity earmarked reserve.

3. 'Keep it Local' Symposium

- 3.1. Economic activity is the main source of CO2 emissions and environmental damage. To protect the environment, we need to reconsider how we produce and distribute food locally. The Council is developing ways to collaborate with local businesses and create the support infrastructure needed for a greener future.
- 3.2. Given the context above, a 'Keep it local' symposium was held on 10 November 2023 where a range of experts and key influencers met to scope out how work in this area can be effectively progressed and to build on some of the initiatives already being supported through the UKSPF.
- 3.3. The purpose of this event was to maximise.
 - technical and practical input and experience into the Keep It Local concept.
 - engagement and buy in from key influencers.
- 3.4. This will be the subject of a verbal update at this meeting in advance of a report being produced by Sustainable South Hams in conjunction with partners.

4. Investing in Community Energy

- 4.1. The Council is keen to support community energy initiatives and projects especially where they have the potential to generate renewable energy, offer lower electricity tariffs and to fund wider climate change and biodiversity projects.
- 4.2. An opportunity has recently arisen to provide financial support, through the provision of a climate change grant with a potential to generate a financial return, to Yealm Community Energy (YCE).

- 4.3. Yealm Community Energy are in the process of purchasing three solar farms located in the South Hams. This forms part of a wider portfolio of Solar assets across the UK as part of Community Energy Together, of whom YCE is a member.
- 4.4. The work of Yealm Community Energy strongly aligns with the Council's emerging strategic objective around supporting community energy initiatives.
- 4.5. The options for providing financial support, in the order of £100,000 funded through the climate change and biodiversity earmarked reserve, are presently being explored and it is therefore recommended that the Executive ask the Audit and Governance Committee to review the merits of this approach.

5. Establishing a Member's 'Green Fund'

- 5.1. To accelerate the Council's support for community groups and local organisations tackling climate change and increasing biodiversity it is proposed to introduce a members 'Green fund' of £2,000 per year, per member. This will be a total of £62,000 a year.
- 5.2. This will be managed alongside the existing Sustainable Communities Locality Fund and targeted at projects that support the Council's aims set out in 2.1 above.
- 5.3. The fund will be established initially for 2023/4 and 2024/5 from the Climate Change and Biodiversity earmarked reserve making a total of £124,000.

6. Summary

- 6.1. The Council is progressing a range of actions and developing further work in support of its climate change and biodiversity ambitions.
- 6.2. The report sets out an investment of £170,000 with a potential further £100,000 subject to a review by the Audit and Governance Committee.

7. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	This report includes an overview of process in developing the strategy.
Financial implications to include reference to value for money	Y	The report sets out an investment of £170,000 with a potential further £100,000 subject to a review by the Audit and Governance Committee.
Risk	Y	None
Supporting Corporate Strategy	Y	Climate Change and Community Development
Climate Change - Carbon / Biodiversity Impact	Y	This report supports Climate and Biodiversity aims through additional financial support for community projects.
Comprehensive Impact Assessment Implications		
Equality and Diversity		None as a direct implication of this report
Safeguarding		None as a direct implication of this report
Community Safety, Crime and Disorder		None as a direct implication of this report
Health, Safety and Wellbeing		None as a direct implication of this report
Other implications		

Supporting Information

Appendices:

None

Background Papers:

None

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Report to: **Executive**
Date: **30 November 2023**
Title: **Housing Policy Update**

Portfolio Area: **Housing - Cllr O'Callaghan**

Wards Affected: **All**
Author: **Isabel Blake** Role: **Head of Housing**
Contact: **email: Isabel.blake@swdevon.gov.uk**

RECOMMENDATIONS:

It is RECOMMENDED that the Executive:

- 1. Supports and launches the South Hams Housing Offer to communities to support affordable housing delivery;**
- 2. Agrees an initial budget of £100,000 per year to fund the South Hams Community Offer, financed from the funding identified from the review of the capital programme and the review of earmarked reserves (Council Minute CM30, 28 September 2023);**
- 3. Agrees all appended Housing Management policies and delegates minor changes to the Head of Housing;**
- 4. Agrees to review all the policies every 3 years, or sooner if major changes are required; and**
- 5. Notes the update and progress on the two Council-owned sites in Kingsbridge.**

1. Executive summary

- 1.1 As part of this Council's commitment to tackling the housing crisis it is bringing forward a new housing initiative to support the delivery of community housing development in the District, by launching the "South Hams Housing Offer." This will provide targeted support for Community Land Trusts (CLTs), communities & landowners, to find, filter and initiate work on potential housing developments. Where schemes are confirmed as viable to develop, subject to approval and

potential additional funding, further detailed design and survey work will be carried out with community involvement to produce a feasibility study with pre-application planning advice. Potential developments will then be matched with an appropriate delivery partner (typically a Registered Provider) who will undertake the development and bring forward the homes, which they will then either own or lease from a CLT and manage.

- 1.2 This initiative will offer a range of support and advice on forming community housing groups, housing need, engagement with landowners, pre-planning guidance and early appraisals to find sites that are genuinely developable and viable.
- 1.3 To deliver this comprehensive package, it is intended to allocate staff resource and a new initial funding commitment of up to £100,000. This will be made available to finance activities in researching and forming community-led housing groups together with technical support for site appraisals, including professional services in providing massing plans and indicative development costs. From this initial work an Outline Business Case will be produced to confirm viability and recommend next steps. Subject to approval and further funding, site surveys, options layouts and costing work will be undertaken in conjunction with the community group. We know from our engagement with Registered Providers that these are the critical steps that they often don't have capacity to do themselves, but, from which point onwards they are willing and able to support delivery.
- 1.4 A further benefit of this approach in taking schemes to a feasibility stage is the opportunity to shape them in line with the Council's environmental priorities. This could include specifying the use of heat pumps, design to a minimum EPC 'B' rating and the provision of natural biodiverse spaces. Specific requirements could then be included within a specification document that would form part of the "Development Agreement" with the delivery partner.
- 1.5 By "unlocking" sites through this initiative, and working with our trusted partners, the Council will facilitate and expedite

delivery at a scale it cannot do through direct development on its own.

- 1.6 It is recommended that this is financed from the funding identified from the review of the capital programme and the review of earmarked reserves (Council Minute CM30, 28 September 2023). Any further decision on additional funding will return to the Executive for consideration alongside evaluation of the progress to date.
- 1.7 All sites will be subject to early scrutiny and constraints considerations (at no cost) which will ensure that funding is only spent on sites with potential, but the Council must recognise that this early feasibility work may at times be abortive and so the expenditure may be at risk.
- 1.8 Separately to this, and to ensure the Council meets the legal requirements for housing management for the homes it has developed at Holywell Meadows, St Anns Chapel, the report sets out for adoption a number of housing policies. These policies protect both tenants and the Council. It is proposed that any minor changes required to these documents are delegated to the Head of Housing and that these policies are reviewed by the Executive once every 3 years.
- 1.9 The report also sets out the progress that has been made engaging with the market to potentially develop the two Council-owned sites in Kingsbridge at Rope Walk. Following a successful Expressions of Interest exercise, the Council is looking to collaborate with Hastoe Housing Association. Further engagement with the Community, Town Councillors, District Members and Hastoe is required before a report of an outline proposal returns to full Council in Spring 2024.

2. Background

2.1 The South Hams Housing Offer

The Council has been clear in its desire to provide support to communities who are serious about bringing forward affordable housing in the district.

- 2.2 Following a recommendation from the Executive to explore how CLTs may be able to facilitate housing delivery in the District, Middlemarch - a leading national voice on CLTs was commissioned to provide advice to the Council on whether

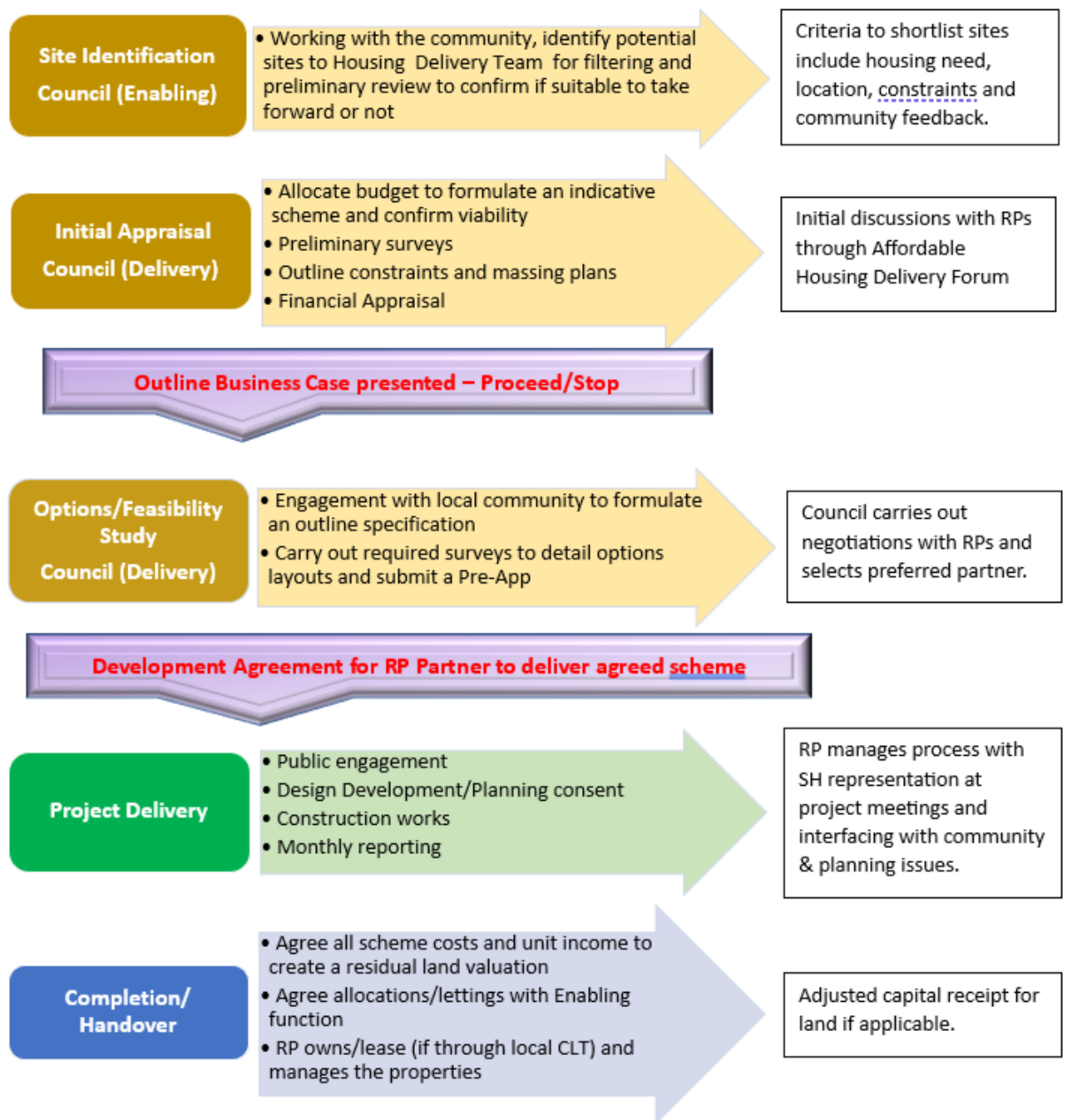
setting up a District-wide CLT would be the most effective option to support communities or whether there were other options for consideration. This report can be found at Appendix B and as a result of this work, it is not recommended to proceed with a district wide CLT.

- 2.3 Instead the report concluded that the most beneficial way the Council could support delivery was through the provision of professional and technical support at an early point of a community identified potential housing development, and subsequently help with finding a delivery partner capable of raising the required finance to fund and build an affordable housing scheme. This report therefore recommends that the Council creates the "South Hams Housing Offer".
- 2.4 It is recommended that 'The South Hams Housing Offer' (SHHO) launches in January 2024, with an annual £100,000 investment and that this is financed from the funding identified from the review of the capital programme and the review of earmarked reserves (Council Minute CM30, 28 September 2023).
- 2.5 The SHHO will:
- Have early meetings with the ward member, community representative or CLT who wish to engage
 - Meet with landowners and set out the process and the "deal"
 - Establish local housing need (for planning permission purposes) and engage with the neighbourhood plan (adopted or emerging)
 - Facilitate community awareness events
 - Look at site viability and constraints
 - Instruct initial design work to produce site massing plans and look at viability issues
 - .
 - Enable production of an Outline Business Case to confirm viability through a financial appraisal and provide recommendations
 - Provide a solid foundation on which to approve schemes for further development through options and feasibility studies to a point where they can be handed over to a suitable delivery partner to develop
 - Help promote balanced and sustainable communities with high quality housing, and contribution to biodiversity net gain wherever possible

- Encourage and advocate for the development of energy efficient affordable homes to reduce carbon emissions and reduce household heating costs

In short, it will provide the glue between willing land owners and willing communities to explore development potential and where this is found, join up the site with a development partner to make it a reality.

- 2.6 Consideration was given to whether the Council should look at a procurement exercise to secure a delivery partner, however following in depth discussions at a focus group of Registered Providers it has become clear that having a wider approach, in which all possible partners are able to benefit from the programme represents the best chance of identifying a willing delivery partner – a step that is evidenced to be critical in the delivery of CLT schemes.
- 2.7 Instead, an Affordable Housing Delivery Forum, attended by a core group of delivery partners and chaired by the Executive lead for housing would be a good vehicle to discuss delivery of viable schemes.
- 2.8 During negotiations with potential delivery partners consideration will be given to their approach to building standards. This will include criteria such as design quality, energy efficiency and the environment. A number of Registered Providers have published strategies and policies outlining their commitment to the environment and sustainability which will be factored into the decision-making process.
- 2.9 An illustration of how the South Hams Housing Offer might work in practice is set out below. This approach can be tailored to suit the particular characteristics of each scheme:



Stage Ownership



2.10 It is envisaged that not only will the SHHO be used to support new and emerging community groups, but it will also support existing viable schemes with demonstrable need that are stalled or delayed working towards delivery on these sites.

2.11 As a further strengthening of the Council’s commitment to the community, it is envisaged that a twice-yearly Community - Led Housing Forum is hosted by the Council with an invitation

extended to all established and emerging community housing groups and CLTs where they can share best practice and different challenges.

2.12 Housing Management Policies

2.13 The Council as a social landlord is required to have policies to support good management of any properties, and the contractual relationship it has with its tenants.

2.14 Appendix A contains the following policies:

- Cyclical and planned repairs
- Responsive repairs
- Capital works
- Adaptions policy
- Health & Safety
- Allocation & lettings
- Tenancy management
- Neighbourhood management
- Local Area Cooperation
- Anti-Social behaviour
- Customer Service, Choice & Complaints
- Tenant Satisfaction

2.15 It is recommended that any minor changes to the policy are delegated to the Head of Housing, in consultation with the portfolio holder and that these policies are reviewed every 3 years, or sooner if major legislative or local policy changes are required.

2.16 If the Council does not set out these policies and formally adopt them, there is risk of challenge from both the Regulator of Social Housing and the Housing Ombudsman. Furthermore it sets out clearly for tenants the management arrangements which will govern the landlord/tenant relationship

2.17 Council owned sites at Kingsbridge

- 2.18 Members of the Executive will be aware that the Council own both a brownfield and greenfield site in Kingsbridge. Responding to the housing crisis and with the support from the Town Council, local ward Members and the County Member, work has been ongoing to bring forward affordable housing on the sites.
- 2.19 An expression of interest exercise has recently been concluded and a group made up of the local ward members, members of the Kingsbridge Town Council and the Leader and Portfolio holder, have concluded that they wish to support the proposals put forward by Hastoe Housing Association.
- 2.20 Hastoe has a proven track record in the South Hams, has a strong community focus and is keen to deliver the scheme if viable as 100% affordable housing. Continuing to work with Town Council, a further report is expected in early Spring 2024 which will have further details on the project including delivery timelines. It is likely this will include the Council granting Hastoe a land option on both sites, conditional to building out the sites and delivering much needed affordable homes.

3. Proposal and Next Steps

- 3.1 Adopt Housing Management Policies, ahead of new tenants occupying Holywell Meadows, St Anns Chapel.
- 3.2 Note the update regarding the 2 Council owned sites in Kingsbridge.
- 3.3 Agree an initial £100,000 budget to launch the South Hams Housing Offer from January 2024. It is recommended that this is financed from the funding identified from the review of the capital programme and the review of earmarked reserves (Council Minute CM30, 28 September 2023).

4. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	It is essential that the Council has robust housing management policies. Without the polices, not only does it disadvantage the Council's tenants, but it also raises the possibility of a challenge from both

		the Regulator of Social Housing and the Housing ombudsman.
Financial implications to include reference to value for money	Y	<p>This report recommends and seeks approval for an initial budget of £100,000 to support communities to bring forward affordable housing schemes.</p> <p>It is recommended that this is financed from the funding identified from the review of the capital programme and the review of earmarked reserves (Council Minute CM30, 28 September 2023).</p> <p>Whilst this should be enough, together with the Council's own staffing resource to support several projects, it has to be acknowledged that there may be some abortive costs, if for example a survey demonstrated that there was no prospect of delivery. A cap of £10,000 per scheme expenditure at risk is proposed, before a decision to incur additional funding is made by the Director of Place & Enterprise in consultation with the Director of Finance.</p>
Risk	Y	<p>Reputationally the Council has been clear that it wishes to help communities help themselves. The South Hams Housing Offer resonates strongly with this ambition.</p> <p>There is also a reputational risk in allowing properties to be rented to tenants with no housing management policies and a legal challenge potentially if we were required to evict a tenant at any stage for anti-social behaviour or rent arrears.</p>
Supporting Corporate Strategy	Y	Homes
Consultation & Engagement Strategy	Y	<p>Before creating the South Ham Housing Offer Officers engaged with leading CLT supporting landlords active in Devon. We also commissioned Middlemarch to complete a report with examples of best practice.</p> <p>Through our work on the 2 Council owned sites in Kingsbridge we have worked in partnership with the Town Council, and there will be</p>

		considerable public engagement planned as the project progresses. There is a specific policy regarding tenant satisfaction, where we will engage with our tenants about the service they receive from the Council
Climate Change - Carbon / Biodiversity Impact	N	None as a direct result of this report
Comprehensive Impact Assessment Implications		
Equality and Diversity	N/a	
Safeguarding	N/a	
Community Safety, Crime and Disorder	Y	There is a specific housing management policy that sets out the Councils approach to anti-social behaviour in its properties.
Health, Safety and Wellbeing	Y	There is a specific housing management policy that sets out the Councils approach to health and safety in its properties.
Other implications		

Supporting Information

Appendices:

Appendix A Housing Management Policies

Appendix B Report on a District wide CLT

Background Papers:

None

South Hams District Council
Social Housing Management Policies

(November 2023)

Contents

- 1) Adaptations Policy and Equality Impact Assessment – Page 3
- 2) Allocations Policy and Equality Impact Assessment – Page 14
- 3) Anti-Social Behaviour Policy and Equality Impact Assessment – Page 28
- 4) Tenancy Policy and Equality Impact Assessment – Page 39
- 5) Tenant Engagement Policy and Equality Impact Assessment – Page 50
- 6) Neighbourhood Management Policy and Equality Impact Assessment – Page 57
- 7) Planned Maintenance Policy and Cyclical Repairs and Equality Impact Assessment – Page 67
- 8) Responsive Repairs Policy and Impact Assessment – Page 74
- 9) Tenant Satisfaction Policy (inc. sample survey) and Equality Impact Assessment - Page 88

South Hams District Council's Adaptation Policy

Contents

- 1) Introduction
- 2) Scope and purpose
- 3) Definitions
 - i. Adaptations
 - ii. Disability
 - iii. Occupational Therapist (OT)
 - iv. Statement of Need
 - v. Child
- 4) Adaptations in general
- 5) Minor Adaptations
- 6) Major Adaptations
- 7) Adapted Homes
- 8) Exclusions
- 9) Responsibilities under this policy
- 10) Permissions and Enquiries
- 11) Process
- 12) Complaints
- 13) Responsibility
- 14) Equality impact considerations
- 15) Policy Review

1) Introduction

The South Hams District Council's (SHDC) Landlord Disabled Adaptation Policy identifies how the Council will enable tenants to live in properties that are suitable for their needs as well as helping them to live independently by adapting their homes through minor and major adaptation works.

2) Scope and purpose

This Policy is designed to work with strategic partners and communities to improve community wellbeing. SHDC will encourage tenants to live in properties that are suitable for their needs and this may include transferring a tenant to a more suitable property. SHDC will, wherever appropriate, help tenants to manage more independently by adapting their properties through minor and major adaptation works.

SHDC's approach to dealing with requests for adaptations to housing stock will be in accordance with this policy.

This policy recognises the impact adaptations in and around the home can have in helping someone with a disability to maximise their independence. The policy recognises that alternatives to the provision of adaptations will be explored with the tenant and their household, and wherever possible tenants will be encouraged to move to more suitable accommodation if necessary. It confirms SHDC's commitment to meeting the needs of SHDC tenants as well as effectively using existing housing stock. The policy recognises that a disability can take many forms and can affect a person's ability to fully access and enjoy their home.

3) Definitions

i. Adaptations

An adaptation is an alteration or addition to any part of a dwelling which is provided in order to make it easier or safer for use by a person with a disability or mobility problem. This may be the tenant or a member of their household. Throughout this policy, references to the tenant will include their household.

ii. Disability

A disability is defined as a physical or mental impairment which has a substantial and long-term adverse effect on the ability to carry out normal day to day activities.

A person is defined as 'disabled' under the Housing Grants, Construction and Regeneration Act 1996 if;

- a) Their sight, hearing or speech is substantially impaired.
- b) They have a mental disorder or impairment of any kind; or
- c) They are physically substantially disabled by illness, injury or impairments that have been present since birth or otherwise,

Generally, the impairment of the applicant must have lasted or is likely to last for at least 12 months.

iii. Occupational Therapist (OT)

A professional who works with a person who has a permanent or temporary impairment. An OT aims to help people perform daily tasks in their living and working environments, and to assist them to develop the skills to live independently.

iv. Statement of Need

A document prepared by an OT and countersigned by the tenant which states the needs of the tenant and the adaptations required in the home.

v. Child

A member of the household under the age of 18.

4) Adaptations in general

SHDC work closely with colleagues in partner organisations involved in ensuring tenants can continue to live independently in our community.

Where minor or major adaptations are required to a property, adaptations will be considered so it is more suitable for a tenant to live in and help them to live independently. All adaptations provided will comply with current legislation.

Any adaptation to a property that has been funded by the Council is owned by the Council and must not be removed by the tenant at the end of their tenancy. Any adaptation to a property provided by the tenant that is not portable/removable will become the property of the Council and must not be removed at the end of the tenancy.

The Council will set a budget for the provision of adaptations which will be reviewed annually.

Adaptations that are carried out by the Council within the scope of this policy will normally be funded up to a maximum amount (see policy). Tenants or householders may need to contribute towards the cost of works and cases may require assessment that will be based on an individual's financial circumstances.

Where tenants are prepared to fund any adaptations themselves (to speed up the process), SHDC will encourage this, subject to the Council's written permission being obtained before any work commences. SHDC will not withhold permission unless there are valid and substantial reasons to do so. Tenants will not be eligible to be reimbursed for adaptation works to their properties if they have already completed works. In such circumstances, if permission has not been given, tenants may find themselves in breach of the tenancy agreement.

SHDC will not progress adaptations in cases where the Council are seeking possession of the property because of a breach of tenancy conditions.

SHDC will not make any adaptations to a property which has changed hands by way of mutual exchange for at least 12 months from exchange date, unless there are very significant changes in the tenant's circumstances. Such cases require the approval of the Property and Asset Manager.

SHDC will not adapt properties where tenants are on an introductory tenancy, unless there are exceptional circumstances. Such cases require the approval of the Property and Asset Manager.

When providing adaptations for household members who are not named on the tenancy agreement, they must be registered as living at the property for council tax purposes and, if aged over eighteen, they should be registered on the electoral role for that address.

Adaptations for a child will only be carried out at the main residence of a child who has a disability whose parents are separated. This is normally the residence of the parent who is in receipt of child benefit, if applicable for that child.

Where a tenant funds any major adaptations to their property, The Housing Team will refer them to Planning Services to check whether or not planning permission or building regulations are required.

When the budget for adaptations is fully committed in any one financial year, tenants will be put on a date ordered waiting list for adaptation works to commence in the new financial year.

5) Minor Adaptations

Minor adaptations are those which normally involve no structural alterations or additions to a property and do not exceed £1,000.

Minor adaptations, where it is estimated work will cost less than £250, will not require an OT assessment and will be approved jointly by the tenant and the Housing Repair Service.

Minor adaptations, where the work is estimated to cost between £250 and £1,000 may require an OT assessment depending on the work required. The adaptations team will decide whether to refer the adaptation to the OT service.

If a tenant feels that they may require a minor adaptation to their home, they should contact the Housing Repairs Service who will refer the case to the appropriate team. Where the tenant resides in sheltered housing, the Housing Officer can assist with this process.

Examples of types of minor adaptations include:

Visual impairment needs

- Staircase adaptations e.g. stair edging and nosings.
- External lighting access.
- Internal door threshold ramps.
- Improved access and widened pathway to main entrance.

Hearing impairment needs

- Flashing doorbells.
- Smoke alarm alerts.

Rails

- Main entrance support rails.
- Grab rails.
- Newel post rails.
- Handrails
- Stair handrails

Kitchens and bathrooms

- Window opening equipment.
- Kitchen lever taps.
- Kitchen cupboard handles.
- Bathroom lever taps.
- WC level flush handles.
- Bath and WC grab rails.

General needs

- Door and wall protectors.
- Altering height of electrical sockets and switches.
- Safety glass.

This list is not exhaustive and any suitable and reasonable 'minor' adaptation will be considered if this helps the tenant to live independently.

SHDC will agree at the outset a timeframe for commencement and completion of work with the tenant.

6) Major Adaptations

Major adaptations include extensive structural alterations such as extensions to properties. The Council can provide funding under the Better Care Fund and offer a Disabled Facility Grant/Accessible Homes Grant. The policy can be found here <https://www.southhams.gov.uk/your-council/council-plans-policies-and-reports/policies/housing-policies> will not provide funding above the maximum amount. Any additional funding will need to be provided by a partner organisation, or the tenant.

All adaptations that are considered through the Better Care Fund will require an occupational therapist assessment and will require the completion of a statement of need. The statement of need also must be signed by the tenant in order to agree the content.

Adaptations are carried out to provide improved access in and out of the property and to help with access to facilities within the home. It may also provide the essential facilities themselves. Types of major adaptations are:

- Installation of ramps or widening doorways.
- Installation of improved lighting or adapting or providing a room specifically to make it safer for a disabled person.
- Provision of a stair lift.
- Provision of a level access shower.
- Adaptation of heating or lighting controls for easier use.

Recommended adaptations will be considered on the grounds of reasonableness and whether practicable, taking into the account the type, age and condition of the property.

Where major adaptations works are not practical to a tenant's home, SHDC will work closely with the tenant, our colleagues and other agencies to find a more suitable property to enable the tenant to transfer.

Only in exceptional circumstances will an adaptation be carried out to a property where the tenant is under occupying or overcrowding their home, or are on the Council's housing register waiting for a transfer. Such cases will be agreed at the discretion of the Housing and Asset Managers.

The Housing and Asset Managers are required to approve any exceptional circumstance cases. These cases will be discussed and considered at the internal

Disabled Adapted Needs panel meetings (held every 2 months). Where appropriate, Officers will consider the application alongside the appropriate Occupational Therapist who will also be invited to attend the meeting.

Approval to works that exceed £1,000 will be carried out on the condition that:

- An occupational therapist completes an assessment and provides a statement of need form which demonstrates that the proposed adaptation is necessary and appropriate to enable access to essential facilities.
- The Council has been unable to identify a suitably adapted property which it would be reasonable to expect the tenant to move to.
- The proposed works comply with all planning permission, building regulation requirements and compliance regulations.

Where funding is required beyond the maximum to a property SHDC will work closely with partner organisations and the tenant to ensure other long-term options have been considered and other funding sources have been explored.

If a tenant purchases a mobility scooter or any aid to mobility that requires alterations to the outside of their home such as vehicular access, hard standings, pathways or the provision of a 'shelter' or electricity for charging the 'vehicle', then the tenant is required to fund these works themselves. The tenant should also request the appropriate permissions for such works to be carried out.

SHDC will endeavour to provide generic storage solutions to sheltered sites within restrictions of budget and site layout. Such solutions should not be relied upon, and tenants should still discuss with the housing service how they propose to store such items prior to purchasing them.

Once adaptations have been carried out at a property SHDC will arrange for someone to inspect the works to ensure that the tenant is satisfied and that the work has been undertaken professionally and to the required standard, including cases where the tenant has funded the work themselves.

An annual programme to undertake servicing and maintenance of equipment such as stair lifts, lifting equipment and automatic sanitary ware will be put in place by the Council. The Council will meet the cost of all routine repairs and maintenance to any adaptations provided or adopted by them.

If any aids or adaptations have been wilfully damaged by the tenant, a household member or visitor to the property, the tenant will be recharged for any costs incurred for putting the property right.

7) Adapted Homes

In some cases, it may be possible to provide suitable properties to enable tenants to move as an alternative to providing major adaptations.

The adaptations team will work closely with the Senior Allocation Officer when a tenant/OT request a level access shower or stairlift or any other major adaptation to ensure that a move to suitable alternative accommodation is an option that can be considered within a reasonable timescale (within 6 months).

Where it is considered that a move to other suitable accommodation would be possible, a priority banding will be given to the tenant to move through the Devon Home Choice scheme.

It is possible to award a 'B' priority to help move a tenant quickly. This can be given as a result of a 'social need' or 'effective management of the housing stock'. Alternatively, a direct match can be applied when a suitable property becomes empty.

Adapted properties that become available will be offered to those in greatest housing need for this type of property in accordance with the Devon Home Choice policy.

Where an existing adapted property may require further adaptations to meet the needs of a tenant transferring from their existing home, SHDC will work closely with partner organisations including the OT service to undertake any works required to minimise delays in re-letting.

This may require the tenant to move prior to further adaptations being provided.

8) Exclusions

SHDC will not adapt a property which is subject to a Right to Buy application.

Other than in exceptional circumstances approved by the Property and Asset Manager an adaptation will not be carried out to a property where:

(a) the tenant is registered with Devon Home Choice and waiting for a transfer

or

(b) the property is under or over occupied or above ground floor.

Alternative suitable accommodation including any further appropriate adaptations will be provided.

9) Responsibilities under this policy

In implementing this policy, SHDC's overall objective is to:

- Ensure that all legislation is adhered to.
- Adhere to the terms that are set out in the Tenancy Agreement.
- Effectively investigate all permissions and enquiries relating to adaptations and ensure they are dealt with, and the appropriate action is taken within a reasonable timescale.
- Ensure that all permissions and enquiries are recorded and monitored.
- Ensure that the needs of the tenant are the main focus.
- Involve the tenant at each key stage of works.
- Fast track any cases where there is an urgent need to carry out adaptation works unless to a property that is 'excluded'.
- Ensure that all work is carried out to the required specification and high standard.
- Provide clear information on accessing the service and ensuring this is available to everyone.
- Ensure that appropriate consideration has been given to the tenant's financial ability to contribute to the work.

10) Permissions and Enquiries

All permission and enquiries relating to adaptations to a property are dealt with by our Housing Repairs Service and/or the Adaptions Team.

If an OT assessment is required, the enquiry will be referred to Devon County Council to progress. A tenant can request the OT assessment by telephoning:

- Adult services: Care Direct on 0345 1551 007 or 0845 1551 007
- Children's services: 0330 024 5321

11) Process

The adaptations team will consider all requests for major adaptations or minor adaptations that require an OT assessment and the provision of a statement of need.

The Maintenance Surveyors will consider all minor adaptations that do not require OT involvement, with support from the adaptations team.

All requests for an adaptation will be acknowledged within ten working days in writing and email.

All adaptation requests will be considered and where necessary referred to the OT service for assessment. If required, a statement of need will be provided by the OT service to the Adaptations team. Once this is received, the tenant will be informed as to whether the Council will provide the recommended adaptation.

SHDC's initial investigation following receipt of an adaptation request should take no more than ten working days but in the event that an officer has to contact other agencies for further information, the investigation may take longer to deal with.

12) Complaints

The Housing Service will deal with any complaints in accordance with the South Hams District Council Corporate Complaints Policy. For full details please go to <https://new.southhams.gov.uk/your-Council/comments-and-complaints/complaints-and-feedback>

13) Responsibility

The Housing Manager will be responsible for ensuring that this policy is adhered to.

14) Equality impact considerations

The policy is of high relevance to equality because it has a significant impact on residents and users of the service.

The Council has an Equality and Diversity policy that informs how officers should engage with people with protected characteristics. This policy is informed and guided by an Equality impact assessment.

Officers are aware that as providers of social housing, there may be potentially vulnerable tenants in our properties and will act accordingly in all correspondence and communication, giving due consideration as to how any vulnerability or condition might affect either their judgement or ability to understand information provided.

Where any decisions are made that will affect a tenant, it is necessary to ascertain whether that a tenant has the mental capacity to make an informed choice in relation to that decision and to provide and/or engage with an advocate if required.

15) Policy Review

SHDC is committed to reviewing this policy, in consultation with tenants on a bi-annual basis or sooner if new guidance or legislation is published.

South Hams District Council & West Devon Borough Council Equality Impact Assessment / PSED Assessment

Name of Policy / Function to be assessed	
Adaptations Policy	
Officer responsible for the assessment	
Stephanie Rixon	
Service	
Housing	
Is this a new or existing policy / function? (Please ring as appropriate)	New
EXISTING STRATEGY/ NEW UPDATE	
Briefly describe the aims, objectives and purpose of the policy	
<ul style="list-style-type: none"> • The South Hams District Council's (SHDC) Landlord Disabled Adaptation Policy identifies how the Council will enable tenants to live in properties that are suitable for their needs as well as helping them to live independently by adapting their homes through minor and major adaptation works. 	
Are there any associated objectives of the policy? Please explain. (This may include other policies which are linked with or have an impact upon this policy)	
This policy is delivered in partnership with the Better Care Fund and Devon Home Choice.	
Who is intended to benefit from this policy and in what way?	
<ul style="list-style-type: none"> • Tenants, SHDC staff, Partner agencies such as the DCC and the wider community. 	
What outcomes are wanted from this policy?	
<ul style="list-style-type: none"> • In implementing this policy, SHDC's overall objective is to: • Ensure that all legislation is adhered to. • Adhere to the terms that are set out in the Tenancy Agreement. • Effectively investigate all permissions and enquiries relating to adaptations and ensure they are dealt with, and the appropriate action is taken within a reasonable timescale. • Ensure that all permissions and enquiries are recorded and monitored. • Ensure that the needs of the tenant are the main focus. • Involve the tenant at each key stage of works. • Fast track any cases where there is an urgent need to carry out adaption works unless to a property that is 'excluded'. • Ensure that all work is carried out to the required specification and high standard. • Provide clear information on accessing the service and ensuring this is available to everyone. • Ensure that appropriate consideration has been given to the tenant's financial ability to contribute to the work. 	

What factors / forces could contribute / detract from the outcomes?	
<ul style="list-style-type: none"> Loss of funding, failure of SHDC and partners to work effectively together. 	
Who are the main stakeholders in relation to this policy?	
<ul style="list-style-type: none"> Tenants Staff Registered Providers Devon County Council 	
Who implements this policy?	The Housing Team
Who is responsible for this policy? (Post Holder)	The Housing Manager
Are there concerns that the policy could have a differential impact on racial groups? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> This policy and the services referred to within are equally accessible to all tenants who meet the threshold for adaptations. 	
Are there concerns that the policy could have a differential impact due to gender? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> This policy and the services referred to within are equally accessible to all tenants who meet the threshold for adaptations. 	
Are there concerns that the policy could have a differential impact due to disability? (Please explain)	Yes
<ul style="list-style-type: none"> This policy should positively impact on people with Disabilities because it outlines potential assistance to ensure people are assisted to manage living independently. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> This preference is in line with the scheme objectives to support people to continue to live independently where appropriate. 	
Are there concerns that the policy could have a differential impact to sexual orientation? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<p>This policy and the services referred to within are equally accessible to all tenants who meet the threshold for adaptations.</p>	
Are there concerns that the policy could have a differential impact due to age? (Please explain)	Yes
<ul style="list-style-type: none"> An older person is statistically more likely to require adaptations in their home and without additional support may struggle to engage with the process 	
What existing evidence (either presumed or otherwise) do you have for this?	

<ul style="list-style-type: none"> Support and signposting will need to be available for some older people to access this service. 	
Are there concerns that the policy could have a differential impact due to religion or religious beliefs? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
This policy and the services referred to within are equally accessible to all tenants who meet the threshold for adaptations.	
Are there concerns that the policy could have a differential impact due to a person having dependants / caring responsibilities? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> This policy and the services referred to within are equally accessible to all tenants who meet the threshold for adaptations. 	
Are there concerns that the policy could have a differential impact due to a person being trans-gendered or transsexual? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> This policy and the services referred to within are equally accessible to all tenants who meet the threshold for adaptations. 	
Could the differential impact identified above amount to there being the potential for adverse impact in this policy?	No
No – the impacts identified are either positive or can be averted via the methods outlined in this document.	
Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?	
<ul style="list-style-type: none"> N/A 	
Is there enough evidence to proceed to a full EIA?	No
Are there further actions to be taken as a result of this assessment? (If yes please detail actions on a separate sheet)	No
Date on which Full Assessment to be completed by?	N/A
Steph Rixon Signed (Completing Officer)	
Date: 30/10/2023	

South Hams District Council Allocations policy

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1) Introduction

Housing Authorities are required by the Housing Act 1996 s166A (as amended by the Homelessness Act 2002 and the Localism Act (2011)) to have an allocation scheme for determining the priorities and defining the procedures to be followed in allocating affordable housing accommodation.

South Hams District Council (SHDC) has a housing stock of 8 dwelling's as of October 2023. In addition to this, there are a number of Registered Providers (RPs) operating within the South Hams.

Devon Home Choice (DHC) is the Choice Based Lettings scheme adopted by SHDC and other Local Authorities, and includes the majority of RPs operating within Devon. Housing is allocated through this jointly operated Choice Based Lettings Scheme.

The Devon Home Choice team co-ordinates and maintains the South Hams DHC housing register. Seamoor Lettings (SHDC's inhouse letting agency) is responsible for the allocation of the Council's own housing stock.

2) Scope and purpose

The DHC scheme is very prescriptive and sets out how RPs and Local Authorities will badge (give preference to certain applicants where necessary) and let their own properties.

It sets out how the circumstances of housing applicants will be verified to ensure that they are eligible for an offer. Individual RPs have their own allocation policies and will verify applicant's details to ensure they meet the criteria contained within them.

This policy explains when the preference badges (as defined by DHC) will be used and methods for validation of the badge. Each of these badges has a definition. Some properties may be excluded from the DHC Scheme for management reasons as listed in this policy. This policy will ensure that the procedures of SHDC are adhered to in line with the provisions of the DHC scheme and should be read in conjunction with it. Further information about DHC can be found at www.devonhomechoice.com.

In delivering our Allocations Policy, the Council will seek to meet the following objectives:

- To operate a scheme which is open, fair, and consistent within the district.
- To improve accessibility and services for vulnerable applicants.
- To allow applicants to understand and control their housing situation so they may make informed decisions on their housing options.
- To enable access to a wide range of housing options, services and advice to find the best solution to meet particular needs.
- To prevent homelessness and to reduce the use of temporary accommodation through an effective prioritisation scheme.
- To make best use of the housing stock within the district.
- To be compliant with current legislation.
- Ensuring the validity of applications by cross checking and verifying information provided (for example - medical evidence, proof of address, earnings and benefits).

The Council also uses DHC to assess housing need. The system allows applicants to make a choice about the housing which will best meet their needs, from the options that are available, whilst still meeting the Council's statutory duties to those in greatest housing need.

When an applicant has been accepted onto Devon Home Choice, they will be able to view properties that the Council and RPs are advertising on the system. The advertisements will provide details of the property, the rent to be charged and the tenure the property is offered under. Applicants will then be able to apply/bid for the property of their choice if they meet the relevant qualifying criteria.

Properties are advertised weekly. At the close of the bidding, the Landlord will consider the shortlist of applicants and select the applicant who meets the need for the property, priority will be given to banding and time on the housing register. A check will be done to ensure that the allocation would make best use of the property.

Feedback on the bidding cycles is published on the DHC website at the end of each quarter of the financial year. This provides information on successful lets.

SHDC allow all eligible applicants to register on Devon Home Choice, including those considered to be 'no housing need' as per the DHC policy.

Access to the housing register will be via an application through the DHC website. For potential applicants unable to utilise this facility, a paper application may be accepted. Special arrangements will be made for potential applicants unable to access Devon Home Choice through these routes. DHC Officers will be able to provide advice and assistance, if required.

The DHC team can provide guidance and will offer realistic advice in terms of the chances of success. Evidence of an applicant's housing history; income, medical needs, criminal convictions, family make up and any other information that may be required will be sought when considering a property allocation.

On completion of the DHC application form and the receipt of any additional information or supporting evidence relating to the applicant's eligibility and housing need, a relevant priority for the applicant will be awarded. The application will be reviewed by the Devon Home Choice Officer to ensure that the banding is correct. Further verification of the information provided by the applicant may be required.

3) Eligibility

Anyone over 16 years of age and over can apply to the housing register if they are eligible. However, this does not guarantee housing under the scheme, as, by law, there are defined groups of applicants who cannot be re-housed. It may be necessary to provide evidence of eligibility during the process which will include at least 5 years of past housing history. SHDC cannot provide accommodation to ineligible applicants.

Applicants under the age of 18 will only be allocated a property with a guarantor. Upon their 18th birthday, they will be required to sign a tenancy agreement.

Under the Housing Act (1996) as amended by the Homelessness Act 2002 and the Localism Act (2011), Local Authorities must consider whether applicants are eligible for housing assistance. This relates to some applicants who may have been living abroad or who do not have permanent permission to remain in the UK. Some applicants will be ineligible, whether or not they are subject to immigration control. Regulations relating to this may be updated regularly.

The Council cannot, by law, allocate housing accommodation to anyone who is subject to immigration control within the meaning of the Asylum and Immigration Act (1996) unless they fall within a class exempted from this restriction by Government regulations.

In addition, the Council cannot, by law, allocate housing accommodation to other classes of persons from abroad if Government regulations dictate we cannot. Please visit the DHC website for more information relating to non-eligible applicants.

Applications from ineligible or non-qualifying applicants will not be accepted on to the DHC Housing register. The applicant will be notified of the decision of ineligibility or non-qualification and the grounds for the decision.

If an applicant is accepted onto the DHC register, but subsequently becomes ineligible, their housing application will be removed, and the applicant notified. Under such circumstances, any offer of accommodation that may have been made, will be considered null and void and rescinded. Applicants found to be ineligible or non-qualifying have the right to ask for a review of the decision.

Mitigation of behaviour that has led to exclusion or non-acceptance may be taken into account as will circumstances where applicants are excluded but are deemed to be at risk if they do not move. In both cases a sustained programme of monitored engagement with the Councils Housing Options Officers will be expected.

4) Assessment of housing need

All applicants who are accepted onto the DHC Housing Register will have their application assessed and be awarded an appropriate band based on an assessment of their housing need in accordance with the allocations scheme. The band categories are defined in the DHC scheme. See <http://www.devonhomechoice.com> for current policy. This is to ensure that the Council meets its legal obligations as set out in the Housing Act (1996) amended by the Homelessness Act (2002).

5) Reasonable Preference

By law, Local Authorities must award 'reasonable preference' to certain categories of applicant:

- Applicants who are homeless as a result of domestic abuse.
- Applicants who are homeless within the meaning of part 7 of the Housing Act 1996 (including those who are intentionally homeless and those not in priority need).
- Applicants who are owed a duty by any Housing Authority under the Housing Act 1996 section 190 (2), 193 (2) or 195 (2) or the Housing Act 1985 section 65 (2) or 68 (2), or who are occupying accommodation secured by any such Authority under section 192 (3).
- Applicants who are occupying insanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
- Applicants who need to move on medical, support or welfare grounds, including grounds relating to disability.
- Applicants who need to move to a particular locality in the district of the Authority where failure to meet that need would cause hardship to themselves or others.

The DHC allocations scheme is based on a banded system which gives reasonable preference to the above categories of applicants along with additional preference given to current or former members of the armed forces, their spouses or civil partners, as set out below. Further additional preferences may be applied to meet local and/or other legislative priorities.

6) Additional Preference

Under the provisions of The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 additional preference is given to applicants who fall within one, or more, of the statutory reasonable preference categories and are in urgent housing need: (These are detailed in the current Devon Home Choice Policy).

- Serving members of the regular forces who are suffering from a serious injury, illness or disability which is wholly or partly attributable to their service.
- Former members of the regular forces.
- Bereaved spouses or civil partners of those serving in the regular forces where (i) the bereaved spouse or civil partner has recently ceased, or will cease to be entitled, to reside in Ministry of Defence accommodation following the death of their service spouse or civil partner, and (ii) the death was wholly, or partly, attributable to their service.
- Existing or former members of the reserve forces who are suffering from a serious injury, illness or disability which is wholly, or partly, attributable to their service.
- For the purpose of eligibility and assessment of financial status, any compensation payment for an injury or disability sustained on active service will be disregarded.

7) Local Connection

Local connection for the housing register is deemed as an applicant who:

- Has lived in the district for the least 6 of the 12 months.
- Has lived in the district for at least 3 out of the last 5 years; or
- Has a contract of permanent employment within the district; or
- Has a close family connection with someone who currently lives in the district and has done so for 5 or more years. (Close family connection is defined as a person who is a parent, spouse, civil partner, adult, child or sibling of the applicant. It may also be someone who, in the opinion of a DHC officer, has a relationship with the applicant that can be construed as a close family connection even though not related by blood)

All allocations in the South Hams area are subject to the conditions laid out in the South Hams Local Allocations policy.

8) Local connection - exceptions

The only exceptions to local connection criteria, and subject to the property are:

- Homeless applicants (where-by the local connection criteria as laid down by the Housing Act 1996 as amended by the Homelessness Act 2002 would apply, reference section 18.22 of the Homelessness Code of Guidance).
- The applicant was placed or relocated outside the district due to illness, need for temporary accommodation, military service, and provision of care or other exceptional circumstances and needs to return to live in the district.
- The applicant needs to relocate from another district to escape violence or harm (except in cases of Section 106 restrictions for those in urgent need and relevant cross boundary restrictions or Local Allocation Plans for those in high need).
- Exceptional circumstances where the applicant needs to relocate to the district to receive support to rehabilitate and integrate back into the community.

The applicant, as defined by the Allocation of Housing (qualification Criteria for Armed Forces) (England) Regulations 2012 (SI2012/1869), is:

- A person currently serving in the regular forces or who has served in the regular forces at any time in the five years preceding their application.
- A bereaved spouse or civil partner of a person serving in the regular forces where their entitlement to accommodation with the Ministry of Defence has ceased and the death of that person was wholly or partly attributable to that person's service.
- An existing or former member of the reserve forces who has suffered from a serious injury, illness or disability which is wholly or partly attributable to their service.
- The applicant is an existing social housing tenant (in England) who is employed within South Hams, or who has an offer of employment within South Hams and a genuine intention to take up the offer and has a reasonable preference to move to the area to avoid hardship.
- The definition of a 'local connection' for young people leaving care was amended by the Homelessness Reduction Act 2017 so that a young homeless care leaver has a local connection to the area of the local authority that looked after them. Additional provision is made for care leavers who have been placed in accommodation, under section 22A of the Children Act 1989, in a different district to that of the children's services authority that owes them leaving care duties. If they have lived in the other district for at least 2 years, including some time before they turned 16, they will also have a local connection with that district until they are 21.
- The applicants' special circumstances for moving to Devon: Because of particular special needs, some applicants should be assessed as having a local connection to Devon because of a particular need to move to Devon. For example, this may be because they have a specific medical condition and the only/ most appropriate treatment available is based in Devon.

9) Application Review

Regular annual reviews will be undertaken to check that applicants have been bidding for properties and that information provided is up to date. Applicants who wish to remain on the waiting list must complete the online review form or contact a member of the DHC if they need assistance to do so.

If there is no response within 14 days of contacting an applicant who has not been bidding, the application will be deemed to have been cancelled and the customer notified of this in writing. Reviews will be implemented by using the Devon Home Choice review systems. Applicants who are subject to being cancelled / removed from the system will be checked for any vulnerability.

10) Non-bidding Review

Those applicants who have not bid on a property within the last 6 months will be contacted and advised that they are to be removed from the register if they do not bid on properties each month.

Applicants wishing to remain on the register must contact the DHC Team to explain why they have not been bidding. Only where there is a justifiable reason for non-bidding, for example, if someone needs an adapted property or has a requirement to be in a specific location and no properties having been available within the 6-month period, the applicant will be allowed to remain on the register.

11) Refusal of offers

An applicant's position within the register may be affected if they continually refuse an offer of accommodation which they have bid for and have successfully been offered. An applicant will have their banding reduced to the minimum band following the refusal of at least 3 properties in such circumstances unless there were acceptable reasons, as per the Devon Home Choice Policy, for those refusals or the application may be cancelled, the final decision will be referred to the Housing Enabling and Allocations Manager.

12) Refusal of offers by homeless applicants

Applicants who have been accepted as being owed a duty by the Council under the homelessness legislation (Housing Act 1996 as amended) will be awarded Band B. Applicants will be entitled to bid for properties in the same way as other applicants. If an applicant is not active in bidding for properties, the Housing Options Team may place the applicant on the automatic bidding system or make bids on their behalf on properties they deem suitable for the applicant.

Where a homeless applicant is allocated a property through the housing register process, SHDC has a responsibility to determine the suitability of the allocation. This will be determined in the light of the household's particular circumstances and with regard to the housing conditions prevailing in District at the time.

Where a homeless applicant is offered a property in discharge of the full homeless duty, but does not feel it is a suitable offer, they have the right to request a review of the offer. Applicants will be advised to accept the offer whilst the review is carried out. If, on review, the property is felt to be a reasonable offer, no further offers of accommodation will be made and the Council will discharge its duty. If the applicant is in temporary accommodation provided by the Council, the applicant will be given notice to leave that accommodation. If, on review, the property is felt to be unsuitable then a further offer of suitable accommodation will be made. The timescale for this will be dependent on the type and size of property required.

13) Cancelling an application

An application will be cancelled from the housing register in the following circumstances;

- At the applicant's request.
- If the applicant becomes ineligible for housing.
- When the applicant has been adequately and appropriately re-housed including into the private rented sector. Applicants are expected to update DHC, consequently the DHC banding will be reduced to E band.
- Where an applicant fails to ensure that the information in their application is up to date, their application will be suspended.
- When the applicant purchases a property/shared ownership property.
- When an applicant fails to bid in a 6-month period and provides no justifiable reason for not bidding.
- Where an applicant moves and does not provide contact details. In this case the application will be suspended, unless no response is received.
- An executor or personal representative notifies the Council that an applicant is deceased (unless the rest of the household still needs rehousing).
- Where an applicant has omitted to include information on their application which makes them ineligible for housing (for example criminal convictions).

Applications can be suspended for a period of up to two years if information is found to be false, omitted or considered to be misleading.

An applicant can appeal their suspension decision by contacting the Council in writing, addressing their appeal to the Devon Home Choice Manager.

When an application is cancelled, we will contact the applicant or their representative, either by email or letter, to notify them. Where an applicant has been highlighted as vulnerable, the customer's circumstances will be verified before an application is cancelled. The applicant has a right to ask for a review of the decision.

Where an applicant wishes to re-join the housing register at a later date, their application date will be the date they reapply, this will only apply under a change of circumstances.

14) Direct Lets

In certain circumstances, the Council, in agreement with a landlord, may allocate properties directly to applicants without them being advertised. Illustrative examples of direct lets are as follows:

- Where a property is needed urgently to deal with an emergency or to provide temporary accommodation for a homeless family.
- Where, in exceptional circumstances, an offer is required to prevent the homelessness of an applicant who would otherwise be requiring temporary accommodation.
- Where an allocation is required to ensure protection of the public, for example, following a decision made by a Multi-Agency Public Protection Arrangements meeting, to fulfil agreements made with offender management services or where a customer has been referred as part of the witness protection scheme.
- Where an applicant's home is being repaired and they need to be moved from the property on a temporary or permanent basis.
- Where an applicant has a specific need for support / adaptations. If they remained in their current accommodation, it would cause unnecessary hardship e.g., unable to meet their basic needs.

Direct lets will be agreed by a senior officer at the Council and/or a senior officer at the relevant RP.

15) Adapted Properties

The Council has a number of properties including bungalows which were specifically developed for elderly or vulnerable people. SHDC considers applicants, who may not be classified as just elderly persons, but have a verified need for this type of property.

Some properties have been adapted and may contain one or more of the following: level entry shower, wet room, ramps, stair lift, lowered kitchen, ground floor kitchen and bathroom extensions. These homes will be labelled to show that the property has been identified as having adaptations suitable for someone who would benefit from them. Preference will be given to those with a need for that type of accommodation.

16) Local Lettings

Some properties are built to meet identified local needs of a particular parish or community and have local lettings criteria attached to them. Preference will be given to applicants who have a local connection meeting those criteria, as stated in the Section 106 planning agreement. These

agreements will be highlighted in the property advert. Full details of the agreement are listed in the Nomination Agreement for the specific development site.

In addition, SHDC operate a Local Allocation Policy for properties considered to be in a rural setting. Details of the Local Allocation Policy can be found at <https://www.southhams.gov.uk/your-council/council-plans-policies-and-reports/policies/local-allocation-policy>

17) Sheltered Accommodation

Some properties via RPs are age restricted specifically and will be prioritised to applicants over a certain age. In some circumstances, a younger person with support needs which are not able to be met elsewhere, may be allocated such accommodation. This will be achieved via a direct let.

18) Exceptions to the Allocations Procedure

Examples of such situations are detailed below although this is not an exhaustive list.

Allocation of specialist housing where there are a limited number of eligible applicants through the normal allocations process and where that accommodation would otherwise remain unused.

The following decisions are made outside of Part 6 of the Housing Act 1996, and are outside the scope of the Allocations Policy:

- Succession on a tenant's death.
- Assignment to a person who would be qualified to succeed to the tenancy on the tenant's death.
- Transfer of the tenancy by a court under family law provisions.
- An order made under the Civil Partnership Act 2004.
- Transfers initiated by the Local Housing Authority.
- Acceptance of a surrender and re-granting of tenancy to another partner.

The provisions of part 6 of the Housing Act 1996 do not apply to an allocation of housing accommodation to a person who is already a secure or introductory tenant unless the allocation involves a transfer of housing accommodation for that person and is made on their application.

Individual RPs will have their own policies which will apply in the circumstances.

Decisions in exceptional circumstances will be taken by the Devon Home Choice Manager or Seamoor Lettings Manager.

19) Fire Safety

Allocations will not be made to accommodation above ground level where the applicant is unable to self-evacuate in the event of a fire or other emergency.

Seamoor Lettings officers will provide re-housing advice to tenants who live in properties above ground floor who can no longer self-evacuate in the event of a fire and wish to move to ground floor accommodation. A higher banding will be awarded in these cases.

20) Complaints

The Housing Service will deal with any complaints in accordance with the South Hams District Council Corporate Complaints Policy. For full details please go to <https://new.southhams.gov.uk/your-Council/comments-and-complaints/complaints-and-feedback>

21) Responsibility

The Housing Manager and the Devon Home Choice Manager will be responsible for ensuring that this policy is adhered to.

22) Equality impact considerations

The policy is of high relevance to equality because it has a significant impact on residents and users of the service.

The Council has an Equality and Diversity policy that informs how officers should engage with people with protected characteristics.

Officers are aware that as providers of Social Housing, there may be potentially vulnerable tenants in our properties and will act accordingly in all correspondence and communication, giving due consideration as to how any vulnerability or condition might affect either their judgement or ability to understand information provided.

Where any decisions are made that will affect a tenant, it is necessary to ascertain whether that tenant has the mental capacity to make an informed choice in relation to that decision and to provide and/or engage with an advocate if required.

23) Policy Review

SHDC is committed to reviewing this policy, in consultation with tenants on a bi-annual basis or sooner if new guidance or legislation is published.

South Hams District Council & West Devon Borough Council Equality Impact Assessment / PSED Assessment

Name of Policy / Function to be assessed	
Allocations Policy	
Officer responsible for the assessment	
Stephanie Rixon	
Service	
Housing	
Is this a new or existing policy / function? (Please ring as appropriate)	EXISTING STRATEGY/ NEW UPDATE
	New
Briefly describe the aims, objectives and purpose of the policy	
<ul style="list-style-type: none"> • This policy shows how SHDC will operate an allocations scheme which is open, fair, and consistent within the district. 	
Are there any associated objectives of the policy? Please explain. (This may include other policies which are linked with or have an impact upon this policy)	
<p>Housing Authorities are required by the Housing Act 1996 s166A (as amended by the Homelessness Act 2002 and the Localism Act (2011)) to have an allocation scheme for determining the priorities and defining the procedures to be followed in allocating affordable housing accommodation.</p> <p>SHDC currently deliver our allocations scheme as members of Devon Home Choice and are members of the Devon Home Choice Board. This policy should be read in junction with the Devon Home Choice Policy which can be found at devonhomechoice.com</p>	
Who is intended to benefit from this policy and in what way?	
<ul style="list-style-type: none"> • Tenants, SHDC staff, Partner agencies such as the Registered Providers and the wider community. 	
What outcomes are wanted from this policy?	
<ul style="list-style-type: none"> • In delivering our Allocations Policy, the Council will seek to meet the following objectives: • To operate a scheme which is open, fair, and consistent within the district. • To improve accessibility and services for vulnerable applicants. • To allow applicants to understand and control their housing situation so they may make informed decisions on their housing options. • To enable access to a wide range of housing options, services and advice to find the best solution to meet particular needs. 	

<ul style="list-style-type: none"> • To prevent homelessness and to reduce the use of temporary accommodation through an effective prioritisation scheme. • To make best use of the housing stock within the district. • To be compliant with current legislation. • Ensuring the validity of applications by cross checking and verifying information provided (for example - medical evidence, proof of address, earnings and benefits). • 		
What factors / forces could contribute / detract from the outcomes?		
<ul style="list-style-type: none"> • Failure of applicants to engage with the property application process, failure of SHDC to work effectively with partners. 		
Who are the main stakeholders in relation to this policy?		
<ul style="list-style-type: none"> • Staff. • Applicants seeking social housing. • Registered providers. • Other Devon Local Authorities. • Tenants. 		
Who implements this policy?	The Housing Team	
Who is responsible for this policy? (Post Holder)	The Housing Manager	
Are there concerns that the policy could have a differential impact on racial groups? (Please explain)	Yes	
<ul style="list-style-type: none"> • Communication is a key part of in delivering an allocations scheme that is customer led and some applicants may not have English as their first language. It is therefore vital that a wide range of communication methods are available for Stakeholders and that the council continues to make information available in different formats and languages. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Making services accessible for all members of the community remains a high priority for the council and should be carried across all departments, information continues to be accessed in a range of formats from the council. • The Devon Home Choice website has clear instructions on how to view the site in different languages. 		
Are there concerns that the policy could have a differential impact due to gender? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • The Policy is fair and transparent for all Stakeholders and is unbiased by gender. 		
Are there concerns that the policy could have a differential impact due to disability? (Please explain)	Yes	
<ul style="list-style-type: none"> • Preference is given to households with disabilities where the disability and their ability to manage in their home is affected by their accommodation. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • This preference is in line with the scheme objectives to allocate priority based on housing need. 		

<ul style="list-style-type: none"> The Devon Home Choice website has clear instructions on how to view the site in different formats/fonts etc. 		
Are there concerns that the policy could have a differential impact to sexual orientation? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> The Policy is fair and transparent for all Stakeholders and is unbiased by sexual orientation. 		
Are there concerns that the policy could have a differential impact due to age? (Please explain)		Yes
<ul style="list-style-type: none"> Some properties are restricted by age (ie applicants must be over 55) in line with planning restriction and/or property suitability. Higher thresholds have been set for applicants seeking older persons accommodation given the costs of such accommodation on the open market. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> All financial assessments are done on a case-by-case basis to assess the applicants ability to meet their own housing needs through alternative avenues. 		
Are there concerns that the policy could have a differential impact due to religion or religious beliefs? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> The Policy is fair and transparent for all Stakeholders and is unbiased by religion or religious beliefs. 		
Are there concerns that the policy could have a differential impact due to a person having dependants / caring responsibilities? (Please explain)	No	
<ul style="list-style-type: none"> No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> The Policy is fair and transparent for all Stakeholders and is unbiased by a person having caring responsibilities. 		
Are there concerns that the policy could have a differential impact due to a person being trans-gendered or transsexual? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> The Policy is fair and transparent for all Stakeholders and is unbiased by being trans-gender or transsexual. 		
Could the differential impacts identified above amount to there being the potential for adverse impact in this policy?		
No – the impacts identified are either positive or can be averted via the methods outlined in this document.		

Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?		
•		
Is there enough evidence to proceed to a full EIA?		No
Are there further actions to be taken as a result of this assessment? (If yes please detail actions on a separate sheet)		No
Date on which Full Assessment to be completed by?	N/A	
Steph Rixon Signed (Completing Officer)		
Date: 30/10/2023		

South Hams District Council Anti-Social Behaviour Policy

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1) Introduction

South Hams District Council recognise that all tenants have a right to the peaceful enjoyment of their home. Equally, every tenant has the responsibility not to interfere with their neighbour's right to the peaceful enjoyment of their home.

This policy will enable SHDC to deliver a proportionate, reasonable, fair and flexible response to anti-social behaviour.

2) Scope and purpose

This document is intended to fulfil the requirements of section 218A of the Housing Act 1996 (as inserted by section 12 of the Anti-social Behaviour Act 2003) with regard to the publication of the policies and procedures of a local housing authority in relation to anti-social behaviour.

It tells you what anti-social behaviour (ASB) is and sets out the guiding principles for those officers in the Council who deal with ASB.

It outlines what SHDC want our services to achieve for people experiencing ASB, and sets out the principles on the kind of service level and quality SHDC aim to provide.

3) Our responsibilities

South Hams District Council has a wide range of responsibilities in dealing with ASB. As a social landlord, SHDC has a duty, under the Anti-social Behaviour Act 2003 to respond to ASB affecting the properties under the Council's management. The Council's landlord duties and powers are different from, and usually act in addition to, the duties and powers to deal with ASB in the wider community. This document makes it clear when a policy or a power applies only to Council tenancies. There are a range of powers to take action against those causing ASB under the Anti-social Behaviour, Crime and Policing Act 2014.

As a statutory member of the South Devon Community Safety Partnership, SHDC work with the police and other agencies to reduce crime and disorder in South Hams under the Crime and Disorder Act 1998. In this role, SHDC play a key part in dealing with ASB of all kinds and also undertake project and preventative work.

SHDC recognise that left unchallenged, anti-social behaviour can have a significant negative impact on the lives of our residents. These methods will deliver a proportionate, reasonable, fair and flexible response to anti-social behaviour:

- SHDC will make use of the powers, orders and mechanisms available to us to deal with anti-social behaviour.
- Participate in joint working with partner agencies.
- Place victims and witnesses at the centre of our procedures.

4) Definition of Anti-Social Behaviour

In our tenancy agreements anti-social behaviour is described as being any behaviour or activity which causes fear, alarm or distress to one or more persons not of the same household. This includes damage to property or behaviour that is likely to injure, intimidate, and cause alarm or distress.

ASB is further defined under certain circumstances, as follows:

- For the purposes of an application to the courts by a housing provider, local authority or the police for a civil injunction: *“conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises”*.
- For the purposes of the housing management functions of a housing provider or local authority: *“conduct capable of causing housing-related nuisance or annoyance to any person”*.
- For the purposes of ASB case reviews (the “Community Trigger”): *“behaviour causing harassment, alarm or distress to members or any member of the public”*.

The tenancy agreement states that you are responsible for the behaviour for you and your household. You are responsible for the behaviour of your children and people living in or visiting your home. SHDC will take legal action to evict you if you, your relatives, your children or visitors behave antisocially. It also gives examples of unacceptable behaviour:

- Hate crime, threats of violence or intimidation because of an individual’s race, sexual orientation, gender identity, sex, religion or disability.
- Violence against a person.
- Damaging property.
- Verbal abuse and insults.
- Intimidation, using or threatening violence.
- Nuisance from pets.
- Noise nuisance.
- Odour and smoke nuisance.

Any person who has a concern as to whether they are being affected by anti-social behaviour should seek advice and assistance from their Housing Officer.

5) Working in context

Our work combating anti-social behaviour takes account of our many obligations and considerations. Our policy is part of the South Devon Safer Community Anti-Social Behaviour Strategy, designed to provide a balanced and co-ordinated approach to the prevention, identification and rectification of anti-social behaviour throughout South Hams.

6) Our approach

South Hams District Council, whilst working with all partner agencies, is committed to using a wide range of measures to prevent and combat anti-social behaviour, including:

- Tenancy agreements that set out SHDCs anti-social behaviour approach.
- A full explanation of the tenancy agreement is given to all new tenants.
- Use of a wide range of measures to address anti-social behaviour including interviews, informal and formal warnings and Acceptable Behaviour Contracts (ABC’s).
- Use of the legal remedies that are available to us including Community Protection Notices, nuisance abatement notices, prosecutions, fixed penalty notices, civil injunctions, Criminal Behaviour Orders and possession proceedings.

7) How to make an Anti-Social Behaviour report or complaint about an incident or ongoing situation

If a tenant or resident is suffering from any kind of anti-social behaviour report the problem as soon as possible to a housing officer.

Anti-social behaviour reports can be made in person, in writing, by telephone, by email or through a third party- for example through a councillor, friend or relative. However, the third party will not be able to obtain any information about your report without your express permission.

Complaints can also be made anonymously; however, this may restrict the amount of investigation and action SHDC can undertake and won't allow the council to provide the complainant with information and support. It is therefore possible that a complaint can be most effectively dealt with when the complainants give their name and address. This will not be revealed to any other party without the consent of the complainant.

It is important that problems are reported promptly. There are several reasons for this:

- It allows SHDC to give advice and support to the people who are suffering as a result of the behaviour from an early stage.
- It allows SHDC to take prompt action in dealing with the issues.
- It may be possible to solve some issue(s) very quickly.
- Very serious incidents can be dealt with swiftly, thereby protecting residents.
- It provides evidence of an ongoing or repetitive issue.

Upon receipt of a complaint or anti-social behaviour report SHDC will:

- Record the complaint.
- Acknowledge and respond to the complaint; initially this will usually be by the Housing Officer for the area. If the problem is serious and/or continues after initial action has been taken, the case may be referred to the authority's Legal Services.
- Interview the complainant and develop an initial action plan, in consultation with the complainant where known, to investigate the problem.
- Consider whether mediation is appropriate and, if so, offer this to the complainant and then to the other party involved in the problem(s).
- Investigate every complaint as far as possible, even when reported anonymously.
- Take timely, effective and consistent action to tackle the problem(s) by utilising the range of measures available.

This will include working with our partner agencies.

If mediation is considered inappropriate or is refused, the action plan will usually involve gathering further evidence of any other incidents or ongoing problems. This is likely to involve the complainant keeping a diary of further incidents (diary sheets will be supplied). It's important that these are completed as soon as possible after an incident has occurred and supply as much detail as possible. This will enable us to:

- Objectively assess the level of the problem.
- Assess the success of any action taken.
- Build evidence for further action.
- Take further action.

If for any reason the complainant is unable to complete diary sheets, for example due to learning or sensory disabilities, literacy problems or language barriers, alternative methods of information collection can be used. It would assist the council if such assistance were requested on initial contact

with the service. The Council will aim to accommodate your communication preferences wherever possible.

All information supplied to SHDC will be treated as confidential and the identity of the complainant will not be revealed without their permission or where the need to take the matter to court requires this to be disclosed. However, there may be instances where further action cannot be taken without revealing the identity of the complainant. This will be fully discussed with the complainant and their permission gained before proceeding. It is important that the complainant gives due consideration to this as it may become impossible for the Council to take any action to address the problem if permission is not given. No legal action will commence if permission is not obtained.

When full information has been obtained from the complainant, it will usually be necessary to consider securing other supporting evidence, for example:

- Contacting others who may have been affected by the conduct.
- Issuing incident diary sheets to witnesses.
- Interviewing the alleged perpetrator.
- Direct observation of activities by Housing Officer or other staff or agencies
- Professional quality recording of noise.
- Review of private CCTV or similar recordings.

The following possibilities will be considered only in the most serious of cases working with the police, the courts and other support agencies, these will be used as an exception and are not considered without police support and senior officers' consideration:

- CCTV surveillance of the area where the problem has occurred.
- Use of professional witnesses.

On receipt of submitted evidence, the case will then be assessed and an appropriate course of action taken. Further investigations may need to be made. These should be carried out as quickly as possible and the case should be reviewed and reassessed within an agreed timescale contained in the relevant Housing Service procedure.

Actions that may be considered, include but are not limited to:

- No action required because there's no case to answer.
- Informal resolution where an understanding has been reached.
- Warning letters and formal cautions.
- Acceptable Behaviour Contracts (ABCs).
- Referral to another agency e.g. Police, Social Services, Mental Health Team.
- Multi Agency joint working to coordinate actions.
- Environmental Health referral for Community Protection Notice or Statutory Nuisance proceedings.
- Criminal Behaviour Order application.
- Injunctions (if the case involves violence or threats of violence, it may be possible to obtain an emergency injunction with exclusion and power of arrest without notice).
- Undertakings – a legal promise to the Court to do, or not to do a particular thing.
- Possession proceedings.
- Relevant other Court action

Details of the proposed course of action will be communicated in writing to all concerned, informing them of this and providing contact details of the Housing Officer who will be dealing with the case. At any time during this process, serious or urgent cases will be referred to the Legal Services immediately.

Whatever the outcome of the assessment, regular contact (at the least monthly) will be maintained with complainants and witnesses throughout the process and they will be kept informed of the outcome.

If no further complaints are received after a reasonable period of time (given the facts of the case), the case may be closed. No case will be closed until a check has been made with all complainants and witnesses. A new case may be opened at a later date if subsequent complaints are received.

If, however, further complaints are received indicating a serious escalation of issues or if the case is deemed to be serious or urgent, the case may then be referred to the Legal Services for further action at any time.

8) Supporting witnesses and complainants

SHDC recognise that the participation of witnesses and complainants is central to success in dealing with anti-social behaviour. They will be supported with this by SHDC dealing with complaints promptly and keeping witnesses informed. SHDC will also offer real and practical support via several initiatives, including:

- Providing home security measures.
- Providing panic alarms in serious cases.
- Liaising closely with the police.
- Using our officers as professional witnesses.

9) Multi agency working

SHDC will engage in collaborative work with other agencies in order to deter or prevent anti-social behaviour and to rehabilitate those who have engaged in such behaviour. SHDC will make referrals to a mediation service to encourage resolution of disputes by consensus at the earliest possible stage, where it is appropriate for mediation to be offered.

SHDC will work with agencies to engage support for tenants whose tenancies are at risk by reason of ASB, participating in partnership meetings and accessing intervention services from agencies such as mental health, drug and alcohol services and counselling services.

SHDC will work with our partner agencies in a manner that will combine and co-ordinate our efforts to best effect. Our principal partners in this are the Police, the Community Safety team and our fellow social landlords. Relevant data exchange protocols with partner agencies to facilitate this collaborative work will be in place.

10) South Hams District Council Staff

Staff are central to the delivery of the Council's response to anti-social behaviour. SHDC are committed to protecting staff when they are personally subjected to offensive conduct, behaviour and threats. SHDC will train members of staff to ensure that they are aware of the issues of anti-social behaviour, the remedies which they can access and their role in the procedure.

11) Complaints

The Housing Service will deal with any complaints in accordance with the South Hams District Council Corporate Complaints Policy. For full details please go to <https://new.southhams.gov.uk/your-Council/comments-and-complaints/complaints-and-feedback>

12) Responsibility

The Housing Manager will be responsible for ensuring that this policy is adhered to.

13) Equality impact considerations

The policy is of high relevance to equality because it has a significant impact on residents and users of the service.

The Council has an Equality and Diversity Policy that informs how officers should engage with people with protected characteristics. This policy is informed and guided by an Equality impact assessment.

Officers are aware that as providers of social housing, there may be potentially vulnerable tenants in our properties and will act accordingly in all correspondence and communication, giving due consideration as to how any vulnerability or condition might affect either their judgement or ability to understand information provided.

Where any decisions are made that will affect a tenant, it is necessary to ascertain whether that tenant has the mental capacity to make an informed choice in relation to that decision and to provide and/or engage with an advocate if required.

14) Policy Review

SHDC is committed to reviewing this policy, in consultation with tenants on a bi-annual basis or sooner if new guidance or legislation is published.

South Hams District Council & West Devon Borough Council Equality Impact Assessment / PSED Assessment

Name of Policy / Function to be assessed	
Anti-social Behaviour Policy	
Officer responsible for the assessment	
Stephanie Rixon	
Service	
Housing	
Is this a new or existing policy / function? (Please ring as appropriate)	EXISTING STRATEGY/ NEW UPDATE
	New
Briefly describe the aims, objectives and purpose of the policy	
<p>South Hams District Council recognise that all tenants have a right to the peaceful enjoyment of their home. Equally, every tenant has the responsibility not to interfere with their neighbour's right to the peaceful enjoyment of their home.</p> <p>This policy will enable SHDC to deliver a proportionate, reasonable, fair and flexible response to anti-social behaviour.</p>	
<p>Are there any associated objectives of the policy? Please explain. (This may include other policies which are linked with or have an impact upon this policy)</p>	
<ul style="list-style-type: none"> • This document is intended to fulfil the requirements of section 218A of the Housing Act 1996 (as inserted by section 12 of the Anti-social Behaviour Act 2003) with regard to the publication of the policies and procedures of a local housing authority in relation to anti-social behaviour. • It tells you what anti-social behaviour (ASB) is and sets out the guiding principles for those officers in the Council who deal with ASB. 	
<p>Who is intended to benefit from this policy and in what way?</p>	
<ul style="list-style-type: none"> • Tenants, SHDC staff, Partner agencies such as the police and the wider community. 	
<p>What outcomes are wanted from this policy?</p>	
<ul style="list-style-type: none"> • It outlines what SHDC want our services to achieve for people experiencing ASB and sets out the principles on the kind of service level and quality SHDC aim to provide. • For SHDC tenants and the community to have peaceful enjoyment of their homes. 	
<p>What factors / forces could contribute / detract from the outcomes?</p>	

<ul style="list-style-type: none"> Failure of communities and/neighbourhoods to engage with the requirements of the policy, failure of SHDC to work effectively with partners to act quickly and appropriately. 		
Who are the main stakeholders in relation to this policy?		
<ul style="list-style-type: none"> Tenants Staff 		
Who implements this policy?	The Housing Team	
Who is responsible for this policy? (Post Holder)	The Housing Manager	
Are there concerns that the policy could have a differential impact on racial groups? (Please explain)		Yes
<ul style="list-style-type: none"> Communication is a key part of involving residents in the delivery of positive neighbourhoods and some stakeholders may not have English as their first language. It is therefore vital that a wide range of communication methods are available for Stakeholders and that the council continues to make information available in different formats and languages. This Policy have mechanisms in place to deal with hate crime including racial harassment. We have a close working relationship with the local Police and will have intelligence of any issues in the area relating to hate crime incidences. This will enable support to be put in place for our tenants. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> Making services accessible for all members of the community remains a high priority for the council and should be carried across all departments, information continues to be accessed in a range of formats from the council. 		
Are there concerns that the policy could have a differential impact due to gender? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> SHDC seeks to promote high quality, safe neighbourhoods for all. The Policy should benefit all Stakeholders and is unbiased by gender. 		
Are there concerns that the policy could have a differential impact due to disability? (Please explain)	Yes	
<ul style="list-style-type: none"> Someone with a severe disability and/or no family assistance may be more vulnerable if they become a victim of ASB. The current reporting process can involve written communication so someone with literacy problems will need additional support. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> Support needs to be available for those who are vulnerable to or because of, ASB. The reporting and communication mechanisms are clearly outlined in the policy. 		
Are there concerns that the policy could have a differential impact to sexual orientation? (Please explain)		Yes
<ul style="list-style-type: none"> This Policy has mechanisms in place to deal with hate crime. We have a close working relationship with the local Police and will have intelligence of any issues in the area relating to hate crime incidences. This will enable support to be put in place for our tenants. 		
What existing evidence (either presumed or otherwise) do you have for this?		

<ul style="list-style-type: none"> There is evidence to suggest that some groups are more vulnerable to ASB than others. Support/signposting needs to be available for those who need it. 		
Are there concerns that the policy could have a differential impact due to age? (Please explain)		Yes
<p>In some instances, the perpetrator of the ASB may be an older person due to health issues such as dementia. We need to ensure that correct support is put in place and that robust referral mechanisms are available to the relevant agencies.</p> <p>In addition, some older people may be more vulnerable to, or because of ASB.</p>		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> There is evidence to suggest that some groups are more vulnerable to ASB than others. Support/signposting needs to be available for those who need it. 		
Are there concerns that the policy could have a differential impact due to religion or religious beliefs? (Please explain)		Yes
<ul style="list-style-type: none"> This Policy have mechanisms in place to deal with hate crime. We have a close working relationship with the local Police and will have intelligence of any issues in the area relating to hate crime incidences. This will enable support to be put in place for our tenants. 		
What existing evidence (either presumed or otherwise) do you have for this?		
There is evidence to suggest that some groups are more vulnerable to ASB than others. Support/signposting needs to be available for those who need it.		
Are there concerns that the policy could have a differential impact due to a person having dependants / caring responsibilities? (Please explain)	No	
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> SHDC seeks to promote high quality, safe neighbourhoods for all. The Policy should benefit all Stakeholders and there is nothing in the policy that should differentially impact on a person with dependents/caring responsibilities. 		
Are there concerns that the policy could have a differential impact due to a person being trans-gendered or transsexual? (Please explain)		No
<ul style="list-style-type: none"> This Policy have mechanisms in place to deal with hate crime. We have a close working relationship with the local Police and will have intelligence of any issues in the area relating to hate crime incidences. This will enable support to be put in place for our tenants. 		
What existing evidence (either presumed or otherwise) do you have for this?		
There is evidence to suggest that some groups are more vulnerable to ASB than others. Support/signposting needs to be available for those who need it.		
Could the differential impact identified above amount to there being the potential for adverse impact in this policy?		
No – the impacts identified are either positive or can be averted via the methods outlined in this document.		
Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?		
Is there enough evidence to proceed to a full EIA?		No
Are there further actions to be taken as a result of this assessment? (If yes please detail actions on a separate sheet)		No
Date on which Full Assessment to be completed by?	N/A	

Steph Rixon
Signed (Completing Officer)

Date: 30/10/2023

SHDC Tenancy Policy

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- 15) Outcomes
- 16) Responsibility
- 17) Equality impact considerations
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1) Introduction

This policy sets these out for South Hams District Council (SHDC) as a landlord of social housing the type of tenancies used, the circumstances in which each will be used, and other aspects of managing tenancies.

2) Scope and Purpose

This policy will be used to ensure that the right type of tenancy is allocated to each tenant, that the under occupation of properties is addressed effectively and that SHDC can provide family and/or adapted housing where this is required.

The ways in which each type of tenancy can be let and brought to an end are set out in law (Housing Acts 1985 and 1996, and the Localism Act 2012.)

3) Affordability and Affordable Rent

Definition of affordability: A household can be considered able to afford market house renting in cases where the rent payable is up to 25 per cent of their gross household income (Communities and Local Government). SHDC has recognised the use of the Local Housing Allowance as a standard definition of affordability.

Service charges, if applicable, will be additional and reflect the cost of the service provided to each tenant.

Definition of social rent: Guideline target rents determined through the national rent regime. The level of rent that SHDC charge for our properties rented on Secure or Introductory Tenancies will be affordable rent.

Affordable Rent: This is defined as 80% of market rent, however, SHDC will charge affordable rent at levels no higher than the relevant Local Housing Allowance at the time.

4) Tenancy Agreements

SHDC have one generic tenancy agreement for Council owned properties covering the introductory, secure and flexible tenancies.

The document is written in plain English, in a style easily understood by tenants. It sets out the rights and obligations of both the tenant and the landlord and makes it clear which rights and responsibilities apply to which type of tenancy.

Tenants are given a copy of the tenancy agreement at the start of the tenancy and have the terms explained to them at the sign-up meeting.

There are also separate assured shorthold tenancies for non-Council owned properties managed through Seamoor Lettings and Licences and non-secure tenancy agreements for accommodation used as Temporary or Supported accommodation by the Council.

5) Tenancy types and conditions

Currently SHDC have five different types of tenancy and a licence agreement for properties used as Temporary Accommodation under the Housing Act 1996 (as amended).

i. Introductory tenancy

Generally, all tenants new to SHDC are initially given an introductory tenancy. However, tenants transferring from another social landlord may go onto either a secure or flexible tenancy. This does not apply to tenants given temporary accommodation who will be given a non-secure tenancy.

Introductory tenancies usually last for twelve months from the tenancy start date but in certain circumstances (see 4.1.5 below) an introductory tenancy can be extended.

Before the start of the introductory tenancy, tenants will be told which kind of tenancy (secure or flexible) they will be granted at the end of the introductory period.

After the introductory period, the tenancy automatically becomes either a secure tenancy or a flexible tenancy, unless SHDC have begun proceedings to end the tenancy (served notice) due to a breach of the tenancy agreement.

Breaches of the tenancy conditions, and reasons why an introductory tenancy may be extended for a period, include:

- Rent arrears.
- Antisocial behaviour.
- Damage to the property.
- Refusing to allow access to property for required maintenance/servicing works.
- Noise nuisance.
- Failure to maintain gardens.

To end this type of tenancy SHDC must get a possession order from the courts.

Introductory tenants have most of the same rights as secure or flexible tenants but there are some rights that they do not have. They do not have the right to:

- Take in lodgers.
- Sublet part of the home.
- Make any improvements to the property.
- Be compensated for any improvements to the property.
- Exchange their home with another tenant.

Introductory tenants do not have the Right to Buy their property, but the period spent as an introductory tenant will count towards the qualifying period for the Right to Buy, should it apply.

ii. Secure tenancy

Most of our tenants will have a secure tenancy. To end this type of tenancy SHDC must get a possession order from the courts. The reasons why a possession order may be sought could include (but is not limited to):

- the tenant refusing to pay rent or accruing large rent arrears.
- misuse of the property by either the tenant, a member of their family, or visitors.
- the tenant not living in the property as their principal home.

Under the Housing Act 1985 secure tenants have a number of rights which

include:

- The right of succession.
- The right of assignment in certain cases.

- The right to take in lodgers and sublet part of the property.
- The right to request a transfer to alternative accommodation.
- The right to exchange their home with another Council or housing association tenant.
- The right to information.
- The right to be consulted and involved.
- The right to make improvements to their home.
- The right to compensation for improvements.
- The right to repair.
- The Right to Buy in certain cases, except where exemption under Schedule 5 of the Housing Act 1985 apply. Where a property is exempt from the Right to Buy, the tenant will be advised prior to signing the tenancy agreement and this will be made clear in the tenancy agreement.

iii. Demoted tenancy

Where there have been incidents of antisocial behaviour, SHDC will go to court to obtain a demoted tenancy. Demoted tenancies will usually last for one year.

Where a secure tenancy is demoted and the demotion period completed successfully, the demoted tenancy will automatically become a secure tenancy.

Demoted tenants do not have the same rights as secure tenants.

For example, they do not have:

- The right to exchange.
- The right to succession.
- The right to take in lodgers.
- The right to sublet.

Also, the Right to Buy is suspended until the tenancy is no longer demoted.

The time spent as a demoted tenant does not count towards any discount.

iv. Non secure tenancy

These tenancies are only given to tenants living in temporary accommodation, such as private sector leased accommodation.

These tenancies do not have the same security of tenure or rights as secure tenants but are similar to introductory tenancies.

v. Licence Agreement

SHDC has properties that provide accommodation that is let on a licence. For example, where there are shared facilities SHDC use a licence agreement not tenancy agreement when letting the accommodation.

Either party (landlord or tenant) can end the licence agreement by giving one week's notice, unless there is a serious breach in which case, SHDC can ask the licensee to leave immediately.

As well as the licence agreement there are rules which must be followed at all times.

vi. Vulnerable Persons Resettlement Scheme

SHDC are assisting refugees by locating and securing accommodation in the private sector and in Council owned properties purchased under Local Authority Housing Fund for them to reside in for a fixed period.

The tenancy type is a non-secure tenancy agreement with a variable length of between two and five years.

6) Tenancy Sustainment

SHDC are committed to supporting tenants to manage their tenancies properly, helping to ensure that that they do not get into rent arrears or carry out acts of antisocial behaviour.

To help new tenants, SHDC will carry out an in-depth sign-up interview with all new tenants. This covers:

- Ensuring the tenant understands the terms and conditions of the tenancy agreement.
- Methods and frequencies for paying their rent and accessing benefits.
- Checking if they have any support needs.
- Highlighting opportunities to get involved with the housing service.
- Explaining how to report repairs and our service standards.

SHDC aim to contact all new tenants between four to eight weeks of moving into their property to check that everything is going well for them. SHDC will check whether they are paying their rent regularly, whether they are receiving their benefits, and that they are keeping to the terms of their tenancy conditions.

When tenants move into one of our sheltered properties, the level of individual support they need will be discussed, for example whether it is a visit every other day, or a phone call once a week.

SHDC wants to work with existing tenants to support them to maintain their tenancies successfully.

Contact will be made with any tenants who are identified as having problems managing their tenancy, such as rent arrears or antisocial behaviour issues.

It will be a priority to discuss the problems with them and explain that it is important that they stick to the terms of the tenancy agreement and pay their rent regularly.

For tenants who are struggling to pay their rent, SHDC will explain what options are available to help them and put them in touch with other agencies that may also be able to help.

With any reminder notices, or when notices for rent arrears are served, it will include details regarding Citizens Advice Bureau, dates and times of Housing Benefits surgeries, and contact details of debt advice agencies.

Where it is identified that a tenant needs support to manage in their home, SHDC will put them in touch with the relevant agencies such as social services.

Where there are issues of neighbour nuisance or conflict, SHDC will offer the use of mediation services (paid for by SHDC) to try to help the tenants concerned resolve their differences.

7) Tenancy fraud

It is important that the people living in SHDC properties are those that need them most. The Council take various steps to ensure that this is the case, from ensuring properties are allocated to the most appropriate person, to following up allegations of alleged misuse.

For all new tenants, copies of photo identification such as passport or driving licence are taken. Where there is no available photo ID, a photograph of each tenant will be taken.

In depth estate inspections are carried out where each property is visited and where possible the tenant is spoken to about any issues affecting them. SHDC take the opportunity to check identification to ensure that they are indeed the tenant. SHDC will carry out estate inspections across the district and aim to do at least one each year.

All reports of unoccupied properties or sub-letting of properties are followed up and action is taken if cases of abuse are discovered. In addition, tenancy checks will be conducted on some visits.

SHDC have a policy on tackling tenancy fraud and encourage staff and tenants to report any suspected incidents of tenancy fraud and have a confidential fraud line available.

8) Ending the tenancy

When the tenant gives notice or dies, a pre-termination visit will be carried out with all our tenants, or with the next of kin.

This visit is to:

- Check the condition of the property and garden.
- Ensure the rent account is up to date.
- Agree with the outgoing tenant which items can be left in the property and which must be removed.
- Ensure that the outgoing tenant is aware that the property must be left in a good and clean state, and all rubbish and personal items (except those agreed above) must be cleared from the property.
- Read the meters.
- Request a forwarding address, contact details and phone numbers.
- Determine any recharges that may be due.

If the condition of the property or garden are unsatisfactory, the property has been left in a dirty condition, or if rubbish and personal items have been left in the property, the outgoing tenant will be re-charged our costs to bring the property to a satisfactory condition.

If there is any rent due to the end of the tenancy, SHDC will inform the tenant and expect the amount due to be paid in full before the tenancy ends.

9) Succeeding to a tenancy

In April 2012, the law regarding succession changed. For tenancies that start after this legislation there is only a statutory right of succession to a spouse or civil partner or cohabitee. They must have

to been living in the property as their only or principal home at the time of the tenant's death. Legislation gives Local Authorities the power to grant additional succession rights.

10) Tackling under occupation

Changes to Housing Benefit regulations where properties are under occupied have brought in restrictions to levels of housing benefit. This has resulted in certain tenants having a greater rent burden, and some of these may seek to downsize as a result.

SHDC have a downsizing scheme which provides financial assistance to people who move to a smaller property and so free up a family sized property. Where necessary this scheme will also provide help and support with moving arrangements.

SHDC will give priority on Devon Home Choice to people wishing to downsize.

11) Adapted properties

SHDC's Landlord Disabled Adaptations Policy sets out how the Council will encourage our tenants to live in properties suitable for their need as well as helping them to live independently by adapting their homes through minor and major adaptations where appropriate.

Under our current secure tenancy agreement, if a tenant is living in a property which has been built or adapted for a person with a disability, and the tenant or their family no longer need that type of home, SHDC may take steps through the Courts to end the tenancy.

SHDC will take reasonable steps to offer the tenant and/or their family members other suitable accommodation.

12) Transfers

For secure tenants who transfer to another property within our stock, SHDC will ensure that they are given another secure tenancy.

13) Mutual Exchanges

Mutual exchanges usually take place via a deed of assignment where each tenant steps into the other's shoes and takes over the other tenant's tenancy type and terms. New tenancies are not signed.

Under the Localism Act, if at least one of the tenants has a secure tenancy begun before April 2012 and at least one of the tenants is on a flexible tenancy, then such exchanges must be done by surrender and granting of new tenancies.

In these circumstances, SHDC will grant the tenant whose secure tenancy predated April 2012 a secure tenancy. This will ensure that existing tenants (before April 2012) retain similar security of tenure to that of their original tenancy.

As a landlord, SHDC can still refuse an exchange and has 42 days to make that decision.

SHDC subscribe to Home Swapper, an internet based mutual exchange service.

With mutual exchanges tenants accept the property in the condition it has been left in by the previous tenant. Routine repairs will be carried out in accordance with the tenancy agreement, but no specific work will be undertaken as a condition of accepting the exchange.

SHDC will conduct health and safety checks as part of the approval process. These include checks on the gas and electricity supplies, and the energy efficiency of the property. SHDC charge £50 to undertake an electrical check and £100 to undertake both electrical and gas checks.

SHDC will not make any adaptations to a property which has changed hands by way of mutual exchange for at least twelve months from exchange date, unless there are very significant changes in the tenant's circumstances.

14) Complaints

The Housing Service will deal with any complaints in accordance with the South Hams District Council corporate complaints policy. For full details please go to <https://new.southhams.gov.uk/your-Council/comments-and-complaints/complaints-and-feedback>

15) Outcomes

This policy aims to ensure that:

- The right people are living in the right property on the right type of tenancy.
- Certain groups of tenants can be moved from properties which are no longer suitable for their needs.
- Tenants will be encouraged to move to more suitable accommodation if the property becomes too big for their requirements or if their needs or circumstances change.
- Tenants will be helped to sustain their tenancies for the long term, but where problems occur, particularly at the start of the tenancy, action can be taken quickly.
- Tenancy fraud is identified and tackled.

16) Responsibility

The Housing Manager will be responsible for ensuring that this policy is adhered to.

17) Equality impact considerations

The policy is of high relevance to equality because it has a significant impact on residents and users of the service.

The Council has an Equality and Diversity policy that informs how officers should engage with people with protected characteristics. This policy is informed and guided by an Equality impact assessment.

Officers are aware that as providers of Social Housing, there may be potentially vulnerable tenants in our properties and will act accordingly in all correspondence and communication, giving due consideration as to how any vulnerability or condition might affect either their judgement or ability to understand information provided.

Where any decisions are made that will affect a tenant, it is necessary to ascertain whether the tenant has the mental capacity to make an informed choice in relation to that decision and to provide and/or engage with an advocate if required.

18) Policy Review

SHDC is committed to reviewing this policy, in consultation with tenants on a bi-annual basis or sooner if new guidance or legislation is published.

South Hams District Council & West Devon Borough Council Equality Impact Assessment / PSED Assessment

Name of Policy / Function to be assessed	
Tenancy Policy	
Officer responsible for the assessment	
Stephanie Rixon	
Service	
Housing	
Is this a new or existing policy / function? (Please ring as appropriate)	EXISTING STRATEGY/ NEW UPDATE
	New
Briefly describe the aims, objectives and purpose of the policy	
<ul style="list-style-type: none"> • This policy sets these out for South Hams District Council (SHDC) as a landlord of social housing the type of tenancies used, the circumstances in which each will be used, and other aspects of managing tenancies 	
Are there any associated objectives of the policy? Please explain. (This may include other policies which are linked with or have an impact upon this policy)	
<ul style="list-style-type: none"> • This policy will be used to ensure that the right type of tenancy is allocated to each tenant, that the under occupation of properties is addressed effectively and that SHDC can provide family and/or adapted housing where this is required. • The ways in which each type of tenancy can be let and brought to an end are set out in law (Housing Acts 1985 and 1996, and the Localism Act 2012.) 	
Who is intended to benefit from this policy and in what way?	
<ul style="list-style-type: none"> • Tenants, staff and wider community 	
What outcomes are wanted from this policy?	
<ul style="list-style-type: none"> • Ensure the correct tenancy is issued and that tenancies are effectively managed. 	
What factors / forces could contribute / detract from the outcomes?	
<ul style="list-style-type: none"> • N/A 	
Who are the main stakeholders in relation to this policy?	
<ul style="list-style-type: none"> • Tenants • Staff 	
Who implements this policy?	The Housing Team
Who is responsible for this policy? (Post Holder)	The Housing Manager

Are there concerns that the policy could have a differential impact on racial groups? (Please explain)	Yes
<ul style="list-style-type: none"> Communication and understanding is vital when tenants are entering into a legal agreement. Some stakeholders may not have English as their first language and may not engage with services because of perceived barriers. It is therefore vital that a wide range of communication methods are available for tenants and that the council continues to make tenancy agreements and all other relevant information available in different formats and languages. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> Making services accessible for all members of the community remains a high priority for the council and is carried across all departments. Customers continue to access information from the council in a number of formats and languages. 	
Are there concerns that the policy could have a differential impact due to gender? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> Legal agreements will be issued, ended and amended and tenancies will be managed as per the required legislation unbiased by gender. 	
Are there concerns that the policy could have a differential impact due to disability? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> Legal agreements will be issued, ended and amended and tenancies will be managed as per the required legislation. The service will ensure that its actions are informed by disability needs and awareness and that it is unbiased by whether a person has a disability. 	
Are there concerns that the policy could have a differential impact to sexual orientation? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
Legal agreements will be issued, ended and amended and tenancies will be managed as per the required legislation unbiased by a person's sexual orientation.	
Are there concerns that the policy could have a differential impact due to age? (Please explain)	NO
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> Legal agreements will be issued, ended and amended and tenancies will be managed as per the required legislation unbiased by age. 	
Are there concerns that the policy could have a differential impact due to religion or religious beliefs? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any issues 	
What existing evidence (either presumed or otherwise) do you have for this?	

<ul style="list-style-type: none"> Legal agreements will be issued, ended and amended and tenancies will be managed as per the required legislation unbiased by religious beliefs. 		
Are there concerns that the policy could have a differential impact due to a person having dependants / caring responsibilities? (Please explain)	No	
<ul style="list-style-type: none"> No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> Legal agreements will be issued, ended and amended and tenancies will be managed as per the required legislation unbiased by whether a person with dependents/caring responsibilities. 		
Are there concerns that the policy could have a differential impact due to a person being trans-gendered or transsexual? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> Legal agreements will issued, ended and amended and tenancies will be managed as per the required legislation unbiased by being trans-gendered or transsexual. 		
Could the differential impact identified above amount to there being the potential for adverse impact in this policy?		
No – the impacts identified are either positive or can be averted via the methods outlined in this document.		
Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?		
<ul style="list-style-type: none"> 		
Is there enough evidence to proceed to a full EIA?		No
Are there further actions to be taken as a result of this assessment? (If yes please detail actions on a separate sheet)		No
Date on which Full Assessment to be completed by?	N/A	
Steph Rixon Signed (Completing Officer)		
Date: 30/10/2023		

South Hams District Council's Tenant Engagement Policy

Contents

- 1) Introduction
- 2) Scope and Purpose
- 3) Information
- 4) Consultation
- 5) Participation
- 6) Complaints
- 7) Responsibility
- 8) Equality impact considerations
- 9) Policy Review

1) Introduction

All registered providers of social housing must meet the consumer standards contained within the regulatory framework for social housing. One of these standards is the Tenant Involvement and Empowerment standard. The regulatory framework for social housing, operated by the Regulator for Social Housing requires outcomes for this standard in relation to:

- Customer service
- Choice and complaints, involvement and empowerment
- Understanding and responding to the diverse needs of tenants

2) Scope and Purpose

This policy applies to how South Hams District Council (SHDC) will develop the involvement of tenants in the decision-making processes of the Housing Service leading to service improvement and improved tenant satisfaction. This policy demonstrates SHDCs commitment to tenant involvement and to providing better homes and communities. The aim of this policy is to ensure that the structure adopted by the Council delivers effective involvement with tenants, and this includes leaseholders, in developing and improving services to meet their needs, ensuring that tenants have a chance to scrutinise the work of the Housing Service, and to strengthen communities.

This policy has been developed to ensure that relevant legislation and the regulatory framework informs the work of the Housing Service. SHDC will demonstrate this by working in partnership with tenants in all aspects of housing management, offering a range of involvement designed around the diverse needs of tenants and by offering opportunities to review the work of the Housing Service and to make recommendations to elected members.

SHDC will encourage tenants to get involved in housing management using a wide range of methods including:

- Making information easy to access, written in Plain English and, where possible, jargon free.
- Acknowledging that many tenants do not wish to get involved and respecting their right not to do so. We will provide formal involvement methods, whilst promoting maximum inclusion through other less formal methods.
- Finding the most appropriate way to consult individually and collectively and being clear about the choices on offer.

3) Information

SHDC have a commitment to keeping tenants informed and to offering choices and opportunities to make recommendations to elected members. Tenants will be provided with information in a variety of ways, regarding the following:

- Issues affecting their homes and tenancies.
- Housing management policies and practice.
- Any proposals for change/rent increases.
- How to make a complaint.
- Relevant performance information to support effective scrutiny by tenants of their landlord's performance in a form agreed with tenants. This will include the publication of an annual report including information on repair and maintenance budgets.

4) Consultation

The Council is obliged to consult secure tenants on certain aspects of housing management. The Housing Service issues a variety of different tenure types. Most tenants have secure tenancies but may have flexible tenancies which are a form of secure tenancy. Section 105 of the Housing Act 1985 requires public sector landlords to have arrangements to inform and consult secure tenants who are likely to be affected by some proposed changes in matters of housing management. SHDC will support tenants to build capacity to get effectively involved in this. SHDC will therefore provide information about how to get involved with:

- Major improvement or repair programmes.
- Changes to policy and strategies.
- Performance targets and priorities.
- Activities for tenant involvement.
- The timetable for newsletters.
- How the Housing Service is meeting the requirements of the regulatory framework for social housing.

5) Participation

Tenants will have ample opportunity to participate and play an integral part in:

- Scrutinising and challenging how services are managed and provided and in setting service standards.
- Giving their opinion on how to improve service delivery.
- Reviewing policies and strategies.
- The Right to Manage, where appropriate.
- The formation and activities of tenant panels or equivalent.
- Meeting Councillors to discuss service delivery.

Tenants will be able to give SHDC their views, consult and participate by various methods:

- Social media and email
- Face to face
- Telephone
- Written
- Tenant involvement events

SHDC will use technologies to increase access to information and to receive feedback, ideas and information and this may include, but is not limited to, use of the web, mobile apps, email lists, text SMS, as well as social media.

6) Complaints

The Housing Service will deal with any complaints in accordance with the South Hams District Council Corporate Complaints Policy. For full details please go to <https://new.southhams.gov.uk/your-Council/comments-and-complaints/complaints-and-feedback>

7) Responsibility

The Housing Manager will be responsible for ensuring that this policy is adhered to.

8) Equality impact considerations

The policy is of high relevance to equality because it has a significant impact on residents and users of the service.

The Council has an Equality and Diversity policy that informs how officers should engage with people with protected characteristics. This policy is informed and guided by an Equality impact assessment.

Officers are aware that as providers of social housing, there may be potentially vulnerable tenants in our properties and will act accordingly in all correspondence and communication, giving due consideration as to how any vulnerability or condition might affect either their judgement or ability to understand information provided.

Where any decisions are made that will affect a tenant, it is necessary to ascertain whether that a tenant has the mental capacity to make an informed choice in relation to that decision and to provide and/or engage with an advocate if required.

9) Policy Review

SHDC is committed to reviewing this policy, in consultation with tenants on a bi-annual basis or sooner if new guidance or legislation is published.

South Hams District Council & West Devon Borough Council Equality Impact Assessment / PSED Assessment

Name of Policy / Function to be assessed	
Tenant Engagement Policy	
Officer responsible for the assessment	
Stephanie Rixon	
Service	
Housing	
Is this a new or existing policy / function? (Please ring as appropriate)	EXISTING STRATEGY/ NEW UPDATE
	New
Briefly describe the aims, objectives and purpose of the policy	
<ul style="list-style-type: none"> • This policy sets out how we will develop the involvement of tenants in the decision-making processes of the Housing Service leading to regulatory compliance, service improvement and improved tenant satisfaction. 	
Are there any associated objectives of the policy? Please explain. (This may include other policies which are linked with or have an impact upon this policy)	
<ul style="list-style-type: none"> • All registered providers of social housing must meet the consumer standards contained within the regulatory framework for social housing. One of these standards is the Tenant Involvement and Empowerment standard. The regulatory framework for social housing, operated by the Regulator for Social Housing requires outcomes for this standard in relation to: <ul style="list-style-type: none"> • Customer service • Choice and complaints, involvement and empowerment • Understanding and responding to the diverse needs of tenants 	
Who is intended to benefit from this policy and in what way?	
<ul style="list-style-type: none"> • Tenants, staff and wider community 	
What outcomes are wanted from this policy?	
<ul style="list-style-type: none"> • To ensure SHDC involve and help tenants shape the delivery of well managed properties; neighbourhoods, communal areas and greenspaces to help ensure that tenants and members of the community can have quiet enjoyment of their homes. 	
What factors / forces could contribute / detract from the outcomes?	
<ul style="list-style-type: none"> • N/A 	

Who are the main stakeholders in relation to this policy?		
<ul style="list-style-type: none"> • Tenants • Staff • Regulator 		
Who implements this policy?	The Housing Team supported by the Corporate Management Team	
Who is responsible for this policy? (Post Holder)	The Housing Manager	
Are there concerns that the policy could have a differential impact on racial groups? (Please explain)	Yes	
<ul style="list-style-type: none"> • Communication and understanding is vital when engaging with and involving tenants in Housing Management. Some stakeholders may not have English as their first language and may not be willing or may perceive barriers in engaging in consultation. It is therefore vital that a wide range of communication methods are available to enable all tenants to be involved in this process in a way that supports their needs. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Making services accessible for all members of the community remains a high priority for the council and is carried across all departments. Customers continue to access information from the council in a number of formats and languages. 		
Are there concerns that the policy could have a differential impact due to gender? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Engagement will be encouraged for all tenants unbiased by gender. 		
Are there concerns that the policy could have a differential impact due to disability? (Please explain)	Yes	
<ul style="list-style-type: none"> • Accessibility to meetings and to information and different methods of communication could be a barrier to some tenants with disabilities getting involved and effectively helping to shape and influence services. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Engagement will be encouraged for all tenants with their particular needs fully considered. This will be unbiased by whether a person has a disability and steps will be taken to ensure that accessibility needs are considered and met and that all formats and types of communication are considered and available. Specialist advice will be taken when appropriate. 		
Are there concerns that the policy could have a differential impact to sexual orientation? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
Engagement will be encouraged for all tenants unbiased by a person's sexual orientation.		

Are there concerns that the policy could have a differential impact due to age? (Please explain)	YES	
<ul style="list-style-type: none"> • Accessibility to meetings and to information and different methods of communication could also be a barrier to some older tenants to getting involved and effectively helping to shape and influence services 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Engagement will be encouraged for all tenants with their particular needs fully considered. This will be unbiased by a persons age and steps will be taken to ensure that accessibility needs are considered and met and that all formats and types of communication are considered and available. Specialist advice will be taken when appropriate 		
Are there concerns that the policy could have a differential impact due to religion or religious beliefs? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Engagement will be encouraged for all tenants unbiased by religious beliefs. 		
Are there concerns that the policy could have a differential impact due to a person having dependants / caring responsibilities? (Please explain)	No	
<ul style="list-style-type: none"> • No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Engagement will be encouraged for all tenants unbiased by whether a person with dependents/caring responsibilities. 		
Are there concerns that the policy could have a differential impact due to a person being trans-gendered or transsexual? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Engagement will be encouraged for all tenants unbiased by being trans-gendered or transsexual. 		
Could the differential impact identified above amount to there being the potential for adverse impact in this policy?		
No – the impacts identified are either positive or can be averted via the methods outlined in this document.		
Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?		
<ul style="list-style-type: none"> • 		
Is there enough evidence to proceed to a full EIA?		No
Are there further actions to be taken as a result of this assessment? (If yes please detail actions on a separate sheet)		No
Date on which Full Assessment to be completed by?	N/A	
Steph Rixon Signed (Completing Officer)		

Date: 30/10/2023

South Hams District Council Neighbourhood Management Policy

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1) Introduction

Under the Neighbourhood and Community Standard, The Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhoods associated with their homes.

The Social Housing Regulation Act became law in 2023 and introduced a consumer regulation regime focussed on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.

These standards are there to ensure people feel safe and secure in their homes, can get problems fixed before they spiral out of control, and see exactly how well their landlord is performing in giving tenants a stronger voice.

The Regulator of Social Housing requires that Registered Providers measure and report on 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how successful social housing landlords in England are doing at providing good quality homes and services. These measures include those applicable directly to building safety as well as those based on tenant perception surveys setting out tenant's views on our performance which will include responsible neighbourhood management.

The TSM measures under responsible neighbourhood management include:

- TP10: Satisfaction that the landlord keeps communal areas clean and well maintained.
- TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods.
- TP12: Satisfaction with the landlord's approach to managing anti-social behaviour.
- NM01: Anti-social behaviour cases relative to the size of the landlord.

2) Scope and Purpose

This policy outlines how the Council aims to ensure that tenants have quiet enjoyment of their homes, which are in a safe, clean, and secure environment, and that they can take pride in.

This policy sets out SHDC's approach to managing our estates with the help of our tenants and residents to keep our neighbourhoods clean, safe and secure and where people want to live.

SHDC will work in partnership with our tenants and other stakeholders and public bodies where it is effective to do so.

Overall, in order to meet the aims of this policy, the policy objectives are:

- SHDC conduct regular neighbourhood inspections of communal areas and ensure that they are well maintained, tidy and free from graffiti.
- SHDC will work in partnership with the Police and other services to help keep our estates free from anti-social behaviour (ASB), harassment and hate crime.
- SHDC will conduct fire risk assessments in blocks of flats to identify and address fire risks.
- SHDC will ensure communal areas are well maintained.
- Grounds maintenance work is carried out to the required standard.
- Residents are aware of their responsibilities, both in relation to their property and neighbourhood.

- SHDC will consult with our tenants to identify improvements and work together to address local priorities.
- SHDC will identify areas that need improvements and undertake measures to resolve them.
- SHDC will promote tenant involvement opportunities, activities and events to help develop and support vibrant communities.

3) Permissions

Tenants must seek permission if they wish to install hanging structures such as hanging baskets or bird feeders in communal areas.

These must be positioned in such a way as to avoid damage to the structure of the building and do not cause a nuisance or annoyance to others. An example would be hanging baskets when watered causing a slip hazard or the possibility of people walking beneath them getting wet.

4) Keys

Additional keys for main entry doors in blocks of flats will not be provided to tenants, although replacement keys may be available in appropriate circumstances. If replacement keys are required, any costs relating to this will be recharged to the tenant. At the tenants' request, SHDC can provide a key safe on the exterior of the building for those whose carers require access. A key can be stored here to allow them to access the block. This is to ensure that security is maintained. For the same reason, communal key codes in blocks where there is a door entry system will only be given to employees and contractors to enable them to perform their duties.

5) Neighbourhood Walkabouts

Tenants, councillors (both district and parish) and other agencies such as the Police are welcome to join neighbourhood officers when an estate in their area is inspected to raise any concerns and share ideas for improvement. A schedule of neighbourhood walkabouts is available on our website.

Neighbourhood walkabouts enable neighbourhood officers to identify issues surrounding the following (this is not an exhaustive list):

- Breaches of tenancy.
- Grounds maintenance issues, including hedges, trees and boundaries, and grassed/planted areas.
- Repairs.
- A build-up of domestic waste that has not been appropriately disposed of.
- Items in gardens which are not in line with the tenancy agreement.
- Items in gardens that impact the look of an estate.
- Any health and safety issues; for example, any deterioration to pathways that could be trip hazards, gas canisters, tyres, vehicle parts, anything that should not be in a garden whereby the garden looks untidy or unkempt.
- Communal areas – internal and external.
- Car parks and garages.
- Security issues, including fencing/ boundaries, security doors.
- Tenancy issues, including property condition, property improvements, untidy gardens, pets.
- ASB, including graffiti/vandalism, drugs, abandoned cars, fly-tipping.

6) Communal Inspections

SHDC are committed to undertaking regular communal inspections and will proactively address any concerns raised during these inspections.

The frequency of these inspections will be locally determined and will be undertaken more frequently in neighbourhoods where there have been more reported issues, for example ASB.

Communal inspections have one aim: to ensure the safety of all residents who share a communal space. Inspections and walkabouts will be done in partnership with tenants, internal colleagues such as our maintenance team, councillors and other external agencies such as the Police.

7) Vandalism and Graffiti

Acts of vandalism to SHDC property or land will be repaired as quickly as possible. Offensive/racist graffiti will be removed within 24 hours, all other graffiti will be removed within a reasonable timescale.

Any vandalism on housing land will be reported and dealt with within our repair priorities. Any vandalism which is a Health and Safety risk will be dealt as an emergency as per our repair priorities.

SHDC will investigate all acts of vandalism and graffiti and appropriate action will be taken against all known perpetrators of vandalism.

8) Litter and Fly Tipping

SHDC will take reports of fly tipping seriously and ensure that it is dealt with quickly and efficiently.

SHDC will investigate all instances of fly tipping on housing land. SHDC will request that the responsible person remove the items within a reasonable timescale as to be determined by SHDC. If these items are not removed, the council will arrange for the removal of these items and a recharge will be raised to the responsible person to cover the cost of this service.

Reports of fly-tipping that is not on housing land will be reported to and dealt by the

9) Street Scene Service.

SHDC will investigate fly tipping incidents and appropriate action will be taken against all known perpetrators.

10) Anti-Social Behaviour (ASB) and Neighbour Disputes

ASB can have a significant impact and SHDC is committed to delivering a non-judgemental, balanced service. For more information on how SHDC tackles ASB, please view the ASB policy and procedures.

Where SHDC believes the behaviour does not constitute ASB, the tenant will be told why the complaint does not classify as an ASB complaint and advice will be given to enable self-resolution.

SHDC expect a reasonable level of tolerance between neighbours and will make fair evaluations on whether a complaint of ASB is reasonable. An important part of creating sustainable communities is the recognition and acceptance by SHDC tenants that the initial responsibility to resolve concerns with others lies with them.

If residents are not able to resolve their differences themselves, they should contact SHDC where a Housing Officer may be able to offer mediation or other solutions in order to resolve the dispute. In this instance, the tenant will be kept informed of the progress of the dispute and what actions have been agreed to mitigate a repeat of the incident.

11) Vehicles and Parking

Tenants must not park any Vehicle which is untaxed, un-roadworthy or not insured at an SHDC property or on any other Council-owned land.

Any vehicle parked on a drive or on a garden where there is no dropped kerb, and without evidence of a request to Devon County Council to drop the kerb, will be expected to be removed immediately until a dropped kerb is in place. SHDC will also ensure that the tenant has appropriate permission from the Council for the installation of a drive.

Tenants are prohibited from parking a car on a garden that has not had a hard standing installed without consent.

SHDC will work with our tenants and residents to reduce irresponsible parking and parking-disputes.

12) Tree Management

SHDC have a rolling maintenance plan to reduce avoidable risks relating to trees on land owned by the Council. Works to trees outside the works programme will only be undertaken when there has been an identified risk or hazard, such as it is:

- Unsafe.
- Obstructing public footpaths or roads.
- Proven to be damaging property.

Where any trees or shrubs, which are in tenants' gardens are causing a nuisance/annoyance or are dangerous, SHDC may give tenants a written notice asking that they remove or cut back within certain timescales. If this is not done, SHDC may enter the property to carry out the works and the tenant may be liable for reasonable costs in carrying out any such works.

If tenants want to plant a tree on their property, they must obtain written consent from SHDC.

13) CCTV and Camera Doorbells

SHDC will consider proposals to install CCTV or camera doorbells where appropriate to do so.

14) Infestations of Pests and Vermin

Pests or vermin that pose an immediate danger to a person or property will be investigated and dealt with appropriately via the responsive repairs team.

15) Cleaning

SHDC will ensure that communal areas are clean and safe. There is an expectation that tenants, leaseholders and other residents play their part in keeping their neighbourhoods clean and tidy.

16) Gardens

The responsibility of garden maintenance lies with the tenant. Where a tenant fails to maintain their garden, SHDC will take appropriate action (which may result in a recharge to the tenant).

SHDC will work with our tenants to encourage them to keep their gardens tidy and well-maintained.

The tenant is responsible for notifying us if there is a good reason they are unable to look after the garden or arrange for someone to look after it on their behalf.

The tenant must obtain written consent from the council before any of the following is carried out:

- Place, build or erect any greenhouse, garage, shed, patio, decking, aviary, fencing, conservatory, pigeon-loft, fishpond, pool or similar structure in the garden or a communal area or anywhere in/or on Council property.
- Place, build or erect any gate or barrier across a communal path.
- Replace or erect fencing. Any fencing with written consent should be no higher than one metre at the front or two metres at the back of the property.
- Make changes to boundary walls, outbuildings or hard surfaces.

Garden fences are mostly the responsibility of the tenant to maintain. Where there is a dispute between two neighbours regarding the responsibility of a fence or hedge, SHDC will provide a boundary plan to confirm responsibility.

Where a garden fence is the responsibility of SHDC it will be maintained by the council

17) Fires and BBQs

Bonfires and/or mini fires on communal land, owned and managed by SHDC will not be permitted. Disposable BBQs are not permitted to be used in communal areas.

18) Grassed and Communal Land

Grassed areas located on communal land on an estate are provided as an amenity for the benefit of all tenants. Therefore, tenants should seek permission regarding the use of external communal areas; this is particularly important if there is a proposal to establish a gardening club, or to create a wildlife garden, or to run a community social event, for example.

It should be noted that public liability insurance may be required in relation to a community social event, if it is organised by private individuals and not SHDC. SHDC cannot be held liable for any damage or injuries which may occur at such an event which has been organised by private individuals. Anyone planning such an event is advised to seek advice from their neighbourhood officer before requesting permission.

SHDC may consider allowing a charity to hold an event on communal land, but a written agreement will be required indemnifying the Council in the event of any claims. Decisions made regarding such events will take account of all relevant factors and SHDC will require sight of all relevant insurance and other documents in these circumstances.

Individual tenants will not be permitted to erect their own sheds in communal areas.

Should storage be an issue, tenants should seek advice from the Housing Team.

SHDC is required to consult all residents affected regarding a major change in the use of the communal area. The Council will make the final decision if there is any dispute regarding the use of communal space where agreement cannot be reached locally. Any such decisions will take into account legal obligations, policy, local feedback and any other considerations which may be relevant.

19) Complaints

The Housing Service will deal with any complaints in accordance with the South Hams District Council Corporate Complaints Policy. For full details please go to <https://new.southhams.gov.uk/your-Council/comments-and-complaints/complaints-and-feedback>

20) Responsibility

The Housing Manager will be responsible for ensuring that this policy is adhered to.

21) Equality impact considerations

The policy is of high relevance to equality because it has a significant impact on residents and users of the service.

The Council has an Equality and Diversity policy that informs how officers should engage with people with protected characteristics. This policy is informed and guided by an Equality impact assessment.

Officers are aware that as providers of Social Housing, there may be potentially vulnerable tenants in our properties and will act accordingly in all correspondence and communication, giving due consideration as to how any vulnerability or condition might affect either their judgement or ability to understand information provided.

Where any decisions are made that will affect a tenant, it is necessary to ascertain whether that tenant has the mental capacity to make an informed choice in relation to that decision and to provide and/or engage with an advocate if required.

22) Policy Review

SHDC is committed to reviewing this policy, in consultation with tenants on a bi-annual basis or sooner if new guidance or legislation is published.

South Hams District Council & West Devon Borough Council Equality Impact Assessment / PSED Assessment

Name of Policy / Function to be assessed	
Neighbourhood Management Policy	
Officer responsible for the assessment	
Stephanie Rixon	
Service	
Housing	
Is this a new or existing policy / function? (Please ring as appropriate)	EXISTING STRATEGY/ NEW UPDATE
	New
Briefly describe the aims, objectives and purpose of the policy	
<ul style="list-style-type: none"> • The policy outlines how the Council aims to ensure that tenants have quiet enjoyment of their homes, which are in a safe, clean, and secure environment, and that they can take pride in. 	
Are there any associated objectives of the policy? Please explain. (This may include other policies which are linked with or have an impact upon this policy)	
<ul style="list-style-type: none"> • The policy sets out SHDC's approach to managing our neighbourhoods with the help of our tenants and residents to keep our neighbourhoods clean, safe and secure and where people want to live. 	
Who is intended to benefit from this policy and in what way?	
<ul style="list-style-type: none"> • Tenants, staff and wider community 	
What outcomes are wanted from this policy?	
<ul style="list-style-type: none"> • To ensure SHDC deliver well managed neighbourhoods, communal areas and greenspaces to help ensure that tenants and members of the community can have quiet enjoyment of their homes in a safe and clean environment. 	
What factors / forces could contribute / detract from the outcomes?	
<ul style="list-style-type: none"> • Failure of communities and/neighbourhoods to engage with the requirements of the policy. 	
Who are the main stakeholders in relation to this policy?	
<ul style="list-style-type: none"> • Tenants • Staff 	
Who implements this policy?	The Housing Team
Who is responsible for this policy? (Post Holder)	The Housing Manager

Are there concerns that the policy could have a differential impact on racial groups? (Please explain)	Yes
<ul style="list-style-type: none"> Communication is a key part of involving residents in the delivery of positive neighbourhoods and some stakeholders may not have English as their first language and may not engage with services because of perceived barriers. It is therefore vital that a wide range of communication methods are available for Stakeholders and that the council continues to make information available in different formats and languages. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> Making services accessible for all members of the community remains a high priority for the council and should be carried across all departments. Customers continue to access information from the council in a number of formats and languages. 	
Are there concerns that the policy could have a differential impact due to gender? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> SHDC seeks to promote high quality, safe neighbourhoods for all. The Policy should benefit all Stakeholders and is unbiased by gender. 	
Are there concerns that the policy could have a differential impact due to disability? (Please explain)	Yes
<ul style="list-style-type: none"> Someone with a disability and/or no family assistance may not be able to adequately look after their garden area. The current reporting process can involve written communication so someone with literacy problems will need additional support. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> The policy requires that tenants take a certain level of responsibility for maintaining their homes including gardens etc. Support/signposting needs to be available for those who are unable to maintain their homes independently. The reporting and communication mechanisms are clearly outlined in the policy. 	
Are there concerns that the policy could have a differential impact to sexual orientation? (Please explain)	No
<ul style="list-style-type: none"> No evidence of any impact. 	
What existing evidence (either presumed or otherwise) do you have for this?	
<ul style="list-style-type: none"> SHDC seeks to promote high quality, safe neighbourhoods for all. The Policy should benefit all Stakeholders and is unbiased by sexual orientation. 	
Are there concerns that the policy could have a differential impact due to age? (Please explain)	Yes
Some older people and/or no family assistance may not be able to adequately look after their garden area	
What existing evidence (either presumed or otherwise) do you have for this?	

<ul style="list-style-type: none"> The policy requires that tenants take a certain level of responsibility for maintaining their homes including gardens etc. Support/signposting needs to be available for those who are unable to maintain their homes independently. 		
Are there concerns that the policy could have a differential impact due to religion or religious beliefs? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> SHDC seeks to promote high quality, safe neighbourhoods for all. The Policy should benefit all Stakeholders and is unbiased by religious beliefs. 		
Are there concerns that the policy could have a differential impact due to a person having dependants / caring responsibilities? (Please explain)	No	
<ul style="list-style-type: none"> No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> SHDC seeks to promote high quality, safe neighbourhoods for all. The Policy should benefit all Stakeholders and there is nothing in the policy that should differentially impact on a person with dependents/caring responsibilities. 		
Are there concerns that the policy could have a differential impact due to a person being trans-gendered or transsexual? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> SHDC seeks to promote high quality, safe neighbourhoods for all. The Policy should benefit all Stakeholders and is unbiased by being trans-gendered or transsexual. 		
Could the differential impact identified above amount to there being the potential for adverse impact in this policy?		
No – the impacts identified are either positive or can be averted via the methods outlined in this document.		
Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?		
<ul style="list-style-type: none"> 		
Is there enough evidence to proceed to a full EIA?		No
Are there further actions to be taken as a result of this assessment? (If yes please detail actions on a separate sheet)		No
Date on which Full Assessment to be completed by?	N/A	
Steph Rixon Signed (Completing Officer)		
Date: 30/10/2023		

South Hams District Council Planned Repairs and Cyclical Maintenance

Contents

- 1) Introduction
- 2) Scope and Purpose
- 3) Planned Maintenance
- 4) Cyclical Maintenance
- 5) Customer Satisfaction
- 6) Appointments
- 7) Pre-work and Post-work inspections
- 8) Complaints
- 9) Responsibility
- 10) Equality impact considerations
- 11) Policy Review

1) Introduction

Planned and cyclical maintenance is work the Council is aware of and has planned for These are replacements/repairs that are carried out with forethought, control and the use of records which are programmed in advance. South Hams District Council (SHDC) will maintain properties over a rolling thirty-year period.

2) Scope and Purpose

This policy outlines how SHDC will implement planned maintenance and a cyclical repairs plan to ensure the protection of SHDC's properties and enhance the health and wellbeing of SHDC tenants.

3) Planned Maintenance

Planned maintenance involves the replacement of external or internal elements of the property or communal areas.

There may be occasions when there is a premature failure of a component which falls outside the planned maintenance programme and the Council will budget annually for such works.

Examples of planned component replacement/improvement items and acceptable life spans are detailed in the following table:

Component	Cycle
Roof- tiles/flashings	50 Years
External Render/Cladding	50 Years
Windows	35 Years
Kitchens	15 Years
Bathrooms	20 Years
Boilers	15 Years
Radiators/pipework	30 Years
Electrics Rewire	30 Years
External doors	20 Years
Smoke Alarms/CO Detectors	10 Years

4) Cyclical Maintenance

Refers to planned works carried out at agreed intervals and usually involves inspection, servicing or cleaning. The following diagram provides a snapshot of cyclical components and cycle of servicing in years.

Component	Cycle
Gutter Cleaning	3 Years
Electrical Inspection	5 Years
Internal Painting	7 Years
External Painting	7 Years
Gas Inspection	1 Year

5) Customer Satisfaction

Customer satisfaction with repairs and maintenance is important to us and is monitored monthly using customer satisfaction questionnaire responses to ensure the high standard expected by our tenants is delivered.

When a response is returned showing any dissatisfaction the Council will contact the customer to ensure that:

- The dissatisfaction is investigated.
- The cause is remedied, wherever possible.
- Customers are advised of the action taken.

SHDC will monitor and report on:

- The operatives' performance, the internal staff performance and the contractor performance
- Levels of satisfaction by:
 - Different areas.
 - Different types of property.

6) Appointments

SHDC, through our contractors, will offer and arrange morning or afternoon appointments for those customers who want them for:

- Pre-work inspections.
- The work being carried out.
- Post-work inspections.

The Council and its contractors will attend appointments agreed with the tenant. Where we fail to meet an appointment, the tenant will be offered an alternative to suit them. In special circumstances this appointment might be out of office hours.

Where a tenant fails to keep an appointment, a second appointment will be offered. If the second appointment is not kept the repair request will normally be cancelled.

7) Pre-work and Post-work inspections

Pre-work inspections will be carried out where:

- Surveying measurements, schedules, specifications etc. are required prior to ordering the work.

Quality control checks of repairs and maintenance will be carried out at random on a percentage of all repairs carried out. These quality control checks will be for various repair types, property types and in all areas of the district.

Post work inspections will also be carried out when a customer is dissatisfied, because:

- The quality of workmanship was not acceptable.

Random post inspections will be carried out as necessary by various members of the Property & Asset team, whilst sometimes being escorted by the contractor who carried out the work.

8) Complaints

The Housing Service will deal with any complaints in accordance with the South Hams District Council Corporate Complaints Policy. For full details please go to <https://new.southhams.gov.uk/your-Council/comments-and-complaints/complaints-and-feedback>

9) Responsibility

The Housing Manager and the Assets Manager will be responsible for ensuring that this policy is adhered to.

10) Equality impact considerations

The policy is of high relevance to equality because it has a significant impact on residents and users of the service.

The Council has an Equality and Diversity Policy that informs how officers should engage with people with protected characteristics.

Officers are aware that as providers of Social Housing, there may be potentially vulnerable tenants in our properties and will act accordingly in all correspondence and communication, giving due consideration as to how any vulnerability or condition might affect either their judgement or ability to understand information provided.

Where any decisions are made that will affect a tenant, it is necessary to ascertain whether that tenant has the mental capacity to make an informed choice in relation to that decision and to provide and/or engage with an advocate if required.

11) Policy Review

SHDC is committed to reviewing this policy, in consultation with tenants on a bi-annual basis or sooner if new guidance or legislation is published.

South Hams District Council & West Devon Borough Council Equality Impact Assessment / PSED Assessment

Name of Policy / Function to be assessed	
Planned and Cyclical Repairs Policy	
Officer responsible for the assessment	
Stephanie Rixon	
Service	
Housing	
Is this a new or existing policy / function? (Please ring as appropriate)	EXISTING STRATEGY/ NEW UPDATE
	New
Briefly describe the aims, objectives and purpose of the policy	
<ul style="list-style-type: none"> • This policy outlines how SHDC will implement planned maintenance and a cyclical repairs plan to ensure the protection of SHDC's properties and enhance the health and wellbeing of SHDC tenants. 	
Are there any associated objectives of the policy? Please explain. (This may include other policies which are linked with or have an impact upon this policy)	
<p>The Social Housing regulator requires that registered providers shall:</p> <ul style="list-style-type: none"> • (a) ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard • (b) meet the standards of design and quality that applied when the home was built, and were required as a condition of publicly funded financial assistance if these standards are higher than the Decent Homes Standard • (c) in agreeing a local offer, ensure that it is set at a level not less than these standards and have regard to section six of the Government's Decent Homes Guidance. 	
Who is intended to benefit from this policy and in what way?	
<ul style="list-style-type: none"> • Tenants, SHDC staff, Partner agencies and the wider community. 	
What outcomes are wanted from this policy?	
<ul style="list-style-type: none"> • The objective of this policy is to ensure well maintained properties to ensure SHDC tenants have a safe place to live and protect the council's assets. 	
What factors / forces could contribute / detract from the outcomes?	
<ul style="list-style-type: none"> • Unforeseen major works. 	

Who are the main stakeholders in relation to this policy?		
<ul style="list-style-type: none"> • Tenants. • Staff 		
Who implements this policy?	The Housing Team	
Who is responsible for this policy? (Post Holder)	The Housing Manager	
Are there concerns that the policy could have a differential impact on racial groups? (Please explain)	No	
<ul style="list-style-type: none"> • No evidence of any impact 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • All properties will be maintained to the same high standard and subject to same cyclical repairs regime regardless of the tenant's racial group. 		
Are there concerns that the policy could have a differential impact due to gender? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • All properties will be maintained to the same high standard and subject to same cyclical repairs regime regardless of the tenant's gender. 		
Are there concerns that the policy could have a differential impact due to disability? (Please explain)	No	
<ul style="list-style-type: none"> • No evidence of any impact 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • All properties will be maintained to the same high standard and subject to same cyclical repairs regime regardless of any disabilities the tenant may have. Separate maintenance of any adaptations may need to be considered under the adaptations policy. 		
Are there concerns that the policy could have a differential impact to sexual orientation? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • All properties will be maintained to the same high standard and subject to same cyclical repairs regime regardless of the tenant's sexual orientation. 		
Are there concerns that the policy could have a differential impact due to age? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • All properties will be maintained to the same high standard and subject to same cyclical repairs regime regardless of the tenant's age. 		
Are there concerns that the policy could have a differential impact due to religion or religious beliefs? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		

What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> All properties will be maintained to the high standard and subject to same cyclical repairs regime regardless of the tenant's religious beliefs. 		
Are there concerns that the policy could have a differential impact due to a person having dependants / caring responsibilities? (Please explain)	No	
<ul style="list-style-type: none"> No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> All properties will be maintained to the high standard and subject to same cyclical repairs regime regardless of the tenant's caring responsibilities. 		
Are there concerns that the policy could have a differential impact due to a person being trans-gendered or transsexual? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> All properties will be maintained to the high standard and subject to same cyclical repairs regime regardless of the tenant being trans-gender or transsexual. 		
Could the differential impacts identified above amount to there being the potential for adverse impact in this policy?		
No – the impacts identified are either positive or can be averted via the methods outlined in this document.		
Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?		
<ul style="list-style-type: none"> 		
Is there enough evidence to proceed to a full EIA?		No
Are there further actions to be taken as a result of this assessment? (If yes please detail actions on a separate sheet)		No
Date on which Full Assessment to be completed by?	N/A	
Steph Rixon Signed (Completing Officer)		
Date: 30/10/2023		

South Hams District Council Responsive Repairs Policy

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1) Introduction

This policy and procedure covers the responsive repair service provided by South Hams District Council (SHDC) for day to day or routine repairs that are reported by tenants.

This policy does not cover repairs to leasehold properties, improvements, modernisation, adaptations or cyclical repair programmes.

2) Scope and Purpose

This policy demonstrates SHDCs aim to provide good quality and timely responsive repairs and to provide a repair service for our tenants that:

- Meets the high standards expected by ourselves and tenants.
- Ensures properties are maintained to a good standard and safeguards the future of the property.
- Is cost effective and achieves good value for money.
- Protects the environment.

To achieve this SHDC will:

- Carry out repairs quickly and aim to deliver repairs in as few visits as is practical.
- Arrange appointments to carry out work at a time to suit the tenant.
- Set a high standard of workmanship for contractors and staff.
- Listen to any problems that tenants have about repairs and try to put them right.
- Maintain expenditure within the repairs budgets agreed by the Council;
- Have regard to the environmental impact of building products used.
- Regularly monitor and report on key performance indicator targets set, monthly and annually.

3) Repair obligations

The repair duties of South Hams District Council are set out in the Section 11 of the Landlord and Tenant Act 1985. SHDC will also carry out certain repairs beyond the legal responsibilities. These duties are incorporated in the Secure Tenancy Agreement.

SHDC will keep tenants' homes in good condition, repairing and maintaining:

- The structure and exterior of the building – roofs, walls, floors, ceilings, window frames, external doors, drains, gutters, outside pipes, insulation.
- Kitchen and bathroom fixtures – basins, sinks, toilets, baths, showers.
- Electrical wiring, gas and water pipes.
- Heating equipment and water heating equipment.
- Any communal areas around a tenant's home – stairs, lifts, landings, lighting, entrance.
- Halls, paving, shared gardens, parking areas and rubbish chutes.

SHDC will maintain any paintwork to the outside of a tenant's home at regular intervals on the programmed work contract.

Tenant responsibilities include (but are not limited to):

- Internal decoration.
- Replacing internal light bulbs, tubes, starters, plugs and fuses.
- Replacing keys and locks when the tenant has lost their keys and additional security locks.
- Fitting and replacing smoke/CO alarms, including battery replacement (unless mains powered alarms are provided by SHDC).
- Clearing blockages to baths, sinks and basins inside the dwelling unless there is fault to the drainage system.
- All floor coverings except for flooring fitted by SHDC in kitchens and bathrooms.
- Repairs to internal doors and associated locks, hinges and handles (except for fire doors).
- TV aerials and satellite dishes unless it is a shared aerial or dish we have provided.
- Phone lines, satellite and cable TV and internet connections.
- Doorbell and chain (unless fitted by SHDC or if it's a communal door entry system).
- Upkeep of individual tenants' gardens. This includes maintaining and pruning trees and the upkeep of washing lines.
- Paving and non-paved areas in private gardens, except for paths to and from the property.
- Garden sheds or other outbuildings.
- Loss of power due to a faulty appliance or fuse blowing.
- Hat and coat hooks.
- Pelmetts and curtain fittings.
- Adapting doors to fit carpets, unless fitted by SHDC.
- Moving kitchen cupboards to fit large appliances such as cookers and freezers.
- Connection of and plumbing of appliances such as tumble driers, washing machines and dishwashers and repair of leaking flexible pipes and connections serving these.
- Toilet seats.
- Shower curtains, rails and hoses.
- Tenants' own possessions such as carpet and furniture.
- Damage to tenants' possessions from water.
- Infestations by animals or insects inside the property, which are not due to a fault in the property or a wider infestation affecting multiple properties in a block.
- Replacing glass in doors and windows, unless due to fair wear and tear.

SHDC will do repairs in a reasonable time and all repairs will fall into categories:

- Emergency repairs within 24 hours.

- Urgent repairs within 5 working days.
- Routine repairs within 10 working days.
- Complex repairs within 30 working days.
- Qualifying repairs as per the legislation.

The working area will be left in a clean and tidy state and the tenant's decoration will be left as close as possible to how it was before the repair was carried out.

When carrying out our gas safety checks in our properties, the Council will shut down any unsafe gas appliance e.g., cookers, as the Council has no responsibility to maintain the item.

4) Reporting repairs

SHDC will respond to repairs reported in any of the following ways:

- By telephone (including out of hours emergency number).
- In writing.
- By e-mail.
- Via any member of staff.
- Via any other agreed agencies, relatives or friends (we may require confirmation from the tenant where appropriate).

5) Customer Satisfaction

Customer satisfaction with repairs is important to us and is monitored monthly using customer satisfaction questionnaire responses to ensure the high standard expected by our tenants is delivered.

When a response is returned showing any dissatisfaction, the Council will contact the customer to ensure that:

- The dissatisfaction is investigated.
- The cause is remedied, wherever possible.
- Customers are advised of the action taken.

SHDC will monitor and report on:

- The operatives' performance, the internal staff performance and the contractor performance.
- Levels of satisfaction by:
 - Different areas.
 - Different types of property.

6) Appointments

SHDC, through our contractors, will offer and arrange morning or afternoon appointments for those customers who want them for:

- Pre-work inspections.
- The work being carried out.

- Post-work inspections.

The Council and its contractors will attend appointments agreed with the tenant. Where we fail to meet an appointment, the tenant will be offered an alternative to suit them. In special circumstances this appointment might be out of office hours.

Where a tenant fails to keep an appointment, a second appointment will be offered. If the second appointment is not kept, the repair request will normally be cancelled.

7) Repairs completed in one visit

SHDC will try to ensure that repairs are completed in one visit, wherever possible. If the repair cannot be completed in one visit, our contractor will agree an appointment to return and complete the work.

8) Keeping tenants informed of delays

If a repair requires parts or materials that must be ordered, the repair may not be completed within the timescale. In this case, our contractors will inform the tenant of the likely date for completion of the repair.

9) Previous tenant fixtures and fittings

SHDC will not be able to maintain items left by previous tenants and may remove them as an alternative to carrying out repairs. SHDC will normally only maintain those fixtures and fittings installed by previous tenants where we have a responsibility or wish to provide them, such as kitchen fittings, showers over baths, fixed space or water heating etc., please note this excludes tenant mutual exchange responsibilities.

10) Responding to crime

Following illegal entry into a Council dwelling SHDC will:

- Carry out emergency make safe repairs if reported.
- Carry out all repairs as a result of the illegal entry that are the Council's or tenant's responsibility, provided a crime number from the Police is given.
- Consider increasing the level of security in the dwelling in liaison with relevant professionals through door and window locks etc.

Where illegal entry into a property results in damage etc., no repairs will be carried out that are outside of the landlords obligations, where the illegal entry was a direct result of the tenant's criminal activities.

11) A Responsible Landlord

The Council has duties of care over our homes and the people who occupy them. The buildings are insured (not contents) and SHDC are liable for events that occur as a result of our fixtures fittings and repairs.

12) Pre-work and Post-work inspections

Pre-work inspections will be carried out where:

- The tenant is unable to explain the problem.

- Surveying measurements, schedules, specifications etc. are required prior to ordering the work.
- Investigations to identify the problem are required.
- Previous repair has not solved the problem.
- The tenant has a history of wrongly reporting repairs or abusing the property.

Quality control checks of repairs will be carried out at random on a percentage of all repairs. These quality control checks will be for various repair types, property types and in all areas of the district.

Post work inspections will also be carried out when a customer is dissatisfied, because:

- The repair carried out has not rectified the problem; or
- The quality of workmanship was not acceptable.

Random post inspections will be carried out as necessary by various members of the Property & Asset team, whilst sometimes being escorted by the contractor who carried out the work.

13) Timescales for carrying out repairs

This procedure sets out timescales for the most common repairs carried out by the Council for tenants; it is not a comprehensive list.

A large portion of the Council's tenants fall into a vulnerable category. We are committed to providing services that meet their needs. In deciding the timescales for carrying out repairs, we will take into account the circumstances and needs of the individual household. In special circumstances, we will undertake some repairs more quickly, where:

- The customer's sense of security is affected.
- The home would be left without heating in the winter.
- The customer's mobility is affected.
- The health and safety of young children/vulnerable adults is affected.

For all customers reporting emergency repairs, we will attempt to respond within 24 hours. This emergency service will be offered 24 hours a day every day of the year. The priority will be to make the property safe for our tenants.

Repairs after making the property safe may be carried out under a longer timescale.

Emergency repairs are those which are needed to avoid serious health or safety risks or serious structural damage. They are also repairs that are needed to ensure a home is secure.

Emergency work is to be attended to, made safe and rectified within 24 hours. Emergency Repairs will include the following:

- Severe leaks.
- Electrical failure.
- Break-ins where insecure etc.
- Fire.
- Full water failure (after establishing not common to local area).
- Hot water only if no source of hot water (i.e. electric shower).
- External door/gate failure (not due to loss of keys and only where there is no alternative route).
- Severe communal hazard where number of persons could be exposed (e.g. open wires).

- Exposed raw sewage (not blocked toilet but overflowing).
- Structural collapse (e.g. of ceiling so can be made).

Non-urgent repairs will be completed at a time that suits the tenant and the contractor. The contractor will attempt to arrange for the works to be completed as soon as possible.

Non-urgent repairs are those which cause only minor inconvenience and have little effect on the property if a repair is not undertaken in the short term.

There are several 'right to repair' categories that, although not viewed as emergencies, shall be attended within defined timescales as detailed in the following table:

Issue reported	Total number of repair days
Total loss of electric power	1 day
Partial loss of electric power	3 days
Unsafe electrical fitting	1 day
Partial loss of water supply	3 days
Total or partial loss of space or water heating between 31st October and 1st May	1 day
Total or partial loss of space or water heating between 30th April and 1st November	3 days
Toilet not flushing (where there is no other toilet in dwelling)	1 day
Blocked sink, bath or basin	3 days
Tap which cannot be turned off	3 days
Leakage from water or heating pipe, tank or cistern	1 day
Leaking roof	7 days
Insecure external window, door or lock	1 day
Loose or detached banister or handrail	3 days
Mechanical extractor fan in internal kitchen or bathroom not working	7 days

Each order issued to the Service Repairs for repairs reported by the Resident will specify the agreed appointment time. Failure to attend any appointment at the allotted time will result in a compensation payment of £20 that will be paid by the Service Provider to the Resident. The Service Provider will offer the Resident as a minimum, the appointments as detailed above but may offer additional appointment slots. The Service Resident will provide a monthly report to SHDC detailing the values of compensation paid or due including Resident details, address, reason for compensation and settlement date.

The point of contact who reports a communal repair (i.e. Resident/SHDC Officer, etc.) will receive confirmation of the appointment time. Failure to attend any appointment arranged with a Resident at the allotted time will result in a compensation payment of £20 that will be paid by the Service Provider to SHDC. Where a communal repair is reported by a Resident, the Service Provider will offer the Resident least two morning and two afternoon appointments within the following 5 working days to complete the repair. The Service Provider will provide a monthly report to SHDC detailing the values of compensation paid or due including address, reason for compensation and settlement date.

Missed appointments are defined as follows:

- Where the Service Provider arrives before the appointed time slot agreed with the Resident without having had prior agreement to changing the appointment time.
- Where the Service Provider is more than 15 minutes later than the appointed time slot agreed with the Resident (The Resident must have been called prior to the end of the appointment slot to be informed the Operative is running late to allow this grace period).

14) Void Management

i. Ending tenancies

All tenants are required to give four week's written notice terminating their tenancy which is effective from 12 o'clock the Monday after the termination notice is received. In the event of a death of a tenant SHDC will also require four weeks' notice from the date that we are informed of the death. As well as providing details of the next of kin, a copy of the death certificate or tell us once notification will be required.

Tenancies always finish on a Sunday and keys must be returned South Hams District Council. If a key-safe has been fitted by SHDC or our contractors, keys can be placed within on vacating the property, providing the tenant has had prior agreement from a Housing Officer.

Where the keys are not returned at all, the cost of changing locks will be recharged to the outgoing tenant.

As part of the end of tenancy process, the tenant will allow SHDC and/or their Asset Management Contractor to carry out a pre-void inspection if requested.

The Council actively encourages tenants to leave the property and external areas in a clean and tidy condition as laid out in the tenancy agreement.

When a valid notice of termination is received, all outgoing tenants will be reminded of their rights and responsibilities in relation to ending the tenancy.

The Council will then arrange inspection of the property before the tenant moves out. This will enable the Housing Service to:

- Identify any required repairs and to determine if the cost of repairing should be recharged to the tenant.
- Identify and notify maintenance contractors of expected volumes of work to assist with forecasting and capacity planning.
- Identify any factors which will be considered as part of offering the property for re-let, such as special adaptations.

The outgoing tenant will be responsible for the full costs for clearing out the property and any other rechargeable repairs identified.

The tenant will be made aware of any rechargeable repairs identified where possible during the pre-void inspection. The outgoing tenant will be asked to sign the list of rechargeable repairs and this will be used as a checklist to ensure that their responsibilities have been met. The Council reserve the right to recharge the outgoing tenant for any rechargeable works that occurred after or that were not visible during the pre-void inspection.

The tenant will also be informed about the status of their rent account and any sub accounts and required to make payments to clear any outstanding debt before the end of the tenancy. If the tenant is in arrears but is unable to clear them in full before the end of the tenancy, they will be required to make an affordable payment agreement to clear the debt. Failure to do so will mean that the tenant will be pursued for any monies owing in accordance with the SHDCs Income Management policies. The outgoing tenant will be required to provide a forwarding address, as specified in their tenancy agreement.

Where it is suspected a property is abandoned, the statutory procedures will be followed as detailed in our tenancy management procedures.

On becoming available for letting, the property will be offered to a potential new tenant with minimal delay in accordance with policies relating to the Devon Home Choice scheme and our own allocations policies.

ii. Vacating Tenants

The vacating tenants are required to fulfil the following conditions when they wish to end their tenancy:

General Conditions:

- Provide a minimum of four weeks' notice of intention to move out.
- Allow staff access to pre-inspect the property.
- Allow staff to show prospective tenants to view the property before it becomes void
- Have a clear rent account.
- Return all the keys to the property as stated above.
- Have all utility meters read before moving out. If key meters are fitted, leave the keys in the meters with no debts. If a debt is discovered, SHDC will forward your contact details to the utility companies.
- Provide a forwarding address.
- Allow access to carry out minor repairs if reported or identified in the pre-void inspection before you vacate the property.
- To put in place a postal redirection service.

Cleaning and Clearing:

- Make sure that the garden is tidy and free of rubbish.
- Remove all furniture, belongings and any rubbish from the property including the loft, the garden, and sheds.
- Leave the property in a clean condition – windows, floors, cupboards, worktops and all sanitary wares.

Decorations / Fixtures and fittings:

- Make sure the property is in good decorative order.
- Repair any damage caused by moving fittings and fixtures.
- Repair everything that has been damaged.
- Agree with staff and clearly mark any items they wish to leave behind for the next incoming tenant.

iii. Pre-Void Inspection

Any adaptations to the property, such as a flush-floor shower, wheelchair height kitchen cupboards and handrails etc. will be noted at this time. This information will be shared with both the Housing Allocations team and the Adaptations Officer, so that they are able to offer the property to an appropriate prospective tenant.

The outgoing tenant should put any disputes regarding rechargeable repairs raised during the void period to the Senior Technical Officer – day to day repairs via the complaints procedure.

iv. Void Inspection

When the property becomes void, it will be re-inspected to confirm if the former tenant has complied with all their end of tenancy obligations.

It will also enable the inspecting officer to identify any repairs that may have been missed or hidden by furniture during the pre-void inspection that need to be recharged.

Photographs will be taken of items left in, or damage inflicted on the property.

v. Repairs to Void Properties

The Council aims to identify and complete all necessary repairs to enable a property to be re-let as soon as possible.

All works undertaken in the property will be completed to the Void Standard.

In exceptional circumstances, minor or non-essential repairs will be undertaken once the tenancy has commenced. These repairs and the timescales for their completion will be agreed with the new tenant. In all cases, these will be charged to the voids budget.

All properties will be issued with electrical and gas safety certificates in compliance with legal requirements.

The Council will ensure that properties are checked against the planned works programme to make the most cost-effective use of resources. If a property falls into a geographical area where planned maintenance work is being undertaken, the property will be moved to the top of the planned maintenance list for these works to be completed as soon as possible.

Major repairs and any necessary Health and Safety works that would cause a high level of disruption to tenants or put their safety at risk, such as the removal of asbestos, and any damp or rot treatments will be completed prior to the start of the new tenancy.

All void properties must have had a gas and electrical check and have the necessary certificates in place before they can be deemed as ready to let. Copies of these are given to the new tenant as part of the sign-up process.

vi. Internal Decoration

The Council will undertake basic redecoration where required before being let. SHDC will ensure that all sheltered properties are in good internal decorative order throughout, including woodwork, walls, and ceilings.

General Needs properties will be left in a suitable condition so that normal internal decoration can take place. As an example, walls, ceiling and woodwork filled and made good ready to accept standard decoration but will not be painted.

Where the vacating tenant has left the property with bold or hard to cover colours, or there is significant smoke staining, consideration will be given to the need to apply one coat of obliterating emulsion prior to re-letting.

15) Monitoring and Customer Involvement

Satisfaction with the service provided will be monitored through “new tenancy” visits and repairs satisfaction forms. Feedback received from these surveys may be used to inform amendments to the policy and thus improve the Service provided.

16) Complaints

The Housing Service will deal with any complaints in accordance with the South Hams District Council Corporate Complaints Policy. For full details please go to <https://new.southhams.gov.uk/your-Council/comments-and-complaints/complaints-and-feedback>

17) Responsibility

The Housing Manager will be responsible for ensuring that this policy is adhered to.

18) Equality impact considerations

The policy is of high relevance to equality because it has a significant impact on residents and users of the service.

The Council has an Equality and Diversity policy that informs how officers should engage with people with protected characteristics. This policy is informed and guided by an Equality impact assessment.

Officers are aware that as providers of social housing, there may be potentially vulnerable tenants in our properties and will act accordingly in all correspondence and communication, giving due consideration as to how any vulnerability or condition might affect either their judgement or ability to understand information provided.

Where any decisions are made that will affect a tenant, it is necessary to ascertain whether that a tenant has the mental capacity to make an informed choice in relation to that decision and to provide and/or engage with an advocate if required.

19) Policy Review

SHDC is committed to reviewing this policy, in consultation with tenants on a bi-annual basis or sooner if new guidance or legislation is published.

South Hams District Council & West Devon Borough Council Equality Impact Assessment / PSED Assessment

Name of Policy / Function to be assessed	
Responsive Repairs Policy	
Officer responsible for the assessment	
Stephanie Rixon	
Service	
Housing	
Is this a new or existing policy / function? (Please ring as appropriate)	EXISTING STRATEGY/ NEW UPDATE
	New
Briefly describe the aims, objectives and purpose of the policy	
This policy and covers the responsive repair service provided by South Hams District Council (SHDC) for day to day or routine repairs that are reported by tenants.	
Are there any associated objectives of the policy? Please explain. (This may include other policies which are linked with or have an impact upon this policy)	
The repair duties of South Hams District Council are set out in the Section 11 of the Landlord and Tenant Act 1985.	
In addition to this the Social Housing Regulator requires that registered providers shall: <ul style="list-style-type: none"> • (a) ensure that tenants' homes meet the standard set out in section five of the Government's Decent Homes Guidance and continue to maintain their homes to at least this standard • (b) meet the standards of design and quality that applied when the home was built, and were required as a condition of publicly funded financial assistance if these standards are higher than the Decent Homes Standard • (c) in agreeing a local offer, ensure that it is set at a level not less than these standards and have regard to section six of the Government's Decent Homes Guidance. 	
Who is intended to benefit from this policy and in what way?	
<ul style="list-style-type: none"> • Tenants, SHDC staff, Partner agencies and the wider community. 	
What outcomes are wanted from this policy?	
<ul style="list-style-type: none"> • The objective of this policy is to ensure well maintained properties to ensure SHDC tenants have a safe place to live and protect the council's assets. 	

What factors / forces could contribute / detract from the outcomes?		
<ul style="list-style-type: none"> • Unforeseen major works. 		
Who are the main stakeholders in relation to this policy?		
<ul style="list-style-type: none"> • Tenants. • Staff 		
Who implements this policy?	The Housing Team	
Who is responsible for this policy? (Post Holder)	The Housing Manager	
Are there concerns that the policy could have a differential impact on racial groups? (Please explain)		Yes
<ul style="list-style-type: none"> • Communication is a key part of enabling tenants to be able to easily report repairs and some stakeholders may not have English as their first language. It is therefore vital that a wide range of communication methods are available for to be able to report repairs and that the council continues to make information available in different formats and languages. • 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Making services accessible for all members of the community remains a high priority for the council and should be carried across all departments, information continues to be accessed in a range of formats from the council. 		
Are there concerns that the policy could have a differential impact due to gender? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • All properties will be maintained to the same high standard and the tenant will have access to the same repairs service regardless of the tenant's gender. 		
Are there concerns that the policy could have a differential impact due to disability? (Please explain)		Yes
<ul style="list-style-type: none"> • People with disabilities may find day to day maintenance of their home challenging. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Support and signposting needs to be available to help people with disabilities get the support they need to maintain their home and report repairs. Separate maintenance of any adaptations may need to be considered under the adaptations policy. 		
Are there concerns that the policy could have a differential impact to sexual orientation? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • All properties will be maintained to the same high standard and the tenant will have access to the same repairs service regardless of the tenant's sexual orientation. 		

Are there concerns that the policy could have a differential impact due to age? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> All properties will be maintained to the same high standard and the tenant will have access to the same repairs service regardless of the tenant's age. 		
Are there concerns that the policy could have a differential impact due to religion or religious beliefs? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> All properties will be maintained to the high standard and the tenant will have access to the same repairs service regardless of the tenant's religious beliefs. 		
Are there concerns that the policy could have a differential impact due to a person having dependants / caring responsibilities? (Please explain)	No	
<ul style="list-style-type: none"> No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> All properties will be maintained to the high standard and the tenant will have access to the same repairs service regardless of the tenant's caring responsibilities. 		
Are there concerns that the policy could have a differential impact due to a person being trans-gendered or transsexual? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> All properties will be maintained to the high standard and have access to the same repairs service regardless of the tenant being trans-gender or transsexual. 		
Could the differential impacts identified above amount to there being the potential for adverse impact in this policy?		
No – the impacts identified are either positive or can be averted via the methods outlined in this document.		
Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?		
<ul style="list-style-type: none"> 		
Is there enough evidence to proceed to a full EIA?		No
Are there further actions to be taken as a result of this assessment? (If yes please detail actions on a separate sheet)		No
Date on which Full Assessment to be completed by?	N/A	
Steph Rixon Signed (Completing Officer)		
Date: 30/10/2023		

South Hams District Council's Tenant Satisfaction Measures Policy

Contents

- 1) Introduction
- 2) Scope and purpose
- 3) What will SHDC be measuring?
- 4) Feedback to Tenants
- 5) Frequency of Surveys
- 6) Complaints
- 7) Responsibility
- 8) Equality impact considerations
- 9) Policy Review

1) Introduction

Tenant satisfaction measures are a set of performance indicators used to assess how well social housing landlords are providing quality homes and services to their tenants. These measures aim to capture tenant feedback on various aspects of their housing experience, including the condition of the property, repairs and maintenance, customer service and the overall living experience.

2) Scope and purpose

Tenant satisfaction measures form part of the Regulator of Social Housing's system for assessing how well social housing landlords are delivering quality homes and services to their tenants. These measures are part of the regulator's role to promote transparency and accountability in the social housing sector and to ensure that tenants receive high-quality services that meet their needs.

These measures involve gathering data on tenant experiences, overall satisfaction levels, and specific areas such as maintenance, repairs, communication, and community engagement. This policy outlines how South Hams District Council (SHDC) will engage with tenants to gather and share this information.

3) What will SHDC be measuring?

The regulations require the Council to look at 12 overall areas of tenants' satisfaction:

1. Overall Satisfaction
2. Repairs – quality of works
3. Repairs – response time
4. Property Maintenance
5. Communal areas - maintenance
6. Property Safety
7. Communication – how well does SHDC listen to tenants?
8. Communication – how well does SHDC keep tenants informed?
9. Treating tenants fairly and with respect
10. How complaints are handled
11. Contribution to the local area
12. Dealing with Anti-social behaviour.

A copy of the Tenants Satisfaction Survey can be found in Appendix 1.

4) Feedback to Tenants

SHDC will have to inform tenants of how many:

- Homes meet the Decent Homes Standard.
- Repairs are done on time.
- Gas safety checks are done.
- Fire safety checks and water safety checks are done.
- Asbestos safety checks are done.
- Lift safety checks are done.

- Anti-social behaviour cases are reported to them. This includes cases that involve a hate incident.
- Complaints landlords receive.
- Complaints are dealt with on time.

SHDC will provide this information to tenants on a yearly basis.

5) Frequency of Surveys

SHDC will conduct the Tenant Satisfaction Survey every two years.

6) Complaints

The Housing Service will deal with any complaints in accordance with the South Hams District Council Corporate Complaints Policy. For full details please go to <https://new.southhams.gov.uk/your-Council/comments-and-complaints/complaints-and-feedback>

7) Responsibility

The Housing Manager will be responsible for ensuring that this policy is adhered to.

8) Equality impact considerations

The policy is of high relevance to equality because it has a significant impact on residents and users of the service.

The Council has an Equality and Diversity policy that informs how officers should engage with people with protected characteristics.

Officers are aware that as providers of social housing, there may be potentially vulnerable tenants in our properties and will act accordingly in all correspondence and communication, giving due consideration as to how any vulnerability or condition might affect either their judgement or ability to understand information provided.

Where any decisions are made that will affect a tenant, it is necessary to ascertain whether that a tenant has the mental capacity to make an informed choice in relation to that decision and to provide and/or engage with an advocate if required.

9) Policy Review

SHDC is committed to reviewing this policy, in consultation with tenants on a bi-annual basis or sooner if new guidance or legislation is published.

Appendix 1 – Sample Tenant Satisfaction Survey

Question 1: Overall satisfaction.

Taking everything into account, how satisfied or dissatisfied are you with the service provided by your landlord?

Question 2: Repairs to your home.

Has your landlord carried out a repair to your home in the last 12 months?

If yes, how satisfied or dissatisfied are you with the overall repairs service from your landlord over the last 12 months?

Question 3: How long it takes to repair your home.

Has your landlord carried out a repair to your home in the last 12 months?

If yes, how satisfied or dissatisfied are you with the time taken to complete your most recent repair after you reported it?

Question 4: A well-maintained home.

How satisfied or dissatisfied are you that your landlord provides a home that is well-maintained?

Question 5: A safe home

Thinking about the condition of the property or building you live in, how satisfied or dissatisfied are you that your landlord provides a home that is safe?

Question 6: Listening to tenants.

How satisfied or dissatisfied are you that your landlord listens to your views and acts upon them?

Question 7: Keeping tenants informed.

How satisfied or dissatisfied are you that your landlord keeps you informed about things that matter to you?

Question 8: Treating tenants fairly and with respect.

To what extent do you agree or disagree with the following?

My landlord treats me fairly and with respect.

Question 9: How complaints are handled.

Have you made a complaint to your landlord in the last 12 months?

If yes, how satisfied or dissatisfied are you with your landlord's approach to complaints handling?

Question 10: Communal areas.

Do you live in a building with communal areas, either inside or outside, that your landlord is responsible for maintaining?

If yes, how satisfied or dissatisfied are you that your landlord keeps these communal areas clean and well-maintained?

Question 11: Your local area.

How satisfied or dissatisfied are you that your landlord makes a positive contribution to your neighbourhood?

Question 12: Anti-social behaviour.

How satisfied or dissatisfied are you with your landlord's approach to handling anti-social behaviour?

South Hams District Council & West Devon Borough Council Equality Impact Assessment / PSED Assessment

Name of Policy / Function to be assessed	
Tenant Satisfaction Policy	
Officer responsible for the assessment	
Stephanie Rixon	
Service	
Housing	
Is this a new or existing policy / function? (Please ring as appropriate)	EXISTING STRATEGY/ NEW UPDATE
	New
Briefly describe the aims, objectives and purpose of the policy	
<ul style="list-style-type: none"> • Tenant satisfaction measures are a set of performance indicators used to assess how well social housing landlords are providing quality homes and services to their tenants. 	
Are there any associated objectives of the policy? Please explain. (This may include other policies which are linked with or have an impact upon this policy)	
<ul style="list-style-type: none"> • Tenant satisfaction measures form part of the Regulator of Social Housing's system for assessing how well social housing landlords are delivering quality homes and services to their tenants. These measures are part of the regulator's role to promote transparency and accountability in the social housing sector and to ensure that tenants receive high-quality services that meet their needs. 	
Who is intended to benefit from this policy and in what way?	
<ul style="list-style-type: none"> • Tenants, staff and wider community 	
What outcomes are wanted from this policy?	
<ul style="list-style-type: none"> • To enable the Council to gather detailed feedback regarding services to help inform better customer service and service delivery. 	
What factors / forces could contribute / detract from the outcomes?	
<ul style="list-style-type: none"> • N/A 	
Who are the main stakeholders in relation to this policy?	
<ul style="list-style-type: none"> • Tenants • Staff • Regulator 	

Who implements this policy?	The Housing Team supported by the Corporate Management Team	
Who is responsible for this policy? (Post Holder)	The Housing Manager	
Are there concerns that the policy could have a differential impact on racial groups? (Please explain)	Yes	
<ul style="list-style-type: none"> • Communication and understanding is vital when engaging with and involving tenants in giving feedback regarding our services. Some stakeholders may not have English as their first language and may not willing or may perceive barriers in engaging in consultation. It is therefore vital that a wide range of communication methods are available to enable all tenants to be involved in this process in a way that supports their needs. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Making services accessible for all members of the community remains a high priority for the council and is carried across all departments. Customers continue to access information from the council in a number of formats and languages. 		
Are there concerns that the policy could have a differential impact due to gender? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Engagement will be encouraged for all tenants unbiased by gender. 		
Are there concerns that the policy could have a differential impact due to disability? (Please explain)	Yes	
<ul style="list-style-type: none"> • Accessibility to information and different methods of communication could be a barrier to some tenants with disabilities getting involved and effectively helping to shape and influence services. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> • Engagement will be encouraged for all tenants with their particular needs fully considered. This will be unbiased by whether a person has a disability and steps will be taken to ensure that accessibility needs are considered and met and that all formats and types of communication are considered and available. Specialist advice will be taken when appropriate. 		
Are there concerns that the policy could have a differential impact to sexual orientation? (Please explain)		No
<ul style="list-style-type: none"> • No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
Engagement will be encouraged for all tenants unbiased by a person's sexual orientation.		
Are there concerns that the policy could have a differential impact due to age? (Please explain)	Yes	
<ul style="list-style-type: none"> • . Accessibility to information and different methods of communication could be a barrier to some tenants with disabilities getting involved and effectively helping to shape and influence services 		
What existing evidence (either presumed or otherwise) do you have for this?		

<ul style="list-style-type: none"> Engagement will be encouraged for all tenants with their particular needs fully considered. This will be unbiased by a person's age and steps will be taken to ensure that accessibility needs are considered and met and that all formats and types of communication are considered and available. Specialist advice will be taken when appropriate 		
Are there concerns that the policy could have a differential impact due to religion or religious beliefs? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> Engagement will be encouraged for all tenants unbiased by religious beliefs. 		
Are there concerns that the policy could have a differential impact due to a person having dependants / caring responsibilities? (Please explain)	No	
<ul style="list-style-type: none"> No evidence of any issues 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> Engagement will be encouraged for all tenants unbiased by whether a person with dependents/caring responsibilities. 		
Are there concerns that the policy could have a differential impact due to a person being trans-gendered or transsexual? (Please explain)		No
<ul style="list-style-type: none"> No evidence of any impact. 		
What existing evidence (either presumed or otherwise) do you have for this?		
<ul style="list-style-type: none"> Engagement will be encouraged for all tenants unbiased by being trans-gendered or transsexual. 		
Could the differential impact identified above amount to there being the potential for adverse impact in this policy?		
No – the impacts identified are either positive or can be averted via the methods outlined in this document.		
Can this adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?		
<ul style="list-style-type: none"> 		
Is there enough evidence to proceed to a full EIA?		No
Are there further actions to be taken as a result of this assessment? (If yes please detail actions on a separate sheet)		No
Date on which Full Assessment to be completed by?	N/A	
Steph Rixon Signed (Completing Officer)		
Date: 30/10/2023		

South Hams DC's proposal to establish a District CLT

1. Introduction
2. Background
3. The Council's Purpose in Proposing a District CLT
 - 3.1 Technical Advice
 - 3.2 Perpetuity
 - 3.3 Attracting RP Partners
 - 3.4 Council Control
4. Resource Implications
 - 4.1 Incorporating a District CLT
 - 4.2 Providing Technical Advice to Local CLTs
 - 4.3 Attracting RP Partners
5. Benefits and Risks
6. Next Steps

1. Introduction

- 1.1 SHDC has invited us to provide a report detailing the process of setting up a District CLT to facilitate partnerships between CLTs and RPs. The stated brief is as follows:
 - a) *A step-by-step outline of the stages involved and timings*
 - b) *Costs to set up and ongoing operations*
 - c) *Resources required and organisational structure*
 - d) *Issues over governance and relationship with the Council*
 - e) *Its operation in terms of a dual mandate ref the initial briefing paper 'Housing Delivery - District CLT Process Sept 2023'*
 - f) *Acting as an interface between local CLTs and RPs to manage the early-stage consultation and scheme concept development;*
 - g) *Acting as a local CLT where there is not one in existence and holding freehold to the site*
 - h) *If the Council enters into a Strategic Partnership with an RP, how/if the District CLT could administer that (possibly as a consultant Development Manager to the Council receiving a fee)?*
 - i) *Process involved in registering as an RP*
 - j) *Benefits of a District CLT*
 - k) *Risks/Issues to consider e.g. Right to Buy not applicable on exception sites?*

- 1.2 Our understanding is that the Council's purpose in proposing a District CLT is a response to the following issues:
- a) *Perpetuity*: To ensure units retain an affordable tenure in perpetuity, avoiding Right to Buy by stepping in as the freeholder where a no local CLT exist
 - b) *Technical advice*:
 - To implement a community led delivery solution that produces viable schemes.
 - To unlock stalled council sites/assets that are suitable for housing.
 - To actively pursue other potential opportunities that arise at a town/parish level.
 - To formulate viable schemes that meet the aspirations of each community's objectives, including prioritising social rent, design quality, energy efficiency and biodiversity.
 - c) *To attract RP partners by overcoming the following perceived deterrents*:
 - Additional time and resource required to bring forward developments due to consulting on and incorporating a diverse range of views and tenures.
 - The decision-making process can be very slow due to the number of stakeholders involved in a project.
 - Issues with finance as there are break clauses for the CLT to purchase at x point in the future.

2. Background

- 2.1 The model of a partnership between a CLT and an RP was designed by Middlemarch a decade ago and has been developed to the point where, today, it is regarded as one of the most replicable and scalable models of Community Led Housing (CLH). An account of the reasons for its creation and success can be found in the Middlemarch case study on the Community Led Homes website¹.
- 2.2 The model is recognised as being particularly effective at providing affordable homes in tourist hotspots and it is no coincidence that, through Middlemarch's support for local CLT/RP partnerships over the past decade, there are now many more CLTs in Devon than in any other county - see Figure 1.²

¹

<https://www.communityledhomes.org.uk/sites/default/files/inline-files/Partnerships%20between%20Community%20Led%20Housing%20organisations%20and%20Registered%20Providers.v5.1.mci%20%281%29.pdf>

² https://drive.google.com/file/d/1h1TeFwk1M91_mwz8527o1KAj6qWboFar/view?usp=sharing

National CLT Network members, October 2022 - counties with 5 or more CLTs

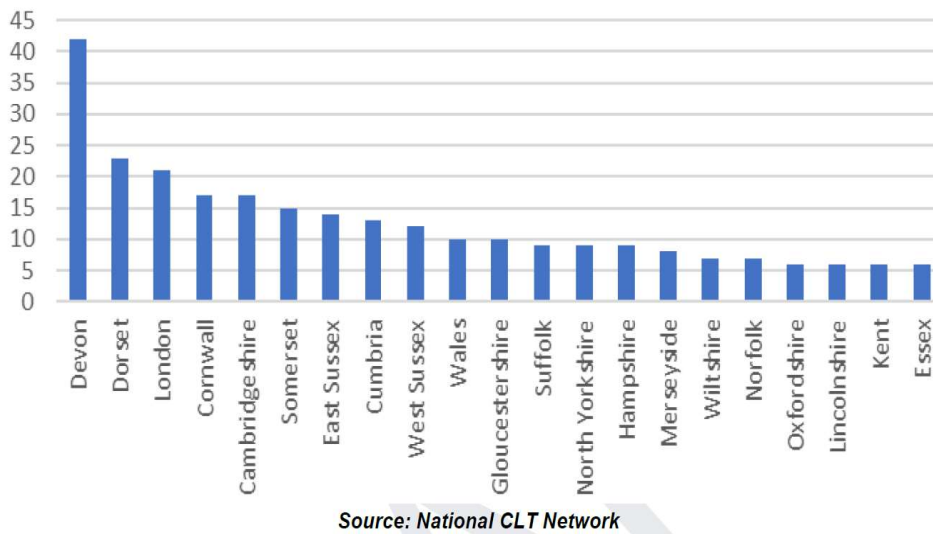


Figure 1, extract from Middlemarch’s research report to Team Devon

- 2.3 The CLT/RP partnership model was cited in the recent LGA-funded report by Localis³ and in a press article by Tom Chance, CEO of the CLT Network on the 21st September (see Annex A). Middlemarch is also working with the CLT Network, Homes England and others on a ‘Growth Lab’ initiative looking at how to scale CLT/RP partnerships across other parts of England.
- 2.4 There is no research available into the success or otherwise of a District CLT. In the time available we have collected the following information:

Name of District CLT	Date Incorporated	Status	Notes
Cornwall CLT	13.3.07	RP and CBS	Started with homes for discount sale under resale price covenants. Now increasingly providing grant-funded homes for rent as an RP.
East Cambridgeshire CLT	10.11.17	Charitable CBS	Two projects to date, one for discount sale and the other under a management agreement.
West Somerset CLT	5.2.16	CBS	No homes provided to date.
Windsor & Maidenhead CLT	6.8.21	CBS	No homes provided to date.
London CLT	23.5.07	CBS	Specialise in homes for discount sale under resale price covenants.

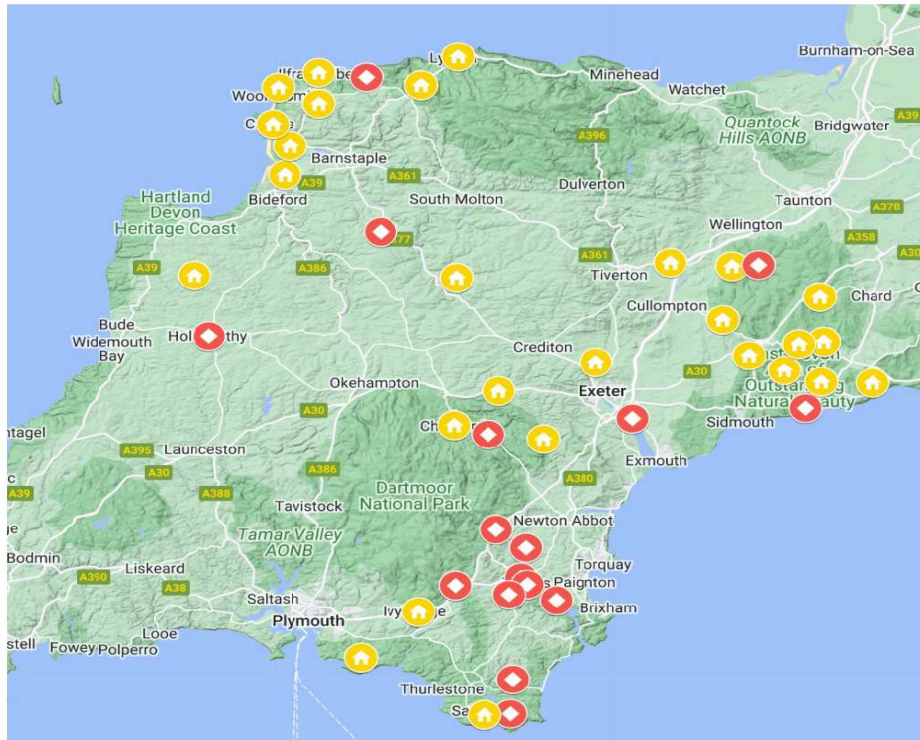
3 The Council’s purpose in Proposing a District CLT

³

<https://www.localis.org.uk/research/brightness-edge-town/#:~:text=Brightness%20on%20the%20Edge%20of%20Town%20is%20the%20final%20report,in%20the%20current%20political%20debate.>

Technical advice

- 3.1 The classic 'Middlemarch' model for CLT/RP partnerships is to establish a local CLT in every community, advised from start to finish by experienced technical advisers. This has driven the number of CLTs in Devon to the highest of any county (see Figure 2).



Development models used by CLTs in Devon in October 2022.
Independent projects are in orange, partnerships with RPs are in yellow.

Figure 2, extract from Middlemarch's research report to Team Devon

- 3.2 Figure 2 shows that most of the CLT/RP partnerships in Devon are outside South Hams while most of the independent CLTs are inside the district. This is because other districts in Devon – notably North Devon, East Devon, Torridge and Mid Devon – used their 2016/17 CHF allocations to support CLT/RP partnerships with revenue and capital whereas South Hams used it to support a Local Housing Company model of CLH and independent CLTs.
- 3.3 The relatively high number of independent CLTs in South Hams has meant that the district has experienced an unusually high number of stalled or abandoned projects.
- 3.4 Had these projects been guided by experienced technical advisers from the start, evidence from other districts in Devon suggests they would have moved forward more quickly and their projects would have been more financially viable. There is a myth that CLT projects are inherently slow but this was explored by Sheffield Hallam University and the Nationwide Foundation in 2021 and found to be untrue, providing projects are properly supported: "... significant up-front investment (in both revenue and capital) is put into securing future sites for housebuilders, potentially decades before those sites get built-out. Added to this, these timescales for private development do not have a comparator for the group formation stage that many CLH

schemes start with. All this suggests that the six-year average for CLH developments (sometimes used as a 'rule of thumb') does not look excessive at all."⁴

- 3.5 The experience of Middlemarch is that the group formation, community engagement, and legal incorporation of a CLT can be done in parallel to progressing the housing project (site search, investigation into levels of housing need, etc) and therefore the additional time spent carrying out these activities does not need to significantly impact on the pace of the project. Furthermore, the experience of Middlemarch is that CLT volunteers, when well advised on projects that have a high chance of being viable, will proactively drive a project forward, creating momentum that other stakeholders and partners must match
- 3.6 ***We understand that one purpose of a District CLT in South Hams would be to provide technical advice to local CLT/RP partnerships and agree that such support is critical to ensure that CLT projects are initiated and progressed quickly and viably. Recommendations for the resourcing and provision of this advice are provided in Section 4.***
- 3.7 ***We understand that another purpose of a District CLT is as a vehicle for investment by the Council in pre-development work up to feasibility stage, after which an RP partner would meet the cost of taking the project through to a planning application. The provision of pre development finance is crucial for the growth of CLT/RP partnerships, both in terms of empowering community groups to lead their own projects (appoint design team and other professionals) and in attracting suitable RP partners. RPs are more likely to consider CLT/RP projects if 'de-risked' by CLTs meeting the cost of some or all of the pre-development costs and generating local support. The proposal to invest in CLT/RP partnerships is commended as a way to remove barriers for CLT/RP partnerships likely to contribute to the growth of CLH. Recommendations for the scale of investment are provided in Section 4.***

Perpetuity

- 3.8 In a rural district like South Hams, the development of affordable homes by an RP in almost all parishes is protected from the Right to Acquire and the Right to Shared Ownership through statute. The Housing (Right to Acquire or Enfranchisement) (Designated Rural Area in the South West) Order 1997⁵ lists protected parishes. This means that irrespective of whether or not a CLT holds the freehold, rented homes developed in these parishes cannot be sold to their tenants when developed by an RP.
- 3.9 The only parishes in South Hams that do not benefit from this protection are Ivybridge, Kingsbridge and Totnes. In practice, any development beyond the settlement boundaries of these three towns would be protected by S106 Agreements as either entry-level exception sites or departure sites. The same applies to Salcombe and Dartmouth which also benefit from statutory protection outside their settlement boundaries. As examples, Salcombe CLT's project is in the protected rural part of the parish while South Dartmoor Community Energy's development east of Ivybridge is actually over the border in Ugborough which is a protected parish.
- 3.10 The effect of this statutory protection for most parishes and, through S106 agreements, for development beyond the settlement boundaries of the larger towns,

⁴

<https://nationwidefoundation.org.uk/wp-content/uploads/2021/10/Speed-of-Development-Briefing-Note-Final.pdf>

⁵ <https://www.legislation.gov.uk/uksi/1997/621/made/data.xml?view=snippet&wrap=true>

means few if any opportunities for affordable homes will depend on a CLT being the freeholder to prevent sales to tenants. This is unlike the situation in cities like London where there will be development opportunities but no protections from the Right to Acquire and Right to Shared Ownership without those conferred by a CLT freeholder.

- 3.11 The only places where there would be a risk of the Right to Acquire and Right to Shared Ownership are within the settlement boundaries of Ivybridge, Totnes, Kingsbridge, Salcombe and Dartmouth. In practice, the only opportunities within these towns will be publicly owned sites available at a discount from market value – such as the Council’s land in Kingsbridge. For this site and any other publically owned sites within these towns, a CLT would be required as the freeholder but, based on experience, we are confident that local CLTs could be established there (and Salcombe already has one).
- 3.12 ***We understand that one purpose of a District CLT in South Hams is to protect new affordable rented homes from being acquired by their tenants. There is no imperative to establish a District CLT for this purpose because of the protections widely provided by statute and S106 Agreements.***
- 3.13 ***We understand that another purpose of a District CLT is to ‘step-in’ where there is no appetite for a local CLT, in order to acquire the freehold of homes, thereby protecting them from being sold to their tenants. As we say above, there is no imperative for this in South Hams either because, in our experience, there is always interest in setting up a local CLT, often much to a parish or town council’s surprise. This confidence is based on our experience of establishing over 75 CLTs over the past 13 years in places ranging from 350 to 25,000 in population. At public meetings, we find that volunteers always come forward in response to a presentation about the benefits, motivated by their determination to improve and protect their communities.***
- 3.14 ***If, like Cornwall CLT, the District CLT were to become an RP in due course, it would tend to want to directly develop projects itself in order to build its asset base and, in that sense, begin to operate less like a CLT and more like an RP. We discuss the implications of a District CLT becoming an RP in Section 5.***

Attracting RP partners

- 3.15 RPs currently partnering with CLTs in South Hams are Aster (Transition Homes CLT and Salcombe CLT) and Teign (Newton & Noss CLT at Collaton Park and Butts Park). The Salcombe CLT and Butts Park projects have been fully supported from the start by Middlemarch and the Collaton Park and Transition Homes projects have been supported to the extent necessary to apply the CLT/RP partnership model.
- 3.16 Aster and Teign were early adopters of the partnership model and we have worked with them on many projects: 15 with Aster and 8 with Teign. The de-risking of projects through the grant-funding of pre-development costs and provision of experienced technical advice has been an attraction for them. However, they also both have a principled commitment to working closely with communities in places where new affordable homes might otherwise go unprovided. See Annex B for Aster’s CEO’s commentary in Inside Housing.
- 3.17 We have worked with several more RPs over the last decade but few are active in South Hams.

- 3.18 The Middlemarch experience is that many RPs are simply not interested in CLT partnerships under any circumstances because they prefer to own the freehold of projects and develop them themselves. Some cite concerns about the mortgagability of long-term leases; concerns that have proved unfounded by the regular partners. Others have thresholds for the number of homes in a project which makes relatively small projects ineligible and others are so small they lack the capacity for more than one occasional project. Middlemarch regularly reviews the appetite for new RPs to partner with CLTs. e.g. recently Middlemarch was able to broker a partnership between Sovereign HA and Creekmoor CLT in Dorset, with Sovereign previously having shown no appetite for partnerships.
- 3.19 Partner RPs look for technical advisers who have the experience to look after their interests as well as the CLTs'; in other words a full brokering role. Key to this is an adviser's understanding of the pressures on RPs including the importance of a capital funding strategy to ensure that projects have a positive NPV and a favourable cost:value ratio. The Middlemarch experience has been that successful partnerships involve technical advisers supporting the CLT but liaising regularly with RP colleagues to ensure that the projects are a) fundable; b) as easy as possible to deliver; c) enjoyable for RP staff; and d) result in a scheme that the RP will be proud of (and able to showcase to their stakeholders).
- 3.20 What can be achieved with a strategic approach to CLH has been shown in North Devon⁶. The district had no experience of CLH before the 2016/17 CHF allocations but has worked strategically with us to create CLT/RP partnerships in Woolacombe, Georgeham, Braunton, West Down, Parracombe, Ilfracombe and, soon, South Molton.
- 3.21 At least three of these projects are partnered with the same RP and are being grouped through a two-stage tendering approach with one contractor. No formal procurement contract exists beyond the one between the RP and the potential builder because maximum flexibility will be needed to accommodate any slippages in the timelines of individual projects. The Council backs the programme with a revenue and capital funding strategy, including topping up the RP's strategic partnership grant allocation from Homes England. The revenue funding includes pre-development costs and start-up grant at the group stage to enable a CLT to incorporate as a legal entity and engage with the local community.. There is a CLH board within the Council attended by Middlemarch as overall coordinators of the program. This co-ordinated approach would be possible in South Hams as an alternative to the District CLT proposal.
- 3.22 ***We understand that the Council is keen to create more capacity through RPs for CLT/RP partnerships in the district. We agree that high quality technical advice is required to attract RPs and, in particular, experience of the RP sector and its constraints. Aster and Teign have reported that they are at or near capacity at the moment with their CLT projects but will no doubt be interested to hear more about South Hams' strategic approach to grouping projects. There may be new entrants to the model if a certain volume of projects can be guaranteed, along with financial support. We make recommendations about the resource implications in Section 4.***

Council Control - the CLT as a sovereign entity

⁶ <https://www.districtcouncils.info/north-devon-community-led-housing/>

- 3.23** A CLT is not a legal entity but takes the legal form of a Community Benefit Society, Charity or Community Interest Company. The Financial Conduct Authority will only allow such entities to call themselves CLTs if they meet the legal definition⁷ set out in section 79 of the Housing and Regeneration Act 2008. Groups wishing to establish a CLT must adopt an appropriate legal form structured in the correct way to meet the legal definition.
- 3.24** Part of the technical support that Middlemarch provides to community groups is to advise on the best legal form to meet the aspirations of local people - which often includes establishing a legal entity that can deliver an affordable homes project for local people and then having a vehicle that can take on other community assets when required. Parracombe CT, for example, established its CLT as a non-charitable community benefit society because it wished to deliver affordable homes for local people, acquire the lease of the community hall, and develop a community shop in the village
- 3.25** One part of this definition is that “The members of a trust control it.” This means that, as a CLT, the organisation must be open to membership from people who live and work in the community (and potentially from further afield if the constitution allows). The members elect the board and, in that sense, control the organisation, even if the board then makes the operational decisions between general meetings.
- 3.26** The Council envisages that a District CLT would be ‘the development manager for the Council’ but, while the constitution could allow the Council to nominate board members, the democratic structure of a CLT would prevent any one party from having majority control. In that sense, the Council might have a vision for how the CLT would operate in its provision of services, relationships with RPs etc but, as a sovereign organisation, the CLT’s elected board would determine its strategy.
- 3.27** A further consideration is that the experience of setting up CLH Hubs around the country over the past few years showed that, where a support service was closely aligned with a local authority, it was affected by the reputation of the local authority, most often negatively. Research has shown that one of the motivating factors for local people in planning and delivering CLT led affordable homes is to take ownership of an important local project and not leave key planning and development decisions to outside bodies, such as the local authority. This negative perception of technical support did not occur where a local authority’s enabling service was present alongside an independent technical advice service. In our experience, communities in South Hams have strong views about the Council’s role in community-led housing, stemming from the strategy that was in place to deliver the 2016/17 CHF allocations. Research by Power to Change found that community led housing support providers should take care to maintain the independence of their service:

‘Where the Community Led Housing Enabling Hub is hosted by another organisation, steps should be taken to ensure transparency in funding and governance of the Hub so communities and partners are confident that the advice and support they receive is impartial. For these reasons CLHEHs should not normally be hosted by a local authority or other public sector body.’
(Duncan P. & Lavis J. 2018)

⁷ <https://www.legislation.gov.uk/ukpga/2008/17/section/79>

3.28 We understand that the Council envisages a District CLT as a vehicle for investment by the Council in pre-development services. We make recommendations about the constitutional implications in Section 4.

4 Resource Implications

Incorporating a District CLT

- 4.1 Community groups wishing to establish a community land trust usually receive advice on the most suitable legal entity to meet their current needs and future aspirations and then engage with a body that can help them to incorporate the legal form. For Middlemarch supported projects this work is included in the start-to-finish technical support provided for groups, and contributes to the building of trust between the enabling service and community group. Occasionally Middlemarch provides advice solely on the group stage of the project (community engagement, group formation, project planning, establishing a legal form).
- 4.2 Most community groups opt to become community benefit societies (which can be either charitable or non charitable, depending on the aspirations of the community) and engage with a registration service (such as the Community Land Trust Network incorporation service or Co-operatives UK). The costs are £200 to £700. Registration with the Financial Conduct Authority takes 15 working days once they have received the correct signed paperwork and fee. If more legal advice is required, or a more complex arrangement is sought, community groups engage professional legal support for structuring and registering the most appropriate legal form. Such advice can be provided by Wrigleys Solicitors; or Anthony Collins LLP with costs ranging from £1,000 to £5,000 depending on the complexity of the work involved (and deviations from a standard model). Registering a charitable incorporated organisation, if this is the choice of legal form, with the Charity Commission can often take several months.
- 4.3 The proposal for a District CLT to facilitate the provision of affordable homes rather than other assets suggests that a charitable entity (either a charitable community benefit society or a charitable incorporated organisation) would be the most suitable legal form. This is because charitable status will enable the CLT to benefit from many tax exemptions, enabling it to use more of its income for community benefit. Many local CLTs opt for a non charitable legal form as it allows them freedom to trade (e.g. to develop, manage and maintain community shops, pubs and renewable energy projects) and deliver projects with community benefit that are not recognised as charitable or pass the public benefit test. This also includes any housing provided that is not affordable rent - a certain amount of home ownership products (e.g. shared ownership; discount market home ownership; self build homes) are allowed for charities as trading to support the charitable activities (the affordable rental homes), but this must be minimal and care must be taken otherwise the CLT would lose its tax benefits. If the District CLT wished to deliver a significant proportion of home ownership products then charitable status would be unlikely.
- 4.4 The proposed District CLT would be required to state its geographical area of benefit, for example South Hams District, and then, in order to meet the legal definition of a CLT, anyone living or working in the area of benefit would need to be given the opportunity to join as a member. Those members would then control the CLT. This is usually done by the mechanism of members joining the CLT for £1. Those members then control the CLT by standing as a board member and/or voting in the board at each annual general meeting. The first board of the CLT is usually a group of willing community members

prepared to act as the founding board in order to establish the CLT before stepping down to be elected (or not) by the new CLT members at the first general meeting of the CLT.

4.5 The Middlemarch experience is that for a parish or town level CLT, local people always come forward at an early public meeting to volunteer for a CLT steering group, which then becomes the first board of the CLT.. This is because local people are motivated to volunteer for the area that they consider to be their local community. The motivations for volunteers to be on an initial steering group and founding board for the District CLT will likely be different. A recommendation if setting up the District CLT is to ask local leaders, those already involved in CLT development in South Hams and possibly those involved in parish and town councils in the district if they would like to a) volunteer for an initial steering group to work on the establishment of the CLT, and b) share the opportunity for membership with their networks to engage more local people in the initiative and ensure genuine community leadership. All steering group members should be made aware of their responsibilities relating to good governance and that they are not representing other organisations on the CLT, only the interests of the CLT.

4.6 Genuine, deep community engagement is the hallmark of a successful CLT and can ensure a diverse and committed membership. Genuine CLT community engagement should be more than consultation and should result in more homes in the places where local people wish homes to be developed. Residents and the local community can play a key role in designing, procuring, delivering and managing homes, and genuine community leadership will result in more benefits to the community, as local people become civically engaged and will also work to ensure that non housing community benefits are developed (e.g. community retail, renewable energy, or community grants schemes). A CLT board member from Christow CLT reported:

‘Christow CLT was set up primarily to enable the development of much-needed affordable homes in the village but with the completion of that project, we’ve been able to do so much more. The ground rent we receive from Teign Housing Association funds all kinds of community activities and we’ve also secured grant funding for bigger projects like a new footpath and a suite of locally-focussed climate change events and activities. We’re now working with the parish council to explore options for a community shop and plans are in progress for a second, smaller housing project.’

4.7 Most community based CLTs are run by volunteers. They receive advice on good governance and the development of suitable policies and procedures from technical advisers such as Middlemarch (e.g. data protection, membership policies, insurance matters, secretarial duties, managing finances). For a district wide CLT a more robust governance structure would need to be implemented, requiring more funding for the CLT. e.g. paid accountancy services and secretarial services. This would add to the running costs of the CLT.

Providing Technical Advice to local CLTs

4.8 Over the past few years, it has become evident that the sharing of the Middlemarch experience and good practice with other CLH hubs on how the CLT/RP partnership model works hasn’t led to them being able to support it. This is because the skills and capabilities of the hubs’ technical advisers were not usually a good fit for the role. As discussed above, in addition to experience of the development process, advisers must be able to facilitate community engagement and have a thorough knowledge of the RP sector. In our experience, support is best provided through two roles: one providing advice on incorporation and governance, and one providing project management for the housing project.

- 4.9 For the project management role, we would therefore recommend a salary of between £50-£60,000 pro rata to attract the right blend of skills and experience. We say 'pro rata' because, based on our own experience, a full-time post could support a programme of up to 30 active projects and it seems more likely that, at least in the short term, there might be fewer than 10 in a South Hams programme.
- 4.10 For the incorporation and governance role, we would recommend a salary of between £35,000-£40,000 pro rata.
- 4.11 Either or both of these roles could be delivered by the District CLT employing staff or contracted out under the auspices of a Service Level Agreement, as Middlemarch does for other local authorities.
- 4.12 Other district wide CLTs, Windsor, Ascot and Maidenhead CLT and West Somerset CLT, opted to cover a wider area in order to maximise opportunities for accessing land, but have struggled to secure sites and engage local communities. Our experience is that local CLTs are able to 'unlock' sites and negotiate on more favourable terms with local landowners as they are known people and trusted to act for the benefit of the community.
- 4.13 Our experience suggests that engagement with communities is most effectively carried out by an organisation independent of the local authority because:
- Communities with an appetite for leading a housing project in their area tend to be wary of local authority CLH initiatives, and
 - An experienced independent organisation can use a track record of success to convincingly answer the community's questions and support RPs.
- 4.14 In terms of the funds required to meet pre-development costs, we would recommend a budget of £10,000/unit (including VAT) if a project is to be taken through to a planning application or 40% of this for feasibility work only.
- 4.15 A further budget of up to £15,000/project would be required to meet a local CLT's legal costs. Alternatively, this would be incurred on each project by the District CLT if it ever had to step in and acquire the freehold of a project itself.

Attracting RP Partners

- 4.16 We understand that the Council is thinking of a risk-sharing approach to pre-development costs with RPs; the model being that:
- a) The Council meets the feasibility costs up to pre-app through the District CLT;
 - b) The RP meets the cost from feasibility to a detailed planning application;
 - c) The RP repays the Council's feasibility costs when it has achieved a financially viable project⁸; and
 - d) The Council forgoes part or all of its feasibility loan if this is required by the RP to achieve viability⁹
- 4.17 Almost all CLH projects are funded by RPs with a grant allocation from Homes England together with a combination of the RPs' own resources (from RCGF and asset sales) and local authority capital top-up; often between £20,000 and £40,000/unit. This means that,

⁸ For an RP, a project's financial viability is secured at the point when it simultaneously completes the land contract and enters into a building contract.

⁹ Viability for an RPs means a project that meets its threshold Net Present Value (which will be a monetary value equal to or greater than zero) and its threshold Cost:Value ratio (which will be percentage equal to or less than 100%).

in practice, by foregoing its loan, the Council will simply be reducing its capital top-up by the same value. Accordingly, this is more of an internal decision for the Council than a risk-sharing issue.

- 4.18 We also understand that the Council is considering a procurement agreement with a single RP to partner and deliver a number of projects. We would suggest that a formal, competitive process is used to invite interest from RPs and then evaluate responses; probably early on to gauge the RPs' views about how a procurement agreement might be structured.
- 4.19 As part of this exercise, it would be important to agree a template form of lease to be entered into with local CLTs or for any projects where the District CLT might need to act as freeholder.¹⁰
- 4.20 We understand that the Council would seek to recover fees charged for the District CLT's services. The most attractive proposition for an RP would be to fully repay these fees at the point when the financial viability of a project is secured i.e. when land and build contracts are simultaneously completed. The fees would therefore be payable at the same point as the feasibility costs.
- 4.21 It would be important for a partner RP to view the technical advice service provided by the District CLT as good value for money if they were to agree to reimburse costs that, for a traditional RP-led project, wouldn't be incurred.
- 4.22 The organisational structure of this arrangement would be as follows:

Party	Funds	Advises	Reimburses	Contracts
SHDC	SHCLT	-	-	With SHCLT for loan and repayment
SHCLT	Feasibility Studies	Local CLTs	SHDC	With SHDC for loan and repayment With RP for services rendered
RP	Planning application and capital costs, including land price.	SHCLT and Local CLTs	SHCLT	With SHCLT for services received With Local CLTs for funding, development and operation of homes
Local CLT	Legal services	Wider community	-	With solicitor for legal services

- 4.23 An alternative to this approach would be to channel the Council's funds through a technical adviser contracted to the Council through a service level agreement. This is the

¹⁰ Our view is that the District CLT would not need to act as freeholder, unless it becomes an RP in which case, like all RPs, it seeks to build its asset base.

approach taken by several local authorities in the region and we have separately provided the Council with the format of a typical SLA.

5 Benefits and Risks

- 5.1 In our view, the main benefit of a District CLT is as a forerunner of a District RP. This District RP could be designed to fill a gap in the market for delivering relatively small projects, either directly or in partnership with Local CLTs. As a largely rural district, many new projects will be sized to suit smaller communities and there is a dwindling supply of RPs willing to undertake such projects, particularly since South Devon Rural HA closed its development programme. As an example, Cornwall now supports two small RPs: CRHT and CCLT.
- 5.2 We have a presentation on the issues to consider in planning to become an RP¹¹ and have also recently completed a review of CLTs' experience of the RP registration process¹². It is not a step to be undertaken lightly and Annex C sets out the differences in roles and responsibilities between a CLT partnering with an RP and a CLT registering as an RP. We can explore this further with the Council if it would be of interest.
- 5.3 In all other respects, we believe that it would be simplest for the Council to contract out the technical advice (including the commissioning of feasibility studies) and RP procurement services without a District CLT intermediary. This model has been used successfully in many other authorities. North Devon provides an example from a district very similar in landscape, property values and second home ownership to South Hams.
- 5.4 The main risk of a local authority setting up a body like a District CLT is that it is compromised by association with the Council, damaging communities' confidence in the process. As an experienced lawyer in the sector remarked to us recently about the provision of technical services: "Once a Council gets involved, in my experience it gets very tricky." This was an unsolicited remark, completely unrelated to this proposal.

6 Next Steps

- 6.1 These are what we see as the next steps:
 - a) A business and feasibility planning stage. Consider the number of projects and homes that might form an initial programme, ideally with some information about locations, housing need and tenure.
 - b) Calculate the revenue required to incorporate a District CLT, to provide technical advisers and to fund pre-development costs to feasibility stage.
 - c) Calculate the capital required to provide top-up grant for these projects.
 - d) Once SHDC has approved funding for the CLT to recruit a steering group to drive the project forward. The steering group may wish to commission legal advice if necessary on the establishment of the CLT and its relationship with SHDC.
 - e) Establish the nature of partnership/collaboration with SHDC and other stakeholders.
 - f) Steering group and SHDC to engage with RPs for an informal discussion about their appetite to partner on this programme.
 - g) If one or more RPs would be interested, formally agree on the sort of projects each would prefer in terms of size, geography, rural/urban, tenure etc.
 - h) Commence operations.

¹¹ <https://drive.google.com/file/d/1uXjImHaoQfrkdEbKkd6aTOP3molrCj0Z/view?usp=sharing>

¹² <https://drive.google.com/file/d/1Zyh7HMhFLW7DwZF6RcfuHhPDSld8Ma/view>

Tom Chance is chief executive of the Community Land Trust Network

Do community land trusts hold the key to building social in tourist hotspots?

COMMENT 21.09.23 BY TOM CHANCE

Housing associations can find allies in local communities, if they are willing to share control and cede ownership of the land, writes *Tom Chance*



Picture: Alamy

Housing associations can find allies in local communities, if they are willing to share control and cede ownership of the land.

A new research project carried out by Localis and supported by the Local Government Association looked at the role of community land trusts (CLTs) in building social housing in popular tourist destinations in England.

These holiday hotspots are at the acute end of two challenges: demand for holiday lets and second homes mean they have very high disparities between housing costs and local wages; and their often-remote locations and strong planning protections mean they're difficult, expensive and risky places to build affordable homes.

In general, low rates of affordable housebuilding in rural areas has long been a problem. The government has acknowledged it, and parliament and the National Audit Office have flagged the issue in recent years.

The problem may only get worse, as reports suggest housing associations will cut their build pipelines by 22% in the short to medium term, in the face of high inflation and interest rates.

But housing associations can find allies in local communities, if they are willing to share control and cede ownership of the land.

“While I continue to press for government action to capitalise on ministerial interest, there is still plenty of scope for the wider social housing sector to embrace and support this approach. Communities in holiday hotspots, in particular, are crying out for partners”

Most of the early CLTs in England were in touristy areas across Cornwall, Devon, Dorset, Norfolk and Northumberland.

These remain hotspots of CLT activity today. More than 100 such communities have chosen to establish CLTs to try and provide or protect the affordable homes, workspaces, shops, pubs and other amenities that make their community thrive.

Most look to work in partnership with housing associations. Sometimes projects come through Section 106 opportunities; more often from communities taking the lead themselves. They are able to find and secure a site and – where they can raise pre-development finance from sources like the Community Housing Fund – get planning consent.

They de-risk schemes, undertaking deep community engagement to win support and persuade planning committees.

This is a key difference when CLTs are involved. CLTs give those who support new homes a vocal role and proactive power. They are often able to win the trust of their neighbours and understand local sensitivities, crucial in areas where local people place a premium on beauty, conservation and their view!

Typically, housing associations finance and build the homes, and manage them on a long lease from the CLT. They pay a small ground rent to the community. This provides a launchpad for the CLT to undertake wider community development. Many go on to save the village shop, convert disused buildings into work units or community space and more. Most also move on to developing more housing projects.

CLTs attract a different kind of volunteer from parish councils and neighbourhood planning groups, and build local trust, confidence and relationships. The housing association can be a catalyst in unlocking this capacity and confidence in the local community.

“More than 100 communities [in holiday hotspots] have chosen to establish CLTs to try and provide or protect the affordable homes, workspaces, shops, pubs and other amenities that make their community thrive”

In all, we’re aware of 41 housing associations involved in this form of partnership in England across 125 housing projects. They range from the large (Places for People), through mid-scale (Aster), to the small (White Horse). More than half of the completed CLT projects have involved a housing association partner.

In our *State of the Community Land Trust Sector 2023* report that we launched with Michael Gove, the housing secretary, in March, we set out a vision for 278,000 community-led homes in England. The vast majority would be achieved in partnership with housing associations and private developers. Mr Gove and other ministers have supported this approach strongly.

Localis’s report looks at what councils and the government might therefore do to aid that mission in holiday hotspots.

One recommendation was that Homes England should incentivise collaboration between registered providers and CLTs through grant conditionality. Homes England, and the Homes and Communities Agency previously,

encouraged and flagged this in the past, but it could do more to bring housing associations to the table. A lack of partners is a key constraint in many parts of England and Wales.

Localis also identified an issue which should be common cause between communities and housing associations: the definition of affordable housing. The thinktank recommended that the definition should move towards an income-focused approach, echoing the work of the recent Affordable Housing Commission.

CLTs are increasingly focused on social rent as the only tenure affordable to people in need in their area, especially in holiday hotspots. Planning policy and grant allocations need to follow the evidence councils and local communities can present on local incomes and needs.

While I continue to press for government action to capitalise on ministerial interest, there is still plenty of scope for the wider social housing sector to embrace and support this approach. Communities in holiday hotspots, in particular, are crying out for partners.

Tom Chance, chief executive, Community Land Trust Network

Bjorn Howard is chief executive of Aster Group

Support for community land trusts is the most important point from Labour's land report

COMMENT 09.07.19 BY BJORN HOWARD

Bjorn Howard argues that community land trusts are set to become a mainstay of social housing, now that both main Westminster parties have shown significant support for them.



Bjorn Howard argues that community land trusts are set to become a mainstay for social housing now that both main Westminster parties have shown significant support for them.

Community land trusts were the key point from Labour's land report, argues Bjorn Howard.

The Labour Party gave us one of the most detailed views of Jeremy Corbyn's vision for housing to date when it published its report, *Land for the Many*, in June.

In a week that saw Donald Trump visit the UK and much jostling for position among the Conservative party's list of potential new leaders, the report slipped somewhat under the radar.

But that doesn't make it any less important. We should analyse it and understand what housing policy would look like under a Labour government.

For me, the key takeaway from the document was the prominence of community land trusts (CLTs).

The report sets out an ambition for £200m of land to be in community ownership by 2030 and throughout. There is also a clear focus on putting communities at the centre of housing policy.

But Labour is by no means the first party to advocate community-led housing.

The government launched the £163m Community Housing Fund last year. Then in February this year, housing minister – and MP for one of our key regions, North Hampshire – Kit Malthouse, announced a further £6m to support the delivery of affordable homes through CLTs, enabling communities to apply for up to £10,000 to cover start-up costs, such as legal fees.

What the future holds politically in the UK isn't abundantly clear at the moment, but CLTs look set to rise up the housing agenda, no matter who is running the country.

This means that housing associations must embrace them more widely.

Aster is one of the most active housing associations for delivering CLTs in the regions in which we operate.

Our experience tells us that focusing more on them should be seen not just as something the government wants us to do, but as an integral part of the solution to the housing challenges we face.

The National Audit Office estimates that housebuilding targets for 2020 will be missed by half of England's local authorities.

“The complexities of delivering housing, affordable or otherwise, are slowing down delivery across the country”

A report from the Green Party earlier this year estimated that London boroughs failed to deliver a planned 33,000 homes last year. Elsewhere, a BBC investigation calculated that the North West is delivering fewer than a third of the affordable homes the region needs.

The complexities of delivering housing, affordable or otherwise, are slowing down delivery across the country.

The solution is to be more innovative and varied in our approach to building homes. CLTs should form part of this strategy and can be a very effective way of supplying affordable housing in areas that aren't necessarily benefitting from the large-scale projects geared towards hitting national build targets.

I see three key areas where the strengths of CLTs can best be put to use.

Firstly, the priority for housing associations will always be to ensure that we provide adequate affordable homes.

The 'asset lock' built into a CLT's constitution means that homes remain affordable in perpetuity.

The properties are owned by the community, so prices can be set and maintained at levels that people can afford.

Secondly, a fundamental challenge is often getting a project off the ground. Local opposition to the prospect of significant construction work can significantly slow down or stop planning applications, particularly in rural areas.

CLTs are often far more effective at achieving local buy-in to a project because it is owned by the community and has its needs and concerns at its heart.

Having local people onside reduces friction in the planning application.

This means projects can get a green light when they might otherwise have not been approved if put forward through more traditional channels.

Finally, unlocking small parcels of land for development has proved troublesome for the sector historically.

While vital for local housing needs, they often aren't big enough to be a financially viable prospect for many established housebuilders and, as a result, are left undeveloped.

These seemingly small missed opportunities add up to thousands of homes across the country that don't get built.

CLTs can be a very effective way of solving this issue. They have a more social purpose than traditional developments, especially when managed by a housing association.

Their primary aim is to solve acute local housing requirement, so those running the CLT don't need to identify the same potential return on investment that a private-sector housebuilder needs to before embarking on a project.

As such, the CLT can unlock small plots that might not be lucrative enough to attract housebuilders.

It's hard to remember a time when it was more difficult to predict the UK's political future. The prospect of a new prime minister, another general election and a new, as yet undecided relationship with Europe are all seemingly up in the air at the moment.

Amid such uncertainty, the housing sector can be sure that delivering the homes the country needs will always be a priority. What's more, *Land for the Many* and the investment that the current government has put into community-led housing strongly indicates that CLTs are set to play a more significant role, regardless of who is in power.

It's vital that housing associations recognise this and do more to support and deliver CLTs across the UK.

Bjorn Howard, chief executive, Aster Group

Comparison of roles and responsibilities - headline		CLT as RP	CLT in partnership
Project Leadership	Ownership	✓	Freehold/Leasehold
	Choice of site	✓	✓
	Number and type of homes	✓	✓
	Design	✓	✓
	Allocation criteria	✓	✓
	Rent regime – social/affordable	✓	✓
	Protection from the vRtB	✓	✓
Project Finance	Capital funding – loan & grant	✓	X No financial risk – guaranteed index-linked ground rent
	Build Contract	✓	
	Viability	✓	
	Management costs	✓	
	Maintenance costs	✓	
Company Law	Surplus/deficit	✓	Limited by the scale of operation ✓
	Employment Law	✓	
	Contract Law	✓	
	Data protection	✓	
	Equalities Act	✓	
	Health & Safety	✓	
	Human Rights	✓	
	Financial Reporting Standards	✓	
Tax	✓		
Housing Law	Housing Acts	✓	X
	Tenancy Law	✓	
	Crime and Disorder	✓	
	Safeguarding and Abuse	✓	
	Repairs Legislation	✓	
	Planning, Listing and By-laws	✓	
	Building Regulations	✓	
	European Regulations and Immigration Status	✓	
Regulatory Standards	Regulatory Compliance	✓	X
	The Governance Standard	✓	
	The Viability Standard		
	The Value for Money Standard	✓	
	The Rent Standard	✓	
	The Tenant Involvement & Empowerment Standard	✓	
	The Home Standard	✓	
	The Tenancy Standard	✓	
	The Neighbourhood & Community Standard	✓	
	Ombudsman registration	✓	

Comparison of roles and responsibilities - policies		CLT as RP		CLT in partnership	
CLT policies and procedures	Member/resident involvement	✓		✓	
	Governing body election/selection	✓		✓	
	Conflict of interest	✓		✓	
	Financial standing orders	✓		✓	
	Expenses	✓		✓	
	Equality and diversity	✓		✓	
	Health and safety	✓		✓	
	Staffing inc. recruitment, disciplinary, and grievance	✓			
	Complaints	✓			
Landlord documents and records	Deed, loan & grant agreements	✓			
	Records of lettings & allocations	✓			X
	Tenancies, leases	✓			
	Lease agreements (with others)	✓		✓	Lease with RP
	Property files (dev & manage)	✓			
	Service level agreements	✓			
	VFM self-assessment	✓			
	Contractor record/documentation	✓			
	Stock condition surveys	✓			
	Asbestos register	✓			
	Repairs certs (inc gas & elec)	✓			
	Complaints records	✓			
	Member/resident surveys	✓		✓	Member surveys
	Landlord policies and procedures	Abandoned vehicles	✓		
Allocations and lettings		✓			
Anti-social behaviour		✓			
Breach of tenancy or lease		✓			
Compensation		✓			
Empty homes		✓			
Lodgers and subletting		✓			
Mutual exchanges & transfers		✓			
Procurement		✓			
Recharges		✓			
Rent arrears		✓			
Rent setting		✓			
Repairs and maintenance		✓			
Squatting and illegal occupation		✓			

Middlemarch CLH CIC, 2021

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Report to: **Executive**
Date: **30th November 2023**
Title: **Investing In Our Local Economy**
Portfolio Area: **Economy & Jobs**

Wards Affected: **All**

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

Date next steps can be taken: N/A

Author: **Chris Shears** Role: **Head of Place & Economy**

Contact: **chris.shears@swdevon.gov.uk**

RECOMMENDATIONS:

That the Executive:

- 1. agrees to an all Member Briefing session to take place at the earliest opportunity so that Members can further explore the work being delivered through the UKSPF programme;**
- 2. agrees to disseminate and promote the work of the UKSPF programme to their local communities; and**
- 3. supports the Rural England Prosperity Fund Grant Policies.**

1. Executive summary

1.1 In 2022, the Government Department for Levelling-Up, Housing and Communities (DLUHC) awarded South Hams District Council (SHDC) £1.06 million of funding through the UK Shared Prosperity Fund (UKSPF). To access this funding, SHDC needed to develop a detailed 3 year investment plan, recognising local business and community needs and challenges, and pulling together a programme of activity that would meet these challenges.

1.2 Through allocating funding directly to local authorities, the Government introduced a level of flexibility to UKSPF which hadn't been seen with previous programmes. As a result of this flexibility, our UKSPF programme consists of a collection of projects designed to help our strategically important sectors to lead the way

nationally on advancing decarbonisation activities, developing sustainable food and drink production methods, ensuring the resilience of our rural communities, and creating a testbed for new technologies. The approach to developing our UKSPF programme has enabled us to move away from generic support projects, and towards bespoke activities which will focus on delivering quality over quantity, having a positive impact on business productivity, innovation, and resilience.

- 1.3 The programme was shaped by Members, businesses, community groups and business sector specialists and facilitated by the Place and Economy team. Member working sessions were held in 2022 which gave rise to the final proposals, which were then approved in January 2023 by the Executive and are now approved by Government and "locked in".
- 1.4 The investment plan aligned local priorities with wider Government strategic objectives, resulting in a golden thread of "clean growth and decarbonisation" running through our entire delivery programme. Projects within the investment plan were split into 4 key themes:
 - Active and Inclusive Travel - £152,000
 - Agri-Tech and Regenerative Farming - £265,000
 - Marine Economy and Decarbonisation - £400,000
 - Business and Community Support - £195,000
- 1.5 Since the awarding of UKSPF a variety of projects have been contracted to delivery partners, with several additional projects expected to go live over the next 6 months. A full breakdown of the projects can be found in the Programme Detail section of this report, below.
- 1.6 Projects are reviewed and monitored on a quarterly basis and discussed at a partnership meeting. The first partnership meeting took place at the beginning of September 2023 (after originally being scheduled for July), with the next taking place at the end of October 2023. These meetings include members of the Place and Economy Team from SHDC, the economy portfolio holders from SHDC and West Devon Borough Council, all project delivery partners and Devon County Council (DCC). It is also suggested that an all member briefing be arranged to give members the opportunity to meet with delivery partners and to find out more about specific projects and their beneficiaries.
- 1.7 UKSPF programme progress is reported to Government on a 6 monthly basis. The latest Government return was submitted at the end of October 2023. Funding is received annually with the most recent funding, for the 2023/24 financial year, received in July 2023. The programme ends in March 2025.

2. Programme Detail

2.1 Below is a summary of all of the projects currently being delivered through the UKSPF programme:

Theme	Active and Inclusive Travel
Project	Local Cycling and Walking Infrastructure Plan (LCWIP)
Contract Value	£60,000
Contractor	Phil Jones Associates, working with Sustrans
Summary	<p>This project will see our consultants develop a comprehensive infrastructure (LCWIP) and behaviour change strategy focused on supporting and encouraging active and inclusive travel activities. It will identify and prioritise key locations to deliver infrastructure improvements which will have the biggest positive impact in encouraging people to use active and inclusive modes of transport. The key active travel routes have now been identified following in-depth analysis of travel movements and substantially audited to identify any barriers along these roads. The next steps are to prioritise the improvements in terms of which would have the greatest positive impact.</p> <p>On the behaviour change side, the survey received 1,500 responses and was followed by in-depth interviews which have been analysed to identify the main barriers and enablers to active and inclusive travel in our rural landscape. The project will now pull the learnings from the research to recommend behaviour change initiatives to encourage active travel, which should be aligned to the outcomes of the infrastructure improvements. These could include “quiet lanes” schemes (stretches of road where non-car users are given priority), electric bike hubs, car sharing programmes, and other activities.</p> <p>Some of these projects will be delivered through the remaining UKSPF funds, and some through the Rural England Prosperity Fund (detailed later). Other, more significant infrastructure improvements will likely require further funding to be secured, but the LCWIP will provide an evidence base to put the Council in the strongest possible position to secure such funds.</p> <p>The plan is being developed in consultation with officers from a range of council services, members, community organisations and other specialist local groups. The contract was agreed in June 2023 and the plan will be completed by the end of the 23/24 financial year.</p>

Key Deliverables	1 LCWIP – which contains a series of short, medium and long term active and inclusive travel projects
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Theme	Agri-Tech and Regenerative Farming
Project	Agri-Tech Innovation Project
Contract Value	£160,000
Contractor	Devon County Council
Summary	<p>“Agri-tech” refers to the range of technologies used in the agricultural sector, to support farming, land management, and food and drink production activities.</p> <p>Over the past 3 years, Devon County Council has developed a growing consortia of organisations called the Devon Agri-Tech Alliance. The Alliance currently consists of over 120 Devon farms and agricultural support organisations, including the NFU, Rothamstead Research, the Apricot Centre and the Universities of Exeter and Plymouth.</p> <p>Through this project, the alliance is working with South Hams farms to create a test-bed for new and emerging technologies to be piloted on site, linking them with tech development organisations and businesses.</p> <p>An example of this is a dairy farm adopting robotic milking devices which allow the cows to choose when they want to be milked, removing the manual elements of the process, and creating a system which is much better for the health of the herd. The milk can be analysed in real time and the diet of the cow can be adjusted over time, based on the feedback from the robot, to maximise the quality of milk being produced.</p>
Key Deliverables	<p>Knowledge Transfer Partnerships between tech developers and the agricultural sector</p> <p>New products and services within the agricultural sector being brought to market</p> <p>Events to share learning among the agricultural community</p> <p>Over 40 agricultural businesses receiving intensive support from specialist organisations</p>

Theme	Agri-Tech and Regenerative Farming
Project	Regenerative Farming Support
Contract Value	£72,500
Contractor	The Apricot Centre

<p>Summary</p>	<p>“Regenerative farming” is a process which sees farms move away from the use of pesticides and fertilisers, and towards a soil quality focused approach to farming. Through focusing on soil quality, a farm is able to reduce carbon emissions, enhance the biodiversity on and in their land, improve water retention (high quality soil is better able to absorb water) and improve crop yields. The lack of fertiliser is a significant cost saving to a farm, reducing their outgoings, while greater yields also improve their productivity, helping to make them more profitable.</p> <p>The Apricot Centre is a working example of a successful regenerative farm. The team who created the centre are experts in regenerative farming practices, and have used their site at Dartington to measure and monitor the benefits that the approach can have for a farm.</p> <p>They have found that since transitioning to regenerative farming processes, their earth worm populations have increased by 300%, their yields have significantly increased, and the site is far more resilient than other farms. For example, in the summer of 2022, during a prolonged dry period, most farm fields were dry, and their crops had browned. The Apricot Centre was one of the few sites where the soil had retained water, helping to keep their crops alive.</p> <p>Through this project, farmers and farm workers learn about regenerative farming processes and get to put them into practice, both at the Apricot Centre, and on their own farms. They are provided with up to 1 year of support to begin the journey of becoming a regenerative farm. The process takes approximately 7 years for the soil to be restored to its optimum quality, but land benefits can be seen within the first couple of years.</p> <p>The project has already met the majority of its targets for this financial year, and their success is being recognised at a national level. They have recently won an award through the NFU for their work, had articles published in the Guardian newspaper, and the project has seen our local authority being approached by authorities in other parts of the country to learn about setting up similar projects in their areas.</p>
<p>Key Deliverables</p>	<p>Farmers and agricultural workers receiving up to a year of support to help them begin transitioning their farms towards regenerative farming practices Greenhouse gas emission reductions within our farming community</p>

	<p>People reached (through inviting community based groups to visit and learn about local farms and regenerative farming practices)</p> <p>Farmers and workers supported onto wider training courses (funded through Department for Education contracts)</p>
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Theme	Agri-Tech and Regenerative Farming
Project	Land Management Consultancy
Contract Value	£30,000
Contractor	The Apricot Centre
Summary	<p>The work being delivered through this project takes a master-planning approach to farms and their land, identifying areas where the use can be changed to maximise its productivity, particularly where land is not being used for any useful purpose at present.</p> <p>One of the areas where this can prove particularly useful is through the strategic planting of trees for the purpose of flood risk mitigation. In Dartington this has already been used to protect a development of 86 houses, which would otherwise have been at risk.</p> <p>Other examples of land uses that can be implemented include the strategic planting of fast growing wood for fuel or wild flower planting to improve and enhance local biodiversity by creating spaces which benefit natural pollinators, or which attract bird species which feed on pests.</p>
Key Deliverables	<p>Businesses receiving non-financial support</p> <p>Feasibility studies (identifying changes in land use to maximise the benefit to the business owner and community)</p> <p>Properties and sites better protected from flooding</p>

Theme	Agri-Tech and Regenerative Farming
Project	Food and Drink Distribution Support
Contract Value	£30,000 (for the primary contractor, and up to a further £15,000 available to other organisations)
Contractor	The Apricot Centre
Summary	<p>The project has only gone to contract in October 2023 and is gearing up for delivery to begin from the start of November 2023.</p> <p>It will see farmers and food producers being supported to bring their products to new markets. The focus will be on providing support to businesses which are adopting / have already adopted climate considerate activities, such</p>

	<p>as regenerative farming practices, or using renewable energy to power food processing equipment.</p> <p>Transport for private deliveries and market place setup will be delivered through the use of an electric van which is charged using renewable energy. This will remove most of the carbon footprint related to locally consumed food and drink, both during production and distribution, which will be used as part of the USP (Unique Selling Point) for the products being sold.</p> <p>The project will also enhance the connection between local communities, the food and drink that they purchase and consume, and the producers.</p> <p>Markets will include actual marketplaces, such as Totnes, Kingsbridge, Dartmouth, and Ivybridge, but will also include direct sales to the hospitality and leisure sector in the South Hams, private individuals and click and collect services.</p> <p>There is also a small amount of funding available to support other groups to deliver activities which are complimentary to this project, for example, opening up food and drink production sites (or farms) to local community groups so that they can learn more about the food and drink they consume.</p>
Key Deliverables	<p>Businesses receiving non-financial support, helping them to get their local food and drink to markets which they would otherwise be unable to access</p> <p>Businesses engaged in new markets</p> <p>Business productivity and turnover increases</p> <p>Local markets being supported.</p>

Theme	Marine Economy and Decarbonisation
Project	Marine Economic Strategy
Contract Value	£10,500
Contractor	Shane Vallance
Summary	<p>This project will see the delivery of a detailed marine economic strategy for the South Hams. The document will identify the current “offer” within the existing marine sector across the district, the direction of change within the sector and emerging technologies within the sector, and opportunities for our local marine economy to take advantage of these changes.</p> <p>The document will build upon previous work that was carried out in relation to the Baltic Wharf site in Totnes.</p>

	<p>The previous work identified marine sector activities that were nationally unique to the South Hams, and of strategic importance to the sector.</p> <p>This wider study will look at many of the key sites in our coastal communities, along with clusters of marine businesses at our industrial estates and business parks, and looking at the role that our marine businesses play at a local, regional and national level.</p> <p>The project will engage with a number of key stakeholders, including the harbour authorities, education and innovation specialists, and Maritime UK South West.</p> <p>The strategy is due for completion in March 2024.</p>
Key Deliverables	A marine economic strategy, identifying opportunities to further support the sector

Theme	Marine Economy and Decarbonisation
Project	Marine Vessel Recycling Pilot
Contract Value	TBC (£5,000 already allocated this financial year)
Contractor	Blue Parameters and other partner organisations
Summary	<p>At present, marine vessels which reach their end of life usually end up going into landfill if disposed of properly, or in worst case scenarios, they get scuttled to avoid the costs of disposing of them.</p> <p>This project will see a team deconstruct a vessel, recording the recyclable components and the carbon impact of the process, to explore the possibility of upscaling the marine vessel recycling process. The aim is to ensure that as little as possible ends up in landfill, without having an equally negative impact on the environment in the recycling process. For example, the fibreglass could be re-used in certain types of reinforced concrete.</p> <p>Once the vessel has been deconstructed and all components have an identified use, marine specialists and local stakeholders will be invited to visit the site to learn about the project and the opportunities that end of life vessels can present to the wider economy. Students from South Devon College will also be involved in the project, giving them the opportunity to learn about vessel components and their environmental impact.</p>

	The project has received a significant level of interest at a regional, national and even international level, and has the potential to be an exemplar project within our UKSPF programme.
Key Deliverables	A demonstration site showing all of the components of a deconstructed vessel and identifying their future uses Increased knowledge of the feasibility of upscaling vessel recycling activities within the South Hams A carbon intensity report to highlight the carbon impact of the recycling process

Theme	Marine Economy and Decarbonisation
Project	Re-Powering of the Lower Dart Ferry Service (Dartmouth)
Contract Value	TBC (£10,000 already allocated this financial year)
Contractor	Marine Projects Officer working with Ecomotus, and the University of Exeter's Centre for Future Clean Mobility (CFCM)
Summary	<p>This project seeks to explore alternative power solutions to help us reach our net zero targets and achieve greater marine decarbonisation of this service.</p> <p>As part of this project, we have been gathering baseline information about the current power requirements of the service, which will form the scope of an options / cost / benefit study, enabling us to make an informed decision about the most appropriate solution for the service.</p> <p>A trial of a transition technology is currently underway on one of the tugs and one of the floats using a solution developed by Ecomotus (an innovative local company developing energy solutions for marine vessels). The trial aims to clean the fuel as it goes through the combustion process, resulting in less pollution and greater fuel efficiency.</p> <p>Implementation will emerge from the cost / benefit study, and delivered over the next 18 months, helping to decarbonise our service.</p>
Key Deliverables	A feasibility study, identifying the best options for decarbonising our ferry service Project activity to implement the decarbonisation of the ferry service

Theme	Marine Economy and Decarbonisation
Project	Re-Powering of the Salcombe Water Taxi Service
Contract Value	TBC (£10,000 already allocated this financial year)

Contractor	Marine Projects Officer working with the University of Exeter's Centre for Future Clean Mobility (CFCM)
Summary	<p>This project seeks to explore alternative power solutions to help us reach our net zero targets and achieve greater marine decarbonisation of this service.</p> <p>As part of this project, we have been gathering baseline information about the current power requirements of the service, which will form the scope of an options / cost / benefit study, enabling us to make an informed decision about the most appropriate solution for the service.</p> <p>The data gathering has almost been completed, and the activity going forward will be to assess solutions and over the next 18 months to implement the best, viable option. These solutions may include the trialling of transition technologies.</p>
Key Deliverables	<p>Feasibility study to identify and score options for the decarbonisation of the Salcombe water taxi service</p> <p>Implementation of the best solution</p>

Theme	Business and Community Support
Project	Decarbonisation Plans
Contract Value	£60,000
Contractor	Libraries Unlimited (through the Intellectual Property Centres)
Summary	<p>This project provides specialist consultancy to businesses to support them to develop a decarbonisation plan for their business.</p> <p>A decarbonisation plan is a document which identifies a range of actions that would help to reduce the environmental impact of a business' activities.</p> <p>The programme looks at all key areas of business activities, including:</p> <ul style="list-style-type: none"> • The buildings they operate from • Their processes and production lines • Their logistics chains • Their end products and services <p>This allows a wide range of decarbonisation opportunities to be identified.</p> <p>The project is not sector specific, meaning that any business can apply for support.</p>

	Once a plan has been completed, the contractor is able to refer businesses to the Decarbonisation Grants programme details in section 3.2 of this report.
Key Deliverables	Detailed decarbonisation plans for businesses Recommendations provided to the Rural England Prosperity Fund Decarbonisation Grants (See section 3.2 of this report for more information)

Theme	Business and Community Support
Project	Community Energy Group Support
Contract Value	£30,000
Contractor	South Dartmoor Community Energy
Summary	<p>The Government's Rural Community Energy Fund was closed down in 2022. This fund was designed to help community organisation to develop feasibility reports to support the delivery of community energy efficiency, heating and renewable technology installation schemes. The removal of the funding has made it increasingly difficult for our community energy groups to take projects forwards.</p> <p>This project is focused on strengthening and increasing the range of local activities that community energy groups can deliver. It will improve their ability to develop feasibility studies for projects, and to access funding from a range of sources to support the delivery of heating, insulation and renewable energy schemes in our local communities.</p> <p>This is already proving fruitful, and we have seen a number of funds being applied to and projects evolving over the first few months of delivery.</p> <p>New and emerging community energy groups will also be supported through the delivery of information, advice and guidance, to help them to develop projects within their local communities, and to identify relevant funding programmes that they can apply to.</p>
Key Deliverables	<p>Bids for funding for the development of new energy efficiency projects</p> <p>Bids for funding for the development of community based renewable energy projects</p> <p>Support through advice and guidance provided to new and emerging community energy groups</p> <p>Support provided to existing community energy and energy efficiency projects</p>

2.2 The following projects are not yet delivering but are soon to be contracted:

Theme	Marine Economy and Decarbonisation
Project	Salcombe Harbour Carbon Footprint Measuring
Contract Value	TBC
Contractor	TBC
Summary	<p>This project will build upon work that was delivered by the Carbon Trust at the beginning of 2023, which saw them measuring the carbon footprint of a range of the Council's marine vessels and opportunities to reduce their carbon footprint.</p> <p>This wider study of the carbon footprint of marine activities relating to Salcombe Harbour will help to identify a range of opportunities to help reduce the climate impact of the sector.</p> <p>It will explore a mix of industrial activities, such as fishing and logistics and the impact of other activities including the marine leisure sector.</p>
Key Deliverables	<p>A study of the wider carbon footprint of marine activities taking place at Salcombe Harbour</p> <p>A strategy for reducing the carbon footprint</p>

Theme	Business and Community Support
Project	Construction Sector Audit and Support to Enable Decarbonised Construction Projects
Contract Value	£50,000
Contractor	TBC
Summary	<p>This project will see the delivery of an audit of the construction sector in South Hams and its supply chain to identify gaps in the sector's capability to deliver innovative low carbon / decarbonised construction projects.</p> <p>Following the audit, support will be delivered to the sector to help reduce these gaps, equipping our construction sector with the capabilities required to deliver projects which are fit for the future, and ensuring that local businesses are well placed to bid to deliver projects with major contractors, such as national house builders.</p>
Key Deliverables	TBC

2.3 Further to the project contracts, SHDC has also awarded the contract for monitoring and evaluation of the programme to Devon

County Council (DCC). The UKSPF guidance allowed for up to 4% of the programme costs to be used for monitoring and evaluation activities. The contract awarded to DCC agrees to them delivering all monitoring and evaluation activities for all projects for 1.8% of the programme cost. A key benefit of outsourcing this activity is that it provides us with the feedback from an independent organisation, helping to ensure that we our UKSPF programme is being delivered to the highest of standards.

- 2.4 It is important to recognise that the UKSPF programme has been agreed with the Government, and that it would be difficult to change the range of projects that are being delivered. The process would involve a renegotiation with the Government’s DLUHC Department and could put funding at risk. At present, the programme is running within budget and projects are all delivering as expected. However, if projects do underperform for any reason, and we are unable to rectify the issues with the service provider, our contracts allow for the Council to claw back funding, and to re-allocate it to projects which are exceeding their targets.

3. Rural England Prosperity Fund

- 3.1 Further to the UKSPF programme, the Government awarded a further £838,000 of capital funding to SHDC through the Rural England Prosperity Fund (REPF). This fund has a more narrow scope than the UKSPF programme, needing to align with our UKSPF activities, and having a strong focus on decarbonisation, clean growth and business diversification and community activities. The investment plan was submitted in November 2022, and the funding was approved in April 2023.

- 3.2 The Council’s REPF programme has seen the following capital support grants launch from October 2023:

Grant	Decarbonisation Grants
Value	Up to £10,000 (match must be provided)
Who can apply?	Businesses which have a decarbonisation plan in place (available for free through the UKSPF Decarbonisation Plan Project)
Summary	<p>This grant fund aims to support businesses in their transition towards decarbonisation, helping to mitigate their impact on the climate, while reducing their overall expenditure on energy. Projects should facilitate the following objectives:</p> <ul style="list-style-type: none"> • Delivery of solutions identified within the business decarbonisation plan • Demonstrable reduction of the carbon footprint associated with the business • Reduction in business expenditure related to energy / fuel

	<p>Businesses do not have to go through the UKSPF Decarbonisation Plan project, but will need to have a detailed decarbonisation plan in place for their business which will be submitted as part of the application process.</p> <p>Grants are paid in arrears, but the project must not have incurred expenses until grant approval has been agreed.</p> <p>All applicant businesses must be registered for tax purposes.</p>
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Grant	Agri-Tech Adoption Grants
Value	Up to £10,000 (match must be provided)
Who can apply?	Businesses which have been through the UKSPF Agri-Tech Innovation Programme
Summary	<p>This grant fund aims to support businesses which have been through our UKSPF Agri-Tech Alliance Project, piloting new technologies and products on their sites.</p> <p>Businesses will be referred to the scheme by our delivery partners for capital grants to adopt the technologies which have been trialled on their sites.</p> <p>Larger projects, which require greater funding than our scheme is able to provide, will be referred to the DEFRA Future Farming scheme which offers grants of >£20,000 for the adoption of new products (but with a limited range of products).</p> <p>Other businesses which have not participated in the Agri-Tech Alliance Project are still welcome to apply, but applications from those businesses who have participated are likely to be looked upon more favourably, as they will be able to evidence the benefit that the equipment will have on their farm.</p>

Grant	Clean Diversification Grants
Value	Up to £10,000 (match must be provided)
Who can apply?	Businesses which are diversifying their activities in a manner which has a demonstrable positive / neutral environmental impact
Summary	<p>This grant will support businesses to diversify into new areas of activity that will have a demonstrable positive or neutral impact on their carbon footprint.</p> <p>This could include the development of new products or services or facilities that will enable their diversification activity to be delivered, but costs associated with the grant must be capital expenditure.</p>

	<p>For example, a business could be diversifying into eco-tourism and looking for a grant for the development of accommodation (they would need to secure planning permission prior to being able to access a grant).</p> <p>Or a business could be producing one type of food or drink product, and looking to buy a piece of machinery that will enable them to produce a wider range of products using natural ingredients.</p> <p>This is the broadest grant category, and is the only business focused grant which is not geared around businesses going through one of the UKSPF projects. We therefore expect a significant volume of applications, and to be unable to meet demand.</p>
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Grant	Community Resilience Grants
Value	Up to £10,000 (match must be provided)
Who can apply?	Community organisations, town and parish councils which are looking to reduce their outgoings / increase the range of services available in their local communities
Summary	<p>This grant fund will improve the resilience of community facilities, such as community and village halls, village shops, and other sites which provide a range of services to their local communities. Priority will be given to facilities where;</p> <ul style="list-style-type: none"> • Limited other community infrastructure exists • Support will demonstrably help to improve the resilience of a facility, either through reduced bills or increased revenue • Facilities will be able to provide additional services to their communities, which are not provided by other local organisations, and where a demonstrable need can be shown <p>General maintenance of facilities will be treated as low priority.</p> <p>Due to the limited funding available, this grant will not be able to support activities relating to the development or expansion of sports facilities, public toilets or car parks.</p>

3.3 Grant policy, guidance, and application documents can all be found on the Council's website at: <https://www.southhams.gov.uk/your-council/budgets-and-finance/budgets-and-spending/uk-shared-prosperity-fund-0>

- 3.4 The grant policy documents have been designed based on the previous policy documents which were used for the successful delivery of Covid related grants. Through the Covid process, our systems were deemed to be robust by the Government and all auditing and monitoring of our grants programme was exemplar. Copies of these documents are attached to this report.
- 3.5 We are therefore proposing that members approve the policy documents attached which will enable the authority to begin approving grant payments to businesses and community organisations.
- 3.6 Further to these grants, part of the funding (approximately £300,000) has also been allocated for the delivery of active and inclusive travel infrastructure. The programme is flexible, and funding can be allocated to projects where demand is high, and reduced from projects where demand is low. It is currently recommended that a proportion of this funding goes to securing a commercial E-bike network in one or more of the main towns. A further report will be brought back on the detail and process of this project.

Project	E-bike hub
Contract Value	£300k
Contractor	Commerical e- bike provider or community run e-bike scheme TBC
Summary	<p>Secure a commercial provider to deliver an e bike network in one of the main towns. To provide circa 50 e-bikes over a number of docking stations. The commercial provider would set the charging for the use of the e-bikes – with the anticipation the bike usage would cover on-going maintenance costs.</p> <p>Suggested towns:</p> <ul style="list-style-type: none"> - Ivybridge/Lee Mill - Totnes/Dartington - Kingsbridge <p>If a commercial scheme is not viable we will work with communities, town and parish councils and other other organisations to establish if e-bike hire schemes in a number of locations could be viable.</p>
Key Deliverables	Financially sustaining e-bike hire network in a main town, or number of settlements if community run.

4. Next Steps

- 4.1 Officers are working to schedule an all member briefing session which will involve project delivery partners. This would give the opportunity for members to find out about all UKSPF projects in detail and to ask any questions they have directly to the teams that are delivering them.
- 4.2 The programme will continue to deliver, and will report to the partnership meetings on a quarterly basis. The Place and Economy Team is willing to update Hub on programme progress and on specific projects as regularly as required.
- 4.3 Promotional activities are being coordinated to raise awareness of the programme to our businesses and communities. This information will be shared with members. With the grants having gone live in the last few weeks, specific communications activities are being developed to drive traffic to the Council's website. 2 email addresses have also been set up to help funnel grant enquiries to the Place and Economy team:
 - businessgrants@swdevon.gov.uk
 - communitygrants@swdevon.gov.uk

Background Papers:

UKSPF Investment Plan Submission

<https://www.southhams.gov.uk/sites/default/files/2023-05/UK%20Shared%20Prosperity%20Fund%20Investment%20Plans%20-%20South%20Hams.pdf>

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South Hams District Council Grant Scheme Policy 2023

Rural England Prosperity Fund (REPF) Agri-Tech Adoption

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Version	Version date	Revised by	Description
1	11/10/23	AE	REPF Grant Policy

1.0 Purpose of the scheme

- 1.1 The purpose of this document is to determine eligibility for a payment under the Council's REPF Grants Scheme.
- 1.2 The new REPF Grant Scheme has been developed by the Council to support businesses with projects that provide a benefit to the local community or economy.
- 1.3 The awarding of grants will be at the total discretion of the Council, based on the benefits delivered for the grant awarded, supporting Council priorities, and wider business and local economy aims.
- 1.4 This document sets out the information which the Department for Levelling Up, Housing and Communities (DLUHC) have required to be submitted for funding from the Rural England Prosperity Fund (REPF) Grant, the funding allocation the Council will be using to make the awards. It also outlines the approach the Council will take in determining whether an award should be paid or not.
- 1.5 The general principals of the scheme are:
- **Flexibility;** to target grants towards business proposals that provide the greatest benefit to the local economy or community;
 - **Efficiency;** to issue grants as quickly as possible whilst meeting democratic, eligibility and technical requirements;
 - **Simplicity;** the application process will be based on the philosophy of self-assessment and be as streamlined as possible;
 - **Economic Benefit;** grant award levels shall be set to make a difference to those projects, such that the most economic advantage is provided from the REPF grant programme.
 - **Fraud;** the process will capture evidence such as certified accounts/HMRC self-assessments and bank statements that can be used to identify fraudulent applications. A self-declaration that the information provided is a true reflection of the facts, will also be required. The Council will also be applying post application checks as well as sharing data with Central Government and across other grant schemes as necessary.

2.0 Funding

- 2.1 Central Government has provided the Council with REPF capital grant funding of £843,000. Of this funding, £300,000 is allocated for improvements to active travel infrastructure while the remaining £543,000 is available across these grant schemes. These figures may be moved between schemes, to maximise the benefit of the programme, but the total budget will not change. Funding is designed to meet several

interventions which were agreed with Government through our REPF investment proposal. These interventions are:

- Funding (capital grants) for small scale investment in micro and small enterprises in rural areas
- E11 Capacity building & infrastructure support local groups
- E17 Development & promotion of visitor economy
- E26 Growing the local social economy

2.2 The Council investment proposal agreed to meet these interventions through the delivery of four grant programmes:

- Decarbonisation Grants
- Community Resilience Grants
- Agri-Tech Grants
- Clean Diversification Grants

3.0 Eligibility criteria of the fund

3.1 Applicant organisations must be:

- Registered in the UK for tax purposes
- Based in the South Hams
- Actively trading or engaged in business activities in the South Hams

Applicant organisations must also have participated in our free-to-access [Agri-Tech Alliance Project](#), and/or be operating in the agricultural sector.

3.2 Applicant organisations must not be:

- In administration
- Insolvent
- Subject to a striking off notice
- In breach of state-aid limits

3.3 Project beneficiaries must be based in the South Hams, and grants can only be awarded to activities taking place within the Local Authority area.

3.4 Given that funding is restricted to capital expenditure, grants will only be awarded against projects which meet this criteria.

3.5 Any business failing to meet the criteria or failing to provide the Council with sufficient information to determine whether they meet the criteria, will not be awarded a REPF Grant.

3.6 All businesses are required to submit a standard set of information for fraud and tracking purposes. These include:

- A unique tax identifier such as a company number, unique tax reference number or charity number.
 - In the case of community organisations that are not registered for tax purposes, a National Insurance number will be required
- Number of employees at time of application (if applicable)
- Name of the organisation
- Type of organisation
- High level Standard Industrial Classification code
 - [Click here for information about SIC codes](#)
- A nominated bank account, in the name of the business or main applicant.
 - A bank statement showing address, sort code, account number and account name is required

4.0 Definitions – Eligibility Criteria

4.1 For the sake of clarity, the following definitions are provided:

- Applicant organisations must be mainly based in the South Hams
- Project beneficiaries must be based in the South Hams
- Businesses providing support to the scheme can be in the wider South West area but projects providing more benefit in the local area will score more highly.
- Applicants agree to supply evidence of spend and completion of the project they are requesting support for within a maximum of 3 months from the confirmation of grant. They also agree to take part in communications and public relations activities if requested.

5.0 Local Priorities

5.1 The Council has decided they will only accept applications from businesses and organisations that meet the eligibility criteria as set out in [section 3.0](#).

5.2 The Council has determined that this grant fund should support businesses who have been through our [Agri-Tech Alliance Project](#), piloting new technologies and products on their sites. Businesses will be referred to the scheme by our delivery partners for capital grants to adopt the technologies which have been trialled on their sites.

6.0 How will grants be provided to businesses?

6.1 In all cases, an application form is required, and this can be completed online at the Council's website: [Click here to access the REPF Grant webpage](#)

6.2 Supplementary information will also be required, and all businesses should look to provide this where requested to the Council as soon as possible. The application is largely self-certification, but applicants should be aware that the Council is obliged to manage the risk of fraud as outlined in section 16.

6.3 An application for a REPF Grant is deemed to have been made when a duly completed application form is received via the Council's online procedure.

6.4 Projects will be assessed monthly by the Council's panel, from the end of October 2023 to the end of November 2024. If all funds are allocated prior to November 2024, the programme will be closed to further applications. If funds are fully allocated prior to the final round of assessment, remaining eligible applications will be added to a waiting list to be reviewed if existing grant recipients drop out of the programme, so that their funding can be re-allocated.

6.5 Payments will be made to successful applicants once all applications have been assessed. Successful applicants will be advised of their award amount when contacted about their application.

7.0 How much money will be awarded?

7.1 The Council has decided that, for the purposes of this scheme, grants will be awarded at between £5,000 and £10,000.

7.2 The Council will determine the amount of the grant awarded for each business on a case-by-case basis, and may not match the total grant amount requested. Project proposals will be required to provide at least 50% of their total project costs as match funding for the programme.

7.3 Only one REPF Grant will be awarded to any single organisation. This will also apply if more than one Limited Company has the same director(s) or where more than one business has the same proprietor (either sole traders or partnerships).

7.4 An organisation may apply to fund multiple projects, but it is at the discretion of the grant panel to decide which project is funded.

7.5 Applications must be project-specific; a single application should not detail more than one project.

8.0 Limitation of funds and applications

8.1 All monies paid through the REPF Grant scheme will be funded by DLUHC. The funds are limited and, as such, the Council is not able to award a grant where funds are no longer available.

8.2 Any businesses wishing to claim should complete the necessary form on the Council's website, as linked in [paragraph 6.1](#). All claims will be made online, and this will also include the provision of such evidence as required by the Council.

8.3 As there are limited funds available, not all applicants will be successful, and some businesses will be left disappointed.

9.0 State Subsidy requirements

9.1 Any grant awarded is required to comply with the law on State Subsidies. This will involve the applicant declaring to the Council if they have received any other State Subsidies over the past three years.

9.2 If the applicant has not received any other State Subsidy, they are not required to make that declaration to the Council or to complete any declaration statement.

10.0 Scheme of delegation

10.1 The policy has been approved under Part 3(a) of the Council Constitution: Scheme of Delegation. The Head of Paid Service used delegated authority in consultation with the Leader and Deputy Leader of the Council.

10.2 Officers of the Council will administer the scheme. The Corporate Director for Strategic Finance and the Director of Place and Enterprise are authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, in line with Central Government guidance.

11.0 Notification of decisions

11.1 Applications will be considered by designated officers of the Council.

11.2 All decisions made by the Council shall be notified to the applicant by email. A decision shall be made within 5 working days after the monthly panel meetings.

11.3 If unsuccessful, applicants will be notified of this decision, but specific details about why a proposal is rejected will not be given.

12.0 Reviews of decisions

12.1 All grants will be determined by the Head of Place and Economy, Economic Development Officer and Senior Economic Support Officer.

12.2 This decision will be final, and there is no appeal process.

13.0 Complaints

13.1 If you believe an error has been made, such as a missing payment, in the first instance please raise an enquiry to the grants team using the following link.

[Click here to raise a grants-related enquiry.](#)

13.2 The Council's 'Complaints Procedure' (available on the Council's website) will be applied in the event of any complaint received about this scheme.

14.0 Other scheme conditions

14.1 All grants are taxable. Applicants should make their own enquiries to establish any tax position or liability.

15.0 Successful applicant obligations

15.1 Successful applicants are expected to take part in reasonable public relations, communication and engagement activities directly related to the award.

This may include, but is not limited to:

- Press releases
- Social media posts
- Other digital media content
- In-person engagement events (where applicable)

15.2 Successful applicants are required to provide pre-payment evidence of how funds have been allocated and spent.

15.3 Post project outcome analysis, such as surveys, are also desirable, particularly where they focus on local benefit derived from the award funds.

16.0 Managing the risk of fraud

16.1 Neither the Council, nor the Government will accept deliberate manipulation of the scheme and fraud. Any applicant caught falsifying information to gain grant money or

failing to declare entitlement to any of the specified grants will face prosecution and any funding issued will be recovered from them or their grant offer rescinded if payment has not already been issued.

16.2 Organisations are required to provide the information as detailed in [paragraph 3.6](#) to enable fraud checking which may be conducted through the National Fraud Initiative. Organisations that fail to provide this information will not be considered for a grant and may still be subject to fraud checks.

16.3 Applicants should note that, where a grant is paid by the Council, details of each individual grant may be passed to Government.

16.4 The Council reserves the right to reclaim any grant paid in error.

17.0 Data Protection

17.1 All information and data provided by businesses shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.

17.2 The Council will not make available lists of businesses that have applied or that have been successful for grant payment.

17.3 The Council reserves the right to share relevant information with the Government's Department for Levelling Up, Housing and Communities, the body overseeing the grant fund allocation.



South Hams District Council Grant Scheme Policy 2023

Rural England Prosperity Fund (REPF) Clean Diversification

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Version	Version date	Revised by	Description
1	11/10/23	AE	REPF Grant Policy

1.0 Purpose of the scheme

- 1.1 The purpose of this document is to determine eligibility for a payment under the Council's REPF Grants Scheme.
- 1.2 The new REPF Grant Scheme has been developed by the Council to support businesses with projects that provide a benefit to the local community or economy.
- 1.3 The awarding of grants will be at the total discretion of the Council, based on the benefits delivered for the grant awarded, supporting Council priorities, and wider business and local economy aims.
- 1.4 This document sets out the information which the Department for Levelling Up, Housing and Communities (DLUHC) have required to be submitted for funding from the Rural England Prosperity Fund (REPF) Grant, the funding allocation the Council will be using to make the awards. It also outlines the approach the Council will take in determining whether an award should be paid or not.
- 1.5 The general principals of the scheme are:
- **Flexibility;** to target grants towards business proposals that provide the greatest benefit to the local economy or community;
 - **Efficiency;** to issue grants as quickly as possible whilst meeting democratic, eligibility and technical requirements;
 - **Simplicity;** the application process will be based on the philosophy of self-assessment and be as streamlined as possible;
 - **Economic Benefit;** grant award levels shall be set to make a difference to those projects, such that the most economic advantage is provided from the REPF grant programme.
 - **Fraud;** the process will capture evidence such as certified accounts/HMRC self-assessments and bank statements that can be used to identify fraudulent applications. A self-declaration that the information provided is a true reflection of the facts, will also be required. The Council will also be applying post application checks as well as sharing data with Central Government and across other grant schemes as necessary.

2.0 Funding

- 2.1 Central Government has provided the Council with REPF capital grant funding of £843,000. Of this funding, £300,000 is allocated for improvements to active travel infrastructure while the remaining £543,000 is available across these grant schemes. These figures may be moved between schemes, to maximise the benefit of the programme, but the total budget will not change. Funding is designed to meet several

interventions which were agreed with Government through our REPF investment proposal. These interventions are:

- Funding (capital grants) for small scale investment in micro and small enterprises in rural areas
- E11 Capacity building & infrastructure support local groups
- E17 Development & promotion of visitor economy
- E26 Growing the local social economy

2.2 The Council investment proposal agreed to meet these interventions through the delivery of four grant programmes:

- Decarbonisation grants
- Community resilience grants
- Agri-Tech grants
- Clean diversification grants

3.0 Eligibility criteria of the fund

3.1 Applicant organisations must be:

- Registered in the UK for tax purposes
- Based in the South Hams
- Actively trading or engaged in business activities in the South Hams

Eligible organisations must also be:

- Limited Companies, including social enterprises and CICs
 - Must be registered with a company number on Companies House
- Sole Traders / Partnerships
 - Registered with HMRC and with a Unique Tax Reference Number
- Charitable Organisations
 - Registered with the Charities Commission, with a Charity Number

3.2 Applicant organisations must not be:

- In administration
- Insolvent
- Subject to a striking off notice
- In breach of state-aid limits

3.3 Project beneficiaries must be based in the South Hams, and grants can only be awarded to activities taking place within the Local Authority area.

3.4 Given that funding is restricted to capital expenditure, grants will only be awarded against projects which meet this criteria.

3.5 Any business failing to meet the criteria or failing to provide the Council with sufficient information to determine whether they meet the criteria, will not be awarded a REPF Grant.

3.6 All businesses are required to submit a standard set of information for fraud and tracking purposes. These include:

- A unique tax identifier such as a company number, unique tax reference number or charity number.
 - In the case of community organisations that are not registered for tax purposes, a National Insurance number will be required
- Number of employees at time of application (if applicable)
- Name of the organisation
- Type of organisation
- High level Standard Industrial Classification code
 - [Click here for information about SIC codes](#)
- A nominated bank account, in the name of the business or main applicant.
 - A bank statement showing address, sort code, account number and account name is required

4.0 Definitions – Eligibility Criteria

4.1 For the sake of clarity, the following definitions are provided:

- Applicant organisations must be mainly based in the South Hams
- Project beneficiaries must be based in the South Hams
- Businesses providing support to the scheme can be in the wider South West area but projects providing more benefit in the local area will score more highly.
- Applicants agree to supply evidence of spend and completion of the project they are requesting support for within a maximum of 3 months from the confirmation of grant. They also agree to take part in communications and public relations activities if requested.

5.0 Local Priorities

5.1 The Council has decided they will only accept applications from businesses and organisations that meet the eligibility criteria as set out in [section 3.0](#).

5.2 The Council has decided that this grant fund aims to support businesses and organisations in diversifying into areas of activity that will enable them to operate more sustainably, efficiently and for them to be as low-carbon as possible.

6.0 How will grants be provided to businesses?

6.1 In all cases, an application form is required, and this can be completed online at the Council's website: [Click here to access the REPF Grant webpage](#)

6.2 Supplementary information will also be required, and all businesses should look to provide this where requested to the Council as soon as possible. The application is largely self-certification, but applicants should be aware that the Council is obliged to manage the risk of fraud as outlined in section 16.

6.3 An application for a REPF Grant is deemed to have been made when a duly completed application form is received via the Council's online procedure.

6.4 Projects will be assessed monthly by the Council's panel, from the end of October 2023 to the end of November 2024. If all funds are allocated prior to November 2024, the programme will be closed to further applications. If funds are fully allocated prior to the final round of assessment, remaining eligible applications will be added to a waiting list to be reviewed if existing grant recipients drop out of the programme, so that their funding can be re-allocated.

6.5 Payments will be made to successful applicants once all applications have been assessed. Successful applicants will be advised of their award amount when contacted about their application.

7.0 How much money will be awarded?

7.1 The Council has decided that, for the purposes of this scheme, grants will be awarded at between £2,000 and £10,000.

7.2 The Council will determine the amount of the grant awarded for each business on a case-by-case basis, and may not match the total grant amount requested. Project proposals will be required to provide at least 50% of their total project costs as match funding for the programme.

7.3 Only one REPF Grant will be awarded to any single organisation. This will also apply if more than one Limited Company has the same director(s) or where more than one business has the same proprietor (either sole traders or partnerships).

7.4 An organisation may apply to fund multiple projects, but it is at the discretion of the grant panel to decide which project is funded.

7.5 Applications must be project-specific; a single application should not detail more than one project.

8.0 Limitation of funds and applications

8.1 All monies paid through the REPF Grant scheme will be funded by DLUHC. The funds are limited and, as such, the Council is not able to award a grant where funds are no longer available.

8.2 Any businesses wishing to claim should complete the necessary form on the Council's website, as linked in [paragraph 6.1](#). All claims will be made online, and this will also include the provision of such evidence as required by the Council.

8.3 As there are limited funds available, not all applicants will be successful, and some businesses will be left disappointed.

9.0 State Subsidy requirements

9.1 Any grant awarded is required to comply with the law on State Subsidies. This will involve the applicant declaring to the Council if they have received any other State Subsidies over the past three years.

9.2 If the applicant has not received any other State Subsidy, they are not required to make that declaration to the Council or to complete any declaration statement.

10.0 Scheme of delegation

10.1 The policy has been approved under Part 3(a) of the Council Constitution: Scheme of Delegation. The Head of Paid Service used delegated authority in consultation with the Leader and Deputy Leader of the Council.

10.2 Officers of the Council will administer the scheme. The Corporate Director for Strategic Finance and the Director of Place and Enterprise are authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, in line with Central Government guidance.

11.0 Notification of decisions

11.1 Applications will be considered by designated officers of the Council.

11.2 All decisions made by the Council shall be notified to the applicant by email. A decision shall be made within 5 working days after the monthly panel meetings.

11.3 If unsuccessful, applicants will be notified of this decision, but specific details about why a proposal is rejected will not be given.

12.0 Reviews of decisions

12.1 All grants will be determined by the Head of Place and Economy, Economic Development Officer and Senior Economic Support Officer.

12.2 This decision will be final, and there is no appeal process.

13.0 Complaints

13.1 If you believe an error has been made, such as a missing payment, in the first instance please raise an enquiry to the grants team using the following link.

[Click here to raise a grants-related enquiry.](#)

13.2 The Council's 'Complaints Procedure' (available on the Council's website) will be applied in the event of any complaint received about this scheme.

14.0 Other scheme conditions

14.1 All grants are taxable. Applicants should make their own enquiries to establish any tax position or liability.

15.0 Successful applicant obligations

15.1 Successful applicants are expected to take part in reasonable public relations, communication and engagement activities directly related to the award.

This may include, but is not limited to:

- Press releases
- Social media posts
- Other digital media content
- In-person engagement events (where applicable)

15.2 Successful applicants are required to provide pre-payment evidence of how funds have been allocated and spent.

15.3 Post project outcome analysis, such as surveys, are also desirable, particularly where they focus on local benefit derived from the award funds.

16.0 Managing the risk of fraud

16.1 Neither the Council, nor the Government will accept deliberate manipulation of the scheme and fraud. Any applicant caught falsifying information to gain grant money or failing to declare entitlement to any of the specified grants will face prosecution and any funding issued will be recovered from them or their grant offer rescinded if payment has not already been issued.

16.2 Organisations are required to provide the information as detailed in [paragraph 3.6](#) to enable fraud checking which may be conducted through the National Fraud Initiative. Organisations that fail to provide this information will not be considered for a grant and may still be subject to fraud checks.

16.3 Applicants should note that, where a grant is paid by the Council, details of each individual grant may be passed to Government.

16.4 The Council reserves the right to reclaim any grant paid in error.

17.0 Data Protection

17.1 All information and data provided by businesses shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.

17.2 The Council will not make available lists of businesses that have applied or that have been successful for grant payment.

17.3 The Council reserves the right to share relevant information with the Government's Department for Levelling Up, Housing and Communities, the body overseeing the grant fund allocation.



South Hams District Council Grant Scheme Policy 2023

Rural England Prosperity Fund (REPF) Community Resilience

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Version	Version date	Revised by	Description
1	11/10/23	AE	REPF Grant Policy

1.0 Purpose of the scheme

- 1.1 The purpose of this document is to determine eligibility for a payment under the Council's REPF Grants Scheme.
- 1.2 The new REPF Grant Scheme has been developed by the Council to support businesses with projects that provide a benefit to the local community or economy.
- 1.3 The awarding of grants will be at the total discretion of the Council, based on the benefits delivered for the grant awarded, supporting Council priorities, and wider business and local economy aims.
- 1.4 This document sets out the information which the Department for Levelling Up, Housing and Communities (DLUHC) have required to be submitted for funding from the Rural England Prosperity Fund (REPF) Grant, the funding allocation the Council will be using to make the awards. It also outlines the approach the Council will take in determining whether an award should be paid or not.
- 1.5 The general principals of the scheme are:
- **Flexibility;** to target grants towards business proposals that provide the greatest benefit to the local economy or community;
 - **Efficiency;** to issue grants as quickly as possible whilst meeting democratic, eligibility and technical requirements;
 - **Simplicity;** the application process will be based on the philosophy of self-assessment and be as streamlined as possible;
 - **Economic Benefit;** grant award levels shall be set to make a difference to those projects, such that the most economic advantage is provided from the REPF grant programme.
 - **Fraud;** the process will capture evidence such as certified accounts/HMRC self-assessments and bank statements that can be used to identify fraudulent applications. A self-declaration that the information provided is a true reflection of the facts, will also be required. The Council will also be applying post application checks as well as sharing data with Central Government and across other grant schemes as necessary.

2.0 Funding

- 2.1 Central Government has provided the Council with REPF capital grant funding of £843,000. Of this funding, £300,000 is allocated for improvements to active travel infrastructure while the remaining £543,000 is available across these grant schemes. These figures may be moved between schemes, to maximise the benefit of the programme, but the total budget will not change. Funding is designed to meet several

interventions which were agreed with Government through our REPF investment proposal. These interventions are:

- Funding (capital grants) for small scale investment in micro and small enterprises in rural areas
- E11 Capacity building & infrastructure support local groups
- E17 Development & promotion of visitor economy
- E26 Growing the local social economy

2.2 The Council investment proposal agreed to meet these interventions through the delivery of four grant programmes:

- Decarbonisation Grants
- Community Resilience Grants
- Agri-Tech Grants
- Clean Diversification Grants

3.0 Eligibility criteria of the fund

3.1 Applicant organisations must be:

- Registered in the UK for tax purposes
- Based in the South Hams
- Actively trading or engaged in business activities in the South Hams

Eligible organisations must also be:

- Social enterprises and CICs
 - Must be registered with a company number on Companies House
- Charitable Organisations
 - Registered with the Charities Commission, with a Charity Number
- Town/Parish Councils
 - Applications must be submitted by the town / parish clerk

3.2 Applicant organisations must not be:

- In administration
- Insolvent
- Subject to a striking off notice
- In breach of state-aid limits

3.3 Project beneficiaries must be based in the South Hams, and grants can only be awarded to activities taking place within the Local Authority area.

3.4 Given that funding is restricted to capital expenditure, grants will only be awarded against projects which meet this criteria.

3.5 Any business failing to meet the criteria or failing to provide the Council with sufficient information to determine whether they meet the criteria, will not be awarded a REPF Grant.

3.6 All businesses are required to submit a standard set of information for fraud and tracking purposes. These include:

- A unique tax identifier such as a company number, unique tax reference number or charity number.
 - In the case of community organisations that are not registered for tax purposes, a National Insurance number will be required
- Number of employees at time of application (if applicable)
- Name of the organisation
- Type of organisation
- High level Standard Industrial Classification code
 - [Click here for information about SIC codes](#)
- A nominated bank account, in the name of the business or main applicant.
 - A bank statement showing address, sort code, account number and account name is required

4.0 Definitions – Eligibility Criteria

4.1 For the sake of clarity, the following definitions are provided:

- Applicant organisations must be mainly based in the South Hams
- Project beneficiaries must be based in the South Hams
- Businesses providing support to the scheme can be in the wider South West area but projects providing more benefit in the local area will score more highly.
- Applicants agree to supply evidence of spend and completion of the project they are requesting support for within a maximum of 3 months from the confirmation of grant. They also agree to take part in communications and public relations activities if requested.

5.0 Local Priorities

5.1 The Council has decided they will only accept applications from businesses and organisations that meet the eligibility criteria as set out in [section 3.0](#).

5.2 The Council has decided that this grant fund aims to support the resilience of community facilities, such as community and village halls, village shops, and other sites which provide a range of services to their local communities.

6.0 How will grants be provided to businesses?

6.1 In all cases, an application form is required, and this can be completed online at the Council's website: [Click here to access the REPF Grant webpage](#)

6.2 Supplementary information will also be required, and all businesses should look to provide this where requested to the Council as soon as possible. The application is largely self-certification, but applicants should be aware that the Council is obliged to manage the risk of fraud as outlined in section 16.

6.3 An application for a REPF Grant is deemed to have been made when a duly completed application form is received via the Council's online procedure.

6.4 Projects will be assessed monthly by the Council's panel, from the end of October 2023 to the end of November 2024. If all funds are allocated prior to November 2024, the programme will be closed to further applications. If funds are fully allocated prior to the final round of assessment, remaining eligible applications will be added to a waiting list to be reviewed if existing grant recipients drop out of the programme, so that their funding can be re-allocated.

6.5 Payments will be made to successful applicants once all applications have been assessed. Successful applicants will be advised of their award amount when contacted about their application.

7.0 How much money will be awarded?

7.1 The Council has decided that, for the purposes of this scheme, grants will be awarded at between £2,000 and £10,000.

7.2 The Council will determine the amount of the grant awarded for each business on a case-by-case basis, and may not match the total grant amount requested. Project proposals will be required to provide at least 50% of their total project costs as match funding for the programme.

7.3 Only one REPF Grant will be awarded to any single organisation. This will also apply if more than one Limited Company has the same director(s) or where more than one business has the same proprietor (either sole traders or partnerships).

7.4 An organisation may apply to fund multiple projects, but it is at the discretion of the grant panel to decide which project is funded.

7.5 Applications must be project-specific; a single application should not detail more than one project.

8.0 Limitation of funds and applications

8.1 All monies paid through the REPF Grant scheme will be funded by DLUHC. The funds are limited and, as such, the Council is not able to award a grant where funds are no longer available.

8.2 Any businesses wishing to claim should complete the necessary form on the Council's website, as linked in [paragraph 6.1](#). All claims will be made online, and this will also include the provision of such evidence as required by the Council.

8.3 As there are limited funds available, not all applicants will be successful, and some businesses will be left disappointed.

9.0 State Subsidy requirements

9.1 Any grant awarded is required to comply with the law on State Subsidies. This will involve the applicant declaring to the Council if they have received any other State Subsidies over the past three years.

9.2 If the applicant has not received any other State Subsidy, they are not required to make that declaration to the Council or to complete any declaration statement.

10.0 Scheme of delegation

10.1 The policy has been approved under Part 3(a) of the Council Constitution: Scheme of Delegation. The Head of Paid Service used delegated authority in consultation with the Leader and Deputy Leader of the Council.

10.2 Officers of the Council will administer the scheme. The Corporate Director for Strategic Finance and the Director of Place and Enterprise are authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, in line with Central Government guidance.

11.0 Notification of decisions

11.1 Applications will be considered by designated officers of the Council.

11.2 All decisions made by the Council shall be notified to the applicant by email. A decision shall be made within 5 working days after the monthly panel meetings.

11.3 If unsuccessful, applicants will be notified of this decision, but specific details about why a proposal is rejected will not be given.

12.0 Reviews of decisions

12.1 All grants will be determined by the Head of Place and Economy, Economic Development Officer and Senior Economic Support Officer.

12.2 This decision will be final, and there is no appeal process.

13.0 Complaints

13.1 If you believe an error has been made, such as a missing payment, in the first instance please raise an enquiry to the grants team using the following link.

[Click here to raise a grants-related enquiry.](#)

13.2 The Council's 'Complaints Procedure' (available on the Council's website) will be applied in the event of any complaint received about this scheme.

14.0 Other scheme conditions

14.1 All grants are taxable. Applicants should make their own enquiries to establish any tax position or liability.

15.0 Successful applicant obligations

15.1 Successful applicants are expected to take part in reasonable public relations, communication and engagement activities directly related to the award.

This may include, but is not limited to:

- Press releases
- Social media posts
- Other digital media content
- In-person engagement events (where applicable)

15.2 Successful applicants are required to provide pre-payment evidence of how funds have been allocated and spent.

15.3 Post project outcome analysis, such as surveys, are also desirable, particularly where they focus on local benefit derived from the award funds.

16.0 Managing the risk of fraud

- 16.1 Neither the Council, nor the Government will accept deliberate manipulation of the scheme and fraud. Any applicant caught falsifying information to gain grant money or failing to declare entitlement to any of the specified grants will face prosecution and any funding issued will be recovered from them or their grant offer rescinded if payment has not already been issued.
- 16.2 Organisations are required to provide the information as detailed in [paragraph 3.6](#) to enable fraud checking which may be conducted through the National Fraud Initiative. Organisations that fail to provide this information will not be considered for a grant and may still be subject to fraud checks.
- 16.3 Applicants should note that, where a grant is paid by the Council, details of each individual grant may be passed to Government.
- 16.4 The Council reserves the right to reclaim any grant paid in error.

17.0 Data Protection

- 17.1 All information and data provided by businesses shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.
- 17.2 The Council will not make available lists of businesses that have applied or that have been successful for grant payment.
- 17.3 The Council reserves the right to share relevant information with the Government's Department for Levelling Up, Housing and Communities, the body overseeing the grant fund allocation.



South Hams District Council Grant Scheme Policy 2023

Rural England Prosperity Fund (REPF) Decarbonisation Grants

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Version	Version date	Revised by	Description
1	11/10/23	AE	REPF Grant Policy

1.0 Purpose of the scheme

- 1.1 The purpose of this document is to determine eligibility for a payment under the Council's REPF Grants Scheme.
- 1.2 The new REPF Grant Scheme has been developed by the Council to support businesses with projects that provide a benefit to the local community or economy.
- 1.3 The awarding of grants will be at the total discretion of the Council, based on the benefits delivered for the grant awarded, supporting Council priorities, and wider business and local economy aims.
- 1.4 This document sets out the information which the Department for Levelling Up, Housing and Communities (DLUHC) have required to be submitted for funding from the Rural England Prosperity Fund (REPF) Grant, the funding allocation the Council will be using to make the awards. It also outlines the approach the Council will take in determining whether an award should be paid or not.
- 1.5 The general principals of the scheme are:
- **Flexibility;** to target grants towards business proposals that provide the greatest benefit to the local economy or community;
 - **Efficiency;** to issue grants as quickly as possible whilst meeting democratic, eligibility and technical requirements;
 - **Simplicity;** the application process will be based on the philosophy of self-assessment and be as streamlined as possible;
 - **Economic Benefit;** grant award levels shall be set to make a difference to those projects, such that the most economic advantage is provided from the REPF grant programme.
 - **Fraud;** the process will capture evidence such as certified accounts/HMRC self-assessments and bank statements that can be used to identify fraudulent applications. A self-declaration that the information provided is a true reflection of the facts, will also be required. The Council will also be applying post application checks as well as sharing data with Central Government and across other grant schemes as necessary.

2.0 Funding

- 2.1 Central Government has provided the Council with REPF capital grant funding of £843,000. Of this funding, £300,000 is allocated for improvements to active travel infrastructure while the remaining £543,000 is available across these grant schemes. These figures may be moved between schemes, to maximise the benefit of the programme, but the total budget will not change. Funding is designed to meet several

interventions which were agreed with Government through our REPF investment proposal. These interventions are:

- Funding (capital grants) for small scale investment in micro and small enterprises in rural areas
- E11 Capacity building & infrastructure support local groups
- E17 Development & promotion of visitor economy
- E26 Growing the local social economy

2.2 The Council investment proposal agreed to meet these interventions through the delivery of four grant programmes:

- Decarbonisation Grants
- Community Resilience Grants
- Agri-Tech Grants
- Clean Diversification Grants

3.0 Eligibility criteria of the fund

3.1 Applicant organisations must be:

- Registered in the UK for tax purposes
- Based in the South Hams
- Actively trading or engaged in business activities in the South Hams

Eligible organisations must also be:

- Limited Companies, including social enterprises and CICs
 - Must be registered with a company number on Companies House
- Sole Traders / Partnerships
 - Registered with HMRC and with a Unique Tax Reference Number
- Charitable Organisations
 - Registered with the Charities Commission, with a Charity Number

3.2 Applicant organisations must not be:

- In administration
- Insolvent
- Subject to a striking off notice
- In breach of state-subsidy limits

3.3 Project beneficiaries must be based in the South Hams, and grants can only be awarded to activities taking place within the Local Authority area.

3.4 Given that funding is restricted to capital expenditure, grants will only be awarded against projects which meet this criteria.

3.5 Any business failing to meet the criteria or failing to provide the Council with sufficient information to determine whether they meet the criteria, will not be awarded a REPF Grant.

3.6 All businesses are required to submit a standard set of information for fraud and tracking purposes. These include:

- A unique tax identifier such as a company number, unique tax reference number or charity number.
 - In the case of community organisations that are not registered for tax purposes, a National Insurance number will be required
- Number of employees at time of application (if applicable)
- Name of the organisation
- Type of organisation
- High level Standard Industrial Classification code
 - [Click here for information about SIC codes](#)
- A nominated bank account, in the name of the business or main applicant.
 - A bank statement showing address, sort code, account number and account name is required

4.0 Definitions – Eligibility Criteria

4.1 For the sake of clarity, the following definitions are provided:

- Applicant organisations must be mainly based in the South Hams
- Project beneficiaries must be based in the South Hams
- Businesses providing support to the scheme can be in the wider South West area but projects providing more benefit in the local area will score more highly.
- Applicants agree to supply evidence of spend and completion of the project they are requesting support for within a maximum of 3 months from the confirmation of grant. They also agree to take part in communications and public relations activities if requested.

5.0 Local Priorities

5.1 The Council has decided they will only accept applications from businesses and organisations that meet the eligibility criteria as set out in [section 3.0](#).

5.2 The Council has decided that this grant fund aims to support Businesses who have been through the free-to-access South West Devon Decarbonisation Plan Project, to have a decarbonisation plan developed for their business, will be eligible for support.

6.0 How will grants be provided to businesses?

6.1 In all cases, an application form is required, and this can be completed online at the Council's website: [Click here to access the REPF Grant webpage](#)

6.2 Supplementary information will also be required, and all businesses should look to provide this where requested to the Council as soon as possible. The application is largely self-certification, but applicants should be aware that the Council is obliged to manage the risk of fraud as outlined in section 16.

6.3 An application for a REPF Grant is deemed to have been made when a duly completed application form is received via the Council's online procedure.

6.4 Projects will be assessed monthly by the Council's panel, from the end of October 2023 to the end of November 2024. If all funds are allocated prior to November 2024, the programme will be closed to further applications. If funds are fully allocated prior to the final round of assessment, remaining eligible applications will be added to a waiting list to be reviewed if existing grant recipients drop out of the programme, so that their funding can be re-allocated.

6.5 Payments will be made to successful applicants once all applications have been assessed. Successful applicants will be advised of their award amount when contacted about their application.

7.0 How much money will be awarded?

7.1 The Council has decided that, for the purposes of this scheme, grants will be awarded at between £2,000 and £10,000.

7.2 The Council will determine the amount of the grant awarded for each business on a case-by-case basis, and may not match the total grant amount requested. Project proposals will be required to provide at least 50% of their total project costs as match funding for the programme.

7.3 Only one REPF Grant will be awarded to any single organisation. This will also apply if more than one Limited Company has the same director(s) or where more than one business has the same proprietor (either sole traders or partnerships).

7.4 An organisation may apply to fund multiple projects, but it is at the discretion of the grant panel to decide which project is funded.

7.5 Applications must be project-specific; a single application should not detail more than one project.

8.0 Limitation of funds and applications

8.1 All monies paid through the REPF Grant scheme will be funded by DLUHC. The funds are limited and, as such, the Council is not able to award a grant where funds are no longer available.

8.2 Any businesses wishing to claim should complete the necessary form on the Council's website, as linked in [paragraph 6.1](#). All claims will be made online, and this will also include the provision of such evidence as required by the Council.

8.3 As there are limited funds available, not all applicants will be successful, and some businesses will be left disappointed.

9.0 State Subsidy requirements

9.1 Any grant awarded is required to comply with the law on State Subsidies. This will involve the applicant declaring to the Council if they have received any other State Subsidies over the past three years.

9.2 If the applicant has not received any other State Subsidy, they are not required to make that declaration to the Council or to complete any declaration statement.

10.0 Scheme of delegation

10.1 The policy has been approved under Part 3(a) of the Council Constitution: Scheme of Delegation. The Head of Paid Service used delegated authority in consultation with the Leader and Deputy Leader of the Council.

10.2 Officers of the Council will administer the scheme. The Corporate Director for Strategic Finance and the Director of Place and Enterprise are authorised to make technical scheme amendments to ensure it meets the criteria set by the Council and, in line with Central Government guidance.

11.0 Notification of decisions

11.1 Applications will be considered by designated officers of the Council.

11.2 All decisions made by the Council shall be notified to the applicant by email. A decision shall be made within 5 working days after the monthly panel meetings.

11.3 If unsuccessful, applicants will be notified of this decision, but specific details about why a proposal is rejected will not be given.

12.0 Reviews of decisions

12.1 All grants will be determined by the Head of Place and Economy, Economic Development Officer and Senior Economic Support Officer.

12.2 This decision will be final, and there is no appeal process.

13.0 Complaints

13.1 If you believe an error has been made, such as a missing payment, in the first instance please raise an enquiry to the grants team using the following link.

[Click here to raise a grants-related enquiry.](#)

13.2 The Council's 'Complaints Procedure' (available on the Council's website) will be applied in the event of any complaint received about this scheme.

14.0 Other scheme conditions

14.1 All grants are taxable. Applicants should make their own enquiries to establish any tax position or liability.

15.0 Successful applicant obligations

15.1 Successful applicants are expected to take part in reasonable public relations, communication and engagement activities directly related to the award.

This may include, but is not limited to:

- Press releases
- Social media posts
- Other digital media content
- In-person engagement events (where applicable)

15.2 Successful applicants are required to provide pre-payment evidence of how funds have been allocated and spent.

15.3 Post project outcome analysis, such as surveys, are also desirable, particularly where they focus on local benefit derived from the award funds.

16.0 Managing the risk of fraud

- 16.1 Neither the Council, nor the Government will accept deliberate manipulation of the scheme and fraud. Any applicant caught falsifying information to gain grant money or failing to declare entitlement to any of the specified grants will face prosecution and any funding issued will be recovered from them or their grant offer rescinded if payment has not already been issued.
- 16.2 Organisations are required to provide the information as detailed in [paragraph 3.6](#) to enable fraud checking which may be conducted through the National Fraud Initiative. Organisations that fail to provide this information will not be considered for a grant and may still be subject to fraud checks.
- 16.3 Applicants should note that, where a grant is paid by the Council, details of each individual grant may be passed to Government.
- 16.4 The Council reserves the right to reclaim any grant paid in error.

17.0 Data Protection

- 17.1 All information and data provided by businesses shall be dealt with in accordance with the Council's Data Protection policy and Privacy Notices which are available on the Council's website.
- 17.2 The Council will not make available lists of businesses that have applied or that have been successful for grant payment.
- 17.3 The Council reserves the right to share relevant information with the Government's Department for Levelling Up, Housing and Communities, the body overseeing the grant fund allocation.

Report to: **Executive**

Date: **30 November 2023**

Title: **Working with our Communities – our Framework for Community Development**

Portfolio Area: **Councillor Dan Thomas – Deputy Leader**

Wards Affected: **All**

Author: **Neil Hawke** Role: **Assistant Director Strategy**

Contact: Neil.Hawke@swdevon.gov.uk

RECOMMENDATIONS:

That the Executive:

- 1. ENDORSE the Community Development Framework as set out in Appendix A;**
- 2. ENDORSE the establishment of a new Community Development Team, and**
- 3. APPROVES adding a cost pressure of £15,000 from 2024/25 onwards to the draft budget proposals for 2024/25 onwards.**

1. Executive summary

- 1.1 Community Development enables people in communities to take collective action to make changes to things that are important to them and is rooted from the premise that everyone should be able to live a good and fulfilling life. It is about building effective relationships in communities, encouraging active participation in community life and enacting positive social change.
- 1.2 As a Council, we can play an important role in supporting our communities to realise their own ambitions.
- 1.3 In order to deliver against these ambitions, it is proposed to establish a Community Development Team through the realignment of existing resources.
- 1.4 This report sets out how we intend to support community development across the South Hams.

2. Background

- 2.1 The South Hams is made up of strong and vibrant communities who are already working together to make it an even better place to live.
- 2.2 As a Council, we already do much to support communities, enabling them to bring forward Local Plans focused on the built environment facilitating the delivery of community projects using developer funds that we hold and providing funding to some of our key partners already working with the voluntary sector – such as South Hams Community Action. Our councillors also have funding available to support small local projects through their Sustainable Locality Fund.
- 2.3 We have set out in our draft Corporate Strategy that we cannot deliver on our aims and ambitions alone – it will require collective action across our communities.
- 2.4 The framework set out in appendix a to this report is a starting point for closer working with the voluntary and community sector in the district.

3. Proposal and Next Steps

- 3.1 That the Executive endorse the outline framework and initial actions in order for officers to progress plans and have discussions with key partner organisations such as South Hams Community Action in order to co-produce a Community Development Action Plan.
- 3.2 Furthermore, the Executive should note the intention to develop a Community Development Team through some organisational structural changes to ensure the Council is best aligned to work with our communities.
- 3.3 The Team will help plan and coordinate the Council's work with communities and act as a resource for members supporting them in their community leadership role.
- 3.4 The proposal is to realign three Locality Officers to the new team and to appoint a Community Development Lead to take forward the work with partners and communities.
- 3.5 This role will also take responsibility for bringing together all officers from other departments who are delivering community projects in order to increase our understanding of our communities ambitions.

- 3.6 The appointment of a new Community Development Lead will create a cost pressure of £15,000 for staffing costs, which it is recommended be built into the budget proposals from 2024/25 onwards.

4. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	N	
Financial implications to include reference to value for money	Y	The report sets out a budget pressure of £15,000 a year from 2024/25 onwards for staffing costs, which it is recommended is built into the draft budget proposals for 2024/25 onwards.
Risk	N	
Supporting Corporate Strategy	Y	This report directly responds to the ambition of Members for the Council to support voluntary and community action within the district, enhancing the work with key partners and developing a greater corporate understanding of our communities own priorities.
Consultation & Engagement Strategy	Y	This proposal will directly contribute to enhancing the Councils consultation and engagement with residents, including developing plans for how we engage with hard to reach groups.
Climate Change - Carbon / Biodiversity Impact	Y	Engagement with communities on climate and biodiversity.
Comprehensive Impact Assessment Implications		
Equality and Diversity		A key part of the role will be to ensure that the Council enhances its understanding of our communities including those with protected characteristics, informing Equality Impact Assessments with local intelligence.
Safeguarding		
Community Safety, Crime and Disorder		
Health, Safety and Wellbeing		
Other implications		

Supporting Information

Appendices:

Appendix A – Outline Community Development Framework

Background Papers:

None

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Working for our Communities

Our framework for community
development



South Hams
District Council



What is community development?

“a process where community members come together to take action and generate solutions to common problems’



Our Ambition

Community Development is about everyone working together to make our communities a fantastic place to grow up, grow old and everything in between.

We are committed to supporting our communities to continue to be strong, resilient and sustainable. People live more fulfilling lives when they can shape their own outcomes and change things that matter to them.

We will work with our communities, supporting them to develop existing community strengths and aligning the aims and ambitions of the Council to support local priorities

As a District Council we have a key role to play in encouraging partners, statutory bodies and businesses to come together to support local ambitions. We'll celebrate community successes and highlight all that makes South Hams an amazing place to live and work.



Why do we need this framework?

Page 340

Communities across South Hams have a strong sense of place, a pride and ambitions for their areas.

The Council and other organisations will work together to ensure:

- Communities shape and influence services
- The Council and communities support and trust each other
- Community ownership and pride is encouraged and supported
- People are active in their communities and residents of all ages, abilities and backgrounds contribute and work together
- Communities are resilient, involved and live healthy and fulfilling lives
- Young people are engaged and become the community leaders of the future

This framework sets out how we will support this



What we'll do:

Community Empowerment

- Work with existing partners already supporting our communities (such as South Hams Community Action) by creating a community forum to collaborate on ideas, listen to challenges and encourage solutions - informing a longer-term Community Strategy.
- Support the aims and ambitions emerging from existing Health and Wellbeing alliance meetings
- Share good practice happening across the District, using our platforms to promote community action.
- Develop an online directory of support available to community groups from the Council and partners to simplify getting schemes of the ground.



What we'll do:

Community capacity- building

- Develop a Community Hub at Follaton House to support community group collaboration including access to hotdesking and meeting spaces.
- Develop our approach to community investment.
- Direct provision of funding to support community schemes - developer contributions, Member Locality Grants, Seamoor Community Lotto.
- Make Council resources available to support local community schemes – litter picks, community clear up days etc.
- Supporting local community action with Council employees volunteering.



What we'll do: Community Engagement

- Promote the work happening in our communities through the Council PR and Media channels
- Develop an online consultation portal and a forward plan of consultations that allows multiple means of engagement with communities
- Implement a six-monthly Youth Council day to encourage young people to participate in democratic processes
- Map out and attend key community events, listening to our residents concerns and aspirations.
- Implement annual Community Action Awards recognising positive community schemes / individuals in the district
- Put Faces and Places front and centre of our comms



Outcomes

- More trust and confidence between communities and public bodies
- Better understanding of local issues, leading to more responsive services
- Better quality of life in local neighbourhoods
- Increases skills and confidence of individual people to make a positive contribution to community
- Less in equality and social isolation
- Better health and wellbeing



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Report to: **Executive**

Date: **30 November 2023**

Title: **Car Parking Charges – Update**

Portfolio Area: **Community**

Wards Affected: **Which Wards – all**

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

Date next steps can be taken:

Author: Chris Brook Role: Director - Place and Enterprise

Contact: email: chris.brook@swdevon.gov.uk

RECOMMENDATIONS:

That the Executive:

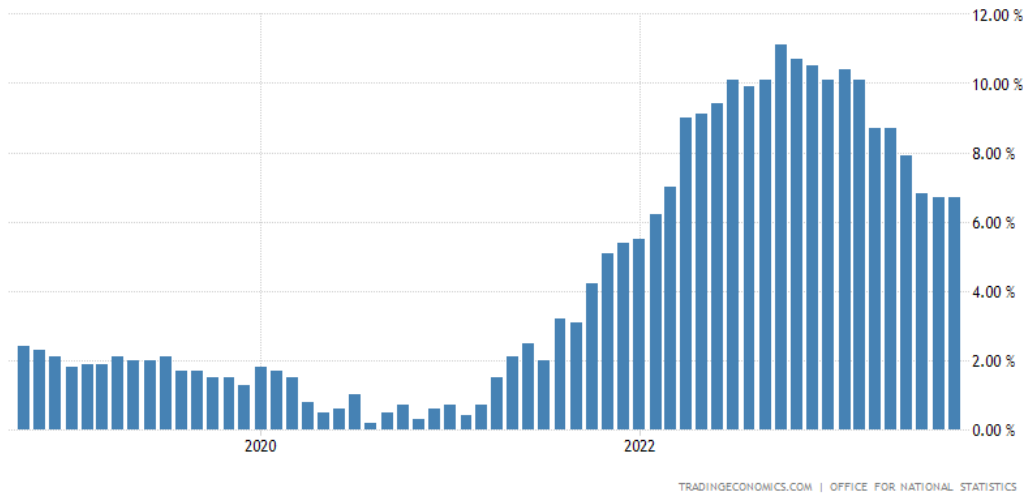
- 1. Continue to hold car parking charges at their current level, as set in 2021; and**
- 2. Agree to implement a change to car parking tariffs at such time as it can be done under a two tier pricing structure that reduces the burden of the change for local residents.**

1. Executive summary

- 1.1. South Hams District Council has kept car parking charges frozen since March 2021. In that time, inflation has increased by 20% and subsequently the cost of running the service has also increased.
- 1.2. The Council is not intending to change the current parking fees until such time as it can implement a two tier parking strategy.
- 1.3. This approach will be used to reduce the uplift in parking fees for residents, where-as non-residents would have to bear the full cost of inflation.
- 1.4. This approach, designed to support our communities, can not be implemented until the 24/25 financial year due to the time needed to design the technical solution, which would be deployed through our cashless payment provider used by the Council.

2. Background

- 2.1. Inflation has been running at record levels and remains very high (reference chart below). This has a direct impact on the cost of running Council services, as wages, supplies and utilities all increase at a similar rate.



UK Inflation rate over the last 5 years.

- 2.2. The Council relies on income from parking revenue to cover the cost of the service but also the cost of providing place based services, such as street cleaning, toilets and maintenance.
- 2.3. To ensure it continues to balance its budget, the Council generally needs to uplift its fees to match the additional costs it incurs. However, the Council has not increased parking fees since March 2021.
- 2.4. The Council wishes to implement a future increase in parking charges in such a way as to minimise the impact it has on local residents and is considering a two tier parking solution, that would allow all residents to access a reduced tariff.
- 2.5. This solution would be accessed via the cashless payment parking app which needs to be updated to enable this functionality.
- 2.6. The design of this functionality cannot be undertaken by our cashless payment provider immediately due to other constraints, which means that the Council will target a change to parking tariffs in April 2025.
- 2.7. This freezes car parking charges for a further year, across the whole of the district.

3. Next Steps

- 3.1. The Council will work with its cashless payment provider, to deliver the functionality required to facilitate this proposal to the timescales set out in this report.

- 3.2. In the interim and only by exception, where a tariff increase is required for example to meet a particular service need or acute cost issue, any increase will be considered on a site by site basis.

4. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance	Y	The Council has power to provide and to regulate off-street car parks under the Road Traffic Regulation Act 1984. The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 set out the procedures to be followed before and after making any order regulating the use of car parks.
Financial implications to include reference to value for money	Y	The Council is not intending to change the current parking fees until such time as it can implement a two tier parking strategy. This approach will be used to reduce the uplift in parking fees for residents, where-as non-residents would have to bear the full cost of inflation.
Risk		
Supporting Corporate Strategy		Council Communities Environment
Climate Change - Carbon / Biodiversity Impact	Y	There are no negative impacts. There may be small positive impacts with customers considering alternative means of transport or care sharing.
Comprehensive Impact Assessment Implications		
Equality and Diversity		No implications.

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

Supporting Information

Appendices:

None

Background Papers:

None

Report to: **Executive**

Date: **30 November 2023**

Title: **South Devon Area of Outstanding Natural Beauty (National Landscape) Partnership**

Portfolio Area: **Cllr John McKay, Lead Executive Member for Climate Change and Biodiversity**

Wards Affected: **Allington and Strete, Blackawton and Stoke Fleming, Charterlands, Dartmouth and East Dart, Ermington and Ugborough, Kingsbridge, Loddiswell and Aveton Gifford, Marldon and Littlehempston, Newton and Yealmpton, Salcombe and Thurlestone, South Brent, Stokenham, Wembury and Brixton, West Dart.**

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

Date next steps can be taken: Upon the expiry of the Overview & Scrutiny Call-in period – 5.00pm on Monday, 11 December.

Author: **Roger English** Role: **South Devon AONB Manager**

Contact: **Telephone/email:**
01803 229331 / roger.english@southdevonaonb.org.uk

RECOMMENDATIONS

That the Executive:

- 1. Note the scope of core and project work being undertaken by the South Devon AONB Partnership and the alignment with Council priorities;**
- 2. Request an update report on these programmes back to the Executive in a further six months' time;**
- 3. Approve the underwriting of the Life on the Edge project, to maximum financial value of £96,000, (£18,000 per year over 5 years) against the £4.2m project programme; and**
- 4. Delegate authority to the Director of Place and Enterprise to review and amend the hosting agreement to reflect this principle and agree the partnership status of the AONB for a further 5 years to provide surety of funding.**

1. Executive summary

- 1.1. The South Devon AONB Partnership is an established, significant, and valued partner assisting in the delivery of Council priorities. It provides a strategic lead in the protection, conservation and enhancement of the South Devon AONB, the nationally designated area. Actions and projects are focused around thematic and geographic areas of mutual interest and benefit, achieving positive outcomes for Nature, Climate, People and Place.
- 1.2. The partnership, through its suite of projects, will:
 - Increased the classification of AONB land as of a high value for nature by 7% to 36% by 2030
 - Increase the overall area of specific priority habitats by 60% above current levels (an additional 5,200 ha of land will become naturerich) by 2050 including:
 - 2120 ha of species rich grassland
 - 1750 ha of maritime cliff and slope habitats expanding inland.
 - 1235 ha of new broadleaved woodland, including extensions to and links between existing woods.
- 1.3. The AONB Partnership is supported by a dedicated Staff Unit, employed and hosted by South Hams District Council on behalf of the Partnership. SHDC are the accountable body of the South Devon AONB Partnership.
- 1.4. The AONB Unit is currently leading on the delivery of 12 project programmes to the value of £0.85m in 2023/24 and £1.9m in 2024/25, alongside core AONB work and providing support to over sixty other initiatives to conserve and enhance the natural beauty of the AONB. This report provides an update on key aligned projects and makes recommendations with respect to the funding position for the Council as a core funding partner and host organisation, to maximise delivery across multiple aligned priorities.

2. AONB Key Projects

- 2.1 The South Devon AONB Partnership has consistently made a significant contribution to the delivery of Council priorities over its 20-year lifetime with a focus upon Nature, Climate, People and Place captured through the strategy and delivery plan of the statutory Management Plan for the area. Now more than ever the Partnership's core and project activity is exceptionally well aligned with corporate priorities, together with Defra and those of

other local authority partners Devon County Council, Torbay Council and Plymouth City Council.

2.2 Headline priorities for 2024/25 taken from the September 2023 AONB Core Funding Group meeting and the AONB Management Plan: Part 2 Delivery Plan are as follows:

- Subject to securing National Lottery Heritage Fund project grant – Year 1 of £4.2m five year nature recovery focused **Life on the Edge** project Delivery Phase (NLHF decision awaited in early December 2023)
- Subject to securing a £750k Landscape Recovery project grant – Deliver Year 1 of two year **Un-squeezing the Coast: South Devon Landscape Recovery project** development phase. (Defra decision awaited in early December 2023) supporting 66 farmers and landowners to take action for Net Zero, sites protected for biodiversity and habitat enhancement
- Deliver £595k Year 4 **Farming in Protected Landscapes** programme for South Devon
- Deliver support and advice to farmers and land managers through Year 2 of the **Farm and Landscape Connectivity Facilitation Fund** programme for South Devon.
- Deliver Year 3 **Access for All** programme for South Devon
- State of the AONB evidence collation, analysis and reporting
- Early phases of AONB Management Plan review taking full account of new emerging Management Plan Guidance for England's Protected Landscapes (Natural England/Defra) and new Levelling up and Regeneration Act provisions and subsequent regulations
- Support development of the Devon Local Nature Recovery Strategy while iterating and delivering the **South Devon AONB Nature Recovery Plan**
- Prepare a **Climate Action Plan for the AONB** as a designated area, its Partnership and Staff Unit, including a Climate Change Adaptation Management Plan to be produced, embedded in, or linked with, the Management Plan by 2028
- Provide of AONB matters advice (including Standing Advice and Guidance) to Development Management and Strategic Planning functions of the areas four LPAs in accordance with Planning Protocol and the Marine Management Organisation
- Implement the Coastal Heritage Monument Management Scheme
- Develop investable propositions for Green Financing through Nature South West
- Seek and develop nature-based solutions to climate change that deliver on nature recovery

- Lead on and coordinate Estuaries Management for South Devon's five estuaries
 - Co-host the South Devon River Catchments Based Approach
- 2.3 In accordance with the Defra Grant Funding Agreement AONB Staff Unit progress is reported to Defra twice a year in the form of a Mid Point and End Point Review. Further project specific reports are provided to individual funders following the terms of funding provided.
- 2.4 Key Performance Indicators are reported to Defra on an annual basis. These cover the work of the AONB Staff Unit, Partnership and wider partners and stakeholders in conserving and enhancing the natural beauty of the AONB.
- 2.5 A new outcomes framework for all protected landscapes in England is being developed by Defra linked to targets, outputs and outcomes in the Environmental Improvement Plan 2023.

Council priorities

- 2.6 AONB Partnership activity contributes to all Corporate strategy themes but makes a particularly strong contribution toward climate and biodiversity ambitions through actions and projects including the following illustrative examples:

South Devon AONB Nature Recovery Plan¹

- 2.7 Produced in response to the Colchester Declaration 2019² to shape and target nature recovery interventions throughout the AONB and its setting, feed into the emerging Devon Local Nature recovery Strategy and next round of AONB Management Plan production. The plan takes a three-pronged approach identifying Nature-First, Nature-Rich and Nature-Friendly areas together with quantifying metrics for measuring progress toward habitat and species based targets for land and water within the AONB and its setting.

¹ <https://www.southdevonaonb.org.uk/wp-content/uploads/2023/06/SDAONB-Nature-Recovery-Plan-June-23-web-V1.0.pdf>

² <https://landscapesforlife.org.uk/projects/colchester-declaration>

But many of these species are now in serious trouble, with some facing extinction. These vulnerable and special species are holding on along a thin strip of coast, squeezed by the sea on one side and increasingly-intensive agriculture on the other.

- 2.9 Life on the Edge is a project that gives these species a lifeline to the future. A few strongholds survive, thanks to nature-friendly farming by visionary landowners and managers and the project will support more people – farmers, gardeners, communities and businesses – to make more space for nature along the coast, targeting the needs of our rarest species with measures that also help our more common wildlife. Core to the project is involving people, helping them to reconnect to nature, refreshing their sense of wellbeing and empowering them to make a difference for nature.
- 2.10 This partnership project led by South Devon AONB, involving Buglife, National Trust, Doorstep Arts, SW Coast Path Association and a wide range of other project partners has concluded its National Lottery Heritage Fund development phase and awaits a decision on its Round 2 application to support a £4.2m project over the next five years. The result will be a coastline and its connected hinterland that is buzzing with wildlife, packed with wildflowers and a treat for the eye for residents and visitors alike.



- 2.11 The project aims to:

RECONNECT local communities, rural and urban, and visitors to South Devon, to the Protected Landscape and special wildlife on their doorstep, inspiring them to discover, value and take action for special species.

REFRESH people's health and wellbeing, through practical tasks, regular activity groups, spending quality time with other people and gaining new knowledge about the natural world along the coast.

EMPOWER people to make a real contribution to tackling the ecological emergency, gaining new skills, knowledge, capacity, and inspiration to deliver nature recovery in their communities.

RESTORE resilient populations of some of the UK's most threatened invertebrates and plants to the South Devon coast.

ENHANCE the whole coastline of the South Devon AONB for people and wildlife.

2.12 As a result, by 2029:

- At least 33,000 beneficiary-activity-days will have been delivered by the project.
- At least 3,000 people who have previously had limited engagement with the coast, will have been able to overcome barriers and have new, rewarding and life-enhancing experiences
- connecting with nature along the South Devon coast.
- 75% of these targeted participants will report an improvement in their wellbeing through taking part in our activities, feeling healthier, more confident, and better connected.
- 9 apprentices, 5 interns, 10 long-term volunteer trainees, the whole AONB workforce including the Life on the Edge project team (13 people), dozens of farmers and landowners, and
- hundreds of other learners, volunteers and partners will have gained valuable new skills to use in securing nature's recovery.
- At least 18,000 people will have increased their understanding of our special species and habitats, and we expect 50% will have taken targeted action at home, at work or in their
- community that benefits nature.
- 50% of local residents surveyed will have become aware of and appreciate the Life on the Edge project and the changes it has made to enhance the local area.
- Over 900,000 visitors and users of the South West Coast Path through our Hotspot areas will have benefited from a more nature-rich experience as well as learning about the steps we and partners have taken to protect rare species, and how they can get involved themselves.
- Our 60 target species will have progressed along their journey to recovery and will have a more sustainable future.
- 675ha of invertebrate-friendly habitat will be restored or created in our Hotspots.

- Of this total, 100ha of new seed donor sites will be created, to supply future regeneration programmes as part of the legacy of Life on the Edge.
- In addition, over 1,300ha of nature-friendly farmland in our B-Lines will create a network connecting our Hotspots.

Farming in Protected Landscapes Programme⁴

2.13 This national programme, is delivered locally in the South Devon AONB supporting farmers and land managers, and providing capital and revenue grants to: carry out projects that support nature recovery; mitigate the impacts of climate change; provide opportunities for people to discover, enjoy and understand the landscape and cultural heritage; or support nature friendly, sustainable farm businesses and diversification.

2.14 A total of £1m funding over the three year period 2021/22 to 2023/24 has supported 48 projects to date. Additional national funding in the form of a Historic Building Restoration Grant is being made available to support farm based heritage building restoration projects. A further £595k is available in 2024/25 to support outcomes for Nature, Climate, People and Place in South Devon.



Flete Farming Partnership
Habitat Development



Foxharris Farming
Vegetable strip-till



Cows in Clover
No Fence collars- conservation grazing



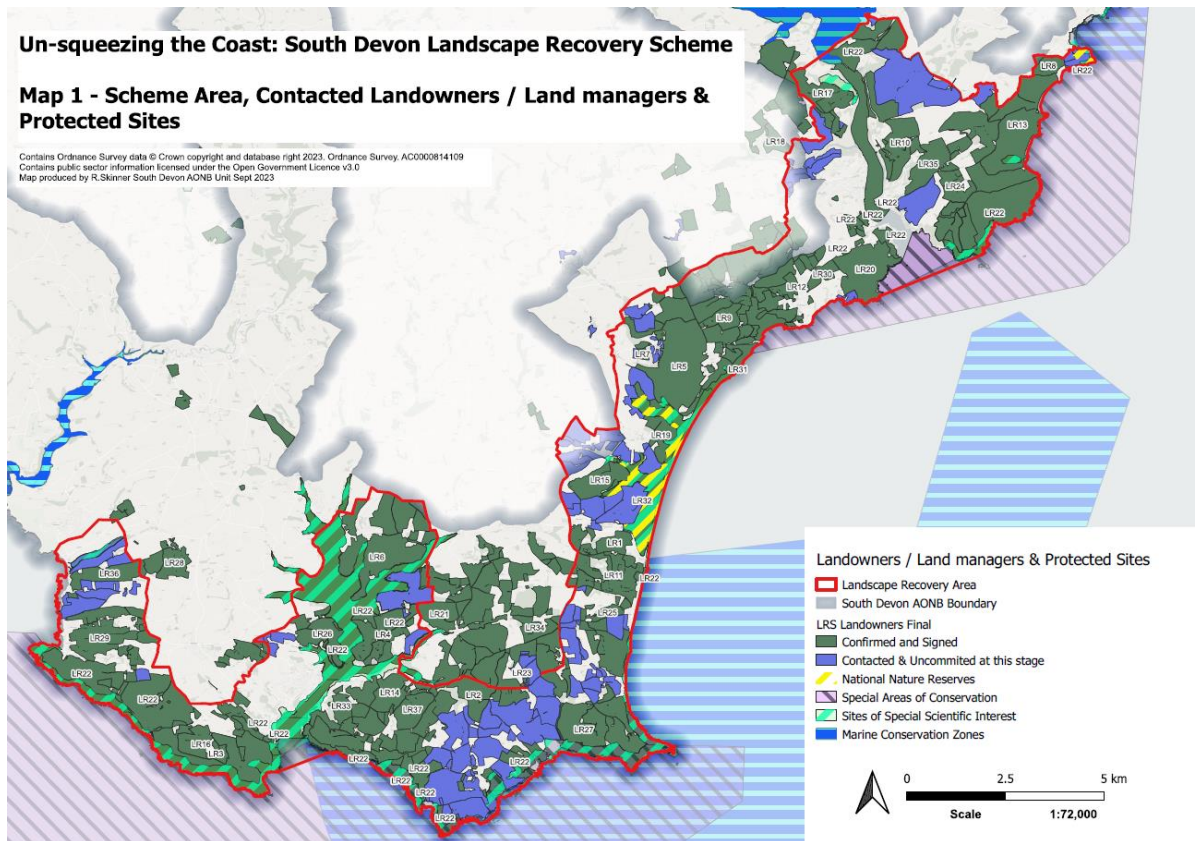
Carbon cluster
Soil carbon measurement

⁴ <https://www.southdevonaonb.org.uk/farming-in-protected-landscape-programme-2021-2025/>

Landscape Recovery⁵

- 2.15 'Un-squeezing the coast: South Devon' is a nature first, nature rich, nature friendly submission to Defra for Environmental Land Management (ELM) Landscape Recovery scheme Round 2 funding. Subject to a successful outcome in early December the project will enter a 3 month enrolment phase followed by a two year development phase to become investment ready.
- 2.16 The project itself is focused upon species assemblages and habitat rather than individual species and will create significant long-term change along the South Devon coast integrating high quality food production and progressive innovative farming within an enhanced and restored ecological environment. The project will showcase landscape scale nature recovery within productive lowland mixed farming, of small/medium sized family farms, bringing in much needed long term green investment stacked and blended with agri-environment grant options specifically designed for the Un-squeezing the coast project area, its farmers and land managers.
- 2.17 Farms will be supported to achieve at least net-zero during the process and to create a coastal biodiversity network threaded through the agricultural landscape buffering sensitive sites. Significant funding will be provided for both enhanced management of existing habitats and restoration of wildlife rich habitats in key locations including species rich meadows, coastal grassland marsh, scrub, saltmarsh and seagrass.
- 2.18 The project area covers 10,869 hectares of farmland, estuary waters and fundus between South Milton Ley in the west to Sharkham Point in the east, encompassing Salcombe-Kingsbridge estuary and the lower part of the Dart estuary. 66 farmers and landowners have committed their support and 8,314 hectares of their land and intertidal habitat to the project.

⁵ <https://www.gov.uk/government/publications/apply-for-landscape-recovery-funding>



3. Under-writing the Life on the Edge project funding gap

- 3.1 During the development phase of the Life on the Edge Project, match funding to the value of £2,173,300 was sought to match the National Lottery Heritage Fund grant request of £2,092,400. At submission of the Round 2 application, £2,077,300 match funding had been secured and a further £96k remains to be found representing 2.25% of the overall project value. A funding gap at submission stage is quite typical, though one of this small size less so, as the project team were exceptionally successful at securing match funding in advance.
- 3.2 Buglife our main project delivery partner approached several charitable trusts to meet the funding gap. However, as the project start date remains some way off, the trusts were unable to make a decision at the time. It is common practice under these circumstances for the main partner to under-write any funding gap and in so doing provide reassurance to the National Lottery.
- 3.3 The likelihood of this gap occurring is virtually zero, based on development phase experience, strength of the project partnership, commitment from project partners, and success to date with fundraising. A fundraising plan is in place to secure the remaining £96k, the equivalent of £19k per year for the five years of the project. This includes bids that are in place for the

remainder funding and in case these are not successful other appropriate charitable funds have been identified in addition to crowd sourcing. Further opportunities will open up over the five years and the project manager will be responsible for closing the funding gap as part of their duties.

- 3.4 In the unlikely event it should materialise despite best endeavours, the recommendation is to fund the £18k/yr (up to a maximum £96k over 5 years) match funding deficit against the £4.2m project from the Climate and Biodiversity funding stream of the Council.

4. Development Management involving AONB matters

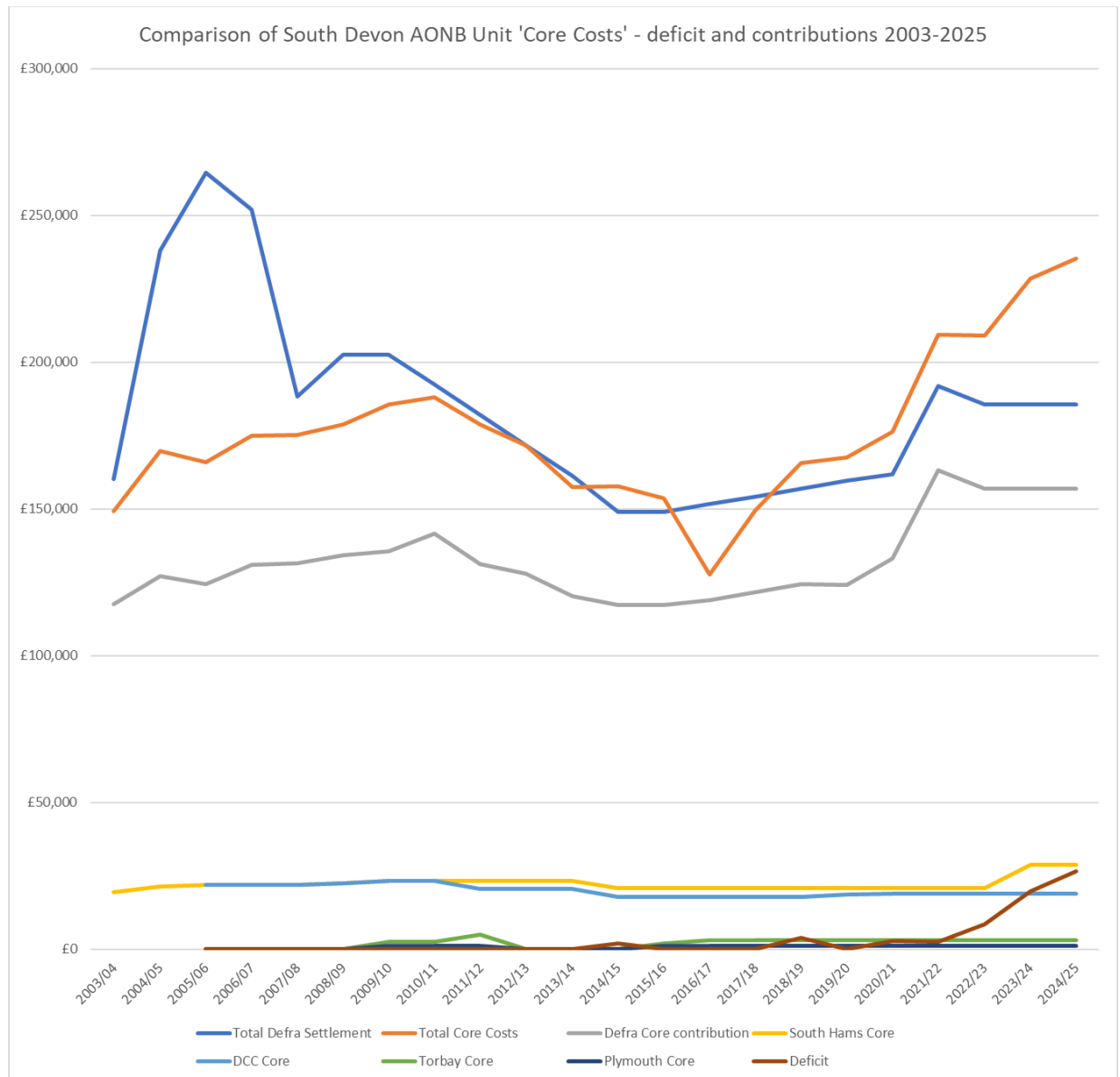
- 4.1 The Executive approved in March 2023 an additional budget of £8,000 per year for a two-year trial period to part fund an additional 1.5 days per week employed resource dedicated to South Devon AONB planning matters. Circa £10,000 per year match funding for this element was to be provided from AONB Defra funding. To aid recruitment, retention and benefit from economies of scale, this was to be combined into a shared 4 days/week AONB Planning Officer role supporting all three coastal AONBs in Devon. The post will be managed through a Partnership Agreement and hosted by South Devon AONB. North Devon Coast AONB and East Devon AONB were to meet the employment and any other AONB specific costs for their 1.5 day and 1 day per week respectively. All other cost were to be split pro rata.
- 4.2 The role is yet to be filled, despite best efforts, but it is hoped will be in the near term. As a consequence, the transfer of the £8,000 contribution provided by the Council toward the South Devon AONB component of the post costs has not been triggered and the linked Service Level Agreement conditional upon having the additional post in place has not been enacted.
- 4.3 As a temporary alternative, it has not been possible to secure affordable interim contractor support over the intervening period. Despite this, AONB planning responses to South Hams, Torbay, Plymouth and Devon local planning authorities, and the Marine Management Organisation are being managed and prioritised as effectively as possible. This has been challenging. The additional resource as and when it is secured will be very beneficial and trigger the service level agreement. A close working relationship with the planners and other specialist officers in all authorities is well established.

5. AONB Core and Project Funding

Whilst the AONB Unit has been extremely successful in gearing in project funding to deliver projects such as those set out in section 2, Core funding, the money that pays for four posts (3.5 FTE) staff costs, running the AONB partnership, rent to SHDC and IT costs, has reduced relative to the cost base year on year. Chart 1 below shows the

impact of cost inflation on the AONB unit as Total Core Costs (the orange line), compared with contributions from core funders (the broadly flat lines at the bottom) and the resultant deficit. Costs and contributions for 2024/25 are forecasts at this stage. Note that an additional four posts (3.6FTE) within the AONB Unit are entirely project funded. Annual turnover figures are provided in Chart 2.

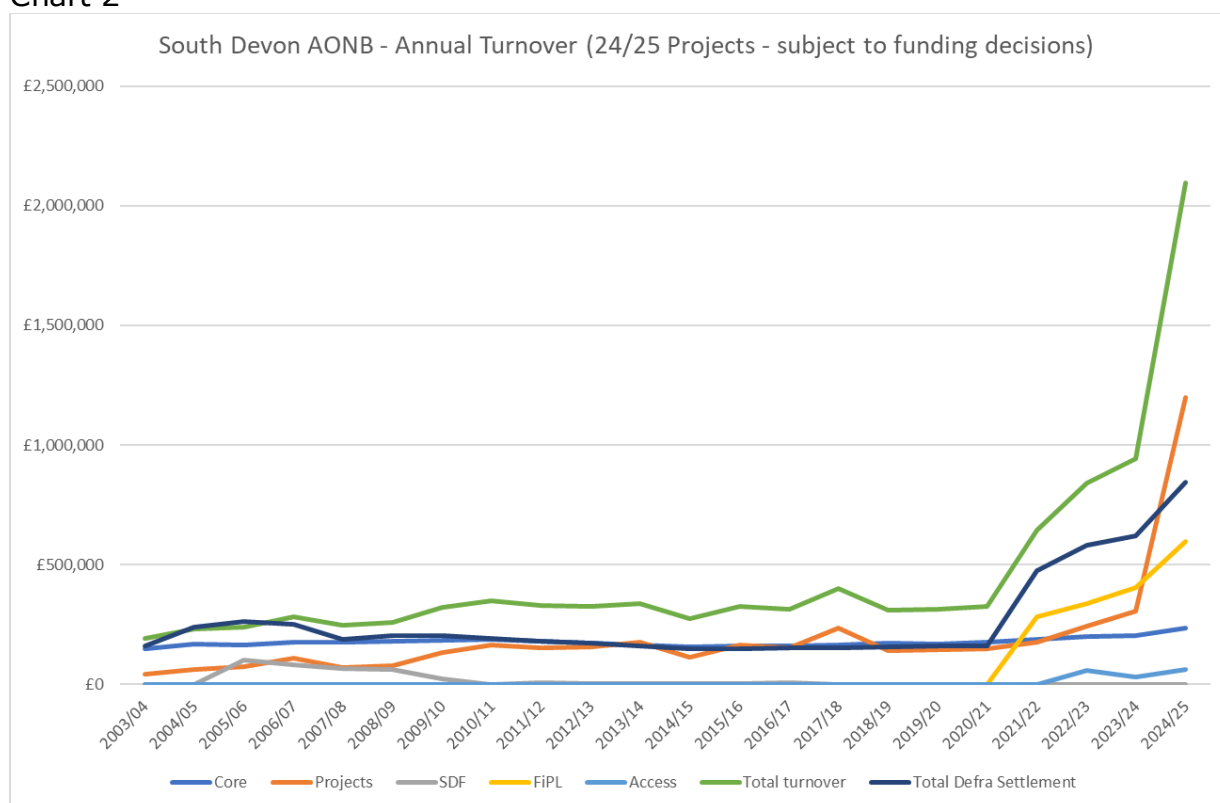
Chart 1



5.1. Core funding is provided by SHDC, DCC and a comparatively small contribution from Torbay and Plymouth City Councils. SHDC charge a rent for hosting the AONB forecast at £20k for 2024/25. At the same time SHDC pay a core grant contribution of £20.7k. As such, SHDC does not in real financial terms contribute to the core costs of the AONB.

- 5.2. Whilst it is recognised that the AONB occupy space in Follaton House, it is in the gift of the Council to recognise the contribution the AONB make to its corporate strategy and key priorities by treating this contribution as payment in kind for the rent.
- 5.3. For finance treatment reasons, it is proposed that rent continues to be charged and the equivalent sum is granted back to the AONB unit to achieve the same outcome in a transparent way. This grant would specifically be to support core funded activity. Appendix A includes a list of core functions the AONB provides.

Chart 2



- 5.4. The national funding model for AONBs in England is an ongoing challenge. The model relies on the provision of a single pot three-year, currently 2022-2025, grant funding settlement from Defra linked to a national funding formula. Under the terms of the settlement, any monies spent on core activities must be matched by at least 25% funding to come principally from local authorities.
- 5.5. In practice earned income has been required since 2014/15 to meet a deficit and balance the core operating budget as total local authority contributions fall short of meeting the 25% threshold. While Defra contributions have increased modestly over time since 2014/15, local authority contributions for South Devon have remained static in the face of increasing core costs.

- 5.6. Rising operating costs beyond the control of the South Devon AONB Partnership and its executive body the Core Funding Group risk the viability of the core AONB Staff Unit that in turn underpins multi million pound funding programmes over the next five years and beyond that will deliver at scale for the area, its communities, visitors and SHDC priorities.

National priorities

- 5.7. National priorities for AONBs are set by Defra and articulated principally through the AONB Grant Funding Settlement including contributing to delivery of Landscapes Review, particularly:
- **Nature and Climate** – increasing the role of our protected landscapes in delivering nature-based solutions to help address the twin biodiversity and climate crises.
 - **People and Place** – improving access to our protected landscapes for all parts of society and supporting the communities that live and work there.
 - Contribute towards delivery in support of new **national landscapes strategy** and **outcomes framework**
 - **Collaborate** more effectively, working together with other AONBs and National Park Authorities [and National Trails] at regional and national level towards delivery of national strategic priorities.
- 5.8. AONB Management Plan remains central to this and additional new guidance is expected shortly setting out Defra expectations for the next round of AONB Management Plan reviews.

Increased protection for AONBs and status of Management Plans

- 5.9. The Levelling up and Regeneration Bill received Royal Assent on the 26 October, though final text of the new Act is awaited. In addition to reforms of the planning system, the Act contains important modifications and new clauses for insertion into AONB elements, Part IV of Countryside and Rights of Way Act 2000. Further detail will be provided for Executive members when text and analysis is available, however the changes can be summarised as:
- s85 'Duty of regard' replaced with a duty to further the conservation and enhancement of natural beauty of AONBs.
 - Secondary legislation – to set out how relevant authorities are to comply with the new duty including provision about things that the authorities may, must or must not do to comply with the duty.
 - A series of additions to s90 AONB Management Plans provide for Statutory Instruments to be used to:
 - Require an AONB management plan to meet any target in the Environmental Improvement Plan 2023
 - Set out how much the management plan must contribute

- Set out how the management plan must further the purpose of the AONB
- Require any relevant authority to contribute toward the preparation, implementation and review of a Management Plan and set out how a relevant authority must do so.

5.10. As of the 22 November 2023 all AONBs were rebranded as National Landscapes sitting alongside National Parks and National Trails within the England’s Protected Landscapes Partnership. The rebrand was proposed by the Glover Landscapes Review, requested and funded by Defra to enable AONBs to gain better access to national level funding and improve the connection with all parts of society.

6. Options available and consideration of risk

6.1 The following table presents a consideration of alternative options?

Alternative approaches	Considerations
Savings and efficiencies	These have been addressed comprehensively over a period of 10 years since the initial reduction in Defra funding. No further savings and efficiencies at this time. AONB Unit core activities underpinning project programme remains at risk.
Income generation	The AONB Unit has been consistently successful with generating income through all eligible activities, however the scope of work is limited to activities in support of AONB Management Plan priorities, eligibility criteria vary considerably by funder and Core AONB activities remain outside of scope.
Wait for a revised national funding formula to be developed and implemented	The Secretary of State for the Environment has committed Defra to undertake a review of the national funding formula for all protected landscapes – National Landscapes (AONBs), National Parks and National Trails, but a case for increased funding will need support from treasury and to be considered within future government Comprehensive Spending Review cycles.
Wait for implementation of the Glover	Though publication is expected imminently, the Government’s detailed response to the 2022 public consultation on the government’s initial response to the Glover

Landscapes Review proposals	Review has been awaited for some time. It is unlikely that any significant change will occur without treasury support and legislative change.
Increase reliance on Green Finance	Significant weight is being attached to the potential for green finance and investment in protected landscapes. However, this is an emerging area of work with rapidly developing markets focused around biodiversity net-gain and carbon credits. This fits well with direct land management activities but the AONB Partnership does not own or manage land and funding of core AONB activities will remain outside of scope.
Request increased contributions from other Local Authority partners	Devon County Council are already considering how they may be able to assist with meeting inflationary increases across the five AONB Partnerships operating in Devon
Do nothing	This approach particularly affects the AONB Partnership's Core activities and staffing levels considered currently by the National Association for AONBs and in common with the majority of other AONBs in England, to fall below a minimum viable operating model. A further reduction in core activities risks the collapse of project funded programmes and investment

7. Implications

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		A new outcomes framework for all protected landscapes in England is being developed by Defra linked to targets, outputs and outcomes in the Environmental Improvement Plan 2023.
Financial implications to include reference to value for money		The recommendation is to fund the £96,000 match funding deficit against the £4.2m project. A cost pressure of £20,000 per annum for 5 years has been built into the budget setting process for 2024/25 onwards.
Risk		The risk implications are set out at Section 6 above.

Supporting Corporate Strategy		Climate Change & Biodiversity
Consultation & Engagement Strategy		N/A
Climate Change - Carbon / Biodiversity Impact		Actions and projects are focused around thematic and geographic areas of mutual interest and benefit, achieving positive outcomes for Nature, Climate, People and Place.
Comprehensive Impact Assessment Implications		
Equality and Diversity		N/A
Safeguarding		N/A
Community Safety, Crime and Disorder		N/A
Health, Safety and Wellbeing		N/A
Other implications		N/A

Supporting Information

Appendices:

A – Established Core Functions of an AONB Unit (Defra)

Background Papers:

None

Appendix A

Established Core functions of an AONB Unit (Defra)

a)	Developing reviewing, preparing and publishing the AONB vision and the Countryside and Rights of Way Act 2000 AONB Management Plan
b)	Promoting the AONB vision and Management Plan to help distinguish the AONB from adjacent countryside
c)	Advising upon, facilitating and co-ordinating implementation by others of the Management Plan
d)	Advising Local Authorities on their activities within AONBs, to encourage them to go beyond normal levels of service (attain the highest possible standards) in countryside management
e)	Monitoring and reporting on progress against AONB Management Plan targets
f)	Monitoring AONB landscape condition
g)	Accessing resources for management activities
h)	Working with and contributing to the National Association for AONBs activities, sharing advice and best practice nationally and regionally.
i)	Providing a management role to co-ordinate AONB protection through the actions of the AONB Unit, the AONB Partnership and other partners at a local and strategic level.
j)	Developing an involvement by the community in the management of the AONB
k)	Providing landscape related planning advice

NOT FOR PUBLICATION

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

Report to: **Executive**
Date: **30 November 2023**
Title: **Q3 and Q4 Write-Off Report – 2022/23**
Portfolio Area: **Cllr Julian Brazil – Leader of Council**

Wards Affected: **All**

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

Date next steps can be taken:

Author: **Geni Hotchkiss** Role: **Head of Revenues and Benefits**

Contact: **geni.hotchkiss@swdevon.gov.uk**

RECOMMENDATIONS:

That the Executive:

- 1. Notes that, in accordance with Financial Regulations, the Section 151 Officer has authorised the write-off of individual debts totalling £152,139.70 as detailed in paragraph 3 of the report; and**
- 2. Approves the write-off of the individual debts totalling £83,564.08 as shown in Appendix A of the report.**

1. Executive summary

- 1.1 The Council is responsible for the collection of Council Tax, Non-Domestic Rate, overpaid Housing Benefit and Sundry Debt.
- 1.2 This report informs members of debt written-off for these revenue streams. Debt up to the value of £5,000 can be written off by the Section 151 Officer under delegated authority. Permission needs to be sought from Executive Committee to write-off individual debts with a value of more than £5,000. Members agreed a write-off policy in March 2023 which sets out the circumstances in which

a debt is deemed to be irrecoverable. This includes insolvency cases and where the debtor is deceased or cannot be traced.

- 1.3 The report covers the period 1 October 2022 to 31 March 2023. The total amount of debt to be written-off is £235,703.78. The amount written-off for the period 1 April 2022 to 30 September 2022, for all revenue streams, was £175,870.83.
- 1.4 One of the key outcomes of the Revenues and Benefits Service Review is the improvement of collection rates for Council Tax and Non-Domestic Rate and the report includes information about the amount of debt written-off by financial year as well as comparing collection performance against shire districts.
- 1.5 In 2022/23 the Council achieved a Council Tax collection rate of 98.6% which was significantly above the national average of 96% as well as the average for shire districts which was 97.2%. This performance placed South Hams District Council in the top quartile nationally.
- 1.6 For Non-Domestic Rates, our collection rate of 98% compares favourably to a national average of 96.8% and an average collection rate of 97.5% for shire districts. This performance places us in the second quartile nationally.

2. Background

- 2.1 The Council's sound financial management arrangements underpin the delivery of all the Council's priorities, including the commitment to provide value for money services. This report forms part of the formal debt write-off procedures included in these financial arrangements. The Executive Committee agreed at its meeting of 2 March 2023 to adopt a Council Tax, Non-Domestic Rate (Business Rates) and Housing Benefit Overpayments write-off policy to ensure transparency and consistency in decisions regarding the writing-off of uncollectable debt.
- 2.2 It was also agreed that future write-off reports would be presented in an updated format. Previously the report detailed debt written-off during a quarter regardless of the financial year to which it relates. One of the key outcomes of the Revenues and Benefits Service Review is the improvement of collection rates for Council Tax and Non-Domestic Rates and the report contains additional detail on debts written-off by financial year.
- 2.3 The writing-off of debt which is irrecoverable is recognised as good practice by the Department of Housing, Levelling Up and Communities, the Chartered Institute of Public Finance and Accountancy and the Department for Work and Pensions. Debts are only considered for write-off after we have taken all steps to collect them. It is important is that processes and procedures are

frequently reviewed to ensure maximum effectiveness in debt collection and recovery.

- 2.4 Whilst it is recognised that most of the income owed to the Council will be successfully billed for and collected, there are a variety of reasons why debt will become irrecoverable and needs to be written-off. Debts will only be recommended for write-off once all options to recover and enforce them, as allowed for by the relevant legislation, have been exhausted.
- 2.5 When it is certain that debts are irrecoverable or the cost of recovery would outweigh the benefit, debts should be written-off following appropriate review and authorisation and with reference to the write-off policy. A full audit trail is also retained.

3. Outcomes/outputs

Council Tax Write-Offs

- 3.1 The table below shows Council Tax debts which have been approved for write-off in Quarters 3 and 4 of 2022/23 by the Section 151 Officer under delegated powers. It also compares the cases and amounts against the corresponding quarters of the 2021/22 financial year.

Reason for write off	No. of cases	2021/22 – Amount written off (£)	No. of cases	2022/23 – Amount written off (£)
Debtors who cannot be traced	1	187.03	4	593.28
Death of a debtor	7	450.47	18	7,046.64
Insolvency	48	52,294.52	47	68,858.67
Small balance	140	818.47	149	1,574.53
Miscellaneous	14	3,794.41	6	734.68
Uncollectable old debt	273	11,874.64	8	774.43
Total	483	69,419.54	232	79,582.23

- 3.2 The primary reason for writing off Council Tax debt remains insolvency. This includes debt relief orders and bankruptcy and the high level continues to reflect some of the financial issues council taxpayers may be experiencing due to the cost-of-living crisis.

Council Tax Write-Offs by financial year

- 3.3 The breakdown below details the write-offs by financial year. Our collection rate of 98.6% for 2022/23 was significantly above the average performance of Shire Districts, which was 97.2%, and we wrote off a small amount of debt in year.

Financial year	Amount written off (£)	In year Collection Rate	Shire District average
Pre 2018/19	14,068.94	Various	Various
2018/19	4,937.16	98.2%	97.9%
2019/20	9,792.91	98.3%	97.7%
2020/21	9,239.36	97.8%	96.9%
2021/22	19,808.41	98.3%	97.2%
2022/23	21,735.45	98.6%	97.2%
Total	79,582.23		

Council Tax Write-Offs – over £5,000

- 3.4 Permission needs to be sought from Executive Committee to write-off individual debts with a value of over £5,000. As this information is confidential, the full details are contained in the exempt appendix however the high-level detail is as follows:

Case 1

Amount - £5,213.50

Reason for write off – insolvency.

Case 2

Amount - £5,052.22

Reason for write off – insolvency.

Case 3

Amount - £6,506.29

Reason for write off – deceased.

Case 4

Amount - £6,517.40

Reason for write off – deceased.

The amounts requested for write-off by financial year are as follows:

Financial year	Amount to be written-off (£)	In-year collection rate	Shire District Average
Pre 2018/19	4,787.33	Various	Various
2018/19	3,386.17	98.2%	97.9%
2019/20	2,458.08	98.3%	97.7%
2020/21	2,879.12	97.8%	96.9%
2021/22	3,351.22	98.3%	97.2%
2022/23	3,448.54	98.6%	97.2%
Total	23,289.41		

Non-Domestic Rate Write-Offs

3.5 The table below shows debts under £5,000 which have been approved for write-off in quarters 3 and 4 of the 2022/23 financial year by the Section 151 Officer under delegated powers. It also compares the cases and amounts against the corresponding quarters of the 2021/22 financial year.

Reason for write off	No. of cases	2021/22 – Amount written off (£)	No. of cases	2022/23 – Amount written off
Insolvency	14	27,966.99	32	56,419.80
Debtors who cannot be traced	0	0.00	0	0.00
Death of a debtor	0	0.00	0	0.00
Small balance	2	1.51	3	2.12
Uncollectable old debt	0	0.00	6	356.93
Total	16	27,968.50	41	56,778.85

3.6 The primary reason for writing off Non-Domestic Rate debt remains insolvency which may be indicative of difficult trading conditions during the Covid-19 pandemic and the cost-of-living crisis.

Non-Domestic Rate Write-Offs by financial year

3.7 The breakdown below details write-offs by financial year and compares our in-year collection rate against the average for shire districts. A small amount of in year debt was written-off in 2022/23 and it should be noted that we achieved a NNDR collection rate of 98.0% compared to an average for Shire Districts of 97.5%.

Financial year	Amount written off (£)	In-year collection rate	Shire District average
Pre 2018/19	32,120.03	Various	Various
2018/19	9,253.77	98.4%	98.4%
2019/20	6,601.78	98.7%	98.3%
2020/21	1,850.65	91.7%	95.0%
2021/22	648.42	98.1%	97.0%
2022/23	6,304.20	98.0%	97.5%
Total	56,778.85		

Non-Domestic Rates Write-Offs over £5,000

- 3.8 Permission needs to be sought from Executive Committee to write off individual debts with a value of over £5,000. Details of two cases are included in the exempt appendix:

Case 1

Amount - £46, 714.67

Reason – Company dissolved

The amounts requested for write off by financial year are as follows:

Financial year	Amount to be written off (£)	In-year collection rate	Shire District average
2020/21	19,585.75	91.7%	95.0%
2021/22	14,570.95	98.1%	97.0%
2022/23	12,557.97	98.0%	97.5%
Total	46,714.67		

Housing Benefit Overpayments Write-Offs

- 3.9 The table below shows debts under £5,000 which have been approved for write-off in quarters 3 and 4 of 2022/23 by the Section 151 Officer under delegated powers. It also compares the number of cases and amounts to the same quarters in 2021/22.

Reason for write off	No. of cases	2021/22 – Amount written off (£)	No. of cases	2022/23 – Amount written off (£)
Insolvency	1	921.17	0	0.00
Death of a debtor	4	580.36	3	5,171.21
Small balance	5	69.87	5	30.19
Uncollectable old debt	24	8,462.98	10	1,182.63
Non-recoverable	3	2,044.61	78	6,231.67
Total	37	12,078.99	96	12,615.70

- 3.10 The amount written-off in comparison to the same quarters for the 2021/22 financial year is very similar. Good progress has been made in collecting old debt due to improved data sharing with the Department for Work and Pensions. Unfortunately we have seen an increase in 'local authority error'. In these cases the overpayment is not legally recoverable and we therefore have no choice other than to write it off. As part of the Revenues and Benefits Service Review, a new role of Training and Quality Assurance Officer is about to be recruited to. This should result in

more accurate processing and a reduction in the future write-off of non-recoverable debt.

Sundry Debt Write-Offs

3.11 The table below shows debts under £5,000 which have been approved for write-off in quarters 3 and 4 of 2022/23 by the Section 151 Officer under delegated powers. It also compares the number of cases and amounts to the same quarters in 2021/22.

Reason for write off	No. of cases	2021/22 – Amount written off (£)	No. of cases	2022/23 – Amount written off (£)
Insolvency	17	3.73	4	3,162.91
Total	17	3.73	4	3,162.91

3.12 The amount of debt written-off is comparable across financial years and the reason for write-off remains insolvency which may be indicative of continuing difficult trading conditions.

Sundry Debt Write-Offs over £5,000

3.13 Permission needs to be sought from Executive Committee to write-off individual debts with a value of over £5,000. Details on one case is included in the exempt appendix.

Case 1

Amount - £13,560.00

Reason – company dissolved.

4. Options available and consideration of risk

- 4.1 The Executive Committee can either approve the debt being written-off or not. Should the write-off of an individual debt not be approved, it will remain on the relevant system as an outstanding balance. In cases of insolvency there is no other option available to the Council other than to write-off the debt.
- 4.2 If debts remain on the system, it may result in additional time and cost spent pursuing the debt when there is no realistic prospect of collection. This is an inefficient use of the Council's staffing resources.

5. Proposed Way Forward

- 5.1 The Executive Committee approves the write-off of individual debts more than £5,000 as detailed in Appendix A.

5.2 The Executive Committee notes the debts under £5,000 approved for write-off by the Section 151 Officer under delegated powers.

Implications	Relevant to proposals Y/N	Details and proposed measures to address
Legal/Governance		<p>The relevant billing, collection and recovery processes are governed by statutory provisions linked to the type of debt. Debts will be written off in accordance with the Council's Financial Procedure Rules, the Council Tax, Non-Domestic Rate (Business Rates) and Housing Benefit overpayments write-off policy and any legislation relevant to the type of debt. All relevant enforcement remedies will be pursued before a recommendation to write-off is made.</p> <p>The relevant powers for this report are contained within the following legislation.</p> <p>Section 151 Local Government Act 1972 Section 44 Local Government Finance Act 1988 Section 14 Local Government Finance Act 1992</p>
Financial implications to include reference to value for money		<p>A clear process for the writing-off of irrecoverable debt represents effective financial management practice. To continue to pursue debt when it is no longer cost effective to do so is an inefficient use of resources. Provision for bad debts is made in the Council's accounts.</p> <p>The Committee notes that, in accordance with Financial Regulations, the Section 151 Officer has authorised the write-off of individual Council debts totalling £152,139.70 as detailed in paragraph 3.</p> <p>It is recommended that the Committee approves the write-off of the debt more than £5,000 for £83,564.08, as detailed in the exempt Appendix A. The total debts to be written-off are £235,703.78.</p>
Risk		<p>The Council Tax, Non-Domestic Rate (Business Rates) and Overpaid Housing Benefit write-off policy provides assurance regarding controls and the operational process in recovering debt. It should be recognised, however, that due to the volume, value and nature of annual debt due to the Council there will always be irrecoverable amounts which will be</p>

		<p>recommended for write-off once all enforcement remedies have been exhausted.</p> <p>A provision for bad debts is made in the Councils' accounts. The debt recovery policy and the write-off policy and supporting procedures are in place to minimise risk.</p>
Supporting Corporate Strategy		Delivering efficient and effective services.
Consultation & Engagement Strategy		There is no requirement to consult.
Climate Change - Carbon / Biodiversity Impact		No direct carbon/biodiversity impact arising from the recommendations.
Comprehensive Impact Assessment Implications		
Equality and Diversity		All enforcement action prior to writing-off debt is undertaken in accordance with the relevant legislation and accepted procedures. The Council's approach to dealing with debtors remains fundamentally unchanged, however through formalising policy and procedures we are better able to engage with debtors who have potentially tried to ignore their debts.
Safeguarding		None directly arising from this report.
Community Safety, Crime and Disorder		None directly arising from this report.
Health, Safety and Wellbeing		None directly arising from this report.
Other implications		A bad debt provision is built into the financial management of the Council.

Supporting Information

Appendices:

EXEMPT Appendix A

Background Papers:

None

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Report to: **Executive**

Date: **30 November 2023**

Title: **Totnes Neighbourhood Plan**

Portfolio Area: **Planning - Cllr D Thomas Deputy Leader of the Council**

Wards Affected: **Totnes**

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

Date next steps can be taken: Upon the expiry of the Scrutiny call-in period (5.00 pm on Monday 11th December 2023)

Author: **Graham Swiss**

Role: **Senior Strategic Planning Officer and Neighbourhood Planning Specialist**

Contact: **graham.swiss@swdevon.gov.uk**

RECOMMENDATION:

That the Executive approves the making (adoption) of the Totnes Neighbourhood Development Plan.

1. Executive summary

- 1.1 Following the decision of the Executive on 21st September 2023 that the Totnes Neighbourhood Plan (Minute E.24/23 refers), as modified as recommended by the Examiner, meets the Basic Conditions and is compatible with the Convention Rights, and should proceed to a referendum, a referendum was held on 16th November 2023. A majority of those eligible to vote in the referendum voted in favour of the Neighbourhood Plan being made.
- 1.2 Following the referendum the Council is obliged to 'make' (adopt) the Neighbourhood Plan no later than 8 weeks from the date of a successful referendum. The final (referendum) version of the Totnes Neighbourhood Plan is attached as Appendix 1.

2. Background

- 2.1 The Totnes Neighbourhood Plan has been prepared by Totnes Town Council in accordance with the relevant legislation and regulations.
- 2.2 At its meeting on 21st September 2023, the Executive considered the Examiner's report and agreed that with the modifications as recommended by the Examiner, the plan would meet the Basic Conditions, so should proceed to referendum (Min. E.24/23 refers). A referendum was held on 16th November 2023 and achieved a turnout of 17.06% of local residents. Of these, 91.55% voted in favour of the plan.
- 2.3 Regulation 18a of the Neighbourhood Planning (General) Regulations 2012 requires that a neighbourhood plan is 'made' by the Local Planning Authority no later than 8 weeks from the date of a successful referendum. In this case the relevant date by which the plan should be made is 11th January 2024.

3. Outcomes/outputs

- 3.1 Once made, the Totnes Neighbourhood Development Plan will become part of the Development Plan and will be used to help determine planning applications within Totnes parish.
- 3.2 A successful outcome for this neighbourhood plan will provide encouragement to the other parishes currently working on preparing a neighbourhood plan.

4. Options available and consideration of risk

- 4.1 Neighbourhood Plans come into force as part of the Development Plan immediately following a successful referendum. Therefore, the Totnes Neighbourhood Plan should now be used to help determine planning applications.
- 4.2 However, in order to comply with the relevant legislation, the Local Planning Authority must make a neighbourhood plan within the required timeframe following a successful referendum, unless a legal challenge has been brought in relation to the referendum or unless there are concerns about the compatibility of the neighbourhood plan with any EU or human rights legislation. In this instance there are no such concerns.
- 4.3 Failure to make the Totnes Plan within the required timeframe could leave the Council open to a legal challenge.

5. Proposed Way Forward

- 5.1 It is recommended that the Executive approves the making of the Totnes Neighbourhood Development Plan.

6. Implications

Implications	Relevant to proposals Y/N	Details are set out in this report.
Legal/Governance	Y	The function of making a neighbourhood plan is the responsibility of the Council. The Totnes Neighbourhood Plan has followed the procedure in the Neighbourhood Planning (General) Regulations 2012 and the referendum has been held in accordance with the Neighbourhood Planning (Referendums) Regulations 2012. The Council is therefore required to make the Neighbourhood Plan and must do so within 8 weeks of the date of the referendum.
Financial implications to include reference to value for money	N	There are no financial implications. Neighbourhood Plans are supported through a Government grants program. There is an internal cost recovery system for referendums.
Risk	Y	There is a risk of legal challenge if the Neighbourhood Plan is not made within the required timeframe
Supporting Corporate Strategy	Y	The Council's role in the Neighbourhood Plan process is a statutory duty.
Climate Change - Carbon / Biodiversity Impact	Y	The Totnes Neighbourhood Plan aligns with the Joint Local Plan and contains policies aimed at mitigating the effects of Climate Change and impacts upon Biodiversity.
Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	The Neighbourhood Plan has assessed Equality and Diversity implications as part of its background evidence.
Safeguarding	N	None
Community Safety, Crime and Disorder	N	No direct implications.
Health, Safety and Wellbeing	Y	Positive outcomes are anticipated from the making of the Neighbourhood Plan.

Other implications	N	None
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Supporting Information

Appendices:

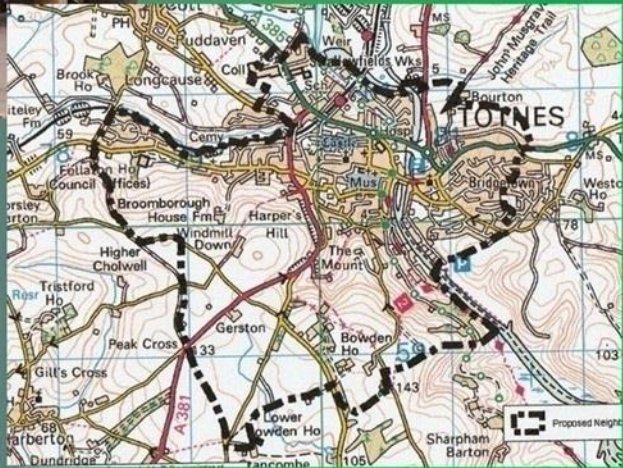
Appendix 1: Totnes Neighbourhood Plan - Referendum version.

Background Papers:

Background documents to the Totnes Neighbourhood Plan on line at:-
<https://www.neighbourhoodplanning.swdevon.gov.uk/totnes>

Totnes Neighbourhood Plan 2019 to 2034

REFERENDUM VERSION
JULY 2023



IN CONSULTATION WITH the residents and
community representatives of Totnes

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Photograph Acknowledgements:

Jacqi Hodgson, Colin Luker, Georgina Allen

The Totnes Map on p68 is reproduced by kind permission of the St Mary's Totnes Heritage Trust

Totnes Neighbourhood Plan 2019—2034

FOREWORD
INTRODUCTION
VISION
KEY OBJECTIVES

Foreword

Welcome to the plan for the future of Totnes. Inspired and made by the local community and covering the whole of the town inside the parish boundary, this is your plan.

Totnes is steeped in history going back to prehistoric times and its future development must respect that archaeological heritage. The local community is also determined that development in Totnes shall contribute towards a sustainable future. The plan aims to protect and nurture the town's precious heritage whilst adapting to the needs of a changing world, particularly recognising the 'climate emergency' and the way we act to protect Totnes for future generations.

The Neighbourhood Plan's (NP) authors, consisting of Town Councillors and a wide variety of public working groups and public consultation events, have created this document to encompass the aspirations and hopes of the community for the next 14 years and beyond.

The vision for Totnes is that:

- a. As Totnes changes and develops over the coming decades its identity must not be lost;**
- b. It will continue to be a model of sustainability, innovation, inclusivity and creativity; and**
- c. It will become an even better place for residents of all ages, visitors and businesses.**

Have your say

The community will have the final say on the adoption of the NP, following its independent examination, through a public referendum. How you vote will determine whether the NP will be adopted.

The NP has been amended following a six week public consultation carried out in November/December 2019 and in the light of comments received from South Hams District Council as the local planning authority.

This is the final document approved by Totnes Town Council for submission to South Hams District Council who will make it available for another six weeks for any further public comments to be made, before arranging for an Independent Examination to take place.

Provided the plan passes examination South Hams District Council will organise a Referendum, which will give the people of Totnes the final say on whether they think the Neighbourhood Plan should be adopted through a simple 'Yes/No' vote. The referendum will be open to all those on the electoral register for Totnes. For the plan to be accepted at least 50% of those voting must say 'yes'. Due to the current Covid-19 situation the referendum is currently planned for no earlier than May 2021.

If it is approved by referendum this neighbourhood plan will come into force immediately and will be referred to by planners in making decisions about development in the town.

This is your plan. Please let us know what you think of it.

Latest version approved by Totnes Town Council, 15th July 2023.

1. Introduction

1.1 What is a NP and why is it important to the Totnes community?

Neighbourhood Planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like, what infrastructure should be provided and grant planning permission. Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs and where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.

(source <https://www.gov.uk/guidance/neighbourhood-planning--2#what-is-neighbourhood-planning>)

1.1.1 A Neighbourhood Plan (NP) enables Totnes as a community to have a much greater say in shaping the areas in which we live and work and in supporting new development proposals in the future. This NP forms part of the development plan and sits alongside the Plymouth and South West Devon Joint Local Plan (JLP) which has been prepared by the local planning authorities.

1.1.2 Decisions on planning applications will be made using both the JLP and the NP, and any other material considerations. The NP means that planning decisions will be based on better informed and more detailed policies than if Totnes were only covered by the JLP.

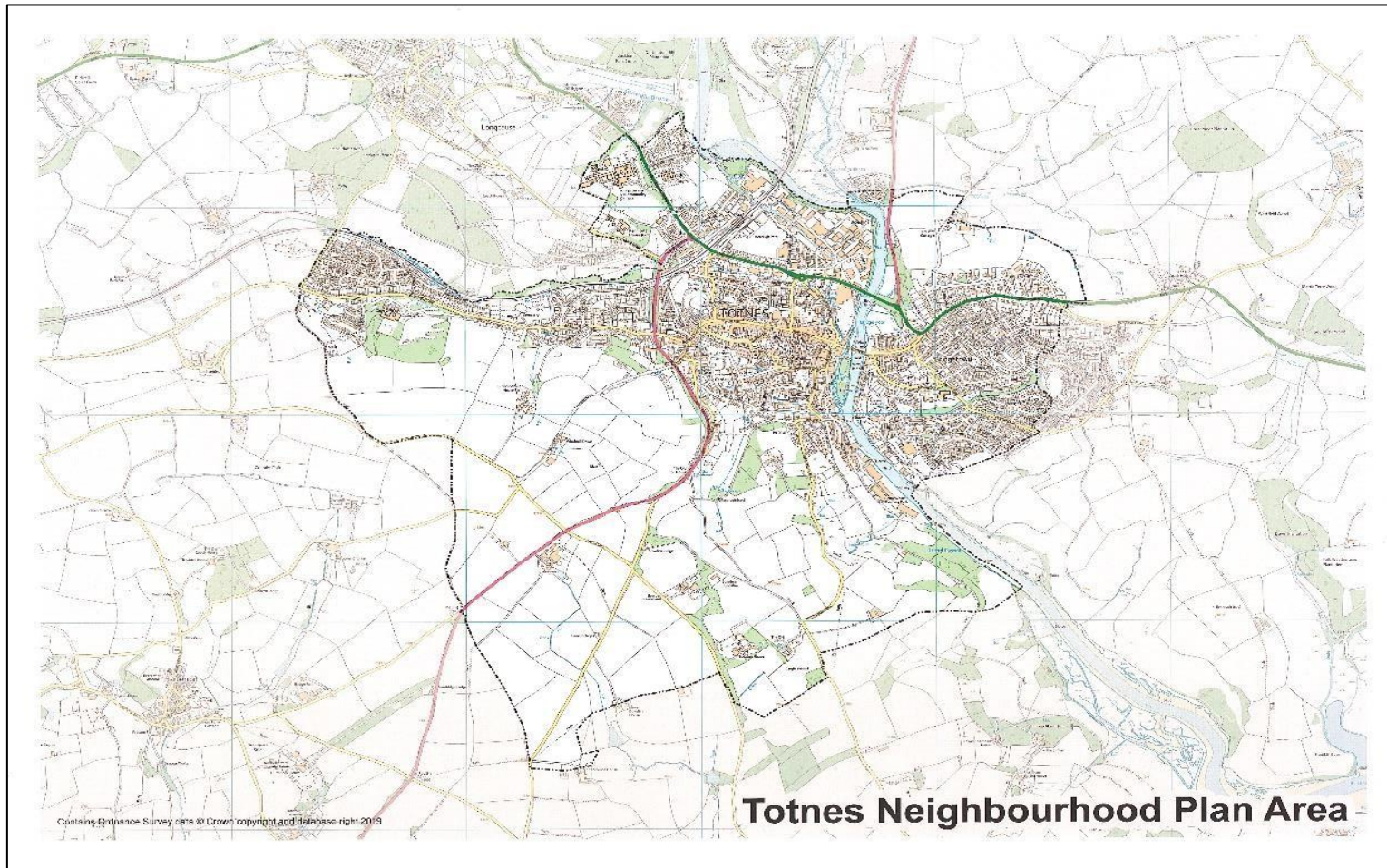
1.1.3 The NP reflects local ideas and opinions, aiming to ensure that the town's identity is protected and that it will have a sustainable, healthy and prosperous future.

1.2 What area does the NP cover?

1.2.1 The NP covers the administrative area of Totnes as detailed in the Notice of Designation 2/2013. The NP's policies can apply only within that area, but in order to ensure that the plan looks at the whole community regard has also been paid to those parts of the built-up area of Totnes or existing development proposals which lie inside adjacent parishes.

1.2.2 In the future there will be further growth outside the administrative boundary of Totnes which will result in impacting the residents of Totnes in all the areas covered by this NP. The NP makes reference to this but cannot make proposals for change or development outside its area. The consultation with adjacent parishes** in the NP process has therefore been both welcome and essential. It is an aspiration that plans for those parishes will therefore contain proposals to complement and mirror this NP.

** Berry Pomeroy; Dartington; Harberton, Ashprington and Littlehempston.



1.3 How does the NP relate to other plans and what period does it cover?

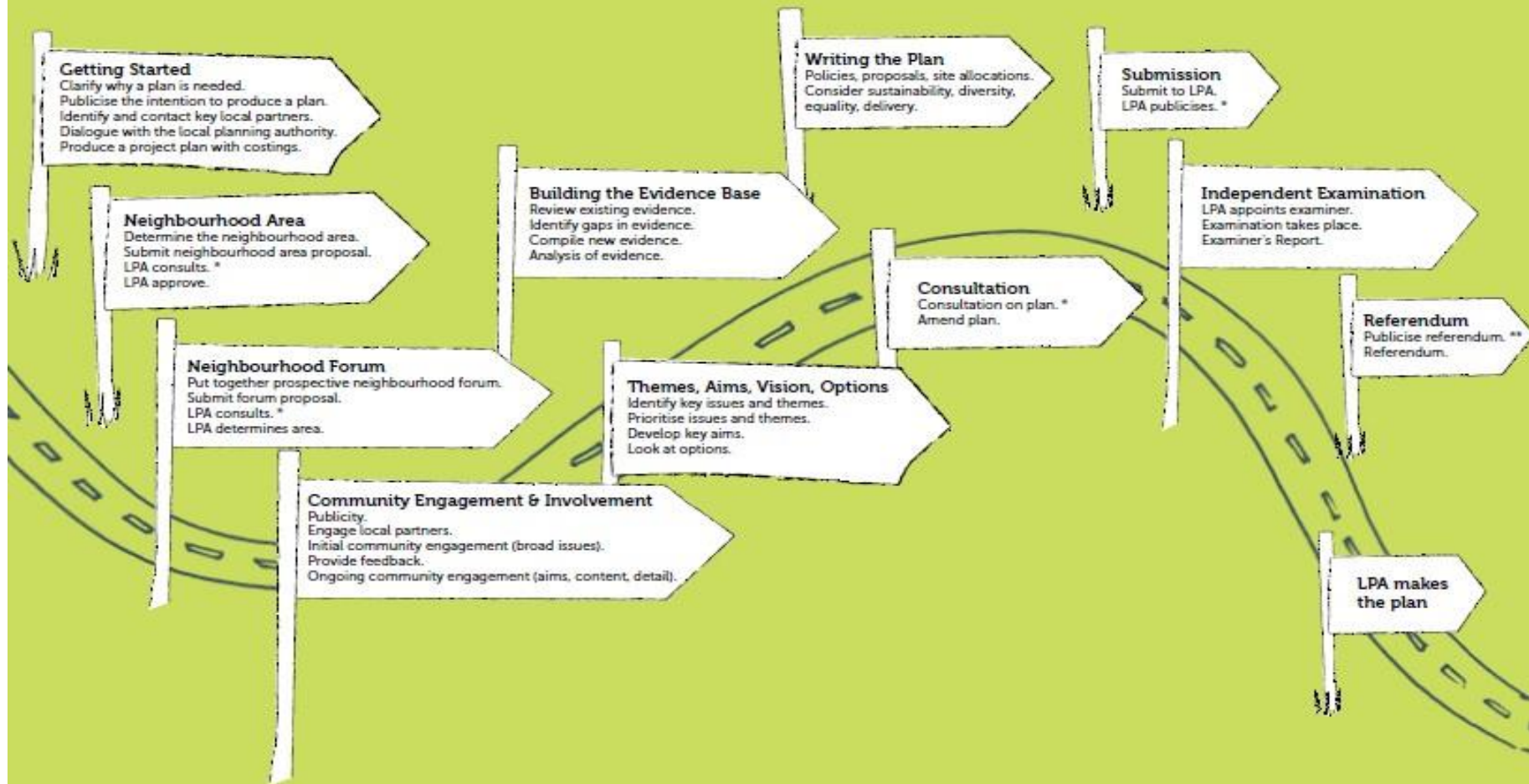
1.3.1 The NP complies with the National Planning Policy Framework (NPPF) and the adopted plans for the area. In particular it complies with the adopted Plymouth and South West Devon Joint Local Plan (the JLP) with which it shares the same time horizon (2034), and the Devon Waste Plan 2011-2031. The NP should also comply with the emerging Climate Emergency Plans being developed by Devon County Council and South Hams District Council, and the Dart Harbour Authority strategic plan. It formally covers the period to 2034, the same as that covered by the JLP. Specific development proposals in the NP relate to that period but its general policies, so long as they remain fit-for purpose, will continue to apply beyond that date.

1.3.2 There are also neighbourhood plans being prepared for parishes adjacent to Totnes. The plan aims to correlate with these, and in particular with the emerging neighbourhood plans for Dartington, Harberton and Berry Pomeroy.

1.4 How has the NP been prepared?

1.4.1 The NP process has been led by a steering group comprising representatives of the town council and volunteers from the local community and a variety of local organisations. The diagram below outlines the process. Widespread public consultation has been carried out as detailed in the Statement of Consultation which describes in more detail how the community has been involved throughout the process.

Neighbourhood Plan Process



* Minimum time - 6 weeks
** Minimum time - 25 working days

1.5 Are there any limits on the NP?

1.5.1 The NP must meet several basic conditions, which will be the principal basis of its examination. Those conditions are:

- a. Be appropriate - having regard to national policy;
- b. Contribute to the achievement of sustainable development;
- c. Be in general conformity with the strategic policies of the JLP; and
- d. Be compatible with human rights requirements and EU obligations.

1.6 How will the plan be used and who is it for?

1.6.1. The NP will be used by Totnes Town Council in its consideration of recommendations on planning applications as part of the consultation process, and by South Hams District Council (SHDC) to help guide its planning decisions for Totnes. It will be used by planning inspectors (or the Secretary of State) in relation to planning appeals in Totnes. It will be referred to by decision makers of all kinds – planners, investors, developers, funding bodies, community groups and existing and future residents.



2. Vision and Objectives

2.1 Vision

**As Totnes changes and develops over the coming decades its identity MUST not be lost.
The town will continue to be a model of sustainability, innovation, inclusivity and creativity, becoming an even better place
for residents of all ages, visitors and businesses.**

2.1.1 Totnes has seen continuous change over its history. From its origins as an early Saxon settlement, through being a fortified town, a wealthy trading centre, a thriving industrial hub based on timber, boat building, cider production, meat and milk processing, up to the current day when tourism and small/medium businesses dominate the local economy. Many buildings have changed their use over the centuries. Merchants' houses are now shops and accommodation. The racecourse is now an industrial estate and the old manufacturing and commercial buildings and sites have been converted to apartments, a supermarket and housing. The landscape has changed with housing being built on what was open farmland. Churches are becoming community hubs. So, what will happen in the future as the needs of the community change and lifestyle moves on from where we are today?

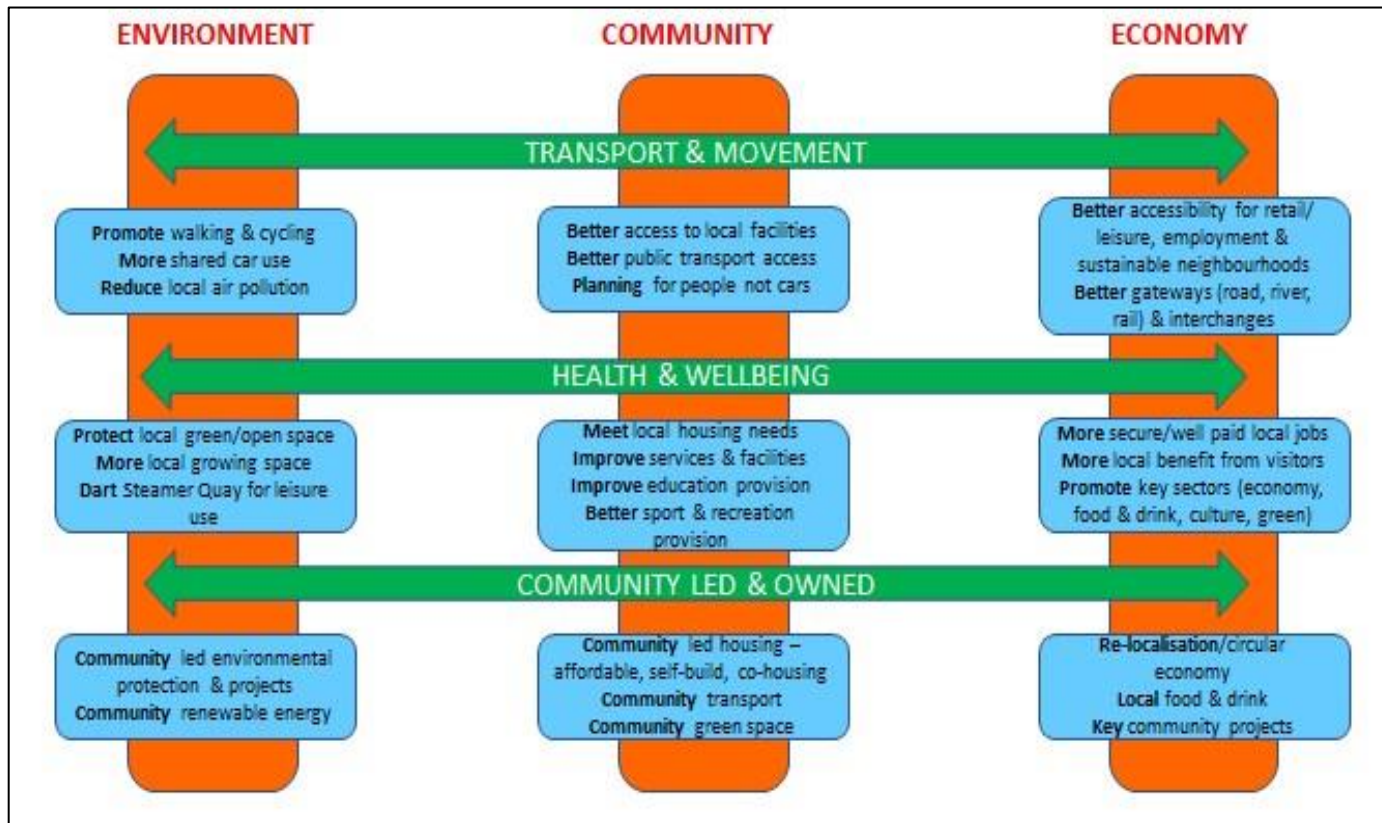
2.1.2 The NP addresses the community's aspirations for the future of Totnes, that it will be a sustainable place where:

- a. Suitable housing and local employment are available to all
- b. Air quality no longer creates the health risks presently encountered
- c. Leisure and open spaces are available to all
- d. The local green economy provides food, goods and services in a sustainable way which mitigates climate issues
- e. Totnes remains a local transport hub in the South Hams

2.1.3 Consultation has shown that the distinct identity of Totnes is something that is highly valued, and that there is a strong desire to ensure that development both recognises and enhances that identity. The NP attempts to fully capture the town's distinctive nature, and the proposed policies must ensure that all of Totnes's special qualities are maintained and enhanced.

2.1.4 Achieving sustainable development is a central objective for the planning system and for Totnes. This means that economic, social and environmental considerations must be well balanced. The planning system should deliver development that meets the needs of today without compromising the ability of future generations to meet their own needs, achieving economic, social and environmental gains. This approach is at the heart of the NP. Totnes already aspires to be a sustainable town and the NP’s provisions aim to help this.

The Vision is summarised in the diagram below.



2.2 Objectives

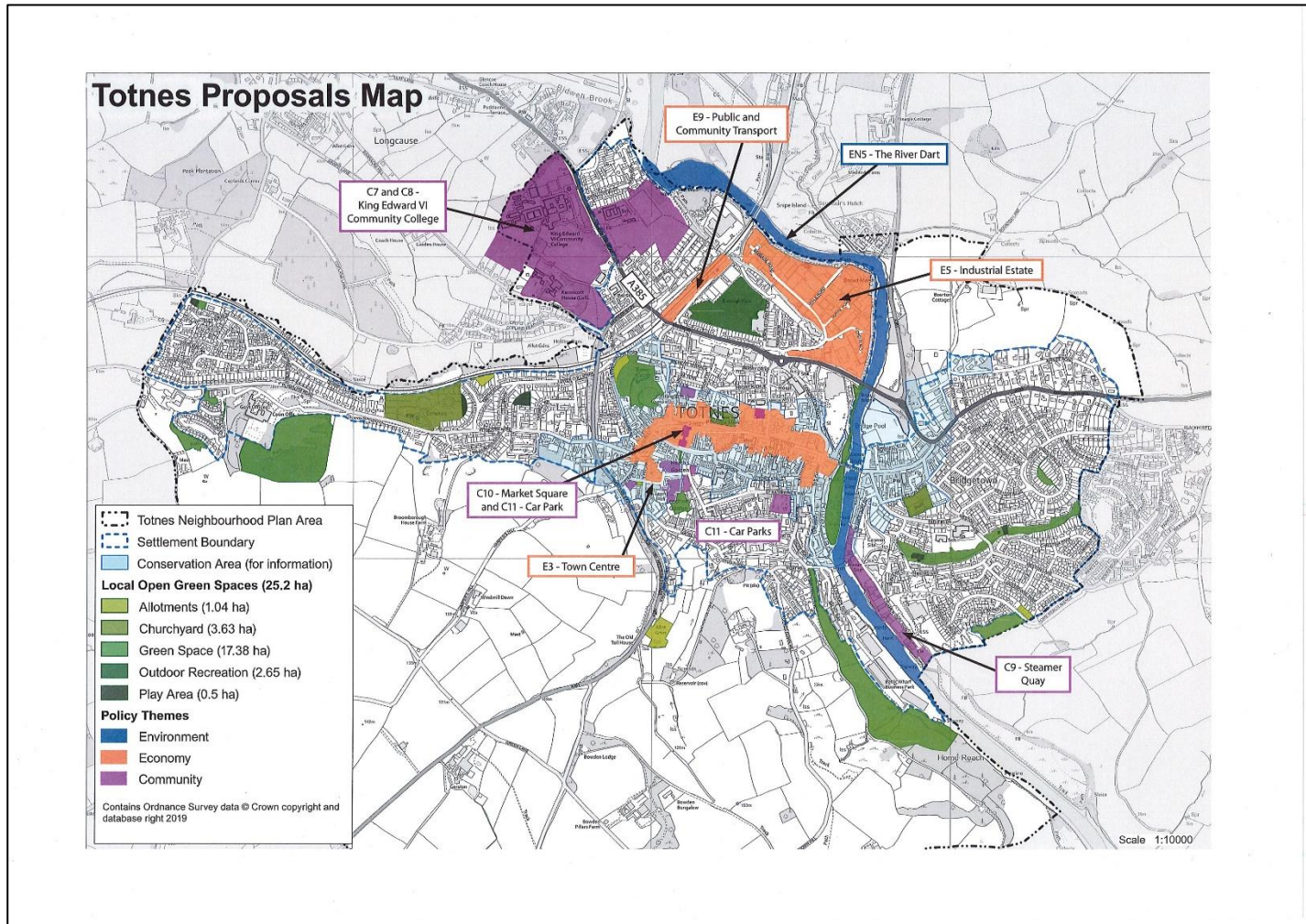
2.2.1 The NP must support the vitality and diversity of the Totnes community, making sure that its needs are met and creating new opportunities to build on the strengths of the community. NP policies aim to maintain and enhance the well-being of all and to deliver the following objectives:

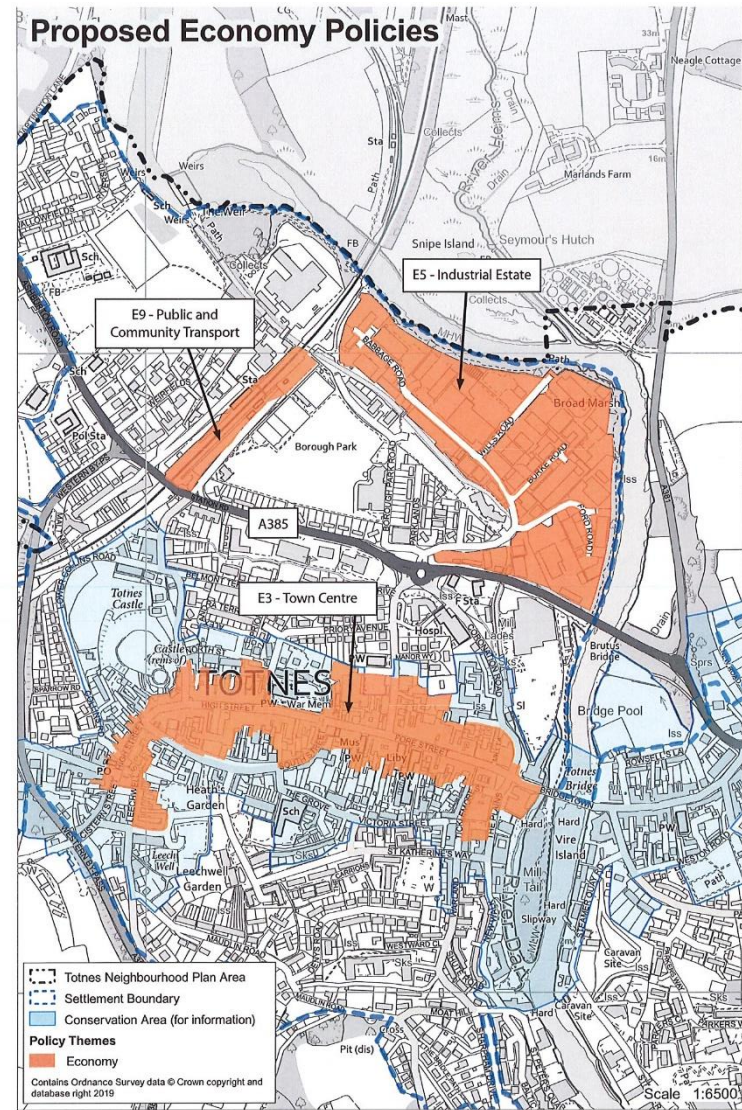
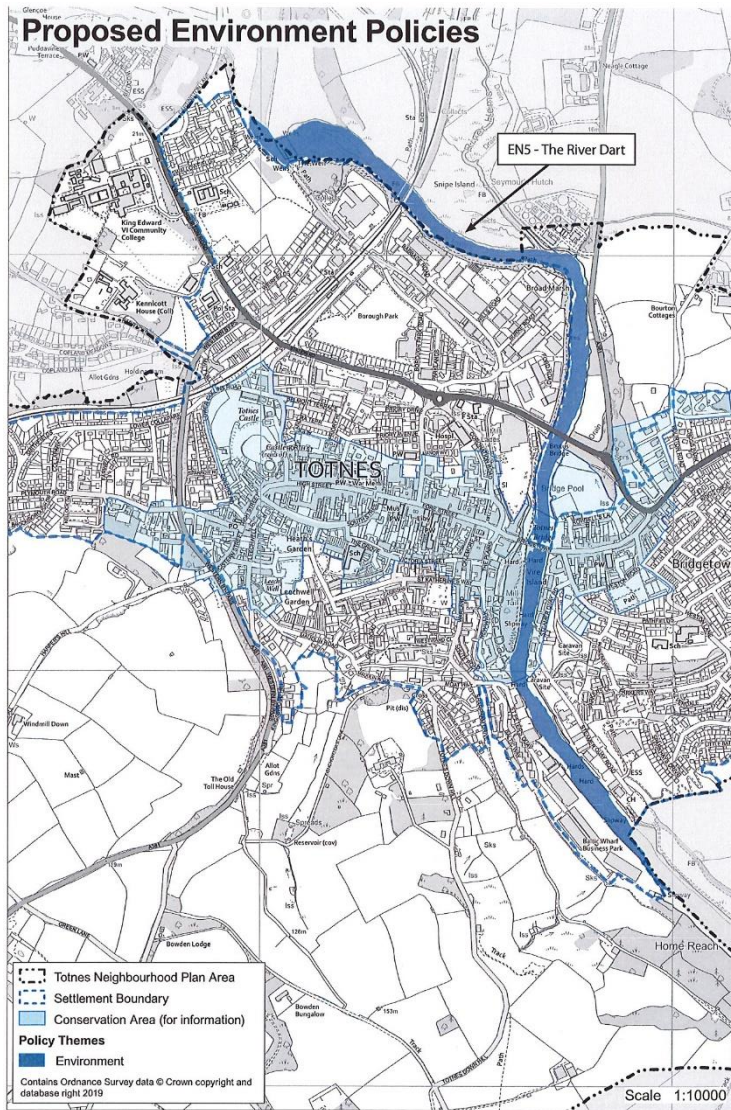
- a. Protect the distinctive historic character of Totnes and its many architecturally significant buildings, streets, squares, open spaces and the wider public realm for their vital importance to the identity and heritage of the town.
- b. Seek to ensure that all new housing developments, small or large, give priority to the needs of local people, with particular emphasis on social and affordable homes.
- c. Support community-led development and community asset ownership as ways of achieving sustainable development.
- d. Support and enhance the Totnes retail and service roles and the way they combine to create a place which is much more than just the sum of its physical attributes.
- e. Support and enhance the Totnes economic capability and its role as a visitor destination via the associated hospitality sector.
- f. Extend the strength, variety and distinctiveness which characterise the thriving local economy.
- g. Encourage and support 'green' and 'ethical' businesses and their local networks and clusters based on the existing strengths in this area of the town.
- h. Support the improvement of existing business space and expansion of new space to meet the needs of the local economy.
- i. Support and extend the Totnes pioneering approach to sustainable development and local resilience, seeking to reduce the environmental impacts of the town, and mitigate and adapt for climate change.
- j. Seek to create a more sustainable transport network for Totnes and its hinterland via transport development which reduces the need for travel by independent vehicle and makes the best use of more sustainable modes of travel, directly reducing the adverse impact of vehicular traffic on the environment and health.
- k. Enhance opportunities for open space and recreation facilities to be developed and contribute more to the community's active health and wellbeing.
- l. Eliminate discrimination, advance equality of opportunity and advance good relations between those sharing protected characteristics and those who do not.

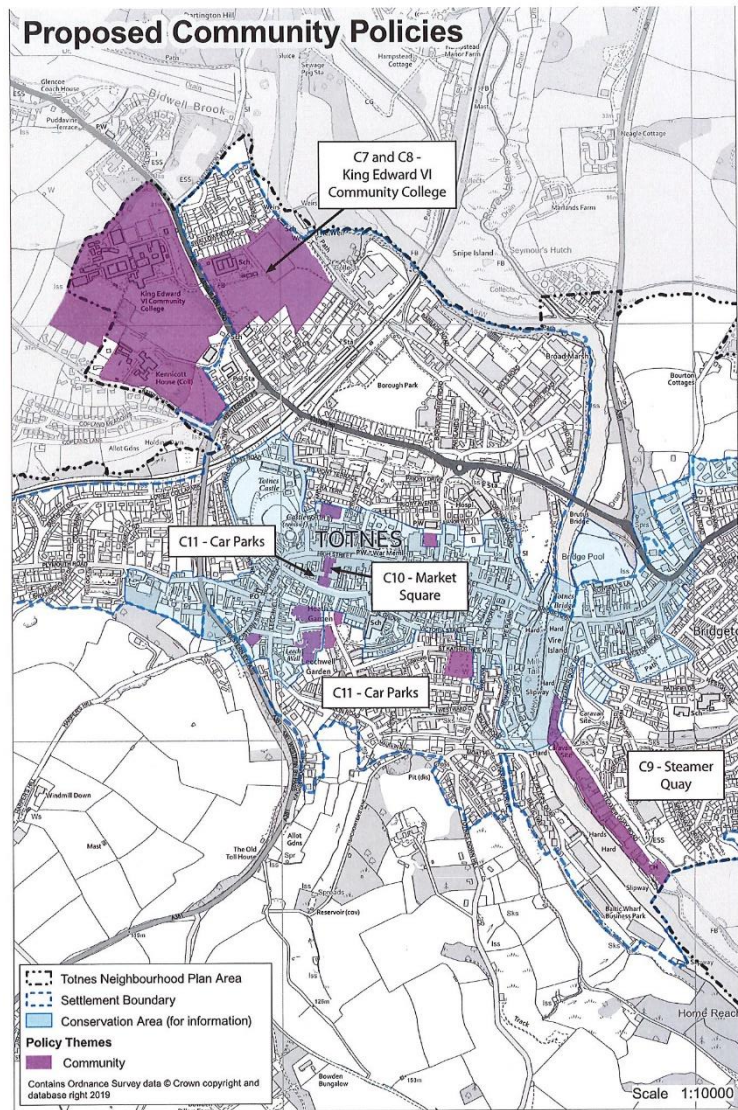
2.2.2 The NP's policies, set out in the following chapters and shown on the proposals map at figure 1 below and one additional maps at the beginning of each section, together aim to deliver these objectives. However, there are aspects of the objectives which lie outside the remit of the NP, whose policies will guide and control development in the town but not all activities. The NP sets a course for Totnes and it is hoped

that this will also be followed in many of the strategies, policies and practices of other bodies and organisations dealing with matters such as transport, schools and health.

Figure 1. Totnes Proposals Map







2.3 Local Identity



2.3.1 Totnes is home to a strong, diverse and vibrant community. In 2017 the population was estimated to be more than 8,400. Parts of the built-up extent lie beyond its administrative boundary in the adjoining parishes of Berry Pomeroy and Dartington, further increasing its functional population. It is estimated that the town's wider catchment population exceeds 23,000 and, particularly in summer, tourists and visitors further swell these numbers.

2.3.2 The historic character of Totnes, still so very evident today, combined with the unusually wide spectrum of local interests and activities, give the town a highly distinctive local identity and an 'edge' which it must not lose. The NP aims to support and strengthen this, with policies designed to enable local people, business and culture to flourish.

2.3.3 The community faces a variety of challenges. There is a lot of demand to live in Totnes. House prices are high, pressure for development is strong, and there is a large unmet need for affordable housing. This creates particular problems for younger people, families and older households, who can struggle to meet their housing needs either for affordable or open market housing. This, in turn, means that there is difficulty attracting young people and families to and retaining them in the town. It is vital therefore that any of the limited opportunities for new housing and business development in Totnes make the greatest possible contribution to meeting local needs.

2.3.4 Many local services and facilities are, without doubt, worth the protection that the NP provides. The town's educational facilities, however, need improvement, and the NP seeks to facilitate this.

POLICY V1 – LOCAL IDENTITY

Support will be given to new development in Totnes which conserves and enhances the town and its reputation by:

- a. respecting local distinctiveness and historic character in land use, scale, form and appearance;**
- b. stimulating innovation and creativity in design and practice;**
- c. enriching culture and community wellbeing by providing facilities, services or amenities of local value; and/or**
- d. enhancing sustainability by promoting low carbon travel, employing low energy use materials and construction techniques and incorporating renewable energy generation.**

2.4 Health and Wellbeing

2.4.1 The state of our built and natural environment is a key determinant of health and wellbeing. The design and social cohesion of neighbourhoods can influence physical activity levels, travel patterns, social connectivity and mental and physical wellbeing. Totnes has long recognised this and has built strong community infrastructure such as the “Caring Town Totnes” initiative. Measures to address health and wellbeing can be found throughout the NP, which will:

- a. Enhance the wellbeing of all, recognising that this is a distinctive positive feature of Totnes;
- b. Ensure equality of access, removing or minimising disadvantages and promoting equality, diversity, fairness and inclusion for all;
and
- c. Support measures to increase walking and cycling and reduce the adverse impacts of vehicular traffic.

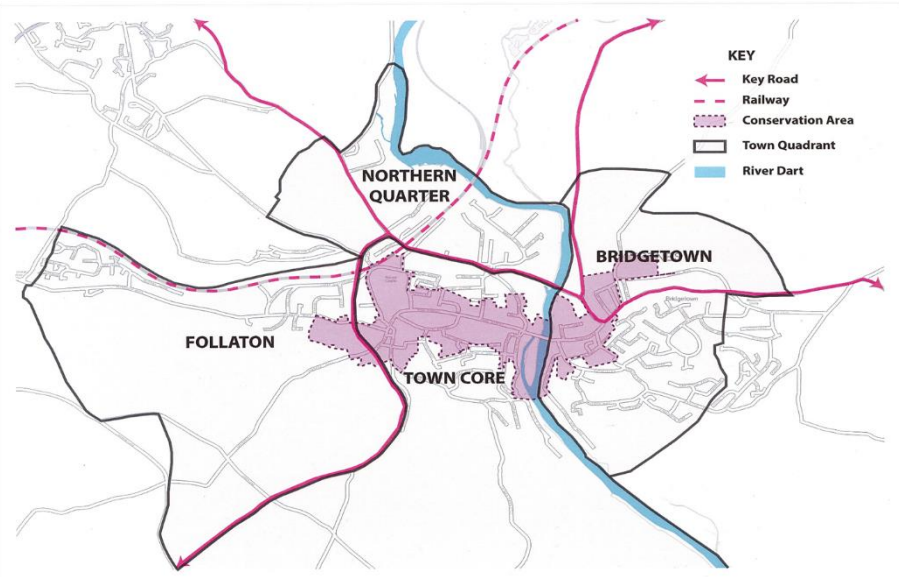
POLICY V2: HEALTH AND WELLBEING

Support will be given to new development which results in benefits to local community health and wellbeing through:

- a. **more opportunities for food to be grown and consumed locally;**
- b. **new housing options for those excluded from the market;**
- c. **new employment opportunities and raised job security and quality;**
- d. **increased access to public green spaces and the river;**
- e. **greater participation in culture, sport and recreation;**
- f. **safe, convenient, comfortable movement without recourse to a car; and/or**
- g. **equal accessibility and opportunity for all.**

3. What Makes Totnes Special?

3.1 Totnes is a highly desirable place to live and work and has a well-deserved reputation as a special place attracting many visitors. It is proud of its distinctiveness and is well known for its commitment to sustainable development, although there is much concern that some past planning decisions have not supported this.



3.2 Totnes has high archaeological significance with its origins potentially rooted in a Saxon burh established at some time during the 10th century AD, and it is one of the few remaining burhs. The historic core of the town is probably its most valued feature with its medieval street pattern, castle, numerous listed buildings and other heritage features. The location of Totnes at the lowest bridging point on the River Dart has been a significant part of its success over the centuries, bringing people to and through the town. However, today this causes serious traffic congestion, which impacts the quality of the local environment for its residents. More information on Totnes and its four neighbourhoods – the Town core, Bridgetown, Follaton and northern quarter - can be found in Appendix A.

3.3 The River Dart is a huge asset to the town, although it is currently undervalued and underused. It contributes greatly to environmental quality, social, energy and water-based leisure facilities. There are great opportunities to make much more of this resource, as well as securing continuous riverside access in any future development of land.

3.4 The landscape setting of Totnes is also a critical dimension of its character. Totnes is surrounded by hills, creating an intimate setting. If development were to overrun these hills a central aspect of its identity would be lost. This emphasises the point that there are obvious environmental limits to the expansion of Totnes, so the limited development opportunities that exist must be used wisely, to the greatest benefit of the residents.

3.5 Totnes occupies a focal point on both road and rail networks, a synergy which adds to the town's many attractions as a place to live and work but poses a growing challenge to the local environment, economy and quality of life. Developments both in Totnes and beyond are putting an ever-increasing strain on an already constrained road/rail/public transport network.



3.6 Totnes is a local employment centre with employment opportunities in several key sectors, including retail whose varied choice of independent shops, cafés and restaurants gives Totnes an edge. However, the number of workers travelling into the town outnumber its resident working population, many of whom commute to work elsewhere. This adds to congestion in Totnes at peak hours and the NP aims to increase the town's economic self-sufficiency.

3.7 Totnes has a well-deserved reputation as a cultural, education and environmental centre. Over the decades it has become a centre for arts and 'alternative' lifestyle activities, greatly helped by its proximity to Dartington Estate, Schumacher College and the Steiner School and by the Totnes Transition Town movement. These characteristics are fostered by a high level of engagement of residents in a wide spectrum of local activities and issues. All of this creates many opportunities for furthering these important aspects of local identity and is an important aspect of life in Totnes which it must not lose.

3.8 The attraction of Totnes creates challenges. House prices are high, shortage of affordable and social housing means that young people, families and older people can all struggle to meet their housing needs. The loss of retail sites to other types of development is a concern leading to problems accessing 'everyday' goods, services and facilities. Educational facilities need proper funding and improvement. Despite the strength of the local economy there are a high percentage of low wage and part time work. This adds to the housing issues already mentioned. Traffic congestion at peak times impairs the town's efficient functioning and causes air pollution.

3.9 Totnes is seen as a different sort of place – unique not only in Devon but more widely, with a national and international reputation which residents, businesses and visitors cherish.

3.10 The central task for the NP is to make sure that future development does not diminish Totnes but strengthens it and enhances the reasons that people choose to come and make their lives in Totnes.



Totnes Neighbourhood Plan 2019—2034



ENVIRONMENT

4. Environment

4.1 Sustainable Development and the Settlement Boundary

4.1.1 The NP seeks to ensure that development in Totnes meets local needs without damaging local character, heritage or the environment. To assist in this, it defines a settlement boundary within which development will be acceptable in principle providing it satisfies the policies of the NP.

4.1.2 The NP can only deal with matters inside Totnes' administrative boundary. Parts of the built-up area of Totnes have extended into adjacent parishes and it is hoped that the settlement boundary established in this NP will be complemented by those shown in adjacent neighbourhood plans in order to guide and control the extent of the town's growth.

4.1.3 Totnes is a very environmentally active and aware town, and this is reflected in its NP. New development in Totnes should seek to minimise impacts on the global environment and bring the greatest possible benefits to the local environment.

4.1.4 Achieving sustainable development is at the heart of the National Planning Policy Framework and the NP aims to:

- a. Support and extend Totnes' pioneering approach to sustainable development and local resilience, reducing the environmental impacts of the town and adapting for climate change.
- b. Enable continual transition towards true sustainability, addressing issues including energy generation and use, resource consumption, waste production, and air and water pollution, taking every opportunity to mitigate and adapt for climate change and enhance local environmental capacity.

4.1.5 For Totnes, then, sustainability entails a strong focus on environmental sustainability, as without a strong environment a strong community and economy cannot be attained. This does not necessarily mean less development. Maintaining a strong environment may constrain some development but will also create opportunities for development which maintains or enhances the environment. The NP, therefore, is actively looking for development which will be good for the environment, community and economy.

4.1.6 The NP seeks to reduce the environmental impacts and increase the environmental benefits of new development, requiring that new development provides the greatest environmental benefits which can reasonably be achieved.

4.1.7 Planning applications must include a simple summary of relevant environmental impacts and benefits, including those addressed by specific policies in this NP:

- a. Mitigation of (by reducing greenhouse gas emissions) and adaptation to climate change
- b. Enhancing local environmental capacity
- c. Renewable energy generation
- d. Waste management
- e. Enhancing air quality
- f. Enhancing water quality
- g. Wildlife sensitive exterior lighting
- h. Landscaping
- i. Enhancing local environmental and ecological capacity.

4.1.8 It is imperative that new development does not make local air quality worse and if possible, makes it better. This is particularly important in the A385 Air Quality Management Area (AQMA). The main impact on local air quality is from traffic, which the location and size of new development can influence.

4.1.9 Major development sites in Totnes for the NP period are already identified in the JLP. New development on these and on other sites can help improve local air quality through suitable design to encourage dispersal of pollution and through landscaping to help manage local air quality, which may also support adaptation to climate change and enhance local environmental capacity. All such opportunities should be taken. Advances in vehicle technology through the NP period to 2034 and beyond may also help to reduce the levels of pollution emitted from vehicles.

4.1.10 In addition to respecting historic character national policy also encourages innovation in the design of new development and sustainability is a strong driver for innovative modern design.

4.1.11 The NP encourages design able to deliver greater global and local sustainability. A major part of this is that buildings should be low carbon in both their construction and use. Other aspects include designing to manage water and local pollution and designing buildings as integral elements of wider site design using approaches such as permaculture.

4.1.12 Totnes already has a number of high-quality, innovative modern buildings. Such buildings contribute towards a new generation of buildings of high-quality design in the town. Modern buildings not embodying this approach offer little and exacerbate worsening environmental conditions.

POLICY En1: SUSTAINABLE DEVELOPMENT AND THE SETTLEMENT BOUNDARY

1. Within the settlement boundary development will only be supported in accordance with the development plan and where:

- a. it will help to meet local needs or enhance local services and facilities;
- b. it will make efficient use of the site in terms of layout, density and mix of uses;
- c. its scale and character will be in keeping with the site and surroundings;
- d. it will maintain or enhance local identity and distinctiveness; and
- e. it will incorporate all reasonable measures to reduce adverse impacts and deliver environmental benefits including improved access for all.

2. Outside the settlement boundary development will be supported in accordance with the development plan where:

- a. it meets the above criteria; and
- b. it will meet a proven local need which is neither being nor likely to be met in the town and cannot reasonably be met inside the boundary.

3. In all cases development should be of a high design quality, respecting and complementing the site and its setting, being of sustainable construction, promoting sustainable lifestyles and incorporating the latest energy efficiency measures.

4.2 Development and Design

4.2.1 The design of new development is of great significance, both to ensure that development is sustainably delivered and to preserve the town's distinctive and historic character. The NP aims to ensure sympathetic design in all new developments, particularly major developments for housing, retail, leisure, industrial and commercial uses. The design of minor development is also important but the NP acknowledges that in general its impact will be much less. Given Totnes' historic past, the National Planning Policy Framework should be referred to in ensuring the protection of above and below ground archaeology as part of any development proposal.

4.2.2 Opportunities for development in Totnes are limited, and so it is important to make the best use of development land and existing buildings, ensuring that only that which can be sustainable to develop is used and that development takes place in a sustainable manner.

4.2.3 The NP does not set specific requirements for density and, in general, the community supports higher densities as a means of limiting green field development. Good design can deliver successful low-rise, high density building, as the historic town centre exemplifies. It can also provide amenity and food-growing spaces as part of development which this NP encourages. The density of each development should be determined in order to deliver the best possible and most sustainable design solution for the site.

POLICY En2: DEVELOPMENT AND DESIGN

All new development should display a high quality of design by meeting the following criteria:

- a. maintaining and where possible enhancing local distinctiveness;
- b. respecting historic character and interest above and below ground;
- c. being in scale and keeping with its site and setting, protecting the local landscape and important views;
- d. using appropriate materials not only for buildings but also for boundaries;
- e. including where possible and practicable enough garden space to enable food growing;
- f. incorporating meters, bin storage and other such features inconspicuously and so as to avoid street clutter;
- g. being safe, attractive, inclusive and accessible for all, reducing opportunities for crime and the fear of crime;
- h. being of sustainable construction, promoting sustainable lifestyles and incorporating the latest water and energy efficiency measures;
- i. reducing the need to travel, causing no unnecessary noise, light, air or other pollution, safeguarding against risks of contamination, erosion or flooding, and ensuring satisfactory surface water drainage including Sustainable Urban Drainage Schemes (SUDS); and
- j. providing safeguards during and after construction to protect against environmental damage, local nuisance, unnecessary noise, light, air or other pollution.

4.3 Historic and Built Character



4.3.1 Totnes is justifiably well known for its historic character, which forms an essential part of the identity of the town. Much of the centre of the town is a Conservation Area and the town as a whole contains over 300 listed buildings and five Scheduled Ancient Monuments (including Totnes Castle and Totnes Priory).

4.3.2 Listed Buildings, Scheduled Monuments and Conservation Areas are national designations, protected by national and local policy. The NP reinforces this protection, addressing the locally distinctive historic character of the town as a whole, its buildings, streets and squares and the wider public realm.

BREAKDOWN OF THE HERITAGE ASSETS OF TOTNES – source www.historicengland.co.uk

Listed Buildings – total of 321, comprising:

Grade 1 – 7 (including St Mary’s Church classified as heritage at risk by Historic England)

Grade 2* - 27

Grade 2 – 282

Scheduled monuments – 5

4.3.3 New development is expected to maintain or enhance the historic and built character of the town. This does not mean that the NP is not open to change. Improvement and alteration of buildings can support wider heritage and cultural benefits, and new buildings and spaces can make positive contributions to the character and heritage of the town. New development should not, however, harm or dilute that character and heritage.

POLICY En3: HISTORIC AND BUILT CHARACTER

1. New development should:

- a. respect the historic and built character of the town;**
- b. protect and where possible enhance heritage assets, both designated and non-designated; and**
- c. have regard to the Totnes Conservation Area Appraisal.**

2. Good innovative design offering a fresh interpretation of local distinctiveness will be welcomed.

4.4 Landscape Setting of Totnes

4.4.1 The high quality, undeveloped landscape around Totnes frames the town as it nestles in the surrounding hills. The town's place in the wider landscape and the views of important buildings (the Castle and St Mary's Church) within Totnes are both essential parts of local landscape character. This is particularly important at key 'gateway' sites to the town, for example: views descending Kingsbridge Hill and Bridgetown Hill; from boats approaching Totnes up the river; on the road approaches from Dartington and Newton Abbot; and from the railway lines. The NP therefore aims to protect both the landscape setting of the town and the town's contribution to the wider local landscape.



4.4.2 There is shared commitment between Totnes and the adjacent parishes of Dartington, Harberton, Ashprington and Berry Pomeroy to prevent coalescence between them. Totnes will seek to work with Dartington, Harberton, Ashprington and Berry Pomeroy to promote an

effective green wedge between the settlements in which agriculture, landscape and nature conservation and public access is secured and the adverse impacts of traffic are minimised. The settlement boundaries established in this NP, the Dartington, Harberton and Berry Pomeroy Neighbourhood Plans will assist in ensuring this.

POLICY En4 – LANDSCAPE SETTING OF TOTNES

- 1. New development should protect the landscape setting of Totnes and its historic landscape features in accordance with national policy and the development plan.**
- 2. New building should not be of a height or mass to obscure important views shown on the Proposals Map, nor of a height to break the historic skyline.**
- 3. New development should protect and where possible enhance the contribution the town makes to the landscape character of the wider area.**

4.5 The River Dart



Project.

4.5.1 The River Dart is a key feature in the local landscape and the prime reason for the town's location. The Dart valley is Totnes' essential landscape feature, has been a mainstay of its economy and is an important resource for leisure and recreation. Recent residential development has taken place on both sides of the river with the Quayside and Baltic Wharf developments (the latter as set out in JLP TTV21).

4.5.2 Making more of the river is a priority for the NP, building on its existing roles and uses. Any development adjacent to the River Dart should be in accordance with Totnes' inclusion in the Dart Estuary Maritime Conservation Zone which was designated in May 2019, and as set out in the Dart Harbour Authority Strategic Plan 2016-2026 and The Dart and Teign River Improvement

4.5.3 Totnes marks the change of the River Dart from the river to the north of Totnes Bridge to the start of the tidal estuary. This results in the town being impacted by tidal as well as fluvial flooding. The convergence of the built-up areas creates a pinch point for the river and although the upper northern area of the flood zone is wider it overlaps the majority of the industrial area.

4.5.4 New development can help enhance local water quality through the way in which surface water is retained on site, through landscaping, and rain-water collection. This may also support adaptation to climate change and enhancing local environmental capacity. It is already a requirement of most new development that it effectively manages its surface water drainage. In addition, opportunities to simultaneously improve water quality should be taken.

4.5.5 The community highly values the access to the river and new development must not impinge on existing recreational and leisure uses such as: footpath and cycle provision; picnic areas; dog walking; water sports which need access into the river; educational information, riverbank/riparian maintenance; access for all; transport links to and from the town; and river taxi provision.

POLICY En5: THE RIVER DART

Development on or adjacent to the river should:

- a. conserve or improve local identity and the appearance of the riverside;**
- b. provide biodiversity net gain in accordance with national policy; and**
- c. create increased opportunities for improved public access for all, leisure and community use.**

4.6 Enhancing Local Environmental Capacity

4.6.1 Environmental capacity is the capacity of the natural environment to support human activity. Reducing resource consumption is one way to try and address the imbalance between environmental capacity and human activity. Another is to increase local environmental capacity by requiring that new development should aim to enhance local environmental capacity, for example, by increasing biodiversity and bio-capacity, carbon sequestration, improving management of air and water pollution, and safeguarding soil quality.

4.6.2 Opportunities for increasing biodiversity and bio-capacity will vary. For larger developments appropriate landscaping can contribute, for smaller proposals such as domestic extensions more modest measures, such as the provision of bird, bat or insect boxes, or planting, can make a difference.

POLICY En6: ENHANCING LOCAL ENVIRONMENTAL CAPACITY

Development of new dwellings, employment, commercial or community buildings should provide an overall enhancement in local environmental capacity commensurate with the scale of the development. This should be demonstrated in terms of the current and proposed environmental capacity of the site.

4.7 Renewable Energy Generation

4.7.1 The generation of renewable energy on site is a direct way in which new development can support local and therefore global environmental sustainability. The effectiveness of renewable energy generation technologies has increased rapidly and this is likely to continue. Solar photovoltaics are likely to be the most common technology in use, but there may also be opportunities for micro wind and hydro generation.

4.7.2 In Totnes, we aim to be at the forefront of behavioural change and are willing to support the use of renewable energy, including roof solar, community scale solar and wind-turbines, battery store and hydro schemes, as a tangible means of reducing carbon footprint.

POLICY En7: RENEWABLE ENERGY GENERATION

New development should incorporate and maximize opportunities for on-site renewable energy generation and storage which will not negatively impact on local built character, landscape or amenity. Solar gain, through the orientation of new buildings and solar panels on south facing roofs will be supported.

4.8 Domestic and Small-Scale Waste Management

4.8.1 It is now common that new development should provide integrated facilities for the storage of recyclable and non-recyclable waste. New development can also reduce the amount of waste entering the waste stream by processing domestic waste on site wherever it is suitable to do so. The NP supports the expansion of community recycling activity and the creation of community composting facilities for

domestic waste as the best way of composting waste locally on a small scale. It also supports on site composting of domestic putrescible waste where it can be undertaken without risk to residents or occupiers.

POLICY En8: DOMESTIC AND SMALL-SCALE WASTE MANAGEMENT

New development should make provision for waste to be processed on site wherever possible. Support will be given to:

- a. on site processing of putrescible waste for small scale domestic, employment and community facilities;
- b. the provision of community composting facilities; and
- c. improvements to waste management and recycling, particularly in residential areas and the town centre.

4.9 Local Food Growing



4.9.1 Buying food makes up around a quarter of the total ecological footprint of each person in the South West¹, primarily because of how food is packaged and transported to its end consumer. Food grown and consumed locally will directly benefit environmental sustainability. Growing food also better connects people to the natural environment and supports healthier lifestyles. New development therefore needs to maximise its contribution to space available to grow food locally.

POLICY En9: LOCAL FOOD GROWING

New development, where appropriate, is encouraged to take full advantage of and enable on-site potential to grow food for those living on or visiting the site, including on all land not built on, within and on the outside of buildings, and in public spaces.

¹ SEIREAP Ecological Footprint data.

4.10 Mitigation and Adaptation to Climate Change

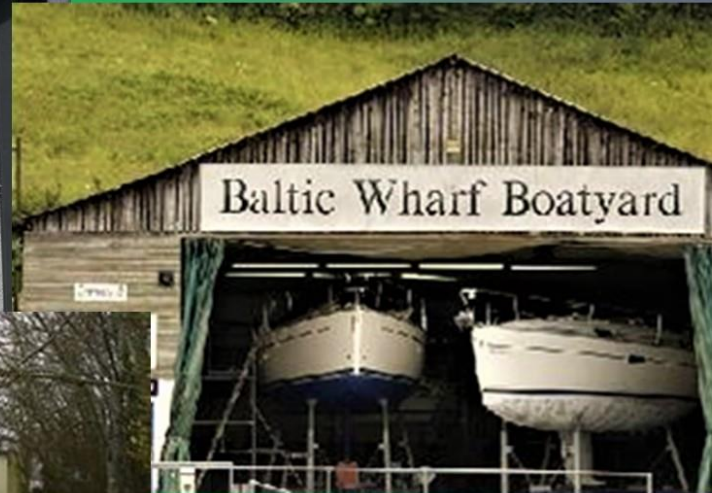
4.10.1 Mitigation of climate change means tackling what is causing it, whereas adaptation means tackling the consequences of climate change. As the emerging Climate Emergency Plans being developed by Devon County Council and South Hams District Council come into use, this NP should draw on their content.

4.10.2 Climate change is a critical consideration for the NP. All new development will be required to minimise embodied energy and be carbon positive in use. Development should aim to be zero carbon in its construction and the embodied energy of construction materials should receive careful attention. Passive solar design and super-insulation are likely to be the most effective ways of achieving zero carbon development in its use. Off-site measures to achieve this will be acceptable only where they would provide greater all-round benefit than on-site measures.

4.10.3 The effects of climate change are likely to include rising and less stable temperatures, rising sea and tidal levels, and more extreme weather. New development is an opportunity to build in greater adaptation to such changes, both in the location and design of buildings and the space around them.

Totnes Neighbourhood Plan 2019—2034

ECONOMY



5. Economy

5.1 The Local Economy

5.1.1 Totnes is a thriving market town, drawing on a significant rural hinterland. It is economically much stronger than might be expected for a town of its size. It is a gateway for the surrounding area, particularly through its railway station, attracts many visitors and tourists, contains a wide range of businesses of all kinds and supports a strong service sector. The high-quality environment and strong community attract investors, businesses, the self-employed and home workers, supported by a wide variety of independent and shared working spaces and good rail links.

5.1.2 According to the 2011 Census 3,565 people living in Totnes were employed or self-employed, almost 50% of whom worked in Totnes (including working from home). Overall, 5,093 people were employed in Totnes, 1,528 more than the town's resident working population, giving a strong net employment balance of +43%. This is a powerful indicator of the town's economic health, showing a robust local economy, and the NP aims to maintain and develop that strength of character.

5.1.3 The Census also shows that over 60% of the town population are of working age (16-65) with 17% younger and 22% aged 65 and above. This is a healthy economic age structure and shows the potential for the community to make a strong contribution to the robustness of the local economy and community, including through volunteering.

5.1.4 Totnes still functions as a true employment centre, providing employment for people from a wide hinterland as well as a significant proportion of its own population. It is also highly attractive as a place to live for those working in larger centres such as Exeter, Plymouth and elsewhere. None of the other main towns in South Hams provide both of these things.

5.1.5 The good connections Totnes enjoys, by both road and rail, reinforce its economic strength. On the other hand, local prosperity is to some extent constrained by the congestion the town suffers, lying as it does at a nodal point for road and rail, with several key routes converging on the town at the lowest bridging point on the River Dart. Proposals for development which will create new employment likely to generate significant traffic movements must be supported by a travel plan and transport assessment to demonstrate how movements will be handled and why the development will be acceptable.

5.1.6 The availability of new office and employment space in Totnes is also somewhat constrained, with only 7,700 square metres of employment space allocated for the town in the JLP. This is a relatively small provision for a town with such economic strength and although not the smallest allocation to a main town in the JLP it is less than 10% of the largest such JLP allocation. New development which will strengthen the local economy without harming the town's social or environmental qualities will therefore be supported.

5.1.7 Existing employment space must also be safeguarded, and this is even more important in view of the difficulty in finding suitable sites for new employment development. The JLP protects existing employment land and premises, especially for sites which have potential to contribute towards the regeneration of the community, the expansion of existing businesses or with access to wharves or deep water. Each of these categories is relevant for Totnes, and this NP reinforces the JLP in requiring that existing employment land and premises be safeguarded.

5.1.8 Retail, health and social care, education, and other public services make up some of the largest employment groups in Totnes. The importance of the public service sector is a common feature of many local economies.

5.1.9 Retail is the town's second largest employment sector, and the retail offer of the town, particularly its centre, is a vital component of its overall economic strength. The preponderance of independent shops, cafés and restaurants does much to give Totnes an edge over other centres, further enhanced by the tight knit historic core of the town. However, the rapidly changing face of high streets in the UK may have an impact on the types of retail and use of the properties over the coming years.



5.1.10 For a town of its size Totnes is also strong in manufacturing, science and technical activities, hospitality, the arts and entertainment. Such diversity and innovation are distinctive of the local economy, reflecting the cultural, environmental and alternative aspects of the town. New businesses which will reinforce the town's distinctive identity will be particularly welcomed.

5.1.11 The NP therefore gives specific support to economic innovation, company start-ups, fostering local economic clusters, and the infrastructure necessary to support healthy growth of the local economy such as superfast broadband and business meeting places.

POLICY E1: THE LOCAL ECONOMY

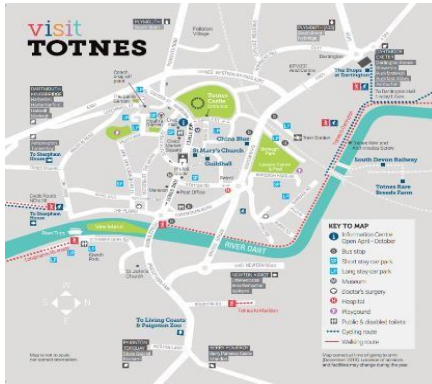
- 1. New employment and economic development should, without harming the town's social and environmental qualities:**
 - a. reinforce the local economy and the function of Totnes as a market town;**
 - b. enhance its reputation as a vibrant and distinctive place;**
 - c. enable innovation and diversification in the local economy, including the formation of clusters and networks of local enterprises;**
and
 - d. enhance local employment opportunities and the trading experience of locals and visitors.**
- 2. Businesses drawing on the town's distinctive character and identity will be particularly welcomed.**
- 3. Development which will generate significant amounts of movement must be accompanied by a travel plan and transport assessment to demonstrate their acceptability.**

5.1.12 It is considered that a minimum of two years of marketing empty premises needs to have taken place before a change of use is considered. Flexibility of approach, bearing in mind local requirements, when considering change of use needs to exist (for example retail to housing or leisure).

POLICY E2: EXISTING EMPLOYMENT LAND AND PREMISES

Existing employment land and premises will be safeguarded and kept available for such use unless it can be demonstrated that there is no reasonable prospect of their continued use for employment purposes.

5.2 The Town Centre



5.2.1 Retail offers in Totnes, particularly in its centre, are a vital component of its overall economic strength. The many independent shops, cafes and restaurants create a shopping experience refreshingly distinct and in marked contrast to typical town centres around the country today, most of which are dominated by a common pattern of mono-culture national chain outlets.

5.2.2 The NP seeks to ensure that the vitality and viability of the town centre is protected and enhanced, focussing new retail development and activity there and resisting it elsewhere. Town centre floorspace and shopping frontages ought also to remain predominantly in retail use.

5.2.3 The continuing demand for high street premises in Totnes and relatively low vacancy levels suggest that such an approach ought to succeed, despite the national trend for town centres to decline. It will also be important to endeavour to maintain choice for convenience goods and everyday shopping alongside the growth of other independent businesses aligned to the town's thriving tourist and visitor role.

5.2.4 Markets and events contribute significantly to the town's visitor economy, particularly the regular Friday and Saturday markets but also the summertime Elizabethan market, the monthly Sunday Good Food market and the Christmas late night shopping events. Protecting and enhancing such market activity and improving the operation and quality of outdoor trading spaces will be important and should be achieved through community consultation involving all key stakeholders.

5.2.5 The quality of the shopping experience, for residents and visitors alike, is key to Totnes' success. The NP aims to maintain that quality and to capture opportunities to enhance it still further. The steepness of town centre streets, narrowness of pavements, availability and cost of parking are issues for some. The number of visitors can mean congestion and inconvenience for locals. Improvements to streets, shops, signage, information and interpretation for visitors, car parking, open spaces, facilities and accommodation could help to make Totnes even more successful.

Former Dairy Crest Site

5.2.6 The former Dairy Crest site is allocated for 'Mixed use - including 62 new homes and a range of business, commercial and community uses' in policy TTV22 (5) of the Joint Local Plan. The figure of 62 homes is an estimate of the potential housing provision.

5.2.7 The Community Right to Build Order for the site has now lapsed and therefore a separate grant of planning permission will be needed for redevelopment of the site. Whilst the Community Right to Build Order has lapsed the placemaking principles it was founded on remain relevant to the redevelopment of the site. This plan carries them forward, recognising that what may now be achievable on the site may differ from the detail contained in the Community Right to Build Order as a result of policy, site and viability constraints.

5.2.8 The site is of strategic importance to Totnes, being adjacent to the railway station, bounded by the river Dart and close to existing housing and employment development. This is why TTV22(5) focuses on mixed use, maximising benefits for the local community, economy and environment and the community have aspirations to see the site contribute to the promotion of low carbon transport and create an important opportunity for the site to be one of Totnes's exemplars of sustainable development.

5.2.9 Specific material considerations also identified in TTV22 are:

- Appropriate flood risk mitigation measures (including improvements to the leat to protect existing development downstream)
- Remediation of contaminated land
- Habitat enhancement
- Sensitive and high-quality design which integrates with the existing area and the setting of nearby heritage assets.

5.2.10 New development in the town centre will be required, where appropriate, to contribute, either through a Section 106 obligation or through CIL, towards the following priorities:

- Improved vehicle, bicycle and car parking provision
- Enhancements to public squares and spaces and the public realm in general
- Improvements to pedestrian safety and facilities
- Improved signage, information and interpretation for visitors
- Maintaining the offer for convenience and everyday goods
- Support for local markets, community and arts events
- Monitoring and improving air quality.

POLICY E3: THE TOWN CENTRE

- 1. Developments which promote the vitality, viability and retail health of the town centre area are encouraged and will be supported.**
- 2. Proposals which reinforce the distinct character of Totnes as an independent market town focussed on its historic centre will be particularly welcomed.**
- 3. Within the town centre's primary shopping area, as defined in the JLP, ground floor space and shopping frontages should be retained predominantly in retail use.**
- 4. Development which will maintain or enhance existing or new markets, community and arts events will be supported.**
- 5. Retail developments outside the town centre's primary shopping area will be resisted unless:**
 - a. they are minor and ancillary to an established business, or**
 - b. it can be demonstrated that there is an operational need for them to be so located, there is no suitable central site available and they satisfy the requirements of the sequential test set out in the JLP.**

5.3 Training and Education

- 5.3.1 Totnes has a broad range of educational and lifestyle offers, from language schools to courses and workshops about Health, Wellbeing, Transition Town, Arts and Culture. These provide employment and additional income streams for locals and have resulted in a wider range of accommodation.
- 5.3.2 The NP recognises the importance of the training and education sector and supports it as an integral part of the local economy.
- 5.3.3 The redevelopment of 'brown field' sites should be a priority over green field sites and enhancement of the Industrial estate and other such developments can all help to support this.

POLICY E4: TRAINING AND EDUCATION

- 1. New development which will support the provision of local training and education and, where possible, enhances the distinct cultural offer of Totnes will be supported.**
- 2. New development which will support the provision of vocational training to meet the needs of local employees, young people and those seeking work will be supported.**

5.4 Totnes Industrial Estate – Babbage Road



5.4.1 The industrial estate is an important element of the local economy and is estimated to provide between a quarter and a third of all the jobs in the town. Local and family businesses make up almost 70% of all businesses there and many are relatively long established. The estate is important for the employment of young people and for the provision of apprenticeships. It contains both traditional and high-tech enterprises, with the green economy making up 17% of 82 enterprises in 2017 and an expanding role in the local food economy.

5.4.2 It is important that the contributions the estate makes to the local economy are reinforced and the NP supports the provision of further floor space, improvement of existing premises and improvements to the overall quality of the estate, specifically its parking arrangements, riverside access and its accessibility for pedestrians and cyclists. The need for a retail element for some businesses on the estate is recognised but should remain ancillary and subsidiary to the business being carried out.

5.4.3 The diverse range of services include a growing Not for Profit sector including Refurnish, the Recycling centre, community groups, and new food enterprises. Such changes of use will be supported where impacts on the retail cohesion of the town and parking on the industrial estate can be demonstrated not to be detrimental.

POLICY E5: THE INDUSTRIAL ESTATE

- 1. New development increasing the amount and quality of industrial floor space on the industrial estate will be supported and must include adequate parking and servicing arrangements. Retail use will only be supported where it is ancillary and subsidiary to the business.**
- 2. Development should include improvements to the quality or function of the industrial estate wherever possible, including improved public transport, parking and pedestrian, cyclist and riverside access.**

5.5 The Green Economy

5.5.1 The United Nations Environment Programme defines the green economy as follows:

“to be green, an economy must not only be efficient, but also fair. Fairness implies recognising global and country level equity dimensions, particularly in assuring a just transition to an economy that is low-carbon, resource efficient, and socially inclusive”. (UNEP 2011)

5.5.2 A green economy is one which therefore better serves the need of sustainable development, and specifically, environmental sustainability. The NP supports alternative economic models which are likely to produce more sustainable outcomes. These are the circular economy, re-localisation, the local food economy, and social and community-supported enterprise.

5.5.3 A circular economy aims to keep products, components and materials in circulation and always use at their highest value, so that the need for new products, components and materials is reduced. Reuse, repair and recycling are at its heart.

5.5.4 Re-localisation aims to ensure that a greater proportion of goods and services are sourced locally, benefiting local businesses, reducing environmental impacts and increasing the environmental benefits of local economic activity.

5.5.5 The local food economy encourages local production of food and local purchasing of that food. In addition to local economic and environmental benefits local health may also benefit from eating healthier food.

5.5.6 Social enterprises are businesses with primarily social objectives whose surpluses are principally reinvested for that purpose. A community supported enterprise is usually a specific type of social enterprise where members of the community invest in the enterprise and receive either a financial return or products and services in exchange. The most common type is community-supported agriculture where in exchange for a subscription to the business investors receive food from the farm.

5.5.7 Social and community-supported enterprises can offer goods and services at sub-market costs. Frequently this is achieved through not seeking a commercial return or using volunteer labour.

5.5.8 The NP supports the green economy, but it cannot create enterprises or the markets for them. Its role, therefore, is an enabling one. Development enabling the green economy may be acceptable in circumstances where other development would not be.

POLICY E6: THE GREEN ECONOMY

New development enabling the green economy in Totnes will be supported and encouraged. This includes development which enables circular economy, re-localisation, the local food economy, reducing waste, generating renewable energy, and social and community-supported enterprise.

5.6 Sustainable Transport

5.6.1 Several key routes converge on Totnes, which lies at the lowest bridging point of the River Dart. The town is a service centre for a large rural hinterland and hosts a mainline (London – Penzance, cross country routes direct to the Midlands and Scotland) railway station. Traffic congestion is common and has a significant adverse impact on the quality of life and environment in the town.

5.6.2 The Transition Town movement, which has a global reach, originated in Totnes and the town is committed to making the transition towards self-sufficiency and a stable local economy with reduced reliance on fossil fuels. Reducing travel and reducing the need to travel are a fundamental part of this impacting on all three dimensions of sustainable living – community, economy and environment.

5.6.3 Around 70% of traffic on Station Road at peak periods is just passing through, and this proportion is likely to increase. Devon County Council recognise Totnes as the fourth most congested town in the administrative county, but physical, environmental and resource constraints limit the scope for large scale road building measures. While a northern by-pass was suggested in the 1970's the prospects for any such scheme are now very remote, although public consultation has shown some support for the idea. The health and safety of pedestrians and road users in the town, and improving the air quality, are of paramount importance.



5.6.4 As a result the Devon and Torbay Local Transport Plan 3, 2011-2026 and the JLP focus on managing traffic flows in and around the town and promoting behavioural change to reduce the adverse impact of traffic on the environment. Elevated levels of air pollution have resulted in the designation of part of the A385 corridor as an Air Quality Management Area (AQMA). Despite these poor conditions a significant proportion of journeys to work in Totnes take place on foot or by cycle. The A381 also suffers from congestion and air pollution.

5.6.5 The railway station is immensely important for Totnes and its surrounding area. It is a gateway to the town, a transport hub and the railhead for the South Hams. Rail travel and passenger use of Totnes station is growing year on year for commuters, residents and visitors to the area. Passenger numbers were estimated at 0.628M in 2013/14 and had increased to 0.700M in 2018/19 (up by 11.5%)².

5.6.6 Where new development has taken place, such as at Camomile Lawn, Baltic Wharf and Follaton Oak, developers have been required to contribute towards the cost of implementing traffic and transport improvements in the vicinity. Such new developments add to the levels of congestion, with the residents commuting to jobs outside of Totnes. Funding has also been provided for green travel advice and support. However public consultation for the plan has confirmed that for many the wider impact of traffic congestion across the town is their main concern.

5.6.7 Traffic management in the town centre has long been the subject of debate. Totnes and District Traffic & Transport Forum (an advisory body to the Town Council), has developed a Totnes Transport Strategy and policies with schemes for projects that has been adopted by the Town Council. This includes actions proposed by SHDC in the Air Quality Management Action Plan for Totnes. A 'Shared Space' programme of street based improvements that could provide an agreeable shopping and leisure environment and improved public safety whilst supporting commercial activity and providing access for all is long overdue.

5.6.8 Elsewhere in the town, such as at Plymouth Road and old Bridgetown, there is scope to reduce the conflicts between traffic, pedestrians and cyclists, and opportunities exist to extend sustainable transport routes serving the town. Some such routes already exist, for example the National Cycle Route which links Totnes to Ashprington and Dartington. Work is also under way to promote new links to surrounding parishes such as Littlehempston and between the various parts of the town, including the development of a full riverside route. Where possible such opportunities should be enabled when relevant development proposals come forward.

² Annual estimated passenger usage based on sales of tickets in stated financial year(s) which end or originate at Totnes from Office of Rail and Road statistics

5.6.9 There are concerns about the increasing development in surrounding towns and villages and the increase in traffic this generates, which in turn is showing a growing interest in exploring alternative approaches to managing the flow of traffic through Totnes. Measures might include the replacement of traffic signals controlling junctions with a more, free flowing approach operating at lower speeds (20mph). Experience from elsewhere suggest that this could help resolve some of the negative impacts which traffic has on the life of the town. While traffic management lies outside the scope of the NP there is scope for development to contribute towards the delivery of such measures.

5.6.10 Planning can help to reduce the environmental impacts of transport usage and it has long been a planning objective to reduce the need to travel. The NP seeks to reduce the likelihood of travel to and from new development by car and promotes the use of more sustainable modes of transport.

5.6.11 There are three main sustainability impacts of transport in Totnes:

- Motorised transport powered by fossil fuels contributes to carbon and particulate emissions;
- It also directly contributes to poor local air quality and congestion; and
- High levels of mobility can erode community cohesion and identity, as people's lives are spread out rather than localised.

5.6.12 70% of peak hour traffic on Station Road is through traffic, giving rise to significant problems such as reducing local environmental quality, dividing neighbourhoods, 'rat running' through the town centre and deterring some from visiting the town thus undermining its retail and service roles.

5.6.13 New development in Totnes should therefore be located and designed to reduce the likelihood of motorised travel, make best use of more sustainable modes, and contribute to a more sustainable and effective local transport network for the town as a whole.



5.6.14 Rail is a growing and relatively sustainable form of transport, benefitting the local economy and reducing road journeys. Planning decisions need to prioritise the role of the railway station and the potential for its development as a transport hub with improved provision for bus links on both sides of the station, taxis and car parking.

5.6.15 Proposals for new development should be accompanied by whatever measures are necessary to ensure that it can be delivered and used sustainably and a statement explaining how it will seek to improve the local transport network by measures such as:

- a. Reducing the likelihood of car travel through both the mix of the development itself and its relationship to surrounding development;
- b. Facilitating and promoting the use of more sustainable transport modes; and
- c. Ensuring that new development does not make congestion and air quality in the town worse.

POLICY E7: SUSTAINABLE TRANSPORT

1. New development should be designed to reduce the likelihood of travel by car and support a more sustainable local transport network.

This means that it should:

- a. prioritise walking and cycling as the most favoured modes of transport;
- b. prioritise public and community transport as the next most favoured modes of transport; and
- c. take all available and reasonable steps to reduce use of cars, local road congestion and air pollution.

2. Development which would prioritise travel by car will not be supported.

3. Development will be expected to contribute, either through on-site works or by way of a S106 agreement, towards whatever traffic and transport measures may be required to enable that development to be delivered and used sustainably. Such measures may include:

- a. green travel plans, information points and signposting;
- b. provision of safe and convenient footpaths, cycle lanes, cycle racks and storage;
- c. subsidising public and community transport;
- d. local collection points to support green deliveries; and
- e. provision of charging points for electric vehicles.

5.7 Walking and Cycling



5.7.1 Walking and cycling are the most sustainable forms of transport, being zero carbon, and are ideally suited to a town as small as Totnes though difficult on hilly outskirts. To maximise use there needs to be a good walking and cycling network which is also safe and pleasant to use. In the past patterns of development in the town have sometimes not allowed selective permeability for pedestrians and cyclists – new development should enhance this permeability.

Totnes Town Council's adoption of the Ramblers 'Charter for Walking Neighbourhoods' reinforces the importance of walking within the Town for health and as a mode of transport.

5.7.2 Opportunities exist for new and improved connections and facilities for walkers and cyclists, both for recreational use and work, within the town and adjoining parishes (such as Littlehempston) and also over longer distances including as part of the national cycle

network. New development should take up these opportunities and seek to enhance them.

POLICY E8: WALKING AND CYCLING

- 1. New development must be well connected to, maintain and seek to improve the functionality and quality of the walking and cycling network in and beyond the town.**
- 2. Good connections to the walking and cycling network must be a design priority, taking up opportunities to improve freedom of use and road safety for pedestrians and cyclists.**
- 3. Good provision for safe cycle storage, parking, charging and changing facilities for cyclists and motorcyclists should be designed into development proposals.**

5.8 Public and Community Transport



5.8.1 Most forms of public and community transport have a much-reduced carbon impact in comparison with the use of private vehicles, and their impact on congestion and local air quality is similarly reduced. Community transport is particularly important in Totnes, connecting outlying parts of the town and surrounding communities, especially for those who would otherwise find it difficult to access vital services. Public and community transport is therefore supported alongside walking and cycling as part of a more sustainable transport mix for Totnes.

5.8.2 Increased car sharing will complement public and community transport and is encouraged alongside them.

5.8.3 The railway station is fundamentally important in enabling more sustainable travel, for Totnes and its wider hinterland, and the NP supports measures to enhance its effectiveness as a transport hub.

POLICY E9: PUBLIC AND COMMUNITY TRANSPORT

New development should:

- a. maintain and improve the functionality and quality of the public and community transport network in the town;**
- b. incorporate good, safe connections to the public and community transport network as a design priority;**
- c. support the development of the railway station as a transport hub for train, bus and coach connections, with good, safe cycle and pedestrian routes and taxi facilities; and**
- d. promote car sharing.**

5.9 Car Parking Opportunities



5.9.1 Car parking is currently important to the overall functional sustainability of Totnes, despite the inherently less sustainable nature of travel by private car. The NP therefore supports the provision of car parking sufficient to support the overall functional sustainability of the town.

5.9.2 The use of existing and provision of new car parking should not only support the local economy and the needs of the local community, but also promote the use of more sustainable modes of transport in terms of its pricing, use and location.

5.9.3 Over the NP period, however, the use of electric and driverless vehicles may change the way we chose to travel and the need for parking in the town. The NP sets policies in place to

support and enable such change.

5.9.4 New development should meet the need for parking it generates on site. However, the NP supports forms of development which will give rise to reduced need for parking, either through the form and use of the development itself or specific measures to restrict vehicle use and numbers.

5.9.5 Exceptionally it may be acceptable to provide necessary parking off site where this can be shown to provide greater overall functional sustainability for the town and the development in question, and the off-site provision can be guaranteed as permanently available to the development.

5.9.6 When new parking is provided preference will be given to parking for electric vehicles with charging points and car club/pool and autonomous vehicles.

POLICY E10: CAR PARKING

- 1. Existing public car parking should be used and managed to best support the overall functional sustainability of the town. Where new development has impacts on public car parking these should be neutral or positive in terms of the overall functional sustainability of the town.**
- 2. Development that would involve the loss of public car parking will not be supported unless that loss is made up for elsewhere which will be of equal benefit to the overall functional sustainability of the town or it can be demonstrated that the parking is no longer needed due to changes in vehicle use.**
- 3. New development should meet its assessed needs for parking on site unless off site provision would be of greater overall benefit to the functional sustainability of the town and the development in question, and that off-site provision can be guaranteed as permanently available to the development.**
- 4. Parking and charging facilities for electric vehicles, car club/pool vehicles and autonomous vehicles will be preferred to parking for normal private cars. Where new housing development can demonstrate a reduced need for parking due to the utilisation of car club/pool vehicles and autonomous vehicles this will be supported, provided that there are measures in place to support their use.**
- 5. Provision for cycle and motorcycle storage, parking and EV charging should be provided wherever appropriate.**

Totnes Neighbourhood Plan 2019—2034

COMMUNITY



6. Community

6.1 The Public Realm

6.1.1 The quality of Totnes' historic environment deserves a similar quality of public realm to match. Enhancements include the creation of new spaces at Leechwell and Heath's Gardens and improvements to the Rotherfold and Shady Garden, but much more needs to be done to reflect the quality of the town's heritage. Within the historic core motor vehicles continue to have a dominating influence both in the narrow streets and in the car parks where there is limited landscaping. The wide range of street furniture and signs, coupled with poor maintenance, further detract from the town's appearance.

6.1.2 The opportunity exists to create a series of linked public spaces along the historic spine of the town running from the Town Bridge to Cistern Street including The Plains, the Mansion and Library, the Shady Garden, St Mary's Churchyard, the Market Square including Butterwalk and the Rotherfold. Progress has already been made in enhancing some of these spaces through hard and soft landscaping, and the provision of bespoke street furniture to create spaces where people can meet, linger and perform, creating social and cultural activity and making a more attractive town centre.



6.1.3 Beyond the Town's core, the public realm includes major roads, such as the A385 corridor and the Western Bypass for through traffic, and access roads to residential and industrial areas. The major roads have been designed to meet the standards required by the highways authority resulting in places which prioritise car use over people. This is reflected in the use of signalised rather than pedestrian crossings along Station Road and Coronation Road which tend to be positioned to accommodate car users rather than walkers. While these roads act as barriers to movement between the parts of the town, they generally have good pavements although the quality of the pedestrian experience is reduced by exposure to traffic.

6.1.4 Within the residential and industrial areas of the town the quality of the public realm is significantly impacted by street layout, density of development and car parking, with many parts of the town dominated by the car. This need not be the case, and the new Baltic Wharf development

demonstrates the sort of standard for public realm in new residential developments to which the town should aspire, requiring careful consideration of parking arrangements.

6.1.5 Public parks and gardens are an important element of the public realm and the NP protects and provides for the improvement of all of these. Outside spaces in residential areas also function as potential social spaces and should be attractive, safe and offer amenity green and play space. The concept of shared space to improve the pedestrian environment is also supported.

POLICY C1: THE PUBLIC REALM

1. New development should, wherever possible, make a positive contribution to the public realm, particularly within the historic core of the town, supporting Totnes' reputation as a cultural and tourist destination.

2. Design and layout should create public spaces and streets and spaces which are:

- a. in character with the town;
- b. safe and well connected;
- c. accessible and inclusive;
- d. uncluttered and easy to maintain; and
- e. incorporate suitable materials, landscaping, planting, street furniture and surfaces.

6.2 Open Spaces

6.2.1 Open spaces make important contributions to local character and environmental quality. In Totnes these include:

- a. Formal and informal spaces for sport, recreation and play;
- b. Amenity green spaces, spaces for nature conservation and green ways;
- c. Growing spaces; and
- d. Civic spaces (including town squares), cemeteries and graveyards.

6.2.2 The NP will maintain and enhance the provision, quality and diversity of public open spaces and recreational provision in and around the town.

Note: A full inventory of all current open spaces can be found in Appendix B and they are also shown on the Proposals Map and the map at Figure 2 (page 56).

POLICY C2: PUBLIC OPEN SPACES

- 1. The open spaces, amenity spaces, growing spaces and civic spaces shown on the Proposals Map are protected and should be retained in their current use, enhanced to raise their usefulness and should not be built on unless:**
 - a. an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or**
 - b. the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or**
 - c. the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.**
- 2. New developments should include open space at least in accordance with adopted standards and provide for its long-term management and maintenance.**
- 3. Where the need for open space cannot be met on site a commensurate contribution towards provision of such open space elsewhere in the town should be made.**
- 4. Open space provision should include:**
 - a. formal and informal spaces for leisure, sport, recreation and play;**
 - b. amenity green spaces, spaces for nature conservation and greenways; and**
 - c. growing spaces.**

6.3 Local Green Spaces

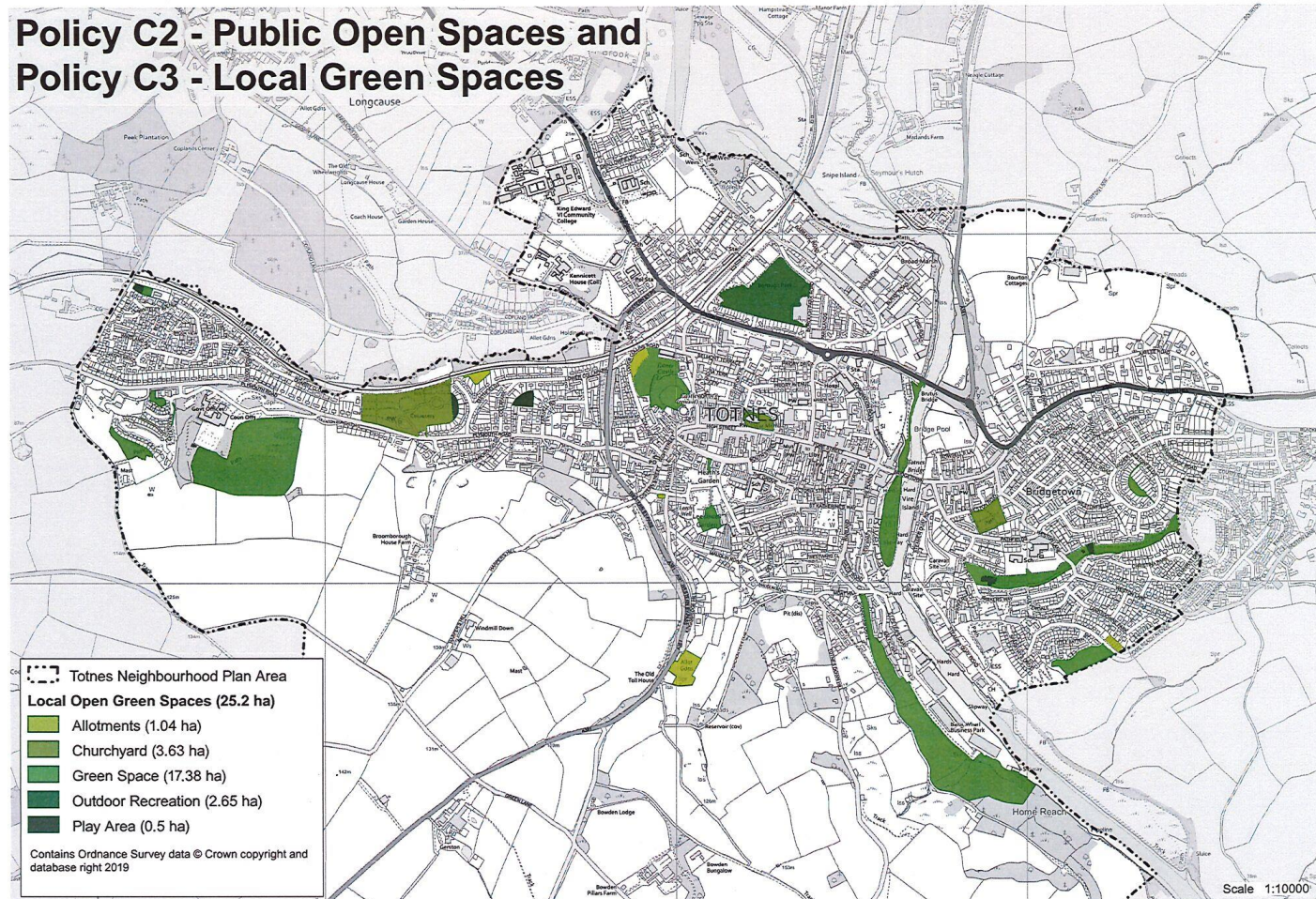
6.3.1 The medieval form of historic Totnes and its evolution to accommodate 21st century living, in particular the use of the car, have resulted in there being limited green space for residents, workers and visitors to the town centre. Leechwell, Heath and the Lamb Gardens, which have been established through community initiative, and Vire Island offer important green oases. Other important open spaces in the town include the Totnes Castle grounds, Borough Park, the 'Chicken Run' in Bridgetown, Follaton House grounds and arboretum, the allotments, various play area, and the wetlands adjacent to Brutus Bridge (see Appendix B and figure 2 below). The NP therefore designates them as areas of Local Green Space to protect them from inappropriate change.

POLICY C3: LOCAL GREEN SPACES

The following are designated as local green spaces:

- 1a-c. Totnes Cemetery, St Mary's and St John's Churchyards;
- 2a-d. Allotments at Kingsbridge Hill, Castle Meadow, Camomile Lawn, and Smithfields,
- 3. Borough Park;
- 4a-c. Leechwell, Heath and Lamb Gardens;
- 5a. Vire Island;
- 5b. The Chicken Run in Bridgetown;
- 5c. Follaton House Arboretum;
- 5d-e. Totnes Castle Grounds and meadow;
- 5f. Dedicated green spaces in new developments at Follaton Oak, Baltic Wharf and Camomile Lawn;
- 5g. Wetland adjacent to Brutus Bridge; and
- 6a-f. Play areas at Smithfields, Meadow Park, Westonfields Park, Higher Westonfields Loop, rear Follaton Community Hall and Collapark.

Figure 2 – C2 Public Open Spaces and C3 Totnes Local Green Spaces



6.4 Housing

6.4.1 The JLP proposes a total of 528 new homes for Totnes over the plan period 2014-2034. Some of the sites allocated lie wholly or partly outside the administrative boundary of the town (and outside the area covered by this plan). The JLP aims to help meet local housing need through mixed use developments which protect the town's integrity, character and environment and provide appropriate infrastructure. It also includes a target that 30% on-site affordable housing will be sought for all schemes of 11 or more dwellings. The South Hams Strategic Housing Market Assessment 2017 determines an affordability test where the cost of the house can constitute up to 35% of gross income and still be affordable.

6.4.2 Much of the housing proposed in the JLP has already been built, is under construction or has planning consent. During the life of this NP other housing sites may come forward and the plan's policies aim to guide such developments and any changes to existing ones.

6.4.3 A central concern of this NP is meeting local housing need rather than satisfying demand for housing. This includes meeting known needs for housing in terms of size, tenure and affordability, and specifically increasing the number of smaller homes to meet the needs of local young and older people.

6.4.4 The South Hams Strategic Housing Market Assessment 2017 suggest that the mix of affordable dwelling sizes required is as follows:

1 Bed	2 Bed	3 Bed	4+ Bed
38%	30%	20%	12%



6.4.5 A target of 75% smaller homes is therefore included in the NP for sites of 11 dwellings or more. It is recognised, however, that in Totnes most unallocated development sites will be small. For development sites of fewer than 11 dwellings the NP seeks a target of at least 50%, which is considered to be reasonable. The target cannot, of course, apply to single dwelling developments.

6.4.6 The design of new homes should promote and enable sustainable lifestyles, incorporate the latest energy efficiency and carbon reduction measures, reduce waste, and be in keeping with and enhance their immediate surroundings.

6.4.7 The NP promotes community led and owned approaches to housing, which can bring strong advantages and innovative solutions:

- They can allow, over time, the returns from the housing development and provision of rented or shared ownership housing to be reinvested in the community.
- They do not require a profit element and therefore can provide greater benefits.
- As they are not registered providers of affordable housing, the affordable housing that they provide is not subject to the Right to Buy scheme and so can remain affordable in perpetuity.

6.4.8 As an exception to regular policies for housing provision, innovative, smaller and individual alternative housing may be considered for sites within the settlement boundary that would not otherwise be permitted. This might include container homes, Tiny Homes³ and houseboats.

POLICY C4: HOUSING

- 1. New housing development should address housing needs, particularly in terms of tenure and size, with priority given to meeting local housing needs.**
- 2. Affordable homes should be included at least in line with adopted targets and arrangements should be made to ensure that they remain affordable in perpetuity.**
- 3. New homes should be designed for sustainable living, incorporate carbon reduction and energy efficiency measures, minimise waste, complement their setting and enhance the locality. Incorporation of the latest energy efficiency measures and sustainable construction methods will be supported.**

6.4.9 Totnes has achieved some successes in community led and owned projects, such as the Leechwell Gardens and the Lamb projects. These schemes bring greater benefits for the community as alternatives to developer led projects. The NP aims to build on and spread this success by giving specific support to community led and owned projects.

6.4.10 If proposals can be shown to be community led and that they will be community owned in perpetuity it is regarded by this NP as a strong material consideration in their favour, and such proposals may be supported in circumstances where proposals which were not community led and owned would not be, however there is still a requirement for such projects to accord with planning policies and the JLP.

³ The Tiny Home Movement is an architectural and social movement that advocates simple living in small homes, typically around 400sq feet.

6.5 Services and Facilities



6.5.1 Totnes is generally well provided with services and facilities and this is a clear ingredient of its strong community. They are important for residents, businesses and visitors alike, and are key to the town's distinctive cultural and service roles. They combine with retail premises to create a place which is much more than just the sum of its physical attributes.

6.5.2 Educational facilities in Totnes are mixed in quality. The secondary education facilities, in particular, are currently in need of improvement having had little investment for over 50 years. Some buildings are in a critical state of repair. The NP supports the provision of high-quality education facilities fit for the purposes of 21st century learning and teaching.

6.5.3 Totnes has two general practices and a minor injuries unit and hospital which serves not just the town but the wider hinterland. The additional strain the new developments will place on the existing medical facilities need to be considered. The NP will ensure that new development does not diminish the services and facilities of the town and will encourage their enhancement and the provision of new services and facilities.

POLICY C5: SERVICES AND FACILITIES

New development is expected to maintain or enhance community services and facilities as a whole within the town. Proposals involving the loss of community services or facilities will not be supported unless:

- a. they are to be replaced with services or facilities of an equal or higher quality and value to the community on the same site, or another equally or better suited site within the town; or**
- b. the services or facilities can be demonstrated to be no longer needed or viable, and the proposed alternative use would provide equal or greater benefits to the local economy and community, including through contributions to development on other sites.**

POLICY C6: NEW SERVICES AND FACILITIES

- 1. The provision of new services and facilities which will improve the breadth, depth and distinctiveness of the overall provision of services and facilities in the town will be welcomed.**
- 2. Provision of new 'everyday' services and facilities in areas of the town where these are lacking will be particularly welcomed.**

6.6 King Edward VI Community College

6.6.1 King Edward VI Community College (KEVICC) has a vital role to play not only as the prime source of secondary education for young people in the town and surrounding villages but also as a focus for community uses, particularly linked to sports, arts and cultural activities. The school occupies a range of facilities on a site bisected by the A385 with the two parts linked by a pedestrian overbridge. This creates operational challenges for the school which would undoubtedly benefit from significant investment in its physical estate. By comparison with many secondary schools in the South Hams, KEVICC has relatively dated and poorly configured buildings, although it occupies attractive grounds, which enables students to enjoy extensive open space.

6.6.2 At the school's request, KEVICC's Lower Field was allocated as a site for residential development in the Totnes Site Allocations Development Plan Document in 2011. The site currently includes unoccupied school buildings, a new all-weather playing pitch and a large playing field. Lower Field is bordered on two sides by the residential areas of Swallowfields and Weirfields. Vehicle access is available from the A385 Ashburton Road which runs along the western boundary of this part of the school.

6.6.3 On the opposite side of Ashburton Road lies the main part of the school campus. This includes an extensive area of parking and a range of school buildings including reception, administrative offices, classrooms, School Hall and refectory. The Ariel Centre provides an arts and performance space for both school and community use. Somewhat removed from the main cluster of buildings and occupying the higher part of the site in a wooded setting, lies Kennicott House which is the Sixth Form centre. This historic property, to which additional structures have been added, has pedestrian access from Barracks Hill although the main entrance to the site is from the A385.

6.6.4 To the south of the main KEVICC site, but in the ownership of the school lies the Sheepfield which was allocated for housing in 2011. Adjoining this site (but separately owned) is the former Magistrates Court building which has recently been sold and planning consent has been granted for a small-scale residential development on the site of the former private nursery. The Police Hub and former police houses occupy the remainder of the land at the junction of the A385 and Western by-pass.

6.6.5 The Joint Local Plan (JLP policy TTV20) carries forward the allocation of parts of the KEVICC site, including the Sheepfield, for residential development with an indicative number of 130 homes. This includes a requirement for the provision of a replacement of the all-weather sports pitch, community facilities including public space alongside the River Dart with continuous river access, mitigation to deal with the potential for negative impact on greater horseshoe bats and their flyways, a high quality form of development which integrates with existing housing, safe and attractive pedestrian and cycle connections for residents to access local facilities and services and an appropriate strategy to mitigate for any impact on the A385 AQMA.

6.6.6 This NP affirms the JLP's approach to the site, adding that a comprehensive master planning approach should be taken.

POLICY C7: EDUCATIONAL IMPROVEMENT AT KEVICC

Proposals for the rationalisation and upgrading of secondary educational facilities on land currently occupied by KEVICC will be supported providing they:

- a. **make appropriate provision to at least maintain and where possible or enhance community use of sports, leisure and arts/cultural facilities;**
- b. **adopt appropriate measures to minimise the impact of traffic through provision for sustainable travel by staff, pupils and visitors;**
and
- c. **are part of a holistic approach to the whole site.**

POLICY C8: DEVELOPMENT OF LAND AT KEVICC

Residential development will be supported on land at KEVICC in accordance with Policy TTV20 of the JLP and Paragraph 99 of the NPPF 2021.

Widespread inclusive community consultation which encompasses all of the KEVICC site and the Sheepfield is encouraged.

6.7 Steamer Quay



6.7.1 Steamer Quay lies on the east bank of the River Dart. It occupies a strategic riverside location, providing a gateway to the town for river boat users and is an important focus for water-based recreation and tourism, particularly given the access it provides to Longmarsh. This role could be enhanced through sensitive development directly related to the river and leisure uses. Public consultation has highlighted the importance of the Steamer Quay area to the community who place its recreation and leisure roles as being of importance.

6.7.2 The site is owned by South Hams District Council and is occupied by a variety of users including the seasonal caravan site, club facilities and storage associated with the

Totnes Boating Association, the scout hut, the Rowing Club, a long stay car park, a coach park, a café, public toilets, a vet, the river boat business and a number of industrial units. A new riverside development of 60 flats for older people has been completed adjacent to the site and planning consent has been granted for a 68-bed care home on a neighbouring site.

6.7.3 A number of constraints need to be addressed to enable improvements to be carried out, including possible relocation of any existing users affected and protecting direct access to the river for those requiring it. The low-lying nature of the site means that it is at risk of flooding. The site lies outside the Totnes Conservation Area but within its visual sphere of influence. Any proposals should pay careful regard to that sensitive context and to views of the site from across the river. It will also be essential to maintain and wherever possible improve cycle and pedestrian routes alongside the river and connecting the residential areas of Bridgetown, the wider town and neighbouring parishes.

POLICY C9: STEAMER QUAY

At Steamer Quay only leisure or river related development will be supported, providing it has no adverse impact on the South Hams Special Area of Conservation's population of greater horseshoe bats and where they:

- a. maintain or enhance leisure and river related facilities and activities on the site;
- b. maintain or enhance existing services, uses, facilities, public areas and rights of way;
- c. do not harm the character, amenity, wellbeing, historic, environmental, nature conservation or archaeological values of the area and its surroundings;
- d. respect the site's scenic quality and distinctive sense of place and the setting of the adjacent Conservation Area; and
- e. adopt a high standard of design reflecting the prominence of the location and enhancing the riverside scene.

Widespread, inclusive community consultation in developing proposals is encouraged.

6.8 Market Square and Civic Hall

6.8.1 The Market Square including the Civic Hall and Civic Hall car park is a key element in the functioning of Totnes as a historic market town. The use of this area for regular markets and events contributes significantly to the vitality and viability of the town centre, drawing in residents and visitors alike. Evidence points to the market being a seedbed for the independent traders who give Totnes such a distinctive character. The Market Square and Civic Hall also fulfil an important social function as a meeting place, contributing significantly to the town's strong sense of place and community.

6.8.2 The functioning of Totnes is also critically dependent upon the availability of adequate car parking. With some two thirds of Totnes' catchment lying outside the town in surrounding villages and rural areas where public transport provision is limited, the car provides the principal means of accessing the shops and services offered. On market days, the monthly Good Food Market, other occasions such as the Christmas Markets and during the main holiday season, the demand for parking is high. There is also demand from employees and town centre residents. Protecting the supply of town centre parking is therefore an essential priority for Totnes.

6.8.3 Research shows that there is scope to improve the operation and appearance of the Market Square and Civic Hall, which has been the subject of investment by the Town Council in recent years. A recent public consultation has seen plans drawn up to redesign the Market Square which will include:

- a. Improvements to the layout and circulation of the market
- b. Repositioning planters and seating
- c. Improvements to the hard surfaces to aid accessibility and
- d. Upgrading street furniture (including the installation of a water fountain) and visual decluttering.

6.8.4 It is clear from consultation that the community recognises the vital role which the Market Square and associated town centre car parks play in the life of the town, acting as points of arrival and enabling Totnes to thrive and prosper. They are well established assets of genuine community value which need to be nurtured. Any change is likely to be difficult and complex to achieve given the wide range of stakeholders involved, the need to ensure continuity of operation and the likely costs involved. Improvements to the town's car parks would be welcome in the form of roofs covered in photovoltaic panels with associated energy stores so that electric vehicles can recharge, or with grassed areas for amenity use and replanting at the edges of car parks and roofs. However, the NP aims to provide for positive change to occur and the policy approach being taken should be regularly reviewed (at least every 5 years) in light of changes in travel and transport.

POLICY C10: MARKET SQUARE AND CIVIC HALL

Proposals for positive change to the Market Square and Civic Hall will be supported where they:

- a. **support and complement the economic and social functioning of Totnes town centre;**
- b. **ensure continuity of market operations;**
- c. **as a minimum, maintain the number of trading pitches available;**
- d. **as a minimum, maintain current levels of town centre parking; and**
- e. **reflect the sensitive historic nature of the location.**

Widespread, inclusive community consultation in developing proposals is encouraged.

POLICY C11: TOWN CENTRE CAR PARKS

Proposals for redevelopment of any land currently used for town centre car parking (Victoria Street, Heath's Nursery, North Street, the Lamb, Heath Way and the Nursery) will only be supported where:

- a. the current levels of parking are maintained with sufficient resident and visitor car parking within easy walking distance of the town centre;**
- b. there is provision for the introduction of electric car and car sharing technologies;**
- c. the visual appearance of town centre parking is enhanced through the introduction of hard and soft landscaping; such as permeable surfaces, tree planting and flower beds;**
- d. local amenity, especially for neighbours is respected; and**
- e. it contributes to the vitality, viability and functioning of the town centre.**

Widespread, inclusive community consultation in developing proposals is encouraged.

7. Delivery and Monitoring

7.1.1 Many of the NP's proposals will only happen with private sector investment, but this does not remove Devon County, South Hams District and Totnes Town Councils or other public bodies from their responsibilities for infrastructure and services. The NP's policies aim to steer and shape development, but it is expected that developer contributions will be gathered through S106 agreements, Community Infrastructure Levy or similar in order to address any specific mitigation required and to offset the broader impacts of any new development.

7.1.2 The policies of the NP and the JLP will be complementary, together providing a firm platform for all parties to cooperate in promoting, enabling and delivering beneficial developments and improvements of all kinds. Conformity between plans will be key to unlocking funds to support the NP's delivery, and it is hoped that Devon County, South Hams District and Totnes Town and neighbouring parish councils will take a proactive role in this regard.

7.1.3 Once the NP is approved by referendum it will become part of the local development plan. This means that it will be a material consideration in the determination of planning applications. South Hams District Council will therefore be required to assess development proposals against the objectives of the NP alongside the JLP and any related implementation plan to ensure that the aspirations of the community are being met.

7.1.4 Monitoring may require the NP to be reviewed in due course to keep it up-to-date and relevant, particularly in relation to changing circumstances related to travel and climate change. A monitoring framework is suggested to help judge the effectiveness of the NP's policies. Any formal amendments to the NP will have to follow a similar process as was used to prepare the original NP. A monitoring framework has been prepared and is published alongside this NP.

Report to: **Executive**

Date: **30th November 2023**

Title: **South Milton Neighbourhood Plan Modification**

Portfolio Area: **Planning – Cllr Thomas Deputy Leader of the Council**

Wards Affected: **Salcombe and Thurlestone**

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

Date next steps can be taken: Upon the expiry of the Scrutiny Call-in period (5.00 pm on Monday 11th December 2023)

Author: **Graham Swiss** Role: **Senior Strategic Planning Officer and Neighbourhood Planning Specialist**

Contact: **graham.swiss@swdevon.gov.uk**

RECOMMENDATIONS

That the Executive:

- 1. Receives the Examiner’s report for the South Milton Neighbourhood Plan Modification set out at Appendix A.**
- 2. Considers each of the recommendations made by the report and the reasons for them.**
- 3. Agrees that the South Milton Neighbourhood Plan as proposed to be modified meets the Basic Conditions and is compatible with the Convention Rights, subject to the amendments recommended by the Examiner.**
- 4. Approves the ‘making’ (adoption) of the South Milton Neighbourhood Plan modifications as recommended to be amended by the Examiner, (as set out in the full plan attached at Appendix B).**
- 5. Authorises the Assistant Director Planning to publish the Decision Statement set out at Appendix C.**

Executive summary

- 1.1 Neighbourhood Plans are a community right introduced by the Localism Act 2011. They are the responsibility of Parish Councils (or Neighbourhood Forums if established in non-parished areas).
- 1.2 The South Milton Neighbourhood Plan area (the plan area) was designated by the District Council in 2014. It corresponds with the South Milton parish boundary.
- 1.3 The South Milton Neighbourhood Plan (SMNP) was 'made' (adopted) by the Council in September 2019. South Milton Parish Council has proposed a modification to the SMNP to add a principal residence requirement, with consequential minor changes to the wording of two other policies.
- 1.4 The proposed modifications have been subject to consultation and independent examination. The independent examiner has recommended some further amendments (see Appendix A) including an amended plan (see Appendix B), which the Parish Council has accepted. The examiner has also considered whether in the context of the neighbourhood plan as a whole, the proposed modifications are so significant or substantial as to change the nature of the plan, so a referendum would be required. The examiner is recommending that the modifications can be made without the need for a referendum.
- 1.5 The Parish Council has resolved to accept the examiner's recommended amendments (see Appendix D). Once 'made' (adopted) by the local planning authority, the additional and modified policies will become part of the Development Plan for the plan area alongside the Plymouth and South West Devon Joint Local Plan.

2. Background

- 2.1 The SMNP modification has been prepared by South Milton Parish Council in accordance with the relevant legislation and regulations.
- 2.2 The SMNP Area was designated in 2014 under the Neighbourhood Planning Regulations 2012. The area covers the administrative boundary of the Parish of South Milton. Following two periods of consultation under Reg.14 and Reg.16 and examination the SMNP was 'made' on the 19th September 2019 (Minute E.39/19 refers).
- 2.3 Based on comments made to the Parish Council, there was a general sentiment in the parish that the building of additional second homes and/or holiday lets would adversely affect the economic and social wellbeing of the community. Early in 2022 SMPC undertook a survey of holiday homes in the parish. This showed that the percentage of the housing stock in the parish comprising second homes had increased from 29% in the 2011

Census to 34% in the parish survey undertaken in January 2022. The results of the survey led the parish council to decide that it would be appropriate to modify the housing policies in the neighbourhood plan, so as to be able to prevent new housing from being used as second homes or holiday lets.

- 2.4 It was proposed to add a new policy to the plan – *Policy H5 Principal Residency Requirement*. This policy would place a presumption that new residential development, other than replacement dwellings, will only be permitted if subject to a Section 106 Agreement to ensure occupancy as a principal residence. Whilst supporting the addition of this new policy in principle, the examiner has proposed to amend its wording to refer to ‘planning obligations’, which also cover unilateral obligations, which impose the same restrictions, but on a unilateral basis. The term ‘planning obligation’ covers both S106 Agreements and unilateral obligations.
- 2.5 To ensure consistency of wording in the consequential proposed changes to the policy wording of associated policies, the examiner:
- Proposes that the third bullet point of clause 2 of Policy H1 changes from ‘*a planning condition shall be included to ensure...*’ to ‘*A planning obligation will be expected to be submitted or completed which will ensure the open market and self-build houses are occupied as ‘sole’ or principal residences as set out in Policy H5*’.
 - Supports the amendments proposed to Policy H4 – the additional bullet point ‘*It complies with Policy H5*’ at the end of the first list, and the deletion of the sentence ‘*For open market and self-build housing, the local planning authority adds a condition requiring the houses to be occupied as a sole or principal residence*’ from the first bullet point in the second list, as a matter of consistency.
 - Proposes the consequential modification to Policy H5 clause 3 – to replace ‘*Section 106 agreement*’ with ‘*planning obligation*’.
- 2.6 Following the necessary community engagement, consultation (six-week public consultation at Reg.14 stage in March to April 2022) the modification proposal was submitted to the Council in accordance with Reg.15. The Council formally consulted on the proposed modification (under Reg.16) from 16th June to 28th July 2023. The plan then proceeded to examination which was conducted during August.
- 2.7 The examiner’s final report was produced on 30th August 2023 (see Appendix A). It provides an independent examination of the proposed modification of the SMNP and its process of preparation. Council officers provided feed-back and fact checking to the examiner on the draft report.

- 2.8 The examiner's report sets out the examiner's recommended amendments. The two amendments are required to ensure the plan meets the Basic Conditions. The examiner's recommendations are set out at the end of para. 49 on page 12 of the report.
- 2.9 The examiner's report concludes that the proposed modifications to the SMNP, if amended in line with his recommendations, meet all of the statutory requirements including the Basic Conditions and that, subject to his recommended amendments, it is appropriate for the Council to 'make' the modified SMNP as proposed.
- 2.10 The Basic Conditions are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. A neighbourhood plan meets the Basic Conditions if:
- a. Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the plan;
 - b. the making of the plan contributes to the achievement of sustainable development;
 - c. the making of the plan is in general conformity with the strategic policies contained in the development plan for the area of the authority;
 - d. the making of the plan does not breach, and is otherwise compatible with, retained EU obligations, and;
 - e. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the plan.
- 2.11 Notwithstanding the examiner's report, the Council must be satisfied that the SMNP as proposed to be modified meets the Basic Conditions and is compatible with the European Convention on Human Rights (ECHR) and other European Union Obligations, or would do so if modifications were made to it.
- 2.12 The European Convention on Human Rights (ECHR) and other European Union Obligations are considered as the Neighbourhood Plan is required to take cognisance of the EU Strategic Environmental Assessment (SEA) Directive 2001/42/EC. A Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) screening exercise was undertaken. This concluded that a full SEA was not required for the plan modification as its provisions did not undermine environmental, habitats or species considerations. The examiner was satisfied with that conclusion.
- 2.13 Council officers have considered the proposed modifications to the SMNP and the examiner's report with regard to the Basic Conditions, including conformity with the development plan and national policy. Officers accept the examiner's reasoning for his

proposed amendments, agree that the Basic Conditions have been satisfied, and confirm that the plan can proceed to be 'made' (adopted). South Milton Parish Council has considered the examiner's report and resolved to accept the examiner's proposed amendments in their entirety and to support the plan as modified going forward to adoption (see Appendix D).

- 2.14 As a modification to an existing neighbourhood plan, there are additional considerations that need to be applied by virtue of Schedule 2A of the Planning and Compulsory Purchase Act 2004. Section 10 states that the examiner must first determine whether the modifications are so significant or substantial as to change the nature of the plan. Such a determination would have the effect of triggering the need for a referendum, if the modified plan passes examination. The examiner concluded that the modifications will not change the nature of the plan and that, therefore, a referendum will not be required.
- 2.15 If the Executive is satisfied that the SMNP meets the Basic Conditions, the European Convention on Human Rights, and other European Union Obligations the plan as proposed to be modified can proceed to adoption.

3. Outcomes/outputs

- 3.1 If the recommendation to 'make' (adopt) the SMNP as proposed to be modified is agreed, the Council must, as soon as possible, publish the Decision Statement (see Appendix C), details of where and when the Decision Statement may be inspected, and the examiner's report.
- 3.2 Once 'made' by the local planning authority, the modified neighbourhood plan becomes part of the Development Plan for the area and will be used alongside the local plan to determine planning applications.
- 3.3 A successful outcome for this neighbourhood plan will provide encouragement to the other parishes that are currently working on preparing or modifying a neighbourhood plan.

4. Options available and consideration of risk

- 4.1 Given the view of Council officers and their recommendation that the neighbourhood plan meets the relevant conditions, it is considered that the Neighbourhood Plan should continue through the process as proposed.
- 4.2 If the Executive does not agree, then the options are to propose such modifications as the Executive considers would enable the plan as modified to meet the relevant conditions and therefore still proceed to adoption; or to agree to the modifications to the plan not being 'made'.

4.3 In terms of risk, this relates to the potential for challenge through a Judicial Review to the Executive's decision that the plan does or does not meet the Basic Conditions or is compatible with the European Convention on Human Rights.

5. Proposed Way Forward

5.1 It is recommended that the Executive agrees to 'make' (adopt) the South Milton Neighbourhood Plan modification as recommended to be amended by the examiner.

6. Implications

Implications	Relevant to proposals Y/N	Details are set out in this report.
Legal/Governance	Y	The decision to proceed to 'make' (adopt) a Neighbourhood Plan is the responsibility of the Council and/or its Executive. The South Milton Neighbourhood Plan proposed modification has followed the procedure in the Neighbourhood Planning (General) Regulations 2012 and can now be 'made' subject to the examiner's recommended amendments.
Financial implications to include reference to value for money	N	There are no financial implications. Neighbourhood Plans are supported through the Government grants program.
Risk	Y	There is a risk of legal challenge on the Neighbourhood Plan process.
Supporting Corporate Strategy	Y	The Council's role in the Neighbourhood Plan process is a statutory duty. Neighbourhood Plans assist in delivering key themes in the Better Lives for All 2021, including; Adapting & mitigating climate change and increasing biodiversity; Protecting, conserving and enhancing the built and natural environment; Stimulating a thriving economy.
Climate Change - Carbon / Biodiversity Impact	Y	The South Milton Neighbourhood Plan aligns with the Joint Local Plan and contains policies aimed at mitigating the effects of climate change and impacts upon biodiversity.

Comprehensive Impact Assessment Implications		
Equality and Diversity	Y	The Neighbourhood Plan has assessed Equality and Diversity implications as part of its background evidence.
Safeguarding	N	None.
Community Safety, Crime and Disorder	N	No direct implications.
Health, Safety and Wellbeing	Y	Positive outcomes are anticipated from the making of the Neighbourhood Plan's proposed modification.
Other implications	N	None.

Supporting Information

Appendices:

Appendix A: South Milton Neighbourhood Plan proposed modifications Examiner's report.

Appendix B: The full South Milton Neighbourhood Plan as proposed to be modified.

Appendix C: Decision Statement.

Appendix D: Minutes of South Milton Parish Council meeting on 25th September 2023 (Min. 289 a1 refers).

Background Papers:

None

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South Milton Neighbourhood Plan 2019- 2034

Submission Version

A Report to South Hams District Council on the Examination of the
Proposed Modifications to the made South Milton Neighbourhood Plan

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30th August 2023

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Executive Summary

My examination has concluded that the modifications to the South Milton Neighbourhood Plan should be made, subject to the Plan being amended in line with my recommended amendments, which are required to ensure the plan meets the basic conditions. The only required changes are –

- Policy H1 dealing with the housing allocation should refer to the need for a planning obligation rather than a planning condition to ensure compliance with Policy H5.
- Policy H5 should refer to “planning obligation” not “Section 106 Agreement”

The modified plan does not need to be the subject of a new referendum.

Introduction

1. Neighbourhood planning is a process, introduced by the Localism Act 2011, which allows local communities to create the policies which will shape the places where they live and work. The Neighbourhood Plan provides the community with the opportunity to allocate land for particular purposes and to prepare the policies which will be used in the determination of planning applications in their area. Once a neighbourhood plan is made, it will form part of the statutory development plan alongside the adopted Plymouth and South West Devon Joint Local Plan 2014-2034. Decision makers are required to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.
2. In September 2019, the South Milton Neighbourhood Plan 2019-2034 was made by South Hams District Council, following a positive vote at a referendum.
3. In January 2022, the Parish Council carried out a new survey of holiday homes in the parish. The results of that survey led to the Parish Council to the conclusion that some modifications are required to the housing policies in the neighbourhood plan, so as to be able to protect new housing from being used as second homes or holiday lets.
4. The Neighbourhood Planning Act 2017 introduced the ability for policies, in a made neighbourhood plan, to be modified. Amendments to the 2012 Neighbourhood Planning Regulations, were introduced to cover such modifications, by the Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2017.
5. This report is the outcome of my examination of the proposed modifications to the made South Milton Neighbourhood Plan. Unlike the original plan, the legislation requires me to initially determine whether the changes contained in the modification proposals are so significant as to change the nature of the plan and would therefore need to be subject to a referendum.
6. I came to an early conclusion, based on my consideration of the scope of the proposed modifications, that in the context of the neighbourhood plan as a whole and having made a site visit, the proposed modifications are not so significant or substantial as to change the nature of the plan. I set out this conclusion and my reasons in a document sent to the Parish Council and the District Council, entitled Initial Comments of the Independent Examiner, dated 18th August 2023. The consequence of that conclusion is that, if I conclude that the modifications can be made, either with or without any recommended changes, then the modifications can be made without the need for a referendum.

The Examiner's Role

7. I was initially approached by South Hams District Council, with the agreement of South Milton Parish Council, in September 2022, to conduct this examination. However, following an initial review, I suggested to the District Council that the proposal was not in a position to be submitted for examination. Further work was undertaken and a Regulation 16 consultation was carried out and I was then instructed to examine the plan, in early August 2023, upon the completion of that consultation.
8. In order for me to be appointed to this role, I am required to be appropriately experienced and qualified. I have over 45 years' experience as a planning practitioner, primarily working in local government, which included 8 years as a Head of Planning at a large unitary authority on the south coast, but latterly as an independent planning consultant and director of John Slater Planning Ltd. I am a Chartered Town Planner and a member of the Royal Town Planning Institute. I am independent of South Hams District Council and South Milton Parish Council and I can confirm that I have no interest in any land that is affected by the Neighbourhood Plan.
9. Having reached the conclusion that the changes are not so significant or substantial to change the nature of the plan, I am required to make one of three possible recommendations:
 - That the modifications to the plan should be made by the local planning authority.
 - That the modifications to the plan should be made, if modified in line with any changes which I have specified in this report.
 - That the local planning authority should not make the modifications to the made plan.
10. I am required to give reasons for my recommendations and also provide a summary of my main conclusions.
11. My recommendations must only be necessary to ensure that the modifications to the neighbourhood plan meet the basic conditions, which I will set out in a later section of this report, and also those changes necessary to ensure the plan is compatible with Convention rights, or for the correction of errors.
12. In examining the modifications, the Independent Examiner is also expected to address the following questions:
 - Do the policies as introduced or modified relate to the development and use of land for a Designated Neighbourhood Plan area in accordance with Section 38A of the Planning and Compulsory Purchase Act 2004?
 - Does the Neighbourhood Plan still meet the requirements of Section 38B of the Planning and Compulsory Purchase Act 2004 - namely

that it specifies the period to which it is to have effect? It must not relate to matters which are referred to as “excluded development” and also that it must not cover more than one Neighbourhood Plan area.

12. I am able to confirm that the modified Plan only relates to the development and use of land, covering the area designated by South Hams District Council, for the South Milton Neighbourhood Plan, on 13th February 2015.
13. I can also confirm that it does not change the period over which the plan has effect, namely the period from 2019 up to 2034. I can confirm that the modified plan does not cover any “excluded development”.
14. There are no other neighbourhood plans covering the area covered by the neighbourhood area designation.
15. I am satisfied that South Milton Parish Council as a parish council can act as a qualifying body under the terms of the legislation.

The Examination Process

16. At the start of the examination process, I needed to be satisfied that all the legal requirements, particularly those steps specifically required for modifications to already made plans, have been properly carried out. In this respect, I am now satisfied the Parish Council indicated, in March 2022, at the pre submission consultation stage that, in its view, the proposed modifications would not change the nature of the neighbourhood plan.
17. The submission plan clearly indicates what are the proposed modifications, both in terms of the text which is to be added to the plan document and also the parts that are proposed for deletion. It is also a requirement that the Regulation 15 submission is accompanied by the requisite submission documents; namely a basic condition statement, which in this case is a revised version of the original statement, a consultation statement and a screening opinion as to whether the modifications required assessment under both the SEA Regulations and the Habitat Regulations. Another requirement is that, following the submission, the District Council must carry out a Regulation 16 consultation on the proposed modifications and it must itself issue a statement which sets out its view as to whether the changes are so substantial as to change the nature of the plan. That opinion was issued in July 2023.
18. Upon receipt of the submission documents, I undertook a site visit to South Milton. Whilst I am familiar with this area of the South Ham’s coastline, having examined the adjoining Thurlstone Neighbourhood Plan, the Bigbury on Sea Neighbourhood Plan and Salcombe Neighbourhood Plan, I had never previously had cause to visit the village of South Milton. That visit was made on Thursday 17th August 2023, when I was able to experience the parish during the peak holiday period. I drove through the village itself, but also explored, along the narrow lanes, some of the outer areas of the parish. I was able to take onboard a walk along the beach at South Milton Sands and enjoyed a coffee and cake at The Beach Hut Café.

19. Upon my return to East Devon, I conveyed my conclusion in the document entitled Initial Comments of the Independent Examiner, dated 18th August 2023, that the proposed modifications are not so significant as to change the nature of the plan and hence, if I were to recommend the modifications, they could be made without the need for a referendum.
20. In that document, I also confirmed that I would be carrying out this examination without the need to hold a public hearing.

The Consultation Process

21. Once the Parish Council had decided, at the meeting held on 24th January 2022, to propose the insertion of a new neighbourhood plan policy requiring a principal residency requirement, a consultation document was prepared setting out the background to the changes. The document was the subject of a six-week consultation which ran from 7th March 2022 until 18th April 2022. This generated 25 responses including three from statutory consultees which happened to be neighbouring parish councils. The responses to all consultations are set out in Annex 3 of the Consultation Statement. The proposed responses were endorsed by the Parish Council at its meeting held on 25th April 2022.
22. I am satisfied that the extent of the consultation on the proposed modifications was a proportionate exercise and views of residents and other stakeholders was actively sought.

Regulation 16 Consultation

23. I have had regard, in carrying out this examination, to all the comments made during the period of final consultation which took place over a 6-week period, between 16th June 2023 and 28th July 2023. This consultation was organised by South Hams District Council, prior to the plan being passed to me for its examination. That stage is known as the Regulation 16 Consultation.
24. In total, 15 responses were received; 4 from neighbouring parish councils and 5 comments from local residents – all supported the proposed modifications. Other responses were received from Natural England, Historic England, National Highways, Devon Flood and Coastal Risk Manager, The Coal Authority and South Hams District Council.

The Basic Conditions

25. A Neighbourhood Plan examination process is different to a Local Plan examination, in that the test is not one of “soundness”. The Neighbourhood Plan is tested against what is known as the Basic Conditions which are set down in legislation. It will be against these criteria that my examination must focus.

26. The five questions, which seek to establish that the Neighbourhood Plan meets the basic conditions test, are: -

- Is it appropriate to make the Plan having regard to the national policies and advice contained in the guidance issued by the Secretary of State?
- Will the making of the Plan contribute to the achievement of sustainable development?
- Will the making of the Plan be in general conformity with the strategic policies set out in the Development Plan for the area?
- Will the making of the Plan breach or be otherwise incompatible with EU obligations or human rights legislation?
- Will the making of the Plan breach the requirements of Regulation 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017?

Compliance with the Development Plan

27. For the purpose of the basic conditions, the relevant strategic policies are found in the Plymouth and South West Devon Joint Local Plan 2014-2034 which was adopted in March 2019.
28. South Milton is not identified as a sustainable village by Policy TTV25. Policy TTV 27 addresses meeting local housing needs in rural areas and does permit under limited circumstances, new homes to meet a proven need for affordable housing for local people. I consider the imposition of a principal residency requirement would support the need to ensure new housing is actually used to meet a local housing need.
29. There are no specific strategic policies dealing with the issue of restrictions on second homes or holiday accommodation.
30. My overall conclusion is that the proposed modifications are still in general conformity with the strategic policies in the adopted local plan.

Compliance with European and Human Rights Legislation

31. The District Council asked its consultants AECOM for advice on whether the proposed modifications generated any implications under the Habitat Regulations i.e. would it affect European protected sites or whether it would have significant environmental effects requiring an SEA. Their advice to South Hams was there were no implications and the District Council has confirmed to me that it shared that view that an assessment under the SEA Regulation or an Appropriate Assessment would not be required based on the proposed modifications to the housing policies. I concur with that conclusion.

32. One possible effect of the new Policy 5 is that it could curtail rights, as set out in the Protocol to the European Convention of Human Rights, under the heading of the Protection of Property. This states that “persons are entitled to the peaceful enjoyment of their possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law”.
33. In this case I am very satisfied that the public interest in securing that new homes are available for occupation as their principal residence outweighs the rights of say second home owners to enjoy their property for example as holiday accommodation and as such, I am satisfied that the modifications are consistent with the European Convention and there is no conflict with European legislation.

The Proposed Modifications

34. The main proposed modification is the insertion of a new policy, Policy 5 – entitled “Principal Residency Requirement”. This places a presumption that residential proposals, other than replacement dwellings, will only be permitted if it is subject to a Section 106 Agreement to ensure occupancy as a *principal residence*. This term is defined as the resident’s sole or main residence, where the resident spends the majority of the time when not working away from home. The policy then gives examples of possible ways of showing proof of residence, namely inclusion on the electoral register or registration for local schools or local healthcare. It then goes on to say new housing, apart from a one for one replacement, will not be supported in the absence of such a requirement. The final element of the policy then deals with proposals that increase the number of dwellings on a particular site.
35. South Milton Parish Council produced a document which provides the evidence to support this policy. Secretary of State advice is that neighbourhood plan policy must be supported by evidence.
36. It demonstrates that there has been an increase in the number of second homes in the parish, between a survey undertaken in 2015 and the survey carried out in January 2022. The survey showed that there was an increase of 8 new second homes. This has led to an increase in the proportion of second homes, rising from 29% as shown in the 2011 census to the most up-to-date figures showing that 34% of the housing stock comprises second homes. This is a significant number and it reflects a wider trend that has seen in recent years numbers increase, particularly in coastal areas in the South West. There are many neighbourhood plans that have sought to adopt principal residency requirements, where it has been demonstrated that the number of local homes being lost to second homes affects the ongoing vitality of the community, particularly out of the main holiday season, with empty properties. Similarly, some communities have pointed to evidence that second homes have had an adverse impact on the local housing market making it difficult for local people to be able to find homes in their locality.
37. From my site visit, I was able to satisfy myself that this is a particularly scenic area, which will inevitably be attractive for second homes/holiday lets. With the

percentage of second homes being already high, at over 30% of all properties, I consider that the scale of second homes/ holiday lets justifies placing a restriction on the occupation of new dwellings.

38. There are limits to the reach of this policy, as the principal residency requirements can only be applied in circumstances where new properties are built within the parish. The policy cannot impose any controls over existing properties being used as second homes. The Parish Council has not submitted any evidence that recently built new properties have been occupied as second homes or holiday accommodation.
39. The drafting of the policy refers to the imposition of the principal residency restrictions by way of a Section 106 Agreement. I will be proposing a modest amendment, to refer to “planning obligations”, which also covers unilateral obligations, which impose the same restrictions, but on a unilateral basis. That document imposes the necessary covenants but can only be offered by the person with an interest in the land. This is an alternative to a joint agreement between the local planning authority and the applicant / landowner which would be a Section 106 agreement. They are used, for example, where a planning appeal has been submitted. The term ‘planning obligation’ covers both Section 106 agreements and unilateral undertakings and effectively they have the same effect, but can reduce the legal costs to the applicant compared to if the document is prepared by a district council.
40. The policy is explicit that the route to imposing the restriction is through a Section 106 rather than through a planning condition. The Secretary of State’s policy, as set out in paragraph 55 of the NPPF is that “Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”
41. I therefore do need to address the issue of whether planning obligations could be a better way of achieving the desired restrictions rather than by way of a planning condition. One of the basic condition tests is whether the plan has had regard to national policy and advice.
42. Having undertaken some research on this matter it is clear that different neighbourhood plans deal with the principal residency requirements in a variety of ways, some allow it to be through a planning obligation or via a planning condition or indeed instances where both routes are explicitly covered.
43. The Parish Council’s proposals set out a clear preference for the use of a Section 106 agreement, or as I currently propose, a planning obligation. The advantages from the Parish Council perspective, of pursuing the restriction by this route, is that there is no timescale in terms of taking enforcement action against non-compliance. In instances where there is a breach of a planning condition, immunity from enforcement action can be sought if the breach has been continuous for 10 years. That would not apply to the breach of covenant imposed by an obligation. There are also differences in terms of appeal provisions as an applicant could appeal against the imposition of a planning condition. I do not necessarily see that

there is any difficulty in identifying a breach, whether it be a condition or a covenant.

44. I am conscious of the neighbouring plans that I examined at Thurlestone and Bigbury on Sea, both referred to the use of planning obligations and not a planning condition. The current version of the Salcombe Neighbourhood Plan noted that that requirement could either be achieved by Section 106 agreement, unilateral obligation or planning condition. I do understand that there is a modification under examination at Salcombe, that would expect a planning obligation rather than planning condition.
45. It is also relevant to my deliberations on this question of the plan departing from national policy, the fact that I have received no adverse comments made opposing the requirement for a planning obligation, rather than a planning condition and I note that there have been no changes in circumstances in advice since the examinations of the neighbouring plans. No comments have been made on this issue by the local planning authority, not unsurprisingly as it has made neighbourhood plans, where every option for imposing this requirement has been advocated.
46. I place particular weight on the fact that any person with an interest in the land has to explicitly agree to the imposition of the proposed covenant restricting occupation – rather than it being imposed as a planning condition by the planning authority upon the grant of planning permission. I therefore believe that the community’s aspirations to pursue these matters via a planning obligation should be supported, because it will provide a more robust position to ensure that any new housing is used as someone’s main home, rather than being a holiday home/ tourist accommodation.
47. In reaching this conclusion, there are implications for some of the minor consequential policy changes. The third bullet point of the second element of Policy H1 currently states that “*a planning condition* shall be included to ensure the open market and self-build houses are occupied as “sole” or principal residences as set out in Policy H5”. However, Policy H5 does not set out a requirement for these matters to be dealt with by planning condition. In order that the respective policies are consistent, I will be proposing an amendment to record that a planning obligation will be expected to be entered into to ensure the residency requirements as set out in the Policy H5 are met.
48. I have no concerns regarding the other consequential amendments proposed to Policy H4, which is a matter of consistency.
49. My overall conclusion is that South Milton Parish Council has justified the requirement for the introduction of a specific principal residency requirement and that it can be sought through a planning obligation, notwithstanding the minor departure from the Secretary of State’s policy on the use of obligations v planning conditions. I do not consider this would raise a material conflict with the basic conditions as it is essentially a question of the route to achieve the same objective. Accordingly, I am satisfied that the plan has had regard to national policy and that the modified plan will continue to deliver sustainable development, as the principal

residency requirement will ensure that the limited new housing in this area will be available to meet housing need for this and future generations.

Recommendations

Replace the third element of Policy H1 (2) with: “A planning obligation will be expected to be submitted or completed which will ensure the open market and self-build houses are occupied as “sole” or principal residences as set out in Policy H5”

In Policy H5, replace “Section 106 agreement” with “planning obligation”.

Summary

50. I congratulate South Milton Parish Council for taking the initiative and monitoring the increase in second homes in the parish and responding to community concerns that new homes are required to be actually occupied as somebody's main home. This has been helped by supplying evidence justifying the new policy rather than relying on anecdotal statements and assertions.
51. To conclude, I can confirm that the proposed modifications, if amended in line with my recommendations, meet all the statutory requirements including the basic conditions test and that it is appropriate for South Hams District Council to make the modified South Milton Neighbourhood Plan as proposed, subject to my recommendations.

JOHN SLATER BA(Hons), DMS, MRTPI
John Slater Planning Ltd
30th August 2023

SOUTH MILTON NEIGHBOURHOOD PLAN 2019-34



PARISH VISION

We would like South Milton to be an even better place in which to live and work, with a strong sense of identity and community spirit. Our ambition is to protect and enhance our coastline, and the rural nature of the parish.

Foreword by the Chairman of South Milton Parish Council

South Milton Neighbourhood Plan has been written to reflect how the residents wish the area to look, what it will be like to live and work in and to visit for the next 15 years or so. The adoption of the Plan means that our planning authority – South Hams District Council (SHDC) – must take account of policies in the Plan when considering any planning application and, therefore, it will give South Milton a more significant voice in such decisions.

The process of creating the South Milton Plan has been determined by the Localism Act (2011) and has been substantially funded by the Government.

South Milton Parish Council has overseen the development of the Plan and delegated the work to a Steering Group of six, including three parish councillors. The draft Plan was the result of detailed public consultation through the initial public meeting, answers to a Questionnaire and residents' feedback. Since then, a public housing exhibition has been held in the village hall, the draft regional Joint Local Plan has been published and later adopted in March 2019, the National Planning Policy Framework has been revised (February 2019) and a Strategic Environmental Assessment published and subsequently updated in November 2018. All this activity, together with comments received from parishioners has

required some revision of the draft Plan which has now been modified into the Neighbourhood Plan for South Milton.

The Parish Vision drives the Plan. This document includes a large number of policies (highlighted in green) and also proposes some local projects.

The policies set out in the Plan are designed to conserve and enhance the best aspects of the parish in its wider environmental context. This Plan proposes a small housing development (with some affordable housing) to provide for future generations, which would be linked to some considerable community benefits.

Please read on. I hope you enjoy it and that you feel it reflects your hopes, aspirations and love of South Milton.

Cllr Marion Brice
April 2019

The South Milton Neighbourhood Plan was revised to add a principal residency requirement policy for new open market housing to ensure the Plan's objectives are achieved.

Cllr Paul Booker
January 2023

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1 Description of South Milton Parish

1.1 South Milton is a small village in the rural South Hams of Devon. The parish includes the hamlets of Sutton and Upton and it extends to the coast at South Milton Sands. The parish covers 1,556 acres (630 hectares) with six farms located within its boundaries.

1.2 South Milton parish is shown on the map, Figure 1.1. The parish is afforded the highest status of protection because it lies wholly within the South Devon Area of Outstanding Natural Beauty (AONB) and partially within a defined Heritage Coast area. South Milton Ley is a reed bed of 50 acres (20 hectares) and it is protected as a Site of Special Scientific Interest (SSSI).

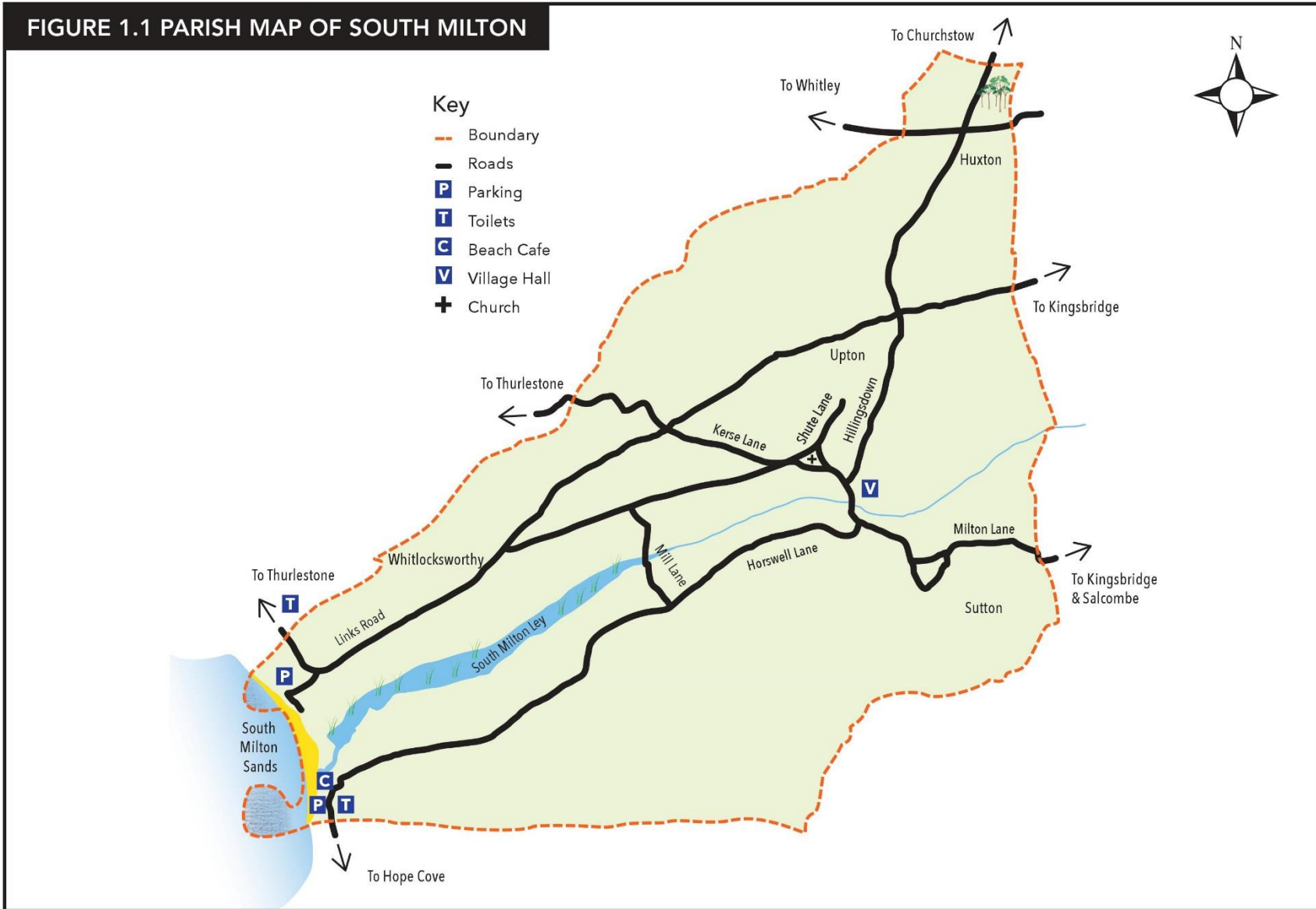
1.3 The 2011 census recorded a population of 385 (408 in 2001). Thirty-one per cent were above 65 years of age and 17 per cent were below the age of 19. In 2011 there were 247 dwellings (221 in 2001, of which 51 were second/holiday homes).

1.4 There are 35 buildings in the parish listed for their historical interest.

1.5 There is no shop, pub, public open space or school in the village.

1.6 The main facilities and services are as follows:

- A parish church (dating from the 12th century) and cemetery
- A village hall, which is regularly used by various clubs and groups
- The beach at South Milton Sands, largely owned and maintained by the National Trust
- A National Trust beach café
- A public toilet block currently maintained by SHDC
- A stretch of national coast path and numerous footpaths and green lanes
- A daily bus service provided by Devon County Council (DCC)
- A stretch of National Cycle Network Route 28 which passes through the parish
- A water treatment works owned and managed by South West Water (SWW)
- A telephone exchange



2 Historical Background

2.1 There has been a coastal settlement at South Milton for more than one thousand years, when it was known as Mideltone. Three thousand years earlier the land was thought to have been heavily wooded.

2.2 South Milton Sands is the site of an ancient peat bed, which is exposed at very low tides. After the storms of 2013-14 it was examined by members of the Geography Department (Earth and Environmental Sciences) at Plymouth University, who took samples and measurements. They explained that the peat bed was first recorded around 1860, then again in 1923 when some Mesolithic (Stone Age) archaeology was recovered from the site. It was last fully surveyed in 1998 by Exeter Archaeology and an academic paper was produced.

2.3 The scientists are particularly interested in how the beds provide evidence of sea level changes. It is believed that when sea levels were lower the site of the peat bed would have been a freshwater lake/marsh surrounded by trees. Carbon dating of the preserved logs shows them to be at least 3,500 years old, i.e. Bronze Age. The logs are oak and well preserved as shown

in Photograph 2.1. Paleoenvironmental samples have shown insects and pollen grains.



2.1 Petrified tree trunks revealed on South Milton Sands

2.4 In the Domesday survey of 1086 the number of households was 15. The occupants of eight of those households were known as villagers, six were peasants or smallholders, and one was a slave.

2.5 There were five plough teams, each working eight oxen, and six acres of meadow. The land yielded two units of tax, implying that it was quite a small area. Nothing of today's village can be traced back to the time of the Domesday Book, although it has been suggested that there was a farm at Whitlocksworthy.

2.6 The tenant-in-chief was Alfred the Breton. He had come to this country from Brittany with Count Alain Le Roux, thought to be his father, who himself was the son of the Duke of Brittany, to take part in the invasion of England. Alfred held 22 lordships, mostly in Devon.

2.7 Hamlets either side of Mideltone were called Southton, now known as Sutton, and Upperton, today's Upton.

2.8 The oldest building in the parish is All Saints' Church, the south doorway and the font being from the twelfth century. It is thought the church was built on the site of a chapel constructed of rough cob or wattle and daub. Bishop Bronescombe of Exeter granted a licence for a chapel in 1269. At the end of the thirteenth century the chancel was extended eastwards and the transept added. The tower and the north aisle were built in the fourteenth century.

2.9 The church and the village hall, which was built in 1911 as a men's institute, are the only meeting places in the parish. The only public house, the New Inn, closed in 1874 to make way for a village school. This, in turn, shut 100 years later, to be followed in a further 25 years by the last shop and post office.

2.10 Collacott, on which there is a plaque bearing the date 1382, is the oldest house in the parish. The four Feoffee cottages in Shute Lane are believed to be early to mid-sixteenth century and were originally a Church House.

2.11 With the exception of All Saints' Church, which is Grade I, all the listed buildings are Grade II. Four of the structures are farm buildings. There are also two groups of chest tombs and headstones in the churchyard which are Grade II listed. Only six of these buildings are outside of the two conservation areas.

2.12 The population of South Milton grew, albeit slowly. Between 1686 and 1812 there were 604 baptisms and approximately 420 burials, the population in 1801 being 302, as shown in Figure 2.1. In 1841, the national census recorded the names of the inhabitants for the first time, and the enumerator listed 424. Ten years later the figure was 415. There were further decreases in 1861 (397) and 1871 (360). This drift away

from the village had been prompted by a lack of employment opportunities, and some residents headed off to the colonies, including Australia. There is a published account of how members of one farming family left the parish to seek their fortune panning for gold in the harsh environment of the Outback.

2.13 The number of residents fluctuated during the remaining years of the nineteenth century with the census in 1881 recording 372 inhabitants, before the lowest figure (335) since census records began was revealed in 1891. A growth spurt saw the number increase to 408 in 1901, and in 1911, the latest census to be made public, the number was 385.

2.14 Kelly's Directory recorded the parish population in 1931 as 378. Thirty years later it had decreased by 50, before climbing again to 388 (1971) and 403 (1981). The most recent published figures have been 408 in 2001 and 385 in 2011 - coincidentally the same numbers from 100 years earlier.

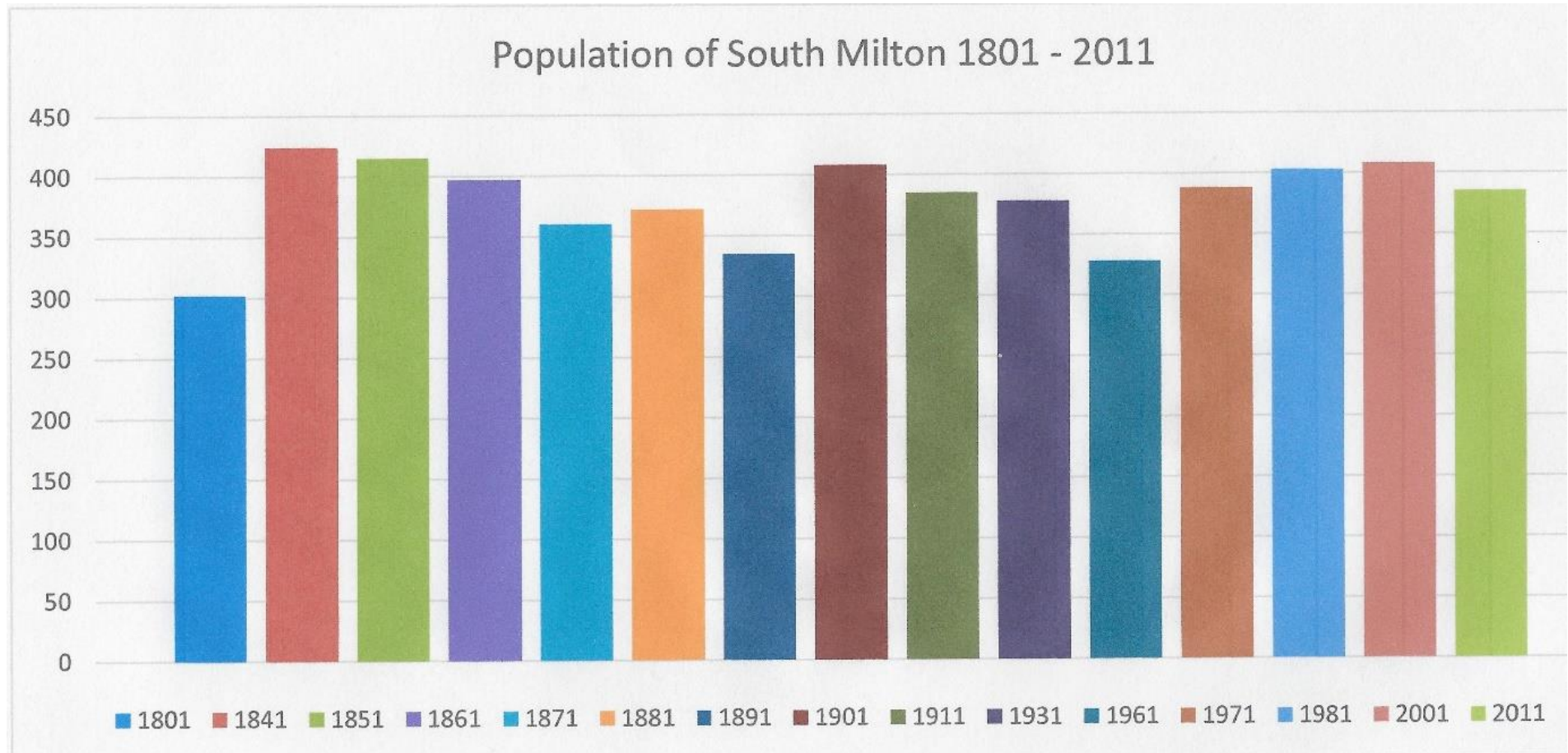
2.15 Farming has been the predominant occupation in the village from the time of the Domesday survey. In the middle of the nineteenth century there were more than a dozen farms. Today there are six, with other land held by farmers from

neighbouring parishes. However, this does not mean a diminution in acreage and all the land is farmed.

2.16 Since the Second World War there have been two housing developments built in the village. Eight semi-detached council houses were built at Sunnyside in the 1940s and Backshay Close, a mixed development of 20 properties, was built in the 1970s.

2.17 The biggest employer in the parish is the Beachhouse café, a National Trust franchise at South Milton Sands. The Trust has owned the largest portion of this popular beach since the early 1980s, and it now attracts upwards of 80,000 visitors each year. There has been a refreshment outlet there since the 1930s.

Figure 2.1 Population of South Milton 1801 - 2011



3 The Development of the Plan

3.1 This South Milton Neighbourhood Plan has been compiled by local residents and the Parish Council. It establishes a vision for the evolution of South Milton parish over the next 15 years or so and its long-term sustainability.

3.2 Neighbourhood planning builds on the National Planning Policy Framework (NPPF) and gives an extra tier of detail at a local level. The South Milton Neighbourhood Plan has been developed to ensure that future growth and development in the parish is shaped by local people. It seeks to protect its unique character as a coastal and rural community, and that further development will contribute towards creating a stable and more sustainable community attractive to both residents and visitors.

3.3 At the start of the process an open village meeting was held in September 2014. The meeting was very well attended, and it informed the development of the Questionnaire and the Vision for the Parish. The Questionnaire was sent out to all registered electors and each holiday home in the autumn of 2015. The total number of Questionnaires distributed was 399.

A total of 190 (47 per cent) responses were received. Public meetings have been held to discuss the Plan and the Steering Group has regularly kept parishioners informed of progress through the village newsletter and website, while at the same time gathering feedback from residents. Professional advice has been received throughout the process from South Hams District Council Development Management Department.

3.4 The responses to the Questionnaire were analysed in detail, and following numerous meetings during 2015 and 2016, the Steering Group produced a draft South Milton Neighbourhood Plan for consultation in November 2016. The purpose of the draft Plan was to:

1. Record the historical and existing status and nature of the community and its environment.
2. Set a framework for the Plan based on the analysis of the responses to the Questionnaire.
3. Propose a set of policies to guide residents, local authorities and developers on how the community wishes to manage and control future development in South Milton parish over the next 15 years or so.

4. Propose a series of projects to address local concerns.
5. Explain how progress on implementing the Plan will be monitored.

3.5 The most important outcome for the village in the draft Plan was to allocate a site for a small housing development (including some affordable housing) linked with the provision of significant community benefits. The site was chosen from a list of nine sites offered by local landowners through an objective evaluation process. This process was advised and supported by planning officers from SHDC Management Development Department.

3.6 In November 2016 the draft South Milton Plan was published and the views of all parishioners and interested parties were sought. An exhibition about the housing proposals in the Plan was held over two days in April 2017 in the village hall and provided information on the nine sites offered for a small housing development, and demonstrated how the decision had been reached to take one of the sites, The Dairy, forward.

3.7 Forty-three written comments on the draft Plan were made by individuals and organisations and 65 comments returned by visitors to the housing exhibition. All these comments were responded to in writing by the Steering Group. All the comments and responses were made available on the village website. The Steering Group took account of these comments and responses in writing the final Plan.

3.8 In March 2019 the Joint Local Plan (JLP) was adopted covering Plymouth and South West Devon. The Steering Group has updated the local policies in the Plan to take account of those set out in the JLP.

3.9 In March 2017 SHDC also advised that a Strategic Environment Assessment (SEA) was required. This was conducted by a Government-appointed consultant and completed in June 2017. Following comments received from the Examiner, the SEA was updated and this was published in November 2018. The Steering Group took account of the findings in completing the Plan.

3.10 The South Milton Neighbourhood Plan:

1. Identifies the main community issues and objectives and sets out a vision for South Milton parish.
2. Takes account of national and regional guidance and policies in setting out the community's policies for the management of development.
3. Makes proposals for the development and use of land and allocates land for specific purposes.
4. Identifies a series of local projects, to be overseen by the Parish Council, that will improve the facilities and the environment in the parish.
5. Documents the mechanisms for monitoring and the timescales for delivering the Plan and its proposals.

4 Key Issues, Objectives and Vision for the Parish

4.1 The views received from the local village community have formed the basis of all the discussions by the Steering Group. Many of these views are referenced in the later sections of the Plan. These are the recurring issues for most parishioners:

Key Issues for Parishioners

1. Residents enjoy living in the village as South Milton is a quiet, beautiful and green parish with good access to the beach, has a strong community spirit and an extremely low crime rate. There is a very strong feeling that these qualities should not be jeopardised by any development in the future.
2. There is support for some improvement in village facilities, especially the provision of a Village Hall car park and a children's play space.
3. There is support for some modest housing development, particularly if it provides some affordable housing and it is in keeping with the character of the village.

4.2 From all the consultation and feedback received the Steering Group set itself the following four objectives to be realised through the policies set out in the Plan:

The Plan's Objectives

1. To retain and enhance the beauty and special qualities of this rural parish.
2. To ensure our coastline and beach remain unspoilt.
3. To restrict housing development to a single agreed site (while acknowledging that infilling will occur) and link the development of the agreed site with the provision of some desired community facilities.
4. To continue to promote the parish as a very good place in which to live and work.



4.1 South Milton Sands: a winter's day

4.3 Our parish's Vision Statement was initially drafted at the first public meeting. It was later refined by the Steering Group following consultation through the draft Plan.

PARISH VISION

We would like South Milton to be an even better place in which to live and work, with a strong sense of identity and community spirit. Our ambition is to protect and enhance our coastline, and the rural nature of the parish.

5 Policy Framework and Local Projects

5.1 The Steering Group recognised the need to align the Plan's policies with those set out in the NPPF and the JLP. Table 5.1 shows the relationship.

5.2 Appendix 1 provides the Plan's policies and Appendix 2 gives a list of local projects designed to meet local needs. **Table 5.1 The relationship of the Plan's objectives and associated policies at three levels**

	Neighbourhood Plan policies			JLP policies (March 2019)		NPPF policies (Feb 2019) [paragraphs]
Objective 1 To retain and enhance the beauty and special qualities of this rural parish.	Policy E&CM1 Policy E&CM2 Policy E&CM3 Policy E&CM4	Policy H4 Policy H5	Policy EMP 1	DEV20 DEV21 DEV23 DEV25 DEV28	SO10	170-177
Objective 2 To ensure our coastline and beach remain unspoilt.	Policy E&CM1 Policy E&CM2	Policy H4 Policy H5		DEV23 DEV24 DEV25 DEV27 DEV28	SPT11	148-154, 166-169
Objective 3 To restrict housing development to a single agreed site (while acknowledging that infilling will occur) and link the development of the agreed site with the provision of some desired community facilities.	Policy E&CM3	Policy H1 Policy H4 Policy H5		DEV8 DEV9 DEV20 DEV32 SO8 SO9	SO8 SO9 TTV29	59-66, 77-79
Objective 4 To continue to promote the parish as a very good place in which to live and work.	Policy E&CM1 Policy E&CM2 Policy E&CM3 Policy E&CM4	Policy H1 Policy H2 Policy H3 Policy H4 Policy H5	Policy EMP1	DEV3 DEV15 DEV29 DEV30 DEV36	SO8 SPT2	184-202

6 Environment and Coastal Management

Background and Evidence Base

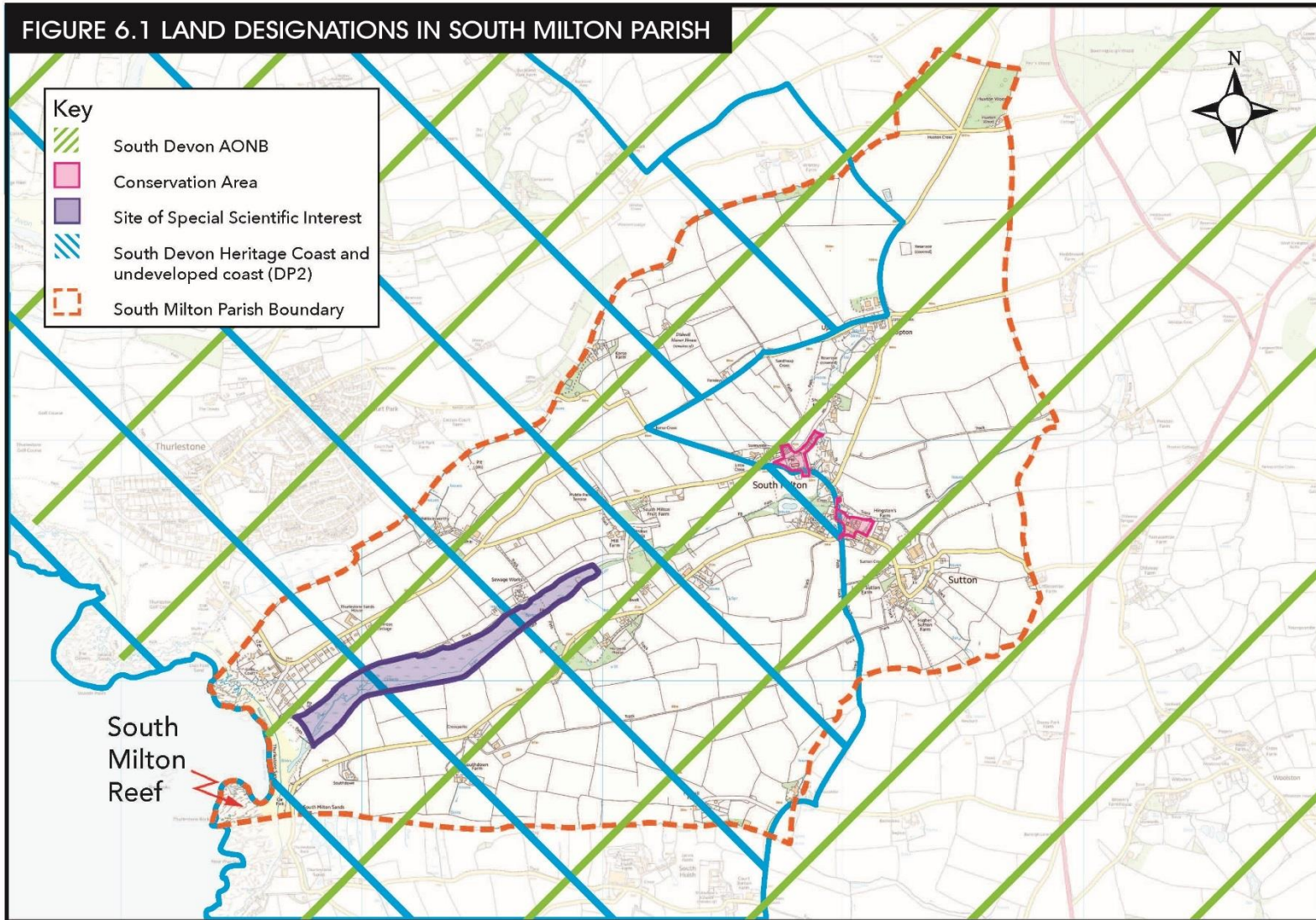
6.1 South Milton parish is recognised by parishioners for its beautiful green countryside, wonderful sheltered beach and dramatic coastline, and working farms (all ranked in the top third of 20 reasons why South Milton is an enjoyable place to live). The beach is visited frequently by parishioners with only two respondents saying they never used it. The beach and coastline attract many tourists throughout the year, with the National Trust reporting more than 80,000 people visit South Milton Sands annually.

6.2 Two nationally important pieces of leisure infrastructure run through the parish:

- The South West Coast Path along the cliffs and dunes.
- National Cycle Route No 28 along Hillingsdown Lane, through the village and along Horswell Lane.

6.3 The parish is covered by a number of designations, policy statements and adopted plans as listed below and shown on Figure 6.1.

- The entire parish lies within the South Devon AONB.
- The land on the seaward side of the village lies within the area defined as Heritage Coast.
- The land on the seaward side of the village is also designated Undeveloped Coast.
- South Milton Ley includes about 20 hectares of reed bed, between South Milton Sands and Mill Lane, and this area was designated a SSSI in 1984.
- Most of the land on the north side of South Milton Ley, between the coast and Kerse Lane, is a Non-Statutory Designated Nature Area.
- Most of the habitat in the parish is defined as important for wintering and potentially breeding of the red-listed (globally threatened) Cirl Bunting.
- The South Milton Reef, surrounding Thurlestone Rock, is designated a County Geological Site for its ancient peat bed.



6.4 The vision statement in the South Devon AONB Management Plan 2014-19 succinctly summarises the special quality of our landscape:

Our vision for the AONB is a place valued, recognised and treasured forever for its nationally important natural beauty and distinctive character:

- *Its rugged, undeveloped coastline with wooded estuaries, secluded river valleys, rolling hills, abundant wildlife and rich natural environment.*
- *Its distinctive historic landscape character including its patchwork fields, Devon banks and hedges, green lanes, historic settlements and archaeological remains shaped by centuries of human activity and maritime and farming traditions.*
- *Its rural tranquility, dark skies, fresh air, clean water, fertile soils and mild climate.*
- *Its living, working countryside where community and economic activity sustain the landscape and bring prosperity and social well-being to ensure a good quality of life for its residents.*

6.5 It is quite clear from all this that the coastline and rural nature of our parish is highly valued by both residents and visitors. Furthermore, South Milton's special landscape, coastline and heritage are the basis of its economy and future. In addition, the legislative, regulatory and planning framework are designed to conserve and enhance the coastline, the hinterland and heritage within the parish. Parishioners are overwhelmingly aligned with this framework.

6.6 It is therefore vital that the Neighbourhood Plan sets out the expectations of the parishioners and the local special factors that developers and planners must take into account in any future development. The Plan will achieve this by defining South Milton's most valued characteristics, setting policies and identifying projects for its:

- Landscape
- Coastline
- Farmland
- Wildlife habitats
- Historical and listed buildings and conservation areas
- Drainage and flood control
- Renewable energy vision

Landscape

6.7 South Milton Parish lies wholly within the South Devon AONB and as such, under NPPF paragraph 172, is afforded the highest status of protection in relation to landscape and scenic beauty, where great weight should be given to conserving and enhancing these important national assets. More specifically, the JLP Policy DEV25 requires the Local Planning Authority to protect the South Devon AONB, including its setting, from potentially damaging or inappropriate development, giving great weight to conserving the landscape and natural beauty. The guidance provided by the South Devon AONB Management Plan on how to conserve and enhance the special qualities and key features of the South Devon AONB is supported in full by the South Milton Neighbourhood Plan.

6.8 The special qualities and key features of South Milton parish and matters that must be taken account of in assessing any development proposals are:

- The South Milton valley (and adjacent South Huish valley) provide a rural backdrop to the South West Coast Path between the coastal developments of Hope Cove and Thurlestone, as shown in Photographs 6.1a. The rural setting of South Milton is shown in the views

taken from the ridges to north and south of the village as shown in Photographs 6.1b.

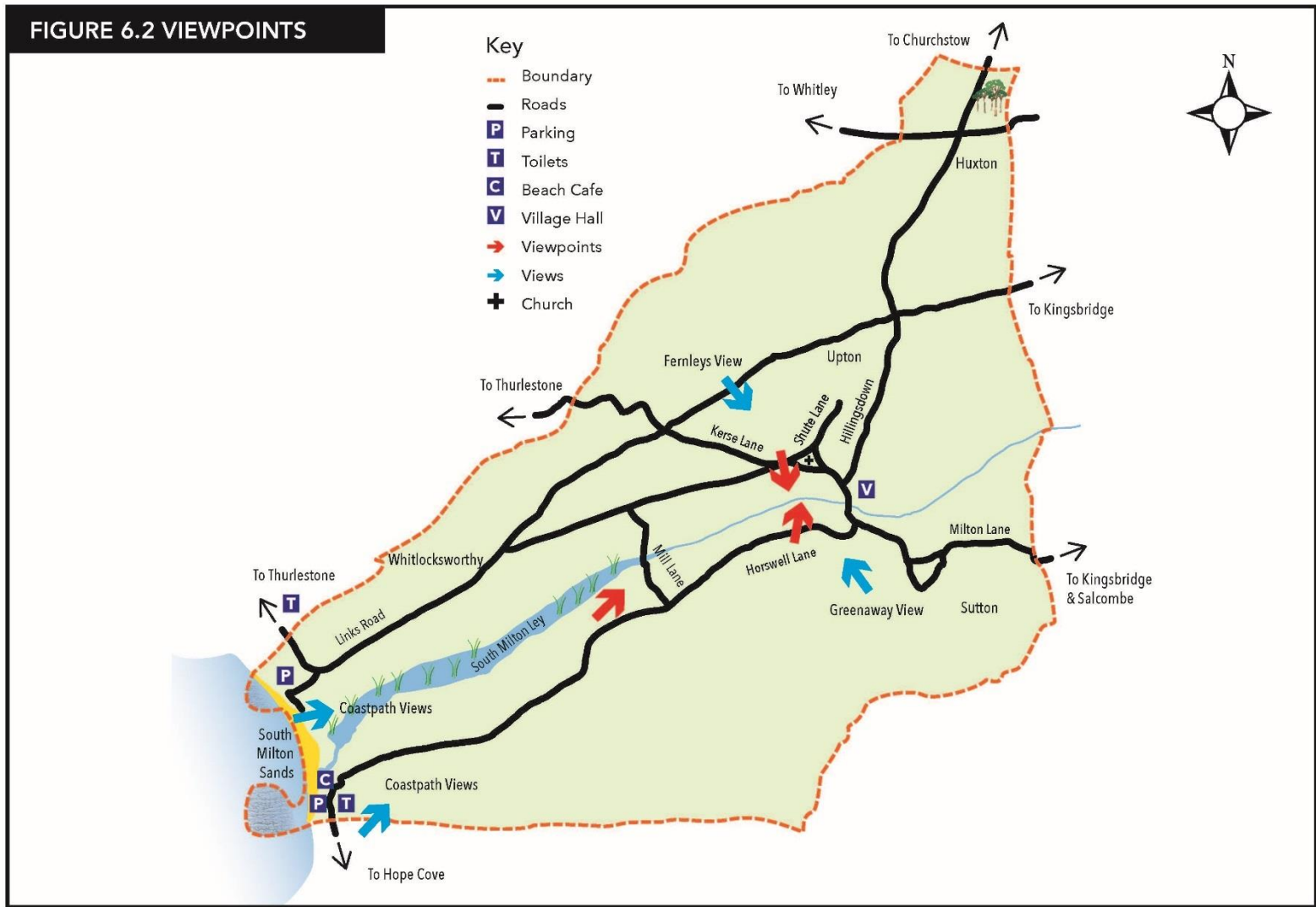
- There are clear demarcations between the countryside and built environment along Kerse Lane and Horswell Lane at Collacott which effectively ‘bookend’ the seaward boundary of South Milton village. Primrose Cottage similarly ‘bookends’ the ribbon development along Links Road.
- Devon lanes, Devon banks and green lanes are a distinctive feature of the landscape.
- Devon lanes and banks restrict views along the highways and footpaths. Gateways and other openings are therefore important viewpoints and the most important are shown on Figure 6.2 and views shown in Photographs 6.2a and b.
- Light pollution is minimal. There are few street lights within the parish and at the initial consultation meeting there were strong objections to a suggestion that more be installed within the village.
- There has been a case in recent years where development has been permitted to proceed on the basis that adverse impacts will be screened by planting. Some four years later, it is evident that the plants have failed to become established, as predicted by those with local knowledge, and the landscape has consequently been blighted.



6.1a Views showing the rural backdrop to the coastline from the coast path



6.1b Views showing the rural setting of South Milton from Fernleys to the north and from Greenaway to the south





6.2a Views from Horswell Lane viewpoints



6.2b Views from junction of Links Road / Kerse lane viewpoint



Policy E&CM1: Landscape Policy

Development proposals should seek to conserve and enhance the special qualities of the AONB, all in accordance with the provisions of the South Devon AONB Management Plan. Specific requirements for South Milton parish are:

- a) The landscape along Links Road between Primrose Cottage and Kerse Lane, between Collacott and the coast along Horswell Lane, and above Three Corners along Kerse Lane shall be conserved and enhanced.
- b) Views from the important viewpoints shown on Figure 6.2 shall be conserved and enhanced.
- c) Devon lanes, banks and green lanes should be retained wherever possible and, if lost, such loss must be suitably compensated for elsewhere.
- d) Development shall be designed to avoid increasing light pollution.
- e) For developments that rely on screen planting to mitigate unacceptable impacts, the screen should be established as early as is reasonably practicable before or during the construction process.

6.9 The purpose of these policies is to ensure that the special qualities and key features of South Milton parish are recognised and not compromised by any proposed developments. These policies are consistent with the intent of the NPPF and JLP for areas designated AONB, the expectations expressed by respondents to the South Milton Questionnaire and the objectives set for this Plan.

Coastline

6.10 The land between the coastline and village is not only designated AONB but also designated as Undeveloped/Heritage Coast and covered under NPPF paragraph 173. More specifically, the JLP Policy DEV24 states that development which would have a detrimental effect on the undeveloped and unspoilt character, appearance or tranquility of the Undeveloped Coast, estuaries and the Heritage Coast will not be permitted except under exceptional circumstances.

6.11 The coastline is affected by climatic and weather events which cause erosion and deposition resulting in shifting sands along the beaches and cliff falls. The scale and timescale of such events is indeterminate and most have only a small impact on the coastline with beaches soon restoring themselves and

repairs made to local infrastructure, for example following the succession of major storms in February 2014. Within the timescale of this Neighbourhood Plan (to 2034) the risk of a catastrophic event is small. It is noted that current policy (2019) is that there should be no active intervention to hold the coastline but maintaining or replacing existing defences will be allowed if funding is available to reduce the risk of erosion and maintain visitor access (Shoreline Management Plan Review (SMP2)). No attempt has been made within this Plan to anticipate the effects of, or plan for, a catastrophic event other than to recognise that the coastline and beaches will be affected. The existing infrastructure will have to be adapted to take account of the new land form. The National Trust proposal to write a management plan for South Milton Sands based on favouring adaptive responses to coastal change management and working with natural processes is welcomed. When this Neighbourhood Plan is reviewed, the conclusions of the National Trust management plan will be taken into account and policies modified as required.

6.12 Parishioners and visitors have been attracted to South Milton Sands for generations. The South West Coast Path is the longest and most popular of the UK's 15 National Trails. The

café at the beach is shown in Photograph 6.3 and has always been well patronised. The current franchisee (2019) keeps the café open all year and has extended service hours into most evenings.



6.3 *The Beachhouse Café at South Milton Sands*

6.13 Since July 2016 a Gastrobus has been operating at the car park next to Links Court during the busiest summer months. There is a SHDC public toilet block adjacent to the café which is used by patrons of the café as well as beachgoers and walkers. The toilets have no electricity so there is neither lighting nor hot water and they are considered not fit for purpose by the Parish Council.

6.14 Road access to the coastline and these facilities is via Links Road to the north of South Milton Ley and via Horswell Lane to South Milton Sands and the café. Both highways are single lane with passing bays. Links Road is the wider of the two highways and, with regular passing bays, has sufficient capacity to cope with the traffic throughout the year. Horswell Lane is narrow with irregular passing bays and is prone to gridlock in peak holiday seasons, a concern that was raised by many respondents to the Questionnaire and in comments on the draft Neighbourhood Plan. The traffic situation during peak periods is illustrated in Photographs 6.4a and 6.4b, at the beach and Collacott respectively.



6.4a Gridlock at the beach end of Horswell Lane



6.4b Gridlock at Collacott in Horswell Lane

6.15 Horswell Lane is linked by an unsurfaced track behind South Milton Sands to lanes leading to South Huish, Galmpton and Malborough. This track is owned and maintained by the National Trust, and also provides access to the National Trust car park for the beach and café. Part of this track was washed away during major storms in February 2014 but was restored a few weeks later on a new alignment slightly further inland. This track is a vital link for farmers who otherwise are forced to detour via the Kingsbridge to Salcombe Road (A381) to drive between their farms in South Milton and South Huish – a long and inconvenient detour for them and other road users. The track also provides an essential alternative access to South

Milton Sands, when Horswell Lane is busy or gridlocked.

6.16 The National Trust manages the car park behind South Milton Sands that serves the beach and café. A van providing water sports equipment for hire is located in the car park in the summer season. The car park has a capacity for about 100 cars. During peak periods the National Trust can open an overflow car park in a field behind the café which increases the capacity to some 700 cars – this overflow car park can be operated for a maximum of 28 days per year. The car park next to Links Court has recently passed into new ownership and there are currently (2019) charges to park only when the Gastrobus is open. There is capacity for about 100 cars. There is also public car park at the Thurlestone Golf Club for about 100 cars.

6.17 The section of the South West Coast Path through the parish is generally kept in good order by Devon County Council supported by the South West Coast Path Association. Following a recommendation in the draft Neighbourhood Plan, Devon County Council improved a short section to the south of the bridge over the Ley which used to become overgrown during the summer and was also narrower and rougher than the remainder. Walkers (particularly the less agile and those with child buggies) have welcomed this improvement which

makes the whole length of the South West Coast Path within the parish easy to negotiate.

6.18 Access to the South Milton Sands beach from the National Trust car park is via timber boarded ramps that are maintained by the National Trust. Access to the beach from the Links Court car park is via a set of concrete steps. These run over private land and although it is not known who built them, they were last repaired by a now defunct organisation, the Coast and Countryside Service. Recent efforts have failed to establish who should carry out much needed repairs of these steps on what is effectively a public right of way.

6.19 An extensive network of footpaths and green lanes provides green corridors linking most parts of the parish which are key components of the green infrastructure, as shown on Figure 6.3. None of the footpaths however extends as far as the coast. Walkers are therefore forced to walk on either Horswell Lane or Links Road to reach the South West Coast Path. If such a path were provided it would open up opportunities for circular walks from the Coast Path. It would also enable those living and holidaying in South Milton to access the coast without walking along the roads, an attractive option for those with children or dogs.



6.20 The response to the Questionnaire showed that parishioners rarely use the café, primarily because it is considered to be expensive. Several expressed strong opposition to expansion of the café, a view that was also voiced by parish councillors when considering planning applications for the café. The relevant responses to the Questionnaire and associated comments were passed to the National Trust for consideration in future plans for the café.

6.21 The beach is shown in Photograph 6.5 and is a dog friendly beach, enjoyed all year round by dogs and their owners. During the summer season the beach benefits from the presence of RNLI lifeguards. The privately-operated Hope Cove Lifeboat provides cover. The service provided by the RNLI lifeguards at South Milton Sands is funded by SHDC. This service is appreciated and strongly supported by parishioners and visitors, and SHDC is urged to continue funding the cover.

6.22 In conclusion, the coastal attractions (beach/coast path/café) and support infrastructure facilities (lanes and car parks) meet parishioners' needs but they are often stretched to full capacity. At peak times the lane to the beach can become gridlocked which causes frustration to visitors and

parishioners alike and can spoil the enjoyment of the coast. This problem potentially puts people at risk as, at the busiest times, emergency services cannot always gain access.



6.5 *South Milton Sands in August, when the beach is very popular with families*

Policy E&CM2: Coastal Environment Policy

Specific requirements for conserving and enhancing the South Milton parish coastline are:

- a) Any development within the area defined as Undeveloped/Heritage Coast shall be designed to avoid expanding or adversely impacting existing infrastructure (such as lanes and car parks).
- b) Further commercialisation of the coastline will not be supported without overriding justification. It should not have a detrimental impact on the unspoilt character, appearance or tranquility of the coastline within the parish.
- c) The landscape viewed from the coast path shall be conserved and enhanced.
- d) The car parks at South Milton Sands, Links Court and Thurlstone Golf Club shall be retained at their present capacity and form, including the overflow car park at South Milton Sands (to be open for a maximum of 28 days per year).

6.23 The purpose of these policies is to maintain the unspoilt character of the coastline and avoid degradation of the enjoyment of the beach through overcrowding and over commercialisation. These policies are consistent with the intent of the NPPF for areas designated as Undeveloped/Heritage Coast, the JLP, expectations expressed by respondents to the South Milton Questionnaire and the objectives set for this Plan.

Local Projects: Environmental and Coastal Management

6.24 To improve enjoyment and public access to the Heritage Coast the following projects are proposed:

- Parishioners and visitors would benefit from the creation of a new footpath parallel to Horswell Lane, between the end of the green lane at Cross Parks and the coast. This would avoid the necessity of walking on this section of Horswell Lane. Such a project would improve public access to and enjoyment of the coast.
- Parishioners and visitors would benefit from repairs being carried out to the concrete steps leading down to the beach from the Links Court car park. Such a

project would improve public access to the beach and make it safer.

- South Milton parish has an extensive network of footpaths and green lanes but these are not widely publicised. Two information boards are proposed, one at Backshay Close and the other at South Milton Sands.
- The passing bays along Horswell Lane are irregular and some are too small to allow larger vehicles to pass. Improving some of the passing bays and possibly adding new ones at critical locations might reduce the frequency of gridlock.
- The toilet facilities and waste disposal facilities at South Milton Sands are not fit for purpose and should be upgraded.

6.25 The Parish Council will investigate and manage implementation of these projects during the next five years.

Farmland

6.26 Most of South Milton parish is covered by a patchwork of fields, separated by Devon banks, hedgerows, stone walls and fences. The farmers have created this attractive landscape over hundreds of years and working farms were highly rated in

why people enjoy living in South Milton (rated seventh out of 20 in the Questionnaire). There was also strong support for agricultural/horticultural businesses (90 per cent).

6.27 Most of the land is classified as good to moderate with around 10 per cent classified as very good. This high quality land is put to wide use with dairy, beef and sheep farming, arable farming and market gardening. Regular rotation of crops adds to the diversity, giving the parish an interesting and ever-changing landscape.

6.28 In addition to farm shops, a successful rape seed oil processing business has been established at Upton Barton Farm.

6.29 Fields adjacent to Links Road are used for camping and caravans in the main holiday season. The JLP Policy DEV15 sub-clause 7 states that new/changes to camping and caravan sites will not be supported at locations within the Undeveloped Coast, a policy that is supported by the South Milton Neighbourhood Plan.

Policy E&CM3: Farmland Policy

Planning applications that support the local agricultural industry and the production of local food will be supported provided they comply with other relevant policies in this Neighbourhood Plan. Where the visual impact is minimal, these may include the erection of small scale greenhouses and polytunnels or the erection of new temporary buildings or re-use of existing buildings to enable farm-gate sales.

6.30 The parish is dependent on the land being actively farmed both as the mainstay of its economy and in making the landscape attractive to parishioners and visitors. The purpose of this policy is to preserve the character of the landscape while recognising that farming must remain economically sustainable. This policy is consistent with the expectations expressed by respondents to the South Milton Questionnaire and the objectives set for this Plan.

Wildlife Habitats

6.31 Bigbury Bay and hinterland, including South Milton parish, is rich in wildlife with more than 230 species of bird recorded in the last ten years (see website thurlestonebaybirds.co.uk). It is also rich in flora with uncommon species such as Carrot Broomrape and Pyramidal Orchid recorded.

6.32 South Milton Ley reserve covers about 20 hectares and its importance as the key biodiversity feature in the parish is reflected in its national designation as a SSSI in 1984. It includes the second largest reed bed in Devon (shown in Photograph 6.6) as well as managed meadows and hedgerows around the fringes of the reed bed. It is particularly valuable for its breeding bird community, including Cetti's Warbler, and for the variety of birds using the site on migration, including the red-listed Aquatic and Grasshopper Warblers. Recent surveys indicate that there are likely to be more than 100 species of moth on the reserve, including the nationally scarce Cream Bordered Green Pea. Otters and Harvest Mice are also present on the site. When last reviewed by Natural England in 2010, the SSSI was assessed as 'Unfavourable - recovering'. The site is managed by Devon Birds to achieve favourable conservation

status for all land within the reserve. The South Huish meadowlands are also managed by Devon Birds under a lease from the National Trust to achieve favourable conservation status for all the land within the meadowlands. Although the bulk of the meadowlands lies within South Huish parish, the fringes and field to the north lie within South Milton parish and are an integral part of the ecosystem that makes this such a valued and well watched wildlife site.

6.33 The South Huish meadowlands and South Milton Ley reserve are important refuges for seabirds sheltering from storms.

6.34 The extensive hedgerows and small areas of woodland in the parish are also critical feeding and sheltering areas for wildlife. These must be conserved and preferably extended and managed to maximise the benefit to wildlife.

6.35 The Cirl Bunting is also red-listed and used to be common in South Milton parish but then disappeared. Sightings over recent years suggest that they are becoming re-established and breeding has taken place in recent years in the adjacent Thurlestone parish.

6.36 During harsh winters, the parish becomes a haven for wildlife, particularly birds, due to the relatively mild climate. The parish is one of the few locations in Britain where Chiffchaffs remain throughout the winter.



6.6 *South Milton Ley reed bed, a designated Site of Special Scientific Interest*

6.37 The statutory and non-statutory land designations that define wildlife areas of special significance and powers to conserve wildlife are supported under the South Milton Neighbourhood Plan.

Policy E&CM4: Biodiversity Policy

Development proposals should seek to support the parish's ecological networks, including through the provision of new biodiversity habitats and the enhancements of linkages between existing habitats.

6.38 The purpose of this policy is to increase biodiversity in the parish and so also increase enjoyment of the countryside for parishioners and visitors.

Historical and Listed Buildings and Conservation Areas

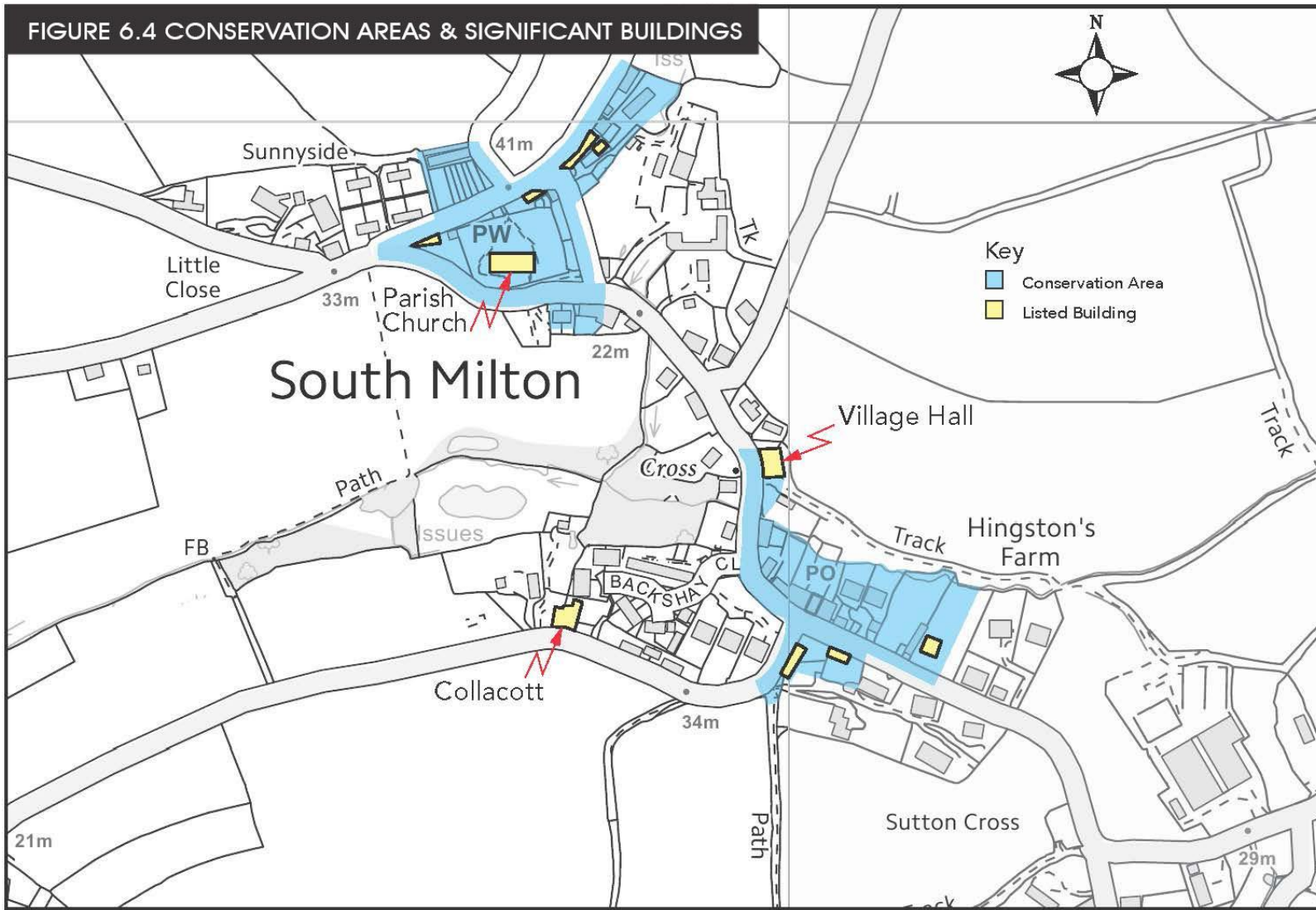
6.39 In addition to the two conservation areas shown on Figure 6.4, South Milton parish has 35 listed buildings, all Grade II except the church which is Grade I. There are also a number of historical buildings such as the Village Hall, as well as historical features such as the restored village pump on Luggers Hill and the refurbished War Memorial. These buildings and features enhance the character of the village.

6.40 Three buildings are particularly significant to parishioners:

- The Parish Church, dating back to the 12th century, dominates the views to the north side of the village and is clearly visible from the South West Coast Path.
- Collacott, a former farmhouse with parts dating back to the 14th century, symbolises the farming roots of the village and dominates the views to the south.
- The Village Hall, a former men's institute built in 1911, is shown in Photograph 6.7 and lies at the geographical centre of the village and is the hub for most community activities.



6.7 *The Village Hall: the centre of most village activities*



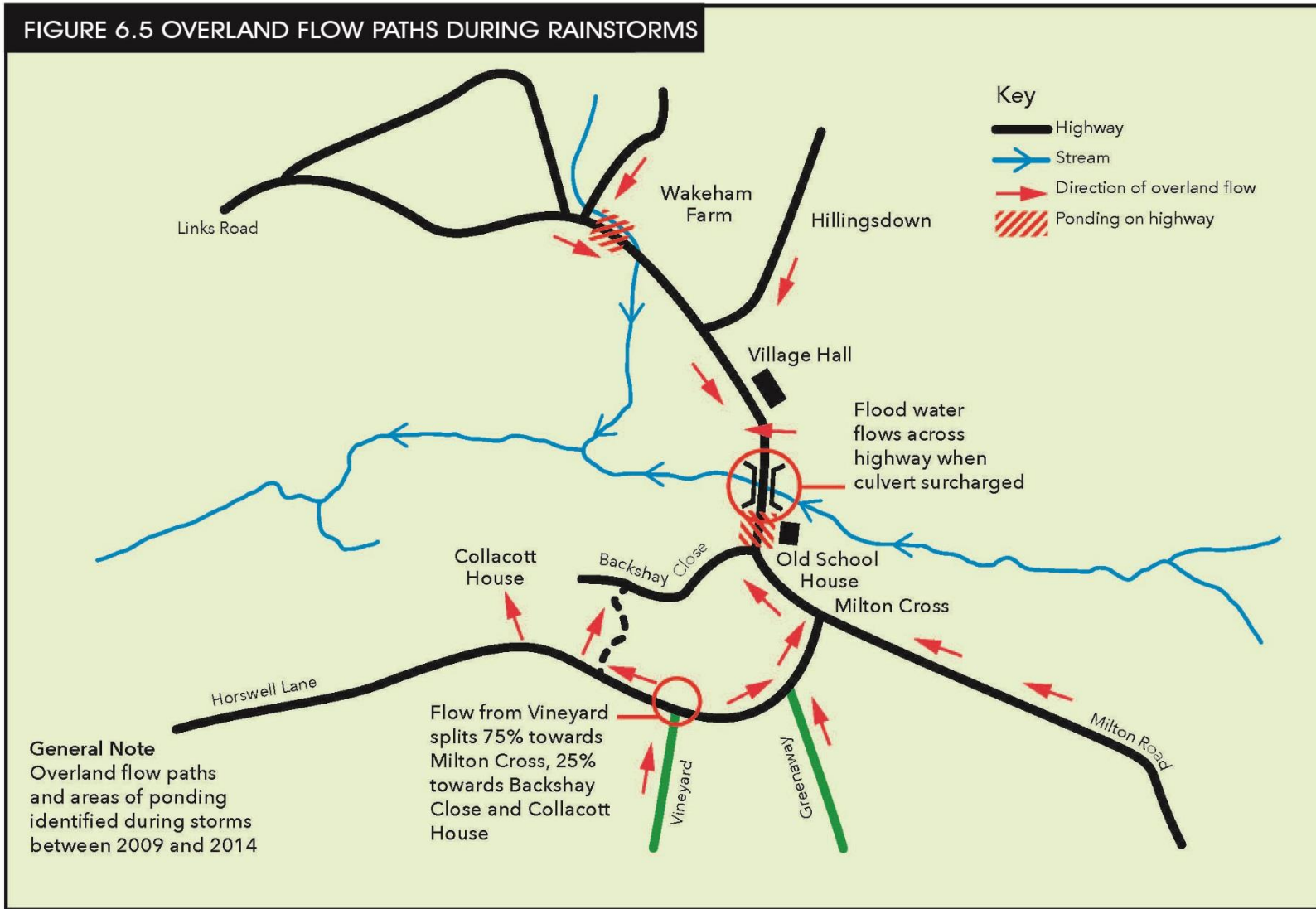
Local Project: Historical and Listed Buildings and Conservation Areas

6.41 No Appraisals or Management Plans have been prepared for the South Milton Conservation Areas. Such documents would provide an appropriate basis for the protection and enhancement of the conservation areas and should be completed as soon as possible. The Parish Council will urge SHDC to carry out the necessary appraisals and prepare a Conservation Area Management Plan for the two conservation areas in the parish.

Drainage and Flood Control

6.42 The parish is drained by a network of small watercourses which converge in and around the village, pass through South Milton Ley reserve and over the beach into Bigbury Bay. The water level in the ley is controlled by the level of the sandbank at the beach. When the sandbar is high, the water level in the ley can pond as far upstream as the boardwalk, about halfway up the reserve. The flood water does not extend beyond the reserve and no properties are at risk.

6.43 The watercourses in the parish generally have the capacity to take flood flows with limited encroachment on to adjacent land. The culvert on the main watercourse by the Village Hall has limited capacity and, during severe rainstorms, this culvert chokes and water overflows the highway before finding its way back into the watercourse immediately downstream. Some of the highways in the village have a piped drainage system but this has limited capacity, particularly as the gullies and pipes are easily blocked by silt, gravel and leaves. During storms, much of the runoff from the roads and surrounding fields runs down the highways. The overland flow paths during rain storms are shown on Figure 6.5.



6.44 The Parish Council has a flood mitigation plan and organises an annual clearance of the watercourses, gullies and piped drains in the autumn for preventative maintenance. A working party is mobilised when the amber rain warning is issued by the Met Office. The working party is tasked with keeping the gullies and drains clear, as well as placing sandbags to mitigate the impact of any floods. These arrangements and actions have proved effective over the last few years. The greatest risk to their effectiveness will be a change in farming practices that either increases runoff or changes flow paths – there have been several examples of the latter in recent years. Prevention of flooding is therefore largely dependent on maintaining a constructive dialogue with farmers, and their co-operation in mitigating the effects of any changes to farming the land.

6.45 Development in the parish also has the potential to increase the risk of flooding in the village. The potential impacts and mitigation can be addressed during the planning process. The most critical issues are:

- Runoff from any development site must not be increased.
- The peak flow at the culvert in the main watercourse by the Village Hall must not be increased.
- The flow paths upstream of the culvert in the main watercourse by the Village Hall must not be altered unless it is demonstrated that the alteration will reduce the peak flow at this culvert.
- The highway level on the Village Hall side of the main watercourse culvert must not be raised or it will increase the risk of flooding properties upstream when the culvert becomes choked.
- Erosion must be controlled during construction to prevent silt being washed off the site and into the drains and watercourses

6.46 These issues must be addressed for both the completed development and during the construction period.

Renewable Energy

6.47 A total of 76 per cent of the responses to the questions in the Questionnaire covering non-domestic solar panels and wind turbines were against any being allowed in the parish. There were also 49 comments on these issues which again showed disapproval in almost exactly the same proportion. There was some support for household-only installations and the Neighbourhood Plan supports domestic renewable energy installations for the South Milton Conservation Areas. Such documents would provide an appropriate basis for the protection and enhancement of the conservation areas and should be completed as soon as possible. The Parish Council will urge SHDC to carry out the necessary appraisals and prepare a Conservation Area Management Plan for the two conservation areas in the parish.



6.8 *A summer scene in the village*

7 Housing

Background and Evidence Base

7.1 The overwhelming response to the Questionnaire, and from all the subsequent consultation, was that parishioners want to retain the special rural character of the parish, underpinned by its AONB and related designations. The policies set out below build on the findings from the Questionnaire and other evidence of housing need in the parish and wider area.

7.2 Most parishioners acknowledged that some modest development is required in order to meet local needs but not to provide second homes. In its early deliberations the Neighbourhood Plan Steering Group determined that the number of new homes required by 2034 could be met through infill development, as it has been for the last 30 years. The Steering Group concluded, however, that such an approach would not provide the type of housing needed to meet two of the strong messages from the community, namely that the village remained vibrant with a mixed-age community and some affordable housing (as defined in the footnote at the end of this Chapter) be made available.

7.3 The Steering Group then agreed that a search should be made for a suitable development site and, if such a site could also provide a significant community benefit, then a modest housing development to meet local needs could be justified within the AONB. A full analysis of the Questionnaire, identification of possible sites and subsequent procedures to assess the sites offered is set out in the Consultation Statement, its Appendices and the 2018 Housing Site Assessment Paper.

7.4 Thus in developing appropriate housing policies, the Steering Group took into account the Questionnaire responses, the first stage assessment of the offered sites carried out by a SHDC planning officer, the second stage assessment carried out by the Steering Group, comments and objections from the Regulation 14 draft plan and responses to the public exhibition of possible housing sites in April 2017 (see the Consultation Statement and Housing Site Assessment Paper for full details), as well as the strategic policy context.

7.5 In 2017 a draft Joint Local Plan (JLP) was published to cover the South Hams and two other local authority areas. After public consultation and an enquiry, the Plan was adopted in 2019 and sets out strategic policies which will be applied in development management, and on which this Neighbourhood

Plan is based. Special attention has been paid to development in villages and small settlements located in sensitive locations such as the South Devon AONB. The alignment between policies in this Plan, the JLP and NPPF (February 2019) is set out in Table 5.1.

Demographic and Housing Data

7.6 The population of the parish of South Milton has remained at around 400 at least since 1841. Between 2001 and 2011 it declined by 23 people while the number of dwellings increased by 26. Table 7.1 demonstrates that between the Census of 2001 and 2011 the proportion of the population aged 60 or over increased by 15 per cent and that between 0 and 19 declined by 30 per cent. Based on local knowledge of property transactions since 2011, a number of younger families have moved into the parish indicating that there may now be a more even distribution of age groups.

7.7 Research by the Parish Council indicates that 36 additional dwellings have been constructed or converted between 1980 and 2016, compared with an increase of 26 between 2001 and 2011 as recorded in the Census. Approximately 11 of the 36 are used as second homes, six have

remained unoccupied apart from a few months since 2002, three have planning restrictions for agricultural use only while 13 resulted from the conversion of the Holiday Fellowship Hotel into holiday apartments. A survey conducted by the Parish Council in 2015 estimated that the total number of second or holiday homes was 77 (31 per cent of total number of dwellings). This is an increase from 51 second or holiday homes (23 per cent) in the 2001 Census; an increase of 50 per cent in 14 years. Thirty-four of these 77 homes are the result of conversion of two former hotels (Links Court and the Holiday Fellowship Hotel) and if these are excluded the proportion of second homes is 17 per cent of the total number of dwellings. There are no more opportunities for conversion of hotels. A majority of second or holiday homes in the parish are located outside the main village of South Milton and are near the coastal area.

7.8 These figures of 17 per cent second homes and holiday lets (or 31 per cent if two hotel conversions are included) compare with a figure of 10 per cent identified by consultants in the 2017 Strategic Housing Market Assessment (SHMA vol. 1 Peter Brett, 2017; vol. 2 HDH Planning & Development Ltd, 2017). The same document also includes the South Milton postcode

(TQ7) in the second highest house price category. These percentages provide further evidence of the need for affordable housing if any new developments are proposed in South Milton parish.

Table 7.1: Changes in population and dwellings in South Milton Parish between 2001 and 2011.

Population	2001	2011	Change	Percentage change
Male	198	189	-9	-4.5
Female	210	196	-14	-6.6
Population total	408	385	-23	-5.6
Population aged 0-19	95 (23%)	66 (17%)	-29	-30.5
Aged 20-59	175 (43%)	160 (41.5%)	-15	-8.5
60 and over	138 (34%)	159 (41.5%) [65+ 30.9%]	21	+15.2
Dwellings	2001	2011	Change	Percentage change
Households	167	175	8	+4.7
Dwellings	221	247	26	+11.7*
Of which second homes or 'no usual residents'	51	72	21	+41**
Average household size	2.4	2.2	-0.2	-8.3
Average number of bedrooms per household	-	3.3		

Source: ONS Census data

*If the hotel conversion is excluded the change is 6%

**If the hotel conversion is excluded (13 dwellings), the change is 16%

Housing Demand

7.9 In recent years the only new housing has been created by the occasional infill and conversion of property. In the responses to the Questionnaire more than half the respondents thought there was a need for additional housing in the parish, preferably in a small development and within the existing development boundary.

7.10 The Questionnaire responses also show that there was very strong support for imposing strict conditions for any new housing. For instance, 97 per cent considered new housing should not exceed two storeys in height and 98 per cent considered all new housing should be provided with off-street parking. Furthermore, 93 per cent of respondents favoured development constructed in a well designed, traditional local style. Other stipulations for a development that would fulfill the wishes of local people and follow good practice are:

- It should meet, and if possible exceed, current energy conservation standards.
- It should be well designed and well built.
- It should preserve and enhance the two Conservation Areas and listed buildings.

- It should include provision for landscaping.

And

- If open-market housing is permitted, conditions should be added to ensure the house is used as a sole or principal residence.

7.11 The majority of respondents (77 per cent) also wanted to see more affordable housing to be available for people with local connections (92 per cent). This concern about the affordability of local housing is borne out by the SHMA volumes 1 & 2 (2017) that indicate that on the open market rents and house prices remain significantly out of reach of those on average incomes. The SHMA and Housing Topic Paper (2017) also provides evidence that in the South Hams area there is a continuing need for affordable homes either to rent or on a shared ownership arrangement. It also shows there is a continuing upward pressure on the housing market from those seeking holiday and second homes. In South Milton the data shows that the proportion of second or holiday homes is increasing and clearly this is having an impact on the ability of local residents, their relatives and those with other local connections to rent or buy in the parish.

7.12 Although the proportion of residents aged 65 or over has increased, there is currently no provision for sheltered housing or an old persons' home in the parish, although six bungalows in Backshay Close are allocated to elderly people by a housing association. In the Questionnaire, 64 per cent of respondents felt that there was a need for accommodation for the elderly in the parish. This Plan supports the provision of further accommodation for the elderly should a suitable building(s) become available.

7.13 The parish lies within the South Devon AONB and has no large sites suitable for housing development within the existing village boundary. However, evidence from the Questionnaire suggested that there was a need for provision of more housing, particularly to meet local needs. On the basis of this evidence and as detailed in the 2018 Housing Site Assessment Paper, the Steering Group agreed that:

- 15-20 homes should be provided in the Plan period;
- The selected site(s) should be of sufficient size to enable a significant proportion of affordable housing;

- Any development should have a minimal (or no) environmental impact on the AONB or heritage assets.

The SEA (November 2018, p.14) notes that between 1980 and 2016 36 new housing units were added to the parish giving an average of just over one per year. After public consultation, it was agreed to extrapolate this trend for the Plan period. The draft JLP initially identified South Milton as a 'sustainable village' that could accommodate around ten new dwellings. During the enquiry process this policy was modified to exclude all villages in the AONB, however paragraph 5.165 was inserted which states that 'neighbourhood plans may wish to bring forward positive allocations to meet local housing need where justified by an appropriate evidence base'. Policy DEV25 sets out the policy approach when considering development proposals in AONBs. This also follows guidance in the NPPF on promoting sustainable development in rural areas that supports the designation of 'sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this' (NPPF, paras 77 to 79).

Considerations for a New Development Site

7.14 The Strategic Environmental Assessment (SEA) covers in some detail the process employed to identify and evaluate alternative sites. A first consideration was where, in broad terms, to facilitate new housing provision in the Neighbourhood Plan area. As the SEA records: ‘To support decision-making on this element, the SEA process undertook an appraisal of three different alternative approaches linked to where, in relation to the existing built up areas of the parish, new housing should be delivered. In this context there are currently two ‘built-up’ areas of the Neighbourhood Plan area. South Milton village and Sutton comprise the main settlement in the Neighbourhood Plan area. An additional built-up area is the coastal part of the parish close to South Milton Sands:

The three options considered were as follows:

Option 1: Focus new housing provision within the coastal part of the parish.

Option 2: Focus new housing provision in the areas covered by South Milton village and Sutton.

Option 3: Facilitate new housing provision in both of these locations.

(South Milton SEA, November 2018, pp. 14-18)

7.15 The SEA concluded that Option 2 above offered the best outcomes. ‘This reflects a desire to support the vitality of South Milton village/Sutton, which is the main settlement in the parish, and to deliver housing in the village which would meet local needs. It was also recognised that, if appropriately located, high quality development had the potential to support enhancements to the built environment and facilitate new community infrastructure in the village. A further key consideration was that such an approach would help limit potential effects on the sensitive landscape and ecological value of the coastal parts of the parish’. (p.18)

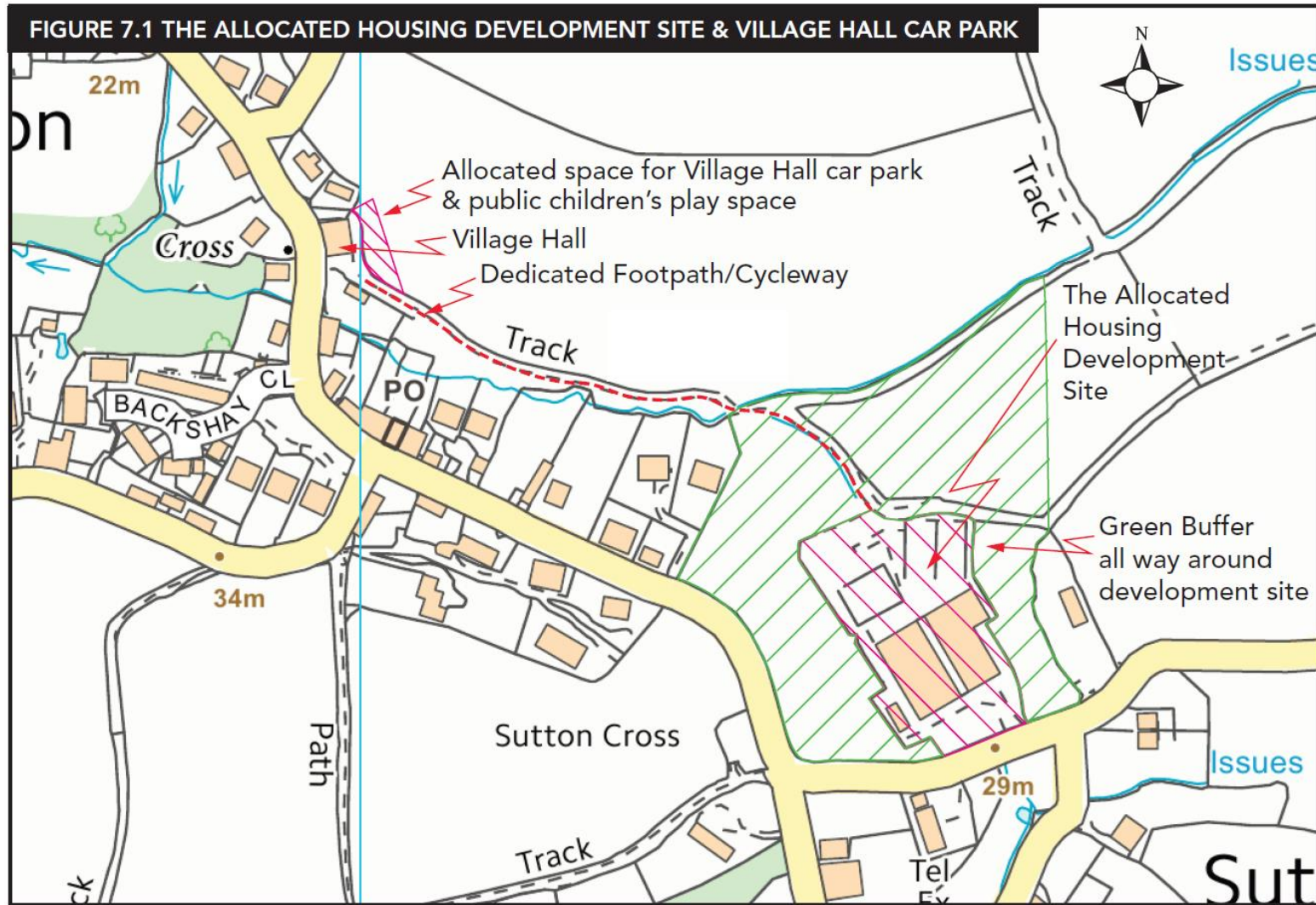
7.16 In April 2016 the Plan Steering Group decided on the advice of SHDC officers to invite landowners in the parish, through the Newsletter, the parish website and local newspaper, to offer sites for a housing development to see if a suitable site could be identified. A panel, led by a SHDC Planning Officer with contributions from experts and the Steering Group, then carried out a rigorous evaluation of the

nine sites submitted based on a set of agreed criteria after which each site was given a red or amber final assessment. Three sites were short-listed for more detailed evaluation by the Steering Group on behalf of the Parish Council. This clearly showed that only one of these sites most closely met the selection criteria. Only this one would accommodate the desired type and amount of housing with the least environmental impact and offer significant community benefits. A summary of these Assessments was made available during the Regulation 14 consultation. A full description of the assessment processes can be found in the 2018 Housing Site Assessment Paper.

7.17 A two-day public exhibition of all nine sites was arranged in April 2017 and of those attending 63 out of 65 recorded their support for allocation of The Dairy site for development, referred to from here on as the selected site (see Consultation Statement and Appendix 8 for a full discussion of the exhibition and public feedback). The SEA also carried out a separate assessment of the nine sites and drew a similar conclusion (see SEA pp. 21-28). Thus it was concluded that the selected site (known as The Dairy site, see Figure 7.1) met the requirements of the JLP and was also large enough to enable a

mix of open market, self-build and affordable housing to be developed and to include other community benefits.

Figure 7.1: The Preferred Housing Development Site with Associated Community Benefits: The Dairy, Milton Lane, Sutton





Photograph 7.1 The Dairy site, Milton Lane, Sutton



Photograph 7.2 Access road to The Dairy site from Milton Lane

Rationale for site allocations for housing and community benefits

7.18 The rationale for the allocation of The Dairy site for housing is that it is a brownfield site used for agricultural purposes but soon to be surplus to the owner's requirements. It is in a natural depression in the landscape and would have a limited visual impact on the AONB. The site is largely covered by a concrete slab, a slurry pit and two large barns which the landowner will dismantle and reuse outside the parish. It is located on the eastern side of South Milton village and is easily accessible from Milton Lane which is on the local bus route. The existing farmyard access will have to be modified to meet the requirements of Devon Highways. It is also within walking distance to the village hall if a new footpath is created at the rear of the site following a wooded stream.

The rationale for the selection of the area behind the village hall for a car park and children's play space is that the hall is the centre of community activities. The rationale for the selection of the route of the footpath/cycleway is that it provides the most direct link between the new development and the village hall, and takes pedestrian traffic off the lane between Sutton and the centre of the village. All the land included in this

allocation policy is in single ownership and the landowner has agreed to provide:

- a development on the site allocated for housing at The Dairy;
- a footpath/cycleway linking the development with the village hall;
- a car park behind the village hall;
- The land, by way of a gift, for a children's play space also behind the village hall.

The landowner has agreed to keep the fields surrounding the development site as a 'buffer area' of agricultural land free from any further development. There is a written agreement between the landowner and the Parish Council covering these points and they will be incorporated in a Section 106 agreement at the planning stage.

7.19 The allocated housing development site is large enough to accommodate 18 houses with at least a third being designated as affordable. It is also intended that a further third will be self-built houses since there is a known demand for this kind of property in the South Hams area and evidence suggests

that those occupying this kind of property often become long-term occupants with strong local attachments.

Policy H1: Land allocation policy for housing

The selected site known as The Dairy, Milton Lane, is allocated for a maximum of 18 houses or flats during the plan period to meet local needs. The development of The Dairy shall meet the following criteria:

1. The development of this site shall be for housing and carried out in accordance with strategic policies:
 - There shall be an appropriate mix including one and two bedroom units as well as larger three or four bedroom homes with 20 per cent of the total number of units designed for disabled access;
 - The development shall be well designed and built in accordance with Strategic Policy and NPPF guidance, be no more than two storeys in height, use traditional materials (such as brick, timber and stone), incorporate energy efficiency measures (insulation, secondary glazing and preferably renewable energy sources) and complement the character and sense of place of the parish;

- The layout and design shall minimise the impact on the surrounding landscape, should fully respect existing heritage assets, and should include appropriate tree planting and landscaping;
 - Applications for development shall be supported by a comprehensive appraisal of heritage impacts.
2. The following community benefits are necessary to make the development acceptable:
- A third of units shall be affordable and rented to people with local connections by a housing association using Devon Home Choice criteria;
 - A third of plots shall be made available to individual purchasers wishing to self-build (including custom housebuilding) their own homes;
 - A planning obligation will be expected to be submitted or completed which will ensure the open market and self-build houses are occupied as 'sole' or principal residences as set out in Policy H5;
 - The existing trees and hedges shall be protected, where practicable, and extended where necessary in order to limit the visual impact of the development from Milton Lane;
 - A planning obligation shall be included that confirms the fields on three sides immediately adjacent to the site continue to be used for

agricultural purposes (i.e. for grazing or the production of other crops), thus acting as a 'buffer' to further development (as indicated on Figure 7.1);

- Confirmation as part of a legal agreement that the existing barn buildings on the site are relocated outside the current owner's landholding in South Milton parish;
- The development of the site may be phased over a number of years so long as the community benefits are implemented to an agreed schedule;
- The provision of car parking and a footpath/cycleway as set out in policy H2 below.

Allocation

For the affordable housing the Parish Council requires written confirmation that the Devon Home Choice local connection criteria for rural areas are being strictly applied to the affordable housing: Residence in the parish for three out of five preceding years; lived in parish for six out of 12 months preceding allocation; immediate family have lived in the parish for five years; permanent employment in the parish.

The Parish Council welcomes full consultation with applicants considering submitting a planning application which meets this policy.

Community Benefits Linked to Housing Development

7.20 The parish Questionnaire identified a great need for improvements to the village hall and in particular the provision of dedicated parking space as near as possible to it. When major events take place in the hall cars are often parked on both sides of the road thus restricting the flow of traffic. A site has therefore been allocated for a car park for about 15 vehicles immediately behind the village hall. An access way is already available from the road which could be widened and resurfaced. Devon Highways have agreed that the existing field access, although not ideal, can be engineered to form an acceptable access to the village hall car park. Detailed aspects will be resolved at the pre-application stage. The land behind the village hall is in the same ownership as The Dairy site and should be incorporated in the Section 106 legal agreement. The landowner has agreed in principle to complete the community benefits as part of the housing development.

Policy H2: Land allocation policy for village hall car parking and footpath/cycleway

The land shown on Figure 7.1 is allocated for a new village hall car park (to provide spaces for 15 cars and attractive landscaping), and a footpath/cycleway to link The Dairy site and Milton Lane with the new car park, as shown on the Figure.

The development of the site shall meet the following criteria:

- The village hall car park shall provide spaces for 15 vehicles and be well landscaped;
- The dedicated footpath/cycleway shall link The Dairy site and Milton Lane to the village hall car park.

The Village Hall Committee will take over and manage the car park.

7.21 An additional area has also been allocated for a children's play space in the area behind the village hall, which may be gifted by the landowner. Funding and construction of the children's play space will be the responsibility of others.

Policy H3: Land allocation policy for a public children's play space at the rear of the village hall

The land shown on Figure 7.1 adjoining the proposed car park at the rear of the village hall is allocated for a 200m² public children's play space.

The Village Hall committee will take responsibility for designing, equipping and managing the play space and raising additional funding as necessary. The play space will meet the following:

- It will have suitable play equipment for children in the age range 3 – 10;
- It will be landscaped with appropriate tree planting as part of a co-ordinated landscape plan for this area and adjoining the car park;

- A suitable access way will be determined as part of the design process and after discussion with stakeholders.

7.22 The rationale for the provision of additional car parking space behind the village hall (policy H2) is that it will reduce on-street parking outside the hall which often causes congestion on an otherwise narrow street. The justification for the children's play space is that there is a growing population of young children in the parish and there is currently no dedicated play or open space provision for this age group.

General Policies for Housing Development

7.23 Planning policy in the JLP enables Neighbourhood Plans to identify possible sites for housing development where there is evidence of local need. In this case, the preferred site allocation, set out above in H1, will deliver the housing needs identified for the parish to 2034 and beyond. In addition, substantial community benefits will be secured. The Plan recognises that there may be applications for infill development and these will be considered as 'windfall sites' by both the South Milton Neighbourhood Plan and the JLP.

7.24 Applications for development other than at the designated Dairy Site will be assessed against the criteria set out in policy H4 and H5 below. Since the parish is entirely located in the AONB, the presumption in both the NPPF and the JLP is against further development on greenfield sites since the overriding priority is to conserve or enhance the special quality of the village in its wider environmental context.

Policy H4. General Housing Policy

An application for development will be supported only where it fully meets the following criteria:

- It fully respects the cultural and environmental heritage of the parish, particularly where development takes place within or adjacent to listed buildings, Conservation Areas, and other environmental designations;
- It respects existing entry points to the village and does not adversely affect protected views to and from the village, particularly on the seaward side, as set out in policies E&CM1 and 2;
- It is well designed and constructed to reflect, and where possible make a positive contribution to, the character and appearance of the parish in terms of

scale, height, materials and layout, and to reinforce a strong sense of place;

- It complies with Policy H5.

For developments of five or more housing units the following additional criteria will apply:

- It should provide a mix of homes taking into account objectively identified housing needs, and includes an element of affordable and elderly housing as specified in the JLP. It is subject to a S106 legal agreement or suitable planning conditions, ensuring that it will remain an affordable dwelling(s) for local people in perpetuity. For rented affordable housing Devon Home Choice criteria should apply;
- Where applicable, it should include other benefits to the wider community, such as community facilities, car parking, play space, appropriate landscaping and open space.

Policy H5. Principal Residency Requirement

1. Proposals for open market housing (excluding one for one replacement dwellings) will be supported where there is a planning obligation to ensure occupancy as a principal residence. A principal residence is defined as a dwelling occupied as the resident's sole or main residence, where the resident spends the majority of their time when not working away from home. Proof of principal residence includes, but is not limited to, being registered on the local electoral roll, at the local school or for local healthcare.
2. Proposals for open market housing (excluding one for one replacement dwellings) without a requirement to ensure occupancy as a principal residence will not be supported.
3. Where proposals for the replacement or conversion of existing dwellings by more than the number of existing dwellings is approved, the additional properties will be subject to a planning obligation to ensure occupancy as a principal residence.

Potential applicants are strongly advised to consult South Milton Parish Council before submitting a planning application.

Reasoned Justification for Housing Policies

7.25 The Questionnaire found that 54 per cent wished to see more housing provided in the plan period, and 78 per cent favoured development within the range of one to three units. The majority (65 per cent) also wanted more affordable housing, either within the existing development boundary (54 per cent) or 37 per cent anywhere suitable. Only 24 per cent sought an increase in open market housing in the parish.

7.26 The majority of respondents strongly opposed any further development of second homes or holiday lets and wanted to see a mix of sizes and tenures to meet local need. Council tax records for South Hams District Council indicate that 10 per cent of properties are second homes whereas Census data records a vacancy rate of 14.8 per cent, which includes both vacant property and second homes or holiday lets (Peter Brett Associates, SHMA Part 1 Tables 7 & 9, p.26, 2017). As noted above, the survey conducted by the Parish Council in 2015 estimated that the total number of second homes and holiday lets was 77 or 31 per cent of the total housing stock – three times the proportion of the district as a whole – and an increase of 26 since the 2001 Census. This Plan emphasises the need for affordable housing because of high house prices, a shortage of

suitable accommodation for those on average incomes or below and the high proportion of second homes.

7.27 Evidence suggests that average house prices in Devon exceed the national average and that the South Hams is a relatively high value area. Thus residents have great difficulty in securing mortgages. The South Hams Area Profile for 2014 (Devon County Council, 2014) shows that both workplace and resident earnings at £20,301 were lower than the national average. In 2015 average full-time earnings in Devon remained consistently below the regional and national average, with average earnings of £24,742 compared with £26,518 in the South West, and £27,869 in England (<http://www.devonhealthandwellbeing.org.uk/jsna/overview/jsna-2016/economy/income/>). Rightmove records average house prices in Devon in November 2018 as:

Most of the sales in Devon over the past year were terraced properties which on average sold for £205,563. Detached properties had an average sold price of £383,674 and semi-detached properties averaged at £240,206.

Devon, with an overall average price of £260,430, was similar in terms of sold prices to nearby Cornwall (£260,414), but was cheaper

than Somerset (£290,959) and Dorset (£323,516). The most expensive area within Devon was Bigbury-on-Sea (£1,071,900) and the cheapest was Ilfracombe (£156,228).
<https://www.rightmove.co.uk/house-prices-in-Devon.html>

The Government's UK House Price Index recorded the average house price in South Hams DC in 2018 as £298,016 compared with £249,408 for England as a whole (UK Price Index England, September 2018).

7.28 The Halifax (Press release, July 2017) assessed the average house price in the South West in July 2017 as £202,700 and the average deposit required as £35,655 or 18 per cent of the purchase price. These figures will be significantly higher in areas near the coast and in the AONB. Thus the average house price in the South West is at least eight times the average income in the South Hams.

7.29 There is additional evidence of housing need from SHDC's housing waiting list; at least 59 households in the TQ7 3 postcode area were registered in May 2017 as seeking affordable housing to rent with between one and three bedrooms of which six are in the parish of South Milton. The responses to the Questionnaire showed that there was a

requirement for ten affordable housing units. Full details are set out in the Basic Conditions Statement (para 8.21).

7.30 There is therefore a strong case, taking into account the evidence base, for providing affordable housing and in applying a condition to planning permissions for new open market housing to restrict these to occupation as a sole or principal residence. This should be evidenced through, for example, entry on the electoral register and, where relevant, having children at a local school or having members of the household working locally and would be enforceable by the local planning authority.

7.31 There is evidence that the South Hams and South Milton parish have a proportion of elderly residents above the national average. Table 7.1 illustrates that South Milton had 41.5 per cent of residents over the age of 60 in 2011 and that this had increased by 15 per cent since 2001. South Milton has an above average proportion of residents over 65. In 2011 30.9 per cent of South Milton's population was in this category. In 2014 24.2 per cent were aged 65+ in the South West and 17 per cent in the UK as a whole.

7.32 In summary, the local housing needs for South Milton

parish up to 2034 and beyond will be met by the allocation of the preferred site as set out in H1 above, in order to maintain a viable and sustainable community. The environmental quality of South Milton parish requires great sensitivity in integrating new housing development. Two Conservation Areas and 35 listed buildings lie within the parish. It is also located within the South Devon AONB and part lies in the Undeveloped Heritage Coast designation. High quality design and layout of new development, combined with sympathetic landscaping, is therefore of paramount importance in order to complement the existing built form and to reduce the impact on the wider environment to the absolute minimum.

Footnote

Affordable housing - Housing, whether for rent, shared ownership or outright purchase, provided at a cost considered affordable in relation to incomes that are average or below average, or in relation to the price of general market housing.

8 Economy and Wellbeing

8.1 An extremely important element of the Plan is to ensure its residents enjoy living in the parish of South Milton both now, and in the future. Because of this, a section of the Questionnaire was dedicated to obtaining the views of its current residents and property owners on any issues and ideas they may have to maintain and continually improve our parish life.

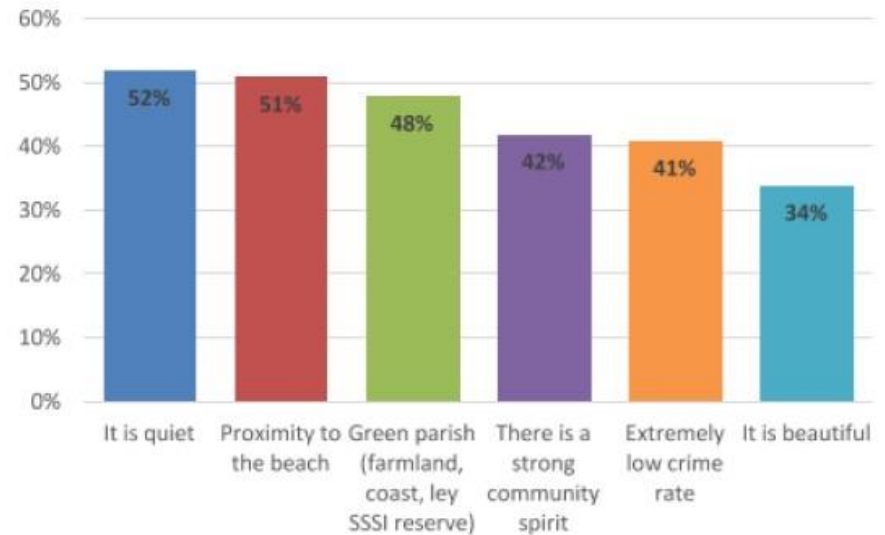
Background and Evidence Base

8.2 The Questionnaire revealed a high level of satisfaction and sense of wellbeing among residents living in South Milton.

8.3 The top six reasons (of 20) why residents enjoy living in the village are (in order of popularity): it is quiet; its proximity to the beach; it is a green parish; it has a strong community spirit; it has an extremely low crime rate; and it is beautiful because of its location in the AONB and by the sea, as shown on Figure 8.1.

Figure 8.1. Top six reasons why residents enjoy living in South Milton

(Percentage refers to population of respondents that selected attribute)



8.4 South Milton currently enjoys an active community within the village, which tends to be centred on the Village Hall, since the parish no longer possesses a pub, shop, public open space or primary school. The Questionnaire revealed strong support (77 per cent) for the development of a Village Hall car park, as there is currently a high demand for improved parking provision near the Village Hall. There was support for future development of the hall, as long as the current façade and character were retained. Parishioners would like to see even more activities taking place within the hall, and all suggestions given in response to the Questionnaire have already been forwarded for action to the Village Hall committee.

8.5 According to the Questionnaire results, most villagers (90 per cent) usually obtain their information about parish activities from the village newsletter which is distributed bi-monthly. Other popular ways of communication are by word of mouth, via the village website, and through the Kingsbridge & Salcombe Gazette. The Questionnaire also revealed that most people (82 per cent) feel included and informed about village activities. A substantial number of people felt they had a say in decisions which affect the parish, but felt this could be improved.

8.6 When asked about future provision, many residents (56 per cent) said they would like to see more open spaces designated for leisure activities within the parish, with a number of residents (47 per cent) supporting a designated play area/meeting place/communal area/village green for children and residents. Some residents (45 per cent) would like to see more sport taking place in the parish and thought the Plan should include provision for more public open spaces in the future. As a local project, the Parish Council will explore the possibility of creating an open public space with local landowners.

8.7 There was generally a high level of satisfaction with medical services, but a small number of residents expressed concern about the difficulty of accessing medical facilities, e.g. a doctor, or the minor injuries hospital in Kingsbridge, particularly in emergencies. Local schools which serve the parish are generally considered to be of a high standard.

The Economy of the Parish

8.8 The majority of respondents to the Questionnaire are retired (51 per cent), the second largest group of residents work outside the parish (30 per cent), and the third largest group

work from home (20 per cent).

8.9 Apart from the six farms, there are a number of significant businesses in the parish such as the Beachhouse café at South Milton Sands, The Barn wedding venue and Hosking's sawmill. Also, there are several small businesses related to the tourist trade and numerous home based businesses providing a range of services and trades.

8.10 The messages from the Questionnaire in relation to the parish economy were that residents would like to see agriculture and horticulture encouraged, and they support working from home and the development of small businesses, such as tourism-related services. Residents supported the concept of expanding existing businesses in the parish to maintain economic growth, and were in favour of diversification of farms and farmland. However, this Plan does not anticipate any major expansion of economic activity in the parish as it would be contrary to the aim of preserving it as an AONB and contrary to the aims of the Undeveloped Coast designation.

8.11 The parish has a large number of small home-based businesses which rely heavily on internet access. Current

internet access is not consistent throughout the parish, with some businesses and homeowners struggling with very slow speeds, thus making home working difficult. This is caused by the outdated and poorly maintained copper cables used to supply telephone lines to homes within the parish. The Questionnaire revealed that 64 per cent of parishioners thought that internet access needed to be improved.

Wellbeing

8.12 Most people have private means of transport. However, to increase the mobility of those without a car or other means of transport, or who have disabilities, the parish will continue to press the DCC and service providers to improve the frequency of bus services to and from the parish.

8.13 In common with many small South Hams villages the parking of residents' and visitors' cars presents difficulties in some parts of the village. The recent addition of 'warning of obstruction' signs by Devon Highways has helped. The Parish Council regularly advises parishioners, through the village newsletter, to park safely especially near road junctions. The proposed new Village Hall car park will help to remove parked cars from the lanes at certain times. A requirement of the

proposed new housing development at The Dairy is the provision of adequate off-street parking for residents.



8.1a Villagers enjoying the annual midsummer walk

8.14 There is an extensive network of footpaths in the parish and, in order to promote healthy lifestyles, the Plan supports the maintenance and increased provision of footpaths and cycleways throughout the parish (see Chapters 6 and 7).

8.15 Through the Questionnaire views were also sought concerning the activities in the Village Hall, and these were aired at the Annual General Meeting of the committee in 2016. They ranged from organising new events, such as keep fit and

adult learning classes to new leisure clubs. The hall committee welcomed the parishioners' interest, and after review invited the parishioners to make the first move and present specific proposals. It was underlined that existing clubs and organisations performed a vital role in the parish, but that there was room for more if there was a need.

8.16 Among other issues raised in answer to the Questionnaire were dog fouling, speeding vehicles and litter. These matters have been raised with the Parish Council for follow-up as local projects during the Plan period.



8.1b The annual village sports day

Policy EMP1: Employment Policy

- a) The Plan supports the development of small businesses and working from home (where building extensions are required and/or change of use is needed) provided they meet the criteria below. The criteria are:
 - i. The provision should bring social and/or economic benefits to the parish without having an unacceptable impact on the unspoilt character, appearance and tranquility of the parish.
 - ii. The proposals should not have unacceptably harmful impacts on the amenities of residents and other neighbouring uses through, for example, noise, deliveries or increased traffic generation.
- b) The diversification of employment opportunities will be supported as long as any changes meet the following criteria:
 - i. They can be accommodated as part of home-working or live/work units and/or they make use of barns or outbuildings which would otherwise be redundant.
 - ii. They do not create unacceptable noise, emissions, disturbance or traffic generation.

8.16 These policies in EMP 1 have been included as an additional level of safeguarding to those in the JLP as South Milton parish is entirely covered by AONB and the village wishes to have these safeguards made explicit.

8.17 In summary, residents of the parish currently possess a generally high level of health and wellbeing as revealed in the Questionnaire but there is scope to extend and develop leisure opportunities particularly those focussed on the Village Hall. Employment levels are high although a small minority have difficulty in accessing services and facilities outside the parish because of immobility. Further diversification of employment opportunities should primarily benefit local residents but without sacrificing local amenity. Improvements in the economy and wellbeing in the parish will be sought through the implementation of the policies in this Plan and the local projects mentioned in the Appendix 2.

9 Conclusion and Way Forward

9.1 Residents recognise that they are fortunate to live in such a beautiful village with a strong community spirit. Many do not want to see much change. However, most recognise that improvements can be made and if the village is to remain vibrant, some development will be needed over the next 15 years or so. Naturally any development needs to be balanced against the need to preserve the special qualities of South Milton parish.

Way Forward

9.2 This version of the South Milton Neighbourhood Plan has been produced following study of all the comments made during the consultation on the draft Plan (November 2016), the publication of the draft JLP (March 2017), adoption of the JLP (March 2019); the production of an SEA (June 2017); a revision to the SEA (November 2018) and the report of an independent Examiner (May 2018).

9.3 The Plan will now be put to a referendum of all those on the Parish Electoral Register.

9.4 In order that the policies and proposals in this Plan are actioned the Parish Council will:

- a) Work with the landowner and the developer of The Dairy site to plan and design an appropriate housing development ensuring it meets the policies set out in Policies H1, H4 and H5.
- b) Work with the landowner and the developer of The Dairy site to plan and design a car park behind the Village Hall and a footpath/cycleway linking the housing development site and Village Hall as set out in Policy H2.
- c) Ensure the policies as set out in the Plan are adhered to.
- d) Seek grants and donations to create a children's play space adjacent to the car park on land gifted by the landowner of The Dairy site as set out in Policy H3.
- e) Investigate the feasibility and manage the implementation of the desired local projects listed in this Plan in Appendix 2.
- f) Carry out an annual review of progress on implementing this Plan and make a report to the South Milton Annual Parish Public Meeting.

Appendix 1: Plan Policies

Policy E&CM1: Landscape Policy

Development proposals should seek to conserve and enhance the special qualities of the AONB, all in accordance with the provisions of the South Devon AONB Management Plan.

Specific requirements for South Milton parish are:

- a) The landscape along Links Road between Primrose Cottage and Kerse Lane, between Collacott and the coast along Horswell Lane, and above Three Corners along Kerse Lane shall be conserved and enhanced.
- b) Views from the important viewpoints shown on Figure 6.2 shall be conserved and enhanced.
- c) Devon lanes, banks and green lanes should be retained wherever possible and, if lost, such loss must be suitably compensated for elsewhere.
- d) Development shall be designed to avoid increasing light pollution.
- e) For developments that rely on screen planting to mitigate unacceptable impacts, the screen should be

established as early as is reasonably practicable before or during the construction process.

Policy E&CM2: Coastal Environment Policy

Specific requirements for conserving and enhancing the South Milton parish coastline are:

- a) Any development within the area defined as Undeveloped/Heritage Coast shall be designed to avoid expanding or adversely impacting existing infrastructure (such as lanes and car parks).
- b) Further commercialisation of the coastline will not be supported without overriding justification. It should not have a detrimental impact on the unspoilt character, appearance or tranquility of the coastline within the parish.
- c) The landscape viewed from the coast path shall be conserved and enhanced.
- d) The car parks at South Milton Sands, Links Court and Thurlestone Golf Club shall be retained at their present capacity and form, including the overflow car park at South Milton Sands (to be open for a maximum

of 28 days per year).

Policy E&CM3: Farmland Policy

Planning applications that support the local agricultural industry and the production of local food will be supported provided they comply with other relevant policies in this Neighbourhood Plan. Where the visual impact is minimal, these may include the erection of small scale greenhouses and polytunnels or the erection of new temporary buildings or re-use of existing buildings to enable farm-gate sales.

Policy E&CM4: Biodiversity Policy

Development proposals should seek to support the parish's ecological networks, including through the provision of new biodiversity habitats and the enhancements of linkages between existing habitats.

Policy H1: Land allocation policy for housing

The selected site known as The Dairy, Milton Lane, is allocated for a maximum of 18 houses or flats during the plan period to meet local needs. The development of The Dairy shall meet the following criteria:

1. The development of this site shall be for housing and carried out in accordance with strategic policies:
 - There shall be an appropriate mix including one and two bedroom units as well as larger three or four bedroom homes with 20 per cent of the total number of units designed for disabled access;
 - The development shall be well designed and built in accordance with Strategic Policy and NPPF guidance, be no more than two storeys in height, use traditional materials (such as brick, timber and stone), incorporate energy efficiency measures (insulation, secondary glazing and preferably renewable energy sources) and complement the character and sense of place of the parish;
 - The layout and design shall minimise the impact on the surrounding landscape, should fully respect existing heritage assets, and should include appropriate tree planting and landscaping;
 - Applications for development shall be supported by a comprehensive appraisal of heritage impacts.

2. The following community benefits are necessary to make the development acceptable:

- A third of units shall be affordable and rented to people with local connections by a housing association using Devon Home Choice criteria;
- A third of plots shall be made available to individual purchasers wishing to self-build (including custom housebuilding) their own homes;
- A planning obligation will be expected to be submitted or completed which will ensure the open market and self-build houses are occupied as 'sole' or principal residences as set out in Policy H5;
- The existing trees and hedges shall be protected, where practicable, and extended where necessary in order to limit the visual impact of the development from Milton Lane;
- A planning obligation shall be included that confirms the fields on three sides immediately adjacent to the site continue to be used for agricultural purposes (i.e. for grazing or the production of other crops), thus

acting as a 'buffer' to further development (as indicated on Figure 7.1);

- Confirmation as part of a legal agreement that the existing barn buildings on the site are relocated outside the current owner's landholding in South Milton parish;
- The development of the site may be phased over a number of years so long as the community benefits are implemented to an agreed schedule;
- The provision of car parking and a footpath/cycleway as set out in policy H2 below.

Allocation

For the affordable housing the Parish Council requires written confirmation that the Devon Home Choice local connection criteria for rural areas are being strictly applied to the affordable housing: Residence in the parish for three out of five preceding years; lived in parish for six out of 12 months preceding allocation; immediate family have lived in the parish for five years; permanent employment in the parish.

Policy H2: Land allocation policy for village hall car parking and footpath/cycleway

The land shown on Figure 7.1 is allocated for a new village hall car park (to provide spaces for 15 cars and attractive landscaping), and a footpath/cycleway to link The Dairy site and Milton Lane with the new car park, as shown on the Figure.

The development of the site shall meet the following criteria:

- The village hall car park shall provide spaces for 15 vehicles and be well landscaped;
- The dedicated footpath/cycle way shall link The Dairy site and Milton Lane to the village hall car park.

Policy H3: Land allocation policy for a public children's play space at the rear of the village hall

The land shown on Figure 7.1 adjoining the proposed car park at the rear of the village hall is allocated for a 200m² public children's play space.

Policy H4: General Housing Policy

An application for development will be supported only where

it fully meets the following criteria:

- It fully respects the cultural and environmental heritage of the parish, particularly where development takes place within or adjacent to listed buildings, Conservation Areas, and other environmental designations;
- It respects existing entry points to the village and does not adversely affect protected views to and from the village, particularly on the seaward side, as set out in policies E&CM1 and 2;
- It is well designed and constructed to reflect, and where possible make a positive contribution to, the character and appearance of the parish in terms of scale, height, materials and layout, and to reinforce a strong sense of place.
- It complies with Policy H5.

For developments of five or more housing units the following additional criteria will apply:

- It should provide a mix of homes taking into account

objectively identified housing needs, and includes an element of affordable and elderly housing as specified in the JLP. It is subject to a S106 legal agreement or suitable planning conditions, ensuring that it will remain an affordable dwelling(s) for local people in perpetuity. For rented affordable housing Devon Home Choice criteria should apply;

- Where applicable, it should include other benefits to the wider community, such as community facilities, car parking, play space, appropriate landscaping and open space.

Policy H5. Principal Residency Requirement

1. Proposals for open market housing (excluding one for one replacement dwellings) will be supported where there is a planning obligation to ensure occupancy as a principal residence. A principal residence is defined as a dwelling occupied as the resident's sole or main residence, where the resident spends the majority of their time when not working away from home. Proof of principal residence includes, but is not limited to, being registered on the local electoral roll, at the local school or for local healthcare.

2. Proposals for open market housing (excluding one for one replacement dwellings) without a requirement to ensure occupancy as a principal residence will not be supported.

3. Where proposals for the replacement or conversion of existing dwellings by more than the number of existing dwellings is approved, the additional properties will be subject to a planning obligation to ensure occupancy as a principal residence.

Policy EMP1: Employment Policy

a) The Plan supports the development of small businesses and working from home (where building extensions are required and/or change of use is needed) provided they meet the criteria below. The criteria are:

- The provision should bring social and/or economic benefits to the parish without having an unacceptable impact on the unspoilt character, appearance and tranquility of the parish.
- The proposals should not have unacceptably harmful impacts on the amenities of residents and other neighbouring uses through, for example, noise,

deliveries or increased traffic generation.

b) The diversification of employment opportunities will be supported as long as any changes meet the following criteria:

- i. They can be accommodated as part of home-working or live/work units and/or they make use of barns or outbuildings which would otherwise be redundant.
- ii. They do not create unacceptable noise, emissions, disturbance or traffic generation.

Appendix 2: List of Local Projects

Over the next five years the Parish Council will investigate the feasibility, and manage the implementation, of a list of projects with the following aims. This will involve working with other agencies where appropriate.

Environment and Coastal Management

- The creation of a new footpath parallel to Horswell Lane, between the end of the green lane at Cross Parks and the coast.
- The improvement to the pedestrian access to the north end of the beach below Links Court car park.
- The provision of footpath information boards.
- An improvement to the existing passing places along the length of Horswell Lane.
- The upgrading of the toilets and waste disposal facilities at South Milton Sands.
- The preparation of a Conservation Area Management Plan for the two conservation areas in the parish.

Economy and Wellbeing

- The extension of superfast broadband internet access throughout the parish.
- The provision of an open space for public use.
- The education of dog owners to reduce dog fouling throughout the parish.
- The reduction in the amount of litter in the village and at South Milton Sands.
- Action to reduce the number of speeding vehicles through the village.
- The improvement of the frequency of public transport services to and from the parish.

South Milton Neighbourhood Development Plan Regulation 19 Decision Statement

Statement published 12th December 2023, pursuant to Section 38A(9) of the Planning and Compulsory Purchase Act 2004 and Regulation 19 of the Neighbourhood Planning (General) Regulations 2012.

South Hams District Council decided by resolution of the Executive on 30th November 2023 to make the South Milton Neighbourhood Development Plan Modification under Section 38A(4) of the Planning and Compulsory Purchase Act 2004 (as amended). The South Milton Neighbourhood Development Plan Modification now forms part of the Development Plan for South Hams District.

1. Summary

1.1 This document is the Decision Statement required to be prepared under section 38A(9) of the Planning and Compulsory Purchase Act 2004 (as amended) and Regulation 19 of the Neighbourhood Planning (General Regulations) 2012 (as amended). It sets out the Council's considerations and formal decision in bringing the South Milton Neighbourhood Development Plan Modification into legal force.

1.2 Following an independent examination, South Hams District Council decided to make the South Milton Neighbourhood Development Plan Modification under section 38A(4) of the Planning and Compulsory Purchase Act 2004 ('the Act').

2. Background

2.1 In November 2014 South Milton Parish Council, as the qualifying body, submitted proposals to South Hams District Council to designate the boundary of the South Milton Neighbourhood Development Plan Area. The application was approved, and the South Milton Neighbourhood Development Plan Area was designated by South Hams District Council (the Council) on 13th February 2015 in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

2.2 Following initial community engagement, draft plan consultation under Regulation 14, submission of the plan, consultation under Regulation 16, and examination, the South Milton Neighbourhood Development Plan was 'made' by the Council on 19th September 2019.

2.3 As a result of local concerns, the parish council undertook evidence gathering on the issue of second/holiday homes within the parish. The parish council decided to modify the SMNP by the introduction of a Principal Residence Policy (and the consequential amendment to two other policies). Consultation on the modification proposal took place under Regulation 14 from 7th March to 18th April 2022. The proposed modification was submitted and consultation under Regulation 16 took place from 16th June to 28th July 2023, followed by examination.

2.4 South Hams District Council, with the agreement of South Milton Parish Council, appointed an independent Examiner, to review whether the Proposed Modification met the “Basic Conditions” required by legislation.

2.5 The Examiner produced a brief Initial Comments report dated 18th August 2023. The key finding of this report was that the Proposed Modifications are not so substantial that the nature of the neighbourhood plan will be changed. This finding of the Examiner is in line with the conclusions reached previously by South Milton Parish Council and SHDC. As a result of this finding a referendum will not be required.

2.6 The Examiner’s report was received on 30th August 2023. This concluded that the Proposed Modifications to the plan, subject to the amendments as recommended by the Examiner, met the Basic Conditions, and could proceed to be ‘made’ (adopted).

2.7 The SHDC Executive, at its meeting on 30th November 2023, resolved to ‘make’ (adopt) the South Milton Neighbourhood Development Plan Modification, incorporating the amendments recommended by the Examiner.

3. Decision and Reasons

3.1 With the Examiner’s recommended amendments, the South Milton Neighbourhood Development Plan meets the Basic Conditions set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990, is compatible with EU Obligations and the Convention Rights, and complies with relevant provision made by or under Sections 38A and 38B of the Planning and Compulsory Purchase Act 2004 (as amended).

3.2 South Hams District Council has assessed that the modification to the plan, including its preparation, does not breach, and would not otherwise be incompatible with, any EU Obligation or any of the Convention Rights (within the meaning of the Human Rights Act 1998).

3.3 In accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended), the South Milton Neighbourhood Development Plan Modification is ‘made’ and planning applications in the parish must be considered against the South Milton Neighbourhood Development Plan (as Modified), as well as existing planning policy, such as the Local Development Plan and the National Planning Policy Framework.

SOUTH MILTON PARISH COUNCIL

Minutes of Parish Council Meeting.

Date: 25 th September 2023		Venue & Time: South Milton Village Hall, 19.30hrs
Present: Cllr Anne Berryman Cllr Paul Booker (in the Chair) Cllr Emma Halmshaw Cllr Steve Harding Cllr Graham Jinks Cllr Marion Luscombe Cllr Nick Townsend	In Attendance: Katharine Harrod – Clerk & Minute taker Dist. Cllr Samantha Dennis Dist. Cllr Mark Long County Cllr Rufus Gilbert Parishioners/Guests Present: 13	Apologies:

REF 2023/24 MINUTES

284 WELCOME & APOLOGIES

285 PARISHIONERS OPEN FORUM (allocated time not longer than 15 minutes, a member of the public shall not speak for more than 2 minutes as per Standing Orders):

- The Mobile Library service goes to scrutiny at DCC tomorrow as the service is potentially going to be cancelled. Once it has been scrutinised it will be returned to The Cabinet for a final decision on the future of the service.
- Cllr Berryman attended two meetings re the bus service that has been discontinued, however, at the beginning of September an email was received from Kingsbridge saying there was no obvious interest in the continuance of the bus service and future meetings were deferred. Cllr Dennis advised that she has followed up on this, it was also raised at a local Chamber of Commerce meeting. Local businesses in the area will be contacted to ensure their input has been received.

National Trust: Welcome to Jonathan Fisher, new General Manager for the area
Valda Smith, National Trust Ranger provided the following information:

- Tim Roth, the car park manager who has been in post for over ten years is due to retire, the National Trust are now recruiting for a new welcome manager. The aim is to have a presence there all the time.
- Broken railings and the rope fence along the café have been replaced.
- The new boardwalk at the top (opposite the toilets) is suffering from water runoff, more protective work may be required.
- The main boardwalk by the car park has been well received, particularly as it allows improved access for those with disabilities.
- The National Trust AGM has a resolution regarding active transport – are there alternative and practical ways to get people to their properties/land?

a) DEVON COUNTY COUNCIL:

Cllr Rufus Gilbert, Email: rufus.gilbert@devon.gov.uk

1. Cllr Gilbert visited the residents at Shute Lane this evening to discuss the state of the road.
2. The planned Modbury road closure has been agreed (6 weeks), more details to be provided.
3. Expansion of 20mph zones – this is a contentious issue and the situation in Wales is being closely watched by the Government, it's assumed to be a matter of time before a paper is put forward for England.

Road Closure Notifications, within 6 months:

4. Temporary traffic notice 6th – 14th November, 09:30 and 15:30, road closure - road from A381 to Sutton Cross" & "Whitlocksworthy to Sutton Cross", South Milton.
5. Query re traffic notice 20th/21st November, Road Closure Ilbert Rd to Whitlocksworthy Cross for EW duct from box to pole. An email will be sent to DCC Highways requesting traffic lights and not a road closure.

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REPORT IT:

Members of the public are requested to report all Highways issues through the Highways Website, enabling faster assessment of problem areas which can then be added to the repair/maintenance schedules. You can report potholes, overgrown vegetation, defective signs/lighting and much more.

<https://www.devon.gov.uk/roadsandtransport/report-a-problem/>

b) DISTRICT COUNCILLOR REPORTS:

Email Cllr Samantha Dennis: samantha.dennis@swdevon.gov.uk

Email Cllr Mark Long: cllr.mark.long@southhams.gov.uk

1. A letter is being issued to all those who currently pay business rates asking for proof that they have commercial waste management contracts in place.
2. The new Executive met last Thursday and have brought forward their new draft corporate strategy. A formal consultation will take place, ending on 24th October. The final strategy will be considered by the Executive Committee on 30th November.
3. The new draft strategy has proposed significant changes with respect to housing stock and how it is managed. It includes consideration of creating an umbrella community land trust – which would not give a “right to buy” option. SHDC will request first refusal of any social housing due to be sold off to ensure that the housing stock in the area does not reduce further.
4. Issues such as Enforcement are also under review – a full review of existing policy, handling of complaints and the resources that are required for the service.
5. A new planning IT system is due to go live in November, this will ensure applications are uploaded and dealt with more effectively. There will also be more transparency.
6. With regard to planning decisions, there will be a new approach whereby amendments are considered by the Assistant Director and the Chairman of the Development Management Committee. They will be responsible for determining which are minor technical and which are material or contentious amendments. Anything that is material or contentious will be dealt with by the Development Management Committee.
7. The Corporate Strategy Consultation: In person session at Kingsbridge Market on 12th October, 9.30am – 4.30pm where paper copies are available. If anyone would like a paper copy please advise the Parish Clerk.
8. Re the Housing Survey, there were 123 responses, the information is due to be analysed and information will be provided in due course.

REPORT IT: It takes two minutes to report a problem, please help keep our community beautiful

<https://apps.southhams.gov.uk/webreportit>

Missed Bins, Abandoned Vehicle, Damaged/Full Dog Bin, Damaged/Full Litter Bin, Damaged/Full Recycling Bank, Dead Animal, Dirty Beach, Fly Tipping, Litter/Dog Mess, Planning Breach, Stray Dogs, AND MORE...

THE MEETING CONVENED

286 DECLARATIONS OF INTEREST: No declarations of interest were received.

287 MINUTES OF PREVIOUS PARISH COUNCIL MEETING:

It was resolved to approve the minutes of the Parish Council meetings of 21st July without alteration, they were then signed by the Chairman.

288 CLERKS REPORT:

1. The Housing Needs Survey closed on 22nd September, we await the analysis of the responses.
2. Road Warden Scheme: We are in touch with Devon County Council to arrange training for this council and four adjacent parishes.
3. South Devon & Dartmoor Community Safety Partnership, Councillors have been invited to an online session (26th October) to highlight the importance of this organisation. For more information see

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<https://saferdevon.co.uk/south-devon-dartmoor-csp/> or

<http://www.facebook.com/SouthDevonDartmoorCSP>

4. Councillors have been invited to a briefing on the Cost of Living crisis and how it's affecting people in the South Hams. Monday 2nd October.
5. Antisocial Behaviour can be reported via the South Hams District Council website, details of how they deal with the information received can be obtained via this link: <https://southhams.gov.uk/article/9274/Anti-Social-Behaviour-Policy>
6. Southern Cluster Group with Cllr Julian Brazil: Due to take place on 9th October, all Councillors have been advised. This will be the first opportunity to discuss the new corporate strategy .
7. Flood and Coastal Risk Management Team Devon County Council: Due to heavy rainfall from the 16th – 18th September some areas of Devon have been affected by flooding. In the event of flooding such as this, utilising local knowledge is essential for Devon County Council to gather key information on the affected areas and overall impacts. If anyone has experienced flooding to property or nearby roads please contact the Parish Clerk with details.
8. Police Hubs Initiative (previously Project Community Access): Details regarding this initiative (which will see village halls and community buildings across South Devon being used as 'hubs' by police officers while they are out on patrol) have been passed to the Village Hall Committee.
9. A defibrillator/heart-start training course was provided by the South West Ambulance Trust on 19th September 7pm at Malborough Village Hall. People attended from South Milton, Salcombe, West Alvington, Malborough and South Huish. We have received very positive feedback and we have thanked Kevin Bowyer for his ongoing support to the local parishes.

289 PLANNING:

- a. **Applications** received by the Parish Council and under discussion and consideration for the last period. Any recommendation by the Parish Council to the Planning Department is noted after the application details. Those without comment remain under discussion.

NOTE: When providing a response to applications, the South Milton Neighbourhood Plan will be referenced.

1. Councillors **RESOLVED** to adopt the Examiners comments with respect to the recent minor modification.
2. Local Planning Updates (if required).
3. 2927/23/TPO, Brook House, South Milton. Various tree works. **Support.**
4. 2899/23/HHO, Well Park, TQ7 3JR, extension, alterations & roof conversion, 12/10 **A site visit will take place prior to a decision.**
5. 3035/23/COM, Airband Pole, Hamlocks, South Milton, TQ7 3JT. **Object.**
6. 2583/23/FUL, Thurlestone Beach House, South Milton, TQ7 3JJ, window & door replacement 19/10. **Support.**

b. **Decisions:**

1. 3840/22/FUL, Higher Southdown Farm, (29/12) **No Decision Yet.**
2. 3947/22/TCA, Land at SX 697 429, Webbers, South Milton (11/12) **No Decision Yet.**
3. 2268/23/ARC, Tolcarne, South Milton. **No Decision Yet.**

c. **Enforcement issues:**

Please will all parishioners make a report to SHDC with full details of any violations that do not adhere to the original application for which permission was granted. ALL violations can be reported confidentially to Enforcement via www.southhams.gov.uk/article/3043/Report-a-Planning-Breach If you would like to submit a report but do not have access to the website, please contact the Parish Clerk.

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290 BUSINESS TO BE DISCUSSED:

a) Rockbox – Feedback from the 2023 operation. South Milton Parish Council have received one representation stating it was fantastic and a second representation that said it was better than previous years but on one occasion there was excessive music. Those present noted that on the last night it was operational there was a live band and it was loud.

- A query was raised regarding length of time on the South Milton premises.
- A complaint was made regarding Enforcement not following up quickly on the issue of overstaying.
- The toilet facilities were not sufficient and not lit, this was very problematic later in the evening. A request will be made for the owner to provide additional toilet facilities and additional bin facilities.
- The Beach Café make a contribution to the toilet cleaning, Jonathan Fisher stated it would be logical that some funding should be received from the National Trust car park and some from the café – this should be transparent. Cllr Mark Long and Jonathan Fisher will arrange a meeting the National Trust and South Hams District Council to discuss further.
- A request was made for a dog bin at the café site.
- Signage for Rockbox remains in place and should be removed.

General feedback this year has been very positive largely thanks to the new systems the organisation has put in place, however as above, there are some areas that can be improved on for 2024. SMPC will write to Enforcement welcoming improvements over 2022 but further improvement needed, particularly on overstaying.

- b) Cllr Townsend attended a meeting with local MP Anthony Mangnall and South West Water. A point made was that South West Water don't have enough local knowledge and this doesn't always lead to problems being solved – i.e. overflows, leakage. A South West Water representative has agreed to meet with Cllr Townsend to discuss further.
- c) Prior to September 2017 there were no eligibility rules at the South Milton Parish Council burial ground, anyone could be buried there. In September 2017 it was resolved by the Council that eligibility would be restricted to those who either lived in the parish at time of death or who died within a year of leaving the parish plus those who had already reserved plots by that date. Furthermore, anyone who died in the parish, irrespective of where they lived, could be buried in the parish (this is a legal right).

The Parish Council will now review the land availability, eligibility rules, layout of the plots and the need to raise funds to pay for any land purchase. Dave Goddard offered a contribution to purchase additional land. The Chairman thanked him for his offer.

Cllrs Jinks & Townsend will investigate the options to expand the burial ground.

Cllrs Berryman, Halmsshaw, Luscombe and the Parish Clerk will meet to agree the basis of the proposed eligibility rules, this will then be forwarded to the Councillors for additional comments.

We seek expertise to assist with creation of an updated schematic.

- d) A request has been made for a memorial bench in the cemetery. The existing bench is South Milton Parish Council owned and can be replaced. The Council resolved to approve a new bench subject to sight of the proposed replacement prior to installation.

291 FINANCE & GOVERNANCE:

a) **Accounts to pay Month 6** – Clerks Salary including HMRC, Burial Ground Maintenance £90 & £90 Monthly bank charge £8, Hall Hire £20, Parish Magazine Printing £57.80, Eden.co.uk Burial Register £37.92

Councillors resolved to approve all payments.

b) **Governance:**

It was resolved to renew the website at an annual cost of £120 plus VAT (excluding Planning Applications)

SOUTH MILTON PARISH COUNCIL

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292 MEETING ENDS 20.45 Hrs

293 DATES FOR THE DIARY: 16th Oct, 27th Nov 2023, South Milton Village Hall, 19.30 hrs.

Signed as a true record: _____

Print Name & Date: _____

Agenda Items and Updates; where possible please could these be submitted to Mrs Katharine Harrod by the 3rd Monday in the month to ensure time for inclusion, circulation and study. If a Council Member is unable to attend a meeting it would be appreciated if they could submit a brief précis of progress on their actions, if applicable, (to Mrs Katharine Harrod for distribution) together with their apologies.

Distribution List

South Milton Parish Council Councillors

For Information: e-circulation to: County Cllr R Gilbert, South Hams District Council Ward Councillors, National Trust, Riccardo Carrelli, Jenny Brown.

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**MINUTES OF THE MEETING OF
THE SALCOMBE HARBOUR BOARD
HELD AT CLIFF HOUSE, SALCOMBE, ON MONDAY, 18 SEPTEMBER 2023**

Members in attendance			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr L Bonham	*	Ms K Allen
∅	Cllr S Dennis	∅	Mr P Brown
*	Cllr M Long (Chairman)	*	Mr A Owens
*	Cllr J McKay	∅	Mr C Plant
		∅	Mr I Shipperley
		*	Mr I Stewart

Other Members in attendance and participating:
None

Item No	Minute Ref No below refers	Officers in attendance and participating
All agenda items		Director of Place & Enterprise; Salcombe Harbour Master; Head of Finance; Principal Civil Engineer; Deputy Harbour Masters; and Democratic Services Manager

SH.1/23 WELCOME AND INTRODUCTIONS
Since this was the first Board meeting following the May 2023 local elections, the Chairman welcomed Cllrs Bonham and McKay and Ms Allen to their first formal meeting following their respective appointments.

SH.2/23 APOLOGIES FOR ABSENCE
It was noted that apologies for absence for this Board Meeting had been received from Cllr Dennis and Messrs Owens, Plant and Shipperley.

SH.3/23 MINUTES
The minutes of the Salcombe Harbour Board meeting held on 20 March 2023 were confirmed as a true and correct record.

SH.4/23 URGENT BUSINESS
There were no items of urgent business raised at this meeting.

SH.5/23 CODE OF CONDUCT DISPENSATIONS
In accordance with the adopted Members' Code of Conduct, it was noted that the payment of Harbour Dues constituted a contract with South Hams District Council. As a result, this matter should be declared by Members as a 'Disclosable Pecuniary Interest' (DPI).

Since a number of Board Members were in the position of paying Harbour Dues, it was noted that the Council's Monitoring Officer (Chief Legal Officer) had granted a dispensation to each of these Members to enable them to take part in the debate and vote on related matters at Board meetings (in accordance with Paragraph 8.1(c) of the Members Code of Conduct). The granting of this dispensation would ensure that Board meetings were quorate and able to proceed and these would be in place until the date of the South Hams District Council Annual Council meeting to be held on 16 May 2024.

SH.6/23 **DECLARATIONS OF INTEREST**

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

Cllrs Bonham, Ms Allen and Mr Stewart each declared a Disclosable Pecuniary Interest in all related agenda items by virtue of paying harbour duties. As set out earlier in this meeting (Minute SH.3/23 above refers), the Monitoring Officer had granted each of these Members a dispensation and they were therefore able to take part in the debate and vote on any related matters.

SH.7/23 **PUBLIC QUESTION TIME**

In accordance with the Public Question Time Procedure Rules, there was no questions raised at this Meeting.

SH.8/23 **FEEDBACK FROM HARBOUR COMMUNITY FORUMS**

The Board received verbal update reports from those Members who attended the Harbour Community Forums. The updates were given as follows:

Salcombe Kingsbridge Estuary Conservation Forum (SKECF)

Whilst the composition of the Board had changed, the Board Chairman confirmed that he was happy to remain as its SKECF representative.

South Devon & Channel Shellfishermen

The representative advised that the Shellfishermen were generally content and the industry had experienced a good summer season.

Kingsbridge and Salcombe Marine Business Forum

It was agreed that Ms Allen would become the Board representative on the Business Forum.

By way of a general update, it was noted that, largely because of the poor summer weather, tourism footfall in Salcombe had been as much as 40% lower than in previous years.

Kingsbridge Estuary Boat Club (KEBC)

It was noted that the Club and the Harbour Authority enjoyed a very positive working relationship and the Harbour Master put on record how much he valued the support that was given by the Club.

East Portlemouth Parish Council

The lack of recent feedback from the Parish Council was highlighted and the merits of retaining it as a 'Community Forum' were therefore questioned. As a result, it was agreed that contact would be made with the Parish Council before a view was taken over whether or not it should be retained.

SH.9/23

2022/23 YEAR END FINANCIAL REPORT

The Board considered a report that advised of the Harbour's final trading position in 2022/23 together with details outlining the main variations from the originally approved Budget. The report also set out a summary of Harbour Reserves and an analysis of the payments that were made between Salcombe Harbour and the District Council during 2022/23.

In discussion, particular reference was made to:

- (a) the 'miscellaneous' heading in the Revenue Outturn. For clarity, the Head of Finance advised that examples of expenditure that fell within this heading were: conference expenses; legal fees; contributions to the Area of Outstanding Natural Beauty (AONB) unit; and the Special Responsibility Allowance that was entitled to be claimed by the Board Chairman;
- (b) inclusion of published appendix 3: 'Payments between Salcombe Harbour and South Hams District Council'. Members welcomed inclusion of published appendix 3 and felt that this added value to the Year End report.

It was then:

RESOLVED

1. That the income and expenditure variations for the 2022/23 Financial Year and the overall trading surplus of £156,524 be noted, with the surplus being allocated to the Harbour's General (Revenue Account) Reserve; and
2. That the payment of merit pay to the Harbour Staff of up to £8,000 (to be funded from the Harbour's General (Revenue Account) Reserve) be supported.

SH.10/23

2024/25 BUDGET

The Board considered a report that proposed the Salcombe Harbour Authority budget for 2024/25 and provided a budget forecast for 2023/24.

In discussion, particular reference was made to:-

- (a) the proposed Fees & Charges Workshop. Due to being interlinked, a Member questioned as to how the Council could recommend approval of its Budget for 2024/25 at this meeting without making a series of recommendations on its Fees and Charges at the same time.

In response, officers advised that, once the Budget was set, it would then be a matter for the Board to consider its Fees and Charges to fund the identified budget deficit for 2024/25 (£77,000) and thereby achieving the overall objective of a balanced budget.

To provide greater clarity, an amended recommendation 1 was therefore **PROPOSED** and **SECONDED** to read as follows:

'That the proposed 2024/25 Budget (as set out within the published agenda report) be approved, with it being noted that the detailed means of closing the Budget deficit (identified as being £77,000) will be considered by the Board at its next meeting (to be held on 13 November 2023).'

Regarding the date (and time) for the Board Workshop to be held, it was agreed that this should take place during week commencing 16 October 2023 and the Harbour Master was tasked with establishing the most convenient date and time following this Board meeting;

- (b) the total cost of replacing the moorings barge. When questioned, the Harbour Master estimated that a replacement moorings barge would cost in the region of up to £750,000. Once the Batson Project had been completed, the Harbour Master stated that it would be then his intention to produce a report for consideration at a future Board meeting.

It was then:

RECOMMENDED

That the Board **RECOMMEND** that the Executive **RECOMMEND** to Full Council that:

1. the proposed 2024/25 Budget (as set out within the published agenda report) be approved, with it being noted that the detailed means of closing the Budget deficit (identified as being £77,000) will be considered by the Board at its next meeting (to be held on 13 November 2023); and
2. £150,000 be transferred from the Harbour's General (Revenue Account) Reserve to the Renewals Reserve as part of closing the 2023/24 Accounts, with this funding being earmarked to support the cost of replacing the moorings barge.

SH.11/23

HARBOUR MASTER'S REPORT

The Harbour Master presented a report that provided an update on a number of recent issues that had affected the Harbour. In particular, the report provided specific updates on service performance, major projects and any other issues that impacted upon the Harbour.

In discussion, the following points were raised:-

- (a) Given the number of fuel thefts from the overflow pontoon, the Harbour Master confirmed that potential preventative measures would be given further consideration during the winter months;

- (b) With regard to water quality monitoring, Members noted the intention for a standalone agenda item on this issue to be included on the agenda for the Harbour Board meeting to be held on 13 November 2023;
- (c) Members welcomed receipt of the incident log (as detailed at Appendix 3 of the published agenda report). In emphasising its particular importance, Members asked that safety be given consideration at the Board Workshop during week commencing 16 October 2023 and, for future incident logs, these be divided between 'human' and 'vessel' safety and placed at the top of the document;

It was then:

RESOLVED

That the Board note and endorse the contents of the Harbour Master's report.

SH.12/23

PROJECTS UPDATE – VERBAL REPORT

In providing an update to the Board, the Principal Civil Engineer advised that:

- we were reaching the conclusion of what had been a prolonged (and particularly resource intensive and testing) process to deliver the Commercial Units and Harbour Depot projects;
- having been completed in May 2023, five tenants had signed up for the Commercial Units, three of which were already in their units and content with their premises;
- the handover date of the Depot was envisaged to be 28 September 2023. The Engineer thanked the Harbour Authority and Board for their patience and was of the view that the completed facility looked excellent and, whilst there had been significant project delays, it had been finalised within the approved project budget. The Engineer also confirmed that financial penalties had been applied to the Contractor;
- there had been a number of lessons learned through the progression of both projects;

Following the update, the Board wished to put on record its thanks to all lead officers who had been so instrumental in delivering these projects.

SH.13/23

MARINE DECARBONISATION – VERBAL UPDATE

In providing an update, the Board noted that:

- a Marine Decarbonisation Officer was now within the employ of the Council;
- representatives from the University of Plymouth had undertaken water and ecology tests in the Harbour;
- a Marine Economy Study was intended to be carried out during February 2024;
- works being underway to establish the carbon footprint of the Harbour;
- an electric vessels project also being underway.

In conclusion, given both the amount of work ongoing and the global emphasis on the Climate Change and Biodiversity agenda, officers committed to providing regular progress updates to the Board.

(Meeting commenced at 2:30 pm and concluded at 4.20 pm)

Chairman

**MINUTES OF THE MEETING OF
THE SALCOMBE HARBOUR BOARD
HELD AT CLIFF HOUSE, SALCOMBE, ON MONDAY, 13 NOVEMBER 2023**

Members in attendance			
* Denotes attendance		∅ Denotes apology for absence	
*	Cllr L Bonham	*	Ms K Allen
*	Cllr S Dennis	*	Mr P Brown
*	Cllr M Long (Chairman)	*	Mr A Owens
*	Cllr J McKay	∅	Mr C Plant
		*	Mr I Shipperley
		*	Mr I Stewart

Other Members in attendance and participating:

None

Item No	Minute Ref No below refers	Officers in attendance and participating
All agenda items		Director of Place & Enterprise; Salcombe Harbour Master; Head of Finance; Deputy Harbour Masters; and Democratic Services Manager

SH.14/23 APOLOGIES FOR ABSENCE

It was noted that apologies for absence for this Board Meeting had been received from Mr Plant.

SH.15/23 MINUTES

The minutes of the Salcombe Harbour Board meeting held on 18 September 2023 were confirmed as a true and correct record, subject to the following amendment being made to Minute SH.2/23: '*Apologies for Absence*' whereby Mr Brown had submitted an apology for absence (and not Mr Owens) as had been indicated in the published draft version.

SH.16/23 URGENT BUSINESS

There were no items of urgent business raised at this meeting.

SH.17/23 DECLARATIONS OF INTEREST

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

Cllrs Bonham and Dennis and Ms Allen, Mr Owens and Mr Stewart each declared a Disclosable Pecuniary Interest in all related agenda items by virtue of paying harbour duties. As set out at the previous Board meeting (Minute SH.3/23 refers), the Monitoring Officer had granted each of these Members a dispensation and they were therefore able to take part in the debate and vote on any related matters.

SH.18/23 PUBLIC QUESTION TIME

In accordance with the Public Question Time Procedure Rules, there was no questions raised at this Meeting.

SH.19/23 FEEDBACK FROM HARBOUR COMMUNITY FORUMS

The Board received verbal update reports from those Members who attended the Harbour Community Forums. The updates were given as follows:

Salcombe Kingsbridge Estuary Conservation Forum (SKECF)

The representative did not provide a direct update to the Board but highlighted the relevance of the presentation on Water Quality Monitoring that was to follow this agenda item (Minute SH.20/23 below refers).

South Devon & Channel Shellfishermen

The representative advised that the Shellfishermen were generally content and the industry had experienced a good summer season.

Kingsbridge and Salcombe Marine Business Forum

The Board was informed that the Business Forum was currently assessing the performance over the summer season and would then look to establish its plans and preparation work for future years.

Since the representative had only recently been appointed to the role, she committed to providing further performance intelligence to future Board meetings and commented that it was already her impression that several local businesses were working very collaboratively with one another.

Kingsbridge Estuary Boat Club (KEBC)

It was noted that the Club and Harbour Authority continued to liaise on an almost daily basis and working relationships between the two remained very positive.

East Portlemouth Parish Council

In light of the views expressed at the last Board meeting (Minute SH.8/23), the Chairman informed that correspondence had been sent to all of the town and parish councils that adjoin the Estuary. This communication had highlighted the agenda for this Board meeting and specifically referenced the ability for members of the public to both attend and ask questions at Board meetings. It was intended that this practice would continue before future Board meetings and it was therefore felt that East Portlemouth Parish Council no longer needed to be a recognised standalone Harbour Community Forum.

SH.20/23 PRESENTATION ON WATER QUALITY MONITORING

The Chairman introduced Mr Nigel Mortimer (Estuaries Officer) and Ms Emma Magee (Environment Agency Officer) who conducted a presentation to the Board on Water Quality Monitoring in the Estuary.

In so doing, both speakers concluded that, whilst the Estuary was in relatively good health, there was plenty of room for improvements to be made.

Having been informed that there were some measures that could be taken by the Harbour Authority to further improve water quality (e.g. communications with resident harbour users, buoying off channels, vessels not anchoring in certain areas etc), it was agreed that a Working Group of Members should be appointed and tasked with considering the merits of each of these measures before reporting back to a future Board meeting.

It was then:

RESOLVED

That a Working Group (comprising of Cllrs Long and McKay and Messrs Owens and Shipperley) be established to consider potential measures that can be taken by the Harbour Authority to improve water quality, with the findings of the Group being reported back to a future Board meeting.

SH.21/23 REVENUE BUDGET MONITORING 2023/24

The Board considered a report that updated it on income and expenditure variations against the approved budget and forecasts the year end position.

In discussion, thanks were expressed to both the Harbour Master and the Head of Finance for producing such a comprehensive report.

It was then:

RESOLVED

That the forecast income and expenditure variations for the 2023/24 Financial Year and the projected surplus of £33,400 be noted.

SH.22/23 FEES AND CHARGES 2024/25

The Board considered a report that proposed the Fees and Charges for 2024/25 to ensure that the Harbour achieved a balanced revenue budget.

In discussion, particular reference was made to:-

- (a) the effectiveness of the recent Board Workshop. A number of Members commented on how useful the recent Workshop had been and recognised that the conclusions from this session had been reflected in the published agenda report;
- (b) the proposed increases to resident mooring charges. Whilst accepting the justification for the proposed increases that were set out in the published agenda report, a Member highlighted his slight reservations that residents would see larger proportionate increases in comparison to visitors;

- (c) the development of a Communications Strategy to underpin the revised Fees and Charges schedule. Having been informed that officers were intending to produce an 'end of season' newsletter for all berth holders that would include reference to the revised Fees and Charges, it was agreed that Ms Allen would contact the Harbour Master outside of this meeting to provide support in the production of this document.

It was then:

RECOMMENDED

That the Board **RECOMMEND** that the Executive **RECOMMEND** to Full Council that the proposed fees and charges (as set out at Appendix 1 of the published agenda report) be approved for implementation from 1 April 2024 in order to meet the 2024/25 Budget gap of £77,000.

SH.23/23

HARBOUR MASTER'S VERBAL REPORT

The Harbour Master presented a verbal update that made particular reference to:

- Brady Construction Services Limited having recently entered liquidation. Since the company had been responsible for the construction of the Harbour Depot, officers were currently in dialogue with the liquidators, however, at the time of this meeting, there was no further update that could be provided to Members. Nonetheless, since the project was so near to completion, officers were confident that it could be finalised by using in-house resources and expertise. As a general point, the Harbour Master was incredibly proud of the Depot and he looked forward to being in a position to be able to conduct a Board Member site visit of the final operating facility. In recognition of the many difficulties that had been experienced from the offset of this project, Members wished to put on record their thanks for the tireless work of lead officers in reaching this point;
- the lifting team and engineers having done a magnificent job in completing their winter storage works;
- contract divers currently being on-site to undertake vital work on the maintenance of the deep water moorings;
- a member of the team having expressed an interest in studying for the Harbour Master's Diploma accreditation. The Harbour Master stated his support for continual staff development and growing in-house talent and was fully committed to supporting the team member in his studies;
- an upcoming prosecution against an individual for their behaviour on the Harbour. Whilst the details could not be disclosed at a public meeting, Members hoped that this action would be seen as a deterrent and the Harbour Master committed to providing an update on the outcome of the court case at a future Board meeting.

(Meeting commenced at 2:30 pm and concluded at 4.15 pm)