



Public Document Pack

North Devon Council
Brynsworthy Environment Centre
Barnstaple
North Devon EX31 3NP

M. Mansell, BSc (Hons),
F.C.P.F.A.
Chief Executive.

EXECUTIVE

A meeting of the Executive will be held in the Barum Room - Brynsworthy Environment Centre on **MONDAY, 4TH FEBRUARY, 2019 at 10.00 am.**

(NOTE: A location plan for the Brynsworthy Environment Centre is attached to the agenda front pages. There are limited car parking spaces in the Visitors parking area. If no spaces are available, please find an alternative space. Please ensure that you enter your name and car registration details in the book in front of the entrance door)

Members of the Executive

Councillor Brailey (Leader)

Councillors Barker, R Cann, Edgell, Jones, Lane, Luggar, Meadlarkin, Moores and Yabsley

AGENDA

1. Apologies for absence
2. To approve as a correct the minutes of the meeting held on 7th January 2019 (attached) (Pages 1 - 10)
3. Leader's announcements
4. Declarations of Interests
(Please complete the enclosed form or telephone the Corporate and Community Services Unit to prepare a form for your signature before the meeting. Interests must be re-declared when the item is called, and Councillors must leave the room if necessary).
5. To agree the agenda between Part A and Part B (Confidential Restricted Information)

PART A

6. **Quarterly Performance and Financial Management - Quarter 3 2018/19**
(Pages 11 - 50)
Report by Leader and Executive Team (attached).

7. **Materials Recovery Facility Infrastructure** (Pages 51 - 56)
Report by Head of Operational Services (attached).
8. **Review of Charges and Fees for services 2019/20** (Pages 57 - 106)
Report by Head of Resources (attached).
9. **Revenue Budget 2019/20, Capital Programme and Medium Term Financial Strategy 2019-2023** (Pages 107 - 148)
Report by Chief Financial Officer (attached).
10. **Treasury Management Strategy Statement 2019/20** (Pages 149 - 178)
Report by Chief Financial Officer (attached).
11. **10 Year Capital Strategy 2019-2029** (Pages 179 - 188)
Report by Chief Financial Officer (attached).
12. **Urgent Works Notice for Bunksland Farm, East Anstey** (Pages 189 - 194)
Report by Conservation Officer (attached).
13. **2, 4 and 6 Wilder Road, Ilfracombe** (Pages 195 - 200)
Report by Estates Officer (attached).
14. **Service Plans, Food Safety and Health and Safety** (Pages 201 - 268)
Report by Lead Officer, Food, Health and Safety (attached).

PART B (CONFIDENTIAL RESTRICTED INFORMATION)

Nil.

If you have any enquiries about this agenda, please contact Corporate and Community Services, telephone 01271 388253

25.01.19



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The rules that the Council will apply are:

1. The recording must be overt (clearly visible to anyone at the meeting) and must not disrupt proceedings. The Council will put signs up at any meeting where we know recording is taking place.
2. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
3. We will ask for recording to stop if the meeting goes into 'part B' where the public is excluded for confidentiality reasons. In such a case, the person filming should leave the room ensuring all recording equipment is switched off.
4. Any member of the public has the right not to be recorded. We ensure that agendas for, and signage at, Council meetings make it clear that recording can take place – anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
5. The recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view.

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North Devon Council offices at Brynsworthy, the full address is:
Brynsworthy Environment Centre (BEC), Roundswell,
Barnstaple, Devon, EX31 3NP.

Sat Nav postcode is EX31 3NS.

At the Roundswell roundabout take the exit onto the B3232, after about ½ mile take the first right, BEC is about ½ a mile on the right.

Drive into the site, visitors parking is in front of the main building on the left hand side.

On arrival at the main entrance, please dial 8253 for Corporate and Community Services.



NORTH DEVON COUNCIL

Minutes of a meeting of Executive held at Barum Room - Brynsworthy Environment Centre on Monday, 7th January, 2019 at 10.00 am

PRESENT: Members:

Councillor Brailey (Leader)

Councillors Barker, R Cann, Edgell, Jones, Lane, Meadlarkin, Moores and Yabsley

Officers:

Head of Resources, Service Lead Housing Market Balance, Chief Executive, Head of Corporate and Community Services and Regeneration Manager

Also Present:

Councillors Biederman, Edmunds, Moore, Prowse and Worden

84. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Luggar.

85. TO APPROVE AS A CORRECT THE MINUTES OF THE MEETING HELD ON 3RD DECEMBER 2018 (ATTACHED)

RESOLVED that the minutes of the meeting held on 3rd December 2018 (circulated previously) be approved as a correct record and signed by the Chairman.

86. LEADER'S ANNOUNCEMENTS

(a) Order of agenda

The Leader requested that due to the number of members of the public in attendance that item 10 be considered prior to item 6 on the agenda.

RESOLVED that item 10 be considered prior to item 6 on the agenda.

(b) Happy New Year

The Leader wished Councillors and Officers a happy and healthy new year.

87. DECLARATIONS OF INTERESTS

The following declarations of interest were announced:

Councillors Barker, Brailey, R. Cann, Edgell, Jones, Lane, Meadlarkin, Moores and Yabsley declared personal interests in item 10 “Compulsory Purchase – the White Hart, Bratton Fleming” as Mr Milton was a member of the Conservative Association.

Councillor Lane declared a prejudicial interest in item 11 “Approval and Release of Section 106 Funds – Greenways Play Area and Blakes Hill Road Play Area” as a Member of Landkey Parish Council.

Councillor Prowse declared a personal interest in item 10 “Compulsory Purchase – the White Hart, Bratton Fleming” as he shared a Great Grandfather with Mr Milton.

88. COMPULSORY PURCHASE - THE WHITE HART, BRATTON FLEMING

The Executive considered a report by the Head of Corporate and Community (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the request for the Council to consider the use of compulsory purchase powers in respect of The White Hart, Bratton Fleming.

The Head of Corporate and Community highlighted the following:

- The Localism Act 2011 introduced the regime relating to Assets of Community Value (ACV). Under this system, community groups can nominate assets that they feel have a community value. If the local authority agree, the asset is included on a list for a period of 5 years. During that time, if the freeholder owner wished to sell the asset, the community group must be given an opportunity to be treated as a bidder.
- The legislation does not impose a duty on the freeholder to sell the asset to the community group and nor does it specify the consideration for any sale.
- The White Hart had been listed as an ACV as a result of its past use as a public house providing community use.
- The freeholder had indicated his intention to dispose of the asset. In turn, the community group indicated that it wished to be treated as a potential bidder. It was unclear what actual negotiations have taken place between the two parties however it was clear that no agreement was likely to be reached on the value of the premises and so it was highly unlikely that a sale to the community group would take place.
- Over the past few years, the owner had submitted planning applications involving elements of residential development which have been refused. The community group remain concerned that the community use would be lost through development at some stage. The latest application had been refused and the owner had submitted an appeal.
- There were various legislative provisions that give a local authority power to compulsorily purchase land and buildings. Guidance on the use of compulsory purchase powers had been issued and this set out some expectations for the exercise of such powers.
- A statement had been received from Mr Milton which had been tabled in relation to the item. The statement referred to “It would seem an inappropriate use of Rate-payers’ money especially as it could turn into a

costly white elephant and I regret that unless members of the community committed real money to the project from inception, I cannot see the “Community” ever stepping forwards to put hands deeply enough into their pockets to meet the cost of purchase, the refurbishment and working capital demanded”. The Head of Corporate and Community confirmed that other Local Authorities such as South Cambridgeshire District Council had considered compulsory purchase to ensure that an asset remained for community use.

- Specific Government guidance had been provided where it was intended to use the powers in order to purchase an ACV.
- Before the Council decided whether to proceed and use its powers, there were clearly a number of issues to consider as set out in the report. In exploring the options, officers would seek further information that would enable any further report to deal with the considerations in full.

In response to questions, the Head of Corporate and Community advised:

- The outcome of the planning appeal would inform any future decision in relation to compulsory purchase. If the appeal was successful, it may change the scope of the decision. The appeal could also affect future valuation of the asset.
- If a decision was made in the future to compulsory purchase the asset, funding would need to be sought from other grant sources or community organisations. This could then be underwritten by the community group.
- The fact that the asset was listed as an ACV was a material planning consideration which the Inspector would consider giving weight to as part of the appeal decision process.

Councillor Prowse addressed the Executive as Ward Member. He advised that the asset was an eye sore and that the situation had been going on for a long time. Mr Milton needed to give access to the property to enable a proper valuation to be carried out. There was a need to take the next step to move the situation forward.

DECISION

That officers explore whether the community group had financial resource to purchase the asset and seek clarification regarding the community use proposals of the asset.

REASON FOR DECISION

To allow officers to seek further information from the community group and to commence preparation for the exercise of those powers in advance of a further report to Executive.

89. COMMUNITY HOUSING FUND - HOUSING NEEDS SURVEYS AND DELEGATED AUTHORITY

The Executive considered a report by the Service Lead Housing Market Balance (circulated previously), the options and/or alternatives and other relevant facts set

out in the report regarding the allocation of funds from the unallocated balance of the Community Housing Fund earmarked reserve.

The Service Lead Housing Market Balance highlighted the following:

- Devon Rural Housing Partnership had been working hard to produce a pipeline of communities that were potentially interested in community-led housing schemes for the future. As part of the initial work with a Parish Council one of the first steps after contact was often to carry out a housing needs survey to make a judgement on the level of affordable housing need in the area and to raise awareness of the issue before work was undertaken.
- For the last three years “Awards for All” funding had been used by Parish Councils to fund Housing Needs Surveys. Unfortunately, due to demand the last three bids have been rejected and it had been confirmed that this source would no longer be available to Parish Councils.
- The Community Housing Fund Board proposed the allocation of the funds from the Community Housing Fund for this purpose. This was essential to establish a pipeline of parishes interested in community-led housing with a proven need for affordable housing. It was proposed that £40,000 from the Community Housing Fund earmarked reserve be allocated to the Community Affordable Housing Grant to fund Housing Needs surveys for the Rural Alliance, Chittlehampton, Georgeham, North Molton, Instow and Westleigh. The remaining amount would cover four to five additional housing needs surveys if necessary.
- The report also recommended that delegated authority be given to the Head of Environmental Health and Housing in consultation with the Executive Members for Health and Wellbeing for the remaining balance of the Community Housing Fund for appropriate revenue or capital items that fit the criteria of the Community Housing Fund that would move forward community-led affordable housing.

In response to questions, the Service Lead Housing Market Balance advised the following:

- All of the outstanding housing needs surveys were ready to be sent out and the whole process would take approximately 3 months. Although the 6 housing needs surveys may need to be staggered.
- The balance of the fund from the Department for Communities and Local Government had been earmarked for sites within the parishes of Morteheo, Lynton and Lynmouth, Parracombe, Combe Martin and Chittlehampton to aid site viability through purchase of land, abnormals or gap-funding to provide social rents. This would take place further on in the process and can take time as community-led rural housing sites can be more challenging to develop due to site value, high levels of site abnormals, protected leaseholds and significant viability issues etc.

DECISIONS

- (a) That £40,000 from the Community Housing Fund earmarked

reserve be allocated to the Community Affordable Housing Grant for Housing Needs Surveys.

- (b) That power be delegated to the Head of Environmental Health and Housing in consultation with the Executive Members for Health and Wellbeing for the remaining balance of the Community Housing Fund for appropriate revenue or capital items that fit the criteria of the Community Housing Fund and move forward community-led affordable housing.

REASONS FOR DECISIONS

- (a) To allocate the Fund effectively to achieve its stated aims “to enable capital investment, technical support and revenue to be provided to make more schemes viable and significantly increase community groups’ current delivery pipelines”.
- (b) To invest in communities and increase rural affordable housing stock.
- (c) To continue the level of progress made on the original 5 parishes working towards community-led housing and generate a continued pipeline of sites.

90. HOUSING INFRASTRUCTURE FUND PROJECT UPDATE: WESTACOTT

The Executive considered a report by the Head of Place (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding an update on the Housing Infrastructure Fund (HIF) Project in relation to the Westacott site.

The Regeneration Manager highlighted the following:

- Since the HIF bid, the Council had continued to work with Homes England, CBRE, Devon County Council and the land promoters/developers to progress this project.
- CBRE visited the site in October 2018. CBRE have since requested additional information and an updated cost appraisal, which was being prepared.
- A conference call between all parties would take place on 9th January 2019 to gain an understanding of Barwood Land’s position.
- CBRE’s report would be presented to Homes England Panel for consideration and to finalise the grant agreement with North Devon Council.
- A letter had been received from the Minister of Housing, Communities and Local Government confirming that there would be a 12 month extension in the grant funding to 2021/22.

- Discussions continued between Planning, Devon County Council and Barwood Land to ensure that the access required for the Westacott Development and the roundabout that forms part of the Link Road project were compatible. A further meeting would take place on 18th January 2019.

In response to questions, the Regeneration Manager advised the following:

- The HIF project only included the Barwood Land.
- Further information would be obtained regarding timescales for the planning decision following the meeting on 18th January 2019.

The Executive requested that an update only be brought back to the Executive when there were any changes to report.

DECISION

That the progress be noted.

REASON FOR DECISION

It was requested that Members be updated on this project on a monthly basis.

**91. HOUSING INFRASTRUCTURE FUND PROJECT UPDATE:
ILFRACOMBE SOUTHERN EXTENSION**

The Executive considered a report by the Head of Place (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding an update on the Housing Infrastructure Fund (HIF) Project in relation to the Ilfracombe Southern Extension.

The Regeneration Manager highlighted the following:

- Since the report to the Executive in November 2018, the Council had received clarification from Homes England on the conditions originally recommended and a revised draft set of conditions had now been received.
- The education contributions for the later phases was not known however Devon County Council had advised that they would currently ask for £4005 per family dwelling together with a land contribution. It was likely to be approximately £1.6m. It was confirmed that only the education section 106 contributions could be recouped and not the entire £6.5m.
- Homes England was satisfied that the timetable for the delivery of the conditions had slipped from 31st December 2018. The Council was working with Homes England regarding realistic timescales which were deliverable.

In responses to questions, the Regeneration Manager advised the following:

- That the proposed location of the new school on the site was in the location that had been approved as part of the phase 1 outline planning permission.
- The HIF project included all three sites.
- The timetable included the delivery of infrastructure in March 2020.

- Devon County Council Officers were engaged in the process.

In response to concerns expressed by Councillor Edmunds, Councillor Yabsley advised that as Lead Member he had referred concerns regarding the timescales for the delivery of the project with the Devon County Council Portfolio Holder and Simon Niles of Devon County Council. He advised that he would keep Councillor Edmunds up-to-date.

DECISION

That the progress be noted.

REASON FOR DECISION

It was requested that Members be updated on this project on a monthly basis.

92. COUNCIL TAX REDUCTION SCHEME 2019/20

The Executive considered a report by the Head of Resources (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the adoption of the Council Tax Reduction Scheme for 2019/20.

RECOMMENDED

- (a) That the Council adopts and continues with the same scheme for 2019/20 financial year to include the uprating of applicable amounts, premiums and non-dependant deductions, as shown in the Council Tax Reduction Scheme;
- (b) That the Equality Impact Assessment in relation to the scheme, as set out in Appendix 1 of the report, and the Council Tax Support Scheme Vulnerability/Incentivising Work Statement as set out in Appendix 2 of the report be noted;
- (c) That the Exceptional Hardship Policy in relation to the Council Tax Support Scheme as set out in Appendix 3 of the report be approved.

REASON FOR RECOMMENDATIONS

To ensure that the Council adheres to the legislative requirements to provide a Council Tax Reduction Scheme for 2019-20.

93. COUNCIL TAX DISCOUNTS

The Executive considered a report by the Revenues and Benefits Manager (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding determination of Council Tax Discounts for the financial year commencing 1st April 2019.

The Head of Resources advised that there was only one change to the scheme for 2019/20. This was in relation to properties that had been unoccupied and substantially unfurnished for over two years. New regulations allowed Local Authorities to increase the empty home premiums and it was proposed that the premium be increased to 200% for 2019/20. For future years, it would be recommended that for 2020/21 that the premium be increased to 300% and for 2021/22 to 400%.

RECOMMENDED

- (a) That the Council makes the following determinations in relation to the classes of dwellings set out below for the financial year commencing 1 April 2019:-
- (i) Class A and Class B

Unoccupied and furnished properties
Set a 0% discount, thereby levying full council tax
 - (ii) Classes A and B do not include any dwelling –
Which consists of a pitch occupied by a caravan or a mooring occupied by a boat
Where a qualifying person in relation to that dwelling is a qualifying person in relation to another dwelling in England, Wales or Scotland which is job related
Which for a qualifying person is job related where that person is a qualifying person in relation to another dwelling in England, Wales or Scotland
 - (iii) Class C
Unoccupied and substantially unfurnished properties
Set a discount of 100%, for up to three months.
 - (iv) For the purpose of Class C, in considering whether a dwelling has been unoccupied for any period, any one period, not exceeding six weeks, during which it was occupied shall be disregarded.
 - (v) Properties which have been unoccupied and substantially unfurnished for over two years, levy the empty home premium of 200% of the normal liability.

REASON FOR RECOMMENDATIONS

To approve the level of discounts to certain properties for the financial year commencing 1 April 2019.

94. APPROVAL AND RELEASE OF S106 FUNDS - GREENWAYS PLAY AREA AND BLAKES HILL ROAD PLAY AREA

The Executive considered a report by the Principal Parks Officer (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the allocation of section 106 public open space funds to two projects in Ilfracombe and Landkey.

The Head of Corporate and Community advised that Councillor Lane did not have to declare a prejudicial interest in this item as Landkey Parish Council was not the applicant for the scheme at Blakes Hill Road Play area, Landkey.

DECISION

- (a) That Executive allocates £38,005.22 towards the following schemes:

Greenways Play Area, Ilfracombe £15,664.80
Blakes Hill Road Play Area, Landkey £22,340.42

RECOMMENDED

- (b) That Council vary the Capital Programme by £38,005.22 as detailed in 2.1 above, and that funds be released, subject to funding agreements upon such terms and conditions as may be agreed by the Head of Corporate and Community Services.

REASONS FOR DECISION/RECOMMENDATION

- (a) To ensure that appropriate funding is transferred into and released from the capital programme.
- (b) To improve public open space facilities for children and young people within the community.

95. APPROVAL AND RELEASE OF SECTION 106 FUNDS - BRAUNTON

The Executive considered a report by the Project, Procurement and Open Space Officer (circulated previously), the options and/or alternatives and other relevant facts set out in the report regarding the allocation of section 106 public open space funds towards a project in Branton.

The Project, Procurement and Open Space Officer confirmed that Heanton Punchardon Parish Council had supported the section 106 contribution from a development in Heanton Punchardon being used in the parish of Branton.

DECISION

- (a) That £8,990 be allocated towards enhancement of the village green, Braunton.

RECOMMENDATION

- (b) That Council be recommended to vary the capital programme by £8,990 and that funds be released, subject to Funding Agreements upon such terms and conditions which may be agreed by the Head of Corporate & Community.

REASONS FOR DECISION/RECOMMENDATION

- (a) To allocate funds in line with the requirements within the S106 agreement.
- (b) To protect and enhance public open space.

Chairman

The meeting ended at 10.59 am

NOTE: The above decisions shall not take effect until the five clear working days have elapsed from the date of publication: Wednesday, 9 January 2019

NORTH DEVON COUNCIL

REPORT TO: EXECUTIVE
Date: 4th February 2019
TOPIC: PERFORMANCE and FINANCIAL MANAGEMENT
QUARTER 3 of 2018/19
REPORT BY: THE LEADER and the EXECUTIVE TEAM

1 INTRODUCTION

- 1.1 This is one of the series of regular quarterly reports on the council's overall operational and financial performance. The report covers financial as well as operational performance. It mainly covers the quarter from October to December 2018.
- 1.2 Sections 4 to 9 deal with headline performance issues. More detailed performance information is available in Appendix 5.

2 RECOMMENDATIONS

- 2.1 That the actions being taken to ensure that performance is at the desired level be noted.
- 2.2 That the contributions to/from earmarked reserves be approved (section 4.2)
- 2.3 That the movements on the Executive Contingency Reserve (section 4.3) be noted.
- 2.4 That council approve the variations to the Capital Programme 2018/19 to 2020/21 (sections 4.4.3 and 4.4.6)
- 2.5 That funds are released for the capital schemes listed in section 4.4.12
- 2.6 That Executive notes the sections dealing with Treasury Management (section 4.5), and Debt Management (sections 4.6 and 4.7).

3 REASONS FOR RECOMMENDATIONS

- 3.1 To ensure that appropriate action is taken to allow the council to meet its objectives.
- 3.2 To inform the Executive of actual results compared to the approved Corporate Plan, as well as progress in delivering service within the revenue budget and Capital Programme

4 PRIORITY – RESOURCES AND ASSET UTILISATION

Councillor RICHARD EDGELL & Councillor GLYN LANE

4.1 Revenue and

- 4.1.1 The revenue budget for 2018/19 was approved at Council on 21st February 2018 at £12.220m.

Agenda Item 6

- 4.1.2 As at 31st December 2018, the latest forecast net expenditure is £12.239m, which is £0.019m over budget. Details are shown in “Appendix-1 Variations in the Revenue Budget” and we anticipate that the small variance can be reduced further throughout the remainder of the financial year.
- 4.1.3 The original budget for 2018/19 included a forecast to achieve £0.200m worth of salary vacancy savings. The current position forecasts this will be exceeded and vacancy savings of £0.225m will be achieved.
- 4.1.4 The “Recycle more” service changes were introduced on the 5th June 2017; the take up of the new garden waste service has exceeded our expectations, 2017/18 saw a total sign up of 17,320. This year’s income is expected to exceed last year’s total by 570 properties.
- 4.1.5 Within the overall £0.019m net budget deficit there are various cost pressures and one-off savings. I am pleased to report that the budget pressures seen within waste and recycling have not increased any further at the quarter 3 forecast. There has been a significant reduction in the forecast planning fee income of £0.159m due to a reduction in the larger applications received, which is in line with other authorities experiencing the same pressure. However I can report that we are forecasting additional Business Rates Retention income of £0.200m over and above the budgeted £1.252m Business Rates growth which has resulted in maintaining the net budget deficit at a similar level reported at quarter 2.
- 4.1.6 The Business Rate retention scheme was introduced in April 2013 which sees Billing authorities receive a ‘baseline’ funding but in addition they are exposed to the risks and rewards of retaining a proportion of the income collected. This exposure is mitigated by participation in the Devon-wide pool that collates all of the Business Rate growth and decline and returns a share of the impact to each local authority. I am pleased to report that there is an estimated one-off additional income from the 100% Business Rates Retention pilot for 2018/19 of £0.750m; this additional income has been earmarked to the following reserves to help fund future projects:
- £0.350m Capital Funding reserve
 - £0.150m Improvement Fund reserve
 - £0.190m Economic Development reserve
 - £0.060m Office Technology reserve
- 4.1.7 At the 31st December 2018 total external borrowing was £1.250m. The timing of any future borrowing is dependent on how the authority manages its treasury activity and due to current low interest rates and reduced returns on investments it is prudent for the Council to ‘internally borrow’ and use these monies to fund the Capital Programme.
- 4.1.8 The recommended level of general fund balance is 5%-10% of the council’s net revenue budget (£0.611m to £1.222m). The forecast general fund reserve at 31 March 2019 is £1.161m, which is a level of 9.5%.

4.2 Earmarked Reserves 2018/19

4.2.1 “Appendix-2 Movement in Reserves & Balances” details the movements to and from earmarked reserves in 2018/19.

4.3 Executive Contingency Reserve

4.3.1 Full details of the Executive Contingency Reserve movements and commitments are attached as “Appendix-3 Executive Contingency Reserve”.

4.4 Capital

4.4.1 The 2018/19 to 2020/21 Capital Programme is attached as “Appendix-4 Capital Programme”.

4.4.2 The Budget and Financial Framework report to Executive 5th February 2018 outlined the Capital Programme for the 2018/19 financial year of £5.900m. Project under spends of £1.522m were brought forward from 2017/18 year and further variations of £1.204m, £0.993m and (£1.836m) were approved as part of the performance and financial management reports to Executive on 4th June 2018, 4th September 2018 and 5th November 2018 to produce a revised Capital Programme of £7.783m.

Agenda Item 6

4.4.3 Further variations of (£2.254m) are proposed to the 2018/19 Capital Programme as follows:

▪ **Other variations (+ and -) to 2018/19 Capital Programme – £631,906**

Scheme	Amount (£)	Notes
S106 Chulmleigh, Projects and Play Areas	88,258	Executive 5 th November
Acquisition of Sub Lease Interest Plot 1 Seven Brethren Bank	400,000	Executive 3 rd December
S106 Greenways Play Area and Blakes Hill Road Play Area	38,005	Executive 7 th January
S106 Braunton, Enhancement of Village Green	8,990	Executive 7 th January
Disabled Facilities Grant	96,653	Additional income

▪ **Project movements to/from future years – (£2,885,837)**

Scheme	Amount (£)	Notes
Disabled Facilities Grants	90,087	From 2019/20 to 2018/19
Wessex Loan and Grant Scheme	(56,573)	From 2018/19 to 2019/20
Barnstaple Bus Station Public Convenience	(52,846)	From 2018/19 to 2019/20
Affordable Delivery Housing Grant	(5,000)	From 2018/19 to 2019/20
Affordable Housing Fund	(90,000)	From 2018/19 to 2019/20
S106 Affordable Housing – Higher Westaway Newton Tracey	(45,000)	From 2018/19 to 2019/20
Provision of Temporary Accommodation	(211,480)	From 2018/19 to 2019/20
Museum Of Barnstaple – Long Bridge Wing	(762,281)	From 2018/19 to 2019/20
Tarka Tennis Artificial Grass Pitch	(850,000)	From 2018/19 to 2019/20
Jubilee Gardens Reserved Car Park Retaining Wall	35,000	From 2019/20 to 2018/19
Resurfacing To Various Car Parks	(45,545)	From 2018/19 to 2019/20
Website Improvement	(5,455)	From 2018/19 to 2019/20
Office Technology Fund	(28,822)	From 2018/19 to 2019/20

Agenda Item 6

Scheme	Amount (£)	Notes
Office Technology Fund	(69,307)	From 2018/19 to 2019/20
ICT Asset Replacement Planning Mobile Devices	(43,734)	From 2018/19 to 2019/20
ICT Improve Back-up And Recovery	(29,602)	From 2018/19 to 2019/20
Water Sports Centre Ilfracombe	(402,456)	From 2018/19 to 2019/20
Vehicle Replacement Programme	(312,823)	From 2018/19 to 2019/20

- **Budget virement (transfer) between projects**

Scheme	Amount (£)	Notes
Barnstaple Bus Station Public Convenience	(2,000)	Budget virement
Replacement Roof – Tea on The Tow	2,000	Budget virement

4.4.4 The revised Capital Programme for 2018/19 taking into account the budget variations above is £5.529m.

4.4.5 Actual spend on the 2018/19 Capital Programme, as at 31st December 2018 is £3.128m.

Agenda Item 6

4.4.6 Further variations of £0.045m and are proposed to the 2019/20 Capital Programme as follows:

▪ **Other variations (+ and -) to 2019/20 Capital Programme – £44,535**

Scheme	Amount (£)	Notes
Tarka Tennis Artificial Grass Pitch	(55,465)	Reduction in costs
Acquisition of Sub Lease Interest Plot 1 Seven Brethren Bank	100,000	Executive 3 rd December

▪ **Budget virements (transfer) between projects**

Scheme	Amount (£)	Notes
Office Technology Fund	(69,307)	Budget virement
ICT Improve Back-up and Recovery	69,307	Budget virement
ICT Asset replacement Planning Mobile Devices	(43,734)	Budget virement
Office Technology Fund	43,734	Budget virement

4.4.7 The overall Capital Programme for 2018/19 to 2020/21 is £12.842m and is broken down as follows:

- 2018/19 £5.529m
- 2019/20 £6.313m
- 2020/21 £1.000m

4.4.8 The Programme of £12.842m is funded by Capital Receipts (£2.349m), External Grants and Contributions (£8.964m) and Reserves (£1.529m).

4.4.9 The timing and realisation of capital receipts can be impacted by events beyond the control of the Council and we have been able to manage cash flows for projects through internal borrowing.

4.4.10 We also have authority to borrow from the Public Works Loan Board (PWLB) as outlined in the Treasury Management Annual Investment Strategy and the Council currently has external borrowing of £1.250m.

4.4.11 Release of Funds – 2018/19 Capital Programme

4.4.12 Once funds have been included in the Capital Programme the Constitution requires a separate decision to release those funds. Accordingly the schemes below need the funds to be released so that spending can start within the following three months:

- Jubilee Gardens reserved car park retaining wall £35,000
- Replacement Roof – Tea on the Tow £2,000
- Disabled Facility Grants £96,653

4.5 Treasury Management

- 4.5.1 Bank Rate remained at 0.75% during the quarter.
- 4.5.2 The average 7 day LIBID (inter-bank bid rate), the Council's benchmark rate at 31st December 2018, was 0.48% (previous year 0.16%).
- 4.5.3 The return earned on the Council's investments was 0.54% (previous year 0.32%).
- 4.5.4 £67,789 investment interest was earned during the three quarter period.
(2018/19 interest receivable budget is £60,000)
- 4.5.5 As at 31st December 2018, the Council had total external borrowing of £1.250m.
- 4.5.6 £20,605 interest was paid at an average rate of 2.03% on the PWLB loans during the three quarter period. (2018/19 interest payable budget is £40,000)

4.6 Debt Management

- 4.6.1 The three major areas of credit income are Council Tax, Business Rates and General Debtors.
- 4.6.2 As billing authority, the Council annually raises the bills for Council Tax (£50m) and Business Rates (£30m).
- 4.6.3 Collection rates are controlled through monitoring:
- the level of write offs
 - levels of previous years' outstanding debt
 - the level of income collection in the year against the annual sums due to be collected.
- 4.6.4 The council's budget is based on the assumption that eventually 97.5% of sums due will be collected. To ensure this level is achieved, year on year levels of write offs approved are controlled against a ceiling of 2.5% of annual debt.
- 4.6.5 The outstanding amounts at 31st December 2018 are as set out below:

Age in Years	Council Tax		Business Rates	
	2017/18 £'000	2018/19 £'000	2017/18 £'000	2018/19 £'000
1 – 2	904	986	327	253
2 – 3	495	519	141	111
3 – 4	307	320	45	73
4 – 5	186	197	58	25
5 – 6	109	118	42	36
Over 6	179	171	45	58

- 4.6.6 Irrecoverable debts from previous years not exceeding £1,500 can be written off with the authorisation of the Chief Financial Officer. Decisions on whether to write off debts

Agenda Item 6

over £1,500 rest with the Chief Financial Officer, in consultation with the Leader of the Council. As at 31st December 2018 the amount of accounts written off was as follows:

Less than £1,500			More than £1,500	
No. of accounts	Amount		No. of accounts	Amount
681	£62,294.51	Council Tax	125	£132,482*
94	£38,630	Business Rates	54	£284,980**
120	£28,973	Housing Benefits	12	£58,821

* £56,762 due to bankruptcy (see section 4.6.8)

** £233,605 due to bankruptcy and company insolvency (see section 4.6.8)

4.6.7 The monitoring of in year collection is carried out against national performance indicators targets of sums collected in year as a percentage of the Net Sums Due for that year.

4.6.8 The majority of the write offs are individual bankruptcy and company insolvency and in a number of cases include liabilities for previous years. In these cases we are unable to recover the debt. However, if at a later date a dividend is paid, the money is allocated to the account and the relevant amount written back on.

4.6.9 The other main reason for write offs is where the person has gone away (no trace). However, write offs are reviewed and where we find the persons contact address the write off is reversed and recovery action continues.

4.6.10 The levels of collection are:

	Achieved 2017/18	Achieved 2018/19
Council tax	83.53%	82.98%
Business rates	83.04%	81.89%

4.6.11 The Authority has received funding from major preceptors to help support the billing and collection of Council Tax and Business Rates which we hope will see an increase in the above collection levels.

4.7 General Debtors

4.7.1 The level of general invoices raised was £5.96m at 31st December 2018 (previous year £4.40m).

4.7.2 A summary of outstanding debt, by age, is set out below with comparison to the previous year.

Agenda Item 6

Age of debt	31 Dec 2017	31 Dec 2018
	£'000	£'000
3 weeks to 6 months	404	438
6 months to 1 year	90	86
1 to 2 years	200	53
2 to 6 years	178	297
Over 6 years	29	19
TOTAL	901	893

4.7.3 In accordance with the Constitution, irrecoverable debts not exceeding £1,500 can be written off with the authorisation of the Head of Financial Services. The Chief Financial Officer, in consultation with the Leader of the Council, must authorise write off of debts over £1,500.

4.7.4 As at 31st December 2018, the amounts written off were as follows:

Number of Invoices	Written offs - £1,500 & under	Number of Invoices	Written offs - over £1,500
98	£21,086	2	£16,397

5 PRIORITY – LOCAL PLAN AND REGENERATION

Councillors PAT BARKER and JEREMY YABSLEY

- 5.1 Barnstaple Pannier Market hosted the 11th North Devon FOODfest in October, showcasing the tastiest treats the district has to offer, with over 70 exhibitors, street food and entertainment.
- 5.2 New sign posts have been installed in Ilfracombe, as part of a joint project with Ilfracombe Town Council to improve tourist links in the town. The new posts direct visitors to places of interest and attractions around the town, such as the High Street, theatre and harbour.
- 5.3 The first joint North Devon and Torridge Local Plan has been adopted and will now shape the future of northern Devon. At a special joint Full Council meeting of both North Devon Council and Torridge District Council in October, councillors from both authorities agreed to adopt the document.
- 5.4 North Devon and Torridge Councils are the first rural authorities in the UK to publish a digital strategy. The joint document, produced with input from a range of public and private stakeholders, recognises the challenges in northern Devon in terms of digital connectivity and seeks solutions to make the area better connected, to drive economic prosperity, opportunity and enhance social inclusion.

6 PRIORITY – THE ENVIRONMENT

Councillor RODNEY CANN

- 6.1 Black and green waste collection rounds have been remodelled to make them more efficient, ready to go live week commencing the 18th February 2019
- 6.2 Research has started into a new bailer for the waste and recycling process hall which will improve the efficiency and health and safety of the recycling process.
- 6.3 Two new refuse trucks have been delivered
- 6.4 A trial of heavy duty recycling sacks has begun in Ilfracombe which aims to see if it can help prevent recycling being blown around the town
- 6.5 Food waste is now being taken to the anaerobic digestion plant in Holsworthy
- 6.6 Christmas collection arrangements worked extremely well this year with the minimum of disruption to our customers.
- 6.7 Fortnightly green waste collections were extended for a further month to include November. Following customer feedback, they are now only monthly in December and January.

7 PRIORITY – HEALTH AND WELLBEING

Councillors DICK JONES and BRIAN MOORES

- 7.1 We received 442 new housing advice and homelessness requests for assistance.

Agenda Item 6

- 7.2 We assessed and completed 411 statutory homeless decisions in the quarter compared to an average of 50 per quarter last year. This is due to the new Homelessness Reduction Act commencing in April 2018.
- 7.3 We accepted homelessness duties to 229 households in the quarter, compared to an average of 22 households per quarter last year. This is due to the new Homelessness Reduction Act commencing in April 2018.
- 7.4 We successfully prevented or resolved homelessness for 188 households in the quarter (a 47% increase compared to the last quarter).
- 7.5 We provided temporary accommodation for 52 households during the quarter period (an increase of 27% compared to the last quarter)
- 7.6 There were 28 households in our temporary accommodation at the end of the quarter (a decrease of 15% compared to last quarter).
- 7.7 We registered 347 new applications on Devon Home Choice (a 31% increase in new applications compared to the last quarter)
- 7.8 We assisted 66 households into social housing vacancies through Devon Home Choice (a 61% increase compared to the last quarter)
- 7.9 Safe Sleep (our overnight provision for rough sleepers) provided overnight accommodation for 65 rough sleepers over the quarter with 17 of those individuals being successfully rehoused.
- 7.10 37 new rough sleeper cases were received in the quarter. 54 successful outcomes were achieved in the quarter.
- 7.11 39 new disabled facility grant applications were received in the quarter and 43 installations were completed.
- 7.12 A new policy was adopted to allow North Devon home owners to benefit from ECO Flex/ECO 3 funding for energy efficiency measures.
- 7.13 A new policy, standards and fees have been adopted to allow the council to implement the government's additional mandatory licensing regime for houses in multiple occupation.
- 7.14 Devon is to receive £475,000 in support of survivors of domestic abuse funded by Ministry of Housing Communities and Local Government (MHCLG). In a joint bid, sponsored by North Devon Council, all Devon districts and Devon County Council got behind Splitz Support Services and North Devon Against Domestic Abuse to attract this latest round of new money.
- 7.15 47 affordable homes were completed in Q3.
- 7.16 16 affordable homes were completed in Q2 (not reported last quarter due to some missing data).
- 7.17 Parracombe Community Trust Limited was registered as a Community Benefit Society – enabled via the Community Housing Fund for their community-led housing project

- 7.18 New swings, a see-saw, a balance agility trail and interactive play equipment have been installed in the Pilton park play area in a £32,000 project to upgrade the facilities.
- 7.19 The play area at Princess Avenue in Ilfracombe is back in full swing following a £45,000 makeover.
- 7.20 North Devon Council has completed a project to revamp the popular play area by removing tired, old equipment and replacing it with new inclusive equipment and a safety surface, using Section 106* contributions from the Shields development.
- 7.21 A new contract has been awarded for the operation of North Devon's theatres. Selladoor Worldwide will be took over the operation of both the Queen's and Landmark theatres in January 2019.

8 PRIORITY – BUSINESS TRANSFORMATION, SERVICE DELIVERY AND PERFORMANCE MANAGEMENT (INCLUDING THE 21:21 BUSINESS TRANSFORMATION PROGRAMME)

Councillors DAVID LUGGAR and GLYN LANE

- 8.1 More services are being digitised to provide more online services. Work on an online temporary events notice is almost complete and once signed off, more licencing forms will be put onto our self-service portal. We are working with planning to get their pre-application process fully digitised. We are working with our software suppliers to provide more self-service via our customer portal.
- 8.2 A further two properties have been purchased for the provision of temporary accommodation
- 8.3 Environmental Health and Housing have had the new ICT desktop refresh rolled out to them
- 8.4 Staff briefings and training is taking place on the council's new violence and aggression policy
- 8.5 Food safety inspections are now taking place on mobile devices so the admin work can be done as the inspection is being carried out. A similar thing will soon be in place for HMO inspections
- 8.6 We are planning to bring in street recycling in the centre of Barnstaple to support the work of the Plastic Free North Devon Consortium
- 8.7 The ipads have arrived to launch the Modern Gov system for the paperless management of the democratic system. No paper agendas will be printed after the next election
- 8.8 Work continues on implementing the new planning system DEF
- 8.9 Work continues on a new legal case management system that will see the service go paperless by May 2019

9 OTHER

Agenda Item 6

- 9.1 Council representatives have been knocking on doors across North Devon to remind residents they need to register to vote.
- 9.2 A joint meeting of North Devon Council and Torrridge District Council heard from a range of health providers and concerned residents about the future of health services in North Devon in November.
- 9.3 North Devon Council's Overview and Scrutiny Committee, together with councillors from Torrridge, invited representatives from the North Devon Healthcare Trust, Devon Partnership Trust, NHS Northern, Eastern and Western Devon Clinical Commissioning Group (CCG) and Healthwatch Devon. Save Our Hospital Services (SOHS), the local pressure group that campaigns to protect our health services, also attended.
- 9.4 Ilfracombe's harbourmaster has picked up an internationally recognised award for services to the port and dredging industry.
- 9.5 Captain Georgina Carlo-Paat received the DPC (Dredging and Port Construction) Magazine Commendation for Services to the Industry Award at a ceremony last month, an achievement which highlights an outstanding individual who has made a positive impact and contribution to the industry.
- 9.6 The North Devon Crematorium has been able to make a charitable donation to the North Devon Children's Holiday Foundation (NDCHF) thanks to its role in a national recycling scheme.
- 9.7 The charity has received £5,000 from the proceeds of the scheme, which enables metals from cremated remains to be safely recycled. The scheme is run by the Institute of Cemetery and Crematorium Management (ICCM) and is only carried out with the consent of the bereaved.

10 Constitutional context

Article and paragraph	Appendix and paragraph	Referred or delegated power?	A key decision?	In the Forward Plan?
7.12	13, para 4.7	Executive power Delegated	No	No

11 Statement of Internal Advice

- 11.1 The authors (below) confirm that advice has been taken from all appropriate Councillors and officers.

12 Background Papers

None

Author: Claire Holm and Jon Triggs

Date: 23rd January 2019

Ref: I:\Projects\Single Report\2018-19 Q3\Q3 Perf & FM - Exec.doc

“APPENDIX-1 VARIATIONS IN THE REVENUE BUDGET”

Service and Cost Area	Qtr 2 £m	Qtr 3 £m	Movement £m
Housing Deposits, Rent in Advance & Repayment	(0.006)	0.001	0.007
Temporary Accommodation	0.020	0.020	0.000
Preventing Repossessions income	(0.010)	(0.010)	0.000
Animal Licence Fees	(0.010)	(0.010)	0.000
Water Sampling	0.000	0.002	0.002
Environmental Health & Housing	(0.006)	0.003	0.009
Revenues & Benefits Grant	(0.050)	(0.060)	(0.010)
Butchers Row income Vacant Units	0.030	0.030	0.000
Public Conveniences	0.000	(0.017)	(0.017)
Water	0.000	0.016	0.016
Various	0.000	(0.002)	(0.002)
Resources	(0.020)	(0.033)	(0.013)
Customer Services Agency	(0.007)	(0.006)	0.001
Museum External income	0.000	0.007	0.007
Member Services employee savings	(0.006)	(0.007)	(0.001)
Corporate & Community Services	(0.013)	(0.006)	0.007
Works & Recycling Employees	0.119	0.124	0.005
Works & Recycling Premises	0.000	0.007	0.007
Works & Recycling Vehicle costs	0.109	0.141	0.032
Works & Recycling Tipping Charges	0.024	0.017	(0.007)
Works & Recycling Bulk Haulage & Sub Contractors	0.007	0.009	0.002
Works & Recycling Trade Waste income	(0.014)	(0.029)	(0.015)
Works & Recycling Recycling Credits	0.012	0.013	0.001
Works & Recycling Savings Sharing Scheme	(0.084)	(0.084)	0.000
Works & Recycling Sale of Recyclable Materials	0.141	0.129	(0.012)
Works & Recycling Garden Waste income	(0.022)	(0.028)	(0.006)
Contribution from Crematorium	(0.020)	(0.020)	0.000
Car Park employees	(0.008)	0.000	0.008
Car Parks Rates	0.000	0.020	0.020
Various	(0.002)	0.002	0.004
Operational Services	0.262	0.301	0.039
Harbour Employee costs	(0.010)	(0.010)	0.000
Harbour Water	0.000	0.012	0.012
HR Various	(0.016)	(0.014)	0.002
Various	(0.002)	(0.009)	(0.007)
Corporate Services	(0.028)	(0.021)	0.007
Economic Development employees	(0.034)	(0.034)	0.000
Planning Employees costs	(0.077)	(0.077)	0.000
Planning Fee income	(0.046)	0.113	0.159
Planning Pre Application income	0.000	(0.014)	(0.014)
Pannier Market employee costs (overtime)	0.000	0.010	0.010
Pannier Market income	0.035	0.050	0.015
CCTV (overtime & agency)	0.002	0.001	(0.001)
CCTV Income	0.000	0.006	0.006
CCTV Equipment	(0.015)	(0.025)	(0.010)
Place	(0.135)	0.030	0.165
Additional Vacancy savings	(0.013)	(0.025)	(0.012)
Business Rates Retention - Additional Income	0.000	(0.200)	(0.200)
Business Rates - Additional Income from Pilot (One-Off)	0.000	(0.750)	(0.750)
Contribution to Earmarked Reserves	0.000	0.750	0.750
Interest Receivable	(0.010)	(0.020)	(0.010)
Interest Payable	(0.010)	(0.010)	0.000
Other	(0.033)	(0.255)	(0.222)
Total	0.027	0.019	(0.008)

“APPENDIX-2 MOVEMENT IN RESERVES & BALANCES”

Earmarked Reserves	Opening Balance 1st April 2018	Transfer to Reserves	Transfer from Reserves (to Capital)	Transfer from Reserves (to Revenue)	Transfer between Reserves	Closing Balance 31st March 2019
Collection Fund Reserve	1,116,557			(422,905)	87,143	780,795
Capital Funding Reserve	226,005	350,000	(85,063)			490,942
Community Housing Fund -Housing Enabling	636,070			(156,050)		480,020
Improvement Programme Reserve	119,025	200,000	(43,226)	(28,463)		247,336
Economic Development Reserve	70,265	190,000		(20,795)		239,470
Repairs Fund	248,300	194,290	(34,859)	(289,290)	112,936	231,377
Office Technology Reserve	103,714	175,000	(53,178)			225,536
Crem Earmarked Reserve	296,591		(138,600)			157,991
Local Plans Fund	147,603	25,000	(21,228)			151,375
Planning Enquiries Fund	146,590	50,000		(68,080)		128,510
Second Homes Council Tax Reserve	125,289					125,289
Crem Equipment Replacement Reserve	120,000					120,000
Council Tax Support Scheme Reserve	160,439			(53,100)		107,339
Digital Transformation Financial Systems	22,558			(13,400)	89,402	98,560
Waste Shared Savings Reserve	90,000					90,000
Executive Contingency Reserve	62,150	79,750	(17,000)	(53,750)		71,150
New Homes Bonus Reserve	94,000		(35,220)			58,780
Tarka Tennis Surface replacement	118,991	8,680	(50,000)	(20,000)		57,671
P C Planned Maintenance Fund	177,936		(12,154)		(112,936)	52,846
CCTV Reserve	50,000					50,000
District Council Election	25,000	25,000				50,000
Land Charges Earmarked Reserve	97,854				(47,854)	50,000
Prevention CLG Grant Reserve	81,133			(35,816)		45,317
Community Consultation	38,383					38,383
Greensweep Replacement Fund	47,000			(9,800)		37,200
Land Charges Personal Search Reserve	37,036					37,036
Self Build & Custom Housebuild	36,356			(3,000)		33,356
Ilfracombe Watersports Centre	25,000	40,000		(35,710)		29,290
Neighbourhood Planning	25,000					25,000
Brownfield Land Registers and Permission	20,130					20,130
Town & Parish Fund	17,544					17,544
Noise Equipment reserve	10,000	2,000				12,000
Community Protection Vehicle Reserve	6,000	6,000				12,000
Habitat Directive Reserve	11,270					11,270
Car Parking Reserve	12,116				(1,337)	10,779
Local Welfare Support reserve	20,541			(10,000)		10,541

Earmarked Reserves	Opening Balance 1st April 2018	Transfer to Reserves	Transfer from Reserves (to Capital)	Transfer from Reserves (to Revenue)	Transfer between Reserves	Closing Balance 31st March 2019
Theatres Reserve	9,466					9,466
Flexible Homelessness Support Grant	9,202			(8,000)		1,202
Devon District Councils Joint Working	1,396				(1,396)	0
Radio link Reserve	7,332				(7,332)	0
IER Funding	21,852			(21,852)		0
HEAT Reserve	13,211			(13,211)		0
General Contingency	4,756			(4,756)		0
Vehicle Renewals Fund	520,000	224,000	(718,000)	(26,000)		0
Leisure Centre Replacement Reserve	52,834			(52,834)		0
Office Accommodation Reserve	40,000			(40,000)		0
Verity Road Signs Reserve	10,000				(10,000)	0
External Professional Services Reserve	8,400			(8,400)		0
Right to Move Reserve	2,834				(2,834)	0
Beach Signs	2,450				(2,450)	0
Business Support Scheme Grant	1,440				(1,440)	0
Landscape Character Assessment Reserve	1,047				(1,047)	0
Major Sports Grants Fund	10,493			(10,493)		(0)
Village Hall Grants Fund	6,389				(6,389)	(0)
Museum Purchases Fund	17,183		(17,183)			(0)
All Weather Pitch	19,787			(19,787)		(0)
Local Authority Mortgage Scheme Reserve	89,402				(89,402)	(0)
West Down Car Park Reserve	538				(538)	(0)
Specialist Domestic Abuse Reserve	104,636			(104,636)		(0)
Museum development fund	16,019		(16,019)			(0)
Homelessness Prevention Programme Reserve	29,068			(29,068)		(0)
Devon Improvement Programme Reserve	4,526				(4,526)	(0)
	5,646,705	1,569,720	(1,241,730)	(1,559,196)	0	4,415,500

Agenda Item 6

“APPENDIX-3 EXECUTIVE CONTINGENCY RESERVE”

Executive Contingency Reserve 2018-19 - Original (9980) (8245)	
Resources Available	£
Balance brought forward 1st April 2018	(62,150)
Budget Contribution to Exec Contingency Reserve 2018/19	(79,750)
	(141,900)
B/F from 2017/18	£
Junction 27 - Economic impacts on North Devon (Exec 3/3/15)	10,000
Watersports Centre, Ilfracombe Exec 5/9/17 (0485/11210)	11,740
Urgent decision - Museum Long Bridge Wing Extension - 22nd March 2018	17,000
2018/2019 Approvals	£
Appointment of Project Manager for Leisure Centre replacement (Exec 8/5/18) 1478/11210	20,000
Town and Parish Fund - Exec 8th May 2018 (1531/12805)	7,510
North Devon Fisherman's Association - Exec 4th June 2018	500
South West Youth Games - Exec 2nd July 2018 1030/12829	4,000
Total Approvals	70,750
Balance Remaining	(71,150)

“APPENDIX-4 CAPITAL PROGRAMME ”

Project

Original Budget 2018/19 £	Spend as at 31st December 2018	Variance
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Original Budget 2019/20 £	Original Budget 2020/21 £	Original Budget 2021/22 £
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Chief Executive and Corporate
Website Improvement
Office Technology Fund - End User Assets and IT Assets in Data Centre
ICT Improve Back-up and Recovery Capabilities
ICT Skype for Business
Replace existing desktop solution

10,500	0	10,500
53,178	53,178	0
0	0	0
0	0	0
5,519	5,519	0
69,197	58,697	10,500

5,455	0	0
95,270	0	0
98,909	0	0
0	0	0
0	0	0
199,634	0	0

Corporate and Community
Museum of Barnstaple - Long Bridge Wing
21:21 (Transformation Project)
Committee Administration System
Legal Case Management System
S106 Contributions - Various projects
Water sports Centre Ilfracombe
Tarka Tennis Artificial Grass Pitch

1,100,000	536,820	563,180
43,226	0	43,226
52,000	6,112	45,888
24,720	0	24,720
509,039	141,321	367,718
75,794	75,794	0
0	0	0
1,804,779	760,047	1,044,732

811,054	0	0
0	0	0
0	0	0
0	0	0
0	0	0
1,402,456	0	0
794,535	0	0
3,008,045	0	0

Project	Original Budget 2018/19 £	Spend as at 31st December 2018	Variance	Original Budget 2019/20 £	Original Budget 2020/21 £	Original Budget 2021/22 £
Environmental Health & Housing						
Affordable Housing delivery Grant	0	0	0	5,000	0	0
Affordable Housing Fund	0	0	0	90,000	0	0
S106 Affordable Housing - Higher Westaway, Newton Tracey	0	0	0	45,000	0	0
Wessex Loan and Grant Scheme	0	0	0	56,573	0	0
Disabled Facilities Grant Programme	1,000,000	569,760	430,240	710,272	0	0
Provision of temporary accommodation	704,608	682,808	21,800	495,392	0	0
Affordable Housing 16 Castle Street	5,841	2,995	2,846	0	0	0
	1,710,449	1,255,563	454,886	1,402,237	0	0
Operational Services						
Works Unit Vehicles	911,176	800,177	110,999	312,823	0	0
	911,176	800,177	110,999	312,823	0	0
Place						
Land Release Fund - Highways	200,000	7,154	192,846	1,000,000	0	0
Land Release Fund - Flood Defence	0	0	0	0	1,000,000	0
Replacement Planning ICT system	21,228	12,920	8,308	44,363	0	0
	221,228	20,074	201,154	1,044,363	1,000,000	0

Project	Original Budget 2018/19 £	Spend as at 31st December 2018	Variance	Original Budget 2019/20 £	Original Budget 2020/21 £	Original Budget 2021/22 £
Resources						
Barnstaple Bus Station PC	25,924	17,082	8,842	52,846	0	0
Town Station - Pathfield School	18,013	18,013	0	0	0	0
Planned Maintenance	1,580	1,580	0	0	0	0
Marine Drive Car Park Resurfacing - Ilfracombe	12,174	12,174	0	65,000	0	0
Coastal Protection & Shoreline Mgt Plan	0	0	0	7,658	0	0
Winter Storm repairs - Environment Agency	0	0	0	13,206	0	0
Ilfracombe Harbour - Kiosks	132,595	0	132,595	0	0	0
Jubilee Gardens reserved car park retaining wall	35,000	550	34,450	0	0	0
Resurfacing to various car parks	50,063	50,063	0	106,984	0	0
Replacement roof - Old Bus Station - Tea on the Taw	37,185	34,251	2,934	0	0	0
	312,534	133,713	178,821	245,694	0	0
Resources - Non Treasury						
Acquisition of Sub Lease Plot 1 Seven Brethren	400,000	0	400,000	100,000	0	0
Surrender in the long leasehold interest in Gaydon Street Dairy	100,000	100,000	0	0	0	0
	500,000	100,000	400,000	100,000	0	0
	5,529,363	3,128,271	2,401,092	6,312,796	1,000,000	0

Appendix 5

Table A: High level status of all service plan actions tracked on Pentana (was Covalent)

	Completed	Overdue	Cancelled	Not due	Total
Totals	340	37	36	40	453
Completed since the last report included in the total	26				

Table B: Service plan actions that have been cancelled since 1 October – 31 December 2018 authorised by SMT

Action	Reason
Works & Recycling W&R 01 16/17 Waste Services Review	This action is a duplication of OS W&R 02 18/19 Recycle More Project.
W&R 03 16/17 Improve Workforce Environment	This action is just part of the day job.
W&R 13 16/17 Community Clean up events	This action can be removed as this is now the day job, not a new initiative.
Human Resources HR 03 16/17 Health, safety and wellbeing organisational assessment	This action will now be absorbed into the Wellbeing Strategy, which is a new action for the 2019/20 Service Plan process.
Economic Development ED 03 15/16 Roundswell, Barnstaple New Employment Land South of Page 39	This action has been cancelled as this project is led by DCC and not within our control.
ED 04 15/16 Attract investment in retail and leisure offer of the town Page 32	This action probably underpins a lot of what we do but is fairly vague and difficult to measure.
ED 04 16/17 North Devon Innovation Centre Roundswell, Barnstaple	This action has been cancelled as this is has been included in Roundswell and led by DCC
ED 09 15/16 Support Wave Hub to deliver Tidal Demonstration Zone off Lynmouth	This action probably underpins a lot of what we do but is fairly vague and difficult to measure.

Service Plan Actions (26) completed since 01 October – 31 December 2018

Action	Closure Note	Due Date	Completed Date
Economic Development CE ED 02 17/18 Joint Northern Devon Tourism Strategy	Sally Nelson Closure Note: Action completed.	30-Sep-2018	27-Nov-2018
Human Resources CE HR 01 18/19 Works & Recycling projects	Some progress made on capability negotiating with Unison re Capability Matrix and potential solutions for a Saturday following a Bank Holiday.	31-Mar-2019	19-Nov-2018
CE HR 02 17/18 Works & Reccyling projects (to further discuss with W&R management)	Closure Note: This action has now been closed as this now forms part of the business as usual function.	30-Apr-2020	19-Nov-2018
CE HR 02 18/19 Holiday pay	Making good progress, have figures from payroll just exploring with Unison, 4 or 5.6 weeks and how far back we may be prepared to go in terms of back pay.	30-Apr-2019	19-Nov-2018
CE HR 05 17/18 Holiday Pay	Closure Note: This action has now been completed.	31-Dec-2018	19-Nov-2018
Planning CE P 01 17/18 Adopt the North Devon and Torrridge Local Plan.	Closure Note: Adopted.	31-Dec-2018	17-Dec-2018
H&H Cross Service Strand CSS 01 15/16 Review compliance with the Openness of Local Government Bodies Regulation 2014	The EHHS delegated authority spread-sheet has now been amended with the latest updates to the animal welfare legislation which were brought into effect on 1 October 2018, and the Licensing Team have been re-issued with their individual delegations. Customer Services staff (relevant members only) have now been issued delegated authorities for the work they undertake in respect of licensing, and in this instance delegations surrounding renewals of hackney carriage and private hire vehicles, and their drivers. Veterinarians appointed to undertake inspections of animal welfare establishments, particularly riding stables and dog breeders have now been delegated authority under the updated legislation. Further updates have been undertaken to the over-arching delegated authority spread-sheet and it is significantly more comprehensive; legislation has been updated throughout. The position with the spread-sheet is now one of on-going maintenance, hence the decision to sign off this piece of work.	30-Sep-2018	26-Nov-2018

Service Plan Actions (26) completed since 01 October – 31 December 2018

	I have discussed the position with Bev Triggs, Member Services, who also needs to keep a record of delegated authorities. A decision has been made to locate a shared restricted folder on the Corporate drive that we can both access, this will a. reduce duplicity of information held on our IT systems and b. ensure that Member Services always have the most up-to-date information available at any given time.		
Economic Development ED 02 15/16 Mill Road/Pottington master planning for redevelopment	This project is now included under Growth in the 2019/20 Service Plan.	31-Dec-2018	17-Dec-2018
ED 06 15/16 Support delivery of Phase 4 extension to Pathfields Industrial Estate, South Molton	Sally Nelson Closure Note: Complete and closed.	31-Dec-2018	27-Nov-2018
Environmental Health & Housing EH&H 02 17/18 Greater focus on efforts to prevent homelessness	Recruitment to the options team is now complete. Current and future interventions will now be set by a new NDC Homelessness Strategy which is scheduled to be adopted in Q2. External professional support is currently being procured to support the production of this document.	31-Dec-2018	22-Nov-2018
EH&H 06 17/18 Establish a direct access/emergency hostel	New grant funding has allowed the Council to commission Safe Sleep at the Freedom Centre in Barnstaple until the 31st March 2019. The grant has also increased the pathway for individuals needing both high needs (housing first) and low needs supported accommodation.	31-Mar-2019	22-Nov-2018
Environmental Health & Housing Licensing EH&H L 01 18/19 DEFRA proposes to introduce secondary legislation under the Animal Welfare Act 2006, which would introduce a single 'Animal Establishment Licence'	New policy, fees and delegations adopted on the 26th September 2018.	31-Dec-2018	22-Nov-2018
EH&H L 02 18/19 Review of Gambling Act 2005 Statement of Principles issued under s349 of the Gambling Act 2005	New policy approved at FC 20th November 2018	07-Jan-2019	22-Nov-2018
EH&H L 03 18/19 Review of Licensing Act 2003 Policy in accordance with s5 of the Licensing Act 2003	New policy approved at FC 20th November 2018	03-Jan-2019	22-Nov-2018

Service Plan Actions (26) completed since 01 October – 31 December 2018

Environmental Health & Housing H 02 15/16 Homeless prevention	New Private Sector Access Scheme being delivered in house thro' the appointment of dedicated EH/H staff. New deposits scheme introduced and delivery significantly higher rates of recovery.	31-Mar-2019	22-Nov-2018
Human Resources HR 02 16/17 Review training provision	Closure Note: This is now an annual task/output, following the completion of all appraisals.	30-Jun-2018	19-Nov-2018
Works & Recycling OS W&R 01 17/18 Recycle More Project Waste Recycling Round Review	Recycle rounds Completed by AD (Using Webaspx). Implemented in October 2018. No major issues. Action complete.	31-Oct-2019	23-Nov-2018
OS W&R 01 18/19 Vehicle Workshop Review	Review completed. New structure in place. JD's reviewed. Pay increased. Staff recruited.	30-Apr-2019	23-Nov-2018
OS W&R 03 18/19 Workforce improvement	Workforce review regarding capability process complete. Some staff contracts ended. Vacancies recruited. Virtually at full strength now.	31-Dec-2018	23-Nov-2018
OS W&R 04 17/18 Improve Workforce Engagement	This was completed as part of the Bartec purchase/Introduction.	30-Apr-2020	23-Nov-2018
OS W&R 04 18/19 Cleansing Service - Street Sweeping Review	Action complete. Sweeping review carried out by Supervisors. Staffing levels at optimum level. New vehicles purchased and in service.	30-Sep-2018	23-Nov-2018
OS W&R 05 18/19 Cleansing Service - Toilet Cleaning Review	Review carried out. Staff levels reviewed and satisfactory. Vehicles currently mid life. Process satisfactory.	30-Sep-2018	23-Nov-2018
OS W&R 07 17/18 Cleansing Service - Litter Bins	Litter bin audit carried out. New stock of bins ordered (that we could afford with budget). Fitting taking place.	30-Sep-2018	23-Nov-2018
Planning P 07a 15/16 To adopt the Joint Local Plan	Closure Note: Adopted.	31-Dec-2018	17-Dec-2018
Works and Recycling W&R 02 16/17 Improve Recycling Rates	No closure note.	30-Apr-2020	23-Nov-2018
W&R 09 16/17 Bulky Waste	Bulky waste prices, staffing levels and vehicle reviewed and updated.	01-Apr-2019	23-Nov-2018

Table D: Actions where Heads of Service have requested a revision to the due date and these have been approved by SMT – 01 October – 31 December 2018,

HoS	Code	Description	Current due date	Revised due date or cancellation of action or other change	Reason & (if applicable Officer) requesting this change
Ricky McCormack	W&R 01 18/19	Vehicle Workshop Review	31-Aug-2018	30-Apr-2019	PAG Bid completed and ready to be submitted.
Ricky McCormack	W&R 01 18/19	Recycle More Project	30-Jun-2018	30-Apr-2019	Recycling changes to go live 01 October 2018. Green and black round changes to be implemented February 2019.
Ricky McCormack	PARK 06 16/17	Waste Services Review	30-Mar-2018	30-Jun-2019	This action is a duplication of OS W&R 02 18/19 Recycle More Project.
Ricky McCormack	W&R 09 16/17	Bulky Waste	30-Jun-2018	30-Apr-2019	Now looking to outsource this service. Report going to Executive December 2018.
Ken Miles	C&C C&CS 01 18/19	Introduce new online consultations and engagement software system	31-Jul-2018	31-Mar-2021	Currently on hold due to the implementation of Modern.gov IT software. Request for the target date to be revised to March 2021. The action will be included within the service plan for 2019/20.
Ken Miles	C&C C&CS01 17/18	Introduction and roll out of IT tablets for Councillors to access agenda and minutes for formal meetings of the Council (linked to C&C 02 16/17) or an in-house solution to be obtained)	31-Oct-2018	31-May-2019	EOT to align with the election process in May 2019. A demo of Modern.gov was held on 23/4/18 which Political Group Leaders, SMT and other officers attended whereby positive feedback was received from attendees. A business case has been forwarded to the Project Appraisal Group for scoring and inclusion within the Quarter 4 Performance report to be considered by the Executive on 4/6/18 and then on to Council on 25/7/18.
Jeremy Mann	H 06 16/17	To meet the needs of Gypsy and Travellers	30-Sep-2018	31-Mar-2020	Planning consultant's draft report considered and response provided by Planning Service. Awaiting consultant's further report. Planning estimate November but no set timescale provided from Planning. Further update to be provided by end of Jan 2019.

Table D: Actions where Heads of Service have requested a revision to the due date and these have been approved by SMT – 01 October – 31 December 2018,

					As we need to work with stakeholders to agree use of land and understand the needs of the Gypsy & Travelling community to provide such needs on the land a request is made for a revised due date
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Table E: Outstanding Service Plan Actions (37)

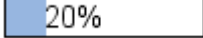



Code	Description	Progress Bar	Latest Note	Original Due Date	Due Date
Customer & Corporate Communications C&C C&C 02 18/19 Communications & Customer Support for round remodelling	Communicating day changes and ensuring customer services staff are equipped with the information for customers		15-May-2018 Extension of Time approved by SMT: The remodelling has been postponed to gauge the number of potential new customers signing up for the green waste service. New due date 30 November 2018.	30-Apr-2018	30-Nov-2018
C&C C&C 04 18/19 Train investigating officers on the new Pentana feedback module	Train officers in how to process and respond to customer feedback using Pentana			31-Dec-2018	31-Dec-2018
Legal C&C L 01 17/18 Review Delegated Powers	No BC or PID required		12-Feb-2018 Approved extension of time for due date: SMT & O&S approved a revision to the due date to December 2018. Addition comments: Dependent on overall project being run by Corporate & Community Support.	31-Dec-2017	31-Dec-2018
C&C L 01 18/19 Implementation of GDPR (training, on-going advice, updating policies, procedures and guidance notes).	-- enter action details here --			31-May-2018	31-May-2018

Table E: Outstanding Service Plan Actions (37)

<p>C&C L 03 17/18 Investigate / complete purchase of polygons of land in Council ownership</p>	<p>Investigate polygon requirements of the council. (Invite Land Registry to present available options to senior management, then complete purchase of identified polygon set). Business Case was provided as part of Land Registration Project</p>	<p>0%</p>	<p>12-Feb-2018 Approved Extension to due date: SMT & OS approved a revised due date of December 2018. Additional Comments: Land Registry have introduced an enhanced range of free public data. Polygon requirements are dependent on progress with the Land Registration project.</p>	<p>31-Dec-2017</p>	<p>31-Dec-2018</p>
<p>Customer & Corporate Communications CCC 01 16/17 (Under ICE Project) Review F2F service delivery across our one stop shops</p>	<p>Review F2F services to ensure value for money and efficiency – Amory Centre and Ilfracombe Centre</p>	<p>90%</p>	<p>24-Oct-2016 Amory Centre surrender drafted and awaiting signing. If paying half towards signposting. B'ple staffed flexibly so staff can be brought back and forth from phones/front desk according to demand.</p>	<p>31-Dec-2018</p>	<p>31-Dec-2018</p>
<p>Customer & Corporate Communications CCC 02 16/17 (Under ICE Project) Use journey and process mapping to reduce interactions to CS by improving back office services i.e W&R assisted collections</p>	<p>Use first point of contact data and experience to identify service improvements and efficiencies, highlighting these to SMT monthly</p>	<p>20%</p>	<p>24-Oct-2016 Now part of a corporate wide project.</p>	<p>31-Dec-2018</p>	<p>31-Dec-2018</p>
<p>Elections CE E&LC 03 18/19 Household Canvass</p>	<p>Household Forms to 46,000 households to collate information for New Register of Electors to be published on 1st December 2018</p>	<p>0%</p>	<p>14-Feb-2018 Additional Information: Cost to be met by budget and cabinet office funding (if received).</p>	<p>30-Nov-2018</p>	<p>30-Nov-2018</p>
<p>Economic Development CE ED 01 17/18 Establish appropriate governance structures to deliver Barnstaple development projects</p>	<p>2018/19: Proposal to Executive. Establish regeneration board/steering group or similar. Deliverable masterplan for Barnstaple with key sites being delivered for regeneration, improvement, and/or housing including car parking: * North Walk * Belle Meadow</p>	<p>50%</p>	<p>27-Nov-2018 Included within Growth</p>	<p>30-Jun-2017</p>	<p>30-Jun-2018</p>

Table E: Outstanding Service Plan Actions (37)

<p style="text-align: center;">Page 39</p>	<p>* Cattle Market car park * Queen Street / Bear Street. * Mill Road / Pottington / Pilton Park. * Seven Brethren (specific project has commenced see 2016/17 action relating to specific 7BB project. OPE funding of £75k for Barnstaple and Ilfracombe site assessment / master planning work. Undertake Barnstaple masterplan. Car parking study now completed. Overarching Flood Study completed. identify key projects and agree programme to deliver. PID required if any NDC site is evaluate as suitable to host development. Undertake site specific work to deliver (mini-masterplans. SDBs/SPDs, marketing, investor engagement, de-risking work). Secure additional external funding where available. 2017/18: Agree approach with key members.</p>				
<p>CE ED 01 18/19 North Devon Growth - Post 2031 Establish a Plan for Growth</p>	<p>Plan for more significant levels of housing and employment growth through innovative and sustainable new communities with the support of partners. Specifically: Instil a culture of growth at NDC. Develop an ambitious vision. Agree appropriate governance.</p>	<p style="text-align: center;">10%</p>	<p>14-Feb-2018 Additional information: LGA grant of £7k secured to support work up to end June 2018. (Vision and agreed programme route map). BID submitted for £100k to support studies / master planning / data etc beyond the point.</p>	<p>30-Jun-2018</p>	<p>30-Jun-2018</p>

Table E: Outstanding Service Plan Actions (37)

	Establish a programme / route map with defined tasks and milestones. Undertaken relevant studies and masterplans.				
CE ED 05 18/19 Up to date Strategic Economic Framework	<p>* Economic Strategy * Inward Investment Strategy * Digital Strategy (new) * Tourism Strategy - identified in an earlier service plan</p> <p>Joint with TDC to cover Northern Devon. Use of internal and ND+ resource. Establish steering group to include key stakeholders already engaged in agendas (Petroc ,ND+ and LEP).</p>	<input type="text" value="0%"/>	14-Feb-2018 Additional Information: Links to Growth Agenda.	30-Sep-2018	30-Sep-2018
<p>Electoral CE ES&LC 04 17/18 Neighbourhood Planning Referendums.</p>	To deliver Planning Referendums as and when.	<input type="text" value="0%"/>	19-Jan-2017 Cost to be calculated, cost to be met by Neighbourhood Referendum funding.	31-Dec-2018	31-Dec-2018
<p>Information, Communication & Technology CE ICT 01a 17/18 Replace V Workspace (our application and desktop virtualisation software product & associated licences</p>	Procurement exercise. PAG Bid required.	<input type="text" value="75%"/>	12-Dec-2018 All of BEC & now some of Lynton House (except PCs) moved to new world.	31-Dec-2017	30-Nov-2018
<p>Planning CE P 02 17/18 Explore options to facilitate sustainable growth beyond plan period.</p>	Review of Local Plan and options for sustainable growth (for example, new growth hub / new settlements / incremental expansion of existing settlements).	<input type="text" value="0%"/>	24-Jan-2017 The identified work will be undertaken as part of the review of the Local Plan in partnership with TDC and possibly DCC / LEP. It will also need to recognise the Neighbourhood Planning agenda.	30-Sep-2018	30-Sep-2018

Page 10

Appendix A

Agenda Item 6

Table E: Outstanding Service Plan Actions (37)

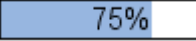

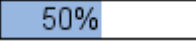

<p>CE P 07 17/18 Complete review of business processes to ensure external customer focus.</p>	<p>Work has been substantially completed on reviewing core business activities with associated training notes. However, a further review is now required to demonstrate specific engagement with the customer.</p>		<p>03-Aug-2018 30 July 2018: SMT approved and Extension of Time: All 'As Is' processes have been mapped and the first 'Could Be' process for pre-applications has been completed. Approved EoT now December 2018.</p>	<p>31-Dec-2017</p>	<p>31-Dec-2018</p>
<p>Pannier Market CE P M 01 17/18 Plan for improved use of Pannier Market space and environment</p>	<p>2018/19 SP: Title revised to "Review landholding in and around pannier market (offices, toilets. Corn Exchange, cafe. Market Street toilets. Slaughterhouse. Youth House and develop options. Link with Review Operating model for Pannier Market." 2017/18: Assess current condition and usage of spaces. Understand demand and opportunities. Liaise with adjacent landowners / leases. Develop plan around site with income potential.</p>		<p>14-Feb-2018 Approved extension of time: SMT & O&S approved a new due date of September end 2018. Additional information: £30k budget for surveys and architects fees.</p>	<p>31-Mar-2018</p>	<p>30-Sep-2018</p>
<p>Cemetery CE M 01 15/16 "Memorial Safety Memorials identified failed testing need to be made safe"</p>	<p>Business case for funding to deliver project</p>		<p>24-Sep-2018 RMcM: Work is still not fully completed.</p>	<p>31-Dec-2016</p>	<p>31-Jul-2018</p>
<p>CE M 01 16/17 "Phase 2 Memorial Safety Memorials identified failed testing need to be made safe"</p>	<p>Business case for funding to deliver safety of memorials</p>		<p>15-May-2018 SMT Extension of Time Request : September 2018 RMcM Testing is taking place. A new report is to be presented in August 2018.</p>	<p>01-Dec-2017</p>	<p>30-Sep-2018</p>

Table E: Outstanding Service Plan Actions (37)




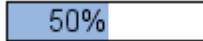
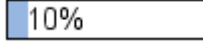
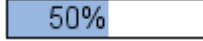
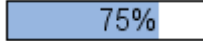

CEM 02 15/16 Extension to Marlborough Road Cemetery	Business Case		24-Sep-2018 RMcM: This has been delayed due to the land owners' questioning how the value of the land is to be calculated.	30-Mar-2018	31-Jul-2018
CEM 02 16/17 Extension to Marlborough Road Cemetery	Business case		18-Mar-2016 This is high risk. Insufficient funds and existing is coming to full capacity. Now on Risk Register	31-Dec-2018	31-Dec-2018
CEM 03 16/17 Increase burial prices in line with neighbouring services	Monitor neighbouring prices and propose increase when appropriate		18-Mar-2016 Review has been conducted 2015. Review again in 2 years.	31-Dec-2018	31-Dec-2018
Economic Development ED 03 16/17 Strengthen Town Centre Partnership model - increase engagement, income and develop action plan	Delivered by town centre manager and key members of TC board.		14-Feb-2018 Approved Extension of Time: SMT & O&S approved a revised due date of December end 2018.	31-Mar-2016	31-Dec-2018
Legal LO3 16/17 Case Management System	Business Case required		09-Feb-2018 Approved Extension of Time to due date: SMT & O&S approved a revision to the due date of December 2018.	30-Jun-2017	31-Dec-2018
O 03 16/17 Effective and Coordinated management of the bus station	External management of the facility		14-May-2018 SMT approved an extension to time: 31 December 2018. On-going further meetings to discuss lease arrangements to take place with Stagecoach.	30-Jun-2017	31-Dec-2018
Planning P 01 16/17 Review Business Processes for Application Determination and S106 Agreements	Review Business Processes for Application Determination and S106 Agreements to include appropriate arrangements with internal and external consultees (in particular, DCC Legal Services).		02-Aug-2017 Previous note refers; business process has been reviewed and mapped and is in operation by development management staff.	30-Jun-2017	30-Jun-2017
P 05 16/17 Explore options for growth	Explore options for growth through growth points or incremental expansion.		15-May-2018 SMT approved an extension of time until June end 2018: Conclusions expected by that date.	30-Apr-2017	30-Jun-2018

Table E: Outstanding Service Plan Actions (37)

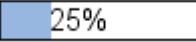
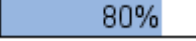
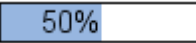


<p>P 07b 15/16 To adopt the Traveller Accommodation DPD and make the relevant pitch provision</p>	<p>2018/19 Revised Description: Prepare and adopt a joint North Devon and Torridge Traveller site allocations DPD</p>		<p>08-Feb-2018 No extension of time was submitted to SMT or O&S for this action so the due date remains at 31 March 2018. Additional Comments: A joint 'call for sites' has been undertaken and a consultant is assessing the suitability of potential sites. Cost savings from joint presentation.</p>	<p>30-Apr-2017</p>	<p>31-Mar-2018</p>
<p>P 07c 15/16 To implement the Community Infrastructure Levy charging schedule</p>			<p>06-Jun-2017 Extension of Time Request: Original due date February 2016 new due date requested March end 2018.</p>	<p>29-Feb-2016</p>	<p>31-Mar-2018</p>
<p>P 07d 15/16 To prepare associated supplementary planning documents, including development briefs</p>			<p>06-Jun-2017 Extension of Time Request: Original due date 30 April 2017 request to change to April 2018. A number of SPD / DPD documents are identified in the LDS to the emerging Joint Local Plan (for example, Affordable Housing and Gypsy and Traveller Accommodation) the these are each being progressing in accordance with individual timetables and the reason for an extension of time.</p>	<p>30-Apr-2017</p>	<p>30-Apr-2018</p>
<p>Parking PARK 07 15/16 End of contract for Payment by mobile phone service for paying for parking</p>	<p>Business case required</p>		<p>23-Jan-2017 To look for a service that provides more flexible approach and that could reduce the cost of the service for the customer. Must be PSI compliant. Looking at alternative P & D machines which may not require mobile phone payment, delay objective for 12 months. The extension of time for this action was agreed as part of the service planning process 2017/18. Approved by SMT & O+S.</p>	<p>30-Apr-2016</p>	<p>31-Dec-2018</p>
<p>Parks, Leisure & Culture PL&C 15 15/16 Build major extension to the museum</p>	<p>If stage 2 HLF application is successful and other external funding is secured, construction</p>		<p>09-May-2017 HLF stage 2 funding secured. Coastal Communities Funding</p>	<p>30-Mar-2018</p>	<p>30-Sep-2018</p>

Table E: Outstanding Service Plan Actions (37)

	will commence in Sept 17. Construction due for completion Sept 18. Decision on JLF stage 2 application is expected in April 2017.		application for £500k successful. Building work due to now start in January 2018		
Pannier Market PM 01 16/17 Review operating model in Pannier Market. Review offer & business model.	2018/19: Research town centre and market trends and investments in UK, analyse Barnstaple offer, trader mix and income etc. Develop options for discussions and agreement. Potential to digitise market. Identify capital works / refurbishment required. 2016/17: Delivered by Economic Development team. No PID or Business Case required.	0%	14-Feb-2018 Additional Information: Object is for the market to break even as a minimum. Explore concept of fully digital market. Capital improvements depending on business plan.	31-Mar-2017	30-Sep-2018
Resources R 03 17/18 Increase usage of Corporate E-procurement system	Liaising with service areas with an aim to Increase the number of purchase orders being placed through E-procurement system and review of financial policies	0%	09-Feb-2018 Approved revision to due date: SMT & O&S approved new due date of 31 December 2018. Additional Information: Currently 34% of all payments made have a PO from E-procurement system; initial aim is to get this over 50% level. Links to R 02 17/18 above and will follow this project thus why date extended to December 2018.	31-Mar-2018	31-Dec-2018
R 03 18/19 Upgrade of R&B ICT Software to improve customer experience	Upgrade of current ICT system (Civic Open Revenues) and review of customer processes.	0%	09-Feb-2018 Order placed September 2017.	31-Dec-2018	31-Dec-2018
R 06 17/18 Update of Strategic Asset Management Plan	Drafting of Asset Management Plan 2017; health check of current TF asset system with view of increased utilisation	25%	09-Feb-2018 Approved extension of time to due date: SMT & O&S approved a revision to the due date of 31 December 2018. Additional Information: Estates Officers and Economic Development Manager	30-Sep-2017	31-Dec-2018

Table E: Outstanding Service Plan Actions (37)

			attended CIPFA workshop. internal project team being formed for January 2018. New plan to incorporate strategic investment and link to growth agenda.		
R 08 17/18 North Devon Crematorium refurbishment of existing chapel	Funding agreed by North Devon Crematorium Joint Committee	0%	09-Feb-2018 Approved extension of time to due date: SMT & O&S approved a change to the due date of 31 December 2018. Additional Comments: £160k funding approved by NDC Joint Committee.	31-Mar-2018	31-Dec-2018
Estates V&EM 01 16/17 Disposal of assets, Bicclescombe Nursery, Mill Road Depot, Phase 2&3 Surplus Assets Disposals Identify and dispose of surplus assets to maximise capital receipts (Phase 1 complete)	Executive Report	10%	14-May-2018 SMT and O&S approved a revised due date as part of the 2017/18 service plan process, of 30 September 2018.	31-Mar-2018	30-Sep-2018

51

Table F: Key Performance Indicators : Last year's data + this year's results

PI Code & Short Name	Performance Data Q1 2017/18& 2018/19	Performance Data Q2 2017/18& 2018/19	Performance Data Q3 2017/18 & 2018/19	Performance Data Q4 2017/18 & 2018/19	Year End Target	Year End Result	Current Target	Latest Note & History
Planning								
NI 155 Number of affordable homes delivered (cumulative ¹)	19	37	63	131		131	41	Annual figures have been slightly revised: 42 / 16 / 42. Plus 3 Local Needs not reflected in the performance data.
	42	58	42					
NI 157a Percentage of major applications processed within 13 weeks	22	30	30	75	45	39.25	45	
	61	100	85		45			
NI 157b Percentage of minor planning applications processed within 8 weeks	81	71	77	95		78.5	75	
	95	97	95					
NI 157c Percentage of other applications processed within 8 weeks	88	89	87	97	85	90.25	85.00	
	98	99	99			90.25		
Waste & Recycling								
L82(i) Total percentage domestic waste recycled or composted	48.22	50.21	46.9				46.00	Quarter 3 figures not yet available
	49.16	48.6						
Finance								
BV8 Percentage of invoices paid on time	97.76	97.74	97.24	96.72	97	97.37	97.00	
	97.39	96.13	95.99		97	97.37		
	29.11	56.48	83.53	97.03	98.00	97.03		

¹ NI 155 changed from Gross to Cumulative

BV9 Percentage of Council Tax collected	28.81	56.14	82.98		98.00		98.00	
BV78a (M) Speed of processing - new Housing Benefit/Council Tax Benefit claims	20.1	20.2	18.6	22	28.0	20.23		
	23.2	24.7	19.6		28.00		28.0	
BV10 Percentage of Non-domestic Rates Collected	32.11	58.11	83.04	97.96	99.05	97.96		
	32.14	57.31	81.89		99.05		99.05	

PI Code & Short Name	Performance Data Q1 2017/18 & 2018/19	Performance Data Q2 2017/18 & 2018/19	Performance Data Q3 2017/18 & 2018/19	Performance Data Q4 2017/18 & 2018/19	Year End Target	Year End Result	Current Target	Latest Note & History
Property & Technical								
L728 Percentage of the gross internal area of the investment estate currently let	95.31	95.40	95.31	95.40				
	95.40	95.40	95.40					
L168 Income per car park P&D ticket	July 1.78	Sept 1.68	Dec 1.52	April £1.63				
	July 1.72	Sept 1.71	Dec 1.59				1.78	

PI Code & Short Name	Performance Data Q1 2017/18 & 2018/19	Performance Data Q2 2017/18 & 2018/19	Performance Data Q3 2017/18 & 2018/19	Performance Data Q4 2017/18 & 2018/19	Year End Target	Year End Result	Current Target	Latest Note & History
Building Control								
L300 Building Regulation Full Plan applications determined in 2 months	84	95	96	99	95%	93.5%	95%	
	99	97	96					
	96	86	98	97	95%	94.25%	95%	

PI Code & Short Name	Performance Data Q1 2017/18 & 2018/19	Performance Data Q2 2017/18 & 2018/19	Performance Data Q3 2017/18 & 2018/19	Performance Data Q4 2017/18 & 2018/19	Year End Target	Year End Result	Current Target	Latest Note & History
L301 Building Regulation Applications examined within 3 weeks	95	92	87					
L302 Average time to first response (Days)	15	14	10	10	10	12.25	10	
	11	13	12					
Customer Services & Communications								
L999 Feedback Customer Satisfaction %								
	57	50	38					
L997 Customer Service Satisfaction %							90%	
	95	91	98		90%			
L999 Media Satisfaction % Annual								
	Annual					90%		

Environmental Health & Housing								
LEHH014 Food Hygiene Interventions Completed	78	202	321	707		707		472 includes: 304 Inspections/Audits 19 Verification/Surveillance 4 Advice/Education 145 Info/Intelligence
	137	288	472		412			
	13	35	55.8	95			100	304/479=63.5%

LEHH015 Percentage of Food Hygiene Due Interventions Completed	26	69.9	63.5					304 Inspections completed + 175 outstanding.
LEHH016 Housing Options - Number of Homelessness Prevented & Relieved	181	120	135	267		703	Data only	Prevention 124
	130	123	188			703		Relief 64
LEHH017 Housing Options - Number of Households Accommodated in Temporary Accommodation	28	36	25	28		117	Data Only	
	28	33	28					
LEHH019 Housing Standards - Number of DFG's Completed & Monies Paid	43	46	27	107		107	Data only	£495,346.28
	7	23	73					
LEHH026 Number of NDC Lets Through DHC	33	37	30	65		165	Data only	Broken down by bed size: 1 Bed – 27, 2 Bed – 25, 3 Bed – 11, 4 Bed - 3
	69	41	66					
LEHH020 Housing Standards – the level of unmet demand for DFGs	226,780	199,968	224,412	33,000			Data only	
	282,301	297,509	261,228					

2. Constitution Context

Appendix and paragraph	Referred or delegated power?
5.5	Delegated

3. Statement of Internal Advice

3.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

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NORTH DEVON COUNCIL

REPORT TO: EXECUTIVE
Date: 4th FEBRUARY 2019
TOPIC: MATERIALS RECOVERY FACILITY - INFRASTRUCTURE
REPORT BY: HEAD OF OPERATIONAL SERVICES

1 INTRODUCTION

- 1.1 As a direct result of the Recycle More project, which includes the three-weekly residual collection service, the amount of recycling we now collect has increased significantly from the level 18-months ago.
- 1.2 The existing equipment in the process hall is often at maximum capacity to bale the collected materials. The equipment is old a regularly breaks down or needs additional maintenance and is now in need of replacement.
- 1.3 If Members wish to extend the three-weekly trial to other areas or district wide, the problem with the process hall will be further exacerbated, so the recycling infrastructure must be addressed in the first instance.

2 RECOMMENDATIONS

- 2.1 Members are requested to approve the recommendation to replace the Process Hall recycling plant and equipment to the estimated value of £760,000 (subject to exchange rates).
- 2.2 Members are requested to recommend to Full Council a variation to the capital programme to the value of £760,000 and to release the funds required.
- 2.3 Members requested to approve the recommendation to give delegated power to the Head of Operational Services in consultation with the Portfolio Holder to award the contract following a procurement process.

3 REASONS FOR RECOMMENDATIONS

- 3.1 The existing Process Hall equipment is beyond its useful life and is unable to cope with the current level of materials that we need to process. Breakdowns and stoppages are now a regular feature adding further pressure to an already over stretched service. For the first 9-months of the financial year breakdowns and the recovery of breakdowns has cost the authority £44,264.00 which has not been budgeted for.

4 REPORT

- 4.1 The Recycle More project has influenced our residents to recycle more than ever before resulting in the existing facility used to process the recycled materials not being capable of keeping up with the throughput. The occurrence of breakdowns are approximately twice per week with more major breakdown being monthly. Breakdowns are not restricted to one particular component and there are regular problems with any one of the three existing balers, conveyors and ancillary equipment.
- 4.2 With the rise in materials collected and the increase proposed the existing processing facility is not adequate. The existing equipment is now past its proposed life and replacement is required. Various options have been considered including not operating our own plant and sending it elsewhere for processing, updating all of the plant and equipment in its entirety, and just replacing the baler / balers with a bigger one to speed up the baling process. Two independent suppliers have been to site (with no commitment) and both advise that the existing conveyors are too narrow for our current and future purposes. So even if we did purchase a baler/ balers only, new or otherwise, it would be no more efficient on speed as the feed mechanism cannot take more material as the process can only go as fast as the belts.
- 4.3 This is exacerbated with the collection of Trade Recycling where the containers and material is much larger than domestic for which the current equipment is not designed to take. This then creates breakdowns and increased risks to unblock the machinery. Whilst we could withdraw from offering a trade recycling service which would reduce some of the down time with the present equipment, it would not negate the need to replace longer term.
- 4.4 Second hand equipment is a possibility but it is unlikely that we will be able to purchase all the components at the same time and get total compatibility with the various pieces of equipment. The warranty and servicing ability of any supplier will also cause management problems if a composite machine is considered. A considerable number of components make up the full processing plant including in-floor feeding conveyors; picking conveyors, an overband magnet and Eddie current separator and a twin ram baler.
- 4.5 The other option is not to process any of the materials ourselves and instead send it to a third party processor. This will avoid the capital costs and reduce staff numbers within the process hall, however there is a limited local market for reprocessing with the nearest being Exeter City Council, or even further away in Bristol. Haulage costs can be volatile with ever increasing fuel prices and any third party processor will charge a “gate” or processing fee as well as offering no income for the materials taken. There is also a risk that with events such as China’s restrictions on plastics and cardboard being repeated bulk facilities will become saturated, either increasing processing costs or worst case turning work away.
- 4.6 The final option is to totally change our collection methodology and to move away from kerbside sort and collect materials co-mingled. Co-mingled means collecting all of the recycling in a wheeled bin, however glass and food waste would need to be collected separately. Whilst this would mean that we didn’t need to make the

capital investment into the plant and equipment we would need to replace our kerbside sort vehicles with split bodied refuse collection vehicles and introduce a separate collection for food waste. A desktop analysis has been undertaken to assess the viability of this option.

- 4.7 Capital costs for a co-mingled service are approximately £1.87 million pounds. This cost consists of changing the vehicles from kerbside collection vehicles to split bodied RCV's, the purchase of separate food waste collection vehicles, and the purchase of approximately 46,000 wheeled bins to collect the co-mingled recycling from. The sale of our existing recycling fleet and existing process hall equipment has been factored into this. The annual revenue implications for moving to a co-mingled collection service is approximately £560,000 more than the existing kerbside collection service.
- 4.8 Whilst there are significant staff savings to be made (approximately £437,000 saving), there is also a significant cost to transporting the co-mingled material to a process plant (approximately £142,500) and a "gate fee" also has to be paid for each tonne of material processed (based on our 2017/18 tonnages collected the charge would be £226,650) . In addition, no material income will be generated at a loss of £629,000 (based on 2017/18 figures). The gate fee is considerably lower than that of the Landfill gate fee as the processor takes into account the value of the materials that they will recover/ recycle and offsets this against the total cost per tonne for sorting the materials. Sorting co-mingled waste requires extensive equipment and technology and is also labour intensive as many items have to be hand separated and sorted.
- 4.9 Whilst the level of capital investment for a co-mingled collection service is in-line with the capital investment needed for the existing service (predominantly due to the cost of replacing or recycling fleet over the next 4 years), the revenue costs for switching to a co-mingled collection service is approximately £500,000 more than maintaining our current type of service provision, after investing in a new processing system and it is for this reason that this option is not considered viable.
- 4.10 It is therefore recommended that new plant and equipment along with all the necessary ancillary equipment is purchased. If approved the process hall could be up and running to capacity by Christmas 2019 with improved reliability and throughput. The equipment will be able to not only cope with existing production but have the capacity to take the material if all the District were to recycle to its maximum ability along with increased trade recycling and also possible external additional business.
- 4.11 During the period of decommissioning the old equipment and installing the new, Exeter City Council has agreed to process our steel/aluminium and plastics which will see a reduction in our overall income of approximately £12,500. Cardboard will still be moved under our current arrangement along with glass and paper.
- 4.12 It is recommended that we configure the process hall with a series of new bulk storage bays to hold the separated plastics, steel, aluminium and cardboard. This will be achieved by a bulk storage bay for mixed materials that will be loaded onto

floor level conveyors that will then take the individual materials through a series of electro-magnets (to capture steel) and eddie current separators (to separate aluminium). These separated materials can then be forwarded on individually to a twin ram auto banding baler. Overhead gantries with picking stations also need to be included to allow for additional materials to be removed / recycled if we chose to expand the recycling service in the future, or if there is a market requirement to produce higher grade recycled.

4.13 Presently we require 4 operatives within the process hall to operate the three existing balers, the mechanical loader (Telehandler) and the two fork lift trucks. With the introduction of the new equipment it is envisaged that this number can be reduced to 3, creating a saving of £23,000 pa. With the introduction of the new twin-ram baler materials will be compressed and automatically banded to a greater density, which means that we will be able to get more weight of material on to the transport lorries resulting in a higher income per load of +5% which equates to an additional £17,500 per annum. The new plant and equipment will also allow for cardboard to be baled which will reduce our transport costs, as presently it is sent out as loose material and is shipped out at approximately 3 – 5 Tonnes per load, compared to 18 – 20 tonnes per load when it is baled.

5 RESOURCE IMPLICATIONS

5.1 Costs (capital)

Capital costs	2018/19	2019/20	2020/21	2021/22
(a) Capital expenditure (£000's)		760,000		
(b) Capital contributions / Funding (£000's)		nil		
Net capital costs (£000's) (a) - (b)		760,000		

Agenda Item 7

Revenue implications	2018/19	2019/20	2020/21	2021/22
(c) Annual expenditure (£000's)				
Borrowing costs over 10 years		91,580	91,580	91,580
(d) Annual income (£000's)				
Increased income from volume		(17,500)	(17,500)	(17,500)
Loss of income during installation		12,500		
(e) Annual savings (£000's)				
Reduction in I x FTE		(23,000)	(23,000)	(23,000)
Net annual revenue (£000's) (c) - (d) – (e)		63,580	51,080	51,080

Subject to Members approving the recommendations of this report it is proposed that a soft procurement exercise be undertaken in April 2019 with the full procurement process then following in May 2019. Following the award of contract the installation date will be agreed with the chosen contractor and it is envisaged that the plant and equipment will be installed no later than October 2019, where testing will then be undertaken before the plant goes fully live at operating speed by the end of October 2019. Procurement will be subject to EU Procurement Rules due to the value of the contract.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?	Key decision?
Part 3 Annexe 4	Delegated	Yes

7 STATEMENT OF CONFIDENTIALITY

7.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

8 BACKGROUND PAPERS

8.1 The background papers are available for inspection and kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

9.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

Executive Member: Councillor Rodney Cann

Author: Ricky McCormack

Date: 9th January 2019

Reference: Document4

NORTH DEVON COUNCIL

REPORT TO: EXECUTIVE
 Date: 4th February 2019
TOPIC: REVIEW OF CHARGES AND FEES FOR SERVICES 2019/20
REPORT BY: HEAD OF RESOURCES

1. INTRODUCTION

1.1 The following report sets out the framework for the review of charges for the Authority's services for the financial year 2019/20.

2. RECOMMENDATIONS

2.1 Executive recommends to Council a 3% increase in fees for 2019/20 financial year, for the following services:

- Allotments – Appendix 1
- Building Control Charges – Appendix 2
- Cemetery fees – Appendix 6
- Pannier Market Charges – Appendix 8
- Bulky Collections – Appendix 9

2.2 Executive recommends to Council to vary the remaining fees by the elements outlined in section 5.3 to 5.8.

3. REASONS FOR RECOMMENDATIONS

3.1 The change in fees charged for services provided by the Council is in line with the Medium Term Financial Strategy.

3.2 Some fees are set by statute and these will be set nationally.

4. CONSTITUTIONAL CONTEXT

4.1 Executive has power to formulate the budgetary framework

4.2

Article and paragraph	Referred or delegated power?	A key decision?	In the Forward Plan?
Part 3 Annexe 4	Executive delegated decision making	Yes	Yes

Part 4 Budget
Procedure Rules

Executive delegated to
formulate Budget

Yes

Yes

5. REPORT

- 5.1 The charges for the provision of services are reviewed annually in the context of policy guidance within the Medium Term Financial Strategy, and the recommended levels of increase to produce a target income level.
- 5.2 This year the guidance was to increase some fees and charges by 3%, although some fees are set by statute and these will be set nationally. Other variations to the 3% increase are set out in 5.3 to 5.8.
- 5.3 The Trade Waste charges have been reviewed and simplified to aid the customer's understanding of our charging structure. Zones 1 and 2 have now been combined with a minimum increase of 5%, with schedule 2 and Recycling charges increasing by 10%. The Head of Operational Services confirms these price increases still leave us commercially competitive. - Appendix 3
- 5.4 Land Charges fees have been set to recoup the cost of providing the service, without changing the current fees the land charges service is still budgeted to recover all the costs and break even. – Appendix 4
- 5.5 There are minimal changes to the Environment Health fees, as the majority of these are set by statute or set to recover costs. The changes include, amendments to the animal licence fees. With Zoos and Dangerous Wild Animal Licences being under review. – Appendix 5
- 5.6 Single Sports pitch hire has increased by 14.2%. The significant increase is due to current charges for grass pitch hire being relatively cheap. Block hire has also been introduced but kept at the 18-19 prices to encourage customers to lock themselves into a block booking of at least 11 games. - Appendix 7
- 5.7 Although the Pannier Market fees have been recommended to be increased by 3%, it is proposed that the additional £6,000 received is earmarked to be spent on the Pannier Market. – Appendix 8.
- 5.8 Garden Waste charges have not had an increase for 2 years and it is proposed not to increase the fees for the third year running. - Appendix 10.

6. RESOURCE IMPLICATIONS

- 7.1 The net changes in the charges are expected to result in £88,400 of additional income which have been included within the draft 2019/20 budget.
- 7.2 The 2013/14, 2014/15 and 2015/16 financial years had a zero percent increase, with 2016/17 and 2017/18 having a 2% increase and 2018/19 having a 3% increase.

7. STATEMENT OF INTERNAL ADVICE

8.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

8. STATEMENT OF CONFIDENTIALITY

9.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

9. BACKGROUND PAPERS

10.1 None

Executive Members: Councillor Glyn Lane and Councillor Richard Edgell

Author: Tony Rumble (Accountancy Manager) Date: 16th January 2019

Reference: T:\Tony\excel\Fees and Charges\19 20\Fees and charges 19-20.doc

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<u>ITEM</u>	CHARGE 2018/2019	RECOMMENDED CHARGE 2019/2020
<u>ALLOTMENTS</u>	V.A.T Exempt	V.A.T. Exempt
Per 25 metre ² per annum	5.78	5.95

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Building Control Charges

(Effective from 01 April 2019)



Guidance for calculation of Building Control Fee

1. Charges shown include VAT at 20% where applicable. The charges are based upon a generic risk assessment covering the expected design complexity and building methodology using the hourly rates set out in the Building Control Fee Charges Scheme.
2. The fee should cover all anticipated work and may be made up of a number of fees taken from the tables below.
3. For the purposes of calculating the fees the floor area should be calculated using internal dimensions.
4. The estimated cost of work means a reasonable amount that would be charged by a person in business to carry out the works including profit or based on the RICS building cost information service. A schedule of costs may be requested to justify estimates.
5. Where an extension to a dwelling has an internal floor area over 60m² and for other works with an estimated cost exceeding £100,000 the fee will be quoted on an individual job basis.
6. Where an application is for the regularisation of unauthorised work or work has commenced prior to application the fee may be determined individually. Please note that work carried out in these circumstances is in contravention of the Building Regulations and can result in prosecution under the Building Act 1984.
7. Fees should be paid in full when the application is deposited. Where fees are in excess of £1,000.00 the fee may be split between a plan fee and inspection fee with the inspection fee invoiced when work commences on site. For larger projects payment terms may be negotiated as part of the quotation.
8. Payments by cheque should be made to North Devon Council. For credit/debit card payments please contact 01884 234974.
9. If you have any questions regarding the charge you should pay please contact us on 01884 234974. Please note that the processing of your application may be delayed if the fee is incorrect.

Please note these fees are for guidance. If you believe that your work does not fall within the described categories or there are other factors that impact on the work involved in your project please do not hesitate to contact us for an individual quotation.

TABLE A: ERECTION OF NEW DWELLINGS NOT EXCEEDING 300M ² IN FLOOR AREA	
Number of dwellings	Building Regulation Fee £ (incl VAT)
1	900.00
2	1,152.00
3	1,428.00
For sites with more than 3 dwellings or where a dwelling exceeds 300m ² , please contact Building Control on 01884 234345 for an individual quotation	

TABLE B: DOMESTIC EXTENSIONS AND ALTERATIONS TO A SINGLE BUILDING	
TYPE OF WORK	Building Regulation Fee £ (incl VAT)
1. Single storey extension and loft conversions - floor area not exceeding 15m ²	540.00
2. Up to two storey extension, total floor area not exceeding 40m ²	636.00
3. Up to two storey extension, total floor area exceeding 40m ² but not exceeding 60m ²	756.00
4. Loft conversion exceeding 15m ²	636.00
5. Erection or extension of domestic garage or carport up to 100m ²	360.00
6. Conversion of a garage	360.00
7. Single window replacement	90.00
8. Up to 10 windows replaced	132.00
9. Electrical work that is subject to a BS 7671 cert	126.00
10. Electrical work not subject to a BS7671 Cert	372.00
11. Re-roofing	126.00
12. Installation of solid fuel burning appliance	264.00

TABLE C: ALL OTHER WORK	
Estimated cost of work £	Building Regulation Fee £ (incl VAT)
Up to 1000	132.00
1001 to 5000	264.00
5001 to 10000	384.00
10001 to 20000	492.00
20001 to 30000	600.00
30001 to 40000	708.00
40001 to 50000	816.00
50001 to 60000	912.00
60001 to 70000	1,008.00
70001 to 80000	1,104.00
80001 to 90000	1,200.00
90001 to 100000	1,296.00

Trade Waste Proposed prices 2019/20

Bin size	Current price per empty Zone 1	Current price per empty Zone 2	Minimum 5% Increase Zone 1 & Zone 2 Combined
1100	12.42	13.65	14.34
750	8.88	9.60	10.08
660	8.27	8.77	9.21
360	5.48	5.82	6.12
240	4.49	4.88	5.13
Bags	2.32	2.39	2.51
Labels for card	2.32	2.39	2.51

Current weekly rental	5% increase
0.42	0.44
0.36	0.38
0.29	0.30
0.20	0.21
0.11	0.12

Schedule 2

Bin size	Current price per empty	10% Increase
1100	9.03	9.93
660	6.49	7.14
360	3.61	3.97
240	2.11	2.32
Bags	1.05	1.16

Recycling

Bin size	Current price per empty	10% Increase
240	4.33	4.76
360	4.33	4.76
660	5.41	5.95
1100	7.57	8.33
box and bag set	1.63	1.79

Holiday Home Packages

Package 1	Current price	5% Increase
Weekly for 31 weeks		
240 ltr bin	4.49	4.71
Recycling package	1.63	1.71
240 ltr bin hire for period	3.41	3.58
Admin Charge for period	10.00	10.50
Total for season	203.13	213.29

Package 2	Current price	5% Increase
Weekly for 15 weeks		
240 ltr bin	4.49	4.71
Recycling package	1.63	1.71
240 ltr bin hire for period	3.41	3.58
Admin Charge for period	10.00	10.50
Total for season	131.29	137.85

Package 3	Current price	5% Increase
Weekly for 31 weeks		
360 ltr bin	5.48	5.75
Recycling package	1.63	1.71
360 ltr bin hire for period	6.20	6.51
Admin Charge for period	10.00	10.50
Total for season	236.61	248.44

Package 4	Current price	5% Increase
Weekly for 15 weeks		
360 ltr bin	5.48	5.75
Recycling package	1.63	1.71
360 ltr bin hire for period	6.20	6.51
Admin Charge for period	10.00	10.50
Total for season	148.93	156.38

Properties not serviced by wheelie bins (accessibility or space constraints) will be given a hessian gull guard sack instead, to be rented at the same rate as a 240 litre bin.
Packages 1 and 2 are available for these properties.

Additional add-ons

660 litre and 1100 litre wheelie bins are also available for the general waste where applicable

Green 240 ltr waste bins, fortnightly for the season/year = £2.32 per collection (only available to properties serviced by wheelie bins and only available monthly in December/January)

Black bag rolls to be sold at £4.00 per roll

Additional waste bags (side waste) charged at £2.32 per bag

Additional collections outside of this period can be arranged. Please contact us for information

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Local Land Charges: Current Fees - Applicable from 1st April 2019

Enquiry	Cost	
	Payment by cheque	Payment by Credit Card/BACS or similar means
Full Search LLC1 & CON29R	£71.00 (Includes VAT £10.17)	£60.00 (Includes VAT £8.33)
Form LLC1 Only (submitted by itself)	£10.00 (Extra parcels £5.00 each)	£10.00 (Extra parcels £5.00 each)
Form CON29R Only (submitted by itself in full) – individual questions can be asked, for the prices see below	Paper Search £61.00 (Includes VAT £10.17)	Electronic Search £50.00 (Includes VAT £8.33)
Extra Parcel of Land Full search (for multiple parcel sites please contact us for a quote)	£11.00 per parcel (£5 non-vatable, £6.00 vatable) (Includes VAT £1.00)	£12.20 per parcel (£5 non-vatable, £6.00 vatable) (Includes VAT £1.00)
Extra Parcel of Land CON29 only search (for multiple parcel sites please contact us for a quote)	£6.00 per parcel (Includes VAT £1.00)	£6.00 per parcel (Includes VAT £1.00)
1.1 Decisions and Pending Applications Which of the following relating to the property have been granted, issued or refused or (where applicable) are the subject of pending applications – (a) a planning permission (b) a listed building consent (c) a conservation area consent (d) a certificate of lawfulness of existing use or development (e) a certificate of lawfulness of proposed use or development (f) a certificate of lawfulness of proposed works for listed buildings (g) a heritage partnership agreement (h) a listed building consent order (i) a local listed building consent order (j) building regulation approval (k) building regulation completion certificate (l) any building regulations certificate or notice issued in respect of work carried out under a competent person self-certification scheme?	(a-i) £4.00 (Includes VAT £0.67) (j&k) £9.00 (Includes VAT £1.50) (l) £4.50 (Includes VAT £0.75)	(a-i) £4.00 (Includes VAT £0.67) (j&k) £ 9.00 (Includes VAT £1.50) (l) £ 4.50 (Includes VAT £0.75)
1.2 Planning Designations and Proposals What designations of land use for the property or the area, and what specific proposals for the property, are contained in any existing or proposed development plan?	£1.00 (Includes VAT £0.17)	£1.00 (Includes VAT £0.17)

<p>Roads and Public Rights of Way Roadways, footways and footpaths 2.1. Which of the roads, footways and footpaths mentioned in the application for this search (via boxes B and C) are: (a) highways maintainable at public expense (b) subject to adoption and, supported by a bond or bond waiver (c) to be made up by a local authority who will reclaim the cost from the frontagers (d) to be adopted by a local authority without reclaiming the cost from the frontagers? Public rights of way 2.2. Is any public right of way which abuts on, or crosses the property, shown in a definitive map or revised definitive map? 2.3. Are there any pending applications to record a public right of way that abuts, or crosses the property, on the Register? 2.4. Are there any legal orders to stop up, divert, alter or create a public right which abuts, or crosses the property not yet implemented or shown on a definitive map? 2.5. If so, please attach a plan showing the approximate route.</p>	<p>£16.80 (Includes VAT £2.80)</p>	<p>£16.80 (Includes VAT £2.80)</p>
<p>3.1. Land Required for Public Purposes Is the property included in land required for public purposes?</p>	<p>£1.20 (Includes VAT £0.20)</p>	<p>£1.20 (Includes VAT £0.20)</p>
<p>3.2. Land to be Acquired for Road Works Is the property included in land to be acquired for road works?</p>	<p>£1.20 (Includes VAT £0.20)</p>	<p>£1.20 (Includes VAT £0.20)</p>
<p>3.3. Drainage Matters (a) Is the property served by a sustainable urban drainage system (SuDS)? (b) Are there SuDS features within the boundary of the property? If yes, is the owner responsible for maintenance? (c) If the property benefits from a SuDS for which there is a charge, who bills the property for the surface water drainage charge?</p>	<p>Please also contact South West Water direct for their current fees.</p> <p>At present there is no requirement for the Council to adopt SuDS and as such all SuDS will be in the ownership of the developer / landowner or otherwise transferred to the property owner or an appropriate management company. Further enquiries should be directed to them.</p>	

<p>3.4. Nearby Road Schemes Is the property (or will it be) within 200 metres of any of the following:-</p> <p>(a) the centre line of a new trunk road or special road specific in an order, draft order or scheme</p> <p>(b) the centre line of a proposed alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway</p> <p>(c) the outer limits of construction works for a proposed alteration or improvement to an existing road, involving (i) the construction of a roundabout (other than a mini roundabout) or (ii) widening by construction of one or more additional traffic lanes</p> <p>(d) the outer limits of (i) construction of a new road to be built by a local authority; (ii) and approved alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway; or (iii) construction of a roundabout (other than a mini roundabout) or widening by construction of one or more additional traffic lanes</p> <p>(e) the centre line of the proposed route of a new road under proposals published for public consultation or</p> <p>(f) the outer limits of (i) construction of a proposed alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway; (ii) construction of a roundabout (other than a mini roundabout) or (iii) widening by construction of one or more additional traffic lanes, under proposals published for public consultation?</p>	<p>(a) to (f) £5.40 (Includes VAT £0.90)</p>	<p>(a) to (f) £5.40 (Includes VAT £0.90)</p>
<p>3.5. Nearby Railway Schemes</p> <p>(a) Is the property (or will it be) within 200 metres of the centre line of a proposed railway, tramway, light railway or monorail?</p> <p>(b) Are there are any proposals for a railway, tramway, light railway or monorail within the local authority's boundary?</p>	<p>£1.20 (Includes VAT £0.20)</p>	<p>£1.20 (Includes VAT £0.20)</p>

<p>3.6. Traffic Schemes Has a local authority approved but not yet implemented any of the following for the roads, footways and footpaths named in boxes B and C and are within 200 metres of the the boundaries of the property:-</p> <ul style="list-style-type: none"> (a) permanent stopping up or diversion (b) waiting or loading restrictions (c) one way driving (d) prohibition of driving (e) pedestrianisation (f) vehicle width of weight restriction (g) traffic calming works including road humps (h) residents parking controls (i) minor road widening or improvement (j) pedestrian crossings (k) cycle tracks; or (l) bridge building? 	(a) to (l) £7.80 (Includes VAT £1.30)	(a) to (l) £7.80 (Includes VAT £1.30)
<p>3.7. Outstanding Notices Do any statutory notices which relate to the following matters subsist in relation to the property other than those revealed in a response to any other enquiry in this schedule:-</p> <ul style="list-style-type: none"> (a) building works (b) environment (c) health and safety (d) housing (e) highways (f) public health (g) flood and coastal erosion risk management 	(a) to (f) £13.20 (Includes VAT £2.20)	(a) to (f) £13.20 (Includes VAT £2.20)
<p>3.8. Contraventions of Building Regulations Has a local authority authorised in relation to the property any proceedings for the contravention of any provision contained in Building Regulations?</p>	£1.80 (Includes VAT £0.30)	£1.80 (Includes VAT £0.30)

<p>3.9. Notices, Orders, Directions and Proceedings under Planning Acts Do any of the following subsist in relation to the property, or has any local authority decided to issue, serve, make or commence any of the following:-</p> <ul style="list-style-type: none"> (a) enforcement notice (b) stop notice (c) listed building enforcement notice (d) breach of condition notice (e) planning contravention notice (f) other notice relating to breach of planning control (g) listed building repairs notice (h) in the case of a listed building deliberately allowed to fall into disrepair, a compulsory purchase order with a direction for minimum compensation (i) building preservation notice (j) direction restricting permitted development (k) order revoking or modifying a planning permission (l) order requiring discontinuance of use or removal of building works (m) tree preservation order (n) proceedings to enforce a planning agreement or planning contribution? 	(a) to (n) £7.80 (Includes VAT £1.30)	(a) to (n) £7.80 (Includes VAT £1.30)
<p>3.10 Community Infrastructure levy (CIL)</p> <ul style="list-style-type: none"> (a) Is there a CIL charging schedule? (b) If, yes, do any of the following subsist in relation to the property, or has a local authority decided to issue, serve, make of commence any of the following:- <ul style="list-style-type: none"> (i) a liability notice? (ii) a notice of chargeable development? (iii) a demand notice? (iv) a default liability notice? (v) an assumption of liability notice? (vi) a commencement notice? (c) Has any demand notice been suspended? (d) Has the Local Authority received full or part payment of any CIL liability? (e) Has the Local Authority received any appeal against any of the above? (f) Has a decision been taken to apply for a liability order? (g) Has a liability order been granted? (h) Have any other enforcement measures been taken? 	(a) to (h) £3.60 (Includes VAT £0.60)	(a) to (h) £3.60 (Includes VAT £0.60)
<p>3.11. Conservation Areas Do the following apply in relation to the property:-</p> <ul style="list-style-type: none"> (a) the making of the area a Conservation Area before 31 August 1974; or (b) an unimplemented resolution to designate the area a Conservation Area? 	£1.20 (Includes VAT £0.20)	£1.20 (Includes VAT £0.20)

3.12. Compulsory Purchase Has any enforceable order or decision been made to compulsorily purchase or acquire the property?	£3.90 (Includes VAT £0.65)	£3.90 (Includes VAT £0.65)
3.13. Contaminated Land Do any of the following apply (including any relating to land adjacent to or adjoining the property which has been identified as contaminated land because it is in such a condition that harm of pollution of controlled waters might be caused on the property:- (a) a contaminated land notice (b) in relation to a register maintained under section 78R of the Environmental Protection Act 1990:- (h) a decision to make an entry; or (ii) an entry; or (c) consultation with the owner or occupier of the property conducted under section 78G(3) of the Environmental Protection Act 1990 before the service of a remediation notice?	£1.20 (Includes VAT £0.20) For all parts of the question	£1.20 (Includes VAT £0.20) For all parts of the question
3.14. Radon Gas Do records indicate that the property is in a 'Radon Affected Area' as identified by Public Health England?	£1.20 (Includes VAT £0.20)	£1.20 (Includes VAT £0.20)
3.15 Assets of Community Value (a) Has the property been nominated as an asset of community value? If so:- (i) Is it listed as an asset of community value? (ii) Was it excluded and placed on the "nominated but not listed" list? (iii) Has the listing expired? (iv) Is the Local Authority reviewing or proposing to review the listing? (v) Are there any subsisting appeals against the listing? (b) If the property is listed: (i) Has the Local Authority decided to apply to the Land Registry for an entry or cancellation of a restriction in respect of listed land affecting the property? (ii) Has the Local Authority received a notice of disposal? (iii) Has any community interest group requested to be treated as a bidder?	£3.60 (Includes VAT £0.60)	£3.60 (Includes VAT £0.60)
Form CON290	4 – £6.00 5 – £6.00 6 – £6.00 7 – £6.00 8 – £6.00 9 – £6.00	4 – £6.00 5 – £6.00 6 – £6.00 7 – £6.00 8 – £6.00 9 – £6.00

	10 – £6.00 11 – £6.00 12 – £6.00 13 – £6.00 14 – £6.00 15 – £6.00 16 – £6.00 17 – £6.00 18 – £6.00 19 – £6.00 20 – £6.00 21 – £6.00 22 – £6.00 (Each question includes VAT £1.00)	10 – £6.00 11 – £6.00 12 – £6.00 13 – £6.00 14 – £6.00 15 – £6.00 16 – £6.00 17 – £6.00 18 – £6.00 19 – £6.00 20 – £6.00 21 – £6.00 22 – £6.00 (Each question includes VAT £1.00)
Additional Questions Non Standard Typed (Client's own questions)	Paper & Electronic Searches £12.00 per question (Includes VAT £2.00)	
Personal Searches Of the Local Land Charges Register	Free access or we can do it on your behalf for £10.00 for which you will receive an official LLC1 result	
Expedited Searches	All searches or enquiries – £25.00 (in addition to the fee for the search or enquiry) – please note this is not normally required as our turnaround is fast (1 or 2 working days). Please contact us for our current turnaround time prior to submitting an expedited fee.	

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LIST OF FEES AND CHARGES

ENVIRONMENTAL HEALTH SERVICES (2019/2020)

(Effective 01 April 2019 to 31 March 2020)

Hackney carriage/private hire fees (V.A.T. Exempt):	
Hackney carriage vehicle licence	£204.00
Private hire vehicle licence	£142.00
Grant hackney carriage/private hire driver's licence (1 year)*	£228.00
Grant hackney carriage/private hire driver's licence (3 years)*	£401.00
Renewal hackney carriage/private hire driver's licence (1 year)*	£138.00
Renewal hackney carriage/private hire driver's licence (3 years)*	£301.00
Private hire operator's licence (1 year)*	£71.00
Private hire operator's licence (5 years)*	£213.00
Driver's initial test	£31.00
Driver's test re-take	£12.00
Transfer of vehicle ownership	No Fee
Addition of trailer to vehicle	No Fee
Meter testing and resealing	£29.00
Deposit fee - vehicle plate	£50.00
Deposit fee - driver's lapel badge	£50.00
Deposit fee – trailer plate	£50.00
Replacement driver's badge	No Fee
Replacement vehicle plate	No Fee
<p>*Please see the following section on Criminal Record Disclosures for additional fees which may apply to your application.</p>	

Criminal Record Disclosures

The Licensing Team will require applicants to provide evidence of criminal record disclosures to ensure the suitability of applications for certain licences and permits.

There are two primary routes for gaining such checks, and these are dependent on the nature of the licence or permit applied for. They are typically gained either via the Disclosure and Barring Service (DBS) or a Responsible Organisation (a third party registered with DBS). The following disclosure requirements and fees currently apply. Please note that fees are not payable directly to North Devon Council and as such please be mindful that they are subject to change.

All disclosures are handled according to a **Code of Practice**, a copy of which is available on request.

Further information about the DBS is available via:

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

Taxi and Private Hire Driver's Licences

An Enhanced DBS Disclosure is required for new driver applications and every three years thereafter.

Fee for Enhanced Disclosure via the DBS	£44.00
Administration fee for GBG Group PLC (North Devon Council's preferred umbrella body for Enhanced Disclosures)	£11.40 electronic application
	£24.00 non-electronic application

Electronic DBS applications will require payment to be made online to GB Group PLC when drivers make their online application. Non-electronic applications are not recommended but in these cases drivers will need to make the above payment to North Devon Council (who will in turn pay GB Group PLC).

Drivers using GB Group will have a choice of undertaking their ID verification either at the Council (at one of their offices in Barnstaple, South Molton or Ilfracombe) or at Barnstaple Post Office, Queen Street, Barnstaple. The Council's preference is that drivers use the Post Office for ID verification.

Fee for identity verification with North Devon Council	£6.00
Fee for identify verification with Post Office	£6.00

Where an applicant is unable to verify their identification using Route 1 information, such as a full driving licence, passport and utility bills; the DBS requires identification using Route 2 identification checks (using credit reference

agency data). If applicable, a member of the Licensing Team will let you know, as a signed authority is required first before the Council will perform the check. An administration fee will be payable to North Devon Council in these circumstances to cover the cost of the Route 2 check.

Route 2 check: £10.00

The DBS provides a service called the **Update Service** which is highly recommended for drivers. For an annual subscription drivers can keep their DBS Enhanced Disclosure up-to-date and take it with them from role to role, within the same workforce, where the same type and level of check is required. This can save drivers both time and money. Application must be made within 19 days of the date of issue of the certificate.

Sign up to DBS Update Service: £13.00

Basic Criminal Record Disclosure

Basic Criminal Record Disclosures are applicable for licences and permits including, scrap metal site and collector licences, private hire operators, personal licences and gambling related permits etc. The applicant will receive a copy of the disclosure information for their reference and the Council will request to examine this information in order to help determine the outcome of the relevant application. These documents are generally only valid for a limited period depending on the nature of the application.

Applicants can gain their Basic Criminal Record Disclosure from a Responsible Organisation (a third party registered with DBS). A list of Responsible Organisations can be found at:

<https://www.gov.uk/guidance/responsible-organisations>

Cost and return times vary with chosen Responsible Organisation.

For personal licences the alternative is a **Devon and Cornwall Police Access Search** available from:

Data Protection Office
Strategic Development
Devon and Cornwall Police
Police HQ
Middlemore
Exeter
EX2 7HQ

Tel: 01392 452675
Email: www.devon-cornwall.police.uk

Cost approx. £10.00 but return times are longer than a Basic Criminal Record Disclosure completed via a Responsible Organisation.

Other Licensing Team Fees (V.A.T. Exempt):

Animal Welfare Licence Fees	
Applications for a multi-activity licence will be processed according to the activity with the highest fee.	
Licence Activity (grant and renewal)	Part A initial application fee
Hiring out horses	£247
Breeding of dogs	£235
Keeping or training animals for exhibition	£154
Home boarder of dogs	£189
Non- home boarder of cats or dogs	£235
Dog day care	£212
Selling animals as pets	£235
Veterinary fee	Part A veterinary fee
Breeding of dogs (grant only, unless in exceptional circumstances)	£200
Hiring out horses (grant and renewal)	£250
Additional fee for all licensed activities dependent upon licence period	Part B fee (payable after licence grant only)
One year licence	£180
Two year licence	£180
Three year licence	£180
Variation application including re-rating	Variation fee
With no inspection	£31
With council inspection	£200
With veterinary inspection	£31 plus additional fee according to veterinary invoice

Licence application	Part A initial application fee	Part B (payable after licence grant only)
Zoo Licence	Veterinary surgeon's costs plus £71.10 Under review	 Under review
Dangerous Wild Animal Licence	Veterinary surgeon's costs plus £71.10 Under review	 Under review

Skin piercing registrations		
Acupuncture, tattooing, cosmetic-piercing, electrolysis and semi-permanent skin colouring	£67.70 – Personal registration (covers all activities)	£67.70 – Premises registration (covers all activities)
Sex Establishment Licences		
Grant of a licence	£4,419.15 (£2,073.09 refund if a hearing is not required)	
Renewal of a licence	£3,308.05 (£1,623.31 refund if a hearing is not required)	
Transfer of a licence	£573.10 (£388.88 refund if a hearing is not required)	
Variation of a licence	£523.30 (£421.45 refund if a hearing is not required)	
Boat and Boatman's Licences		
Pleasure Boat Licence (fee based on capacity of vessel)	1-2 persons	£112.70
	3-6 persons	£135.15
	7-12 persons	£157.60
Pleasure Boatman Licence	Grant of a licence	£165.60
	Renewal of a licence	£60.90
Scrap Metal Dealers		
* see above section on Criminal Record Disclosure for additional fees that may apply		
Grant of a collector's licence	£125.45	
Renewal of a collector's licence	£125.45	
Variation of a collector's licence	£40.80	
Grant of a site licence	£176.45	
Renewal of a site licence	£171.35	
Variation of a site licence	£48.95	
Hypnotism Authorisation		
Application for consent to conduct an exhibition, demonstration or performance of hypnotism	No fee	
Charitable collections		
Street collection permit	No fee	
House to house collection licence	No fee	

Agenda Item 8

Appendix E

Licensing Act 2003 fees

* see above section on Criminal Record Disclosure for additional fees that may apply

Application for grant/renewal personal licence*	£37.00
Temporary Event Notice	£21.00
Theft, loss etc of premises licence or summary	£10.50
Application for Provisional Statement	£315.00
Notification of change of name or address	£10.50
Application to vary licence to specify individual as premises supervisor	£23.00
Application for transfer of premises licence	£23.00
Interim Authority Notice following death etc. of licence holder	£23.00
Theft, loss etc of certificate or summary	£10.50
Notification of change of name or alteration of club rules	£10.50
Change of relevant registered address of club	£10.50
Theft, loss etc. of temporary event notice	£10.50
Theft, loss etc. of personal licence	£10.50
Duty to notify change of name or address	£10.50
Right of free holder etc to be notified of licensing matters	£21.00
Disapplication of premises supervisor for community premises	£23.00
Minor Variation	£89.00

Grant & full variation of premises licence/club premises certificate

Rateable value	Band	Initial application fee	Annual maintenance fee
No rateable value to £4,300	A	£100	£70
£4,300 to £33,000	B	£190	£180
£33,001 to £87,000	C	£315	£295
£87,001 to £125,000	D [^]	£450	£320
£125,001 and above	E [^]	£635	£350

[^]A multiplier is applied to premises in bands D and E, where they are exclusively or primarily in the business of supplying alcohol for consumption on the premises as follows

Band	D (x2)	E (x2)
Application Fee	£900	£1,905
Annual Fee	£640	£1,050

Large Venues

Where the maximum number of persons the applicant proposes should, during the times when the existing licence authorises licensable activities to take place on the premises, be allowed on the premises at the same time is 5,000 or more, an application must be accompanied by an additional fee:

Number in attendance at any one time	Additional Fee
5,000 to 9,999	£1,000
10,000 to 14,999	£2,000
15,000 to 19,999	£4,000
20,000 to 29,999	£8,000
30,000 to 39,999	£16,000
40,000 to 49,999	£24,000
50,000 to 59,999	£32,000
60,000 to 69,999	£40,000
70,000 to 79,999	£48,000
80,000 to 89,999	£56,000
90,000 and over	£64,000

Exemptions

No fee payable for applications for premises licences/club premises certificates, which relate to the provision of regulated entertainment and:

The application is by a proprietor of an educational institution in respect of premises that are or form part of an education establishment:

- (a) The establishment is a school or college;
- (b) The provision of regulated entertainment on the premises is carried on by the establishment for and on behalf of that establishment; OR

(2) The application is in respect of premises that are or form part of a church hall, chapel hall or similar building or a village hall, parish hall or other similar building

Additionally no annual fee is payable under the above exemption

Fees for enquiries about the Licensing Act register

5p per page, plus postage and packing

Where total charge per page equates to less than £5.00, no fee is applicable

No charge when viewed at Lynton House

Where officer time is required to search for individual records and prepare documents for viewing, an additional charge of £6.50 per hour may be made

Gambling Act 2005 fees	
* see above section on Criminal Record Disclosure for additional fees that may apply	
Prize gaming permit	
New	£300
Renewal	£300
Transfer (new name from old on a permit)	£25
Copy	£15
Family Entertainment Centre Gaming Machine Permit (UFEC)	
New*	£300
Renewal*	£300
Transfer (new name from old on a permit)	£25
Copy	£15
Gaming machines in alcohol licensed premises	
Notification of two or less gaming machines	£50
Alcohol licensed premises gaming machine permit	£150
Variation of permit	£100
Transfer of permit	£25
Annual fee payable	£50
Substitution of old name for new	£25
Copy of Permit	£15
Club gaming and club machine permits	
New and renewal	£200
- where applicant is a holder of a Club Premises Certificate	£100
Annual amount	£50
To vary a permit	£100
Copy of permit	£15
Gambling Notices	
Giving of a Temporary Use Notice	£50.00
Replacement of an endorsed copy of a Temporary Use Notice	£10.50
Occasional Use Notice	No fee
Small Society Lotteries	
Small society lottery registration – application fee	£40.00
Small society lottery – annual fee	£20.00
Premises licence ancillary fees	
Notification of change in address/circumstances	£10.50
Replacement/copy of Licence	£10.50
Copy of Public Register	
VAT exempt 5p per page, plus postage and packing Where total charge per page equates to less than £5.00, no fee is applicable No charge when viewed at Lynton House Where officer time is required to search for individual records and prepare documents for viewing, an additional charge of £6.50 per hour may be made	

Gambling Act Premises Licence Applications, Annual & Other Complex Fees					
Application/ premises	Bingo Premises Licence	Adult Gaming Centre Premises Licence	Betting Premises (Track) Licence	Family Entertainment Centre Premises Licence	Betting Premises (other) Licence
Non- conversion fee, provisional statement	£705	£705	£560	£560	£705
Non- conversion fee, other premises	£2030	£1210	£1410	£1210	£1720
Annual fee	£590	£590	£590	£425	£365
Fee for variation application	£1015	£590	£705	£590	£850
Fee for transfer application	£705	£705	£560	£560	£705
Fee for application to reinstate	£705	£705	£560	£560	£705
Fee for provisional statement	£2030	£1210	£1410	£1210	£1720

Housing related fees	
Application for a House in Multiple Occupation (HMO) Licence	£426.35
HMO licence renewal	£426.35
HMO licence variation	£213.15
Immigration inspections or accommodation certificates (UK Entry Clearance)	No fee
Camping and caravan sites	
Camp site licence (tents only)	No fee
Caravan & camp site licence	No fee
Food related fees	
Export health certificate	£50.00 per hour for certification
Food surrender certificate	£50.00 per hour for certification plus disposal costs
Primary authority partnership fees	£50.00 per hour
Fishery products fee for landed fish products	0.5 Euro per tonne of fishery product entering an establishment, from factory vessels on landing, 3rd country imports and consignments over 1 tonne landed (subject to change)
Stray dogs	
The Environmental Protection Act 1990, and The Environmental Protection (Stray Dogs) Regulations 1992	
Statutory fine	£25.00
Administration charge	£6.00 plus VAT
Boarding (for each period of 24 hours or part thereof)	£20.00
Any required veterinary costs, for example if the dog is injured or any other relevant fees	Based on costs of veterinary treatment or similar

Abandoned Vehicle Charges

(see The Removal, Storage and Disposal of Vehicles (Prescribed Sums and Charges) Regulations 2008 for further information, definitions etc.)

Charges in Relation to Removal of Vehicles				
Vehicle position and condition	Vehicle equal to or less than 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM but equal to or less than 7.5 tonnes	Vehicle exceeding 7.5 tonnes MAM but equal to or less than 18 MAM	Vehicle exceeding 18 tonnes MAM
Vehicle on road, upright and not substantially damaged or any two wheeled vehicle whatever its condition or position on or off the road	£150	£200	£350	£350
Vehicle, excluding a two wheeled vehicle, on road but either not upright or substantially damaged or both	£250	£650	Unladen-£2000	Unladen-£3000
			Laden-£3000	Laden-£4500
Vehicle, excluding a two wheeled vehicle, off road, upright and not substantially damaged	£200	£400	Unladen-£1000	Unladen-£1500
			Laden-£1500	Laden-£2000
Vehicle, excluding a two wheeled vehicle, off road but either not upright or substantially damaged or both	£300	£850	Unladen-£3000	Unladen-£4500
			Laden-£4500	Laden-£6000

Charges in relation to the storage of vehicles				
Two wheeled vehicle	Vehicle, not including a two wheeled vehicle, equal to or less than 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM but equal to or less than 7.5 tonnes MAM	Vehicle exceeding 7.5 tonnes MAM but equal to or less than 18 MAM	Vehicle exceeding 18 tonnes MAM
£10	£20	£25	£30	£35

Charges in relation to the disposal of vehicles				
Two wheeled vehicle	Vehicle, not including a two wheeled vehicle, equal to or less than 3.5 tonnes MAM	Vehicle exceeding 3.5 tonnes MAM but equal to or less than 7.5 tonnes MAM	Vehicle exceeding 7.5 tonnes MAM but equal to or less than 18 MAM	Vehicle exceeding 18 tonnes MAM
£50	£75	£100	£125	£150

Local Air Pollution and Prevention and Control (LAPPC) Charges

The Pollution Prevention and Control Act 1999 provide for the setting of fees and charges for Local Authority - Integrated Pollution Prevention and Control (LA-IPPC), and Local Air Pollution Prevention and Control (LAPPC) at levels that will recover costs of local authorities of implementing the system. The fees and charges are set nationally by DEFRA in consultation with affected industries and local authorities.

Type of charge	Type of process	£		
Application Fee	Standard process	1579		
	Additional fee for operating without a permit	1137		
	PVRI, SWOBs & Dry Cleaners RFA's:	148		
	PVR I & II combined	246		
	Vehicle Refinishers (VR's) & other RFA's	346		
	Reduced Fee Activities: Additional fee for operating without a permit	68		
	Mobile screening and crushing plant	1579		
	For the third to seventh applications	943		
	For the eighth and subsequent applications	477		
	Where an application for any of the above is for a combined Part B and waste application, add an extra £297 to the above amounts.			
Annual Subsistence Charge	Standard Process – LOW RISK	739 (+99)*		
	Standard Process – MEDIUM RISK	1111 (+149)*		
	Standard process – HIGH RISK	1672 (+198)*		
	Reduced Fee Activities Low/Med/High	76	151	227
	PVR I & II combined Low/Med/High	108	216	326
	Vehicle Refinishers Low/Med/High	218	349	524
	Mobile screening and crushing plant L/M/H	618	989	1484
	For the third to seventh permits L/M/H	368	590	884
	For the eighth and subsequent permits L/M/H	189	302	453
		*The additional amounts in brackets will be charged where a permit is for a combined Part B and waste installation.		
	Where a Part B Installation is subject to reporting under the E-PRTR Regulation, an additional £99 will apply to the above amounts.			

	Late payment fee – applies when invoice remains unpaid 8 weeks from the date issued.	50
Transfer and Surrender	Standard process transfer	162
	Standard process partial transfer	476
	New operator at low risk reduced fee activity	75
	Surrender: all Part B activities	0
	Reduced fee activities: transfer	0
	Reduced fee activities: partial transfer	45
Temporary transfer for mobiles	First transfer	51
	Repeat following enforcement or warning	51
Substantial change	Standard process	1005
	Standard process where the substantial change results in a new PPC activity	1579
	Reduced fee activities	98

LAPPC mobile plant charges

No. of Permits	Application Fee 2018/19 £	Subsistence Fee 2018/19 £		
		Low	Med	High
1	1579	618	989	1484
2	1579	618	989	1484
3	943	368	590	884
4	943	368	590	884
5	943	368	590	884
6	943	368	590	884
7	943	368	590	884
8 and over	477	189	302	453

LA-IPPC charges

Type of charge	Local Authority element 2017/18 £
Application	3218
Additional fee for operating without a permit	1137
Annual Subsistence - LOW	1384
Annual Subsistence – MEDIUM	1541
Annual Subsistence - HIGH	2233
Late payment fee	50
Substantial Variation	1309
Transfer	225
Partial Transfer	668
Surrender	668

Key

Subsistence charges can be paid in four equal quarterly instalments paid on 1st April, 1st July, 1st October and 1st January. Where paid quarterly, the total amount payable to the local authority will be increased by £36.

Reduced fee activities are: Service Stations, Vehicle Refinishers, Dry Cleaners and Small Waste Oil Burners under 0.4MW.

Newspaper adverts may be required under EPR at the discretion of the Local Authority as part of the consultation process when considering an application (see Chapter 9 of the General Guidance Manual). This will be undertaken and paid for by the LA and the charging scheme contains a provision for the LA to recoup its costs.

Agenda Item 8

Appendix 5 Appendix E

Private Water Supply Regulations 2009 (made up of 2 components as outlined below)

Laboratory Fees - charged by the laboratory for sample analysis.

Monitoring Type	Maximum Fee allowed under the Regulations	Analysis Type	Current Laboratory Fee
Reg. 10	£25.00	<p>Microbiological parameters and basic checks, as specified under Reg. 10.</p> <p>(PWS 2-10)</p> <p>Please note:</p> <p><i>(1): Either as a result of the formal Risk Assessment process or a case-specific Risk Assessment, additional test parameters may be required. Where such tests are in addition to the specified suite(s), the costs will be recharged to the customer at the full rate charged by the laboratory. The maximum total charge will be that specified under Schedule 5 of the regulations.</i></p> <p><i>(2) Where a customer requests any test not included, or in the opinion of the relevant officer; not necessary under the regulations. We (at our discretion) may provide such sample collection and test facilities, however we will recharge the full cost of both our officer time and laboratory fees.</i></p>	£14.05
Check monitoring	£100	<p>Schedule 1, Part 1, Table A (1st part) – microbiological parameters. (PWS 1A)</p> <p>Schedule 2, Part 1, Table 1 – chemical parameters:</p> <ul style="list-style-type: none"> - Full suite (PWS CM) - Basic/Reduced Suite (PWS 210) 	<p>£10.73</p> <p>£56.42</p> <p>£14.05</p>

		<p>Please note:</p> <p><i>(1) Either as a result of the formal risk assessment process or a case-specific risk assessment, additional test parameters may be required. Where such tests are in addition to the specified suite(s), the costs will be recharged to the customer at the full rate charged by the laboratory. The maximum total charge will be that specified under Schedule 5 of the regulations.</i></p> <p><i>(2) Where a customer requests any test not included, or in the opinion of the relevant officer not necessary under the regulations. We (at our discretion) may provide such sample collection and test facilities, but we will recharge the full cost of both our officer time and laboratory fees.</i></p>	
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Agenda Item 8

Appendix 5 Appendix E

Monitoring Type	Maximum Fee allowed under the Regulations	Analysis Type	Current Laboratory Fee
Audit monitoring	£500	<p>Schedule 1, Part 1, Table B</p> <p>Audit Monitoring Basic</p> <p>Please note:</p> <p><i>(1) Either as a result of the formal risk assessment process or a case-specific risk assessment, additional test parameters may be required. Where such tests are in addition to the specified suite(s), the costs will be recharged to the customer at the full rate charged by the laboratory. The maximum total charge will be that specified under Schedule 5 of the Regulations.</i></p> <p><i>(2) Where a customer requests any test not included, or in the opinion of the relevant officer not necessary under the regulations. We (at our discretion) may provide such sample collection and test facilities, but we will recharge the full cost of both our officer time and laboratory fees.</i></p>	£25.11

Agenda Item 8

Appendix 5 Appendix E

Monitoring Type	Maximum Fee allowed under the Regulations	Analysis Type	Proposed Fee
		<p>Please note:</p> <p>(3) <i>The regulations require that check and audit monitoring is undertaken on LARGE and commercial PWS.</i></p> <p>(4) <i>We are required to review PWS users on a source/premises specific basis, and to include any additional parameters identified by risk assessment.</i></p> <p>(5) <i>As a consequence, charges can only be quoted in broad sampling suites, which may, from necessity, be subject to change. Where additional monitoring parameters are identified, the cost of analysis will be recharged on a substance/test specific basis, as set by our appointed laboratory. Conversely, laboratory fees will be reduced where test procedures can be dropped as a consequence of the appropriate and considered removal of unnecessary parameters, but this will always be at our discretion, and we will consider scientifically the evidence available.</i></p> <p>(6) <i>The total of all check and audit monitoring will be re-charged in full up to the maximum set per sample under the regulations (currently £100 for check monitoring and £500 for audit monitoring).</i></p> <p>(7) <i>The frequency of sampling will be dictated by the daily volume of use tables within the regulation schedules. Additional samples will be taken where the risk assessment identifies a site-specific need or problem.</i></p>	

Council Fees Private Water Supply (Regulations 2009)

	Fee £
1. Risk Assessment:	
NEW	204
REVIEW & UPDATE	135
2. Sampling (a)	
Programmed sampling (based on 5 visits per day programme)	76.50
Customer requests (single requests, requiring unlinked geographical lists) and last minute or urgent requests	100
3. Investigations	100
4. Granting Authorisations	100

Please note:

- a. any person requesting any service under the PWSR 2009 is liable for the cost
- b. alternatively, fees are payable as specified in the invoice by the relevant person, as defined by Section 80 (7) of the Water Industry Act 1991:
 - i) *“the owners and occupiers of those premises; and*
 - ii) *whether or not the source of the private supply is in that authority’s area, the owners and occupiers of the premises where that source is situated and any other person who exercises powers of management or control in relation to that source”*

Agenda Item 8

Appendix 5 Appendix E

c. where more than one person is liable, we, in determining who is required to make payment:

i) may apportion the charge between them; and

ii) must have regard to any agreement or other document produced to the council relating to the terms on which water is supplied

d. customer requests for sampling which either fall:

i) completely outside regulatory control, or

ii) certain or, all specialist monitoring parameters fall outside regulatory control will not normally be undertaken. However, if the Head of Environmental Health and Housing Services decides monitoring can be justified in the interest of public health, it may be undertaken at their discretion, provided the customer agrees to pay in full for all services received, e.g. officer and laboratory costs.

If you have any further queries, please telephone Environmental Health and Housing Services on 01271 388870.

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**MARLBOROUGH ROAD CEMETERY, ILFRACOMBE &
BEAR STREET CEMETERY, BARNSTAPLE
FEES & CHARGES 2019 - 2020**

Please find below cemetery charges from 1 April 2019. Please note a 50% discount applies to North Devon Council Residents (*) in respect of Burial and Exclusive Rights fees.

BURIAL FEES

	Fee	NDC Resident*
Initial burial - 16 years of age and over	£1,250.00	£625.00
Subsequent burial - 16 years of age and over	£1,050.00	£525.00
Burial of cremated remains	£172.00	£86.00
Burial of a child up to 16 years of age	No Fee	No Fee

FEES TO PURCHASE THE EXCLUSIVE RIGHT OF BURIAL FOR 30 YEARS WHICH INCLUDE THE RIGHT TO ERECT A MEMORIAL

	Fee	NDC Resident*
For an adults grave	£1,162.00	£581.00
For a cremated remains grave	£398.00	£199.00
For a child's grave	£320.00	£160.00
Administration fee in respect of transferring of Rights	£38.00	£38.00

**Please note: Reservation of a grave plot is only available at Bear St Cemetery, Barnstaple.

MEMORIALS FEES WHERE RIGHTS WERE PURCHASED BEFORE 1 APRIL 2016

Erect a headstone only	£80.00
Place a tablet or vase	£55.00

ADDITIONAL FEES

To add an additional inscription to a monument	£32.00
For searching Register of Burials for one year	£37.00
For searching Register of Burials for each additional year	£37.00
For a certified copy of an entry in the Register of Burials	£37.00
Use of chapel per 30 minutes	£37.00

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<u>ITEM</u>	RECOMMENDED CHARGE 2018/19	RECOMMENDED CHARGE 2019/20
<u>SPORTS PITCHES</u>	Inclusive of VAT at 20%	Inclusive of V.A.T 20%
Football One-Off Booking (including changing facilities) on Grass Pitch at Tarka Tennis Centre 11v11 (90 minutes on full-size pitch)	£36.77	£42.00
Football Season Ticket (including changing facilities) on Grass Pitch at Tarka Tennis Centre 11v11 season ticket (11 games) paid by direct debit, all additional games charged at same rate: £36.77 inclusive of VAT.	£N/A	£404.47

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Pannier Market Charges 2019/20

	2012/13 +0.0% £	2013/14 +0.0% £	2014/15 +0.0% £	2015/16 +0.0% £	2016/17 5% Rounded £	2017/18 2% Rounded	2018/19 0.00%	2019/20 3 % rounded
Tuesday, Friday, Saturday								
Zone A	5.60	5.60	5.60	5.60	5.90	6.00	6.00	6.20
Zone B	5.10	5.10	5.10	5.10	5.40	5.50	5.50	5.70
Per day casual stalls*	8.20	8.20	8.20	8.20	8.60	8.80	8.80	9.10
Charity Stall Friday	8.20	8.20	8.20	8.20	8.60	8.80	8.80	9.10
Thursday								
Craft per day, per bay	28.20	28.20	28.20	28.20	29.60	30.20	30.20	31.10
Per day, per half bay	14.90	14.90	14.90	14.90	15.60	15.90	15.90	16.40
Monday								
Craft per day, per bay	27.70	27.70	27.70	27.70	29.10	29.70	29.70	30.60
Per day per half bay	14.90	14.90	14.90	14.90	15.60	15.90	15.90	16.40
Wednesday								
Per bay, per day	28.70	28.70	28.70	28.70	30.10	30.70	30.70	31.60
Per day per half bay	14.90	14.90	14.90	14.90	15.60	15.90	15.90	16.40
Venue Hire								
Speciality markets and events*#	153.70	153.70	153.70	153.70	161.40	164.60	169.50	200.00
Commercial*	512.50	512.50	512.50	512.50	538.10	548.90	565.40	565.40

Annual levy for membership of Barnstaple Town Centre

7.50 per trader per year

Management (SET BY TRADERS COMMITTEE)

Daily levy on casual traders for membership of Barnstaple Town Centre

1.00 per trading day

* basic hire charge, other charges may apply

for events which are not for profit and can demonstrate a significant benefit to the local people and communities whilst contributing to the vitality and viability of the town centre may be eligible for a discretionary discount

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Bulky Collection Costs 2019/20

Bulky Collection Costs		
	Current price	3% Increase
Up to 2 items	15.45	15.91
Up to 3 items	22.66	23.34
Up to 4 items	29.87	30.77

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Garden Waste Proposed prices 2019/20

	Current price	No Increase
Garden Waste Fee	36.00	36.00

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Open

NORTH DEVON COUNCIL

REPORT TO: EXECUTIVE
Date: 4 February 2019
TOPIC: REVENUE BUDGET 2019-20, CAPITAL PROGRAMME AND MEDIUM TERM FINANCIAL STRATEGY 2019-2023
REPORT BY: CHIEF FINANCIAL OFFICER

1. INTRODUCTION

- 1.1 This report notes the latest forecast position in the Performance and Financial Management Quarter 3 of 2018-19 reported separately on the agenda and the draft Budget for 2019-20. These figures will be the basis of the recommendation to Council on 25 February 2019 when the Council Tax levels for 2019-20 will be approved.
- 1.2 The Council has a legal duty to prepare a balanced budget and in order to achieve this position a number of pressures have been identified and assumptions made throughout the preparation process. Members are minded to consider whether to implement or amend these whilst taking into account the implications on the Council's overall financial position and the level of Council Tax for 2019-20 year.
- 1.3 The Council's Corporate Plan 2015-2018 was updated by the Executive and Full Council in January 2016. In taking decisions on the budget and Council Tax, Members will be mindful of the two key corporate objectives set out in the Plan, these being:
 - Organisational Transformation
 - Growing North Devon
- 1.4 A significant theme running through the Corporate Plan is the need to continue achieving savings within the Council's budgets. Sitting alongside and supporting the Corporate Plan is the Council's Medium Term Financial Strategy (MTFS) which has been updated and is shown later in this report.
- 1.5 It is however pleasing to report that the Council has a good track record of delivering efficiencies and savings and is in good financial shape to meet this challenge.

2. RECOMMENDATIONS

2.1 The Executive:

- 2.1.1 Note the latest forecast for Budget 2018-19 and the proposed contributions to earmarked reserves.
- 2.1.2 Note the Chief Financial Officer's assurance on the adequacy of the reserves and the robustness of the budget in paragraph 5.1.4.5
- 2.1.3 Note the Chief Financial Officer's highlighted areas of risk identified within the budget process set out in paragraph 5.1.4.6 and section 5.3
- 2.1.4 Note the latest Medium Term Financial forecast for 2019-2023 as shown in section 5.1.5
- 2.1.5 Subject to approval of 2.2.4 below, that funds are released for the capital schemes listed in section 5.2.2

2.2 Recommend to Council:

- 2.2.1 That there be an increase of 2.99% in the level of Council Tax charged by North Devon Council for 2019-20.
- 2.2.2 The actions identified in sections 5.1.2 to 5.1.4, which are required to ensure a balanced budget is achieved and therefore recommend to Council the approval of 2019-20 General Revenue Account Budget.
- 2.2.3 To adopt the Medium Term Financial Strategy 2019-2023 in section 5.1.5 as part of the Policy Framework.
- 2.2.4 The Capital Programme 2018-19 to 2021-22 as highlighted in section 5.2 be approved.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The 2018-19 latest forecast is reported to ensure Executive maintain budgetary control for the rest of the financial year.
- 3.2 To ensure Executive has assurance on the financial standing of the Council and risks associated with the budgetary framework.
- 3.3 Decisions on the level of Council Tax need to be taken by Executive as part of recommending next year's budgetary framework for adoption by Council.
- 3.4 To ensure Executive have a savings plan in place to deliver the long-term financial strategy of the Council.
- 3.5 To ensure Executive control the performance improvement activities of the Council.
- 3.6 To ensure that future capital investment is available and targeted to the Council's priorities.

4. CONSTITUTIONAL CONTEXT

Article and paragraph	Referred or delegated power?	A key decision?	In the Forward Plan?
Part 3 Annexe 4	Executive delegated decision making	Yes	Yes
Part 4 Budget Procedure Rules	Executive delegated to formulate Budget	Yes	Yes

5. REPORT

5.1 Revenue Budget

5.1.1 Quarter 3 Forecast 2018-19

- 5.1.1.1 The Performance and Financial Management Quarter 3 of 2018-19 is also reported on the agenda. The current forecast is that the Council has a small net budget deficit of £0.019m against its budget; however we anticipate that the variance can be reduced further throughout the last quarter.
- 5.1.1.2 The original budget for 2018/19 included a forecast to achieve £0.200m worth of salary vacancy savings. The current position forecasts this will be exceeded this year and vacancy savings of £0.225m will be achieved.
- 5.1.1.3 Within the overall £0.019m net budget deficit there are various cost pressures and one-off savings. I am pleased to report that the budget pressures seen within waste and recycling have not increased any further at the quarter 3 forecast. There has been a significant reduction in the forecast planning fee income of £0.159m due to a reduction in the larger applications received, which is in line with other authorities experiencing the same pressure. However I am pleased to report that we are forecasting additional Business Rates Retention income of £0.200m over and above the budgeted £1.252m Business Rates growth which has resulted in maintaining the net budget deficit at a similar level reported at quarter 2.
- 5.1.1.4 The Business Rate retention scheme was introduced in April 2013 which sees Billing authorities receive a 'baseline' funding but in addition they are exposed to the risks and rewards of retaining a proportion of the income collected. This exposure is mitigated by participation in the Devon-wide pool that collates all of the Business Rate growth and decline and returns a share of the impact to each local authority.

- 5.1.1.5 I am pleased to report that there is an estimated one-off additional income from the 100% Business Rates Retention pilot for 2018/19 of £0.750m; this additional income has been earmarked to the following reserves to help fund future projects:
- £0.350m Capital Funding reserve
 - £0.150m Improvement Fund reserve
 - £0.190m Economic Development reserve
 - £0.060m Office Technology reserve
- 5.1.1.6 As at the 31st December 2018 total external borrowing was £1.250m. The timing of any future borrowing is dependent on how the authority manages its treasury activity and due to current low interest rates and reduced returns on investments it is prudent for the Council to 'internally borrow' and use these monies to fund the Capital Programme.
- 5.1.1.7 The recommended level of general fund balance is 5%-10% of the council's net revenue budget (£0.611m to £1.222m). The forecast general fund reserve at 31 March 2019 is £1.161m, which is a level of 9.5%.

5.1.2 Budget 2019-20

- 5.1.2.1 Preparation of the 2019-20 budget began in the autumn of 2018 in order to consider the cost of known budgetary pressures and provide opportunity to consider the impact of proposed reductions.
- 5.1.2.2 The Government's Spending Review (SR2015) took place in November 2015, which announced local government facing further funding reductions nationally of some 53% over the period to 2019-2020.
- 5.1.2.3 In addition, it was also announced that by the end of this Parliament, local government would retain 100% of all business rates. Since this announcement, the Government have deferred the roll out of 100% business rates across the whole country and offered the opportunity for Councils to bid to become pilot areas of 100% business rates in 2018-19 and pilot areas of 75% business rates in 2019-20.
- 5.1.2.4 A key objective of the pilot was to promote financial sustainability and to invest some of the additional retained income to encourage further growth. As mentioned earlier, Devon authorities operate in a pool at present and thus already had governance arrangements

Agenda Item 9

in place and in October 2017, following sign off from each authorities Leader and Chief Executive, the Devon authorities submitted a bid to Government to become a pilot area.

- 5.1.2.5 In December 2017, it was announced that the bid from Devon was successful and thus Devon will operate as a pilot of 100% business rates for one year only (2018/19 year). This is currently forecast to see gains of around £19m for the Devon area as a whole; of which this authority will gain a proportionate share of the one off gain of around £0.750m.
- 5.1.2.6 For 2019-20 the Government invited bids for further pilot areas; this time for 75% business rate retention. The Devon authorities submitted a further bid to Government, however it was announced as part of the finance settlement in December 2018 that Devon had been unsuccessful in its bid. For 2019-20 year, Devon will revert back to the pooling arrangements under the original 50% scheme.
- 5.1.2.7 During the last spending review (2011-2015) the Council reduced its net budget by £4m. Whilst this was achieved without significant detriment to service provision it should be noted that the Council is now operating with some 30% fewer staff than it had 8 years ago.
- 5.1.2.8 The Council made the decision during 2016-17 to accept the Government's offer of a 4-year financial settlement through to 2019-20 year. This was confirmed by the Government in November 2016. By accepting the 4-year settlement helps the Council to plan ahead with greater certainty and to provide a financial platform to delivery upon our corporate plan.
- 5.1.2.9 The refreshed 4-year Medium Term Financial Strategy was approved this time last year (February 2018) and the forecast cumulative budget gap / (surplus) was shown as follows

Years	2018-19 £m	2019-20 £m	2020-21 £m	2021-22 £m
Budget gap / (surplus)	0	0.345	0.517	0.616

- 5.1.2.10 The forecast for 2019-20 (at this time last year) was a budget gap of £345,000. Following a more detailed annual budget setting exercise mentioned in 5.1.2.1 there have been a number of movements to this forecast however I am pleased to be in a position to put forward a balanced budget for 2019-20 financial year.
- 5.1.2.11 A summary of the main budget movements for 2019-20 is as follows:

Agenda Item 9

	£m	£m
Medium Term Financial Strategy forecast for 2019-20	0.345	
Funding movement		0.345
Pay award (<i>higher than factored into MTFS</i>)	0.037	
Reduction in Pannier Market income	0.049	
Reduction in Recycling income	0.159	
Increase in fuel & vehicle maintenance costs	0.107	
Salary savings (net)	(0.223)	
Reduction in subsidy to Theatres	(0.037)	
Other	0.093	
Cost pressures & savings		0.185
Council Tax income (2.99%)	(0.060)	
Business Rates income (<i>increase on £1.3m factored into MTFS</i>)	(0.202)	
Further salary savings (net)	(0.039)	
Reduction in grant to South Molton Swimming Pool	(0.016)	
Reduce contribution to Executive Contingency reserve	(0.017)	
Reduce contribution to Improvement Programme reserve	(0.050)	
Reduce contribution to Local Plan reserve	(0.025)	
Review of Trade Waste service (<i>service cost-neutral</i>)	(0.040)	
Review of CCTV service (<i>50% saving 2019-20</i>)	(0.035)	
Reduce 'one-off' contribution to NHB reserve (<i>back to £0.100m</i>)	(0.046)	
Options to balance the budget		(0.530)
Draft Balanced Budget for 2019-20		0.000

The Council's net budget for 2019-20 is £12.518m; a table outlining the summary Budget 2019-20 is attached as **Appendix 1**.

Details showing the proposed level of strategic grants for 2019-20 are in **Appendix 2**; together with supporting statements from the organisations in receipt of a grant.

5.1.3 Budget 2019-20 Funding

- 5.1.3.1 There are three main sources for the Council to fund its net budget of £12.518m; direct Government Grants, Business Rates and income collected from Council Tax payers.
- 5.1.3.2 The level of funding the Council receives for its share of the Council Tax bill equates to £6.301m.
- 5.1.3.3 The main grant received from Central Government is paid via the Local Government Finance Settlement.
- 5.1.3.4 North Devon has been provisionally allocated £3.269m, which is £0.363m (10%) less than the £3.632m allocated for 2018-19. The final settlement is due to be approved by Parliament in February 2019.

5.1.3.5 The balance of funding of £2.948m used to fund the Budget 2019-20 is as follows:

- New Homes Bonus of £1.446m, which is made up as follows:

	<u>Increase</u>	<u>Cumulative total</u>
Year 1 (2016/17)	£332,040	
Year 2 (2017/18)	£299,095	
Year 3 (2018/19)	£379,676	
Year 4 (2019/20)	£434,860	£1,445,671

- The government reviewed New Homes Bonus as part of the 2017-18 finance settlement and made changes to reduce the legacy payments of the original scheme of 6 years down to 4 years from 2018-19. In addition to this, the scheme also would now only be rewarding growth over a national baseline of 0.40%. The government announced no new changes as part of the 2019-20 finance settlement, however the funding review planned for 2020-21 year there are potential changes to the scheme; these are yet to be announced by Central Government.
- Business Rates Retention growth of £1.502m. In the current year 2018-19 we are reporting additional business rates income of £0.200m over and above the budgeted £1.252m business rates growth.

Initial projections for 2019-20 are forecasting a net additional gain of £1.692m. Exposure to the risks and rewards of the scheme are currently mitigated by participating in the Devon-wide pool. However, these figures can fluctuate depending on how all the Local Authorities within the pool perform and we have prudently budgeted for a lower additional income figure of £1.502m for 2019-20.

5.1.4 Reserves

- 5.1.4.1 The Council started 2018-19 with earmarked reserves of £5.647m and a General Fund Balance of £1.161m.
- 5.1.4.2 The Performance and Financial Management Quarter 3 report of 2018-19, also on the agenda, provides an updated forecast position for reserves. It is currently forecast that the amount held in earmarked reserves will reduce to £4.416m and the General Fund Balance to remain at £1.161m as at 31 March 2019.

- 5.1.4.3 The Budget 2019-20 includes contributions to and (from) specific earmarked reserves. Appendix 1 summarises these reserve movements.
- 5.1.4.4 **Appendix 3** details the forecast reserve balances for the period to 31 March 2020 and it is currently forecast that the amount held in earmarked reserves will be £3.289m and the General Fund Balance of £1.161m as at 31 March 2020.
- 5.1.4.5 In compliance with the Local Government Act 2003 the Chief Financial Officer assures Members of:
- The robustness of the estimates; and
 - The adequacy of the proposed financial reserves
- 5.1.4.6 The Chief Financial Officer would also like to draw Members' attention to the risks associated with Revenue and Capital budgets identified in section 5.3 below.

5.1.5 Medium Term Financial Strategy 2019-2023

- 5.1.5.1 Whilst preparing the Budget 2019-20 each Head of Service was tasked with preparing service plans covering 2019-20 and beyond. These plans have been through Overview and Scrutiny Committee in January 2019 and if applicable the revenue implications have been factored into the budget. The purpose of these plans is to ensure that the Council has a strategic approach to delivering the budget reductions expected as a result of the Government's austerity programme.
- 5.1.5.2 The Medium Term Financial Strategy (MTFS) was last considered by the Executive at its meeting on 5 February 2018. Council approved the MTFS 2018-19 to 2021-22 at its meeting on 21 February 2018.
- 5.1.5.3 The MTFS underpins and provides the financial cornerstone of the Corporate Plan, which will shape the Executive's activities. It is good practice that the MTFS is refreshed on an annual basis to ensure that the Council's forward looking financial position is considered particularly in the current economic climate.
- 5.1.5.4 The MTFS model represents a view as of today based on numerous financial assumptions about the future, which are described in detail together with the risks associated with their volatility.
- 5.1.5.5 The MTFS looks at the changing financial situation of the Council over the future four financial years for 2019-20 to 2022-23. The

starting position is the Budget 2019-20, which is rolled forward based on a set of assumptions.

5.1.5.6 The refresh of the MTFS has involved reviewing all previous assumptions in light of new and more current information. These changes reflect actual experience and additional information or remove unsafe assumptions. The main assumptions in the forecast are as follows:

- **Pay settlement.** The Government previously indicated continued strict controls needed to minimise public sector pay and pay increases were targeted at 1%. The 2018 & 2019 pay offer announced has relaxed this target and for 2019-20 the impact equates to an average 2.8% increase across the Council; resulting in an additional £0.340m cost. The budget for next year and the future years in the MTFS have prudently assumed a similar 2.8% increase. The risk however is that a higher increase is agreed which would add further cost to what has been predicted.
- **No further borrowing to fund capital expenditure in addition to already approved projects.** The Budget 2019-20 and Treasury Management strategy includes borrowing costs of up to £0.590m in 2019-20 to cover current capital programme commitments. The future model assumes borrowing increasing to £0.790m by 2022-23 to cover approved capital projects in the programme. It assumes no further borrowing is undertaken than currently committed to above. If borrowing beyond this is considered a business case will be made outlining all the possible funding options.
- **Additional legislative requirement will be funded by additional grant.** Under the new burdens doctrine the Ministry of Housing, Communities and Local Government (MHCLG) provides additional grant funding, either as a specific grant or included in formula grant. It is also assumed that the grant will be sufficient to fund the additional costs.
- **The move to Universal Credit has a nil effect.** The move from rent allowances to universal credit will see reductions in expenditure and grant income. It is assumed that we will make sufficient savings to match the grant reduction. It is also assumed that there will be no significant impact on homelessness and prevention.
- **No impact from future changes to pensions.** The impact from the 2017-18 triennial review of the pension scheme has already been factored into the base budget which sets out the authority's employer contributions for the periods to 2019-20. The next triennial review of the pension scheme takes place in the autumn of 2019; the model has prudently assumed an increased cost for 2020-21 year. However, if the actual results

Agenda Item 9

are in line with the assumptions recently made within the pension review then this impact should be lower.

- **Review of fees and charges.** Core fees and charges for service areas such as carparks and garden waste have not been reviewed for a number of years; however the running costs for these services have increased. A review of fees and charges has been incorporated within the forecast and will require Member approval in advance of the 2020-21 year. The risk to the financial forecast is that fees are not increased and thus increases the forecast budget gap by £0.275m.
- **Includes increases in the level of council tax per annum with effect from 2019-20.** This does not mean that the Council cannot freeze or amend the level of council tax, but the decision will be made as part of the budget consideration each year. However, the model assumes a rise each year, if a decision is made to not increase then this will produce a cumulative budget gap of £0.180m in each of the years the tax is not increased.
- **No impact from changes to council tax support or other council tax discounts.** The scheme has been based on a cost neutral model; however changes due to increased take up or loss of collection above that forecast would have a direct financial impact on the Council and its major preceptors. The scheme is reviewed as part of the quarterly performance and financial management report.
- **Government Fair Funding Review and income from retention of Business Rates.** From 2013-14 the government allowed authorities to share in the benefit from growth in business rates. The latest forecast for 2018-19 is estimating additional Business Rates Retention income of £0.200m over and above the budgeted £1.252m Business Rates growth; this is in addition to Baseline funding. Baseline funding is being reviewed and a planned reset for 2020-21 year which will see the above growth reset and a new Baseline funding level for each authority. The MTFS model forecasts an assumed overall reduction in Baseline funding and Business Rates income for 2020-21 onwards. Indicative funding allocations should be announced in autumn 2019, however the risk to the Council is that the overall funding is lower than the level assumed in the financial forecast.
- **Use of New Homes Bonus.** The government reviewed New Homes Bonus and made changes to reduce the legacy payments of the original scheme of 6 years down to 4 years from 2018-19. In addition to this, the scheme now only rewards growth over a national baseline of 0.40%. The MTFS has incorporated the estimated impact of the changes for future year forecasts through to 2022-23. There are further potential changes to the scheme in 2020-21; but details have not been announced yet by MHCLG. Based on the current scheme

Agenda Item 9

North Devon is forecast to receive between £1.5m-£1.6m per year; however we have prudently assumed a lower figure of £1.4m in the forecast. The risk to the Council is that the scheme is changed fundamentally and the financial impact results in a lower than assumed income figure.

5.1.5.7 The refreshed MTFs model detail is shown in **Appendix 4** and the forecast cumulative budget gap / (surplus) is shown as follows:

Years	2019-20 £m	2020-21 £m	2021-22 £m	2022-23 £m
Budget gap / (surplus)	0	0.401	0.470	0.666

5.1.5.8 The figures shown in the model are forecast and members should be mindful of the sensitivity of some of the figures incorporated; the following **sensitivity analysis** highlights how figures can change both upwards and downwards:

- A 1% movement on pay awards has an impact of £0.100m; the MTFs has factored in 2.8% each year therefore any variance to this will change the forecast
- No Council Tax rise is a cost impact of £0.180m each year in lost income on the base budget
- For every £1m extra borrowed (over a 10 year period) would be an additional annual cost to revenue budget of £0.120m

5.1.5.9 The major plans currently included within the MTFs to deliver the savings required in the short to medium term are:

- Inclusion in the Devon-wide saving sharing scheme with Devon County Council following the roll out of changes to recycling service.
- Review of CCTV service with a number of potential options moving forwards. Separate detailed report being brought to Executive shortly; prudently included the lowest potential saving in the budget forecast.
- Review of core fees and charges for service areas such as carparks and garden waste; the running costs for these services have increased however the fees and charges have not been reviewed for a number of years. A review has been incorporated within the forecast and will require Member approval in advance of the 2020-21 year.
- Continued vigorous vacancy management measures and on going reviews of the structure of the Council to determine

whether posts can be removed without detrimentally impacting on the way the Council operates.

- Reviewing Parish grants and all external grants/services provided by external partners through voluntary and contractual arrangements.

5.1.5.10 The Council has been preparing and positioning itself for on going budget reductions and will continue to work on options to deliver the savings necessary to balance the budget gaps through to 2022-23 year.

5.1.5.11 Performance against the budget and savings targets is carried out through the year and incorporated into the quarterly financial and performance management report received by Executive. It is fundamental that early work continues by the Leadership Team in conjunction with service areas to identify savings options to meet the above budget gap.

5.2 Capital Programme

5.2.1 The Performance and Financial Management Quarter 3 of 2018-19 is also reported on the agenda. This report highlights the latest plans for capital investment for the period 2018-19 to 2020-21, which amounts to £12.842m and is broken down as follows:

- 2018-19 £5.529m
- 2019-20 £6.313m
- 2020-21 £1.000m

5.2.2 Further investment of £7.126m through to 2021-22 has been identified following business cases submitted to the Project Appraisal Group, which is broken down across the following schemes:

- | | |
|---|------------|
| • Rolling Road for Workshop | £30,000 |
| • Vehicle Replacement Programme | £1,198,000 |
| • Material Recovery Facility – infrastructure | £760,000 |
| • HR and Payroll System | £98,500 |
| • Pannier Market – new roof | £500,000 |
| • Digital Transformation – asset management | £40,000 |
| • Contact Centre – telephony system | £86,500 |
| • ICT Office Technology | £813,250 |
| • Disabled Facility Grants | £3,600,000 |

5.2.3 The Council therefore has identified investment needs of £19.968m, which it expects to be funded from capital receipts/borrowing (£4.061m), external grants and contributions (£12.614m) and reserves (£3.293m).

- 5.2.4 **Appendix 5** provides an individual project detail of the Capital Programme for 2018-19 to 2021-22.
- 5.2.5 The timing and realisation of capital receipts can be impacted by events beyond the control of the Council and we have been able to manage cash flows for projects through internal borrowing.
- 5.2.6 We also have authority to borrow from the Public Works Loan Board (PWLB) as outlined in the Treasury Management Annual Investment Strategy and the Council currently has external borrowing of £1.25m, of which £0.750m was undertaken during 2014/15 and a further £0.5m during 2016/17 to support capital expenditure.

5.3 Risk Assessment

- 5.3.1 Whilst formulating the budget proposals, risks to specific income and expenditure budgets were identified. During the course of the process assessments were made in respect of these risks. In light of the information that officers had available appropriate amendments were made to the budget forecasts where possible. Highlighted below are risks identified that could yet have a major impact on the Council's ability to achieve the Budget 2019-20;
- 5.3.2 **Government grants** – Parliament is expected to approve the funding allocated to Local Government in February 2019. The risk to 2019-20 is that it could be approved at different levels to that assumed in the Budget 2019-20, although the likelihood is unlikely due to the Council accepting the Governments offer of a multi-year settlement which was confirmed in November 2016.
- 5.3.3 **Income** from car parks, planning, sale of recyclable materials, commercial waste and investments are key areas of income, which have been detrimentally impacted since 2009 as a result of the recession. Whilst some areas have started to recover it remains difficult to predict when stability and, or any significant improvement will return to the economy and is therefore continues to be a source of major risk to the Council's Budget 2019-20. However, the budget estimates have been set prudently taking account of the latest 2018-19 forecast income levels.
- 5.3.4 **Capital receipts** – The Council faces two main risks in this area. The first is the fact that the Capital Programme is forecast to be funded from as yet unrealised receipts. The second is the ongoing value of receipts generated could be lower due to the economic situation. Both these factors could lead the Council to seek other sources of funding, such as increasing external borrowing and therefore add further borrowing costs to that already included in the 2019-20 budget.

- 5.3.5 **Savings plans** – Service plans have been approved and net savings been factored into the 2019-20 budget. To achieve the full financial benefit of the savings identified will require negotiation with supplier, partners and other organisations therefore there is a risk that the full benefit may not be achieved, or achieved within 2019-20 financial year.
- 5.3.6 **Increase in demand for services** – Demand for specific services has continued to increase during 2018-19. Homelessness prevention measures in particular have increased over the past couple of years. It is considered that in light of the current economic climate and general public sector budget cuts that this will continue through 2019-20, which will further impact the Council's budget.
- 5.3.7 **Localisation of council tax support** – The proposed scheme (unchanged from 2018-19) went to the Executive in January 2019 and has been based on a cost neutral model; however, changes due to increased take up or loss of collection above that forecast would have a direct financial impact on the Council and its major preceptors. The scheme will be reviewed as part of the quarterly performance and financial management report.
- 5.3.8 **Business Rates retention** – We are now exposed to the risk of lower collections, decline on the tax base and successful outstanding appeals. However this is mitigated by participating in the Devon-wide pool. The Council is also experiencing growth in Business rates income, which has been included in the financial plans.
- 5.3.9 **Welfare reforms** – The Government has embarked on significant changes to the welfare system, which includes changes to the amounts claimants are entitled to, consolidating different forms of benefit and payment methodology. These may generate risks both from increased demand for services and more directly on resources of the Council. There are still many aspects of the reform unclear, but the Council will continue to monitor progress and analyse the impact on our customers as well as the Council itself.

6. RESOURCE IMPLICATIONS

- 6.1 Included in the report.

7. STATEMENT OF INTERNAL ADVICE

- 7.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

8. STATEMENT OF CONFIDENTIALITY

- 8.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

9. BACKGROUND PAPERS

9.1 The background papers are available for inspection and kept by the author of the report.

Executive Members: Councillor Richard Edgell and Councillor Glyn Lane

Author: Jon Triggs, Head of Resources

Date: 23 January 2019

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Budget Summary 2019/2020

Service Budgets	£
Corporate & Community Services	4,165,840
Corporate Services	2,617,220
Environmental Health and Housing	2,102,700
Operational Services	2,764,840
Place	889,350
Resources	2,165,170
Total Service Budgets	14,705,120

Accounting Adjustments	£
Asset Management Revenue Account	-2,338,250
Vacancy Savings Target	-239,380
IAS19 Appropriation	-613,850
Accounting Adjustments	-3,191,480

Contributions to / from (-) Reserves	£
Ilfracombe Watersports Centre Reserve	-29,290
Repairs Fund - Contribution	236,290
Repairs Fund - Applied	-236,290
Planning Inquiries Fund - Contribution	0
Planning Inquiries Fund - Applied	-20,000
Community Protection Vehicles Reserve	6,000
Executive Contingency Reserve	62,340
Improvement Programme Reserve	0
Local Plan Fund	0
Vehicles Renewals Fund	250,000
Outdoor Tennis Surface Replacement	13,000
Technology Fund	115,000
Noise Equipment	2,000
District Council Elections Reserve	-50,000
New Homes Bonus Reserve	100,000
Council Tax Support Scheme Reserve	-27,420
Earmarked Reserves	421,630

Interest, Levies & Other	£
Interest Receivable	-70,000
Minimum Revenue Provision (MRP)	549,700
Interest Payable	42,000
Levies	28,690
Council Tax Support - Grant paid to Parishes	32,150
Interest, Levies & Other	582,540

Total Budget	12,517,810
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Resources and Funding	£
Revenue Support Grant	-15,790
Business Rates Baseline Funding Level	-2,942,790
Business Rates Retention Growth	-1,502,140
Council Tax	-6,224,440
Collection Fund Surplus	-76,790
New Homes Bonus - Grant	-1,445,670
Rural Services Delivery Grant	-310,190
Resources and Funding	-12,517,810

Total Funding	-12,517,810
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Grants			
	2016/17	2017/18	2018/19
AONB	16,770	16,770	16,770
Biosphere	18,360	15,900	15,900
Exeter Area Rail Project	10,200	8,830	8,830
Go North Devon	17,000	14,720	14,720
NDVS	17,000	17,000	17,000
CAB	45,000	45,000	45,000
South Molton Swimming Pool Grant	20,400	17,670	17,670
Community Councillor Grants	43,000	43,000	43,000
	187,730	178,890	178,890

Reduction 2019/20	Grant Level 2019/20	Reduction %
-1,340	15,430	-8.0%
-1,270	14,630	-8.0%
-710	8,120	-8.0%
-1,180	13,540	-8.0%
-1,360	15,640	-8.0%
-3,600	41,400	-8.0%
-17,670	0	-100.0%
	43,000	0.0%
-27,130	151,760	

NORTH DEVON COUNCIL

**SUPPORTING STATEMENTS SUBMITTED BY THIRD PARTY ORGANISATIONS IN
RECEIPT OF A NORTH DEVON COUNCIL STRATEGIC GRANT**

North Devon Coast AONB - Benefits for North Devon

1. Provide specialist planning advice for protected AONB landscape

- Responded to 51 separate planning issues within the AONB or its setting, based on specialist advice through AONB Projects Officer, sub-contracted landscape architect and local expertise from the AONB’s Planning Panel members. In regular contact with local planning officers and engage in pre-application advice/site visits as required. Contributed to Local Plan consultations.
- **Delegated statutory responsibility** by local planning authorities to AONB Partnership to review and produce the five-year AONB Management Plan – new **Plan for 2019-2024** drafted, completed public consultation and final plan being presented for adoption by local planning authorities in March 2019.
- Contribute to regional and national policy discussions through Devon Landscape Policy Advice Group, SW Protected Landscapes Forum Planning Group and National Association of AONBs planning group - sharing expertise locally.

2018	North Devon	Torridge	Total
Applications	24	10	34
Pre-Application Advice	8	0	8
Appeals	1	0	1
Other	4	4	8
Total	38	15	51

2. Team and Partnership with range of skills to deliver local priorities

Team (2.6 FTE) – Manager (FT), Projects Officer (FT), Communications and Support Officer (0.6). **Contractors and project staff** – seconded through North Devon+

AONB Partnership – 27 voting members comprising public, voluntary and community sector representatives. Parish representatives being recruited for 2019.

Purpose: to conserve and enhance the natural beauty of the North Devon AONB

Priorities based on statutory AONB Management Plan:

Place – landscape, biodiversity, geology, historic environment and the coast

People – economy, tourism, education, community, health and wellbeing

Resources – planning, land management, transport and infrastructure

Partnership Working: the team work closely with a wide range of officers within the local authorities, south west protected landscapes, local charities and community organisations to deliver across the area and across a range of sectors. Excellent working relationships, shared

expertise and local knowledge from the team members contribute to working successfully through Partnership members and local communities.

Strategic Activity: engaged with Coastal Communities, Devon Local Nature Partnership, SW Protected Landscapes Forum, National Association of AONBs, Local Enterprise Partnership Productivity Plan, Biosphere Partnership, Defra Landscape and Marine Pioneers, Estuary Forum, LEADER 5 LAG, Plastic Free North Devon Consortium and community group.

Delivery Activity in 2018: Engaged with 3,891 people through many different activities over the year including; bat walks/talks; bat surveys; beach cleans; beach wildlife surveys; school, pre-school and college activities; student work placements; training sessions; festival/show stands. Volunteering activities.

3. Leverage money into North Devon for local priorities

a. Core Funding

Annual Budget - £187,698

75% from Defra (central government)

25% from Devon County Council, North Devon Council, Torrridge District Council

Every £1 of local funding attracts £3 of central government funding.

Funder 2018/19	Indicative Amounts
DEFRA	140,796
Devon County Council	13,132
North Devon District Council	16,770
Torrridge District Council	17,000
Total	£187,698

Team hosted by Devon County Council under a Memorandum of Agreement – limited shared liability between 3 local authorities

b. Small Grant Scheme - Sustainable Development Fund

Support local projects that benefit the AONB - from communities, businesses, landowners, agencies and parishes. Simple process and local decision making panel

Total Fund - £25,000 towards 12 projects in 2018/19 with a total value of £119,000

Leverage – approximately £3 for every £1 of grant offered by AONB. Plus, in-kind time and resources as match funding.

This year we have offered grants to 8 projects in North Devon: -

- Down on the Farm – professional films of farming with NDMI
- Plastic Free North Devon Water Bar
- Taw Torridge High Tide Roost and Disturbance Study
- Lee Bay Pirates Trail in summer of 2018
- Improving Nigh-time Capability of Ilfracombe RNLI – infrared camera
- Coast Explorers – new display for Barnstaple Museum
- Coastal Bird Display and digital interpretation at Ilfracombe Museum
- Restoration of St Mary's Church Clock, Morteohoe

c. External Funding through Projects

North Devon Coastal Heritage

Lead – AONB team

New Funds - £49,500 from Heritage Lottery Fund and local partners

Staff – providing full time Heritage officer for 2 years

Partners – National Trust, Hartland Parish Council, North Devon Archaeological Society, North Devon+, Torridge District Council

Focus – Hillforts, WW2 heritage, Hartland Peninsula and conservation volunteers.

Plus D-Day 75th Anniversary project with local Museums in 2019.

Successful Further Bids – £25,255 from Historic England and **£2,000** from SWCP for a scheduled monument management, survey and interpretation programme.

Coastal Creatures <http://www.northdevon-aonb.org.uk/coastal-creatures>

Lead – AONB team

New Funds - £61,500 from Heritage Lottery Fund and Tesco Bags of Help

Partners – Coastwise North Devon, North Devon+, Northam Burrows Country Park, Combe Martin Primary School, National Trust

Timescale – 2.25 years - May 2016 to September 2018

Activities – Focus on 4 beaches – Combe Martin, Lee Bay, Croyde and Westward Ho!; schools engagement on coastal wildlife, science and marine litter; wildlife surveys through citizen science; beach cleans across the AONB; species and survey training; new interpretation materials – Coastal Spotter guide for AONB, 4 beach guides and 3 wildlife trails (Ilfracombe, Baggy Point and Northam Burrows).

Devon Greater Horseshoe Bat Project <http://devonbatproject.org/>

Lead – Devon Wildlife Trust, with 19 partners across the county with AONB team leading for North Devon activity

New Funds - £707,000 from Heritage Lottery Fund for whole project

Timescale – 5 years - July 2015 to October 2020

Focus – Braunton and Combe Martin (1/5 of project)

Activities – community engagement, scientific research, landowner advice

Undergrounding of Power Lines

Lead – AONB team

New Funds - £850,000 from Western Power for Morteheo

New Funds - £79,000 from Western Power for Croyde

Partners – Western Power, National Trust and Morteheo Parish Council

Timescale – 2017-2019

Focus – Morteheo parish on National Trust land and Croyde approaches

Information: <http://www.northdevon-aonb.org.uk/> or @explorethecoast

North Devon Biosphere Reserve Partnership – Benefits from funding

- a) It helps to leverage external funding to North Devon towards Biosphere Reserve objectives to enhance the quality of the local environment, support the local economy and improve local sustainability;
 - Local authority funding for the Biosphere Reserve has previously secured external funding for the area over 20 times that provided by the local authorities;
- b) International recognition and status of UNESCO Biosphere Reserve contributes to further (international) funding, research and cooperation opportunities and international marketing opportunities and tourism for the area;
 - The Partnership is deemed by UNESCO governing council to be a leading example to other UNESCO sites;
- c) As the first, and one of only a handful of Biosphere Reserves in the UK, it provides a distinctive opportunity for the area's branding, marketing and identity to facilitate future investment;
- d) The Partnership is already recognised nationally as a good example of effective cooperation and a potential future way of working with national and local partner organisations (local authorities, statutory organisations, local environmental and cultural organisations, economic regeneration bodies, academics institutions) by working together;
 - It provides an established mechanism to maximise synergies between national and local agencies to deliver actions more effectively in an integrated way;
 - It can help to deliver objectives beyond what the Councils can deliver on their own, such as improved water quality through partnership with farmers and land managers;
 - It was identified as a pilot area for delivering a net gain in biodiversity through new development and identifying best practice;
- e) Two of the four Defra Pioneer Programmes (the landscape pioneer and the marine pioneer projects) identified in the Government's 25 year Environment Plan were selected based on the Biosphere Reserve;
 - These are pilot projects to integrate natural capital into local decision making and make more effective use of all public funding in enhancing the local environment;
 - These pioneers are understood to have been selected nationally on the basis of an established partnership to pilot innovative approaches for effective joint working prior to sharing best practice across the country;
- f) Spatial planning and management at a landscape scale (the Biosphere Reserve boundary) helps to recognise how communities and the local environment are connected and define a stronger sense of place by linking land, water and seas in a more integrated way;

- It facilitates and supports sustainable development in harmony with the natural environment whilst also securing ecosystem services that support local communities and future development;
 - For example improving water quality in the estuary, helping to reduce flood risks and defend land at risk of flooding, facilitating a net gain in biodiversity, and identifying opportunities for marine tourism;
- g) A service level agreement is being prepared between the Council and the Biosphere Foundation to ensure funding is used to deliver identified Biosphere Strategy objectives.

EXETER AREA RAIL PROJECT

Devon County Council are unclear about how this money is currently spent. It is all put back into rail related activities, but appears to date back to a time when improvements to rail services were partially funded by the group. It is increasingly difficult to justify, and recommended that we withdraw the grant as not all districts are continuing to contribute.

Report provided by the Regeneration Manager, North Devon Council.

GO NORTH DEVON LTD

Go North Devon Ltd (GND) was formed 27 years ago and continues to provide exceptional value for money in providing front line services for the benefit of the community to assist in the relief of sickness, disability (physical & sensory), frailty, social exclusion and geographical remoteness.

Our goal is to help improve the lives of individuals and communities who would otherwise become isolated through the lack of access to private or public transport or the ability to hire mobility equipment, thus enhancing the quality, health and wellbeing of all who live in or visit North Devon.

With a mix of paid staff and volunteers we provide a responsive, sensitive and accessible range of services for those who are at a time in their lives when a little extra help and support to independently shop or get to health appointments and carry out essential business is not a luxury but a necessity.

SERVICES GRANT AIDED BY NORTH DEVON COUNCIL

The **RING & RIDE** service provides door to door accessible minibuss transport for passengers needing to access the local supermarket or Barnstaple town centre. Currently serves 26 Parishes in North Devon and a further 4 subject to capacity.

- 2,582 Return Ring & Ride journeys in 2018 including 49 non-transferable wheelchair users
- 2,514 Return Ring & Ride journeys in 2017 including 58 non-transferable wheelchair users

SHOPMOBILITY supports local residents and visitors by providing the loan of wheelchairs and scooters to enable users to independently access the town centre facilities or to hire equipment for holidays or weekends away. The Shopmobility Centre is adjacent to Barnstaple Bus Station and provides the only Shopmobility scheme in North Devon. We have leased the Centre from North Devon Council (NDC) for the past 20 years. Tourism is supported through this service and 24% of users are visitors to the area, many of whom will only holiday where such a scheme exists.

We support the local economy and in order to prevent those over 65, the mature money, from shopping on the internet or elsewhere, access to the town centre facilities needs to be easy. Shopmobility provides this. Visiting community transport groups from across the county, Somerset and Cornwall use our facilities as we provide a sympathetic gateway to the town centre ensuring those who visit can have a comfort break and hire a scooter before they head off into town to spend their money.

- 1,471 wheelchairs and scooters were hired out in 2018
- 38 Wheelchair escorts & sighted guides were provided in 2018
- 1,436 wheelchairs and scooters were hired out in 2017
- 38 Wheelchair escorts & sighted guides were provided in 2017

Through our services we help to provide a safety net for some of the more vulnerable and disadvantaged in our community. As more and more people are staying longer in their own homes it is all too easy for them to become ill without society noticing. The pint of milk left on the doorstep is no longer a useful clue. In recent times our drivers have discovered two seriously ill clients who needed Ambulances, who without the Ring & Ride would not have received the medical attention they urgently needed.

It is not uncommon for us to support couples/families that use the Ring & Ride/Shopmobility services to do their weekly shopping, go the doctors or collect prescriptions. Often we find one person is the "carer", the other is living with the symptoms of dementia or disability. All too often we then find the carer becomes ill and needs support themselves sometimes using our Cancer Care Car service or if we are unable to help we will refer them to other services. Of course their carer's responsibilities do not disappear when they become ill but in reality they too need the support of a carer and often don't get it and they rarely know where to find the support they need.

Additionally it is our drivers who can allow us to alert family members to the onset of illness, particularly dementia, as they see the individual clients on a weekly basis and soon notice any changes. This offers a protection for the community and helps many families who simply may not be available to help relatives at a time of greater need.

We appreciate NDC have immense budget pressures but please remember the people we serve do not have the opportunity to go to the museum, the theatre, the leisure centre, the cinema or to the food fest. The best they can hope for is getting a lift to the supermarket to buy essential groceries, go to the doctors or to collect a prescription. In addition to NDC reducing our grant support over a number of years Devon County Council have phased out grant support for the Shopmobility service.

Any further funding cuts to our organisation will have a disproportionate effect on those who need to be protected. We cannot keep delivering more for less and for the period ending 31/12/2017 we had a deficit of £16,192 for the financial year. We were fortunate to have sufficient reserves this to cover this significant deficit but we are aware we cannot continue to draw upon our reserves at this rate indefinitely. The annual accounts for the period ending 31/12/2018 are at the time of writing this document being drafted ready for audit.

The current fundraising climate and our continued shortfall in funding would indicate that any further cuts will indeed impact on our ability to deliver Shopmobility & Ring & Ride at the same level or indeed if at all. The NDC strategic grant is used each year as a platform on which we build confidence with stakeholders, local and national charitable trusts, local businesses and the general public who continue to financially support us. This grant has not received an inflationary increase since 2008 and in recent years income from donations, investments and Gift Aid is down significantly. We are currently drawing on reserves despite our best efforts to cut costs where we can. Our costs including payroll, fuel, utilities have all gone up. We cannot keep giving more for less and the board will eventually have no option but to implement our "planned closedown" for which we have a ring fenced "contingency fund" in our reserves to cover redundancies and other financial commitments. Of course, we hope this does not happen.

If the Ring & Ride service ceased to operate there is no alternative to replace this door to door service. As you know public bus operators would not wish to provide this service as there would be no profit in it for them and they are unlikely to serve rural areas without substantial subsidies. In the county of Devon, forty years ago there were fifty bus companies of varying sizes. Now there are twenty. With the continuing reduction of rural bus services the Ring & Ride service has an important role in helping to prevent isolation and loneliness in these areas.

Other services include:

- The Cancer Care Car Service which serves North Devon and Torridge areas.
- North Devon Transport and Travel Guide 2018/19 (8th Edition) providing information.
- Home to School Transport Service.
- Volunteering placements and opportunities.

Sharon Lynch

Manager

Go North Devon Ltd

www.gonorthdevon.co.uk



North Devon Voluntary Services Ltd

Registered Charity Number: 1133707

A Company Limited by Guarantee registered

in England Number: 6934618

16th of January 2019

Dear Bev,

North Devon Council Strategic Grant 2019/20

North Devon Council has been a long- term and committed supporter of the work of North Devon Voluntary Service (NDVS).

The role and resilience of the Voluntary Sector has never been more important given the increased reliance on the sector to meet the needs of their communities. Ten years of austerity and significantly reduced local authority budgets has had a dramatic impact on services and our local communities. Local authorities have had to make very difficult decisions to ensure they maintain key public services. The result is a greater reliance by residents on the Voluntary and Community Sector to meet the needs. In addition the Sector has faced its own challenges with reduced financial support, highly competitive funding processes and reduced income streams

NDVS provides vital support to the sector through advice, information and training. We also promote and champion voluntary action across North Devon building and strengthening local communities. As the Council for Voluntary Service we represent the Voluntary Sector at key strategic meetings to ensure the sector has a voice and can influence policy and practice. We fulfil a vital role and one which is valued by both the sector and strategic partners. I have attached our 2019/20 delivery plan to show the variety and depth of work we propose to carry out.

The NDVS has been very grateful for NDC's support over the years and your continued support is vital if we are to develop and strengthen the Voluntary and Community Sector to meet future challenges.

Yours faithfully,

Karen Evans

Interim Chief Officer

North Devon Wide



NDVS is the local Council for Voluntary Service for North Devon. We work with local groups and organisations providing; information, advice, training and help with funding. Our aim is to help our voluntary and community sector function effectively, manage risks, gain skills, access funding and have a voice at a local level. In addition we will support and promote voluntary action within our local area

What we plan to do

We will maintain our strategic partnerships with statutory and local service providers to maintain flow of communication to and from the Voluntary Sector. We will continue to bring together organisations to identify existing activity, identify gaps and set priorities, bringing an asset-based approach to all our work across propriety areas. We will continue to develop our relationships with the NHS, NDC and other statutory services in North Devon. We will continue to work with One Northern Devon, One Ilfracombe and the newly formed One Barnstaple to represent the Voluntary Sector and support the development of partnerships, networks and activities to support local communities.

What success will look like

- ✓ Needs analysis and partnership data collated
- ✓ Number of Voluntary Sector Organisations we directly work with
- ✓ Number of new groups supported
- ✓ Strategic meetings attended
- ✓ New networks created/new partnerships formed
- ✓ Monitoring our sharing of key data, reports and business plans
- ✓ Membership of key strategic partnerships and forum
- ✓ Volunteer opportunities and recruitment

Page 138

Why prioritise Barnstaple?



Barnstaple faces a number of particular health and wellbeing related challenges, including severe pockets of higher than average bad health,

high levels levels of care, high levels of unemployment and deprivation and lack of essential befriending and wellbeing services, amongst others.

Photo ©Tim Lamerton

What we plan to do

We will continue to support the development of a strong community sector partnership, that focuses on the needs of the community and works with key statutory agencies to develop an asset based approach to community development.

As a result of this work, it has been agreed to hold regular forums, feeding into a voluntary sector steering group, which will in turn support the work of 'One Barnstaple'. The Forums will create a cohesive and strong voice of the local Voluntary Sector at One Barnstaple. NDVS will also work with the individual organisations to build on their strengths and ensure they are resilient and able to meet their communities' needs.

What success will look like

- ✓ Gaps in provision identified
- ✓ Steering Group formed
- ✓ Regular Community Action in Barnstaple Forums scheduled, publicised and hosted
- ✓ Links with One Northern Devon, One Barnstaple, Edge of Care and Voluntary Sector Partners initiated and built upon
- ✓ Needs analysis collated
- ✓ Data sharing enabled between Voluntary and statutory organisations
- ✓ Action Plans agreed
- ✓ Funding secured for future continuation

Appendix B
Agenda Item 9

Why prioritise Ilfracombe?



Ilfracombe is well known as the town with the lowest life expectancy in the whole of Devon. The North Devon Locality

Public Health Action Plan identified a place-based approach to Ilfracombe as one of its 5 priority areas. Of the three LSOAs which make up Ilfracombe Central, two are in the top 11% for multiple deprivation and one is in the top 4%. Photo ©Tim Lamerton

What we plan to do

Ilfracombe was at the forefront of the development of the 'One' branded place-based community led action, responding to the specific needs of the town. We will continue to support them in their work, particularly with One Ilfracombe and their 'Living Well Chamber of Care' activity, ensuring the Voluntary Sector is a key part of the discussion and solutions.

What success will look like

- ✓ Big Lottery funding secured
- ✓ If funding is not successful, alternative plan drawn up
- ✓ Partnership meetings attended
- ✓ Actions agreed, completed and reported on

General work



What we plan to do

We will continue to provide regular newsletters and up dates on funding opportunities to ensure that local North Devon organisations are able to continue and develop their good work. We will champion volunteering, promote volunteer opportunities and celebrate the value volunteers bring to North Devon

What success will look like

- ✓ Regular newsletters
- ✓ Regular forums and networking events
- ✓ Training opportunities
- ✓ Funding success
- ✓ Promoting volunteering
- ✓ Volunteer awards event
- ✓ Annual report



North Devon

Since the beginning of our Financial year 1st April 2018 our figures:



Our Citizens Advice (CA) offices in North Devon, operate as a local independent charity, providing free, confidential, impartial and independent advice to everyone in the North Devon District. Our offices in North Devon are located in The Strand, Barnstaple, The Ilfracombe Centre, Ilfracombe and the Amory Centre in South Molton. North Devon residents, who would prefer not to or are unable to attend face to face appointments at our offices, can receive advice through our telephone (Advice Line) or Webchat services. These services have received a dramatic increase from clients choosing to contact us in this way. The service in North Devon makes a huge contribution to the local community and in the first 6 months of 2018/19, we have **generated £3.3 million** of income gain for our clients, brought back into the North Devon economy.

Universal Credit (UC) went live in North Devon in July 2018 and our volunteers have received specific training to support clients with the biggest change to happen to the benefits system since its creation. We are already seeing an increase in vulnerable clients who need support with how Universal Credit is affecting them and the subsequent issues, overall **an increase of 110% clients** in the first 6 months from last year’s figures. This includes areas such as debt, as people learn to manage their welfare payments monthly instead of weekly. Evidence shows that when an area goes live with UC, enquiries to Citizens Advice quadruple (Citizens Advice Data: Somerset roll out 2016), and this is proving to be the case in North Devon.

Our **volunteers** donated time, equates to an amazing £229,159 (according to National Citizens Advice calculations). There is a great value to the benefits of volunteering, 9 in 10 of our volunteers have an increased sense of purpose or self-esteem, 4 in 5 believe volunteering has had a positive effect on their health and 9 in 10 feel more engaged with their community.

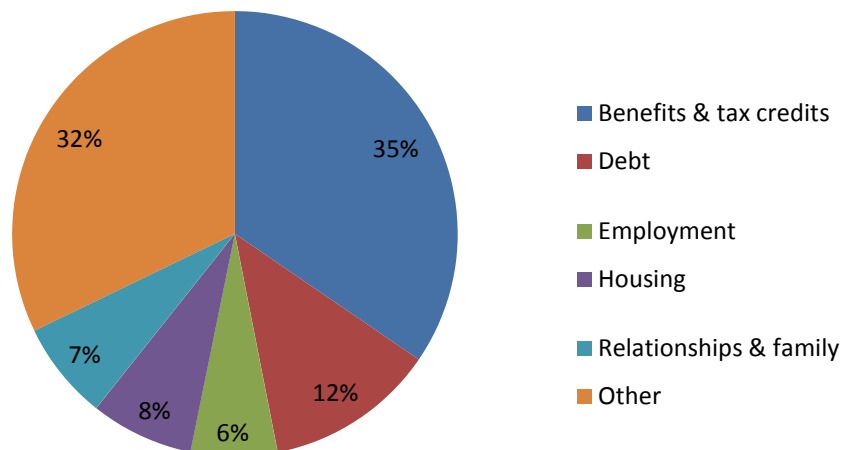
Research and Campaigns: Generating Evidence Forms for North Devon Residents

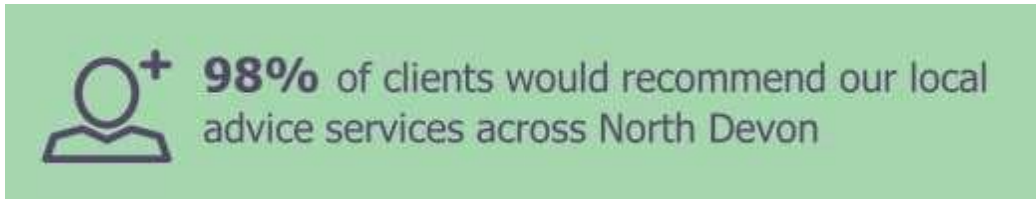
We generate evidence based on common enquiries that our clients come to see us about. We harness this evidence and use it to campaign to Government at a National and local level. We do this in order to help make society fairer and improve the policies and practices that directly affect people’s lives. In the past 6 months, we have generated 41 evidence forms in North Devon. The issues raised included debt, Personal Independence Payments (PIP), Employment Support Allowance (ESA) and Job Seekers Allowance (JSA).

The funding to operate our core service is helped with a grant from North Devon District Council and Devon County Council. We also receive donations from Barnstaple, Ilfracombe, South Molton Town Councils along with local Parish Councils. We apply for grants for our core service and for projects and these include specific locally focused funders like the Barnstaple Bridge Trust. We have also started looking at alternative funding streams, including our own local fundraising, which includes supermarket collections in the area and online donations. We rely heavily on these grants and donations to sustain the services provided. Any cut in funding will have an impact to the charities operating hours within North Devon and ultimately put more pressure on the authority, as clients seeking support from LA, front of house services, will increase.

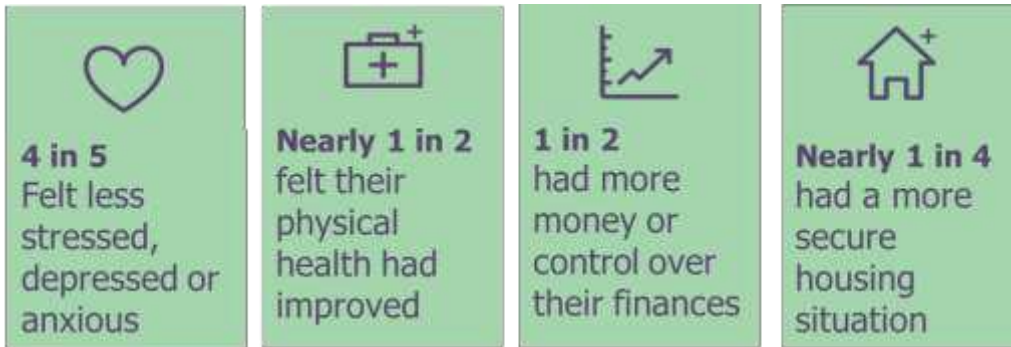
April-September

Top 5 Advice Categories





After receiving our support clients felt...



Vicki Rowe
Chief Executive Officer

21st January 2019

Earmarked Reserves	Opening Balance 1st April 2019	Transfer to Reserves	Transfer from Reserves (to Capital)	Transfer from Reserves (to Revenue)	Transfer between Reserves	Closing Balance 31st March 2020
Collection Fund Reserve	780,795			(171,535)		609,260
Community Housing Fund -Housing Enabling	480,020					480,020
Improvement Programme Reserve	247,336					247,336
Economic Development Reserve	239,470					239,470
Repairs Fund	231,377	236,290	(65,000)	(236,290)		166,377
Crematorium Earmarked Reserve	157,991					157,991
Vehicle Renewals Fund	0	250,000	(106,000)			144,000
Executive Contingency Reserve	71,150	62,340				133,490
Second Homes Council Tax Reserve	125,289					125,289
Crem Equipment Replacement Reserve	120,000					120,000
Local Plans Fund	151,375		(38,772)			112,603
Planning Enquiries Fund	128,510			(20,000)		108,510
Waste Shared Savings Reserve	90,000					90,000
Council Tax Support Scheme Reserve	107,339			(27,420)		79,919
Tarka Tennis Surface replacement	57,671	13,000				70,671
CCTV Reserve	50,000					50,000
Land Charges Earmarked Reserve	50,000					50,000
Prevention CLG Grant Reserve	45,317					45,317
Community Consultation	38,383					38,383
Land Charges Personal Search Reserve	37,036					37,036
Self Build & Custom Housebuild	33,356					33,356
Neighbourhood Planning	25,000					25,000
Brownfield Land Registers and Permission	20,130					20,130
Community Protection Vehicle Reserve	12,000	6,000				18,000
Town & Parish Fund	17,544					17,544
Noise Equipment reserve	12,000	2,000				14,000
Habitat Directive Reserve	11,270					11,270
Car Parking Reserve	10,779					10,779
Local Welfare Support reserve	10,541					10,541
Theatres Reserve	9,466					9,466
Greensweep Replacement Fund	37,200		(30,000)			7,200
New Homes Bonus Reserve	58,780	100,000	(153,818)			4,962
Flexible Homelessness Support Grant	1,202					1,202
P C Planned Maintenance Fund	52,846		(52,846)			0
Office Technology Reserve	225,536	115,000	(280,536)	(60,000)		0
Capital Funding Reserve	490,942		(490,942)			0
Digital Transformation Financial Systems	98,560		(98,560)			0
District Council Election	50,000	52,900		(102,900)		0
Ilfracombe Watersports Centre	29,290			(29,290)		0
	4,415,501	837,530	(1,316,474)	(647,435)	0	3,289,122

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Medium Term Financial Strategy - 2019 to 2023				
Years	2019-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000
Budget (Opening Balance)	12,518	12,518	12,738	13,168
Cost Pressures / savings:				
Salaries costs		480	480	480
Pensions costs - past cost fixed sum				
Pensions costs - 2019 revaluation (3 years from 1st April 2020)		150		
Borrowing costs		140	(40)	100
Safe Sleep Grant - removal of income 2020-21		45		
Reserves:				
Vacancy savings target		40		
Executive contingency				
Vehicle replacements				
Improvement programme				
New homes bonus reserve		(100)		
Savings Plans:				
Review of CCTV service		(35)		
Works and Recycling (savings sharing scheme)		(75)		
Review of Fees and Charges		(275)		
Capital PAG bids revenue implications		(30)		
Strategic grants		(10)	(10)	(10)
Parish grants		(80)		
Council tax support grant to parishes		(30)		
Net Revenue Budget Requirement	12,518	12,738	13,168	13,738

Assumes current 2-year pay award offer up to 2019-20 year continuing; plus cost of annual increments

2016 revaluation resulted in a cost increase; assumptions factored in as part of this revaluation have taken into account future forecasts. However, prudently built in £150k in case actual results differ from assumptions for 2019 triennial review.

Borrowing costs of £590k already in base - borrowing model forecast to 2022/23 (increase to £790k). Note: Without any further capital receipts this increases to £910k in 2024/25.

Loss of grant as was only one-year funding for 2019-20.

Budget 2018-19 has a target of £200k (currently reporting £225k being achieved). For 2019-20 have increased this to £240k; the £40k adjustment in 2020-21 reduces the budget back down to £200k.

Base Budget 2019-20 has a contribution of £62k - reserve balance @ 31 March 2019 estimated to be £71k.

Base Budget 2019-20 has a contribution of £250k which is planned for fleet replacement. Assumption this continues for period.

Base Budget 2019-20 has a contribution of £0k - reserve has sufficient balance @ 31 March 2019 estimated to be £250k.

One-off contribution to reserve in 2019-20 year reversed to mitigate potential changes to NHB scheme funding in 2020-21.

Review of CCTV service being carried out with a number of potential options. (£35k) of the lowest potential saving factored into 2019-20 budget (50%); with remainder built into 2020-21 year.

Original predicted figures from DCC of (£310k) through to 2025-26 resulting from the service changes implemented June 2017. Will not benefit from all the changes until the new organic contracts in place (October 2019). Part of the savings (£235k) included within the 2019-20 budget and in line with latest projections from DCC for element we will receive. Remainder of predicted savings (£75k) factored in from 2020-21.

Review of fees and charges (car parks, garden waste, commercial waste)

Net savings generated from 2019 Capital business cases

Reduced in line with 2019-20 year

2019-20 grants original plan was to reduce by 50%; Executive have now proposed to keep grants at current level. Proposal to fully remove 2020-21.

In line with previous year's reductions (2020/21 reduces grant paid out to zero)

Medium Term Financial Strategy - 2019 to 2023

Funding	2019-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000
Government Settlement (SFA)				
Revenue Support Grant	16	0	0	0
Baseline Funding Level	2,943	3,011	3,080	3,151
Business Rates Retention - Growth / (decline)	1,502	1,007	1,007	1,007
Other Funding:				
Rural Services Delivery Grant	310	310	310	310
New Homes Bonus	1,446	1,446	1,446	1,446
Local:				
Council tax	6,224	6,410	6,602	6,799
Council tax - base	0	94	194	300
Collection fund surplus / (deficit)	77	60	60	60
Total Funding	12,518	12,337	12,698	13,072
Budget Gap / (Surplus)	0	401	470	666

Approved 4-year settlement (to 2019-20) from DCLG - year 4

Fair Funding Review and (SR19) for 2020-21 onwards will change the level of funding received. Baseline Funding will be reset following a review of relative needs and resources; with current growth to date reset and incorporated within overall Baseline Funding. (Current £1.5m is made up of; £1.0m growth; £0.4m renewable energy schemes; £0.1m pooling gain). Estimated that 50% of the £1.0m growth is reduced and remaining 50% factored into Baseline Funding.

Assuming RSDG continues into 2022/23

Potential changes to scheme in 2020-21; details still to be released by MHCLG. If current 4-year scheme continues then based on current level of grant award would receive an estimated £1.522m (2020-21); £1.631m (2021-22) and £1.659m (2022-23). Prudently set lower funding of £0.076m-£0.213m over next 3 years.

2.99% increase for 2019/20; assuming 2.99% annual increase 2020-21 to 2022-23

Prior year CF surpluses (2017-18 £46k; 2018-19 £69k; 2019-20 £77k)

Project	Original Budget 2018/19 £	Original Budget 2019/20 £	Original Budget 2020/21 £	Original Budget 2021/22 £
Chief Executive and Corporate				
Website Improvement	10,500	5,455	0	0
Office Technology Fund - End User Assets and IT Assets in Data Centre	53,178	346,436	0	0
ICT Improve Back-up and Recovery Capabilities	0	216,140	0	0
ICT Skype for Business	0	106,829	140,250	197,770
Replace existing desktop solution	5,519	0	0	0
	69,197	674,860	140,250	197,770

Corporate and Community				
Museum of Barnstaple - Long Bridge Wing	1,100,000	811,054	0	0
21:21 (Transformation Project)	43,226	0	0	0
Committee Administration System	52,000	0	0	0
Legal Case Management System	24,720	0	0	0
S106 Contributions - Various projects	509,039	0	0	0
Water sports Centre Ilfracombe	75,794	1,402,456	0	0
Tarka Tennis Artificial Grass Pitch	0	794,535	0	0
Contact Centre Telephony System	0	86,500	0	0
	1,804,779	3,094,545	0	0

Environmental Health & Housing				
Affordable Housing delivery Grant	0	5,000	0	0
Affordable Housing Fund	0	90,000	0	0
S106 Affordable Housing - Higher Westaway, Newton Tracey	0	45,000	0	0
Wessex Loan and Grant Scheme	0	56,573	0	0
Disabled Facilities Grant Programme	1,000,000	1,910,272	1,200,000	1,200,000
Provision of temporary accommodation	704,608	495,392	0	0
Affordable Housing 16 Castle Street	5,841	0	0	0
	1,710,449	2,602,237	1,200,000	1,200,000

Operational Services				
Works Unit Vehicles	911,176	418,823	116,000	976,000
Rolling Road - for Workshop	0	30,000	0	0
Material Recovery Facility - Infrastructure	0	760,000	0	0
	911,176	1,208,823	116,000	976,000

Project	Original Budget 2018/19 £	Original Budget 2019/20 £	Original Budget 2020/21 £	Original Budget 2021/22 £
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Place				
Land Release Fund - Highways	200,000	1,000,000	0	0
Land Release Fund - Flood Defence	0	0	1,000,000	0
Replacement Planning ICT system	21,228	44,363	0	0
	221,228	1,044,363	1,000,000	0

Resources				
Barnstaple Bus Station PC	25,924	52,846	0	0
Town Station - Pathfield School	18,013	0	0	0
Planned Maintenance	1,580	0	0	0
Marine Drive Car Park Resurfacing - Ilfracombe	12,174	65,000	0	0
Coastal Protection & Shoreline Mgt Plan	0	7,658	0	0
Winter Storm repairs - Environment Agency	0	13,206	0	0
Ilfracombe Harbour - Kiosks	132,595	0	0	0
Jubilee Gardens reserved car park retaining wall	35,000	0	0	0
Resurfacing to various car parks	50,063	106,984	0	0
Replacement roof - Old Bus Station - Tea on the Tow	37,185	0	0	0
HR and Payroll System	0	98,500	0	0
Pannier Market Re-roofing works	0	500,000	0	0
Digital Transformation Asset and Financial Management System	0	40,000	0	0
	312,534	884,194	0	0

Resources - Non Treasury				
Acquisition of Sub Lease Plot 1 Seven Brethren	400,000	100,000	0	0
Surrender in the long leasehold interest in Gaydon Street Dairy	100,000	0	0	0
	500,000	100,000	0	0

	5,529,363	9,609,022	2,456,250	2,373,770
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Open

NORTH DEVON COUNCIL

REPORT TO: EXECUTIVE
Date: 4th February 2019
TOPIC: TREASURY MANAGEMENT STRATEGY
STATEMENT 2019/20
REPORT BY: CHIEF FINANCIAL OFFICER

1. INTRODUCTION

This report has been prepared in compliance with CIPFA's Code of Practice and covers the following:

- Treasury Management Strategy Statement.
- Minimum Revenue Provision Policy Statement and
- Annual Investment Statement 2019/20.

2. RECOMMENDATIONS

The Executive is asked to recommend to the full Council that:

- 2.1 The Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Statement 2019/2020, including the Treasury Management and Prudential Indicators for 2019/20 to 2021/22, be approved.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (SI 2003/3146) requires the Council to have regard to the Treasury Management Code.
- 3.2 Under section 3(5) of the Local Government Act 2003 the Council is required to have regard to the Prudential Code when setting limits to the level of its affordable borrowing.
- 3.3 This Council is also required under the Code to give prior scrutiny to the treasury management reports by the Overview and Scrutiny Committee before they are reported to the full Council.

4. CONSTITUTIONAL CONTEXT

Article and paragraph	Referred or delegated power?	A key decision?	In the Forward Plan?
Part 4 Financial Procedure Rules (Article 13.8) Article 4.4	Delegated	No	Yes

5. TREASURY MANAGEMENT

5.1 Background

The Council is required to operate a balanced budget, which broadly means that cash raised during the year will meet cash expenditure. Part of the treasury management operation is to ensure that this cash flow is adequately planned, with cash being available when it is needed. Surplus monies are invested in low risk counterparties or instruments commensurate with the Council's low risk appetite, providing adequate liquidity initially before considering investment return.

The second main function of the treasury management service is the funding of the Council's capital plans. These capital plans provide a guide to the borrowing need of the Council, essentially the longer term cash flow planning, to ensure that the Council can meet its capital spending obligations. This management of longer term cash may involve arranging long or short term loans, or using longer term cash flow surpluses. On occasion, when it is prudent and economic, any debt previously drawn may be restructured to meet Council risk or cost objectives.

The contribution the treasury management function makes to the authority is critical, as the balance of debt and investment operations ensure liquidity or the ability to meet spending commitments as they fall due, either on day-to-day revenue or for larger capital projects. The treasury operations will see a balance of the interest costs of debt and the investment income arising from cash deposits affecting the available budget. Since cash balances generally result from reserves and balances, it is paramount to ensure adequate security of the sums invested, as a loss of principal will in effect result in a loss to the General Fund Balance.

CIPFA defines treasury management as:

“The management of the local authority’s borrowing, investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”

Revised reporting is required for the 2019/20 reporting cycle due to revisions of the MHCLG Investment Guidance, the MHCLG Minimum Revenue Provision (MRP) Guidance, the CIPFA Prudential Code and the CIPFA Treasury Management Code. The primary reporting changes include the introduction of a capital strategy, to provide a longer-term focus to the capital plans, and greater reporting requirements surrounding any commercial activity undertaken under the Localism Act 2011. The capital strategy is being reported separately.

This authority has not engaged in any material commercial investments or non-treasury investments.

5.2. Reporting Requirements

Capital Strategy

The CIPFA revised 2017 Prudential and Treasury Management Codes require, for 2019-20, all local authorities to prepare an additional report, a capital strategy report, which will provide the following:

- a high-level long term overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services
- an overview of how the associated risk is managed
- the implications for future financial sustainability

The aim of this capital strategy is to ensure that all elected members on the full council fully understand the overall long-term policy objectives and resulting capital strategy requirements, governance procedures and risk appetite.

Treasury Management Reporting

The Council is currently required to receive and approve, as a minimum, three main reports each year, which incorporate a variety of polices, estimates and actuals.

a) Prudential and treasury indicators and treasury strategy (this report) - The first, and most important report is forward looking and covers:

- the capital plans (including prudential indicators);
- a minimum revenue provision (MRP) policy (how residual capital expenditure is charged to revenue over time);
- the treasury management strategy (how the investments and borrowings are to be organised) including treasury indicators; and
- an investment strategy (the parameters on how investments are to be managed).

b) A mid-year treasury management report – This is primarily a progress report and will update members on the capital position, amending prudential indicators as necessary, and whether any policies require revision.

c) An annual treasury report – This is a backward looking review document and provides details of a selection of actual prudential and treasury indicators and actual treasury operations compared to the estimates within the strategy.

These reports are required to be adequately scrutinised before being recommended to the Council. This role is undertaken by the Overview and Scrutiny Committee.

5.3 Treasury Management Strategy for 2019/20

The strategy for 2019/20 covers two main areas:

Capital Issues

- the capital expenditure plans and the associated prudential indicators;
- the minimum revenue provision (MRP) policy.

Treasury management Issues

- the current treasury position;
- treasury indicators which will limit the treasury risk and activities of the Council;
- prospects for interest rates;
- the borrowing strategy;
- policy on borrowing in advance of need;
- debt rescheduling;

- the investment strategy;
- creditworthiness policy; and
- the policy on use of external service providers.

These elements cover the requirements of the Local Government Act 2003, the CIPFA Prudential Code, the MHCLG MRP Guidance, the CIPFA Treasury Management Code and the MHCLG Investment Guidance.

5.4 Training

The CIPFA Code requires the Chief Finance Officer to ensure that members with responsibility for treasury management receive adequate training in treasury management. This especially applies to members responsible for scrutiny. The training needs of treasury management officers are periodically reviewed.

5.5 Treasury Management Consultants

The Council uses Link Asset Services, Treasury Solutions as its external treasury management advisors.

The Council recognises that responsibility for treasury management decisions remains with the organisation at all times and will ensure that undue reliance is not placed upon our external service providers. All decisions will be undertaken with regards to all the available information, including, but solely, our treasury advisors.

It also recognises that there is value in employing external providers of treasury management services in order to acquire access to specialist skills and resources. The Council will ensure that the terms of their appointment and the methods by which their value will be assessed are properly agreed and documented, and subjected to regular review.

6 THE CAPITAL PRUDENTIAL INDICATORS 2019/20 – 2021/22

The Council's capital expenditure plans are the key driver of treasury management activity. The output of the capital expenditure plans is reflected in prudential indicators, which are designed to assist members' overview and confirm capital expenditure plans.

6.1 Capital Expenditure.

This prudential Indicator is a summary of the Council's capital expenditure plans, both those agreed previously, and those forming part of this budget cycle. Members are asked to approve the capital expenditure forecasts:

Capital Expenditure £000	2017/18 Actual	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate
Chief Executive & Corporate	617	69	675	140	198
Corporate & Community	208	1,805	3,095	0	0
Environmental Health & Housing	592	1,710	2,602	1,200	1,200
Operational Services	864	911	1,209	116	976
Place	10	221	1,044	1,000	0
Resources	163	813	984	*150	*150
Total	2,454	5,529	9,609	2,606	2,524

**Projected figures 20/21 onwards, based on statutory responsibilities continuing.*

The table below summarises the above capital expenditure plans and how these plans are being financed by capital or revenue resources. Any shortfall of resources results in a funding borrowing need.

Financing of Capital Expenditure £000	2017/18 Actual	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate
Capital Expenditure	2,454	5,529	9,609	2,606	2,524
Financed by:					
Capital receipts	1,527	373	650	150	150
Capital grants	710	3,139	6,074	2,200	1,200
Capital reserves	1,173	1,103	1,316	231	643
Net financing need for the year	(956)	914	1,569	25	531

6.2 The Council's Borrowing Need (the Capital Financing Requirement)

The second prudential indicator is the Council's Capital Financing Requirement (CFR). The CFR is simply the total historic outstanding capital expenditure which has not yet been paid for from either revenue or capital resources. It is essentially a measure of the Council's indebtedness and so its underlying borrowing need. Any capital expenditure in the table above, which has not immediately been paid for through a revenue or capital resource, will increase the CFR.

The CFR does not increase indefinitely, as the minimum revenue provision (MRP) is a statutory annual revenue charge which broadly reduces the indebtedness in line with each assets life, and so charges the economic consumption of capital assets as they are used.

The CFR includes any other long term liabilities (e.g. PFI schemes, finance leases). Whilst these increase the CFR, and therefore the Council's borrowing requirement, these types of scheme include a borrowing facility by the PFI, PPP lease provider and so the Council is not required to separately borrow for these schemes. The Council currently has no such schemes within the CFR.

The Council is asked to approve the CFR projections below:

£000	2017/18	2018/19	2019/20	2020/21	2021/22
	Actual	Estimate	Estimate	Estimate	Estimate
Capital Financing Requirement					
Total CFR	5,009	5,419	6,440	5,786	5,700
Movement in CFR	(1,460)	410	1,021	(654)	(86)

Net financing need for the year above	(956)	914	1,569	25	531
Less MRP/VRP and other financing movements	(504)	(504)	(548)	(679)	(617)
Movement in CFR	(1,460)	410	1,021	(654)	(86)

6.3 Core funds and expected investment balances

The application of resources (capital receipts, reserves etc.) to either finance capital expenditure or other budget decisions to support the revenue budget will have an ongoing impact on investments unless resources are supplemented each year from new sources (asset sales etc.). Detailed below are estimates of the year-end balances for each resource and anticipated day to day cash flow balances.

Year End Resources £000	2017/18 Actual	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate
Fund balances / reserves	7,728	7,315	4,100	3,500	3,350
Provisions	865	850	600	550	500
Vehicle replacement fund	520	0	144	278	0
Total core funds	9,113	8,165	4,844	4,328	3,850
Working capital*	4,631	1,000	500	500	500
Total cash to invest	13,744	9,165	5,344	4,828	4,350
(Under)/over borrowing	(3,009)	(4,169)	(3,940)	(3,286)	(2,700)
Expected external investments	10,735	4,996	1,404	1,542	1,650

*Working capital balances shown are estimated year end

6.4 Affordability Prudential Indicator

This prudential indicator is required to assess the affordability of the capital investment plans. These provide an indication of the impact of the capital investment plans on the Council's overall finances. The Council is asked to approve the following indicator:

Ratio of financing costs to net revenue stream. This indicator identifies the trend in the cost of capital (borrowing and other long term obligation costs net of investment income) against the net revenue stream.

%	2017/18 Actual	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate
General Fund	3.48	3.80	4.19	5.20	4.51

The estimates of financing costs include current commitments and the proposals in this budget report.

6.5 Minimum revenue provision (MRP) policy statement

The Council is required to pay off an element of the accumulated General Fund capital spend each year (the CFR) through a revenue charge (the minimum revenue provision - MRP), although it is also allowed to undertake additional voluntary payments if required (voluntary revenue provision - VRP).

MHCLG regulations have been issued which require the full Council to approve **an MRP Statement** in advance of each year. A variety of options are provided to councils, so long as there is a prudent provision. The Council is recommended to approve the following MRP Statement:

From 1 April 2008 for all unsupported borrowing (including PFI and finance leases) the MRP policy will be:

Asset Life Method – MRP will be based on the estimated life of the assets, in accordance with the regulations (this option must be applied for any expenditure capitalised under a Capitalisation Direction).

This option provides for a reduction in the borrowing need over approximately the asset's life.

Repayments included in annual PFI or finance leases are applied as MRP.

MRP Overpayments

A change introduced by the revised MHCLG MRP Guidance was the allowance that any charges made over the statutory minimum revenue provision (MRP), voluntary revenue provision or overpayments, can, if needed, be reclaimed in later years if deemed necessary or prudent. In order for these sums to be reclaimed for use in the budget, this policy must disclose the cumulative overpayment made each year. Up until the 31 March 2019 the Council had made no voluntary revenue provision (VRP) overpayments.

7 BORROWING

The capital expenditure plans set out in section 6 provide details of the service activity of the Council. The treasury management function ensures that the Council's cash is organised in accordance with the the relevant professional codes, so that sufficient cash is available to meet this service activity and the Council's capital strategy. This will involve both the organisation of the cash flow and, where capital plans require, the organisation of appropriate borrowing facilities. The strategy covers the relevant treasury / prudential indicators, the current and projected debt positions and the annual investment strategy.

7.1 Current Portfolio Position

The overall treasury management cash portfolio as at 31 March 2018 and for the position as at 31st December 2018 are shown below for both borrowing and investments.

Treasury Portfolio	31/03/18	31/12/18
£000	Actual	Actual
Investment with banks	9,560	17,530
Total investments managed in-house	9,560	17,530
Borrowing with PWLB	2,000	1,250
Total external borrowing	2,000	1,250
Net treasury investments / (borrowing)	7,560	16,280

The Council's forward projections for borrowing are summarised below. The table shows the actual external debt (the treasury management operations), against the underlying capital borrowing need (the Capital Financing Requirement - CFR), highlighting any over or under borrowing.

£000	2017/18	2018/19	2019/20	2020/21	2021/22
	Actual	Estimate	Estimate	Estimate	Estimate
External Debt					
Debt at 1 April	2,000	2,000	1,250	2,500	2,500
Expected change in Debt	0	(750)	1,250	0	500
Other long-term liabilities (OLTL)	0	0	0	0	0
Expected change in OLTL	0	0	0	0	0
Actual gross debt at 31 March	2,000	1,250	2,500	2,500	3,000
The Capital Financing Requirement	5,009	5,419	6,440	5,786	5,700
(Under) / over borrowing	(3,009)	(4,169)	(3,940)	(3,286)	(2,700)

Within the range of prudential indicators there are a number of key indicators to ensure that the Council operates its activities within well defined limits. One of these is that the Council needs to ensure that its gross debt does not, except in the short term, exceed the total of the CFR in the preceding year plus the estimates of any additional CFR for 2019/20 and the following two financial years. This allows some flexibility for limited early borrowing for future years, but ensures that borrowing is not undertaken for revenue or speculative purposes.

The Chief Financial Officer reports that the Council complied with this prudential indicator in the current year and does not envisage difficulties for the future. This view takes into account current commitments, existing plans, and the proposals in this budget report.

7.2 Treasury Indicators: limits to borrowing activity

The operational boundary. This is the limit beyond which external debt is not normally expected to exceed. In most cases, this would be a similar figure to the CFR, but may be lower or higher depending on the levels of actual debt and the ability to fund under-borrowing by other cash resources.

Operational boundary £000	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate
Debt	5,000	5,500	6,000	6,000
Other long term liabilities	250	250	250	250
Total	5,250	5,750	6,250	6,250

The authorised limit for external debt. This is a further key prudential indicator and represents a control on the maximum level of borrowing. This represents a limit beyond which external debt is prohibited, and this limit needs to be set or revised by the full Council. It reflects the level of external debt which, while not desired, could be afforded in the short term, but is not sustainable in the longer term.

1. This is the statutory limit determined under section 3 (1) of the Local Government Act 2003. The Government retains an option to control either the total of all councils' plans, or those of a specific council, although this power has not yet been exercised.
2. The Council is asked to approve the following authorised limit:

Authorised limit £000	2018/19 Estimate	2019/20 Estimate	2020/21 Estimate	2021/22 Estimate
Debt	10,000	10,500	11,000	11,000
Other long term liabilities	500	500	500	500
Total	10,500	11,000	11,500	11,500

7.3 Prospects for Interest Rates

The Council has appointed Link Asset Services as its treasury advisor and part of their service is to assist the Council to formulate a view on interest rates. The following table gives the Link central view.

Link Asset Services Interest Rate View													
	Mar-19	Jun-19	Sep-19	Dec-19	Mar-20	Jun-20	Sep-20	Dec-20	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22
Bank Rate View	0.75%	1.00%	1.00%	1.00%	1.25%	1.25%	1.25%	1.50%	1.50%	1.75%	1.75%	1.75%	2.00%
3 Month LIBID	0.90%	1.00%	1.10%	1.20%	1.30%	1.40%	1.50%	1.50%	1.60%	1.70%	1.80%	1.90%	2.00%
6 Month LIBID	1.00%	1.20%	1.30%	1.40%	1.50%	1.60%	1.70%	1.70%	1.80%	1.90%	2.00%	2.10%	2.20%
12 Month LIBID	1.20%	1.30%	1.40%	1.50%	1.60%	1.70%	1.80%	1.90%	2.00%	2.10%	2.20%	2.30%	2.40%
5yr PWLB Rate	2.10%	2.20%	2.20%	2.30%	2.30%	2.40%	2.50%	2.50%	2.60%	2.60%	2.70%	2.80%	2.80%
10yr PWLB Rate	2.50%	2.60%	2.60%	2.70%	2.80%	2.90%	2.90%	3.00%	3.00%	3.10%	3.10%	3.20%	3.20%
25yr PWLB Rate	2.90%	3.00%	3.10%	3.10%	3.20%	3.30%	3.30%	3.40%	3.40%	3.50%	3.50%	3.60%	3.60%
50yr PWLB Rate	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%	3.10%	3.20%	3.20%	3.30%	3.30%	3.40%	3.40%

The flow of generally positive economic statistics after the quarter ended 30 June meant that it came as no surprise that the MPC came to a decision on 2 August to make the first increase in Bank Rate above 0.5% since the financial crash, from 0.5% to 0.75%. Growth became increasingly strong during 2018 until slowing significantly during the last quarter. At their November quarterly Inflation Report meeting, the MPC left Bank Rate unchanged, but expressed some concern at the Chancellor's fiscal stimulus in his Budget, which could increase inflationary pressures. However, it is unlikely that the MPC would increase Bank Rate in February 2019, ahead of the deadline in March for Brexit. On a major assumption that Parliament and the EU agree a Brexit deal in the first quarter of 2019, then the next increase in Bank Rate is forecast to be in May 2019, followed by increases in February and November 2020, before ending up at 2.0% in February 2022.

The overall longer run future trend is for gilt yields, and consequently PWLB rates, to rise, albeit gently. However, over about the last 25 years, we have been through a period of falling bond yields as inflation subsided to, and then stabilised at, much lower levels than before, and supported by central banks implementing substantial quantitative easing purchases of government and other debt after the financial crash of 2008. Quantitative easing, conversely, also caused a rise in equity values as investors searched for higher returns and purchased riskier assets. In 2016, we saw the start of a reversal of this trend with a sharp rise in bond yields after the US Presidential election in November 2016, with yields then rising further as a result of the big increase in the US government deficit aimed at stimulating even stronger economic growth. That policy change also created concerns around a significant rise in inflationary pressures in an economy which was already running at remarkably low levels of unemployment. Unsurprisingly, the Fed has continued

on its series of robust responses to combat its perception of rising inflationary pressures by repeatedly increasing the Fed rate to reach 2.25 – 2.50% in December 2018. It has also continued its policy of not fully reinvesting proceeds from bonds that it holds as a result of quantitative easing, when they mature. We therefore saw US 10 year bond Treasury yields rise above 3.2% during October 2018 and also investors causing a sharp fall in equity prices as they sold out of holding riskier assets. However, by early January 2019, US 10 year bond yields had fallen back considerably on fears that the Fed was being too aggressive in raising interest rates and was going to cause a recession. Equity prices have been very volatile on alternating good and bad news during this period.

From time to time, gilt yields, and therefore PWLB rates, can be subject to exceptional levels of volatility due to geo-political, sovereign debt crisis, emerging market developments and sharp changes in investor sentiment. Such volatility could occur at any time during the forecast period.

Economic and interest rate forecasting remains difficult with so many external influences weighing on the UK. The above forecasts, (and MPC decisions), will be liable to further amendment depending on how economic data and developments in financial markets transpire over the next year. Geopolitical developments, especially in the EU, could also have a major impact. Forecasts for average investment earnings beyond the three-year time horizon will be heavily dependent on economic and political developments.

Investment and borrowing rates

Investment returns are likely to remain low during 2019/20 but to be on a gently rising trend over the next few years.

Borrowing interest rates have been volatile so far in 2018-19 and while they were on a rising trend during the first half of the year, they have backtracked since then until early January. The policy of avoiding new borrowing by running down spare cash balances has served well over the last few years. However, this needs to be carefully reviewed to avoid incurring higher borrowing costs in the future when authorities may not be able to avoid new borrowing to finance capital expenditure and/or the refinancing of maturing debt;

There will remain a cost of carry, (the difference between higher borrowing costs and lower investment returns), to any new long-term borrowing that causes a temporary increase in cash balances as this position will, most likely, incur a revenue cost.

7.4 Borrowing Strategy

The Council is currently maintaining an under-borrowed position. This means that the capital borrowing need (the Capital Financing Requirement), has not been fully funded with loan debt as cash supporting the Council's reserves, balances and cash flow has been used as a temporary measure. This strategy is prudent as investment returns are low and counterparty risk is still an issue that needs to be considered.

Against this background and the risks within the economic forecast, caution will be adopted with the 2019/20 treasury operations. The Chief Financial Officer will monitor interest rates in financial markets and adopt a pragmatic approach to changing circumstances:

- *if it was felt that there was a significant risk of a sharp FALL in long and short term rates (e.g. due to a marked increase of risks around relapse into recession or of risks of deflation), then long term borrowings will be postponed, and potential rescheduling from fixed rate funding into short term borrowing will be considered.*
- *if it was felt that there was a significant risk of a much sharper RISE in long and short term rates than that currently forecast, perhaps arising from an acceleration in the rate of increase in central rates in the USA and UK, an increase in world economic activity or a sudden increase in inflation risks, then the portfolio position will be re-appraised. Most likely, fixed rate funding will be drawn whilst interest rates are lower than they are projected to be in the next few years.*

Any decisions will be reported to the Leader and Executive Portfolio Members.

It is anticipated that additional external borrowing of £1.25m will be required during 2019/20 to support the approved capital programme taking total projected external borrowing to £2.5m by March 2020. This still prudently assumes using £3.9m of internal borrowing from reserves and cash balances to fund the £6.4m Capital Financing Requirement.

The strategy projects further external borrowing of £0.5m in 2021/22 taking total borrowing to £3m. However any substantial increase in capital expenditure and/or decrease in the reserve balances within the forthcoming years may result in the need for additional external borrowing to ensure the Council holds sufficient cash balances to meet its day to day commitments. For further details on the long term borrowing strategy please refer to the Council's ten year capital strategy on this agenda.

7.5 Maturity structure of borrowing

These gross limits are set to reduce the Council's exposure to large fixed rate sums falling due for refinancing, and are required for upper and lower limits.

The Council is asked to approve the following treasury indicators and limits:

Maturity Structure of fixed interest rate borrowing 2019/20		
	Lower	Upper
Under 12 months	0%	60%
12 months to 2 years	0%	60%
2 years to 5 years	0%	100%
5 years to 10 years	0%	100%
10 years and above	0%	50%
Maturity Structure of variable interest rate borrowing 2019/20		
	Lower	Upper
Under 12 months	0%	60%
12 months to 2 years	0%	60%
2 years to 5 years	0%	100%
5 years to 10 years	0%	100%
10 years and above	0%	50%

7.6 Control of interest rate exposures

The Council is asked to approve the following local indicator to reduce the impact of any adverse movement in interest rates, whilst not impairing opportunities to reduce costs / improve performance.

Interest rate Exposures	2019/20 £000	2020/21 £000	2021/22 £000
Limit on fixed interest rates: <ul style="list-style-type: none"> • Debt only • Investments only 	100%	100%	100%
Limit on variable interest rates: <ul style="list-style-type: none"> • Debt only • Investments only 	30%	30%	30%
	100%	100%	100%

Paragraphs 7.3, 7.4, 7.5 and 8.4 provide further details on the controls in place to limit and manage interest rate exposure in line with financial requirements, borrowing maturities and interest rate forecasts.

7.7 Policy on borrowing in advance of need

The Council will not borrow more than or in advance of its needs purely in order to profit from the investment of the extra sums borrowed. Any decision to borrow in advance will be within forward approved Capital Financing Requirement estimates, and will be considered carefully to ensure that value for money can be demonstrated and that the Council can ensure the security of such funds.

Risks associated with any borrowing in advance activity will be subject to prior appraisal and subsequent reporting through the mid year or annual reporting mechanism.

7.8 Debt rescheduling

As short-term borrowing rates will be considerably cheaper than longer term fixed interest rates, there may be potential opportunities to generate savings by switching from long-term debt to short-term debt. However, these savings will need to be considered in the light of the current treasury position and the size of the cost of debt repayment (premiums incurred).

The reasons for any rescheduling to take place will include:

- the generation of cash savings and / or discounted cash flow savings;
- helping to fulfil the treasury strategy;
- enhance the balance of the portfolio (amend the maturity profile and/or the balance of volatility).

Consideration will also be given to identify if there is any residual potential for making savings by running down investment balances to repay debt prematurely as short term rates on investments are likely to be lower than rates paid on current debt.

All rescheduling will be reported to the Leader and Executive Portfolio Members.

7.9 Municipal Bond Agency

It is possible that the Municipal Bond Agency will be offering loans to local authorities in the future. The Agency hopes that the borrowing rates will be lower than those offered by the Public Works Loan Board (PWLB). This Authority may make use of this new source of borrowing as and when appropriate.

8 ANNUAL INVESTMENT STRATEGY

8.1 Investment Policy – management of risk

The Council's investment policy has regard to the following: -

- MHCLG's Guidance on Local Government Investments ("the Guidance")
- CIPFA Treasury Management in Public Services Code of Practice and Cross Sectoral Guidance Notes 2017 ("the Code")
- CIPFA Treasury Management Guidance Notes 2018

The Council's investment priorities will be security first, portfolio liquidity second and then yield, (return).

The above guidance from the MHCLG and CIPFA place a high priority on the management of risk. This authority has adopted a prudent approach to managing risk and defines its risk appetite by the following means: -

1. Minimum acceptable **credit criteria** are applied in order to generate a list of highly creditworthy counterparties. This also enables diversification and thus avoidance of concentration risk. The

key ratings used to monitor counterparties are the short term and long-term ratings.

2. **Other information:** ratings will not be the sole determinant of the quality of an institution; it is important to continually assess and monitor the financial sector on both a micro and macro basis and in relation to the economic and political environments in which institutions operate. The assessment will also take account of information that reflects the opinion of the markets. To achieve this consideration the Council will engage with its advisors to maintain a monitor on market pricing such as “**credit default swaps**” and overlay that information on top of the credit ratings.

3. **Other information sources** used will include the financial press, share price and other such information pertaining to the banking sector in order to establish the most robust scrutiny process on the suitability of potential investment counterparties.

4. This authority has defined the list of **types of investment instruments** that the treasury management team are authorised to use. Appendix 1 list the instruments under the categories of ‘specified’ and ‘non-specified’ investments.

- **Specified investments** are those with a high level of credit quality and subject to a maturity limit of one year.
- **Non-specified investments** are those with less high credit quality, may be for periods in excess of one year, and/or are more complex instruments which require greater consideration by members and officers before being authorised for use.

5. **Lending limits**, (amounts and maturity), for each counterparty will be set through applying the matrix table in paragraph 8.2.

6. **Transaction limits** are set for each type of investment in Appendix 1.

7. This authority will set a limit for the amount of its investments which are invested for **longer than 365 days**, (see paragraph 8.4).

8. Investments will only be placed with counterparties from countries with a specified minimum **sovereign rating**, (see paragraph 8.3).

9. This authority has engaged **external consultants**, (see paragraph 5.5), to provide expert advice on how to optimise an appropriate balance of security, liquidity and yield, given the risk appetite of this authority in the context of the expected level of cash balances and need for liquidity throughout the year.

10. All investments will be denominated in **sterling**.

11. As a result of the change in accounting standards for 2018/19 under **IFRS 9**, this authority will consider the implications of investment instruments which could result in an adverse movement in the value of the amount invested and resultant charges at the end of the year to the General Fund. (In November 2018, the Ministry of Housing, Communities and Local Government, [MHCLG], concluded a consultation for a temporary override to allow English local authorities time to adjust their portfolio of all pooled investments by announcing a statutory override to delay implementation of IFRS 9 for five years commencing from 1.4.18.)

However, this authority will also pursue **value for money** in treasury management and will monitor the yield from investment income against appropriate benchmarks for investment performance, (see paragraph 8.5). Regular monitoring of investment performance will be carried out during the year.

Changes in risk management policy from last year.

The above criteria is largely unchanged from last year.

8.2 Creditworthiness policy

This Council applies the creditworthiness service provided by Link Asset Services. This service employs a sophisticated modelling approach utilising credit ratings from the three main credit rating agencies - Fitch, Moodys and Standard & Poor's. The credit ratings of counterparties are supplemented with the following overlays:

- credit watches and credit outlooks from credit rating agencies;
- CDS spreads to give early warning of likely changes in credit ratings;
- sovereign ratings to select counterparties from only the most creditworthy countries.

This modelling approach combines credit ratings, credit watches and credit outlooks in a weighted scoring system which is then combined with an overlay of CDS spreads for which the end product is a series of colour coded bands which indicate the relative creditworthiness of counterparties. These colour codes are used by the Council to determine the suggested duration for investments. The Council will therefore use counterparties within the following durational bands:

- Dark pink 5 years for Ultra-Short Dated Bond Fund with a credit score of 1.25

Agenda Item 10

- Light pink 5 years for Ultra-Short Dated Bond Fund with a credit score of 1.5
- Yellow 5 years (UK Government debt)
- Purple 2 years
- Blue 1 year (only applies to nationalised or semi-nationalised UK Banks)
- Orange 1 year
- Red 6 months
- Green 100 days
- No Colour not to be used

The Link Asset Services' creditworthiness service uses a wider array of information other than just primary ratings. Furthermore, by using a risk weighted scoring system, does not give undue preponderance to just one agency's ratings.

Typically the minimum credit ratings criteria the Council use will be a short term rating (Fitch or equivalents) of F1 and a long term rating A-. There may be occasions when the counterparty ratings from one rating agency are marginally lower than these ratings but may still be used. In these instances consideration will be given to the whole range of ratings available, or other topical market information, to support their use.

All credit ratings will be monitored weekly. The Council is alerted to changes to ratings of all three agencies through its use of the Link Asset Services' creditworthiness service.

- if a downgrade results in the counterparty / investment scheme no longer meeting the Council's minimum criteria, its further use as a new investment will be withdrawn immediately.
- in addition to the use of credit ratings the Council will be advised of information in movements in Credit Default Swap spreads against the iTraxx benchmark and other market data on a daily basis via its Passport website, provided exclusively to it by Link Asset Services. Extreme market movements may result in downgrade of an institution or removal from the Council's lending list.

Sole reliance will not be placed on the use of this external service. In addition this Council will also use market data and market

Agenda Item 10

information, information on any external support for banks to help support its decision making process.

	Colour (and long term rating where applicable)	Money Limit	Time Limit
Banks	yellow	£1m	5 yrs
Banks	purple	£1m	2 yrs
Banks	orange	£3m	1 yr
Banks – part nationalised	blue	£4m	1 yr
Banks	red	£3m	6 mths
Banks	green	£3m	100 days
Banks	No colour	Not to be used	
Other institutions limit	-	£2m	1yr
DMADF	UK sovereign rating	Unlimited	6 months
Local authorities	n/a	£2m	1yr
	Fund rating	Money Limit	Time Limit
Money market funds	AAA	£3m	liquid
Ultra-Short Dated Bond Fund with a credit score of 1.25	Dark pink / AAA	£2m	liquid
5 years for Ultra-Short Dated Bond Fund with a credit score of 1.5	Light pink / AAA	£1m	liquid

No limit will be set on placing funds with the Council's own bank due to the volatility / fluctuations in day to day cash flows.

Group limits where a number of institutions are under one ownership is a maximum of £5m

UK banks – ring fencing

The largest UK banks, (those with more than £25bn of retail / Small and Medium-sized Enterprise (SME) deposits), are required, by UK law, to separate core retail banking services from their investment and international banking activities by 1st January 2019. This is known as “ring-fencing”. Whilst smaller banks with less than £25bn in deposits are exempt, they can choose to opt up. Several banks are very close to the threshold already and so may come into scope in the future regardless.

Ring-fencing is a regulatory initiative created in response to the global financial crisis. It mandates the separation of retail and SME deposits from investment banking, in order to improve the resilience and resolvability of banks by changing their structure. In general, simpler, activities offered from within a ring-fenced bank, (RFB), will be focused on lower risk, day-to-day core transactions, whilst more complex and “riskier” activities are required to be housed in a separate entity, a non-ring-fenced bank, (NRFB). This is intended to ensure that an entity’s core activities are not adversely affected by the acts or omissions of other members of its group.

While the structure of the banks included within this process may have changed, the fundamentals of credit assessment have not. The Council will continue to assess the new-formed entities in the same way that it does others and those with sufficiently high ratings, (and any other metrics considered), will be considered for investment purposes.

8.3 Country limits

The Council has determined that it will mainly use approved counterparties from within the United Kingdom.

However, the Council may consider counterparties from outside the United Kingdom providing the country has a minimum sovereign credit rating of AA- from Fitch or equivalent.

8.4 Investment Strategy

In-house funds. Investments will be made with reference to the core balance and cash flow requirements and the outlook for short-term interest rates (i.e. rates for investments up to 12 months). Greater returns are usually obtainable by investing for longer periods. While most cash balances are required in order to manage the ups and downs of cash flow, where cash sums can be identified

that could be invested for longer periods, the value to be obtained from longer term investments will be carefully assessed.

- If it is thought that Bank Rate is likely to rise significantly within the time horizon being considered, then consideration will be given to keeping most investments as being short term or variable.
- Conversely, if it is thought that Bank Rate is likely to fall within that time period, consideration will be given to locking in higher rates currently obtainable, for longer periods.

Investment returns expectations. Bank Rate is forecast to increase steadily but slowly over the next few years to reach 2.00% by quarter 1 2022. Bank Rate forecasts for financial year ends (March) are:

2018/19	0.75%
2019/20	1.25%
2020/21	1.50%
2021/22	2.00%

The suggested budgeted investment earnings rates for returns on investments placed for periods up to about three months during each financial year are as follows:

2018/19	0.75%
2019/20	1.00%
2020/21	1.50%
2021/22	1.75%

The overall balance of risks to economic growth in the UK is probably neutral.

The balance of risks to increases in Bank Rate and shorter term PWLB rates, are probably also even and are dependent on how strong GDP growth turns out, how slowly inflation pressures subside, and how quickly the Brexit negotiations move forward positively.

Investment treasury indicator and limit - total principal funds invested for greater than 365 days. These limits are set with regard to the Council's liquidity requirements and to reduce the need for early sale of an investment, and are based on the availability of funds after each year-end.

The Council is asked to approve the treasury indicator and limit: -

Upper limit for principal sums invested for longer than 365 days			
£m	2019/20	2020/21	2021/22
Principal sums invested for longer than 365 days	£1m	£1m	£1m

The Council currently has no investments in excess of one year.

For its cash flow generated balances, the Council will seek to utilise its business reserve instant access and notice accounts, money market funds and short-dated deposits (overnight to 100 days), in order to benefit from the compounding of interest.

Investment risk benchmarking. The Chief Financial Officer will monitor the current and trend position of the treasury function and amend the operational strategy to manage risk, as interest rates and counterparty conditions change. Performance results will be reported through the Quarterly Performance and Financial Management, Mid-Year and Annual Treasury reports to Executive.

This Council will use an investment benchmark to assess the investment performance of its investment portfolio of 7 day LIBID rate.

8.5 Non-Treasury Investments

The Council will adopt a low risk, immaterial, approach to non-treasury (commercial) investments in line with the investment categories and authorised limits set out in Appendix 2.

The Council will consider opportunities as they arise, within the Council boundary, such as light industrial investment.

9. RESOURCE IMPLICATIONS

As detailed in the report.

10. EQUALITY and HUMAN RIGHTS

An EINA has not been completed as the purpose of this report is to present the Council's financial position only.

11. STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

12. STATEMENT OF CONFIDENTIALITY

This report contains no confidential information under the provisions of Schedule 12A of 1972 Act.

13. BACKGROUND PAPERS

The background papers are available for inspection and will be kept by the author of the report.

Executive Member: Councillor R Edgell and Councillor G Lane

Author: Jon Triggs, Head of Resources Date: 22nd January 2019

Reference: T:\Technical\Adam\Treasury Management\ TM & Annual Investment Strategy 2019.doc

APPENDIX 1: Treasury Management Practice (TMP1) – Credit and counterparty risk management

SPECIFIED INVESTMENTS: All such investments will be sterling denominated, with maturities up to maximum of 1 year, meeting the minimum ‘high’ quality criteria where applicable.

NON-SPECIFIED INVESTMENTS: These are any investments which do not meet the specified investment criteria and are therefore of greater potential risk. The Council will consider using this category only for investments that would come under Specified, except that the maturities are greater than 1 year.

A variety of investment instruments will be used, subject to the credit quality of the institution, and depending on the type of investment made it will fall into one of the above categories.

The criteria, time limits and monetary limits applying to institutions or investment vehicles are:

	Minimum credit criteria / colour band	£ Limit per institution	Max maturity period
Debt Management Account Deposit Facilities - UK Government	N/A	Unlimited	6 months
UK Government Gilts	UK sovereign rating	£2m	1 year
UK Government Treasury Bills	UK sovereign rating	£2m	1 year
Bonds issued by multilateral development banks	AAA	£2m	6 mths
Money Market Funds	AAA	£3m	Liquid

Agenda Item 10

Local Authorities	N/A	£2m	1 year
Term deposit with Banks and Building Societies	Purple +	£1m	2 years
	Blue only	£4m	1 year
	Green +	£3m	1 year
CDs or corporate bonds with banks and building societies	Green +	£2m	1 year
Gilt funds	UK sovereign rating	£2m	1 year
Ultra-Short Dated Bond funds with a credit score of 1.25	AAA	£2m	Liquid
Ultra-Short Dated Bond funds with a credit score of 1.5	AAA	£2m	Liquid

(+) Above the minimum colour band given. The colour band will place its own maturity limit on the investment so only the maximum maturity period is given.

No limit will be set on placing funds with the Council's own bank due to the volatility / fluctuations in day to day cash flows.

APPENDIX 2: Investment management practice for non-treasury investments – Authorised limits

The approved schedule for non-treasury investments are as follows:

Category	Type	Limit per asset
Commercial Investment	Inside ND area	
	Retail	£0.5m
	Industrial	£1m
	Offices	£0.5m
	Land	£0.5m
	Other	£0.5m
	Outside ND area	
	Retail	£0m
	Industrial	£0m
	Offices	£0m
	Other	£0m
	Subsidiaries	£0m
	Council owned companies	£0m
	Council owned industrial estates	£1m
Loans	Third Parties	£0.25m
	Employees	£0.10m
	Other	£0.05m
Loan Guarantees		£0m

**The above schedule does not include service investments items as these are covered by the capital programme and associated risk framework.*

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Open

NORTH DEVON COUNCIL

REPORT TO: EXECUTIVE
DATE: 4TH FEBRUARY 2019
TOPIC: 10 YEAR CAPITAL STRATEGY 2019 TO 2029
REPORT BY: CHIEF FINANCIAL OFFICER

1. INTRODUCTION

This report has been prepared in compliance with CIPFA's Code of Practice and covers the following:

- Capital Strategy 2019/20 to 2028/29

2. RECOMMENDATIONS

The Executive is asked to recommend to the full Council that:

- 2.1 The Capital Strategy 2019/20 to 2028/29 be approved.

3. REASONS FOR RECOMMENDATIONS

- 3.1 The Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (SI 2003/3146) requires the Council to have regard to the Treasury Management Code.
- 3.2 To ensure Executive has assurance on the financial standing of the Council and risks associated with the capital strategy
- 3.3 To ensure Executive have plans in place to deliver the long-term financial strategy of the Council
- 3.4 To ensure that future capital investments are available and targeted to the Council's priorities.

4. CONSTITUTIONAL CONTEXT

Article and paragraph	Referred or delegated power?	A key decision?	In the Forward Plan?
Article 4.4	Referred	No	Yes

5. CAPITAL STRATEGY

5.1 Introduction

In December 2017, the Chartered Institute of Public Finance and Accountancy, (CIPFA), issued revised Prudential and Treasury Management Codes stating that from 2019/20, all local authorities will be required to prepare a Capital Strategy which is intended to provide the following: -

- a high-level overview of how capital expenditure, capital financing and treasury management activity contribute to the provision of services
- an overview of how the associated risk is managed
- the implications for future financial sustainability

This capital strategy document covers the ten year period from 2019/20 to 2028/29 and will be reviewed annually by Full Council prior to each financial year.

5.2 Corporate Priorities

The Council currently has two overarching priorities which are:

Organisational Transformation

- ✓ to develop a robust and flexible organisation
- ✓ determine our own future/destiny
- ✓ maintain or improve our services by flexing council structures and activities delivering resilience in the short to medium term

Growing North Devon

- ✓ to create and protect a resilient North Devon
- ✓ promote Barnstaple and its uniqueness as the sub-regional centre for growth but consider all opportunities
- ✓ use the increase in the local tax base from predicted housing and/or businesses to deliver resilience
- ✓ support and develop low carbon opportunities including the tidal demonstration zone

5.3 Capital Governance

The Council has a well-established Capital Project appraisal process. All capital projects require a business case, reviewing options, risks and associated costs, whilst formally recording internal consultation, including Legal Services, Finance, HR, ICT, Procurement and the Senior Management Team.

The Project Appraisal Group (PAG) comprises of the; Business Information Systems Manager, Head of Corporate and Community Services, Head of Resources and Accountancy Manager who will then meet to score the proposed project. The scoring will assess each proposal against a series of objective criteria including:

- legal or statutory obligation and risk of death or maiming
- alignment with the corporate priorities
- material improvement in the service
- number of people it would benefit
- proportion of external funding or revenue savings

The project scoring determines which projects move forward and get considered by Executive who will then make a recommendation to Full Council to vary the capital programme accordingly.

As part of the Committee reporting process the funding or resource implications will be clearly identified. For example funding from external grants, capital receipts, S106 income, reserves or borrowing. Any additional costs arising from borrowing on approved capital projects will then be built into the budget setting process and Medium Term Financial Strategy (MTFS).

In additional to the original approval of the project, a separate approval will also be sought from Executive and then Full Council to release the capital funds three to six months before the project is due to start.

All Capital spend will be undertaken in accordance with our Contract Procedure rules, which provides the following thresholds:

Contract value	Procurement requirement
Below £5,000	No procurement required, although a written quote will be obtained
£5,000 to £39,999	A minimum of three alternative quotes are sought
£40,000 and the relevant EU threshold	A competitive tendering process is undertaken
Above the relevant EU threshold	A competitive tendering process is undertaken in accordance with the requirements of the Public Contracts Regulations 2015

The Council has a project management framework based on the PRINCE2 methodology and therefore incorporates industry best practice. The framework consists of four phases; pre-project feasibility, initiation planning, delivery & implementation, and closure & review.

Project Management is all about successfully planning, implementing and managing change. Following the NDC framework allows the Project Manager to apply control throughout the project and manage the variables of time, cost and quality in order to deliver the expected business benefits.

The Council is committed to post project evaluation and sharing lessons learnt to improve future project management

5.4 Capital Strategy Years 2019/20 to 2022/23 (Medium Term)

This section looks to summarise and bring together the key points of the Council's approved medium term financial strategy, capital programme and the overall treasury position, over the medium term, in order to set the context for Members, prior to looking at the longer term capital strategy.

<u>CAPITAL</u>	2018-19 £'000	2019-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000
Net Annual Capital Financing Gap	914	1,569	25	531	1,312
Total Capital Financing Requirement (Borrowing need)	5,419	6,440	5,786	5,700	6,318
Projected External Borrowing	1,250	2,500	2,500	3,000	3,500
Annual Cost of Borrowing (MRP & Interest)	530	590	730	690	790

**please note that 2022/23 figures are projections not yet approved.*

<u>REVENUE</u>	2018-19 £'000	2019-20 £'000	2020-21 £'000	2021-22 £'000	2022-23 £'000
Medium Term Financial Strategy Budget Gap	0	0	401	470	666

Revenue

The Council is required to operate a balanced revenue budget, however for 2020/21 current projections show a medium term financial strategy budget gap of £401,000 increasing to £666,000 in 2022/23. The Council will review a number of options and have to make decisions for bridging this gap such as any financial benefits from a roll

out of the 3 weekly black bin collection. *Please see the Medium Term Financial Strategy for further details.*

Capital

A full list of the approved capital programme items can be found in Appendix 5 of the Budget Report 2019/20. Any capital expenditure that is not immediately paid for through a revenue or capital resource leads to a capital financing need or gap, which will increase the Council's total Capital Financing Requirement (CFR). The CFR is a measure of the Council's underlying need to borrow to finance the total historic outstanding capital programme. The estimated CFR for March 2019 is £5,419,000 and for March 2023 is £6,318,000.

The CFR will in part be funded by external borrowing. Total external borrowing as at March 2019 is projected to be £1,250,000 increasing by a further £2,250,000 over the next four years. The medium term strategy is prudently maintaining an under-borrowed position, meaning that as a temporary measure the Council is using its own cash supporting reserves, balances and cash-flows rather than fully funding the CFR with external borrowing. This position will need to be reviewed in line with investment returns and counterparty risks.

Where a capital project increases the CFR or financing gap then a minimum revenue provision (MRP) must be made to reduce the borrowing amount over the life of the asset. The MRP and the interest (annual cost of borrowing) are charged to the revenue account each year and this will therefore impact on the Council's revenue budget and on-going medium term financial plan budget gap. *For further details on the Capital Financing Requirement and Minimum Revenue Provision please refer to the Annual Treasury Management Strategy 2019/20.*

The table above clearly show the Council is facing both revenue and capital resource pressures within the medium term forecast and that Members will be faced with challenging decisions to make as part of setting future budgets and delivering capital schemes which are not fully funded.

5.5 Capital Strategy Years 2023/24 to 2028/29 (Long Term)

Capital Expenditure

The Council has identified two main areas of capital expenditure within the long term forecast which are necessary to maintain business as normal. Firstly, our vehicle replacement programme, as the works and recycling fleet have an eight year life cycle. Secondly, the on-going maintenance of our ICT infrastructure. The projected costs are shown below:

CAPITAL EXPENDITURE	2023-24 £'000	2024-25 £'000	2025-26 £'000	2026-27 £'000	2027-28 £'000	2028-29 £'000
Net Vehicle Replacement Cost	1,010	1,160	235	1,265	0	0
Net ICT Infrastructure Cost	98	185	159	163	438	171

The forecast also builds in a level of disabled facilities grant for each year, but we have anticipated that this will continue to be fully funded by external grants as at present.

The Council's Property Team are currently in the process of refreshing our Asset Management Plan, which includes carrying out condition surveys of our land and property portfolio. The result of this work will help to formulate a ten-year asset maintenance plan which will then feed into future capital strategy reports. Currently, the Council has a £240,000 revenue repairs fund for planned and response maintenance. This capital strategy assumes that this repairs fund will continue and be allocated to capital works if appropriate.

Capital Funding and Affordability

The following table is based on the capital expenditure identified in the previous section:

CAPITAL	2023-24 £'000	2024-25 £'000	2025-26 £'000	2026-27 £'000	2027-28 £'000	2028-29 £'000
Net Annual Capital Financing Gap	1,108	1,345	394	1,428	438	171
Total Capital Financing Requirement (Borrowing need)	6,789	7,348	6,883	7,422	6,864	5,993
Projected External Borrowing	4,000	4,500	4,500	4,750	4,000	3,250
Annual Cost of Borrowing (MRP & Interest)	750	910	980	1,030	1,120	1,140

REVENUE	2023-24 £'000	2024-25 £'000	2025-26 £'000	2026-27 £'000	2027-28 £'000	2028-29 £'000
Medium Term Financial Strategy Budget Gap	626	786	856	906	996	1,016

**For this purpose it assumes no other revenue changes apart from the cost of borrowing from capital*

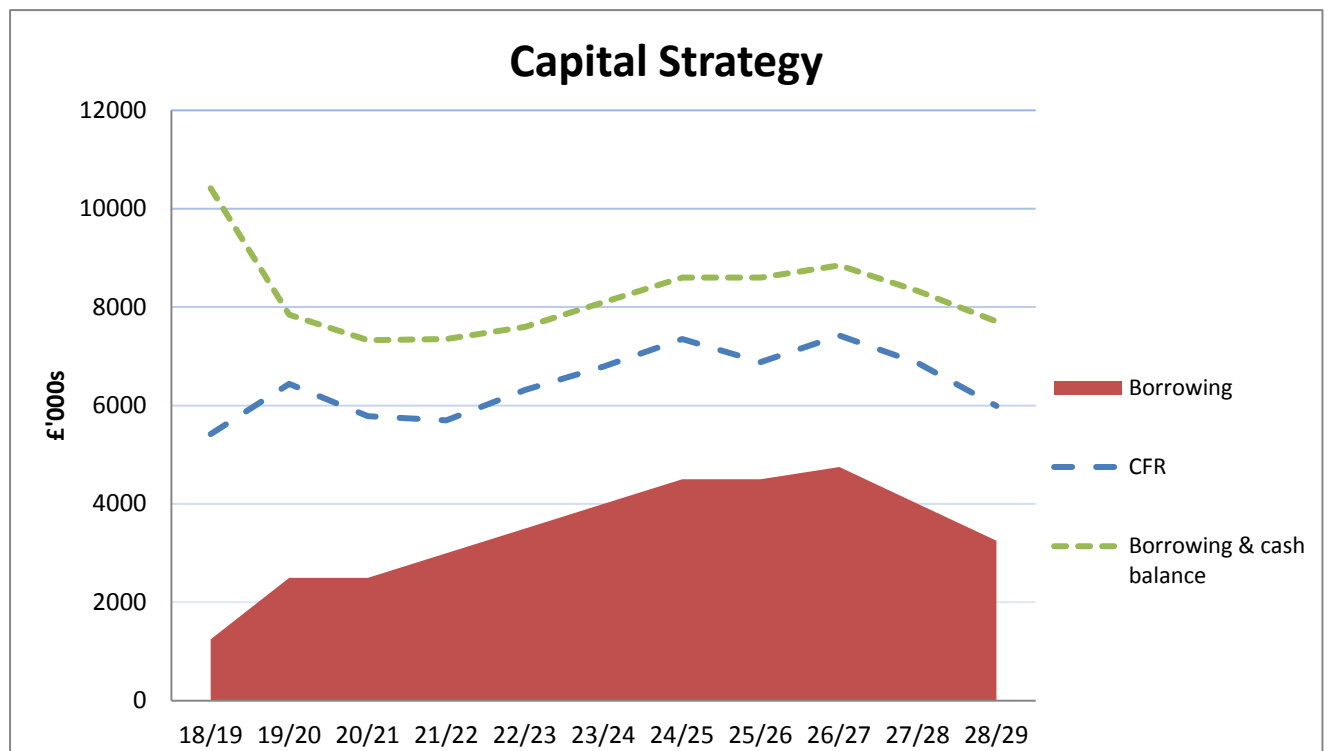
The capital table above shows that the CFR peaks in 2026/27 at £7,422,000 with external borrowing in that year predicted to be £4,750,000, again assuming the under-borrowed position remains prudent and sustainable.

With the continued non-funded capital expenditure in each of the years 23/24 to 28/29 there is a dramatic rise in the associated cost of borrowing which would reach £1,140,000 in 2028/29. This borrowing cost would impact on the revenue budget each year and to illustrate this the forecast medium term financial strategy budget gap has been extended just to reflect the additional borrowing costs before any other revenue changes are considered. On this basis, the revenue budget gap for 2028/29 would increase to £1,016,000.

The strategy shows that the business as normal capital schemes such as our vehicles and ICT may present affordability challenges and Members will need to give further consideration to our property portfolio in terms of acquisitions and disposals, the review of Seven Brethren redevelopment and the wider car parks strategy.

Any future Capital Receipts need to be prioritised and prudently earmarked to ensure that our normal business investment can continue, so that service levels can be maintained and that the authority can bridge the funding gap identified in the revenue table above, allowing a balanced budget to be set for future years.

The graph below illustrates the current ten year capital strategy:



Aspirational Capital Projects

Whilst the medium and long term capital strategy above clearly sets out the financial context under which future capital expenditure decisions should be considered, it would not prevent the Council pursuing aspirational projects such as the proposed new Leisure Centre for North Devon.

However, for the reasons already stated, any such projects would have to have no **or** limited impact on the revenue budget gap. Any additional borrowing costs would have to be offset by additional income such as a management fee; or additional capital receipts would need to be identified and earmarked over and above the capital receipts required for normal service investments like fleet replacements.

Non treasury Investments

The Council can within the existing treasury management practices consider small scale investments in other financial assets and property primarily for financial return. Such activities include investment property portfolios.

Whilst the Council has a low risk, immaterial approach to non-treasury (commercial) investments it will consider opportunities that arise within the time frame of the capital strategy, such as light industrial investment within the Council boundary i.e. Seven Brethren.

For further details of the investment categories and authorised limits, please refer to Appendix 2 of the Treasury Management Strategy Statement 2019/20

5.6 Risks with the Capital Strategy

The risks with any long term strategy is the unknown or unexpected events which will require large scale capital investments; as we have seen in the past such as storm repairs to Ilfracombe Harbour. Whilst the treasury management strategy has sufficient headroom within its borrowing limits to deal with such situations, the impact of the borrowing cost on the revenue budget are much harder to protect against.

There could also be service or legislation changes which the Council will have to adapt to in order to maintain efficient and effective service provision.

Whilst our long term budget projections have factored inflation into the estimates, economic and trading conditions can impact on future prices.

The Budget Report 2019/20 provides further details on potential risks facing the Council.

6 RESOURCE IMPLICATIONS

As detailed in the report.

7 EQUALITY and HUMAN RIGHTS

An EINA has not been completed as the purpose of this report is to present the Council's financial position only.

8 STATEMENT OF INTERNAL ADVICE

The author (below) confirms that advice has been taken from all appropriate Councillors and Officers.

9 STATEMENT OF CONFIDENTIALITY

This report contains no confidential information under the provisions of Schedule 12A of 1972 Act.

10 BACKGROUND PAPERS

The background papers are available for inspection and will be kept by the author of the report.

Executive Member: Councillor R Edgell and Councillor G Lane

Author: Jon Triggs, Head of Resources

Date: 22nd January 2019

Reference: T:\Technical\Adam\Capital Strategy\Capital Strategy 19-20.doc

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Open

NORTH DEVON COUNCIL

REPORT TO: EXECUTIVE

Date: **4.2.19**

**TOPIC: URGENT WORKS NOTICE FOR BUNKSLAND FARM,
EAST ANSTEY**

REPORT BY: CONSERVATION OFFICER

1 INTRODUCTION

- 1.1 .Bunksland Farm is a grade II* listed building dating from the late medieval period. It contains historic fabric and features of considerable significance. The farmhouse is in a very poor condition and has suffered some internal collapse. The ownership of the farm is not confirmed, therefore works required to prevent further deterioration of the building will not be undertaken, unless by a third party. North Devon Council has the power to serve an Urgent Works Notice on the building, carry out the works in default, and ultimately reclaim the expenditure when ownership is established.

2 RECOMMENDATIONS

- 2.1 It is recommended that Executive note that the Head of Place is to use his delegated authority to serve an Urgent Works Notice under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 on Bunksland Farm, East Anstey.
- 2.2 It is recommended that Executive agree expenditure of up to £50,000 to be funded from the Executive Contingency Reserve to carry out works subject to confirmation of a grant made to North Devon Council by Historic England to underwrite up to 80% of the unrecoverable costs of carrying out the works specified in the Notice.
- 2.3 It is recommended that steps be taken to recover the costs of the Urgent Works Notice once ownership of the building is confirmed – a charge to be placed on the property in order to recover the costs of the Council in undertaking the urgent works.
- 2.4 It is recommended that delegated authority be given to the Head of Place, in consultation with the Portfolio holder, to agree the details for the expenditure of the capital sum and any grant secured for the project.

3 REASONS FOR RECOMMENDATIONS

- 3.1 Section 54 (1) of the Planning (Listed Buildings and Conservation Areas) Act allows Local Authorities to execute works which appear to them to be urgently necessary for the preservation of a listed building in their area. Section 54(5) of the Act requires the Authority to give the owner not less than seven days notice in writing of

the intention to carry out the works, and Section 55 of the Act allows the local authority to recover the expenses of carrying out the works from the owner.

- 3.2 In the case of Bunksland Farm, the service of an Urgent Works Notice is the most effective means of ensuring that the listed building is stabilised, and further immediate deterioration is prevented, pending the establishment of a long term plan to secure the future of this significant heritage asset.
- 3.3 Historic England have indicated their willingness to underwrite up to 80% of the unrecoverable costs of serving the Notice and carrying out the works to the building. When the question of ownership is resolved, NDC may take steps to recover the costs from the owners, and at that stage will need to repay Historic England the corresponding proportion of the grant.

4 REPORT

- 4.1 To quote the list description, Bunksland Farm is “a remarkably unspoilt example of a medieval dwelling clearly of some status, the interior detail and particularly the roof structure being of considerable interest. The closed truss at the upper end of the hall is a rare example of a type which may once have been more common in the south-west...” The house has smoke blackened roof timbers, which indicate that it started life as an open hall house, without a first floor.
- 4.2 The house is in very poor condition. Part of the internal cob wall which forms the closed truss referred to above has collapsed, and there are many other structural defects. The house was last occupied in 2009 and was already in a poor condition by this time. The last occupier contacted NDDC in 1992 to see if NDDC could persuade her ‘landlord’ to carry out repairs to the house and adjoining barn after gale damage, given the listed status of the property. Following advice from the Senior Solicitor in 1994, the Council declined to act.
- 4.3 In 2017 it became apparent that the property was in a very poor state of repair, with some internal collapse, and contact was made with the executors of the last occupier’s will. In this case, the executors are also the beneficiaries of the will, and will inherit the estate, which is thought to comprise Bunksland farmhouse and the surrounding 60 acres of farmland. There is, however, a difficulty in that there are no deeds which confirm the legal ownership of the property, and until very recently, the farm was not registered with the Land Registry.
- 4.4 In the 1980's the last occupier is known to have borrowed some money, and it is thought that some of the property was used to secure the debt. It is not known how much money was borrowed, or whether the individual who lent her the money ever owned the freehold of the property outright. The last occupier evidently believed that she was a tenant when she contacted NDDC in 1992 but there is no legal evidence either way. The whereabouts of the individual who lent her the money are not known, despite copious enquiries made by the executors and their solicitor. He has not made any attempt to register any interest in the farm or claim under the will of the last occupier.
- 4.5 Therefore, the ownership of the farm is not known. The Executors have very recently made an application to HM Land Registry to register a title to the land and buildings.

The Solicitor to the Executors believes that they have the best claim to the property, but also believes it likely that though they may be granted legal title as executors, they may not necessarily receive beneficial title. If this is the case, then it is up to the Land Registry to set the conditions by which the title may be upgraded.

- 4.6 The consequence of the unconfirmed ownership situation is that no private individual is likely to fund repair works to the building, until their financial interest is secure. Without works being undertaken soon the building will deteriorate further and more collapses are likely.
- 4.7 In this situation the service of an Urgent Works Notice under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 seems to be the most practical solution. The Notice would require various urgent works to be undertaken, and can be pinned to the door of the property if the owner is not known. After a period of at least 7 days the Local Authority can carry out the works, and either reclaim the costs from the owner, if known, or put a charge on the property so that the costs can be recovered when either the owner is confirmed or the property is sold.
- 4.8 Historic England are able to offer a grant to Local Authorities to underwrite the costs of serving an Urgent Works Notice. This grant can be up to 80% of the total project costs. If the Local Authority is able to eventually reclaim the costs from the owner, then Historic England would expect the equivalent proportion of their grant to be repaid. An application for such a grant has been made, however, Historic England are not able to confirm their offer of grant until the Urgent Works Notice has actually been served. We have been told, informally, that the funding is available in the current financial year.
- 4.9 Advice from Historic England has been sought, and their Inspector, architect and structural engineer have all visited the site. A draft schedule of works which are considered urgently necessary to stabilise the building for the medium term has been prepared, the building has been recorded by Historic England's team, and plans have been drawn. The works that are proposed would protect the building from further damage caused by the weather, and would stabilise and prop those areas of the cob and stone walls and unsupported roof structures which are considered vulnerable. Discussions are currently taking place on the exact nature of the work, and it is estimated that the cost, including full specification and implementation will be around £50,000.
- 4.10 Historic England are able to advise, but not to fully specify the works, and NDC do not have a conservation accredited structural engineer in-house. Therefore quotes have been sought from suitable professionals to provide detailed design, specification and supervision services. The cheapest of the quotes was provided by Duncan Hill (DHD Structures) and totals £3,900 plus VAT and travel expenses and he has therefore been appointed as supervising engineer. He is currently working on the specification for the work, and will then seek tenders from suitably experienced contractors. At that stage it will be possible to identify a more accurate total cost.
- 4.11 It is therefore requested that Executive agree to pay for the upfront cost of implementing the Urgent Works specified in the notice, using NDC's Capital

Contingency Fund. NDC would then seek to claim the grant for 80% of these costs from Historic England. NDC would also put a charge on the property, so that the full amount could be recovered once an owner is identified or the property is sold. NDC would then repay the appropriate amount to Historic England.

5 RESOURCE IMPLICATIONS

5.1 Financial Implications: It is estimated that the total cost of the works will be around £50,000. This will need to be met by NDC using the Executive Contingency Fund. The outlay can be reduced to £10,000 provided a grant of £40,000 is received from Historic England. It is anticipated that the whole can be reclaimed when ownership is confirmed, following which the Historic England proportion will need to be repaid. The end result would be no long term financial implications for NDC.

5.2 Manpower Implications: The service of the Urgent Works Notice on Bunksland Farm as described in this report can be undertaken by existing staff with the addition of external specialist advice as described elsewhere in this report. The subsequent works will be undertaken by specialist contractors who will be employed under ACE (Association for Consultancy and Engineering) terms and conditions.

6 OPTIONS

6.1 Proceed as recommended within the Report

6.2 If the recommendations are not followed, there is no other obvious course of action open to the Council which will arrest the decay of the building in the short term.

7 RISKS

7.1 Without the Urgent Works Notice, this historic fabric and features of this grade II* listed building will deteriorate further and some may be lost for good.

7.2 Whilst 80% of the unrecoverable costs of the Urgent Works Notice are likely to be underwritten by Historic England, there is no guarantee of this grant being provided until the Urgent Works Notice has been served.

8 EQUALITY AND HUMAN RIGHTS

8.1 An EINA has not been completed for this project as no policy or strategy is being proposed.

9 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?	Key decision?
Article 7.7 and Part 3 Annexe 4	Delegated	no

10 STATEMENT OF CONFIDENTIALITY

10.1 This report is not considered to contain confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

11 BACKGROUND PAPERS

11.1 The following background papers were used in the preparation of this report:

- Planning (Listed Buildings and Conservation Areas) Act 1990
- 'Stopping the Rot' – A Guide to Enforcement Action to Save Historic Buildings' published by Historic England reissue 2016
- Various correspondence between Moggers Drewett, solicitors for the Executors, Historic England and Conservation Officer

The background papers are available for inspection and kept by the author of the report.

12 STATEMENT OF INTERNAL ADVICE

12.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

Executive Member: Councillor Yabsley

Author: Collette Hall

Date: 22.01.19

Reference: Document4

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NORTH DEVON COUNCIL

REPORT TO: EXECUTIVE

Date: 4th February 2019

TOPIC: 2, 4 AND 6 WILDER ROAD, ILFRACOMBE

REPORT BY: ESTATES OFFICER

1 INTRODUCTION

- 1.1 North Devon Council owns the freehold interest in No's 2, 4 and 6 Wilder Road, which are let on long leases to Young Devon. The two properties are used as a shared house and hostel accommodation for young people.
- 1.2 No's 4 and 6 (Asset A7709), comprise two adjoining houses, which provide one, 4 bedroomed communal housing unit, a mother and baby unit, and an office area which is being converted by the tenants into a one bedroomed flat.
- 1.3 Adjoining No. 4 and 6, is No.2 (Asset 6638) which is comprised of offices with studio flats over two upper floors.
- 1.4 The properties provide sheltered, temporary accommodation for young persons, with onsite support.
- 1.5 Both leases require NDC to be responsible for the structure and exterior of the premises.
- 1.6 Following a flash flood last(?) year, it was established that there are serious repairs needed to the structure and exterior of No. 4 and 6, which is suffering significantly from rising damp. The costs of these works are likely to be in excess of £50,000.00.
- 1.7 Further repair costs are anticipated over the life of both of the assets, these costs are difficult to quantify, but experience would suggest any external or structural works necessary, such as roof repairs, are likely to be excessive.
- 1.8 Estates require guidance from Members on how they would like officers to proceed on the future of these two property assets and the most effective way the premises are best managed going forward.

2 RECOMMENDATIONS

- 2.1 Executive Members give consideration to whether the works should be funded by NDC or whether, in view of the long lease arrangements it would be preferable to dispose of the freehold of No. 4 and 6 over to the tenants to allow them to fund the

works and ongoing costs of managing the building for their own benefit. A disposal is likely to be at a negligible amount.

2.2 As well as considering the issues with No. 4 and 6 in isolation, Executive Members give consideration to whether the freehold of No. 2 Wilder Road should be disposed of to the Tenants for a capital receipt.

2.3 With consideration to the options set out below under the Executive Resume, Executive Members delegate authority to the Head of Resources to negotiate/agree a way forward with the tenants, in consultation with Portfolio Holders.

3 REASONS FOR RECOMMENDATIONS

3.1 That consideration is given to whether investing in carrying out the repairs to the property is an appropriate use of funding for NDC.

3.2 The current costs of putting the building into repair and ongoing liabilities would be mitigated to NDC if the freehold was passed to the tenants.

3.3 A separate, stand alone management/operational agreement could be put in place with Young Devon, giving NDC, EH&H, more direct access to the accommodation for emergency accommodation provision. A clawback to NDC would also be incorporated.

3.4 Should Members prefer to maintain ownership of the freehold, consideration should be given to how the costs of the necessary works are funded, whether by borrowing or redirection from other already allocated funds, such as the Temporary Accommodation project.

3.5 Estates Officers have concerns over the future management liabilities NDC may have in continuing to hold the freehold interest in the properties. Both in terms of costs and liability for the occupants.

3.6 As background, these assets have been considered as viable for disposal as surplus assets since 2012. They were included on the initial disposal list in 2013, and a dialogue opened with the sitting tenants, with a view to obtaining valuation advice to agree a disposal figure. The primary reason for this being Estates concern over the occupational leases, minimum levels of return and the ongoing liabilities to NDC in terms of escalating repair costs going forward.

3.7 The assets were withdrawn from the surplus assets lists at EH&H request because of the nature of the accommodation they provided. However, it is our view as Estates Officers, that the lease structures do not provide any substantial security to NDC in prioritising our requirements for Temporary Accommodation needs and this could be secured more effectively by a separate standalone management or operational agreement with Young Devon.

3.8 Furthermore, the anticipated and unknown future repair costs to NDC arising out of the current leases, outweigh the limited benefits to NDC of getting access to the accommodation for our own clients.

4 EXECUTIVE RESUME

4.1 Providing an outline of the potential options available going forward

4.2 Option 1 – NDC Retain the Assets

NDC incur costs of repairs against an asset with low return.

Funds for repair would need to be either borrowed or redirected from already allocated funds

NDC responsible for future repair liabilities

NDC maintains its revenue stream

NDC EH&H have limited control of the users of the facility.

4.3 Option 2 – NDC dispose of 2, 4 & 6 Wilder Road to include separate agreement with NDC for housing provision

Reduces/eliminates NDC's current and future repair liability

Reduces NDC's revenue

Generates a capital receipt

NDC gains more control of the users of the facility

4.4 Option 3 – NDC dispose of 4 & 6 Wilder Road

Reduces/eliminates NDC's repair liability of 4 & 6

Reduces NDC's revenue stream

NDC EH&H have limited control of the users of the facility.

Very limited chance of capital receipt

5 REPORT

5.1 No's 4 and 6 Wilder Road are let to the current tenants, Young Devon, on an internal repairing lease for 30 years expiring in June 2030, 11.5 years remaining. It is a protected tenancy, the tenants having the right to renew. The passing rental is currently £6,488.00 pa.

5.2 No. 2 Wilder Road is also let to Young Devon on a lease for 99 years from 1997, the current passing rental is £3,400.00 pa. This was a building lease, but NDC retained responsibility for the Exterior.

5.3 Capitalised over the period of the term, this produces capital values of £64,600.00 (No. 2) and £78,000.00 (No. 4 & 6).

5.4 In terms of Open Market Value, with the sitting tenant in place, the values are not likely to be in excess of this.

- 5.5 NDC have identified that £50,000 needs to be spent on No. 4 and 6 to bring it into an appropriate level of repair. This represents the majority of the current capital value.
- 5.6 As NDC retain responsibility for exterior maintenance of both properties, repair costs are likely to continue and escalate over the terms of the leases. Particularly with regard to No.2.
- 5.7 The ongoing liabilities of the landlord would also be reflected in the open market value, which will therefore be limited, as stated above.
- 5.8 Both properties currently provide hostel accommodation for young people, 4 and 6 comprise a 4 bedroomed communal facility, a mother and baby flat and additional ground floor accommodation which is being converted into a further one bedroomed flat. No. 2 incorporates staff accommodation, office and meeting room, with a number of flats/studios on the upper floors.
- 5.9 The leases do restrict the user as accommodation for young persons, No's 4 and 6 link this to Ilfracombe and surrounding area, although as landlords, NDC has limited control over this. No.2 has no geographical restrictions.
- 5.10 It is difficult to enforce non-compliance with these users' restrictions as a landlord as the tenant has the rights to remedy a breach.
- 5.11 However, Estates have also established that there is a planning restriction on the property, which stipulates it can only be used for young persons temporary accommodation.
- 5.12 Whilst the provisions in the lease and 4 and 6 gives some comfort to EH&H that the accommodation is for local persons, it is difficult to enforce this under the terms of the lease. As the lease stands, we cannot specify that the accommodation is made available to as a priority to NDC for temporary accommodation.
- 5.13 Young Devon work in collaboration with relevant local stakeholders, including NDC, to prevent Youth Homelessness. The stakeholders meet monthly (under terms of reference of the Young Person's Homelessness Prevention Panel) to agree, in principle, which Young Person may be prioritised for forthcoming vacancies. These meetings occur because the allocation of supported social housing vacancies are specifically excluded from the Devon Home Choice policy in favour of multi-agency considerations.
- 5.14 Young Devon has the final decision and they have a contract with Devon County Council to provide supported accommodation at this location to prevent Youth Homelessness.
- 5.15 North Devon Council or Devon County Council (dependent on circumstances) have a legal duty to provide accommodation for certain homeless Young Persons. B&B accommodation is not considered suitable accommodation. Access to commissioned supported accommodation is therefore a valuable resource for NDC/DCC.
- 5.16 NDC has significant cost pressures providing Temporary Accommodation for homeless households and is therefore keen to retain supply and access to

supported accommodation to prevent homelessness and/or the need to provide Temporary Accommodation

- 5.17 Estates officers have concerns over the future liabilities to NDC in terms of ongoing maintenance and potentially excessive repair costs.
- 5.18 Estates Officer also have concerns that as landlords, NDC retain responsibility for the suitability and management of the accommodation over which we have limited control.
- 5.19 By passing on the freehold interests, NDC mitigate and liability responsibility going forward.
- 5.20 Estates Officers seek to gain a capital receipt, with consideration to the limits on open market value and the marriage value to the tenants, with them taking the ongoing liability for the property.
- 5.21 There is potential to achieve a capital receipt based on these figures, in considering the marriage value of the leasehold and freehold interest, having taken into consideration the ongoing costs of holding these assets.
- 5.22 The tenants are receptive to a package to take the freehold ownership, as well as entering into a separate management/operational agreement with NDC EH&H to maintain availability for Temporary Housing provision.

6 RESOURCE IMPLICATIONS

- 6.1 Loss of current revenue - £6,488.00 and £3,400.00 pa.
- 6.2 Potential costs of £50,000 for immediate repairs.
- 6.3 Unknown repair costs going forward.
- 6.4 Potential Capital Receipt.
- 6.5 Clawback provisions on future disposal or change of use.
- 6.6 Ongoing costs in NDC staffing to manage the property and repairs going forward.
This is difficult to quantify, but given the age and nature of the properties, should works be required to repair or replace the roof of the property for example, this is likely to completely evaporate any capital value (Based on costs to replace the roof on the castle street properties).
- 6.7 Reduced NDC staffing costs with release of freehold interest to Tenants.

7 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?	Key decision?
Part 3 Annexe 4	Delegated power	Yes

8 STATEMENT OF CONFIDENTIALITY

8.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

9 BACKGROUND PAPERS

9.1 The following background papers were used in the preparation of this report:

- Leases held by Estates
- Asset Valuation, held by Estates and Financial Services.
- Costings of works hold by Estates

The background papers are available for inspection and kept by the author of the report.

10 STATEMENT OF INTERNAL ADVICE

10.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

Executive Member: Councillor Richard Edgell and Councillor Glyn Lane

Author: Helen Bond, Estates Officer

Date: 7th December 2018

Reference: A7709 Wilder Road



NORTH DEVON COUNCIL

REPORT TO: EXECUTIVE

DATE: 4th February 2019

TOPIC: SERVICE PLANS, FOOD SAFETY AND HEALTH & SAFETY

REPORT BY: LEAD OFFICER, FOOD, HEALTH & SAFETY.

1 INTRODUCTION

- 1.1. The Food Standards Agency requires all food authorities to have a Food Safety Service Plan to ensure that national priorities and standards are addressed and delivered locally
- 1.2. The Framework Agreement on Official Feed and Food Controls by Local Authorities which provides guidance on Food Safety Service Plans advises that the plan should be submitted to the relevant member forum for approval to ensure local transparency and accountability. This report presents the Food Safety Service Plan for 2019/21.
- 1.3 The Health & Safety at Work etc Act 1974 and statutory guidance issued by the Health and Safety Executive (HSE), requires the Council to have an annual service plan in place in relation to its health and safety work. This report presents the Health & Safety Service Plan for 2019/2021

2 RECOMMENDATIONS

- 2.1 That Executive consider and recommend to Council approval of the Food Safety Service Plan and Health & Safety Service Plan for 2019/21. A copy of each plan is available from Corporate and Community Services. The plans follow a similar format and content to the previously agreed Service Plans for 2017/19.

3 REASONS FOR RECOMMENDATIONS

- 3.1 By noting and approving the contents of the report, the requirements of the Health & Safety Executive and the Food Standards Agency can be met.

4 REPORT

4.1 FOOD SAFETY

- 4.1.1 EC Regulation 882/2004 sets out the approach that competent authorities of Member States must adopt for official feed and food controls. (Feed controls are enforced by Devon, Somerset & Torbay Trading Standards, while food controls are enforced by North Devon Council). The Food Standards Agency (FSA) acts as the central UK food authority and they in turn have devised a Framework Agreement that sets out what

they expect from local authorities (LAs) acting as “Food Authorities” who are charged with the delivery of official controls on feed and food legislation.

- 4.1.2 Each Food Authority must produce an up to date documented Food Service Plan that describes the activities, techniques and approaches that will ensure they deliver on their obligations. The plan must reflect the requirements of paragraph 6 of the Regulators’ Code which requires that Regulators should ensure that their approach to their regulatory activities is transparent. It is a requirement that these plans are approved by elected members.
- 4.1.3 The North Devon Council Food Safety Service Plan follows the Framework Agreement Standard template and accordingly the plan is a mix of enforcement, intelligence based work, investigation and education.

It is proposed that performance targets will be the completion of:

- 100% of programmed food safety inspections of premises in risk category A to D
- 100% of the Alternative Enforcement Strategy for premises in risk category E
- 90% of service requests responded to and completed within target time

- 4.1.4 Whilst the intervention plan does not differ greatly from the previous period (2017/19), the plan has been reviewed to reflect current service demands and resources and the duties to promote economic growth and the opportunity to align the service priorities with the Corporate plan. The main points to note are on the following pages:

- p. 3 Service Objectives

- p. 6 Organisational Structure

- p.10 Demands on the Food Service- proactive and reactive workload.

- p.13 Primary Authority Partnerships

- p.16 Intervention plan, including the Alternative Enforcement Strategy.

- p.25 Performance Indicators

4.2 HEALTH & SAFETY

- 4.2.1 Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) puts a duty on Local Authorities (LAs) to make adequate arrangements for enforcement of the relevant statutory provisions. The primary purpose of the HSWA is to control risks from work activities. The role of the Local Authority is to provide advice and support to duty holders, manage and control these risks and thus prevent harm to employees and to the public.
- 4.2.2 The Health & Safety Service Plan is a statutory document required under guidance issued by HSE, Section 18 Standard. The Service Plan reviews and details the aims and objectives for the enforcement of health & safety as a function of the Regulatory Services Team
- 4.2.4. Continuing with the “lighter touch” approach as required by Government's reviews by Lord Young and Professor Löfstedt the council's enforcement of health & safety focuses on higher risk workplaces and serious breaches of the laws. This leaves businesses which pose a lesser risk, and which do the right thing for their employees, free of unwarranted scrutiny. This has meant and continues to mean a substantial

drop in the number of proactive health and safety inspections being carried out. To balance the lack of proactive inspections, LAs are required to increase information provision to small businesses in a form that is both accessible and relevant to their needs.

- 4.2.5. For North Devon Council this change means that no proactive inspections were carried out in 2017/18. The change in emphasis from proactive inspections to other enforcement activities is governed by the HSE National Local Authority Enforcement code and Local Authority Circular LAC 67-2 Rev 7. (See page 10 of the Health & Safety Service Plan 2019/21) which requires Councils to focus their resources on proactive interventions of a substantial list of activities and sectors. For medium risk businesses it is expected that LAs will undertake appropriate interventions, but not proactive inspections, as part of national priority programmes, local priority programmes or individually during the work year. The Devon & Cornwall Chief Environmental Health Officers' Health & Safety Liaison Group has identified which proactive, non inspection interventions should be carried out as detailed on page 20 of the Health & Safety Service Plan. This is in addition to accident investigation and other health and safety reactive work, which officers respond to as and when it arises.
- 4.2.6. Local Authorities are expected to work with low risk businesses in a reactive way only. This will be done by investigating referrals from partner agencies such as the police or fire brigade, complaints made about businesses and investigating accident notifications.
- 4.2.7. There are risks with this approach. With only routine inspection of high-risk businesses, the standards of safety and welfare in workplaces may deteriorate as a result of this light touch regulation.
- 4.2.8. To ensure local transparency and accountability, it is a requirement that the Health & Safety Service Plan is submitted to the relevant member forum for approval and for members to make a commitment to the HSE strategy.
- 4.2.9. Whilst the intervention plan does not differ greatly from the previous period (2017/19), the plan has been reviewed to reflect current service demands and resources and the new duties to promote economic growth and the opportunity to align the service priorities with the Corporate plan. All statistical data has been updated and the plan has been reviewed to reflect current service demands and resources. The main points to note are on the following pages:
 - p.3 Service Objectives
 - p.6 Organisational Structure
 - p.10 Demands on the Service- proactive and reactive workload
 - p.11 Primary Authority Partnerships
 - p.12 Intervention Plan
 - p.23 Performance Indicators.

5. RESOURCE IMPLICATIONS

- 5.1 There are no additional resource implications arising from this report.

6 CONSTITUTIONAL CONTEXT

Article or Appendix and paragraph	Referred or delegated power?	Key decision?
Part 3 Annex 4	Referred	No
Article 4.3.2	Delegated to Council	No

7. STATEMENT OF CONFIDENTIALITY

7.1 This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

8 BACKGROUND PAPERS

8.1 The following background papers were used in the preparation of this report:

- The Framework Agreement on Official Feed and Food Controls by Local Authority Food Law Enforcement –Amendment 5, April 2010, published by the Food Standards Agency.
- Local Government Group2 (LGG) and HSE published joint guidance - “Reducing Proactive Inspections”
- Reclaiming Health & Safety for all. An Independent review of health & safety legislation. Professor Ragnar E Lofstedt. November 2011
- LAC 67-2 Rev 7 Advice/guidance to Local Authorities on targeting interventions

Other references are within the Plans themselves.

The background papers are available for inspection and kept by the author of the report.

9 STATEMENT OF INTERNAL ADVICE

9.1 The author (below) confirms that advice has been taken from all appropriate Councillors and officers.

Executive Member: Councillor Moores and Councillor Jones.

Author: Pamela Charles

Date: 4th January 2019

Reference:



Food Safety Service Plan

2019 – 2021

Effective date of Strategy:	1 st April 2019
Executive approval date:	4 th February 2019
Full Council approval date:	20 th February 2019
Review date:	1 st April 2021
Author:	Lead Officer, Food, Health & Safety

Contents

INTRODUCTION	3
1. SERVICE AIMS AND OBJECTIVES	3
1.1 Aims	3
1.2 Objectives	4
1.3 Links to National & Regional Priorities and Corporate Aims & Objectives	4
2. BACKGROUND INFORMATION	5
2.1 Profile of the Local Authority	5
2.2 Organisational Structure	6
2.3 Scope of the Food Service	9
2.4 Demands on the Food Service	10
2.5 Access and Equal Opportunities	15
2.6 Enforcement Policy	16
3. SERVICE DELIVERY	16
3.1 Food Premises Interventions	16
3.2 Food Hygiene Intervention Rating of Premises	16
3.3 Food Complaints	19
3.4 Advice to Business	20
3.5 Food Inspection and Sampling	20
3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease	20
3.7 Food Safety Incidents	22
3.8 Liaison with Other Organisations	22
4. RESOURCES	23
4.1 Financial Allocation	23
4.2 Staffing Resources	23
4.3 Officer Development	23
5. ASSESSMENT AND PERFORMANCE MANAGEMENT	24
5.1 Quality Assessment	24
6. REVIEW	24
6.1 Review against the Service Plan	24
6.2 Identification of Variations	24
6.3 Areas of Improvement	24
Appendix 1 Performance Indicators & LAEMS Return)	25
Appendix 2 Performance Targets	27
Appendix 3 List of Proper Officers	28
Appendix 4 Authorised Officer Competency Assessment Guidance	29
Appendix 5 Council Enforcement Policy	31
Appendix 6 FSA's 'The Regulating Our Future (RoF) Change Programme	34

INTRODUCTION

This Service Plan sets out how North Devon Council intends to provide an effective food safety service that meets the requirements of the Food Standards Agency (FSA) Framework Agreement. It covers the functions carried out by authorised officers of the Food, Health & Safety Team under the provisions of the Food Safety Act 1990, the Food Safety and Hygiene (England) Regulations 2013 and relevant regulations made under the European Communities Act 1992.

The FSA requires the Food Service Plan to be submitted to the relevant Member forum for approval to ensure local transparency and accountability. On approval, the 'Plan' will be published in the public arena via the Council's website.

1. SERVICE AIMS AND OBJECTIVES

1.1 Aims

1.1.1. The Food Safety Service Plan is an expression of the Councils' continuing commitment to the provision of the Food Safety Service. It covers the key areas of Food Safety enforcement and the relevant management arrangements and objectives against which North Devon Council will monitor service delivery.

1.1.2. The Plan has been compiled in accordance with the guidance issued by the FSA and includes the information required by the Framework Agreement on Local Authority Food Law Enforcement.

1.1.3. Food businesses are central to the economy of the North Devon district and food safety is vitally important to the wellbeing of residents, visitors and other consumers of food produced in the area. Consequently, one of the fundamental purposes of the Food and Safety service is to ensure that the food and drink manufactured, prepared, stored and sold in the borough, including imported food, is safe to eat, free from contamination, is supplied in a hygienic manner from premises that are clean and hygienic. The service seeks to improve and sustain the standards of food safety in the area. To achieve this, the service works to support individual food businesses and provides a level regulatory playing field for them through inspection, advice, complaint investigation, and a programme of sampling as well as through the use of formal enforcement when this proves necessary.

1.1.4 The main aim of the Plan is to ensure that all food and drink intended for sale for human consumption that is produced, stored, distributed, handled or consumed in North Devon is safe, hygienic and compliant with food hygiene legislation and that all food premises and food handlers comply with the Food Hygiene Regulations. This will be achieved by focusing the Council's efforts on businesses which present the greatest risk by undertaking the initiatives below which will aim to reduce the risk rating of our whole population of food businesses:

- Programmed inspections
- Targeted interventions
- Investigation of complaints
- Investigation and control of infectious diseases
- Sampling initiatives
- Advice
- Publication of Newsletters

1.2 Objectives

The objectives of the Food Safety Enforcement Service are:

1. To achieve a consistent and risk-based enforcement approach
2. To ensure consumer protection by ensuring that food and drink manufactured, prepared, stored and sold in North Devon, including imported food, is safe to eat, free from contamination and is supplied in a hygienic manner from premises that are clean and hygienic.
2. To ensure that the percentage of broadly compliant businesses remains at 95% or above. *(An establishment that has an intervention rating score of not more than ten points under each level of compliance for structure, hygiene and confidence in management/control systems.)*
3. To maximise opportunities for full cost recovery. For example charging for Primary Authority Partnership work and Export Health Certificates and introducing charging for Food Hygiene Rating rescoring visits and advisory visits.
4. To attain >90% compliance with the Council's service standards for efficiency in dealing with requests for service.
5. To provide to support and encourage growth of local food businesses

1.3 Links to National and Regional Priorities and Corporate Aims and Objectives

<p>National and Regional priorities Food Standards Agency 2018/19</p>	<p>The stated aim of the FSA is to make food law enforcement more effective and to be undertaken by the various agencies in a more effective, comprehensive and collaborative manner.</p> <ul style="list-style-type: none"> • Maintain a level playing field for honest and diligent FBOs, which is in the interests of the food industry as a whole; • Reduce unnecessary burdens on business by focusing LA activity on agreed areas of greatest threat to public and animal health; • Create a flexible and intelligence-led approach to interventions, placing an increased focus on outcomes while maintaining appropriate levels of monitoring of compliance; • Realise the FSA's strategic goal of 'Food We Can Trust'; and • Drive up the quality and consistency of official controls.
<p>Devon Health & Wellbeing Board JSNA Devon Overview 2018 Public Health Outcomes Framework for England National and regional priorities 2018 North Devon Health Profile for 2018</p>	<p>"Significantly Worse", (than national average) Killed and seriously injured on roads Hospital stays for self-harm Dementia diagnoses (aged 65+) Alcohol related harm hospital stays Deprivation score Smoking prevalence in routine and manual occupations. Admission episodes for intentional self-poisoning by and exposure to alcohol condition</p>

	<p>Admission episodes for mental and behavioural disorders due to alcohol</p> <p>People reporting at least two long term conditions, at least one of which is Musculo-skeletal related.</p>
Corporate Priorities	<p>Organisational Transformation</p> <ul style="list-style-type: none"> • To develop a robust and flexible organisation • Determine our own future/destiny • Maintain or improve our services by flexing council structures and activities delivering resilience in the short to medium term <p>Growing North Devon</p> <ul style="list-style-type: none"> • To create and protect a resilient North Devon • Promote Barnstaple and its uniqueness as the sub-regional centre for growth but consider all opportunities • Use the increase in the local tax base from predicted housing and/or businesses to deliver resilience • Support and develop low carbon opportunities including the tidal demonstration zone

2. BACKGROUND INFORMATION

2.1 Profile of the Local Authority

North Devon Council covers an area of 1,086 km² with a population of 93,976. The area is coastal and rural with the major populations found in Barnstaple (31,616), and the villages and towns of Ilfracombe (11,184), Braunton (7,353), South Molton,(5,108) Fremington, (4,310), Lynton and Lynmouth (1,441) **(Census 2011)**

2.1.1 The local authority's food safety service is delivered from Brynsworthy Environment Centre and The Ilfracombe Centre, 44 High Street, Ilfracombe EX34 9QB, with an officer presence in both locations.

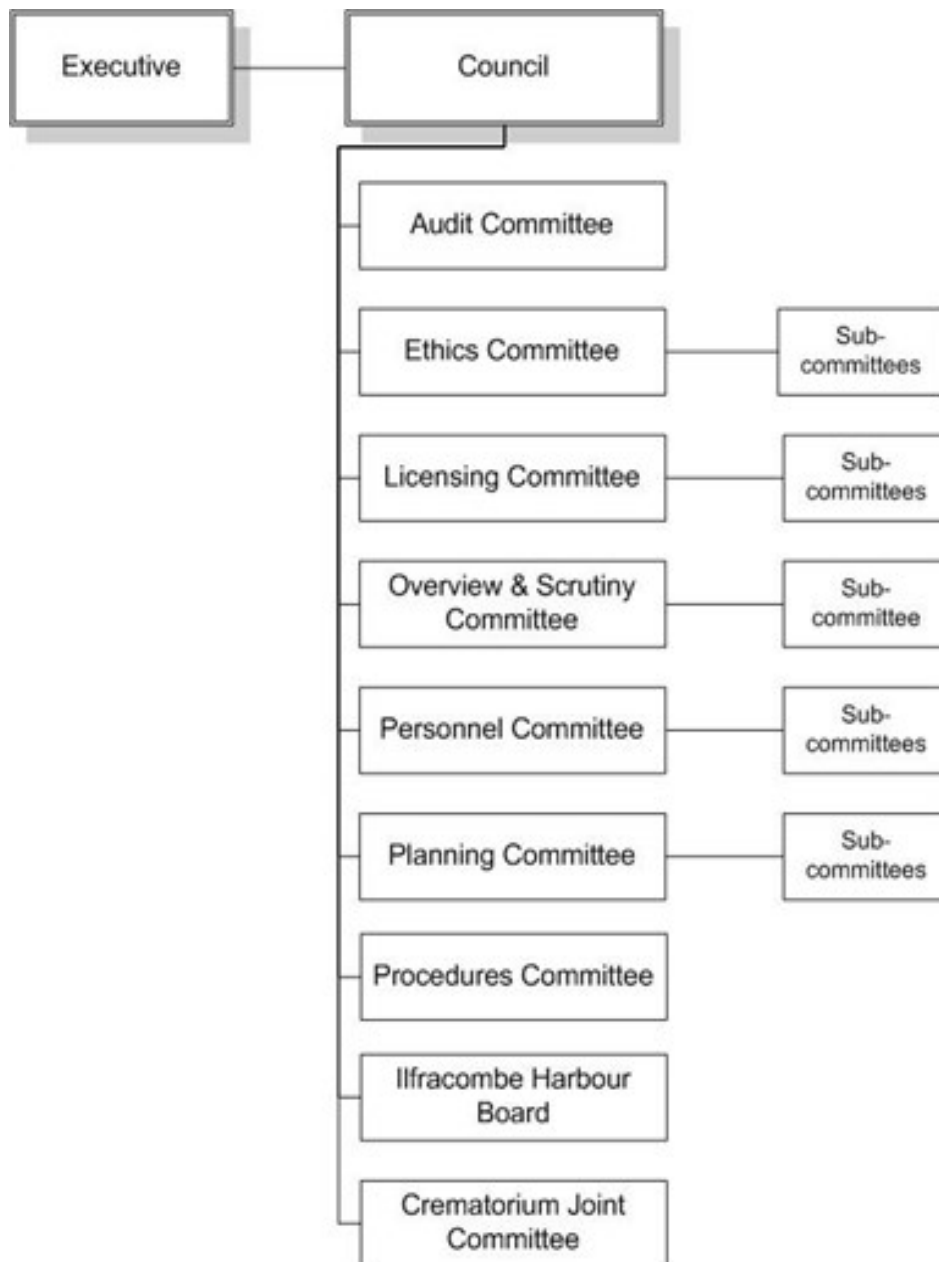
2.1.2 North Devon has 1611 businesses that come under the Council's food safety enforcement. The majority of food businesses in North Devon fall within the catering and retail sectors, with a large number of hotels, bed & breakfasts, cafés and restaurants, as well as markets and mobile food caterers.

There are many small and medium sized food manufacturers in the area providing a range of specialist and complex food processes, for example, sous vide, cook chill, and ready to eat food which may be consumed without further preparation other than re-heating. We also have a number of premises that manufacture meat, fish, (including caviar) and egg products, vacuum packaging (including butchers' shops that vacuum pack raw meat) and a large shell fish processor that exports to China and European Countries.

All interventions with businesses are carried out with regard to the local authority's commitment to equality of opportunity for local people as stated in the Equal Opportunities Policy.

2.2 Organisational Structure.

2.2.1 Committee Structure



2.2.2 Council Structure

CHART TO BE INCLUDED WHEN UPDATED VERSION AVAILABLE

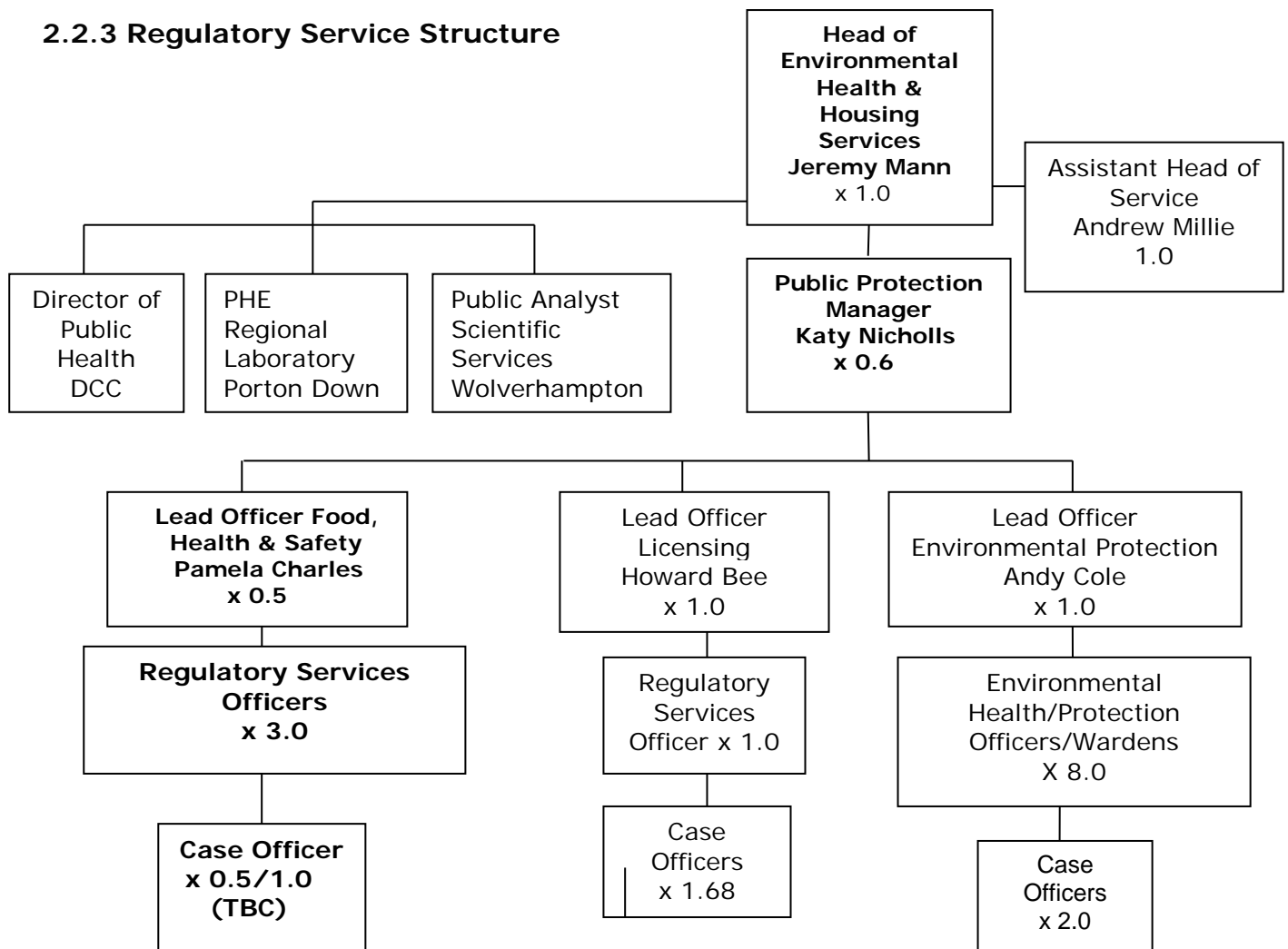
CHIEF EXECUTIVE- Mike Mansell

- Head of Resources- Jon Triggs
- Head of Corporate and Community- Ken Miles
- Head of Environmental Health and Housing Services- Jeremy Mann
- Head of Operational Services- Ricky McCormack
 - Bereavement
 - Parking
- Head of Place -Mike Tichford
 - Economic Development
 - Strategic Development and Planning

Also Manages:

- Building Control- Mike Tucker
- Elections- Judith Dark
- Harbour- Georgina Carlo-Paat
- Human Resources- Nikki Gordon
- ICT-Nina Lake

2.2.3 Regulatory Service Structure



The above structure is indicative of those staff employed by the Council as full time equivalents and not the amount of time spent on health and safety. See paragraph 2.2.5 and 4.2 for time allocated to the Council's health and safety function.

2.2.4 The Food, Health & Safety Team comprises of a Lead Officer (0.5 FTE), Regulatory Services Officers /Environmental Health Officers (3.0 FTE) and a Case Officer (vacant temp cover 0.5/1.0 FTE to be confirmed)

2.2.5 All officers in the Food, Health and Safety team have duties beyond those they carry out for Food Safety. All Officers also carry out duties under the Health & Safety at Work etc. Act 1974, which involves accident investigations, responding to health and safety complaints regarding premises and carrying out topic specific inspections as determined by the Health & Safety Executive (HSE) and the Devon Health & Safety Liaison Group. They also enforce the Health Act 2006 (smoke free legislation), and attendance at Safety Advisory Group for large scale licensed events.

2.2.6 All team Officers are contactable out of hours, by one of the designated Silver Control Officers, if deemed necessary to assist with an emergency or major incident, such as a food poisoning outbreak.

2.2.7 North Devon Council is supported by Public Health England, South West Centre Health Protection Team, Follaton House, Plymouth Road, Totnes, TQ9 5NE in its infectious disease role.

2.2.8 Public Health England's Regional Laboratory at Porton Down is the Council's appointed Food Examiner and Public Analyst Scientific Services (PASS) of Wolverhampton is our Public Analyst.

2.3.Scope of the Food Service

2.3.1.Under Regulation 5 of the Food Safety and Hygiene (England) Regulations 2013 the Council has a statutory duty to enforce the food safety provisions of the European Communities Act 1972 and regulations made there under, the Food Safety Act 1990 and The Food Safety and Hygiene (England) Regulations 2013.

Whilst the duty to comply with food safety legislation rests with the Food Business Operator, the Council, as a designated Food Authority, has the regulatory enforcement role to ensure compliance is achieved. Enforcement of food standards legislation (quality, composition and labelling) is the responsibility of the Devon, Somerset & Torbay Trading Standards Service.

Our Food Safety Service is currently responsible for ensuring compliance in 1611 food premises in North Devon, together with controlling imported food arriving at inland locations within the district.

2.3.2 The work of the service may be split into two broad areas – Proactive and Reactive.

Proactive work:

- Carrying out a programme of planned interventions e.g. inspections, audits, sampling at food establishments
- Law Enforcement- e.g.Emergency Prohibition/Detention and Seizure of food
- Administering the Food Hygiene Rating Scheme
- Providing advice to food business operators including help on implementing the Food Standards Agency's Safer Food, Better Business food safety management system or their own Food Safety Management System
- Operating inland imported food control at retail and catering establishments etc.
- Systematic review and updating of food safety policies and procedures
- Prosecutions, simple cautions and other enforcement actions
- Registration and Approval of food businesses
- Maintenance of a database and register of food businesses
- Servicing Primary Authority Partnerships
- Training of new staff and students
- Team meetings
- Attendance at Liaison Group Meetings
- Undertaking food sampling including monthly bivalve mollusc sampling
- Attendance at training courses for Continuing Professional Development
- Keeping abreast of changes in legislation and FSA guidance such as 'risky foods'

Reactive work

- Investigation of complaints concerning food establishments and food handling practices
- Investigation of complaints regarding food items.
- Registration of food establishments
- Investigation and control of cases of infectious disease and suspected and confirmed food poisoning
- Issuing Export Health Certificates

- Dealing with unfit food
- Responding to FSA Food Alerts

The graph below (**Fig.1**) shows the number of requests for service received by the Food Team year on year. The number tends to fluctuate throughout the year and In 2017/18 there was a higher than expected number of requests for service in August and November although lower numbers than usual in July, September and February.

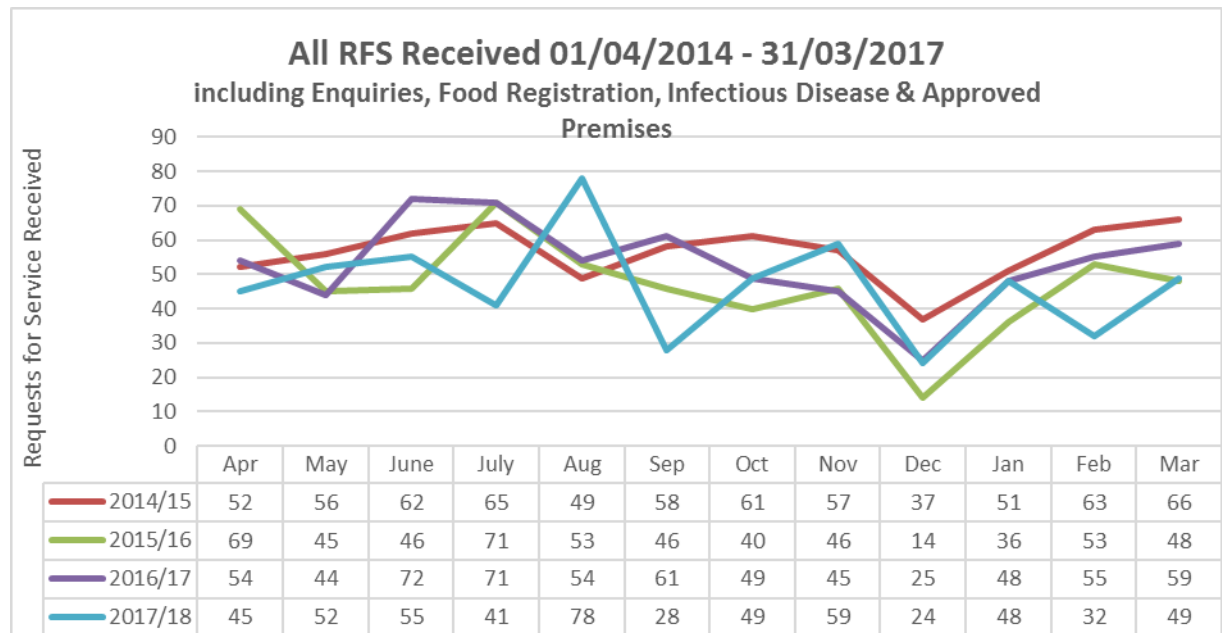


Fig.1

2.4 Demands on the Food Service

North Devon Council (NDC) is not a Port Health Authority, but fish landings are made at Ilfracombe, Instow and Lynmouth.

2.4.1 The Taw Estuary accommodates commercial Mussel and Oyster beds, and monthly sampling of bi-valve molluscs (mussels) is a statutory duty. Samples are taken from five production areas as designated by the Centre for Environment, Fisheries and Aquaculture Science, (CEFAS). Sampling is carried out by Officers in accordance with the controls laid down in Annex II of Regulation 854/2006.

The cost of mussel sampling is borne by the Council and in 2017/18 the cost was £3575 North Devon Council collects samples on behalf of Torrington Council and charges £180 per year for this service.

2.4.2 Officers of the Food, Health & Safety team also carry out other appropriate interventions such as health and safety (gas safety, asbestos safety), and smoke-free compliance interventions in a range of food premises, which are delivered alongside food hygiene interventions.

2.4.3 Dr Nick Young is the Council's Consultant in Communicable Disease Control and a further seven Doctors and five Health Protection Consultants have been authorised as Proper Officers as detailed in Appendix 3. In addition, two Environmental Health Officers in the team have been authorised as 'Proper Officers' under the Public Health (Control of Disease) Act 1984 to allow them powers of entry in the case of an infectious disease outbreak.

2.4.4 There is one licensed slaughterhouse and two meat-cutting plants in the district, which come under the enforcement of the FSA.

2.4.5 Establishments approved under EC Regulation No.853/2004 by NDC include dairy product premises, meat establishments, fish product premises and egg packing premises.

2.4.6 Mobile food businesses, Farm shops, Farmers Markets and people setting up food business in their homes are continuing to be popular and more business operators are taking advantage of running a food business via internet sales.

2.4.7 Local issues include: the seasonal and transient nature of a significant number of premises catering for the tourist trade, support for the local shellfish industry in monitoring the cleanliness of the shellfish beds in the Taw Estuary, the high turnover of food businesses and food business operators within business and the number of businesses being run from domestic premises.

2.4.8 Due to the nature of the North Devon area, there are always a number of festivals and events, where the team have to spend time away from programmed inspections, to ensure for example that mobile vendors visiting North Devon from other parts of the country are complying with food hygiene legislation. In 2017/18, staff visited the a Street Food Festival and dealt with several problem food buisnesses to ensure they operated safely at the festival.

2.4.9 The Servicies computer system used to record all the work carried out by officers has been undergoing transformation during 2017/18. This has created problems for officers in terms of learning how to use the new system and because there were a number of technial problems, which meant tasks took longer to perform than previously. These issues have now been resolved and officers are finding the system to be efficient in terms of their user time.

2.4.10 **Key Issues for 2019 –2021:**

2.4.10.1 The FSA “Regulating our Future Programme” (RoF) which is currently underway and will be complete in 2020. This programme aims to deliver a new regulatory model for food which will change the way Local Authorities enforce the food hygiene legislation. The programme will modernise the way food businesses are regulated and create a system that is modern, risk-based, proportionate, robust and resilient.

The existing approach has been inplace for thirty years and has served consumers well but has not kept pace with technological change in the food industry, and is not flexible enough to adapt to the changing environment

The current model is financially unsustainable, with taxpayers bearing the cost of food regulation in a way that is incompatible with wider regulatory policy. At the same time, local authorities who deliver most of the current activity are under increasing financial pressure, such that some are struggling to fully discharge their functions.

The Food Safety Team will need to embrace the changes and move the service forward in line with the FSAs RoF programme.

2.4.10 .2 The main changes to be brought about by RoF are:

- Central On line Food Business Registration
- Segmentation of food businesses
- Primary authority national inspection strategies
- Sustainable fnding
- Stautory dipslay of food hygiene ratings

2.4.10.3 Brexit. Whist the effects of Brexit are yet unkonwn, it is expected that the regulatory environment will change with the UK leaving the EU. For the UK to continue to be a strong, credible player in the global food economy, the regulatory regime needs to keep pace with the change. Leaving the European Union will change patterns of food production, trade and consumption Control of food imports and businesses that export food will be critical.This will require a flexible and responsive regulatory system.

2.4.11 Allergen Enforcement. Following some high profile deaths in other parts of the country, enforcement of the Food Information Regulations 2014 remains important work for the enforcement officers.Enforcement falls to both Environmental Health Officers of the District Council and also Trading Standards Officers of the County Council.The Food, Health and Safety Team Officers will enforce the regulatons during their programmed food hygeine inspections. The Lead Officer belongs to the Allergy Sub Group of the Devon & Cornwall Food Liaison Group.

2.4.12 Premises Profile

As at April 2018, there were a total of 1649 food premises in the district. 1611 registered and 38 Approved by the Council that are subject to programmed food hygiene inspections. However, the overall number of businesses fluctuates as new businesses open or existing ones close down. These premises range from manufacturers of high-risk meat and dairy products to local shops, restaurants and take-aways, mobile businesses and home producers. The profile of premises is always changing, but the greatest number of premises fall in to the catering and retail sectors. The current premises profile is indicated in the following table: **Fig 2**

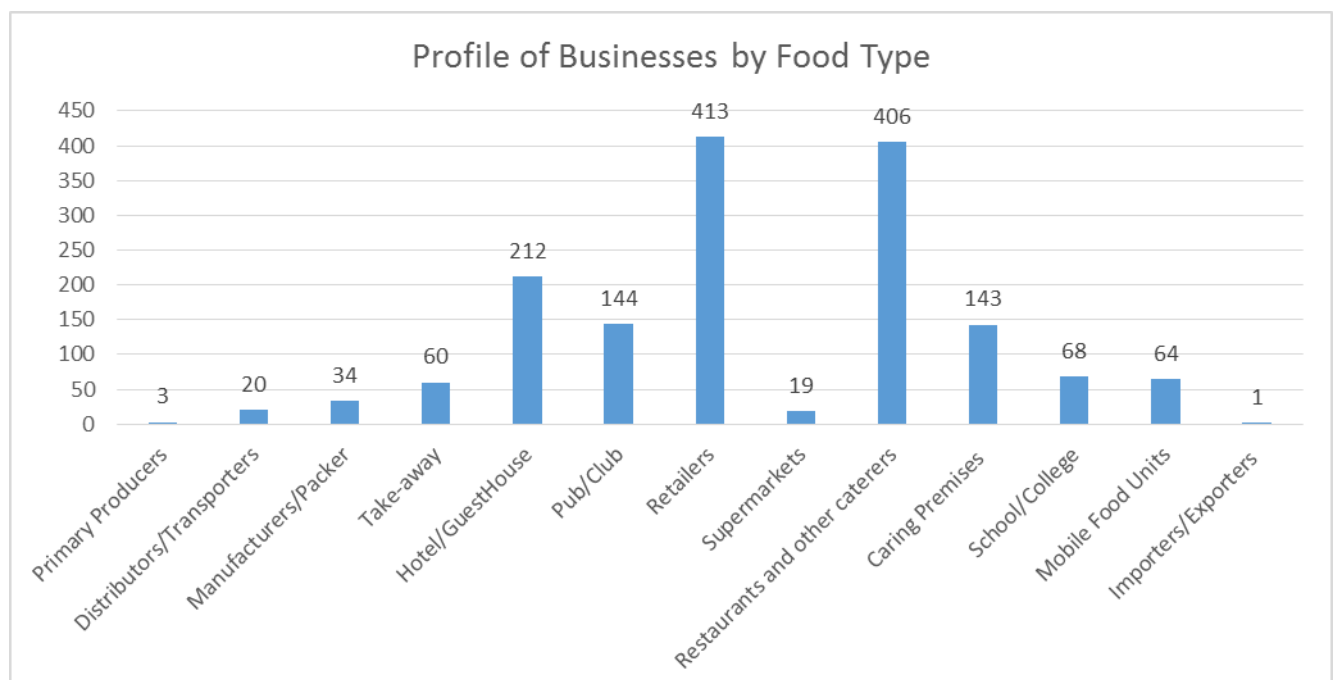


Fig 2.

2.4.12.1 Specialist/Complex Processes

We have a number of premises within the district that carry out a wide range of specialist and complex food processes, for example, sous vide, cook chill, vacuum packaging (including butchers' shops that vacuum pack raw meat) and ready to eat food which may be consumed without further preparation other than re-heating. We also have a number of premises that manufacture meat, fish, (including caviar) and egg products, The FSA Code of Practice specifies that the above types of premises should only be inspected by officers who have received specific training in the processes involved. In order to address this, all officers have received structured training in these processes but there is a need to maintain officers' competency in these areas by making provision for officers to continue to attend relevant training courses.

2.4.12.2 Approved Premises

North Devon also has 38 Approved premises. These are premises approved under EC Regulation No.853/2004 that manufacture and sell largely to non-final consumers, (such as retailers and restaurants), products of animal origin, such as dairy, meat and fish products and egg packing premises.

2.4.13 Imported Food Control

All local authorities have responsibility for imported food controls. Through port health authorities at sea and airports and international rail links and Border Inspection Posts, the UK has effective imported food controls at point of entry. However, in spite of effective border controls, illegal imports will still arrive at point of sale due to international smuggling of illegal goods or failure to declare items due to lack of knowledge on behalf of the importer. It is, therefore, important that inland controls are also in place. The identification of food not of animal origin and products of animal origin that have not been physically checked at point of entry or have been illegally imported, and any subsequent enforcement will normally be made during routine food hygiene inspections.

North Devon has no border controls or transit sheds and so inspections are only made during routine visits to businesses.

2.4.14 Primary Authority Partnerships

The Primary Authority Principle was launched in 2009 to make the local regulation of businesses operating at multiple premises across the UK more consistent. In October 2017 the scheme was expanded to include all businesses, not just those with multiple premises. The operation of the Primary Authority scheme is a statutory responsibility of the Department for Business, Energy & Industrial Strategy, BEIS, whose role is to register partnerships, issue guidance and resolve disputes.

Businesses have the right to form a statutory partnership with a single local authority, which then provides robust and reliable advice for other councils to take into account when carrying out inspections or dealing with non-compliance. It is the gateway to simpler, more successful local regulation.

North Devon Council fully endorses the Primary Authority principle and currently acts as the Primary Authority for the following four businesses:

- Parkdean Resorts Ltd
- Mole Valley Farmer
- Rawle Gammon and Baker (RGB)
- John Fowlers

The Council charges for Primary Authority work at a rate of £50 per hour which creates a income of approximately £700 per year. This comes from a combination of food safety work and health and safety work.

Income gained from this work:

2016/17 - 14 hours, income, £700

2017/18 - 10.2 hours income, £510

2018/19 (to Dec 2018) –18 hrs, income, £916

During 2019-21 the Council will continue to operate as Primary Authority Partner with the above businesses, providing advice to the companies and responding to requests for information from other local authorities.

2.4.15 The National Food Hygiene Rating Scheme

North Devon Council implements the FSA's national Food Hygiene Rating Scheme. The scheme includes all business types, such as schools, nurseries, retail shops, restaurants, public houses, care homes, home caterers. Businesses such as Childminders and Approved Premises or premises which the public would not deem to be a food business, such as a hairdresser offering a cup of tea to clients, or shops who offer a very small range of confectionery as an extra to their main retail purpose, are excluded from the scheme. Businesses are given a score between 0-5 based on their risk rating. 0 being the least compliant, 5 being the most compliant. Businesses receive a sticker with their score on, the display of which remains voluntary. Safeguards exist to enable businesses to request a revisit for a re-score, to appeal the score and/or publish a 'right to reply'.

Ratings are published on the FSA's website with a link from North Devon Councils website. This enables members of the public to make informed choices about where they eat food. Businesses that fail to comply with any legal requirements are required to make improvements through an informal written notice, advice and education with revisits and formal enforcement action if necessary.

Under the Localism Act 2011, The Food Standard's Agency guidance on the Food Hygiene Rating Scheme, the 'Brand Standard' March 2017, allows for the charging of revisits requested by the food business operator. North Devon Council does not receive many food business operator requests for revisits, however consideration should be given to introducing a charge for such visits, based on officer time.

The continued use of the National Food Hygiene Rating System (FHRS) gives well run food businesses the opportunity to demonstrate how compliant they are in relation to others and this has helped to raise standards generally. Although the displaying of the rating is still not currently a legal requirement, ratings are published on a publicly accessible website. The FHRS helps consumers make more educated choices over where they buy their food and where they go out to eat.

2.4.16 Safer Food Better Business

Safer Food Better Business (SFBB) was designed by the FSA to assist small and medium businesses in meeting the requirement of having a documented food safety management system. Officers actively encourage food business operators to adopt SFBB in the absence of any other food safety management system.

2.4.17 New Registrations

In addition to businesses that form part of the programme, the local authority inspects around 170 newly registered food businesses each year.

The Food Law Code of Practice requires newly registered food premises to be inspected within 28 days of this authority receiving the registration. This forms an additional demand on officers. The number of new registrations each year is shown in the table on the next page.

Year	Total No of New Registrations
2014/15	155
2015/16	176
2016/17	201
2017/18	171

The graph below (**Fig 3.**) shows the trend in new registrations received through out the year.

June, August, November and March saw the highest number of registrations received in 2017/18

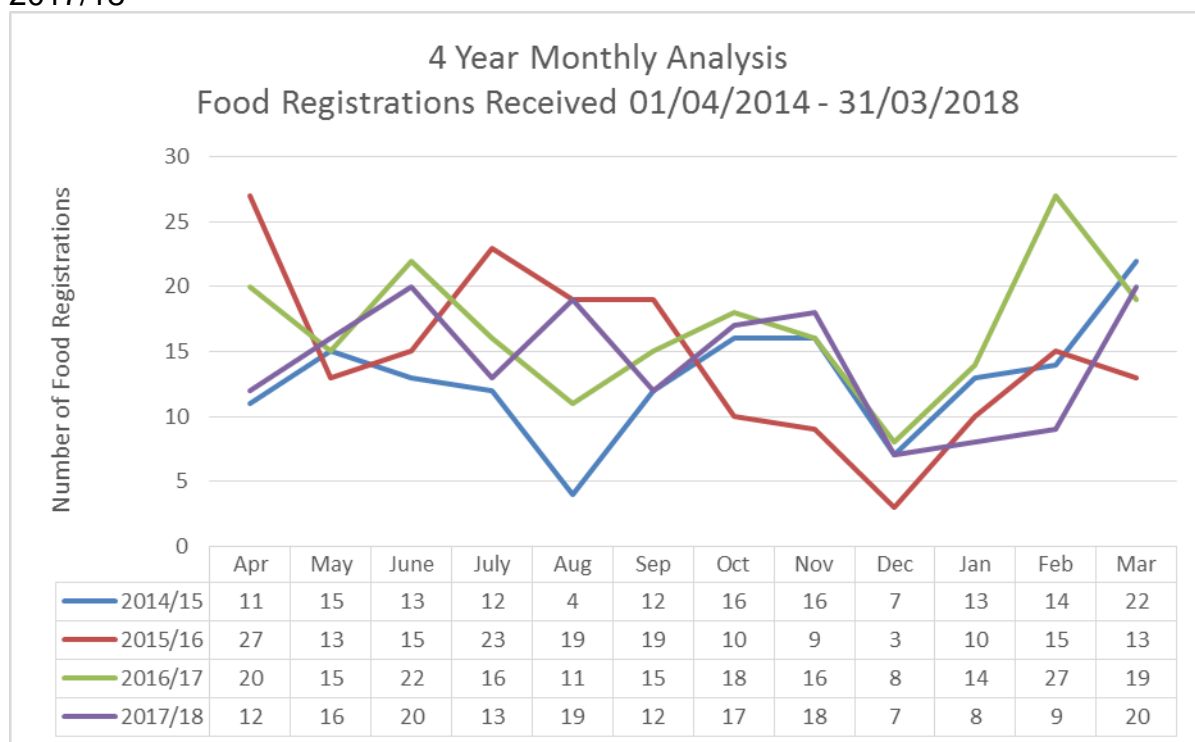


Fig 3

2.5 Access and Equal Opportunities

2.5.1 Accessing Services

Officers of the The Food, Health and Safety Team are located at Brynsworthy Environment Centre and The Ilfracombe Centre,

Requests for service may be received by:

- Telephone
- Personal visit to Lynton House, Barnstaple, The Ilfracombe Centre or Amory House, South Molton
- Email
- Letter

Office hours are 9.00am to 5.00 pm Monday to Friday.

Staff visit commercial and residential premises to carry out their normal duties. During out of office hours the duty officer can be contacted by telephone in an emergency.

Visits are made to premises outside of normal office hours where necessary. All our offices are accessible to people with disabilities. The Council website (www.northdevon.gov.uk) provides access to all services and links to the Government website for an on-line food premises registration form and information and advice on Food Safety.

2.6 Enforcement Policy

The Food, Health & Safety Team adopt the principles laid down in the Enforcement Concordat, which states that enforcement must be fair, consistent and equitable. The North Devon Council Enforcement Policy considers the requirements of the Regulators' Compliance Code and has regard to Crown Prosecution guidelines. The Policy outlines the enforcement options available for dealing with problems relating to non-compliance with the legislation and can be found at Appendix 4 (This policy is currently under review)

3. SERVICE DELIVERY

3.1 Food Premises Interventions.

The Food, Health & Safety Team follow a risk based intervention strategy with a graduated enforcement approach when dealing with food businesses. Initial action if required would take the form of an Informal Notice issued to the Food Business Operator. Failure to comply with this notice would result in service of a formal Hygiene Improvement Notice. Failure to comply with the formal notice would result in prosecution. Officers work hard to assist food business operators to comply with the legal requirements and fortunately, in most cases food business operators do comply at the informal stage and prosecution for failure to comply is rarely necessary. Occasionally formal action is necessary and in 2017/18 a local food business operator was prosecuted for failure to comply with the hygiene regulations and Detention and Seizure notices were also served on the same person to prevent unfit food entering the food chain.

3.2 Food Hygiene Intervention Rating of Premises

3.2.1. All food premises are rated according to their level of risk, as defined by the FSA Food Law Code of Practice (England), Chapter 5, Organisation of Official Controls. There are five risk categories of food premises (A – E), with each class of risk group having a specific minimum frequency of intervention. The risk rating determines the frequency and nature of the interventions that are classed as official controls (see chart, page 19).

Risk A is the highest risk and Risk E is the lowest risk. The table below provides a summary of the type of intervention and frequency of intervention for each risk category. In most cases North Devon Council chooses the official control of a full inspection for all categories of premises except those in category E.

Category	Intervention Type	Frequency
A	Inspection, Partial Inspection or Audit	6 months
B	Inspection, Partial Inspection or Audit	12 months
C non-broadly compliant	Inspection, Partial inspection or Audit	18 months
C broadly	Official controls as appropriate every 18	18 months

compliant	months	
D	Option to alternate between Official controls and other interventions (NDC chooses to carry out only official controls)	24 months
E	Alternative Enforcement Strategy	36 months

3.2.2 The risk score is determined not only by the standards of hygiene, structure and confidence in management, but also on elements that cannot alter, for example, type of food produced and the number of consumers at risk..

Public perception is that officers are visiting premises far more frequently than is determined by the Code of Practice and many people are surprised to learn of the long intervals between inspections.

The table below indicates the number of premises in each risk category at April 2018

Risk rating	Number
A	0
B	16
C	169
D	600
E	826

The graph below, (**Fig 4**), shows the risk profile of food premises over the past three years, with most registered premises falling in to the lower risk categories.

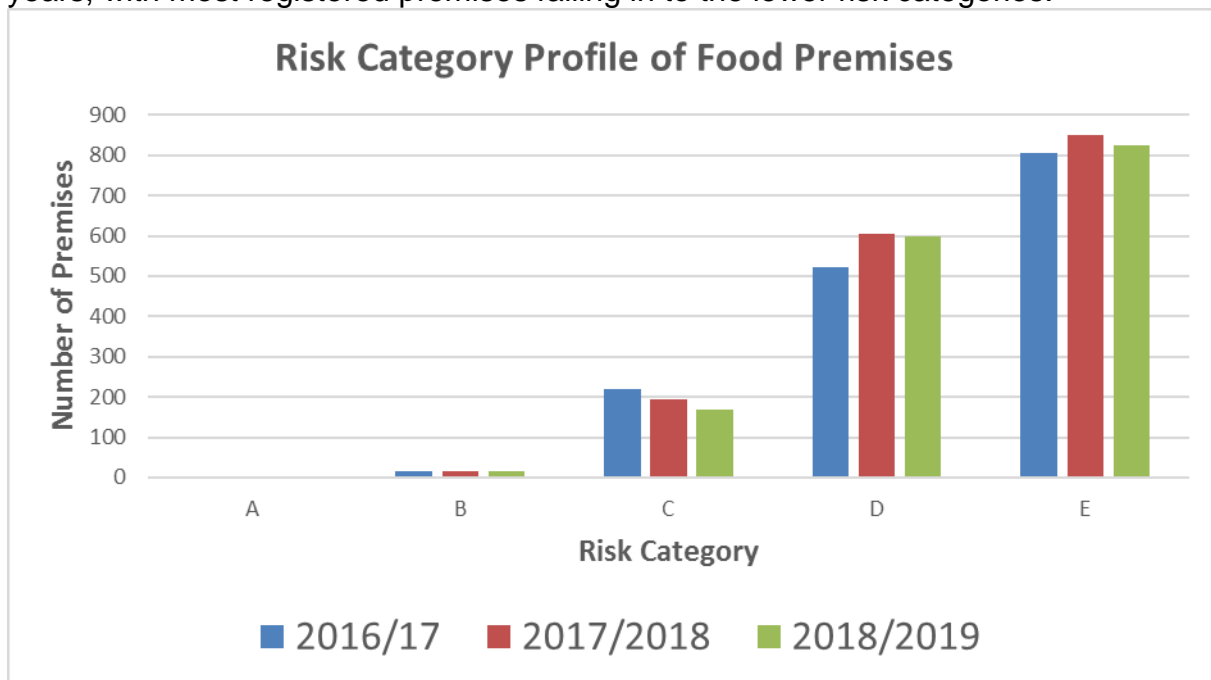


Fig.4

The number of food hygiene interventions due throughout the year is shown in the graph on the next page (**Fig.5**). Interventions are allocated at intervals of 6, 12, 18, 24, or 36 months since the previous inspection. North Devon has a large number of seasonal food businesses, which can make for busy periods of work in the Summer as these need to be visited whilst they are open for trading.

The interventions due at 36-month intervals will be subject to the Alternative Enforcement Strategy. 160 inspections due in 2017/18 fell in to this category.

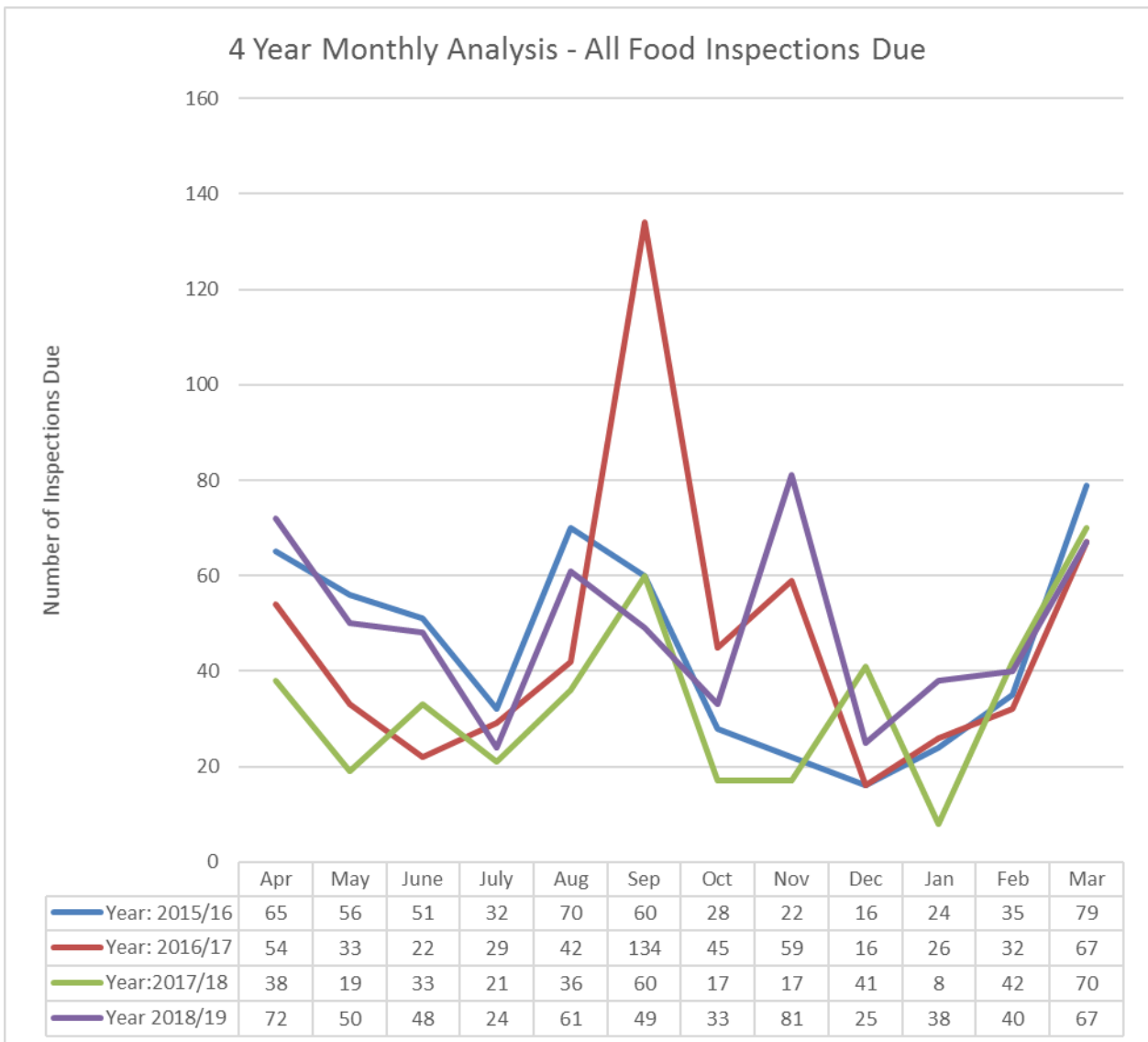
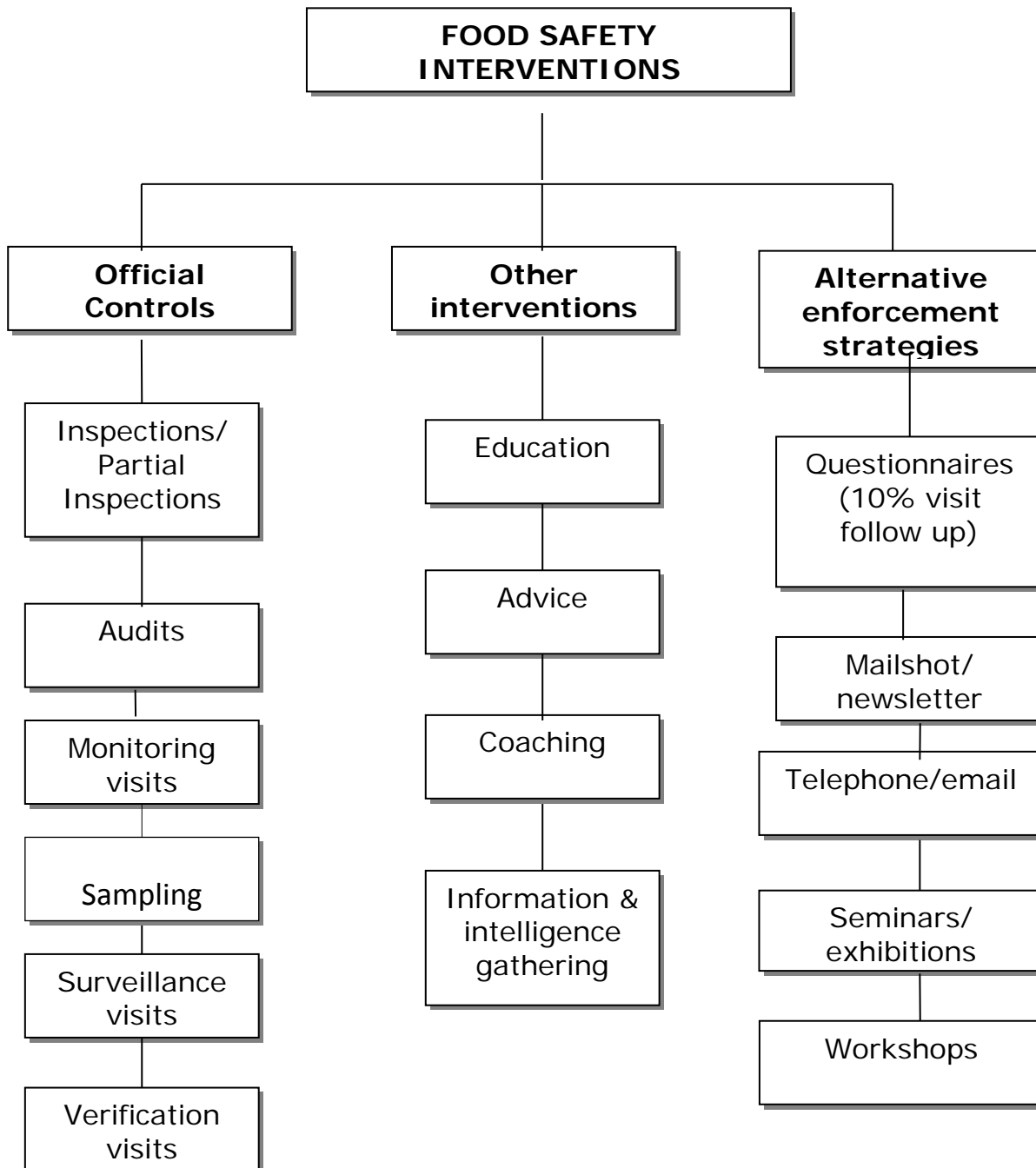


Fig 5

The type of interventions available for officers to use are:



3.2.3 Officers use a hand held tablet device on which to record their Food Hygiene Inspections. The device is compatible with the NDC mainframe computers and the M3 Northgate software used by the Team. Inspections completed on the tablet can be emailed directly to the Food Business Operator and back to the office to be attached to the premises file on the main computer. The use of the hand held has led to a significant increase in efficiency for officers as they can complete the inspection on site and do not need to complete any other paperwork. There is also efficiency for the Case Officer in the office as there is no need to print out, scan or post out any paperwork.

3.3 Food Complaints

The investigation of customer's complaints regarding food safety is an important area of work for the team. The local authority has set response targets of: 1 day for food which is unfit or mouldy.

3 days for food which has chemical or microbiological contamination
5 days for food containing a foreign body.

In 2017/18 North Devon Council dealt with 14 food complaints all relating to foreign bodies in food responded to and completed in compliance with targets. Complaints included two regarding glass found in food, four regarding plastic found in food, and three regarding insects in food.

3.4 Advice to Business

The service provides advice and support for all food businesses by telephone or email. As a rule, the service does not have the capacity to provide advisory visits, however Officers use their discretion in cases where it is deemed that an advisory visit will be in the interest of both the business operator and the Council. Information is available on the local authority website, with links provided to the FSA and other websites. Links to useful information are always sent out to new businesses when they register with the Council.

3.5 Food Inspection and Sampling

The Devon & Cornwall Food Liaison Group co-ordinate the Devon and Cornwall Authorities sampling programme to specific local and national demands. The plan is developed by the group with Public Health England laboratory to incorporate identified priorities.

Microbiological examinations are undertaken by PHE at Porton Down Laboratory.

In 2017/18 the Food, Health & Safety Team took 95 food and environmental samples, 73 of which were mussel samples taken as part of the statutory sampling regime. Of all the samples taken only 5 were reported as being unsatisfactory. Unsatisfactory samples were followed up with advice to food business operators and revisits by officers to take further samples to ensure there had been an improvement in hygiene standards.

Other food samples, such as food complaints, may be sent to the Public Analyst if they are for identification of foreign bodies, for example. These examinations are costly at £100 per analysis, and in 2017/18 only one sample was sent for identification of plastic in a pizza to try and establish the nature and source of the plastic.

3.6 Control and Investigation of Outbreaks and Food-Related Infectious Disease

The Food, Health & Safety Team investigate food-related infectious disease notifications in accordance with procedures agreed with the Consultant in Communicable Disease Control (CCDC). Notifications of alleged food poisoning and confirmed food poisoning and other notifiable diseases, are dealt with the same day by Officers.

Investigation of outbreaks will be in accordance with the Outbreak Control Plan agreed with Public Health England.

The Food, Health & Safety Team's objectives are to: -

- contain the spread of infection
- identify the causative organism/chemical;
- trace carriers and cases;
- trace the source of infection;
- determine the causal factors;

- recommend practices to prevent recurrence of disease;
- determine whether criminal offences have been committed;
- exclude food handlers from work if necessary to protect the public.

The table below summarises the number of cases notified to North Devon Council in 2017/18.

Disease	Number
Campylobacter	58
Salmonella	4
Suspected/Alleged food poisoning	33
Norovirus	0
Hepatitis A	0
Hepatitis E	1
Shigella Dysentery	0
E. coli 0157	0
Cryptosporidium	7
Giardia	1
TOTAL	104

The incidence of confirmed cases of food-borne illness in the District over the past four years is detailed in the graph on the following page (**Fig.5**), showing peaks of reported cases in August and November.

Cases mostly consisted of single Campylobacter cases within a household. There were no outbreaks, (two or more linked cases) and investigation of the cases did not imply that the cases were linked in anyway. In most cases the patient had handled or eaten raw chicken within their own home. Some cases were thought to have been contracted abroad and there were no confirmed cases that could be proven to have originated from eating at a food business or event in the North Devon area.

Figures for 2017/18 show the number of reported cases to be similar to those in previous years. There are always likely to be a number of cases that go unreported by patients.

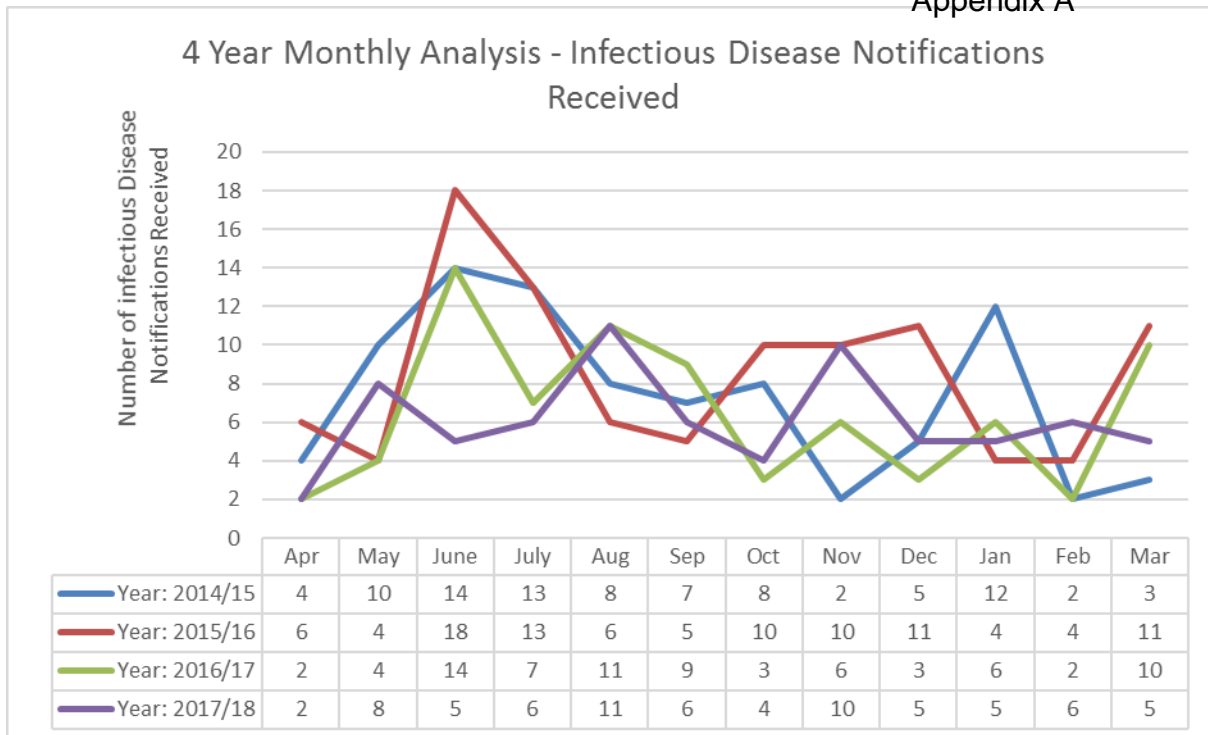


Fig 5

Confirmed cases.	
Year	Total
2014/15	88
2015/16	102
2016/17	77
2017/18	73

3.7 Food Safety Incidents

3.7.1 Food Alerts are issued by the FSA in relation to information on national food issues. The majority are for information only. Some Food Alerts are for action and require officers to undertake a wide variety of courses of action dependent upon the issue at hand. In 2017/18 there was only 1 Food Alert requiring action that was dealt with by the Food, Health & Safety Team. The alert related to Fipronil in eggs following concerns raised in the Netherlands about the insecticide Fipronil, which had been used inappropriately in cleaning products on chicken farms. Fipronil is not authorised for use in food producing animals and it should not be present in eggs at any level.

The FSA identified that a number of eggs had been distributed to the UK from the farms affected and a company in North Devon had received an order of egg yolks from the affected eggs, which they bought in for onward distribution to another company in Somerset. The Food, Health and Safety Team contacted the companies and Taunton Deane BC, to ensure withdrawal of their products containing the affected eggs.

3.8 Liaison with Other Organisations

3.8.1 The Food, Health and Safety Team is committed to ensuring that our approach to service delivery and enforcement is consistent with other local authorities and that we develop consistent approaches where appropriate. Regular dialogue on general environmental health and food safety takes place through the following:

- Devon & Cornwall Food Liaison Group
- Devon & Cornwall Allergy Sub Group
- Devon Health Protection Advisory Group
- Public Health England

- Food Standards Agency
- Chartered Institute of Environmental Health
- Department for Business, Energy & Industrial Strategy

3.8.2 Where there is a shared or complimentary enforcement role with other agencies, provision is made to liaise with those agencies. For example:

- Devon, Somerset and Torbay Trading Standards
- Office for Standards in Education (OFSTED)
- FSA
- Care Quality Commission
- Devon and Somerset Fire and Rescue Service
- Devon and Cornwall Police

3.8.3 Formal liaison exists between the Council and the Devon Public Health and Wellbeing Board.

4. RESOURCES

4.1 Financial Allocation

The budget for 2018/19 was £238,610. Figures for 2019/20 are not yet known.

4.2 Staffing Resource

The Food, Health and Safety Team is split in to 3 areas. Each area has a 1.0 FTE officer who carries out all work in their area, whether it be Food Safety or Health and Safety. In reality, the officers spend 0.9 FTE carrying out food safety work. The Lead Officer also works as the Corporate Health and Safety Adviser for the Council and as such is designated as a 0.5 FTE.

A structure chart is available on page 8. The number of full time equivalent (FTE) officers carrying out food, health and safety work is set out in the following table:

Officer Post	FTE
Lead Officer	0.5
Environmental Health/Regulatory Service Officer	3.0
Case Officer (temp)	1.0/0.5 (TBC)

With Officers spending most of their time meeting the demands of the Food Standards Agency driven programme of Food Safety Inspections, food safety work accounts for approximately 0.9 FTE per Officer, equating to 2.7 FTE in total for food safety. The Lead Officer is mostly non-operational in the role of food safety, using the 0.45 FTE to manage the team and deal with issues such as Primary Authority work, rather than carrying out programmed inspections

4.3 Officer Development

4.3.1 A Staff Appraisal Scheme is in place to help identify any training requirements for Officers for their career development. Full support is given to Officers to attend Continuing Professional Development, (CPD), training opportunities in order for them to meet their CPD requirements.

4.3.2 The Food Law Code of Practice (England) March 2017 has detailed competency and authorisation requirements for Lead Food Officers, Authorised Officers and Regulatory Support Officers4.3.4 .The competency matrix of the authorised food law

enforcement officers is provided in Appendix 4. This shows the wide range of knowledge and skills required for officers to carry out food enforcement work.

5. ASSESSMENT AND PERFORMANCE MANAGEMENT

5.1 Quality Assessment

5.1.1 The Lead Officer will monitor intervention records by accessing Northgate M3 files and checking the quality of officers' work. If satisfactory the manager will record a satisfactory action code on the worksheet. If unsatisfactory, the manager will record an unsatisfactory code and discuss the matters that require improvement with the officer concerned.

5.1.2 Once a year the Lead Officer will accompany officers on a visit to monitor the quality of service delivery and record his/her findings on the observational audit form. The monitoring visit will inform the appraisal process.

5.1.3 Any compliments and complaints received about the service are fed back to the Lead Officer to action as appropriate and the action taken is recorded by the Case Officer.

5.1.4 The Devon & Cornwall Food Liaison Group considers topics for Inter Authority Auditing, based on FSA protocols. Peer reviews of a service specific activity and consistency exercises are carried out amongst the group.

5.1.5 The Food, Health and Safety Team participate in the FSA's national consistency exercises (risk rating and food hygiene rating).

5.1.6 We have the following monitoring arrangements in place to assist in the quality assessment of the work carried out:

- Senior Officer Review of a sample of worksheets for each officer throughout the year
- Joint visits with inspectors
- Monthly Team meetings
- Performance appraisals

6. REVIEW

6.1 Review Against the Service Plan

6.1.1 We have developed a number of indicators to assess our food safety performance. Details of the team's performance against the targets set in the Food, Health & Safety Team's 2017/18 work plan can be found at Appendices 1 and 2. Proposed targets for 2019/20 and 2020/21 are also in Appendix 1.

6.1.2 The Service Plan and performance will be reviewed annually by the Lead Officer.

6.2 Identification of Variations

6.2.1 The Lead Officer will identify any variance, from the Service Plan and the reasons and propose an action plan to remedy the situation as appropriate. Work in other areas of the enforcement mix will be reviewed to identify whether or not it has contributed/addressed any apparent deficiencies.

6.3 Areas of Improvement

6.3.1 The Lead Officer will seek to identify opportunities to improve the service and where appropriate, prepare an appropriate action plan to address those service issues.

APPENDIX 1

PERFORMANCE INDICATORS – ACTUAL AND PROPOSED

Performance Indicators		Target 2019/20/21	Actual 2017/18 Figures for 2018/19 not yet available
Structural	Human resource:- Managerial	Public Protection Manager 0.1 FTE	Public Protection Manager 0.2 FTE
	Lead Officer Compliance Officers	0.4 FTE 2.4 FTE 0.4 FTE	0.4 FTE 1.6 FTE Graduate 0.4 FTE
	Administrative		
	Financial resource	£238,610 (2018/19)	£240,290
Process efficiency	No. of service requests	Expected to be similar to 2017/18	511 + 494 TENS Total 1005
	Percentage of requests for service responded to within target time	100%	93.8%
Output	Completion of Intervention plan	100%	95%
	Completion of food sampling programme	100%	100%
	Completion of mussel sampling programme	100%	100%
	Maintaining competence and service support for Primary Authority partnerships.	100%	100%
Outcome	Percentage of food premises broadly compliant	95%	95.83%
	Improving population risk profile.	Possibly levelling out as profile reaches its limits.	Improving
	Customer satisfaction	90% satisfied	94%
Cost effectiveness	Ratio of enforcement officers to regulated businesses	1:671 Not taking account of Lead Officer.	1:827 Not taking account of Lead Officer.
	Fairness of service provision	100%	100%
Equity	Fair distribution of service according to need.	100%	100%
	Percentage of new businesses supported	100%	100%

LOCAL AUTHORITY ENFORCEMENT MONITORING SYSTEM – RETURN 2017/18

Home » Check/Sign-off

Performance Indicator

This page displays the performance indicator for your authority and how the FSA has calculated this figure.

Interventions		
Number of interventions actually achieved	707	(A)
Due interventions outstanding	37	(B)
Number of interventions that should have been achieved	744	(C) = (A) + (B)

Broad compliance		
Number of broadly compliant premises	1540	(D)
Total number of premises	1620	(E)

Performance indicator		
Interventions performance indicator element	0.29	(A) * 0.1 / (C)
Broad compliance performance indicator element	0.67	(D) * 0.1 / (E)
Performance indicator	0.95	(A) + (D) * (E)

REQUEST FOR SERVICE PERFORMANCE TARGETS

Regulatory Services Team (*Working days*)

	First Response Target	Completion Target
Food		
Task: C012 SODS/FHRS Enquiry	5	20
Task: C094 FSA Info/Misc Rqst	2	5
Task: C095 Illegal Slaughter	5	365
Task: C096 Vol Surr Certificate	3	15
Task: C097 Food Premises Unsatis./Hygiene	5	60
Task: C098 Unsatis. Food Premises Mobile	5	60
Task: C099 Alleged Food Poisoning	1	60
Task: C100 Food Poisoning Confirmed	1	60
Task: C101 RFS Food Advice	5	30
Task: C103 Health Certificate	3	15
Task: C105 Food Complaint - Foreign Body	5	60
Task: C106 FD SWW Disconnect Water	3	15
Task: C107 Food Registration Form Sent	3	5
Task: C108 Stat.Incident Report	15	15
Task: C109 Freezer Breakdown	1	15
Task: C110 TB in Cattle	3	15
Task: C111 Food Complaint – Chemical	3	44
Task: C112 Food Complaint Microbiological	3	44
Task: C415 FSA Food Alert For Action	3	60
Task: C457 Food - Unfit/Mouldy	1	60
Task: C466 FSA Allergy Alert	1	15
Task: C536 FD Rqst for Approval	5	60
Task: C542 FSA Product Information Notice	15	15
Task: C543 Food Education/Training	15	60
Task: C546 FHRS Appeal	3	10
Task: C585 Food Info for Consumers Reg's	5	30
Smoke Free		
Task: C462 Smoke Free Request for Advice	5	5
Task: C463 Smoke Free - Alleged Non Compl	5	60
Food Registration		
Task: REG Food Registration	28	28
ID- Infectious Disease		
Task: All Notifications	5	20
Premises		
Task: L011 Appr Egg Prods Estab	5	60
Task: L012 Appr Fishery Product	5	60
Task: L013 Approved Dairy Prods	5	60
Task: L014 Appr Meat Products	5	60

APPENDIX 3

PROPER OFFICERS

Proper Officers under the Public Health (Control of Disease) Act 1984 and the National Assistance Act 1948.

(Reviewed December 2016 re Public Health England.)

Dr Chitra Arumugam	Consultant in Communicable Disease Control
Dr Toyin Ejidokun	Consultant in Communicable Disease Control
Dr Sarah Harrison	Consultant in Communicable Disease Control
Dr Charles Irish	Consultant in Communicable Disease Control
Dr Chaamala Klinger	Consultant in Health Protection
Debra Lapthorne	Centre Director, PHE SW
Dr Alison Mackenzie	Consultant in Public Health
Dominic Mellon	Consultant in Health Protection, PHE
Dr Fiona Neely	Consultant in Health Protection, PHE
Dr Bayad Nozad	Consultant in Health Protection, PHE
Thara Raj	Consultant in Health Protection, PHE
Jenny Taylor	Consultant in Health Protection, PHE
Mike Wade	Deputy Director of Health Protection, PHE
Julie Yates,	Consultant in Public Health , PHE
Dr Nick Young,	Consultant in Communicable Disease Control
Pamela Charles *	Environmental Health Officers, North Devon Council
Aarron Turton*	Environmental Health Officers, North Devon Council

Correct at Jan 2019

*For Public Health (Control of Disease) Act 1984 only.

AUTHORISED OFFICER COMPETENCY ASSESSMENT GUIDANCE Food Law Practice Guidance - 4.7.4 - Appendix 3

Lead Food Officers will need to ensure that authorised officers achieve the necessary training and experience to enable them to achieve the relevant competencies and that their authorisation is appropriate for their level of competency.

The Authorised Officer framework is made up of 5 clusters with 19 competencies

Name	
Designation	
Date Appointed	

Cluster No.	Official Control / Type of Role
4	Inspection of Food Establishments
5	Use of Enforcement Sanctions
6	Sampling
7	Import and Export controls
8	Reactive investigations

Inspection of Food Establishments:

Clus ter No. 4	Statement of Competence - Authorised Officer	Evidence
4.1	Comprehensive understanding of HACCP-based procedures. Has the ability to apply that knowledge taking account of flexibility principles contained within Article 5 of Regulation (EC) No. 853/2004.	
4.2	Can determine and identify hazards and risks that occur in establishments and products. Understands the principles of risk assessment related to food types; and processing methods and products	
4.3	Understands relevant EU and National Food Hygiene or standards legislation and can advise on their application. Understands how to assess compliance with the requirements of EC and National food hygiene and standards legislation with further reference to the Food Law Code of Practice and Practice Guidance.	
4.4	Able to determine the appropriate course of action to remedy non-compliance, including when it is appropriate to escalate enforcement action.	
4.5	Can make a Food Hygiene/Standards Intervention Rating assessment of risk using section 5.6 of the Food Law Code of Practice	
4.6	Understanding of the common food types and understanding of hazards associated with their use	

Use of Enforcement Sanctions:

Cluster No. 5	Statement of Competence - Authorised Officer	Evidence
5.1	Can clearly differentiate between legal requirements and recommendations of good practice by avoiding 'gold plating' and 'regulatory creep'. Can provide advice and enforce based on levels of compliance with regard to consistency and proportionality based on the hierarchy of risk.	
5.2	Understands levels of authorisation, enforcement policies and procedures for appeal	
5.3	Understands the legal framework with regard to the use of enforcement powers including the role of Primary Authorities and Home Authorities	
5.4	Can demonstrate an understanding of how to serve Notices; gather evidence; prepare cases for prosecution and apply knowledge to comply with the requirements of PACE and RIPA, where appropriate	

Sampling:

Cluster No. 6	Statement of Competence - Authorised Officer	Evidence
6.1	Understands formal /informal sampling methodologies and the role of the Public Analyst and Food Examiner.	
6.2	Is aware of national and local sampling priorities. Can use UKFSS and searchable database, where appropriate.	
6.3	Can interpret sampling results and make a judgement on appropriate action based on risk.	

Import and Export controls:

Cluster No. 7	Statement of Competence - Authorised Officer	Evidence
7.1	Understands the legal framework with regard to Imported / Exported food and how to assess compliance.	
7.2	Can determine the most appropriate course of action and the range of enforcement sanctions available.	
7.3	Can identify food species and comment on fitness at Border Inspection Posts (also see Chapter 4.6)	
7.4	Can demonstrate an understanding of controls at points of entry include carrying out systematic documentary checks, random identity checks and sampling for analysis, as appropriate.	

Reactive investigations:

Cluster No. 8	Statement of Competence - Authorised Officer	Evidence
8.1	Understands how to conduct an investigation and gather evidence in accordance with PACE and RIPA, where appropriate. Is then able to analyse information and determine an appropriate course of action.	
8.2	Can identify when it is appropriate to engage with other agencies and stakeholders in particular when investigating food incidents and or infectious disease outbreaks.	

APPENDIX 5

COUNCIL ENFORCEMENT POLICY *[This Policy is currently under review]*

Introduction

This policy is an “umbrella” policy and is intended to apply to all service areas, though it should be noted that various additional service-specific requirements apply to specific enforcement activities in certain services, i.e. Health and Safety, Food Safety, Environmental Protection/Environmental Crime, Private Sector Housing, Licensing. Information on these may be obtained from the Head of Environmental Health & Housing Services.

The purpose of this policy is to publicly summarise the Council’s intended approach to bring about compliance with regulatory requirements. However, it is ultimately the responsibility of individuals and businesses to comply with the law.

The Council shares the Government’s view that effective and well targeted regulation is essential in promoting fairness and protection from harm and that as regulators we should adopt a positive and pro-active approach towards ensuring compliance by:-

- Helping and encouraging regulated entities to understand and meet regulatory requirements more easily; and
- Responding proportionately to regulatory breaches.

The Council will take a soft brush approach to those who comply with regulatory requirements and those who work with us to achieve compliance. However, we will not hesitate to take all necessary enforcement action against those who, for example, commit serious breaches, flout the law, refuse to work with us to seek compliance, commit offences which are prevalent in the district.

The Council has set out its strategic aims and objectives and our enforcement services will carry out their duties in support of these. These aims and objectives are set out in:-

- Council policy and strategic decisions;
- North Devon Council’s Corporate Business Plan;
- The service-specific service plans and inspection policies, which reflect the above priorities and the core enforcement activities for each service.

The Council’s aims and objectives have been drawn up in consultation with the public. Details of the consultation are available from the PPI on the Council’s website www.northdevon.gov.uk

Compliance

A range of activities will be undertaken to ensure compliance with legislation. Advice and guidance will be provided; proportionate, programmed and intelligence led inspections will be undertaken and, where necessary, inspections will be undertaken in response to complaints from third parties. Some enforcement services will also have officers patrolling the streets.

Where non-compliance is discovered, options to promote/seek compliance will include:

- Undertaking pro-active education programmes;
- Explaining legal requirements and, where appropriate, the means to achieve compliance;
- Providing an opportunity to discuss points in issue, where appropriate;

- Consideration of alternative means and reasonable timescales and to achieve compliance;
- Service of advisory letters, warnings, Statutory Notices or prohibitions detailing non-compliance;
- Enforcement actions including, but not limited to, formal action, seizure of documents or goods, closure of premises, caution, prosecution and/or injunction. Immediate, without Notice, enforcement action may be taken, but only where deemed necessary, reasonable and proportionate.

Enforcement Actions

The decision to use enforcement action will be taken on a case by case basis and to ensure consistency of approach, in accordance with this and any other more specific policies which may be applicable. The action taken, which may be immediate, will be proportionate to the gravity and nature of the non-compliance. Factors that will be taken into consideration include, but are not limited to:-

- The risk that the non-compliance poses to the safety, health or economic welfare of the public at large or to individuals;
- Evidence that suggests that there was pre-mediation in the commission of an offence;
- The alleged offence involved a failure to comply in full or in part with the requirements of a statutory Notice or Order;
- There is a history of previous warnings or the commission of similar offences;
- Aggravated circumstances such as obstruction of an officer or aggressive behaviour towards the public;
- The offence, although not serious itself, is widespread in the area where it is committed;
- Death was a result of a breach of legislation;
- The gravity of an alleged offence, taken together with the seriousness of any actual or potential harm;
- The general record and approach of the offender;
- There has been reckless disregard of health and safety requirements;
- There has been a repetition of a breach that was subject to a formal caution;
- False information has been supplied wilfully, or there has been intent to deceive.

Legal and Policy Context

Enforcement actions are taken within the context of a legal and policy framework. Council enforcement services will carry out their enforcement-related work with due regard to the Enforcement Concordat. This concordat arises from a Central Government initiative and has been adopted by the Council. The Concordat lays out the principles of good enforcement. These are:-

- Publishing clear standards, setting out the level of service and performance that the public and businesses can expect to receive;
- Dealing with the public and the business in an open and honest way;
- Providing a courteous, efficient and helpful service;
- Responding promptly and positively to complaints about the service;
- Ensuring that enforcement action is proportionate to the risks to the public;
- Carrying out duties in a fair, equitable and consistent manner.

A full version of the Enforcement Concordat see
<https://webarchive.nationalarchives.gov.uk/http://www.berr.gov.uk/files/file10150.pdf>

In approving this enforcement policy and when setting service-specific enforcement requirements, in respect of those local authorities' functions specified in Part 3 of the Schedule to the Legislative and Regulatory Reform (Regulated Functions) Order 2007, the Council had, and will continue to have, regard to the statutory Regulators Code, issued by the Minister of State for the Department for Business, Enterprise and Regulatory Reform under Section 22 (1) of the Legislative and Regulatory Reform Act 2006. This will also apply to any further functions to which the said code might be applied.

Service-specific risk-rated inspection policies will be set, in respect of those functions which are considered deserving of co-ordinated monitoring.

Any decision to prosecute will be taken in accordance with the Code for Crown Prosecutors. A fully copy of the code is available from:-

CPS Public Enquiries
102 Petty France
London
SW1H 9EA
Telephone: 020 3357 0899
Email: enquiries@cps.gov.uk

Enforcement decisions and actions will be made with due regard to the provisions of:-

- The Human Rights Act;
- The Crime & Disorder Act;
- Equal rights and anti-discrimination legislation;
- Service-specific legislation;
- All other relevant legislation applicable from time to time.

Information concerning non-compliance may be shared with other enforcement agencies. Any such action will only be undertaken in the public interest and in compliance with the Data Protection Act 1998. *{now General Data Protection Act 2018}*

Authorisation of Officers

Only officers who are competent by training, qualification and/or experience will be authorised to take enforcement action. Officers will also have sufficient training and understanding of this enforcement policy to ensure a consistent approach to their duties. Officers are required to show their written authorisation on demand.

Status and Review

This policy was endorsed and adopted by the Council by minute 28 of Full Council on 25th June 2008. This policy is currently under review.

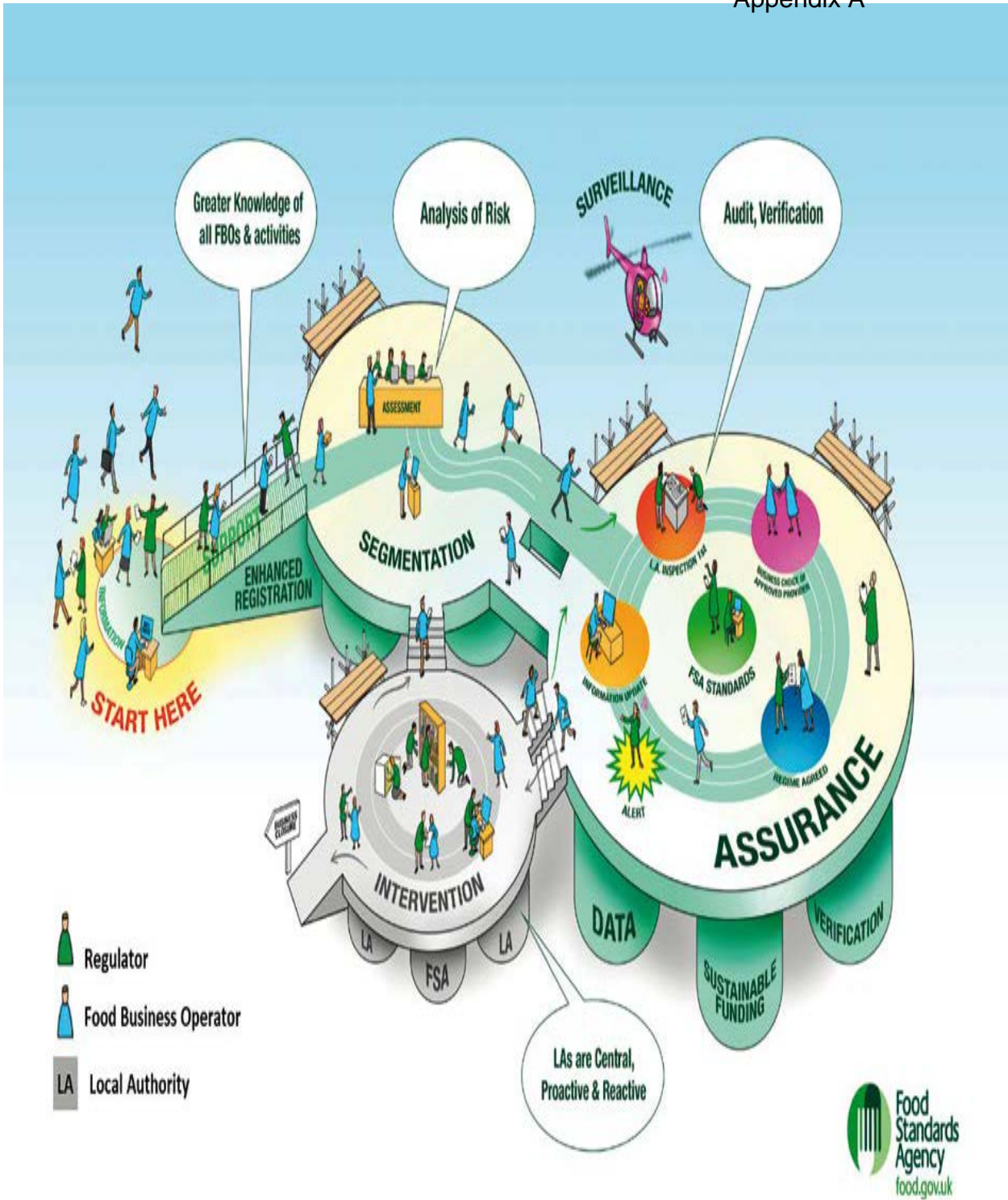
This is a public document and further copies of this and associated documents can be obtained from:

J W Mann, Head of Environmental Health & Housing Services
North Devon Council
E-mail: customerservices@northdevon.gov.uk

Complaints concerning the application of this enforcement policy are dealt with in accordance with the Council's customer complaints' procedure. Details of the procedure are available from Customer Services Unit, tel. no. (01271) 327711

FOOD STANDARDS AGENCY'S THE REGULATING OUR FUTURE (ROF) CHANGE PROGRAMME





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Health and Safety Service Plan

2019 - 2021

Effective date of Strategy:	1 st April 2019
Executive approval date:	4 th February 2019
Full Council approval date:	20 th February 2019
Review date:	1 st April 2021
Author:	Lead Officer Food, Health and Safety

Contents

INTRODUCTION	3
1. SERVICE AIMS AND OBJECTIVES	3
1.1 Aims	3
1.2 Objectives	3
1.3 Links to National and Regional Priorities and Corporate Aims and Objectives	4
2. BACKGROUND INFORMATION	4
2.1 Profile of the Local Authority	4
2.2 Organisational Structure	6
2.3 Scope of the Health and Safety Service	9
2.4 Demands on the Health and Safety Service	10
2.5 Access and Equal Opportunities	11
2.6 Enforcement Policy	12
3. SERVICE DELIVERY	12
3.1 Health and Safety Interventions	12
3.2 Intervention Plan	12
3.3 Accident Investigation	14
3.4 Requests for Service	14
3.5 Self-Assessment Questionnaires	15
3.6 Advice to Businesses	15
3.7 Partnership working	15
3.8 Key Achievements	15
3.9 Summary of Health & Safety Activity 2017/18	16
4. RESOURCES	17
4.1 Financial Allocation	17
4.2 Staffing Resources	17
4.3 Officer Development	17
5. ASSESSMENT AND PERFORMANCE MANAGEMENT	17
5.1 Quality Assessment	17
6. REVIEW	18
6.1 Review against the Service Plan	18
6.2 Identification of Variations	18
6.3 Areas of Improvement	
APPENDIX 1 HSE Intervention Plan	19
APPENDIX 2 Devon Chief Officers' Liaison Group Work Plan	21
APPENDIX 3 Performance Indicators	23
APPENDIX 4 Council Enforcement Policy	24
APPENDIX 5 Performance Targets	25

INTRODUCTION

This Service Plan sets out how North Devon Council intends to provide an effective health and safety service that meets the requirements of Section 18 of the Health and Safety at Work etc. Act 1974, (HASWA), under which there is a mandatory requirement to submit a service plan to relevant Member forum for approval to ensure local transparency and accountability. On approval the “Plan” will be published in the public arena via the Council's website.

1. SERVICE AIMS AND OBJECTIVES

1.1 Aims

1. The Health and Safety Service Plan is an expression of the Councils' continuing commitment to the Health and Safety Service. It covers the key areas of Health and Safety enforcement and the relevant management arrangements and objectives against which North Devon Council will monitor service delivery.
2. The Plan has been compiled in accordance with the guidance issued by the Health and Safety Executive (HSE) under the Health and Safety Executive National Local Authority Enforcement Code.
3. To protect the health, welfare and safety of workers by working with employers and others to ensure that risks in the workplace are managed properly and to achieve compliance with the HSWA and Regulations made there under.
4. To provide a health and safety regulatory service that supports local business and embraces targeted interventions, proportionality, consistency, transparency and accountability.
5. To deliver the health and safety service in full compliance with the Health and Safety Executive National Local Authority Enforcement Code.

1.2 Objectives

1. To achieve a consistent and risk-based enforcement approach.
2. To ensure the safety of employees, members of the public and others who may be affected by a work activity.
3. To achieve >90% compliance with the Council's service standards for efficiency in dealing with requests for service.
4. To maximise opportunities for full cost recovery. For example charging for Primary Authority Partnership work and introducing charging for advisory visits.
5. To provide support and encourage growth of local businesses.
6. To work in partnership with the HSE and other LAs to allow better use of resources.

1.2.3 Links to National and Regional Priorities and Corporate Aims and Objectives

<p>National priorities Health and Safety Executive</p> <p>Devon Health & Wellbeing Board JSNA Devon Overview 2018 Public Health Outcomes Framework for England National and regional priorities 2018 North Devon Health Profile for 2018</p>	<p>Reducing the burden on businesses, save public money and properly protect citizens and communities Focus interventions and action on persistent non-compliance and give credit for business effort in maintaining high standards.</p> <p>“Significantly Worse”, (than national average):</p> <ul style="list-style-type: none"> • Killed and seriously injured on roads • Hospital stays for self-harm • Dementia diagnoses (aged 65+) • Alcohol related harm hospital stays • Deprivation score • Smoking prevalence in routine and manual occupations. • Admission episodes for intentional self-poisoning by and exposure to alcohol condition • Admission episodes for mental an behavioural disorders due to alcohol • People reporting at least two long term conditions, at least one of which is musculo-skeletal related.
<p>Corporate Priorities</p>	<p>Organisational Transformation</p> <ul style="list-style-type: none"> • To develop a robust and flexible organisation • Determine our own future/destiny • Maintain or improve our services by flexing council structures and activities delivering resilience in the short to medium term <p>Growing North Devon</p> <ul style="list-style-type: none"> • To create and protect a resilient North Devon • Promote Barnstaple and its uniqueness as the sub-regional centre for growth but consider all opportunities • Use the increase in the local tax base from predicted housing and/or businesses to deliver resilience • Support and develop low carbon opportunities including the tidal demonstration zone

2. BACKGROUND INFORMATION

2.1 Profile of the Local Authority

North Devon Council covers an area of 1,086 km² with a population of 93,976.

The area is coastal and rural with the major populations found in Barnstaple (31,616), and the villages and towns of Ilfracombe (11,184), Braunton (7,353), South Molton, (5,108) Fremington, (4,310), Lynton and Lynmouth (1,441) (Census 2011)

2.1.2 The Local Authority's Health and Safety Service is delivered from Brynsworthy Environment Centre and The Ilfracombe Centre, 44 High Street, Ilfracombe EX34 9QB, with an officer presence in both locations.

2.1.3 North Devon has 4,939 businesses that come under the council's health and safety enforcement. These range in type but are predominantly retail, catering and the service sectors. As a large number of the businesses are in the food sector, there is opportunity for officers in the Food, Health & Safety Team to carry out health and safety interventions whilst carrying out their programmed food hygiene inspections. Not all workplaces fall to the Local Authority for enforcement, for example Factories, Nursing Homes, Building sites and Haulage businesses will be the responsibility of the HSE. The profile of the businesses is shown in the graph (Fig 1) below.

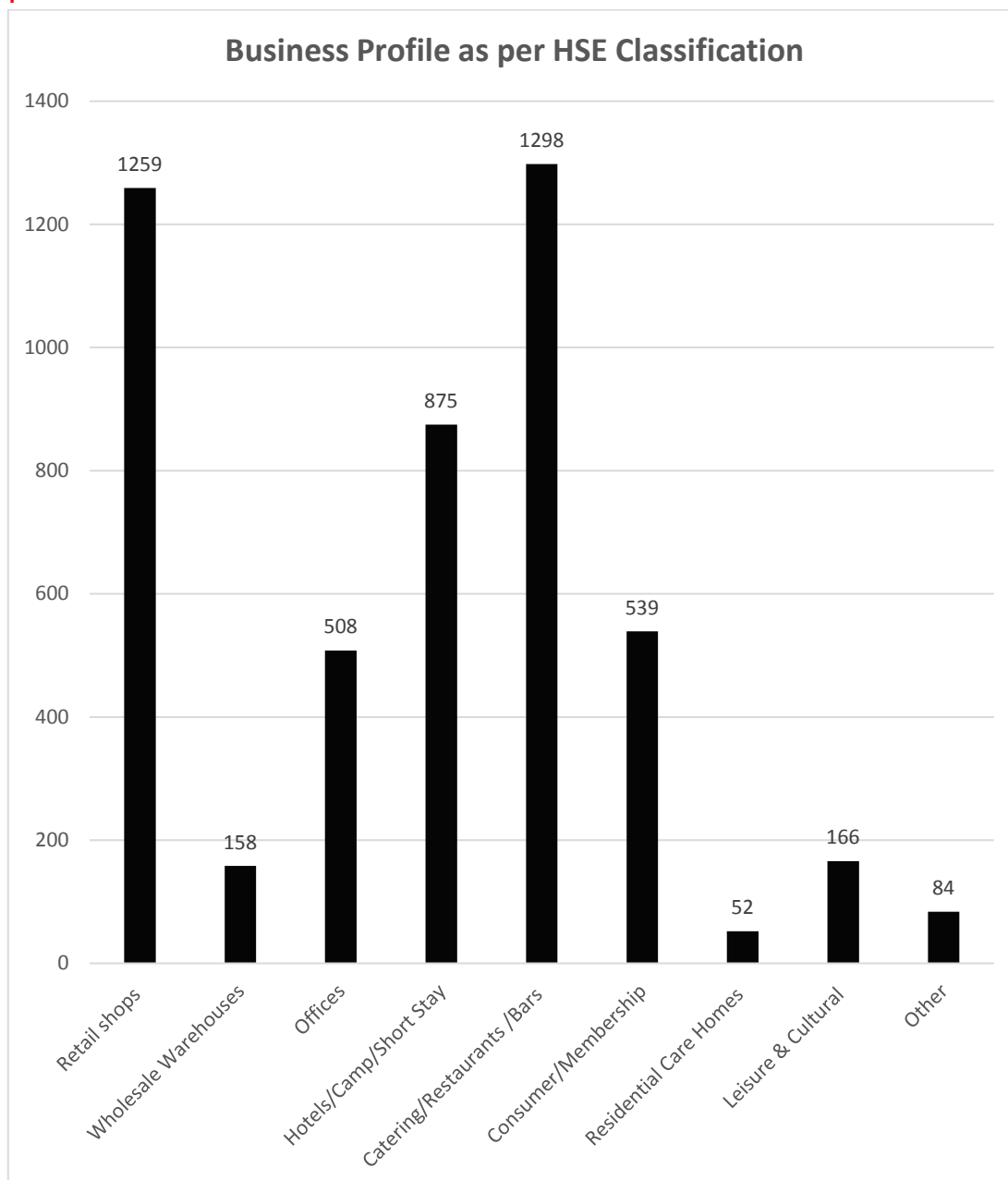
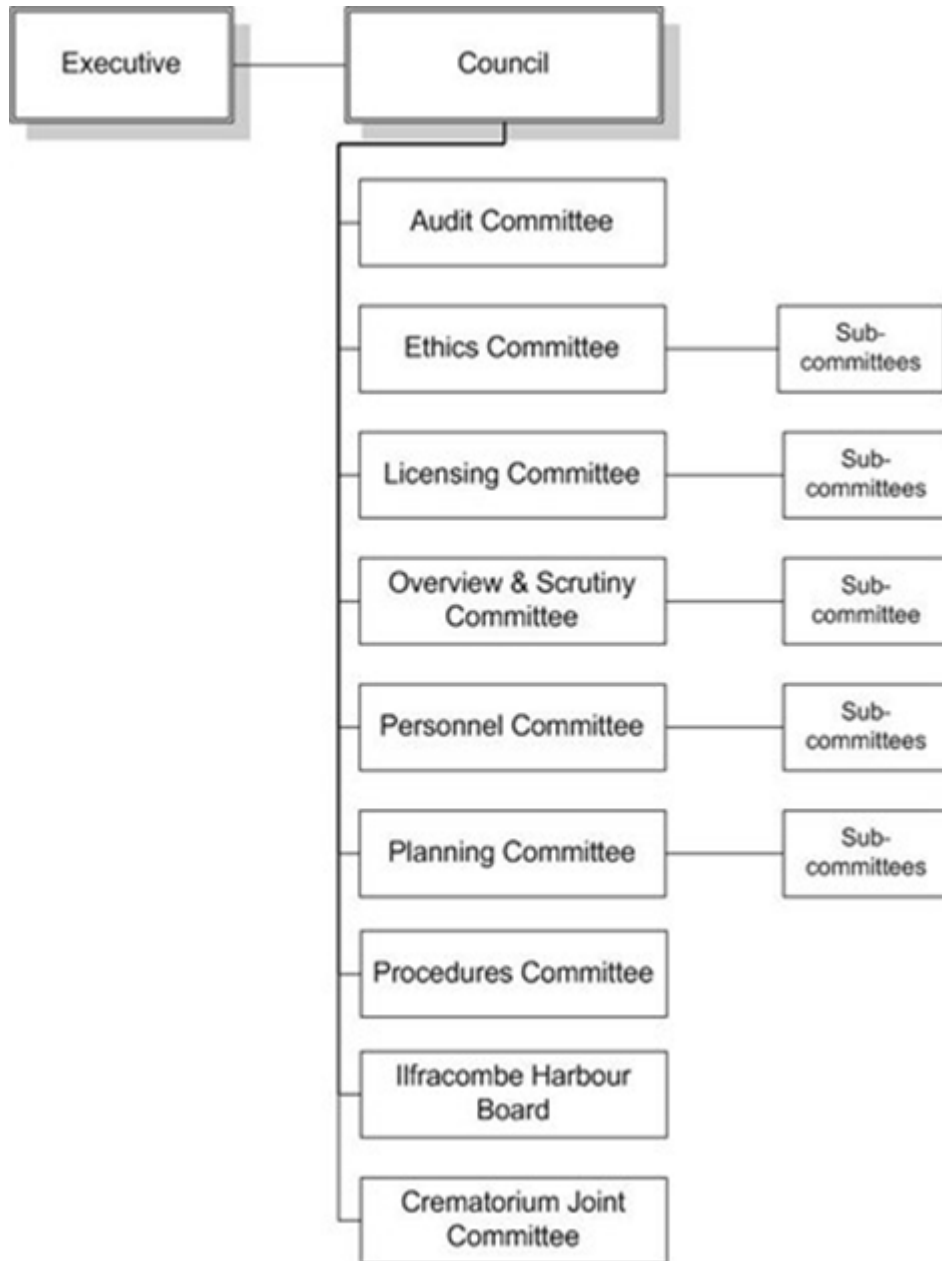


Fig 1.

2.2 Organisational Structure.

2.2.1 Committee Structure



2.2.2 Council Structure

CHART TO BE INCLUDED WHEN UPDATED VERSION AVAILABLE

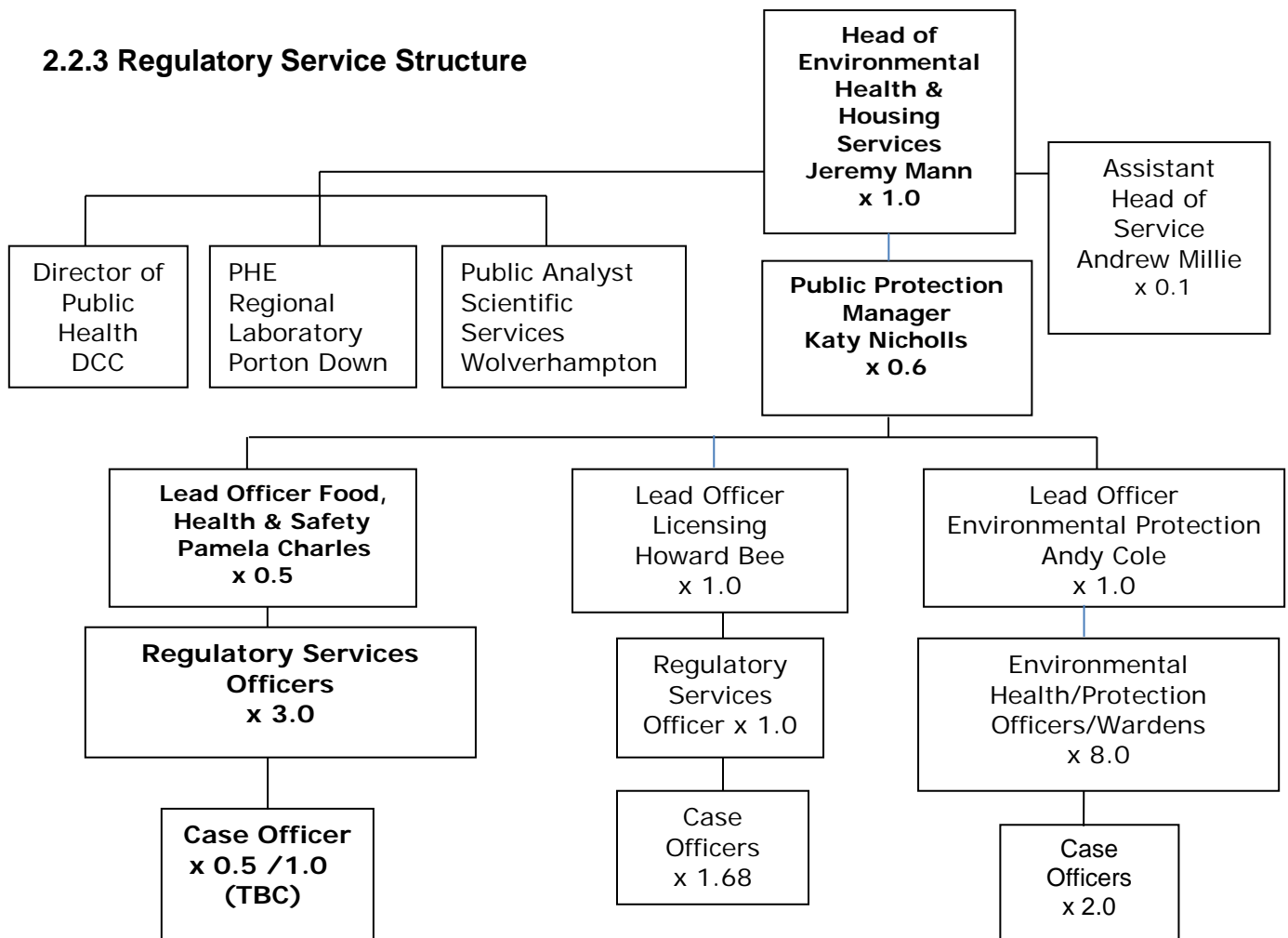
CHIEF EXECUTIVE- Mike Mansell

- Head of Resources- Jon Triggs
- Head of Corporate and Community- Ken Miles
- Head of Environmental Health and Housing Services- Jeremy Mann
- Head of Operational Services- Ricky McCormack
 - Bereavement
 - Parking
- Head of Place -Mike Tichford
 - Economic Development
 - Strategic Development and Planning

Also Manages:

- Building Control- Mike Tucker
- Elections- Judith Dark
- Harbour- Georgina Carlo-Paat
- Human Resources- Nikki Gordon
- ICT-Nina Lake

2.2.3 Regulatory Service Structure



The above structure is indicative of those staff employed by the Council as full time equivalents and not the amount of time spent on health and safety. See paragraph 2.2.5 and 4.2 for time allocated to the Council's health and safety function.

2.2.4 The Food, Health & Safety Team comprises of a Lead Officer (0.5 FTE), Regulatory Services Officers /Environmental Health Officers (3.0 FTE) and a Case Officer (vacant/temp cover 0.5/1.0 FTE- to be confirmed)

2.2.5 All officers in the Food, Health and Safety Team have duties beyond those they carry out for Health and Safety as they primarily carry out Food Safety work, therefore they only spend a small proportion of their time carrying out health and safety functions. Until 2017/18 the team had a 0.6 FTE Health and Safety Officer, who carried out all health and safety work for the team. When the officer retired, the post was removed and all the health and safety duties were divided between two enforcement officers and the Lead Officer. The team also included a Graduate EHO who was completing her training, and became fully qualified in 2018/19, who now also takes a share of the health & safety work.

2.2.6 All team Officers are contactable out of hours, by one of the designated Silver Control Officers, if deemed necessary to assist with an emergency or major incident, such as a fatality.

2.3. Scope of the Health and Safety Service

2.3.1 The service is a statutory regulatory service enforcing the provisions of the HSWA and associated regulations. Health and Safety law clearly sets out that the primary responsibility for managing risk to workers and the public who might be affected by work activity lies with the business or organisation that creates the risk in the first place. Whilst the duty to comply with the legislation rests with the employer, the Council has the role of regulator. The Food, Health and Safety team provides a regulatory service to support, encourage, advise and where necessary hold to account businesses to ensure that they effectively manage the occupational health and safety risks they create.

2.3.2 Local Authority Enforcement activity is confined to the "commercial sector" and the HSE enforces the law where the principle activity of the business is manufacturing, production, transport, construction or agriculture. The HSE is also the enforcing authority for Council-owned premises.

2.3.3 The service may be split into two broad areas – Proactive and Reactive.

Proactive work:

- Carrying out Inspections and revisits of workplaces
- Law Enforcement – e.g. Improvement /Prohibition Notices
- Prosecutions, simple cautions and other enforcement actions
- Projects around specific high risk issues
- Providing advice to businesses
- Servicing Primary Authority Partnerships
- Education of employers- e.g. Newsletter
- Maintenance of a database of businesses for which Council has enforcement responsibility
- Maintaining a Cooling Tower Register
- Training of new staff and students
- Attendance at Liaison Group Meetings
- Team meetings
- Attendance at training courses for Continuing Professional Development
- Keeping abreast of changes in legislation and FSA guidance
- Systematic review and updating of health and safety policies and procedures

Reactive work:

- Investigation of accidents – could include fatalities
- Investigation of complaints
- Providing advice and information

The graph on the following page (**Fig.2**) shows the number and types of requests for service received by Officers for health and safety, year on year. Most requests for service relate to requests for advice, reports of unsatisfactory health and safety in premises, and requests for advice from one of our Primary Authority Partners.

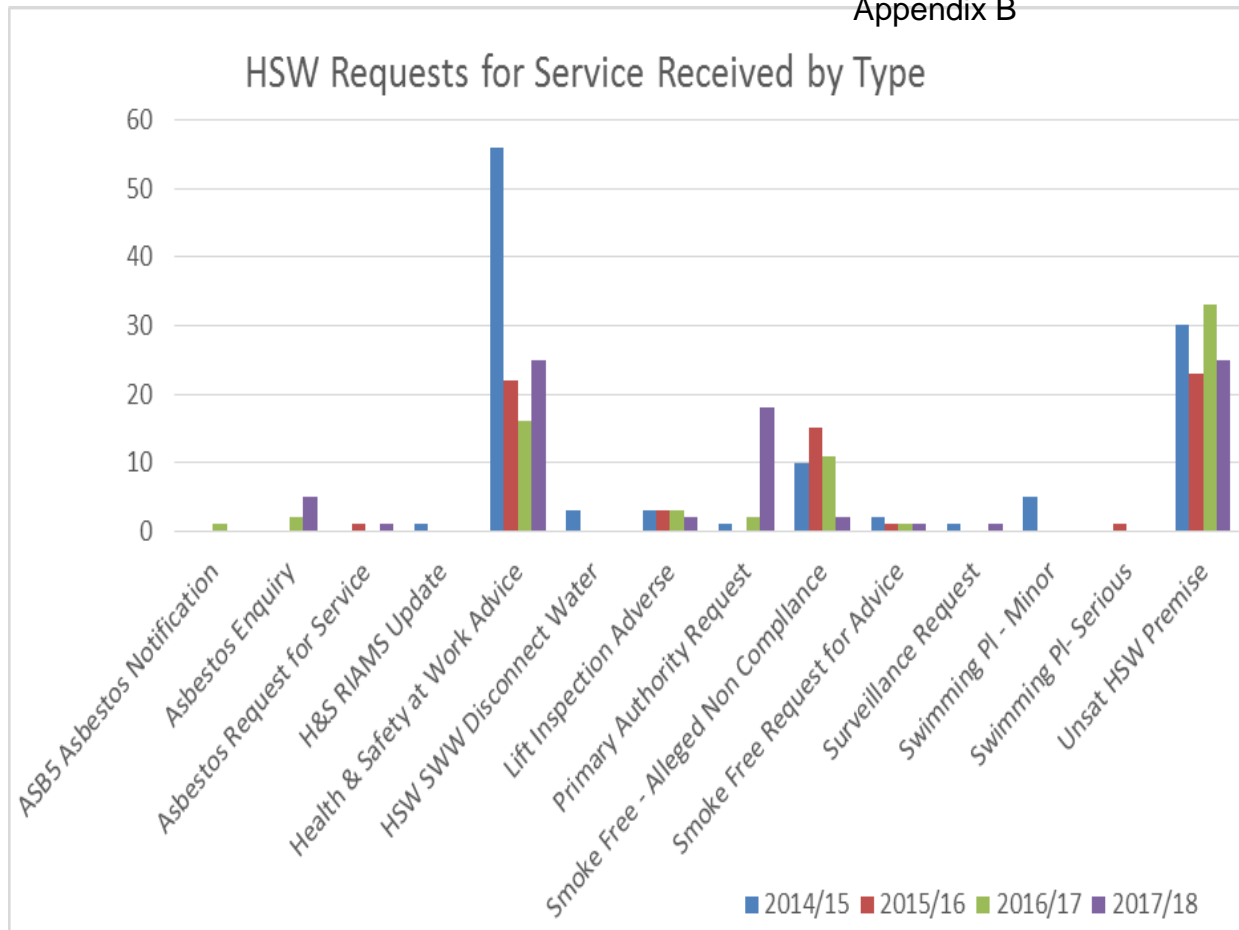


Fig.2

2.4 Demands on the Health and Safety Service

2.4.1 North Devon Council has adopted the Health & Safety Executive risk based approach to proactive work and use complaint and incident selection criteria to help target interventions and make best use of resources.

2.4.2. There is no longer a requirement to risk rate businesses for health and safety in order to determine a programme of proactive inspections or for submitting as part of the annual return, (LAE1), to the HSE. However if officers become aware of a business in the area that they believe to be high risk, through complaints or other source, then the business will be visited to determine its risk rating and to carry out any necessary intervention to reduce the risk.

2.4.3 Due to the risk based approach, there are very few premises, if any that will be visited as a result of a scheduled inspection. The main demands placed on the service will be from a combination of responses to events such as accidents, complaints and business enquiries plus work on topics identified by the HSE (Appendix 1.) and locally identified priorities (Appendix 2) such as catering gas safety, swimming pools, open farms and visitor attractions and warehouse safety.

2.4.4.

In addition to premises based businesses, there are a number of public events and entertainments where the local authority has health and safety regulatory responsibilities and these are serviced through the Safety Advisory Group. Representatives from North Devon Council the Police, Fire Service, Devon County Council Highways Department and South West Ambulance Service meet with the event organisers to discuss the safety arrangements for the event.

2.4.5 Primary Authority Partnerships

The Primary Authority Principle was launched in 2009 to make the local regulation of businesses operating at multiple premises across the UK more consistent. In October 2017 the scheme was expanded to include all businesses, not just those with multiple premises. The operation of the Primary Authority scheme is a statutory responsibility of the Department for Business, Energy & Industrial Strategy, BEIS, whose role is to register partnerships, issue guidance and resolve disputes. Businesses have the right to form a statutory partnership with a single local authority, which then provides robust and reliable advice for other councils to take into account when carrying out inspections or dealing with non-compliance. It is the gateway to simpler, more successful local regulation.

North Devon Council fully endorses the Primary Authority principle and currently acts as the Primary Authority for the following four businesses:

- Parkdean Resorts Ltd
- Mole Valley Farmer
- Rawle Gammon and Baker (RGB)
- John Fowlers

Hours are allocated as required to each of our four Primary Authority Partners. The work carried out for Primary Authorities is split roughly 50:50 between food safety and health and safety.

Year	Hours	Income @£50ph
2015/16	20	None charged
2016/17	14	£700
2017/18	10.2	£510
2018/19 (to Dec 2018)	18	£916

During 2019-21 the Council will continue to operate as Primary Authority Partner with the above businesses, providing advice to the companies and responding to requests for information from other local authorities.

2.5 Access and Equal Opportunities

2.5.1 Accessing Services

Officers of the The Food, Health and Safety Team are located at Brynsworthy Environment Centre and The Ilfracombe Centre,

Requests for service may be received by:

- Telephone
- Personal visit to Lynton House, Barnstaple, The Ilfracombe Centre or Amory House, South Molton
- Email
- Letter

Office hours are 9.00am to 5.00 pm Monday to Friday.

Staff visit commercial and residential premises to carry out their normal duties. During out of office hours the duty officer can be contacted by telephone in an emergency.

Visits are made to premises outside of normal office hours where necessary.

All our offices are accessible to people with disabilities. The Council website (www.northdevon.gov.uk) provides access to all services and links to information and advice on health and safety.

2.6 Enforcement Policy

Action taken by Officers must be proportionate to the risks that need to be managed. Decisions will be made in accordance with the HSE Enforcement Policy Statement, the Enforcement Management Model and the Council's Enforcement Policy. Enforcement must be fair, consistent and equitable. The North Devon Council Enforcement Policy considers the requirements of the Regulators' Compliance Code and has regard to Crown Prosecution guidelines. The Policy outlines the enforcement options available for dealing with problems relating to non-compliance with the legislation and can be found at Appendix 4. (This policy is currently under review)

3. SERVICE DELIVERY

3.1 Health and Safety Interventions.

Under the previous Government's reforms, its publication 'Good Health and Safety, Good for Everyone', and more recently the Helping Great Britain Work Well strategy, protecting people in the workplace and wider society still remains a key priority. The reforms included reducing the inspection burden on business alongside focussing on better health and safety outcomes. Refining the intervention strategies for businesses by further improving the targeting of relevant and effective interventions and preserving inspection for higher risk premises and issues has led to a reduced number of proactive inspections being carried out by Officers. Proactive inspections are limited to those premises that fall in to the highest risk category. Officers no longer carry out routine inspections at premises, but are free to carry out more effective, outcome, focussed interventions. Interventions are carried out on the basis of risk, given national and local knowledge about the sector/ premises.

3.2 Intervention Plan

The Council's intervention plan is therefore risk-based which focuses on tackling specific risks which have been identified by the HSE at national level, in accordance with document LAC 67/2 (Rev 7) - Advice/Guidance to Local Authorities and "The List" (Appendix 1). This is mandatory guidance under Section 18 HSWA. At local level, interventions are planned from research, intelligence, complaints or accident investigations and through agreement with the Devon & Cornwall Chief Officers Health & Safety Liaison Group Work Plan. (Appendix 2). As a result the team aims to focus resources into areas where they are likely to have the greatest impact.

3.2.1 LAC 67/2 (Rev 7) states:

Proactive inspection should only be used:

1. For high risk premises/ activities within the specific LA enforced sectors published by HSE; or
2. Where intelligence shows that risks are not being effectively managed.

"The List" describes the specific premises and topic areas that the Local Authority should visit to carry out proactive health and safety interventions. The list for 2019/20 contains 15 activities identified by the HSE where proactive inspections are specifically allowed, and these are listed in Appendix 1. These activities have been identified nationally as contributing to the highest rate of accidents/incidents and ill health at work, across all health and safety enforcing authorities. These are the same activities as were on the list for 2018/19.

It is clear from the 15 identified activities that there are significant constraints as to the interventions that the local authorities are permitted to make and combined with the fact that some of the premises on the list have not been identified in North Devon, along with reduced resource pressures few proactive inspections are now made.

3.2.2 The Devon & Cornwall Chief Officers Health & Safety Liaison Group work plan identifies activities which are locally identified priorities as well as the national priorities. See Appendix 2.

3.2.3 Officers will use the full range of intervention strategies to target these specific risks, using information from primary authorities, where appropriate. Officers continue to operate proactively with regards to complaints and accident investigations.

3.2.4 Unannounced proactive inspection will be reserved for activities and sectors published by the HSE or where intelligence suggests risks are not being effectively managed.

3.2.5 Officers also carry out health and safety work when visiting food premises for food hygiene inspections, in particular gas safety and the duty to manage asbestos requirements. These interventions are only recorded in the statistics reported at year end to HSE if they have resulted in a revisit purely for health and safety matters, hence the low numbers in the chart below.

3.2.6 The number of risk based Interventions carried out year on year is shown in the table below.

Proactive Intervention	Number Carried out 2015/16	Number Carried out 2016/17	Number Carried out 2017/18
Gas Safety in Catering Premises - resulting in action taken	2	2	12
Swimming & Spa Pool Safety & Water Quality.	15	13	6 (56- 2018 to date)
UV Tanning Issues	8	N/A	N/A
Asbestos Management –resulting in action taken	N/A	N/A	13
Education & Awareness	195	94	124

3.3 Accident Investigations

Accidents are reported to North Devon Council via the HSE website. Officers do not investigate all accidents. All reported accidents are assessed against a set of investigation criteria by an Officer to determine whether or not an investigation will take place.

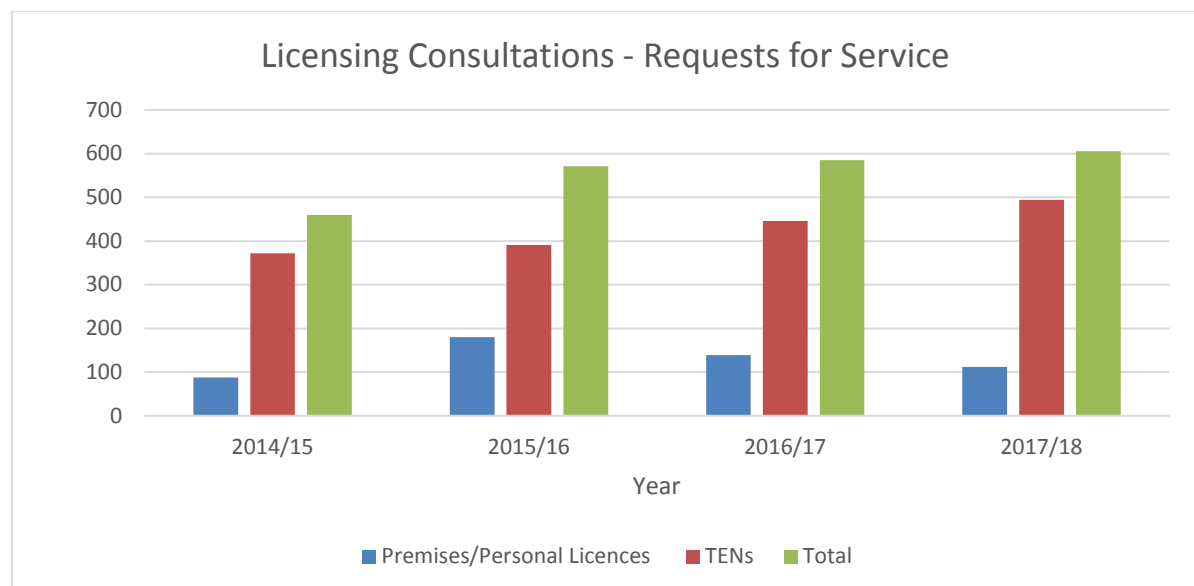
3.3.1 The trend in work-related accidents can be seen in the chart below which shows the total number and types of accidents/incidents reported to North Devon Council year on year.

Classification of Accident	2015/16	2016/17	2017/18
Unknown	4	0	17
Contact: Machinery	1	1	1
Contact: Electricity	0	0	0
Drowning/Asphyx	2	3	3
Exposure: Fire	2	0	0
Exposure: Substance	1	2	1
Exposure: Explosion	0	2	0
Fall from Height	5	14	13
Injured by Animal	0	1	0
Injured: Handling	3	5	4
Slip, Trip or Fall	43	39	44
Struck against Fixed Object	7	10	1
Struck by Object	5	2	8
Struck by Vehicle	0	0	0
Trapped by Object	1	3	0
Unclassified	2	6	15
TOTAL	89	92	92

3.3.2 Slips, trips and falls remain the highest cause of accidents reported closely followed by falls from height. There were no fatal accidents reported in the time periods above.

3.4 Requests for Service

The number of requests for service for health and safety is shown in the graph, Fig.2 on page 10. In addition the team receive notice of statutory consultation under the Licensing Act 2003 and Gambling Act 2005 in respect of matters regarding public safety for example applications for Temporary Event Notices (TENs) and Premises Licences. The graph and table (Fig 3. below).show the large number of requests for service received in relation to the team's role as licensing consultee.



Year	Number of Premises Licence Applications Consultations Received	Number of TEN applications received.	Total Licensing Consultations
2015/16	180	391	571
2016/17	139	446	585
2017/18	112	494	606

Fig 3.

3.5 Self Assessment Questionnaires

120 Self Assessment Questionnaires are sent out to new and existing businesses each year. The accompanying letter provides guidance and links to website information to assist business operators. In particular businesses are advised to download the Safer Work Better Business pack to assist them in complying with health and safety legislation. This pack was written by the Devon & Cornwall Chief Officers' Health & Safety Liaison Group members and can be found at: <http://www.torbay.gov.uk/swbb> Returned completed questionnaires are read by officers and contact made with the business operator where incomplete information has been provided or advice sought. Business operators failing to return a completed questionnaire will be visited by an officer.

3.6 Advice to Businesses

The service provides advice and support for businesses by telephone or email. As a rule, the service does not have the capacity to provide advisory visits, however Officers use their discretion in cases where it is deemed that an advisory visit will be in the interest of both the business operator and the Council. Information is available on the local authority website, with links provided to the HSE and other websites. Links to useful information are sent out to new businesses when they are sent a self assessment questionnaire.

In 2017/18 a Health & Safety Newsletter was sent out to 808 businesses by email.

3.7 Partnership Working

In 2017/18 Officers continued to liaise with the Devon Fire and Rescue Service where they had concerns about fire safety in premises they inspected particularly in relation to gas appliances in catering establishments and people living above commercial premises.

3.8 Key Achievements and Outcomes 2017/18

- Completion of self-assessment targets
- All service requests dealt with promptly
- Appropriate accidents investigated promptly
- Raised awareness of gas and fire safety in food premises
- Raised awareness of asbestos and the duty to manage the risk in food premises.
- Serviced Primary Authority Partnership

3.9 Summary of Health and Safety Activity 2017/18 LAE1 HSE Return

Table 2: Summary of local authority health and safety activity 1 April 2017 – 31 March 2018			
Only include information where health and safety was targeted as a priority for intervention For guidance on targeting and recording interventions for this return see: <ul style="list-style-type: none"> • National LA Enforcement Code • List of higher risk activities in specific sectors suitable for proactive inspection (the 'List') • Supplementary Guidance • LAC 67/2 (rev 7) (Annex D) • Guidance on Combining H&S and Food Inspections 			
Intervention type	Number of Inspections Interventions/Visits (each intervention must be counted only once)		Guidance
	Targeted using National Intelligence	Targeted using Local Intelligence	
Proactive inspections	Proactive inspection	0	0
Non-inspection interventions	Other visits/face to face contacts	ASBESTOS 13	CHAS 12
	Other contact/interventions	0	120
Reactive visits	Visit to investigate health & safety related incidents	1	
	Visits to investigate H&S complaints	9	
	Visits following requests for H&S service from businesses	2	
	Revisits following earlier intervention	0	

Table 3: Number of enforcement actions 1 April 2017 – 31 March 2018					
(a) Improvement notices	(b) Deferred prohibition notices	(c) Immediate prohibition notices	(d) Simple cautions*	(e) Prosecution cases resulting in at least one conviction**	(f) Prosecution cases resulting in no conviction**
3	0	1	0	0	0

(d) Number of simple cautions* (non-statutory procedure) to secure compliance of health and safety in England and Wales. LA's in Scotland - please leave (d)* (e)** and (f)** blank - simple cautions are not applicable in Scotland and the Procurator Fiscal (PF) provide us with prosecutions data directly.

4. RESOURCES

4.1 Financial Allocation

The budget for the Health and Safety Service year on year is shown in the table below. Figures for 2019/20 are not yet known.

Year	Cost	Cost per premises
2015/16	£59,720	£19.60
2016/17	£66,690	£22.70
2017/18	£60,770	£12.15
2018/19	£78,770	£15.95

4.2 Staffing Resources.

The National Local Authority Enforcement Code requires the Council to have sufficient capacity to undertake our statutory duties. The Food, Health and Safety Team is split in to 3 areas. Each area has a 1.0 FTE officer who carries out all work in their area, whether it be Food Safety or Health and Safety. In reality, the officers spend 0.1 FTE carrying out health and safety work. The Lead Officer also works as the Corporate Health and Safety Adviser for the Council and as such is designated as a 0.5 FTE.

A structure chart is available on page 6. The number of full time equivalent (FTE) officers carrying out food, health and safety work is set out in the following table:

Officer Post	FTE
Lead Officer	0.5
Environmental Health/Regulatory Service Officer	3.0
Case Officer (temp)	1.0/0.5 (TBC)

Prior to Dec 2016 there was a dedicated Health and Safety Officer in the Food, Health and Safety Team (0.6 FTE). Since the officer retired and the work has been split between three officers and the lead Officer the capacity to carry out proactive interventions has reduced.

With Officers spending most of their time meeting the demands of the Food Standards Agency driven programme of Food Safety Inspections, there is little time left to devote to health and safety with this accounting for approximately 0.1 FTE per Officer, and 0.05 FTE Lead Officer equating to 0.35 FTE in total for health and safety.

4.3 Officer Development

4.3.1 The National Local Authority Enforcement Code requires the Council to appoint suitably qualified officers authorised under Sect 19 of the HSWA.

Authority to appoint inspectors under the Act is delegated to the Head of Environmental Health and Housing Services by the Council's constitution.

Competency of inspectors is assessed prior to authorisation through a structured internal process

4.3.2 The Council will support the training and development of officers to ensure their competence and will maintain the internal appraisal scheme, Regulators Development & Needs Assessment. (RDNA) assessments and Continual Professional Development (CPD) accreditation requirements.

5. ASSESSMENT AND PERFORMANCE MANAGEMENT

5.1 Quality Assessment

5.1.1 Health & safety data on interventions, enforcement and prosecution activity is monitored and recorded on our Northgate M3 software system. Annual returns are

made to the HSE and the data is published on our website as part of the service planning document.

5.1.2 The Lead Officer will monitor intervention records by accessing Northgate M3 files and checking the quality of officers' work. If satisfactory the manager will record a satisfactory action code on the worksheet. If unsatisfactory, the manager will record an unsatisfactory code and discuss the matters that require improvement with the Officer concerned.

5.1.3 Once a year the Lead Officer will accompany officers on a visit to monitor the quality of service delivery and record his/her findings on the observational audit form. The monitoring visit will inform the appraisal process.

5.1.4 Any compliments and complaints received about the service are fed back to the Lead Officer to action as appropriate and the action taken is recorded by the Case Officer.

5.1.5 Peer review is carried out as part of the Devon & Cornwall Chief Officers' Health & Safety Liaison Group activity, for all authorities in Devon and Cornwall. These can take the form of inter-authority audits or desktop scenarios

5.1.6 We have the following monitoring arrangements in place to assist in the quality assessment of the work carried out:

- Senior Officer Review of a sample of worksheets for each officer throughout the year.
- Joint visits with inspectors
- Monthly Team meetings
- Performance appraisals

6. REVIEW

6.1 Review Against the Service Plan

6.1.1 We have developed a number of indicators to assess our health and safety performance. Details of the team's performance against the targets set in the Food, Health & Safety team's 2017/18 work plan can be found at Appendices 3 and 5. Proposed targets for 2018/19 are also in Appendix 3.

6.1.2 The summary of Health and Safety Activity for 2017/18 can be found on page 16.

6.1.3 The Service Plan and performance will be reviewed annually by the Lead Officer.

6.2 Identification of Variations

6.2.1 The Lead Officer will identify any variance, from the Service Plan and the reasons and propose an action plan to remedy the situation as appropriate. Work in other areas of the enforcement mix will be reviewed to identify whether or not it has contributed/addressed any apparent deficiencies.

6.3 Areas of Improvement

6.3.1 The Lead Officer will seek to identify opportunities to improve the service and where appropriate, prepare an appropriate action plan to address those service issues.

HSE Intervention Plan 2019/20 & 2020/21

Produced to meet the requirements of LAC67/2 (rev 7) -Advice/Guidance to Local Authorities on targeting interventions. This is mandatory guidance under Section 18 Health & Safety at Work etc Act 1974 (“The List”)

1. PROACTIVE INSPECTIONS will only be carried out at:

- a) High risk or ‘A’ risk premises – 0 premises identified currently.
or
- b) Businesses having specific activities falling in the specific sector categories set out in circular LAC 67/2 (rev 7) National Local Authority Enforcement Code & HSE sector strategies for 2019/20. (Rev 8 is due in April, but have the same content in “The List” same as rev 7)

No.	Hazards Identified for Investigation.	High Risk Sectors	High Risk Activities	NDC 2019/20 & 2020/21
1.	Risks of Legionella infection	Premises with cooling towers/evaporative condensers	Lack of suitable legionella control measures including premises that have *Not yet demonstrated the ability to manage their legionella risk in a sustained manner or *Relevant enforcement action in the ;last 5 yrs. and have not yet demonstrated sustained control of risk	No premises identified which fall to ND enforcement.
2.	Explosion caused by leaking LPG	Communal/amenity buildings on caravan/camping parks with buried metal LPG pipework	Caravan/camping parks with poor infrastructure risk control/management of maintenance	None yet identified
3.	Risks of E.coli/cryptosporidium infection, especially in children	Open farms/animal visitor attractions (including where an animal visits a nursery)	Lack of suitable micro-organism control measures	All known fixed premises visited in preceding years. New ones to be visited as they are identified. Provide guidance and information to Nurseries.
4.	Risks of fatalities/injuries resulting from being struck by vehicles	High volume Warehousing/distribution. (Typically larger warehousing/distribution centres with frequent transport movements/work at height activity.)	Poorly managed workplace transport	12 warehouses but no intel to suggest they are poorly managed.
5.	Risks of fatalities/injuries resulting from falls from height/amputation and crushing injuries	Industrial retail/wholesale premises, e.g. steel stockholders, builders/timber merchants	Poorly managed workplace transport/ work at height/cutting machinery /lifting equipment	9 builders merchants and 12 warehouses but no intel to suggest they are poorly managed.
6.	Industrial diseases (occupational deafness/	Industrial retail/wholesale premises, e.g. steel stockholders,	Exposure to excessive noise (steel stockholders). Exposure to respirable crystalline silica (Retail outlets	As above, No steel stock holders.

Agenda Item 14

Appendix B

	occupational lung disease - silicosis)	builders/timber merchants	cutting/shaping their own stone or high silica content 'manufactured stone' e.g. gravestones or kitchen resin/stone worktops)	Stone masons,
7.	Occupational lung disease (asthma)	In-store bakeries and retail craft bakeries where loose flour is used and inhalation exposure to flour dust is likely to frequently occur i.e. not baking pre-made products.	Tasks where inhalation exposure to flour dust and/or associated enzymes may occur e.g. tipping ingredients into mixers, bag disposal, weighing and dispensing, mixing, dusting with flour by hand or using a sieve, using flour on dough brakes and roll machines, maintenance activities or workplace cleaning.	13 instore bakeries in Supermarkets and 3 artisan bakeries.
8.	Musculoskeletal Disorders (MSDs)	Residential care	Lack of effective management of MSD risks arising from moving and handling of persons	No intel to suggest any premises require an intervention
9.	Falls from height	High volume Warehousing/distribution. (Typically larger warehousing/distribution centres with frequent transport movements/work at height activity.)	Work at height	12 warehouses but no intel to suggest lack of effective management
10.	Manual Handling	As above	Lack of effective management of manual handling risks	12 warehouses.
11.	Unstable loads	As above and also steel stockholders; builder's and timber merchants	Vehicle loading and unloading	9 builders merchants and 12 warehouses
12.	Crowd management & injuries/fatalities to the public	Large scale public gatherings e.g. cultural events, sports, festivals & live music	Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue	18 events in 2017/18 required interventions with event organisers via the Safety Advisory Group.
13.	Carbon monoxide poisoning	Commercial catering premises using solid fuel cooking equipment	Lack of suitable ventilation and/or unsafe appliances	No premises identified
14.	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling e.g. betting shops/off-licences/hospitality6) and where intelligence indicates that risks are not being effectively managed	Lack of suitable security measures/procedures. Operating where police/licensing authorities advise there are local factors increasing the risk of violence at work e.g. located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign	No premises identified
15.	Fires and explosions caused by the initiation of explosives, including fireworks	Professional Firework Display Operators	Poorly managed fusing of fireworks	No businesses identified

DEVON CHIEF OFFICERS LIAISON GROUP WORK PLAN 2017/18, 2018/19, 2019/20

Sector, premises type or specific cross sector activity (Where do you plan to intervene?)	Evidence that identified the concern and set its priority (e.g. statistics, RIDDOR reports, local intelligence Why is it appropriate to address at this time? Can you identify the poor performers?)	Rationale for intervention (Why are you using this intervention? Have you considered using other interventions? Does it fit in with previous action to address this issue? Does it bundle with other activity? Are your outputs measurable?)	Planned activity or resource (What action will be taken, work with partners/media campaign/ write to proprietors/inspection etc. Make clear what action all authorities are going to do (minimum) and which authorities are going to take additional action.)	Local Authority action – what will be put in to developing and completing each project
Asbestos – duty to manage	National Priority	Reduction in ill health from asbestos exposure	Continued project included in food visits where appropriate. Raise awareness of SWBB sheet and pack in general. Provide training on duty to manage for non compliant businesses. Enforcement action where appropriate	
Ill health from animal contact at visitor attractions	National Priority Public health issue from E.Coli and other zoonotic infections.	Public health and safety	Individual authorities to consider action to take with animal contact attractions in their areas.	
Warehousing, work at height, fragile roof and asbestos management	National Priority and link with migrant worker /modern slavery agenda & joint working opportunities	Reduction of injuries at work, public health and safety	Group to develop inspection pack and aide memoire and officer training requirements for October training day	Proactive inspection
Legionella, Crypto and Giardia - caravan site spa pools/ pop up spa pools	Local priority - local sampling indicates general management issues, recent interest from HPAG on Crypto and recent Giardia cases.	Public health	Letter to all pool owners when new Management Guidance issued by HSE following consultation. Collate complain evidence and any public health concerns to establish how widespread issues are.	Letter to go to proprietors when agreed
Buried metallic pipework LPG on Caravan sites	LLARD and Local priority	Public safety	LLARD being withdrawn. Individual authorities to consider what action they wish to take	Complete by March 2018
Violence in the night time economy	Local priority	Public safety	All authorities to report on all complaints/accidents/RIDDORs and any Police licensing L10 reports on assaults etc over next 6 months to establish issues.	Liaise with BBFA Chamber, Licensing Teams and Community Safety teams to disseminate information to employers.

Agenda Item 14

Appendix B

Sector, premises type or specific cross sector activity (Where do you plan to intervene?)	Evidence that identified the concern and set its priority (e.g. statistics, RIDDOR reports, local intelligence Why is it appropriate to address at this time? Can you identify the poor performers?)	Rationale for intervention (Why are you using this intervention? Have you considered using other interventions? Does it fit in with previous action to address this issue? Does it bundle with other activity? Are your outputs measurable?)	Planned activity of resource (What action will be taken, work with partners/media campaign/ write to proprietors/inspection etc. Make clear what action all authorities are going to do (minimum) and which authorities are going to take additional action.)	Local Authority action – what will be put in to developing and completing each project
Migrant worker issues Identification of food premises where may be an issue	National priority with Modern Slavery agenda.	Public health, safety and welfare.	Staff information and training. Development of aide memoire for identifying issues of concern during visits by end October 2017.	Add to officer training day
Body modification issues Skin piercing/scarification/implants Laser treatments/nail bars	Rapid expansion of the body modification industry in the region, with easy access to equipment and large numbers of unregistered tattooists with suspect experience and knowledge posing a problem. Easy spread of infection from inadequately sterilized equipment.	Public health and safety	Work with Police to raise awareness of issues and under age tattooing Develop two yearly audit procedures for registered Tattooists. Public health interventions for scratchers. Public health interventions for nail bars.	DoH CIEH toolkit being used in new premises
Officer competency training	RDNA and intervention initiative requirements. Maintain officer competence.		Intention to provide CPD training for officers in specific subjects to support work plan elements Quarterly peer review to be provided for all teams to undertake. Put all staff through RDNA tool over Quarter 1 of next year to identify significant training needs.	PAD Training day in October 2017
Inter-Authority Auditing	Maintain competence and confidence on Authorities management of the health and safety enforcement function.		Officer Competency and Authorisation Auditing to start December 2017. Investigate FSA Audit framework as possible tool for audits	To start in December 2017 and complete by April 2018

PERFORMANCE INDICATORS

		Target 2018/19	Actual 2017/18
Structural	Human resource: - Managerial	Public Protection Manager 0.6 FTE	Public Protection Manager 0.6 FTE
	Lead Officer	0.15FTE	0.5 FTE
	Compliance Officers	3.0 FTE	2.0 FTE
	Admin Officer	0.5 FTE	Graduate 1.0 FTE 0.5 FTE
	Financial resource	£78,770	£60,770
Process efficiency	No. of service requests	639	639
	Percentage of requests for service responded to within target time	90%	90%
	Percentage of requests for service completed within target time	90%	90%
Output	Completion of Intervention plan	100%	100%
	Completion of tattoo project	100%	100%
	Completion of spa pools project	100%	100%
	Maintaining competence and service support for Primary Authority partnerships.	100%	100%
Outcome	Percentage of premises that have improved their risk rating following a visit.	100%	100%
	Customer satisfaction	90%	90%
Cost effectiveness	Ratio of enforcement officers to regulated businesses	1:7855	1: 3801
	Fairness of service provision	100%	100%
Equity	Fair distribution of service according to need	100%	100%
	Number of new businesses supported	100%	100%

COUNCIL ENFORCEMENT POLICY (*This Policy is currently under review*)

Introduction

This policy is an “umbrella” policy and is intended to apply to all service areas, though it should be noted that various additional service-specific requirements apply to specific enforcement activities in certain services, i.e. Health and Safety, Food Safety, Environmental Protection/Environmental Crime, Private Sector Housing, Licensing. Information on these may be obtained from the Head of Environmental Health & Housing Services.

The purpose of this policy is to publicly summarise the Council’s intended approach to bring about compliance with regulatory requirements. However, it is ultimately the responsibility of individuals and businesses to comply with the law.

The Council shares the Government’s view that effective and well targeted regulation is essential in promoting fairness and protection from harm and that as regulators we should adopt a positive and pro-active approach towards ensuring compliance by: -

- Helping and encouraging regulated entities to understand and meet regulatory requirements more easily; and
- Responding proportionately to regulatory breaches.

The Council will take a soft brush approach to those who comply with regulatory requirements and those who work with us to achieve compliance. However, we will not hesitate to take all necessary enforcement action against those who, for example, commit serious breaches, flout the law, refuse to work with us to seek compliance, commit offences which are prevalent in the district.

The Council has set out its strategic aims and objectives and our enforcement services will carry out their duties in support of these. These aims and objectives are set out in: -

- Council policy and strategic decisions;
- North Devon Council’s Corporate Business Plan;
- The service-specific service plans and inspection policies, which reflect the above priorities and the core enforcement activities for each service.

The Council’s aims and objectives have been drawn up in consultation with the public. Details of the consultation are available from the PPI on the Council’s website www.northdevon.gov.uk.

Compliance

A range of activities will be undertaken to ensure compliance with legislation. Advice and guidance will be provided; proportionate, programmed and intelligence led inspections will be undertaken and, where necessary, inspections will be undertaken in response to complaints from third parties. Some enforcement services will also have officers patrolling the streets.

Where non-compliance is discovered, options to promote/seek compliance will include: -

- Undertaking pro-active education programmes;
- Explaining legal requirements and, where appropriate, the means to achieve compliance;
- Providing an opportunity to discuss points in issue, where appropriate;

- Consideration of alternative means and reasonable time scales and to achieve compliance;
- Service of advisory letters, warnings, Statutory Notices or prohibitions detailing non-compliance;
- Enforcement actions including, but not limited to, formal action, seizure of documents or goods, closure of premises, caution, prosecution and/or injunction.

Immediate, without Notice, enforcement action may be taken, but only where deemed necessary, reasonable and proportionate.

Enforcement Actions

The decision to use enforcement action will be taken on a case by case basis and to ensure consistency of approach, in accordance with this and any other more specific policies, which may be applicable. The action taken, which may be immediate, will be proportionate to the gravity and nature of the non-compliance. Factors that will be taken into consideration include, but are not limited to: -

- The risk that the non-compliance poses to the safety, health or economic welfare of the public at large or to individuals;
- Evidence that suggests that there was pre-mediation in the commission of an offence;
- The alleged offence involved a failure to comply in full or in part with the requirements of a statutory Notice or Order;
- There is a history of previous warnings or the commission of similar offences;
- Aggravated circumstances such as obstruction of an officer or aggressive behaviour towards the public;
- The offence, although not serious itself, is widespread in the area where it is committed;
- Death was a result of a breach of legislation;
- The gravity of an alleged offence, taken together with the seriousness of any actual or potential harm;
- The general record and approach of the offender;
- There has been reckless disregard of health and safety requirements;
- There has been a repetition of a breach that was subject to a formal caution;
- False information has been supplied wilfully, or there has been intent to deceive.

Legal and Policy Context

Enforcement actions are taken within the context of a legal and policy framework. Council enforcement services will carry out their enforcement-related work with due regard to the Enforcement Concordat. This concordat arises from a Central Government initiative and has been adopted by the Council. The Concordat lays out the principles of good enforcement. These are: -

- Publishing clear standards, setting out the level of service and performance that the public and businesses can expect to receive;
- Dealing with the public and the business in an open and honest way;
- Providing a courteous, efficient and helpful service;
- Responding promptly and positively to complaints about the service;
- Ensuring that enforcement action is proportionate to the risks to the public;
- Carrying out duties in a fair, equitable and consistent manner.

In approving this enforcement policy and when setting service-specific enforcement requirements, in respect of those local authorities' functions specified in Part 3 of the Schedule to the Legislative and Regulatory Reform (Regulated Functions) Order 2007,

the Council had, and will continue to have, regard to the statutory Regulators' Compliance Code, issued by the Minister of State for the Department for Business, Enterprise and Regulatory Reform under Section 22 (1) of the Legislative and Regulatory Reform Act 2006. This will also apply to any further functions to which the said code might be applied.

Service-specific risk-rated inspection policies will be set, in respect of those functions, which are considered deserving of co-ordinated monitoring.

Any decision to prosecute will be taken in accordance with the Code for Crown Prosecutors. A fully copy of the code is available from: -

CPS Public Enquiries
102 Petty France
London
SW1H 9EA
Telephone: 020 3357 0899
Email: enquiries@cps.gov.uk

Enforcement decisions and actions will be made with due regard to the provisions of: -

- The Human Rights Act;
- The Crime & Disorder Act;
- Equal rights and anti-discrimination legislation;
- Service-specific legislation;
- All other relevant legislation applicable from time to time.

Information concerning non-compliance may be shared with other enforcement agencies. Any such action will only be undertaken in the public interest and in compliance with the Data Protection Act 1998. *{now General Data Protection Act 2018}*

Authorisation of Officers

Only officers who are competent by training, qualification and/or experience will be authorised to take enforcement action. Officers will also have sufficient training and understanding of this enforcement policy to ensure a consistent approach to their duties. Officers are required to show their written authorisation on demand.

Status and Review

This policy was endorsed and adopted by the Council by minute 28 of Full Council on 25th June 2008 This policy is currently under review.

This is a public document and further copies of this and associated documents can be obtained from:

J W Mann, Head of Environmental Health & Housing Services
North Devon Council

E-mail: customerservices@northdevon.gov.uk

Complaints concerning the application of this enforcement policy are dealt with in accordance with the Council's customer complaints' procedure. Details of the procedure are available from Customer Services, tel. no. (01271) 327711

ENVIRONMENTAL HEALTH CUSTOMER CHARTER

REQUEST FOR SERVICE PERFORMANCE TARGETS

Regulatory Services team (*Working days*)

	First Response Target	Completion
General		
Leaflet/Applic Reqst	2	5
Task: C147 Asbestos Enquiry	5	10
Task: C148 Education/Training	5	60
Task: C420 Freedom of Info Act Rqst	10	20
Task: C437 Compliment - HLTH/FD/SAFETY	None	20
Task: C521 Primary Authority Request	3	65
Task: C587 Better Business for All Query	5	30
Task: C588 Data Access Request	5	20
Licensing		
Task: C562 LA03 TEN Consultation	3	3
Task: C428 LA03 Temp. Event Notice RFS	3	20
Task: C432 LA03 Resp Authority Consult'n	20	20
Task: C218 Ear Piercing Unsatis	3	20
Task: C238 Tatooists Lic. Unsat	3	20
Task: C255 Electrolysis Unsatis	3	20
Task: C256 Acupuncture Lic App	5	20
Task: C257 Acupuncture Unsatis	3	20
Task: C313 Body Pierce Unsatis	3	30
Health & Safety at Work		
Task: C006 ASB5 Asbestos Notification	15	15
Task: C018 Unsat HSW Premise	5	60
Task: C019 Health & Safety at Work Advice	5	30
Task: C020 Asbestos Request for Service	1	180
Task: C021 Under 8's Reg.	20	20
Task: C022 Res. Home Reg	20	20
Task: C023 Children's Home Reg.	20	20
Task: C024 OSR Registration	10	10
Task: C025 Lift Inspection-Urg.	1	15
Task: C026 Lift Inspection Adverse	5	60
Task: C145 Swimming PI- Serious	1	30
Task: C149 Swimming PI – Minor	5	60
Task: C549 HSW SWW Disconnect Water	3	15
Accidents - Reportable F2508		
Task: A001 Fatality	1	180
Task: A004 Dangerous Occurrence	0	131
Task: A007 Non-Reportable Accident	5	60
Task: A008 Dangerous Gas Fitting Report	5	60
Task: A009 Over 7 Day Injury	15	60
Task: A010 Specified Injury	5	60
Task: A011 Injury to Non-Worker	5	60

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