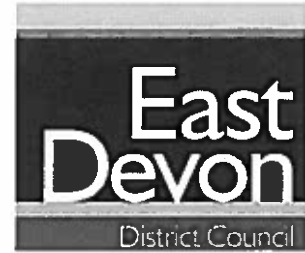


Date: 4 February 2011
Contact name: Alethea Thompson
Contact number: 01395 517525 (group number 517546)
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To: Members of the Communities Overview and Scrutiny Committee
(Councillors: Helen Parr (Chairman), Darryl Nicholas (Vice Chairman), Peter Burrows, Vivien Duval-Steer, Roger Giles, Marion Olive, Philip Skinner, Pauline Stott, Graham Troman, Mark Williamson)

East Devon District Council
Knowle
Sidmouth
Devon
EX10 8HL

For information:

Portfolio Holders
Other Members of the Council for information
Head of Housing and Social Inclusion
Chief Executive
Corporate Directors

DX 48705 Sidmouth

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Meeting of the Communities Overview and Scrutiny Committee

Wednesday 16 February 2010 – 6.30pm. Council Chamber, Knowle, Sidmouth

Members of the public are welcome to attend this meeting.

- A period of 15 minutes has been provided at the beginning of the meeting to allow members of the public to raise questions.
- In addition, the public may speak on items listed on the agenda. After a report has been introduced, the Chairman (Leader of the Council) will ask if any member of the public wishes to speak and/or ask questions.
- All individual contributions will be limited to a period of 3 minutes – where there is an interest group of objectors or supporters, a spokesperson should be appointed to speak on behalf of group.
- The public is advised that the Chairman has the right and discretion to control questions to avoid disruption, repetition and to make best use of the meeting time.

A hearing loop system will be in operation in the Council Chamber.

AGENDA

Page/s

- 1 **Public question time – standard agenda item (15 minutes)**
Members of the public are invited to put questions to the Committee through the Chairman.
Councillors also have the opportunity to ask questions of the Chairman and/or Portfolio Holders during this time slot whilst giving priority at this part of the agenda to members of the public.
- 2 To confirm the minutes of the meeting of the Communities Overview and Scrutiny Committee held on 12 January 2011. 5 - 8
- 3 To receive any apologies for absence.
- 4 To receive any declarations of interests relating to items on the agenda.

- 5 To consider any items which, in the opinion of the Chairman, should be dealt with as matters of urgency because of special circumstances.
(Note: such circumstances need to be clearly identified in the minutes; Councillors please notify the Chief Executive in advance of the meeting if you wish to raise a matter under this item. The Chief Executive will then consult with the Chairman).
- 6 To agree any items to be dealt with after the public (including the press) have been excluded. There are no items that the officers recommend should be dealt with in this way.
- 7 **Examples of good community engagement (recommendations from previous commitments):**
- a) **Open Door Exmouth** 9
Members will hear a presentation from Open Door Exmouth on the Nightshift Project.
- b) **Exmouth Community Organisations Liaison Panel**
Members will hear a presentation from representatives of Exmouth Town Council on the Exmouth Community Organisations Liaison Panel which was set up by ETC to bring community groups together and to help take things forward in the town.
- 8 **Service Level Agreement with EDVSA** 10 - 21
Members to consider the report of the Corporate Director which seeks to establish the content and wording of a Service Level Agreement with EDVSA in return for an annual grant towards core work.
- 9 **Sustainable Communities Act** 22 - 31
Members are invited to consider whether they wish the Council to respond to the Government's invitation to local authorities to submit further proposals under the Sustainable Communities Act and, if so, how best we can support communities in generating them. Engagement and Funding Officer.
- 10 **Localism Bill** 32 - 37
Members to consider the report of the Corporate Director which highlights the main sections of the Localism Bill that could have implications for EDDC.
- 11 **Affordable housing – delivery update** 38 - 44
Members to note the report of the Housing Enabling Officer which provides an update on the Council's new affordable housing programme and consider some of the issues that need to be addressed to ensure delivery levels are maintained at or above those being achieved this financial year.
- 12 **Scrutiny ideas to be considered in future scrutiny arrangements** 45 - 46
To note the recommendations on the future of overview and scrutiny committees from the Overview and Scrutiny Co-ordinating Committee meeting held on 26 January 2011 and to discuss future scrutiny arrangements.

Members remember!

Members remember!

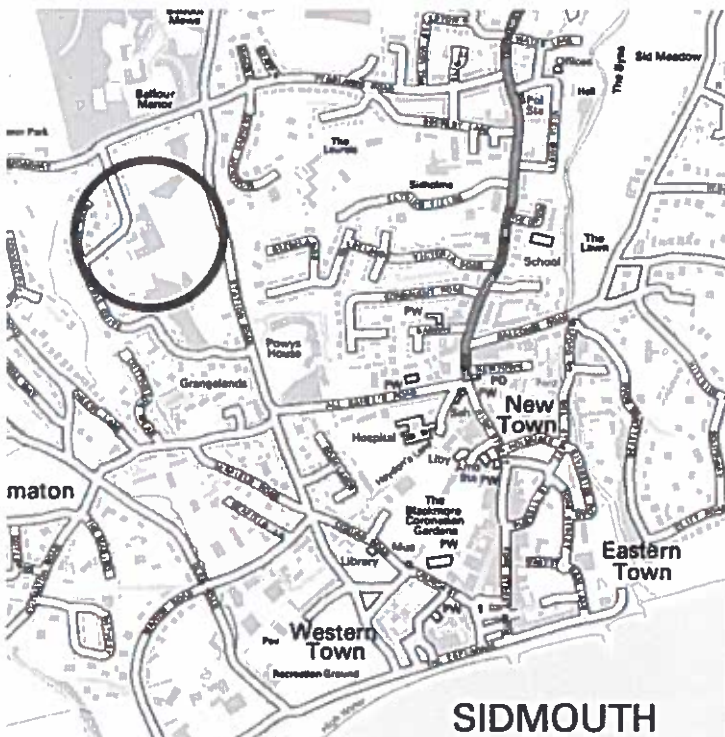
- You must declare the nature of any personal or prejudicial interests in an item whenever it becomes apparent that you have an interest in the business being considered.
- Where you have a personal interest because the business relates to or is likely to affect a body of which you are a member or manager as an EDDC nominee or appointee, then you need only disclose that interest when (and if) you speak on the item. The same rule applies if you have a personal interest in relation to a body exercising functions of a public nature.
- Make sure you say the reason for your interest as this has to be included in the minutes.
- If your interest is prejudicial you must leave the room unless
 - a) you have obtained a dispensation from the Council's Standards Committee or
 - b) where Para 12(2) of the member Code of Conduct applies. [Para 12(2) allows a Member with a prejudicial interest to stay for the purpose of making representations, answering questions or giving evidence relating to the business but only to the extent the public are allowed the same rights. If you do remain for these purposes, you must not exercise decision-making functions or seek to improperly influence the decision; you must leave the meeting room once you have made your representation, answered questions or given evidence.]
- The Code states that any member of the Executive Board or other decision-making committee or joint committee or sub-committee attending Overview and Scrutiny committees has a prejudicial interest in any business where that member was a member of the committee at the relevant time and present when the decision was made or other action was taken (whether or not implemented). Members with prejudicial interests should declare them and are allowed to remain in the meeting for the limited purposes set out in the Code para 12(2) – see last paragraph.
- You also need to declare when you are subject to the party whip before the matter is discussed.

Suggestions for questioning during an Overview and Scrutiny meeting

Below are some prompts which may help you to form your own questions to ask at an Overview and Scrutiny meeting. Your questioning technique is crucial in creating an atmosphere conducive to open answers. Avoid excessive interrogation and treat those being questioned with courtesy and respect; however don't be afraid to ask supplementary questions if you feel that you haven't been given a clear answer.

- ❑ IS IT REQUIRED? (do we have this, does it make sense to tackle it, do we really need it).
- ❑ IS IT SYSTEMS THINKING? (is it evidence based and designed around the customer demands)
- ❑ IS THE INTENTION CLEAR? (what are we actually trying to achieve)
- ❑ ANY REAL OUTCOMES? (are we actually, and measurably, achieving things for our customers).
- ❑ WHAT IS THE COST? (both time and money)
- ❑ DOES IT COMPLY? (have we checked that it meets our obligations, the law, any formal guidance, and any Council policy or resolutions).
- ❑ OTHERS DO WHAT? (how do other organisations tackle this, best practice)
- ❑ EFFECTIVE AND EFFICIENT? (how do we know we're doing things well, in a timely fashion, and at "best value")
- ❑ WHAT IS THE RISK? (any areas of risk for the Council)
- ❑ ANYONE LOSE OUT? (are there sections of the community who might be disadvantaged by this approach, or be less able to take advantage, than others)
- ❑ DOES IT LINK? (have we linked this to other, similar, pieces of work within or outside the Council)

Getting to the Meeting – for the benefit of visitors



The entrance to the Council Offices is located on Station Road, Sidmouth. **Parking** is limited during normal working hours but normally easily available for evening meetings.

The following bus service stops outside the Council Offices on Station Road:
From Exmouth, Budleigh, Otterton and Newton Poppleford – 157

The following buses all terminate at the Triangle in Sidmouth. From the Triangle, walk up Station Road until you reach the Council Offices (approximately ½ mile).
From Exeter – 52A, 52B
From Honiton – 52B
From Seaton – 52A
From Ottery St Mary – 379, 387

Please check your local timetable for times.

The Committee Suite has a separate entrance to the main building, located at the end of the visitor and Councillor car park. The rooms are at ground level and easily accessible; there is also a toilet for disabled users.

Visitors please note that the doors to the civic suite (meeting rooms) will be opened ¼ hour before the start time of the meeting. Councillors are reminded to bring their key fobs if they wish to access the area prior to that time.

For a copy of this agenda in large print, please contact the Democratic Services Team on 01395 517546

EAST DEVON DISTRICT COUNCIL

Minutes of a Meeting of the Communities Overview and Scrutiny Committee held at Knowle, Sidmouth on Wednesday 12 January 2011

- Present:** Councillors:
Helen Parr (Chairman)
Peter Burrows
Vivien Duval-Steer
Roger Giles
Marion Olive
Philip Skinner
Pauline Stott
Graham Troman
Mark Williamson
- Visitors:** Cllr Jill Elson – Exmouth & District Community Transport Group
Neil Hurford – Honiton TRIP
Sandra Ward – Axe Valley Ring and Ride
Roger Werner – Villages in Action
- Officers:** Christopher Holland, Democratic Services Officer
Peter Jeffs, Corporate Director
- Apologies:** Councillors:
Darryl Nicholas

The meeting started at 6.30pm and ended at 9.23pm.

***23 Public question time**

There were no questions from members of the public.

***24 Minutes**

The minutes of the meeting of the Communities Overview and Scrutiny Committee held on 20 October 2010 were confirmed and signed as a true record.

***25 Declarations of Interests**

Name of Councillor	Type of Interest	Nature of Interest
Councillor Jill Elson	Personal	Involved with running Exmouth & District Community Transport Group

***26 Community Groups in East Devon – Villages in Action**

Members received a presentation from Roger Werner that gave information on the work of Villages in Action in East Devon. It was explained that the group aimed to support local communities through their village halls and the arts. A number of handouts were circulated which showed the programme for Villages in Action events in 2011.

26 **Community Groups in East Devon – Villages in Action (cont'd)**

Members noted how the work of the group was particularly important as local Post Offices, shops and pubs faced closure. The group helped strengthen communities by encouraging the use of village halls and promoting events. It was noted that in 2010, EDDC funded the group with a £10,000 grant, which was vital in maintaining its activities and function. In East Devon, £12,669 had been spent and invested in performances to 2,350 audience Members resulting in £5,248.00 income to communities.

Members were very supportive of the group and EDDC's financial support. They felt that the promotion of rural communities and village halls was vital in maintaining the viability and vitality of Parishes and Towns. They also felt that the financial support given resulted in even larger investment in communities and that the Service Planning and Budget TaFF be asked to consider keeping funding at similar levels as 2010.

The Chairman thanked Roger Werner for his presentation.

RECOMMENDED: that whilst acknowledging the financial difficulties being experienced by the authority, the Council maintains current levels of financial support for Villages in Action which provides essential support to help maintain viable communities in East Devon.

27 **Presentation from Member Champion for Culture**

Members heard a presentation from Councillor Vivienne Ash on her work as Member Champion for Culture.

Councillor Ash explained that her role as Member Champion had a wide ranging brief including the Arts, Sports, Leisure and Countryside. With the increasing pressures on finances, there were limited staff and resources available to promote these areas of work. It was noted that the Thelma Hulbert Gallery in Honiton was going from strength to strength after refurbishment and visitor numbers to the gallery were increasing all the time.

Councillor Ash stressed that the Council should continue to support both the Thelma Hulbert Gallery and the Manor Pavilion at Sidmouth in making them viable venues.

It was noted that Councillor Ash was aiming to continue to raise the profile of Culture in East Devon which affected all parts of people's lives. EDDC now had representative on the Jurassic Coast Strategy Group which had previously been mainly Dorset and County Council influenced. She reiterated how Villages in Action had expanded its activities by promoting culture in the smaller parishes in particular.

Ward Members were encouraged to promote the many events in their Towns and Parishes at every opportunity. It was a chance for Ward Members to make a real contribution in helping promote local communities.

The Chairman thanked Councillor Ash for her hard work in her role as Member Champion for Culture. It was suggested that meetings with and updates from all Member Champions would be desirable at Council meetings..

- RECOMMENDED:**
- 1) that all Member Champions meet quarterly to help share best practice and experience.
 - 2) that following a meeting, Member Champions report to Full Council on their recent work.

28 **Community Transport Groups in East Devon**

Members heard from presentations from community transport groups that were part-funded by East Devon District Council. Sandra Ward from Axe Valley Ring and Ride, Councillor Jill Elson from Exmouth & District Community Transport Group and Neil Hurlock from Honiton TRIP gave information on the work their groups did in East Devon and how they benefitted the community.

It was noted that each group offered a service to people who were not able to use public transport. It allowed often isolated and older individuals more independence and a chance to meet with other people on a regular basis. The fares charged by each group were minimal and meant that users could use the service as if it were their own vehicle. Drivers operating each service would often carry out other extra tasks including shopping, help on how to order items and general help in and out of users homes. Taxi drivers would in general not offer such levels of service. The Ring and Ride services improved the quality of life of potentially vulnerable people in society and were very well used. Ring and Ride services helped people stay in their own homes; this was being encouraged by the County Council.

Members noted from figures circulated that vehicle maintenance and fuel costs were rising rapidly and the support that EDDC gave to each group was considered vital to the continuation of the services. They hoped the Service Planning and Budget TaFF could find a way to keep funding the services at similar levels. It was also noted that Ring and Ride services were part of the County Council's Devon Transport Plan and should continue to be supported by that authority. Members noted that in the case of Honiton TRIP and Axe Valley Ring and Ride, it may be possible to share some services and resources to save operating costs.

- RECOMMENDED:**
- 1) that whilst acknowledging the financial difficulties being experienced by the authority, the Council continues to support community transport groups in East Devon which provide a service which helps improve the quality of life for many residents of the District.
 - 2) that Devon County Council be urged to continue to support community transport groups which are part of the Devon transport plan.
 - 3) that the Council write to the three Members of Parliament stressing the importance of community transport and how budget cuts to local authorities are threatening such services.

*29 **Review of Home Safeguard Charges**

Members considered the report of the Head of Housing and Social Inclusion which was a midyear review of the position on Home Safeguard becoming self-financing; a challenge the authority set for the 2010/11 financial year. Over many years Home Safeguard had issued free alarms to particular clients, which meant that the service had to be subsidised by the Council Tax payer. A fundamental review of charging policy was undertaken in 2009 and after careful consideration, it was decided that the authority should increase income by charging all customers and that that level of additional income should enable the service to be self-financing.

Members noted that the authority was making good progress towards achieving a self-financing position and had carefully balanced a more businesslike approach with the needs of the vulnerable client group.

***29 Review of Home Safeguard Charges (Cont'd)**

Members noted that the Home Safeguard service had been reliable, professional, and had provided good value for customers. It was closely linked with the housing support service provided through the Scheme Managers and Mobile Support Officers. The draft budget for 2011/12 showed an increase in surplus. Costs were being kept down, the level of service provided continued to be excellent and the service was continuing to attract more business.

The Chairman thanked John Golding, Head of Housing and Social Inclusion and the Home Safeguard Team for their hard work in modernising and changing the service in order to make it self-financing.

RESOLVED: that the position on the Home Safeguard budget is noted and the service be encouraged to ensure that it achieves the budget set for 2010/11.

***30 Diversity Peer Challenge Report**

Members noted a report that showed the findings of a Diversity Peer Challenge organised by the Local Government Improvement and Development body.

It was noted that there were a number of issues raised in the report that would be discussed in detail at the meeting of the Service Delivery and Performance Overview and Scrutiny Committee on 19 January 2011. Members were encouraged to attend this meeting if they wished to raise any particular points.

***31 Forward Plan 2010/11**

The Committee noted items for consideration at future meetings and the Chairman encouraged Members to send items for inclusion to the Lead Officer.

RESOLVED: that the Localism Bill be added to the list of items to be considered at the next meeting of the Committee.

Chairman Date.....

Open Door Exmouth Presentation to EDDC: 16.2.11

- Priority aim: to 'make a difference'
- Response to community issues: e.g. reports in Exmouth Journal of rowdy behaviour causing problems for residents
- Collaboration with other agencies – licensees, police, CCTV, traders
- Pilot run to test effectiveness
- 'Presence' as important as actions
- Consistency – every weekend for almost 4 years
- CSP Award for "being extremely effective in reducing issues of disorder and anti-social behaviour in Exmouth Town centre" and "outstanding contribution to community safety"

- Other Open Door projects follow similar pattern:
 - Child Contact Centre: response to need for family support
 - Café: responds to need for 'connection/community' for marginalised people + benefits/housing etc support
 - ICE: responds to need for support in education, in personal development and to issues relating to young people in the community

- 'Love Littleham' in 2010 – encouraging young people to participate in community action: partnership project with EDDC, local business, emergency services, churches and residents

- Church based charity facilitating local volunteers engaging with their community

Agenda Item: 08

Overview & Scrutiny - Communities

16 February 2011

PJ/smep



Service Level Agreement with EDVSA

Summary

This report seeks to establish the content and wording of a Service Level Agreement (SLA) with EDVSA in return for an annual grant towards core work.

Recommendation

That Members approve and recommend the Service Level Agreement for EDVSA.

a) Reasons for Recommendation

This will form the basis for service monitoring.

b) Alternative Options

To consider and propose other wording or content for negotiation with EDVSA.

c) Risk Considerations

Poor ability to demonstrate value for money or unintended services in return for our grant if no SLA.

d) Policy and Budgetary Considerations

Positive Impact Overall

Excellent Customer Service.

Inspirational Council.

Meeting our Diversity and Equality duties.

e) Date for Review of Decision

January 2012

1 Background

For some years Members have expressed concern about the level of funding and scope of service of EDVSA. Last year it was agreed to stop grant aid but during the year a lower sum (£10,000) was reinstated by the Council. However it was made clear that an SLA would also be required.

2 Report

Attached at Appendix A is the proposed SLA for EDVSA. This is based on the equivalent SLA between EDVSA and the County Council and has been compiled by EDVSA.

Evidently the Council cannot unilaterally set an SLA so any proposed changes would need to be tested with EDVSA.

EDVSA provides a number of services across East Devon to assist the viability and sustainability of those 'third sector' organisations who seek assistance. It also seeks to represent 'third sector' views at partnership meetings etc, and it provides a brokerage service for people wishing to volunteer.

Legal Implications

There are no legal observations.

Financial Implications

A grant to EDVSA of £10,000 has been included in the 2011/12 draft budget.

Consultation on Reports to the Executive

-

Background Papers

-

Peter Jeffs – Extension 2652
Corporate Director

Overview & Scrutiny - Communities
16 February 2011

**SERVICE LEVEL
AGREEMENT**

Between

East Devon District Council

And

East Devon Volunteer Support Agency

October 2010

INTRODUCTION

EDVSA is a community resource dedicated to supporting those groups or individuals who strive for positive change within their communities. Rooted in the needs and aspirations of local people and committed to the principles of volunteering, EDVSA exists to promote and enable voluntary and community activity and to develop innovative responses to unmet need. Working, wherever possible, with local partners, EDVSA stimulates community activity; develops local networks; provides a voice for the voluntary sector in East Devon and delivers a range of supportive services to individuals and community groups who need help.

As part of this agreement EDVSA acknowledge that East Devon District Council's corporate priorities are;

Achieve thriving, balanced communities.

Take care of and improve our environment.

Encourage a flourishing local economy.

Provide community leadership and good value for money, customer focused services.

One of the principle aims of this agreement is to ensure that both party objectives are achieved through greater understanding and collaboration for the future.

PART 1

1.1 DATE OF AGREEMENT

This agreement is dated

1.2 PARTIES

This is an agreement between East Devon District Council (hereinafter called "the funders") and East Devon Volunteer Support Agency (hereinafter called EDVSA).

1.3 OBJECT OF AGREEMENT

The funders will invest in funding the core costs of EDVSA so that it may perform its core functions and activities as set out in EDVSA's constitution, subject to an agreed payment and to a defined level of service set out in this agreement.

- This SLA has been put in place in order to support and encourage effectiveness, flexibility and co-operation within the voluntary and community sector (VCS)
- Facilitate communication between the VCS and the local statutory and private sectors

An important part of that function will be to support the VCS to build its capacity and sustainability over the long term. Our shared aim is to ensure that the voice of the VCS is heard and respected, particularly within the Local Strategic Partnership, and that the sector is able to participate as equal partners.

1.4 MANAGEMENT

Responsibility for the governance of EDVSA is vested in a voluntary Board of Trustees as laid down by the constitution and approved by the Charity Commissioners.

Management of EDVSA is the responsibility of the Chief Officer, who is accountable to the Trustees.

1.5 AUTHORISED CONTACTS

The signatories will each have a named contact for the purposes of this agreement and its review.

1.6 THE PERIOD OF THE AGREEMENT

The agreement will commence on **1 November 2010** and will continue to take effect until **31 March 2013**, unless terminated by any party giving **twelve** months notice in writing, where any party is unable to carry out the terms of this agreement. There is an intention to review these arrangements each September to consider rolling forward the agreement for a further year in each case. If agreed, such a rolling forward would be achieved by an exchange of correspondence between EDVSA and the funders or the completion of a new agreement.

1.7 REVIEW

(a) The Parties to this agreement agree that the practical implementation and application of this agreement may require amendment/adjustment at any time.

(b) Without prejudice to (a) above, this agreement shall be subject to a formal annual review, as referred to in 1.6 above.

1.8 STATUS OF SERVICE PROVIDER

In carrying out this agreement, EDVSA is acting in its own right as an independent organisation, and not as an agent of the funders.

1.9 STATUS OF AGREEMENT

It is not the intention of either party that this agreement shall be legally binding and there is no intention to enter into contractual relationships. Therefore, neither party shall have any liability to the other for any failure to observe the terms of this agreement.

1.10 SERVICE PROVIDER'S OBLIGATION

EDVSA agrees to provide the services in Part 2 of this agreement (Service Objectives and Specifications). These services may be subject to annual review to respond to changing needs in the community, in accordance with clause 1.7, while remaining within the core aims and objectives of the CVS in its constitution and current business plan.

1.11 STAFFING

Paid and volunteer staff will be recruited and selected with full regard to the employment and equal opportunities policies of EDVSA. Paid staff will be employed and remunerated with regard to Guidelines issued by the National Association for Voluntary and Community Action (NAVCA).

1.12 REPRESENTATIONS AND COMPLAINTS

EDVSA will maintain a procedure for representations and complaints about the service and shall take all reasonable steps to bring this procedure to the attention of service users. EDVSA will consult users on the performance of its services and report on the outcome and any action arising to the funders.

1.13 COMPLIANCE WITH LEGISLATION

EDVSA will comply with the requirements of the Health and Safety at Work Act 1974 and any other Acts, Regulations, Directives or Orders etc concerning health and safety. It will also comply with other relevant legislation including charity law, equalities legislation and employment law.

1.14 INSURANCES

EDVSA will continue to have adequate insurances to cover such liabilities as may arise in the course of our work.

1.15 CONFIDENTIALITY

The council accepts that EDVSA sometimes offers a confidential service and that all matters relating to individual and organisational „clients' are kept confidential unless we have permission to make such disclosures.

PART 2 - SERVICE OBJECTIVES AND SPECIFICATIONS

2.1 PURPOSE

EDVSA is a community resource dedicated to supporting those groups or individuals who strive for positive change within their communities. Rooted in the needs and aspirations of local people and committed to the principles of volunteering, EDVSA exists to promote and enable voluntary and community activity and to develop innovative responses to unmet need. Working, wherever possible, with local partners, EDVSA stimulates community activity; develops local networks; provides a

voice for the voluntary sector in East Devon and delivers a range of supportive services to individuals and community groups who need help.

2.2 AIMS AND OBJECTIVES

Our Aim is to promote "Ideas into Action for the people and places of East Devon". We do this by following our objectives outlined in the Constitution which are:

- to promote any charitable purposes for the benefit of the community in the local government district of East Devon and, in particular, the advancement of education, the protection of health and the relief of poverty, distress and sickness
- to promote and organise co-operation in the achievement of the above purposes and to that end to bring together representatives of the voluntary organisation and statutory authorities within the area of benefit

provided that, in carrying out these charitable purposes, EDVSA will seek to challenge all forms of oppression and inequality and to give priority to working with people whose full participation in society is limited by economic, political and social disadvantage.

2.3 CORE SERVICES FUNDED UNDER THIS AGREEMENT

A. Development

- Promote the development of partnerships between the statutory and voluntary sector in the delivery of local services.
- Monitor unmet social need through research into local factors and liaison with workers in other agencies
- Support the development of initiatives to address unmet social need.
- To support the implementation of the Compact for Devon and to encourage local voluntary and community groups to become signatories

B. Support

- Provide an information resource to voluntary organisations, the public, and statutory sector agencies when required. This to include the provision of a regular newsletter to voluntary organisations, a database of voluntary and community organisations, and information and advice to those organisations on funding, fundraising and management issues.
- Co-ordinate or sign post voluntary sector workers and agencies to training.
- Provide, or facilitate, access to office services, equipment and meeting space.

C. Representation and Liaison

- Conduct elections for voluntary sector representatives, as necessary.
- Invite and support the local voluntary and community sector to enter consultations and partnerships.
- Support voluntary and community groups to represent themselves at key local policy/planning bodies or represent their views on their behalf.
- Ensure that local voluntary and community groups, including those representing the interests of minority disaffected or disadvantaged groups, are aware of relevant documents or issues on which the sector's views are sought, and facilitate the expression of shared views.

D Strategic Partnership Work

- Provide a representative voice for the voluntary and community sector in East Devon e.g. the Local Strategic Partnership
- Continue to develop representative and partnership working in all forms on local, district, sub-regional and national levels.

Integrated Volunteer Centre

A Developing Volunteering

- Have a strategy for the development of volunteering in the area of benefit.
- Promote good practice around volunteering.
- Have close links with volunteer involving organisations and statutory bodies, and offer support to volunteers and organisations.

B Promotion

- Aim to stimulate interest in voluntary and community activity and promote volunteering in a number of ways in order to target all sections of society.

C Brokerage

- Have a clear definition of genuine voluntary work and community activity.
- Hold information on a wide range of voluntary opportunities. Seek out information on a diverse range of voluntary opportunities including these that are unusual.
- Offer potential volunteers support and advice in matching their motivations to volunteer with the appropriate voluntary opportunities.

D Enabling Participation.

- Ensure that services are accessible.
- Implement an equal opportunities policy and commitment to equality and anti-oppressive practice in relevant publicity.
- Target hard to reach individuals and have a strong commitment to inclusion and diversity.

E Information, Training and Research.

- Hold relevant and up to date information on policy issues and legislation e.g. Volunteering. Disseminate information through a newsletter and other forums.
- Where possible training will be designed for volunteers in conjunction with local partners.

F Commenting & Campaigning.

- Maintain an awareness of central and local government proposals, policies and other issues that affect volunteers and volunteering. Commenting and campaigning will take place through all relevant mediums.

2.4 SERVICE PROVISION

The service [to which the funding arrangements in Part 3 relate] offered shall be in accordance with EDVSA's aims and objectives; and the membership criteria for the National Association for Voluntary and Community Action (NAVCA), and for Volunteering England (VE).

2.5 ACCESS TO SERVICE

EDVSA will provide a service that is transparent, impartial, independent and inclusive. The service will be available to all voluntary and community groups that operate in the East Devon district. The services described in this specification shall be available for 7 hours each weekday, Monday to Friday, with the exception of bank holidays, 51 weeks per year. There will be an answerphone service at all other times, and meetings can be arranged by appointment at any reasonable time. There will be an outreach service available to all parts of the district if funding permits.

PART 3 - FINANCIAL AND RESOURCING ARRANGEMENTS

- 3.1 The funders agree to make an annual payment to EDVSA commencing 1 April 2011. Appendix 1 to this Agreement details the amount for the year beginning 1 April 2011 and the arrangements for payment.
- 3.2 The funders will endeavour to assist EDVSA to achieve the funding of a core budget constructed in accordance with NAVCA Guidelines for CVS.
- 3.3 The funders will endeavour to increase funding annually at least in line with inflation.
- 3.4 The funders will comply with the Compact for Devon and its Funding Code of Practice
- 3.5 The funders recognise that the level of activity of EDVSA will vary according to the level of funding available. They recognise that it is unlikely that their contribution will be sufficient to meet all of the core costs. Funding bodies will work with EDVSA to identify their priorities within the standard Council for Voluntary Service (CVS) activity as set out above.
- 3.6 If EDVSA wishes to provide extra services, or provide services in a different way, and wishes the funders to review their funding arrangements accordingly, then the funders will consider a variation in funding and make a decision whether or not to alter the financial commitments.
- 3.7 All payments to be made under this agreement are exclusive of VAT. In the event of EDVSA becoming liable for VAT in the operation of this agreement, the funders will enter into discussions with EDVSA with the aim of reaching a mutually acceptable outcome.
- 3.8 EDVSA will submit to the funders a copy of their annual accounts, properly audited or independently examined after the Annual General Meeting immediately following the financial year end.
- 3.9 Any of the funders may review its provision of funding at any time if:-
 - (a) EDVSA ceases to be a member of NAVCA;
 - (b) EDVSA fails to keep to the terms of this agreement or to the conditions on which the grant is provided.

PART 4 - MONITORING ARRANGEMENTS

- 4.1 EDVSA monitors and evaluates its performance in accordance with the Performance Standards developed by NAVCA.
- 4.2 The monitoring and performance indicators can be amended by agreement between the funders and EDVSA to reflect changes in service provision.

- 4.3 In accordance with its constitution, EDVSA shall produce an Annual Report for presentation at the Annual General Meeting and shall invite the council's contact officer to it's Annual General Meeting
- 4.4 EDVSA will report trends and recurring issues that it becomes aware of in the voluntary sector relevant to the responsibilities of the funders and the Local Strategic Partnership.

PART 5 – MONITORING INFORMATION

To enable the funders to assess the performance of EDVSA in providing the services outlined in 2.4 above, EDVSA will provide funders by November each year with information for the previous year ending 31 March. It is intended that the information required is that which would normally be reported in the annual report

Monitoring information should be based on agreed desired outcomes wherever possible. It is not expected that the service provider should report every detail of its activity throughout the year. Indicators have been selected which provide evidence of the service provider working to achieve the outcomes listed as core CVS/VC activities.

Funders should be informed of any NAVCA or Volunteering England accreditation or quality award. Likewise they should be informed of the removal of accreditation.

In addition to the annual report, EDVSA will provide the council with the following on a yearly basis;

- 1 Examples of issues being raised with the funders or the LSP which influence policy, strategic plans and / or service delivery.
- 2 Value of external investment in the area of benefit which have been secured directly by EDVSA or as a result of advice and support provided to other VCS organisations.
- 3 Evidence of the Compact for Devon being actively promoted and publicised within the District and groups encouraged to participate
4. Number and circulation of newsletters and / or e-bulletins produced
5. Number of organisations attending VCS forums or liaison events and number of such meetings held
6. Annual survey of service users
7. Record of plaudits and complaints
8. Examples of effective development and support for new, local organisations and support to enhance the capacity and sustainability of existing organisations and communities
9. Examples of consultation activity facilitated

10. Examples of consultation / involvement activity with hard to reach groups
11. Evidence of the CVS advocacy with statutory partners on behalf of the VCS generally or of individual organisations
12. Examples of VCS involvement in strategic and partnership activity
13. Evidence of CVS influence on community planning priorities and activity
14. The Volunteer Centre is accredited by Volunteering England
15. Number of potential volunteers interviewed or advised (phone or face to face or email)
16. Number and location of local organisations who are „clients' of the volunteer centre
17. How many volunteers are „placed' with organisations
18. Evidence of promotion of volunteering e.g. through newsletters, talks, participation in public events.
19. Evidence of partnership working and issues raised

This will take a report format.

SIGNATORIES

Signed on behalf of East Devon District Council:

Name: Position held:

Date:

Signed on behalf of EDVSA:

Name: Position held:

Date:

An appendix will be added which will give details of actual funding to be provided.

Agenda Item: 09

Communities Overview and Scrutiny

16 February 2011

Communities: Sustainable Communities Act 2011



Sustainable Communities Act

Summary

The Council took advantage of the opportunity presented by the Sustainable Communities Act during 2009 to generate proposals from communities which contributed to the sustainability and wellbeing of local areas. A response to the proposals submitted by the Council to encourage more affordable housing has been received from the Government which members are asked to note. In addition, the new Government has announced that it will be using the Act as part of the Big Society and Localism agenda and has recognised that there is a key role for local authorities in facilitating the process of generating further proposals from communities. Members are invited to consider whether they wish the Council to respond to the Government's invitation to local authorities to submit further proposals and, if so, how best we can support communities in generating them.

Recommendations

1. That the Committee notes the Government's response to the proposals submitted by the Council under the Sustainable Communities Act in July 2009.
2. That the Committee recommends whether and how the Council should generate and submit further proposals under the Sustainable Communities Act.

a) Reasons for Recommendation

To update members on the outcome of our proposals to the Government under the Sustainable Communities Act in July 2009 and to allow members to consider whether the Council should get involved in generating further proposals under the Act and, if so, how.

b) Alternative Options

Councils do not have a legal duty to take part in the Act, but members chose to get involved in the last round of proposals because it was an opportunity for the Council and local communities to drive the action and assistance that central Government can provide in promoting thriving, sustainable communities. The Act is being used by Government as a significant part of the Big Society and Localism agenda.

c) Risk Considerations

If it did not take advantage of the Sustainable Communities Act the Council could be criticised in a future audit or inspection and our reputation could also be compromised.

d) Policy and Budgetary Considerations

Positive Impact Overall

Affordable Homes.
Thriving Economy.
Safe Environment.
Clean Environment.
Green Environment.
Recycling.
Young People.
Excellent Customer Service.
Inspirational Council.
Meeting our crime and disorder duties.
Meeting our Diversity and Equality duties.
Providing more service at less cost.
Providing more service at same cost.
Providing same service at less cost.
Create Cashable Savings

e) Date for Review of Decision

February 2013

1 Main Body of the Report

1. What is the Sustainable Communities Act?

The Sustainable Communities Act received Royal Assent in October 2007.

The Sustainable Communities Act aims to promote the sustainability of local communities. It begins from the principle that local people know best what needs to be done to promote the sustainability of their area, but that sometimes they need central Government to act to enable them to do so. The Act is intended to divert power and funding from central Government to councils and local people to help them manage community issues at a local level and change things for the better.

The scope of the Act is very broad, covering economic, social and environmental issues. It does not limit the type of action that could be put forward, provided the action is within that broad scope. It is for local people to decide what they think needs to be done to promote the sustainability of their area. The Act requires us to ask residents and groups in the District for proposals about what Government could change to make communities more sustainable in East Devon, and put these proposals to local people for them to prioritise.

2. EDDCs involvement in the Act up to now

In 2009 Elected Members were very keen that EDDC should get involved in the Sustainable Communities Act.

This involved the Engagement and Funding Officer working with community groups, Town and Parish Councils, Elected Members, local residents and other organisations to support them in getting their ideas together and gather in their proposals under the Act for things that they would like to change. The Engagement and Funding Officer then arranged and facilitated a meeting of the entire



EDDC residents' panel where they came along to vote on which proposals they would most like to see enacted. The results of this were reported to the Executive Board on 15 July 2009 and we submitted EDDCs final proposals to the Local Government Association at the end of July. The proposals recommended by the Executive Board were around providing more affordable housing for local people.

Due to the change in Government the response to our proposal was significantly delayed. We have now received a letter (Appendix A) detailing their response to our proposals. The current situation is:

- The principle of the part of our proposal allowing the Council to keep all the council home rent it collects, rather than send this back to government has been accepted. The replacement to the Housing Revenue Account Subsidy system is currently being consulted on and is hoped to be in place in April 2012. Each Council will be able to choose whether to opt into or out of the new system and if the new system is used a payment to central government will be required.
- We asked to be allowed some flexibility when assessing rents to enable local decision making. This could happen within the replacement to the Housing Revenue Account subsidy system but the detail is unclear at the moment. This proposal may or may not be implemented.
- We asked that the Council be allowed to keep receipts from Council homes sold under the 'Right to Buy' legislation, rather than just a small percentage, to provide new Council homes. It appears that this situation will not change and this proposal will not be implemented.
- We asked that they repeal the 'Right to Buy' legislation to allow Council homes to remain in circulation. This proposal will not be implemented.

3. Government is asking us for more proposals under the Act

We have also received a letter (Appendix B) explaining how the new Government is going to use the Sustainable Communities Act as a significant part of the Big Society and Localism agenda to remove 'red tape' and bureaucratic barriers to local improvements. This formally invites and encourages local authorities to engage and consult with all their communities in a similar way to the last round of proposals on a regular basis to allow us to submit further proposals using the Act.

Under Section 5A(3) of the Act, the Secretary of State is formally inviting EDDC to refer to matters specified in the Act and:

- Consult communities from time to time and ask for their ideas about how their local area can be improved.
- Try to reach agreement with them about what can be done to make their ideas work and EDDC take whatever action it sees fit as a result.
- Ask Government to remove any barriers stopping the Council from taking action for their consideration using the Act.

This will be publicised nationally and regionally as part of the Big Society, so, as with the last round of proposals, local groups will be expecting EDDC to take part.

4. How could we get involved again

Government is asking for proposals at any time under the Act. Due to the amount of work required by the Councils Engagement and Funding Officer to publicise, gather in, validate, consult on, follow up on and submit the proposals it is recommended that the full project be run by EDDC a maximum of once a year. However, in between projects we could publicise the fact that community groups,



organisations etc can submit 'Barrier Busting' proposals which cannot be resolved locally, directly through CLG, <http://barrierbusting.communities.gov.uk/>

Legal Implications

Sustainable Communities Act statutory references have been included in the body of the report.

Consultation work in connection with the Act could also be utilised as evidence we are discharging our 'duty to involve' local residents under section 138 of the Local Government and Public Involvement in Health Act 2007, in cases where the Sustainable Communities 'barrier-busting' consultation relates to one of this council's own functions.

Financial Implications

It is assumed that the proposals can be met from existing budget provision

Consultation on Reports to the Executive

Local people and members were involved in generating the proposals on affordable housing that were submitted by the Council to Government during 2009.

The recommendations of this Committee will be presented to the Executive Board for consideration.

Background Papers

- Appendix A- Letter detailing Governments response to the proposal submitted under the Sustainable Communities Act by EDDC in July 2009
- Appendix B- Letter from Government inviting EDDC to submit further proposals under the Sustainable Communities Act
- The website where future proposals can be submitted under the Sustainable Communities Act: <http://barrierbusting.communities.gov.uk/>
- Further information on the Act is available through the Local Government Association website at: <http://www.lga.gov.uk/lga/core/page.do?pagelD=561616>
- Local Works is a coalition of over 90 national organisations and campaigned to promote the use of the Sustainable Communities Act. Their website is: <http://www.localworks.org>

Jamie Buckley Ext.2769
Engagement and Funding Officer

Communities Overview and Scrutiny
16 February 2011



All Local Authority Leaders and
Chief Executives in England

The Rt Hon Greg Clark MP
Minister for Decentralisation

Department for Communities and Local
Government
Eland House
Bressenden Place
London SW1E 5DU

Tel: 0303 444 3459
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E-Mail: greg.clark@communities.gsi.gov.uk

www.communities.gov.uk

Our Ref: SCA Invitation 2010

15 December 2010

Sustainable Communities Act - an invitation to inspire the Big Society

1. Over time central government has become too big, too interfering, too controlling and too bureaucratic, undermining local democracy and individual responsibility. We have a radical vision for reforming government in order to create a society that is free, fair and responsible – a Big Society in which citizens and neighbourhoods drive local priorities and the shape and standard of local services.
2. Decentralisation will drive a radical redistribution of power for democratic decision making and public service delivery from Westminster and Whitehall to people, neighbourhoods, communities and local institutions. We trust people to take control of the decisions that affect them by devolving power and increasing citizen participation, promoting community ownership and removing regional government.
3. Local authorities have a unique role, as the champions of localism, to inspire involvement in local democracy and highlight where we can decentralise further. This inspirational role – to inspire ideas on how local areas can be improved, and to tell us if there are things stopping you from doing it – is the foundation of the Sustainable Communities Act ("the Act").

Formal invitation

4. We want to make localism real, and give people the opportunity to come together and discuss new and innovative ideas to decentralise power and improve the economic, social or environmental well being of their area. Therefore, under section 5A(3) of the Act, the Secretary of State is today formally inviting your local authority to refer to matters specified in the Schedule of the Act and:
 - a. Consult your communities from time to time and ask for their ideas about how their local area can be improved, or how they can become involved in Big Society projects;
 - b. Try to reach agreement with them about what can be done to make their ideas work – and take whatever action you see fit as a result;

- c. Ask us to remove a barrier stopping you from taking that action by submitting a proposal through our new online portal at <http://barrierbusting.communities.gov.uk>

What will happen to my proposal?

5. A member of our barrier-busting team will contact you shortly after you submit your request and work with you to investigate the removal of the barrier stopping you from implementing the idea you've inspired from your community.
6. You will be able to contact your team member or check our progress online. We will try our best to remove the barrier or explain how you can take forward the idea you are promoting in other ways.

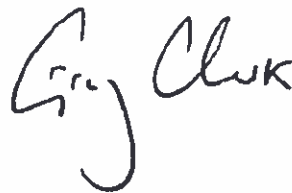
Why engage with people under the Sustainable Communities Act?

7. The portal is open to anyone who wants us to remove a barrier whether submitted under the Act or otherwise, and we will try our best to remove it. But I firmly believe that the best ideas often come from local people – and that there should be an incentive for councils that inspire people; that become champions of localism promoting community ideas on behalf of their citizens.
8. In certain situations you may be unhappy with the help we've been able to offer you. You may disagree with our decision if we cannot grant your request or take other action to remove the barrier you have identified. Those councils who go the extra mile will have an extra right of appeal.
9. In January, we intend to consult on how the current role of 'selector' can evolve so it has more freedom to challenge us on these – to identify the most serious barriers to localism presented through proposals made in line with this invitation.
10. If you have inspired your communities to come up with ideas and you are disappointed with our response, we will empower the selector with the ability to request we reconsider it, and consult and try to reach agreement with them before we do so.
11. Furthermore, engaging with people under the Sustainable Communities Act may inspire people to truly become involved in the Big Society and you, or your communities could find themselves eligible for a **Big Society Award**.
12. The Prime Minister recently launched this with the intention of highlighting examples of work that helps to build the Big Society in communities across the country. This allows members of the general public, from across the UK, to nominate those people and organisations that they feel make an outstanding contribution to society, whether on their doorstep, across their local authority or across the country.
13. The nominations can include people and organisations in the public, private and civil society sectors and will focus upon public service reform, community empowerment and individual and corporate volunteering. A Panel will meet on a quarterly basis to assess the awards and make recommendations to the Prime Minister who will make the final decisions. Further details can be found at <http://www.number10.gov.uk/bigsocietyawards>. If you have examples of such

organisations then please nominate them to receive the award. Consulting under the Sustainable Communities Act, asking for ideas on how to build the Big Society, and asking us to remove barriers stopping you, can be a powerful way to promote the Award in your area.

How, and when, should I consult and try to reach agreement with people under the Act?

14. You can ask for people's ideas under the Act at any time, and try to reach agreement with them about what should be done. The Government has made clear our belief that local councils know how best to consult and reach agreement with their communities about what can be done to improve their area.
15. 'Trying to reach agreement' with people was one of the core concepts behind the Act's introduction, and the ensuing dialogue between councils and communities has proved to be one of its most useful rewards. You may find it helpful, therefore, to consider providing evidence of how you have engaged with your community – especially including people from traditionally under represented groups. There is space to do this on the online form. This will allow the selector to more easily identify whether your request is one it wishes to promote, as it is likely to favour requests to remove a barrier the local community itself has identified.
16. You can decide when would make most financial sense for your authority to consult. Local groups are likely to ask you when you plan to do this, so it is a good idea to plan ahead and decide what's best for your area. You may, for example, wish to combine a consultation with others you are doing. Alternatively, you may wish to establish a new local panel expressly for the purpose of seeking agreement on what action to take.
17. This Government is committed to making local decisions a normal part of everyday life, giving communities, neighbourhoods and individuals more say, choice and ownership of their local facilities. We have promised to decentralise power as far as possible, turning government upside down and inside out. We believe localism isn't simply about giving power back to local government – it is about pushing power downwards and outwards to the lowest possible level, so that power is held by local people. The Sustainable Communities Act is a means to hold us to account and ensure we deliver on this promise.
18. I look forward to receiving your proposals.



GREG CLARK MP

23 December 2010

Mark Williams
Chief Executive
East Devon District Council
mwilliams@eastdevon.gov.uk

Dear Colleague,

Sustainable Communities Act

Thank you for submitting a proposal under the Sustainable Communities Act 2007. As you know the Local Government Association, appointed as 'selector' under the Act, included your proposal in the short-list for consideration in December 2009.

The Government has now assessed proposals in light of the Coalition Agreement and the conclusions of the spending review.

Many proposals contained more than one request for the Secretary of State to take action. The Government has therefore considered each individual request and responded to these accordingly. Decisions are split into four categories:

1. requests the Secretary of State will implement (in whole or in part)
2. requests the Secretary of State will help councils to implement themselves or will consider further
3. requests the Secretary of State will not implement
4. Tax related proposals – which the Minister for Decentralisation has asked the Chancellor of the Exchequer to consider when preparing for the next budget.

I have attached our summary of the individual requests your council submitted under the first invitation of the Sustainable Communities Act, and the Secretary of State's decision. If your request falls into category 2 above, a member of our new 'barrier busting' team will be in touch shortly.

The final decision document can be downloaded from;

<http://www.communities.gov.uk/publications/communities/scadecisions>



Andrew Campbell
Director
Local Government and Economic Growth

Summary

Requests within proposals that the Secretary of State will implement

East Devon District Council	<i>Allow all local authorities to keep all the council home rent it collects from its tenants rather than sending this back to government</i> <i>The national formula for assessing rents should be kept up-to-date and provide sufficient flexibility to enable effective local decision making. Local adjustments to formula rents of up to 10% could be allowed to recognise local factors.</i>
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- On 5 October the Minister for Housing announced that the Government will replace the Housing Revenue Account Subsidy system with a new, more transparent, system that devolves greater power to councils to better meet the housing needs of their local communities.
- This was confirmed in the Spending Review. Under this new system, "self-financing", councils will keep all the rents they collect from their tenants. In return for this greater freedom some councils will be required to make a payment to central government and other councils will have some of their housing debt paid off by central government. The Spending Review confirmed that pooling of Right-to-Buy receipts will continue for the Spending Review period.

Action Plan: Subject to Parliamentary approval we intend to implement "self-financing" through powers in the Localism Bill, during this session of Parliament.

Requests within proposals which will not be implemented

East Devon District Council	<i>Repeal the 'Right to Buy'</i>
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- The Government supports the principle of Right to Buy. By giving social tenants the opportunity to buy their rented homes at a discount, the scheme has enabled hundreds of thousands of people to realise their aspirations to own their homes. There are no plans to reduce the right of eligible tenants to purchase their home under the Right to Buy scheme.

Agenda Item: 10

Overview & Scrutiny - Communities

16 February 2011

PJ/smep



Localism Bill

Summary

The Government's Localism Bill is currently being passed through Parliament. Its various sections have been well publicised. Assuming it passes without major amendment there may be implications for EDDC. This report and Appendix A highlight the main sections.

Recommendation

That the Committee decides any actions it needs to take in order to prepare for the Act of Parliament that should follow the Localism Bill.

a) **Reasons for Recommendation**

To prepare the Council's thinking.

b) **Alternative Options**

To await the final legislation.

c) **Risk Considerations**

None significant

d) **Policy and Budgetary Considerations**

Positive Impact Overall

Excellent Customer Service.

Inspirational Council.

Providing same service at less cost.

e) **Date for Review of Decision**

January 2012

1 Background

The Government since coming to office have announced their intention to change the balance of power between central government, local government and local communities. This ties in with their view of 'Big Society' i.e. facilitating communities and community groups to take responsibility and action for themselves in ensuring there are appropriate local services.

2 Main body of the report

As well as challenging central government administrative approaches this shift in approach could be challenging for EDDC if groups within our communities wish to follow through on their new rights.

Clearly EDDC will wish to, and need to, adapt to the new environment and seek to work 'along the grain' of the new proposals and plan how it can consistently and practically respond.

Appendix A sets out the main headlines of the Bill.

Legal Implications

There are many areas of this substantial Bill which will require legal advice in the future: standards regime and the implications of a voluntary code of conduct; lists of assets of community value; neighbourhood planning; enhanced planning enforcement powers; reform of social housing and homelessness legislation. Decisions will have to be made, not only by O and S Committees but at other levels, as to how best to resource this advisory role, *ie.* project-based officer teams, working in-house in preference to outsourcing work to the private sector. Some potentially contentious areas, for example, the drawing up of lists of assets of community value, may require expertise not currently available in-house, but equally may involve officers working across traditional service boundaries.

Any enhanced legal resourcing would have to be considered in the light of present and future budgets.

Financial Implications

There are significant issues in the Bill which will affect the Council's finances but these cannot be quantified at this stage. The resourcing issues will be addressed in a further report which has already been requested by Members.

Consultation on Reports to the Executive

-

Background Papers

-

Peter Jeffs – Extension 2652
Corporate Director

Overview & Scrutiny - Communities
18 February 2011

Localism Bill

General power of competence

The Localism Bill includes a “general power of competence.” It will give local authorities the legal capacity to do anything that an individual can do that is not specifically banned by other laws: they will not, for example, be able to impose new taxes, as other laws make clear they cannot.

Abolition of the Standards Board

It is too easy for people to put forward ill-founded complaints about councillors’ conduct. Lengthy debates about petty complaints or deliberately harmful accusations can undermine people’s faith in local democracy and put them off standing for public office. In the Localism Bill, the Government will abolish the Standards Board regime. Instead, it will become a criminal offence for councillors to deliberately withhold or misrepresent a personal interest.

Clarifying the rules on predetermination

In practice these rules have been interpreted in such a way as to reduce the quality of local debate and stifle valid discussion. In some cases councillors have been warned off doing such things as campaigning, talking with constituents, or publicly expressing views on local issues.

The Localism Bill will make it clear that it is proper for councillors to play an active part in local discussions, and that they should not be liable to legal challenge as a result.

Directly elected mayors

The Localism Bill will give more cities the opportunity to decide whether they want a mayor.

London

The Localism Bill will pass greater powers over housing and regeneration to local democratically elected representatives in London.

Community right to challenge

In some places voluntary and community groups who have bright ideas find that they do not get a proper hearing. The Localism Bill will give these groups the right to express an interest in taking over the running of a local service. The local authority must consider and respond to this challenge.

Community right to bid

Proposals in the Localism Bill will require local authorities to maintain a list of assets of community value. Communities will have the opportunity to nominate for possible inclusion the assets that are most important to them. When listed assets come up for sale or change of ownership, community groups will have time to develop a bid and raise the money to buy the asset when it comes on the open market.

Local referendums

The Localism Bill will give local people the right to suggest votes on any local issue that they think is important. Local authorities and other public bodies will be required to take the outcome into account as they make their decisions.

Right to veto excessive Council Tax rises

The Localism Bill will give local communities a greater say. The Secretary of State and the House of Commons will agree on a "ceiling" for Council Tax rises. If a local authority proposes to raise taxes faster than this rate, local people will have the right to approve or to veto the rise in a referendum. This means that local authorities will need to convince local voters of the case for significant rises in local taxes.

Abolition of regional strategies

The Secretary of State has already written to local authorities to tell them that the Government intends to abolish regional strategies. The Localism Bill will fulfil this intention, and get rid of the law that requires regional strategies.

Neighbourhood planning

The Bill will introduce a new right for communities to draw up a "neighbourhood development plan."

Provided a neighbourhood development plan is in line with national planning policy, with the strategic vision for the wider area set by the local authority, and with other legal requirements, local people will be able to vote on it in a referendum. If the plan is approved by a majority, then the local authority will bring it into force.

Local planning authorities will be required to provide technical advice and support as neighbourhoods draw up their plans.

Community right to build

As part of neighbourhood planning, the Bill will give groups of local people the ability to bring forward small developments. These might include new homes, businesses and shops. The benefits of the development, for example, profits made from letting the homes, will stay within the community.

Requirement to consult communities before submitting very large planning applications

To further strengthen the role of local communities in planning, the Bill will introduce a new requirement for developers to consult local communities before submitting planning applications for very large developments. This will give local people a chance to comment when there is still genuine scope to make changes to proposals.

Strengthening enforcement rules

The Localism Bill will strengthen planning authorities' powers to tackle abuses of the planning system, such as making deliberately misleading planning applications.

Reforming the community infrastructure levy

As well as being able to influence planning decisions, local people should be able to feel the benefits of new development in their neighbourhood. Local authorities are allowed to ask developers to pay a levy (charge) when they build new houses, businesses or shops. The money raised must go to support new infrastructure – such as roads and schools. This is called the community infrastructure levy.

The Localism Bill proposes change to the levy to make it more flexible. It will allow the money raised to be spent on maintaining infrastructure, as well as building new infrastructure.

Reform the way local plans are made

The Localism Bill will limit the discretion of Planning Inspectors to insert their own wording into local plans. It will also ensure that rather than focusing on reporting plans' progress to central government, authorities focus on reporting progress to local communities.

Duty to co-operate

The Government thinks that local authorities and other public bodies should work together on planning issues in ways that reflect genuine shared interests and opportunities to make common cause. The duty will require local authorities and other public bodies to work together on planning issues.

Nationally significant infrastructure projects

The Localism Bill will abolish the Infrastructure Planning Commission and restore its responsibility for taking decisions to Government Ministers.

Social housing tenure reform

The Government has made clear that all current social tenants will keep their current tenancy arrangements. However, proposals in the Localism Bill will allow for more flexible arrangements for people entering social housing in the future. Social landlords will be able to grant tenancies for a fixed length of time. The minimum length of tenancy will be two years.

Social housing allocations reform

The Bill will give local authorities greater freedom to set their own policies about who should qualify to go on the waiting list for social housing in their area. This means that they will be able, if they wish, to prevent people who have no need of social housing from joining the waiting list.

Reform of homelessness legislation

The Localism Bill will let local authorities meet their homelessness duty by providing good quality private rented homes.

Reform of Council housing finance

In the future, instead of having to send the money raised by rent to central government and wait to see each year what share they get allocated back, councils will be able to keep the rent and use it locally to maintain their social homes.

National Homeswap Scheme

The Localism Bill will pave the way for a national home swap scheme. This would enable people who would like to swap their social home to access details of all other tenants who may be a suitable match.

Reform of social housing regulation

The Bill will provide social tenants with stronger tools to hold their landlords to account. Landlords will be expected to support tenant panels – or equivalent bodies. The Bill will also abolish the Tenant Services Authority.

In the future, a single watchdog (the Independent Housing Ombudsman) specialising in complaints about social housing will ensure greater consistency across the sector.

Agenda Item: 11

Communities Overview and Scrunity Committee

16 February 2011

PJL



Affordable Housing Delivery update

Summary

This report provides an update on the Council's new affordable housing programme and considers some of the issues that need to be addressed to ensure that we maintain delivery levels at or above those being achieved this financial year.

We will achieve our target of delivering 100 new affordable homes this year, which is the highest number of new affordable homes provided for many years. We have achieved this through a range of measures including Council own build; development partnerships on Council owned land; grant funding from the Homes and Communities Agency and negotiations through planning agreements.

Recommendation

To note the progress being made in providing new affordable homes in the district.

a) Reasons for Recommendation

For the Committee to monitor progress against a key corporate target.

b) Alternative Options

Using other methods of delivery including the Council providing capital grant for development.

c) Risk Considerations

Failure to provide sufficient affordable housing gives rise to longer waiting lists and difficulties in meeting our legal obligations to provide housing to homeless people and other priority groups.

d) Policy and Budgetary Considerations

These are set out in the report.

Positive Impact Overall

Affordable Homes.

Green Environment.

e) Date for Review of Decision

A biannual report on progress is proposed.

1 Introduction and context

- 1.1 We are currently experiencing some of the most difficult and challenging times to try to deliver affordable housing for those in most need of a good quality, affordable home in East Devon.
- 1.2 The recent Comprehensive Spending Review announced significant reductions in grant funding resulting in severe reductions in the Homes and Communities Agency (HCA) budgets, adding further pressure to an already strained environment to cultivate affordable housing growth.
- 1.3 We are entering a new era for affordable housing delivery. As a result, and in an attempt to make HCA grant go further (something for something principle) we expect the HCA to release a Prospectus later this month. This Prospectus should clarify how Registered Providers might be able to charge higher rents (up to 80% of local market rents) to try and meet the expected capital grant shortfall. There is also a stronger expectation that Section 106 agreements deliver affordable housing with no public subsidy. This will inevitably raise viability issues for developers and pressure on us to accept lower contributions.
- 1.4 All Local Authorities in Devon have been working on identifying known forthcoming infrastructure works, development and other major projects in their districts, including affordable housing provision. This piece of work, known as the Single Conversation is leading to the production of the Local Investment Plan (LIP). Devon has been split into two areas (plus Plymouth and Torquay) the Rest of Devon and the Exe Authorities. The Exe Authorities comprise Exeter City Council, East Devon District Council and Teignbridge District Council. The Exe Authorities LIP will provide a "heads up" on predicted funding requirements for the next few years.
- 1.5 By working with the other local authorities and the HCA, it should better inform the HCA what is in the pipeline and LDF/Local Plan priorities, thus helping to get an overview on how best to share the limited funding on strategic priorities. This process also involves negotiations with a range of partners within our LIP.
- 1.6 Whilst putting together the Exe LIP consideration has been given to EDDC's corporate priorities and Housing Strategy objectives. A draft of the LIP is available.
- 1.7 Despite this gloomy picture the predicted amount of affordable housing completions for 2010/11 will exceed any previous EDDC delivery figures for the past 20/30 years. Most of the affordable housing is constructed to Code 3 for Sustainable Homes.

2. The work of housing officers in promoting increased affordable housing

- 2.1 Several officers within the Housing and Social Inclusion Service are now involved with the provision of affordable housing in East Devon. This ranges from front line officers who spot opportunities for development land on our council estates (for example the forthcoming property at Rockbeare) to the Housing Enabling Officer and Head of Housing and Social Inclusion who work closely with housing associations (Registered Providers) and developers to ensure the maximum contribution of affordable housing is achieved for each proposed development.

2.2 The introduction in 2006, of a dedicated Housing Enabling Officer has ensured that:

- there is a member of housing staff who's main priority is the provision of affordable housing and who is familiar with the latest legislation and government guidance;
- there is a direct link between the housing and planning services;
- planning applications that trigger the provision of affordable housing are considered by both planning and housing staff;
- developers and housing associations have a direct contact in the Housing Service who they can discuss ideas with and who will help provide information on a range of issues including housing need.

2.3 In 2009 the Housing Enabling Officer was able to successfully bid for HCA funding for a council own build programme. The officer, with assistance from other members of the Housing Services has overseen the delivery of the 17 new council properties jointly funded with the HCA and the acquisition of a further two properties into council stock (one built by a local developer and one purchased using Section 106 monies). From 2011/12 this post will be funded through the Housing Revenue Account.

2.4 The actual number of affordable homes that have been completed and occupied to date in this financial year is 73 (as of 6th January 2011).

2.5 It is predicted that between 97 & 119 affordable homes be completed by the end of March 2011. The uncertainty in the figures is due to a potential delay in the build programme of a single scheme in Axminster (Chard Road).

2.6 Having successfully secured part funding from the HCA in 2009, we are extremely pleased to report that combined with prudential borrowing, the Council's own build programme has progressed well and is on target to complete by the end of March 2011.

2.7 Council Own Build

- **Heals Field Axminster** – Two, no. 2 bedroom flats completed.
- **Waggs Plot Nr Axminster** – Four, no. 2 bedroom houses, due to complete end of January 2011.
- **Normandy Close Exmouth** – Two, no. 2 bedroom houses, due to complete end of January 2011.
- **Churchill Court Lypstone** – Five, no. 2 bedroom houses, Four, no. 3 bedroom houses due to complete end of March 2011.

2.8 The affordable housing that should be delivered by the end of March 2011 comprises a good mix of both rural and market town homes. The number of rural homes (< 3000 population) is particularly high, due to two schemes completing in Colyton and Dunkeswell totalling 34 homes.



2.9 The breakdown between rural and market town housing delivery is as follows:

Rural delivery 2010/11

- Seaway Head Colyton, 20 homes completed.
- Powells Way Dunkeswell, 12 homes completed.
- Council House Rockbeare, 1, completion March 2011.
- Cotford House Sidbury, 2 homes completed.
- Churchill Court Lymptone, 9 homes, completion March 2011.
- Waggs Plot Nr Axminster, 4 homes, completion January 2011.
- Vickerys Cottage Woodbury, 1 home completed.

Total 49

2.10 **Market town delivery 2010/11**

- Chard Road Axminster, 23, completion March 2011.
- Dennesdene Exmouth, 12 homes completed.
- Normandy Close Exmouth, 2 homes, completion January 2011.
- Heals Field Axminster, 2 homes completed.
- Stowford Rise Sidmouth, 15 homes completed, further 8 by March 2011.
- Hasledene Exmouth, 8 homes completed.

Total 70

3. Future Council house building programme

3.1 It is our intention to continue to build council housing in East Devon.

3.2 We are currently undergoing a town by town survey of all suitable EDDC owned land that could potentially accommodate new build council housing.

3.3 We have completed the first stage (Exmouth) and are currently seeking legal and planning views. Once we have ascertained the suitability of the identified land we intend to report to The Housing Review Board / Executive Board for their steer on a number of options. Further consideration is needed on these options, but set out below are a number that have been considered so far:

- The Council to secure 100% funding to build, probably in the form of a Public Works Loan. Previous evidence



suggests that at current rent levels the income generated would not be at a sufficient level to service the loan repayments. In effect it would probably only cover approximately half the loan. There is the possibility that we may be able to charge higher rents, thus reducing borrowing which may make sufficient difference to enable the viability to "stack up". We are currently waiting for further information from the CLG/ HCA as to whether we will be able to charge higher "affordable" rents.

- To dispose of a group or all of the council owned land with development potential either town by town or on a district wide basis to a Registered Provider (RP). This could be in the form of a tender arrangement, bearing in mind that this land would probably have to be transferred at nil consideration, either by leasehold / freehold for the housing development to be viable.
 - To explore the potential to allow the council to build open market / shared ownership properties and use the receipts to re-invest in building council homes.
 - To consider using a combination of commuted Section 106 monies and borrowing to enable council houses to be built.
 - To work up EDDC owned infill sites so that if HCA grant is available we will be able to react quickly, hopefully meeting any deadlines. This would involve at risk upfront costs, to enable plans, surveys etc to be commissioned in readiness for funding opportunities. This may mean that a "pot" of funding be made available, this could amount to £10k or so, depending on the number of potential sites identified.
- 3.5 Much will depend on the freedoms and flexibilities given to local authorities through the self- financing proposals for HRA reform, specifically the amount of debt we will be required to finance. If there is an opportunity to borrow on our asset base and/or income stream, this could provide the necessary funds for future development.

4. Predicted Affordable Housing Delivery 2011/12

- 4.1 An accurate prediction of the numbers of affordable homes that will be provided is somewhat difficult to reach, particularly with huge cut backs in Homes and Communities Agency social housing grant. What can be predicted with a degree of certainty is the numbers of completed homes that have already secured grant and are currently being constructed. We expect that the following homes will be completed by March 2012.

Affordable Completions up to March 2012

- **Woolbrook, Sidmouth, 41 homes.**
- **Stowford Rise, Sidmouth, 46 homes.**
- **Pipers Place, Upottery, 8 homes.**
- **Morton Way, Axminster, 11 homes.**

Total 106



4.2 If HCA grant funding and in some cases planning consent is secured it could potentially enable the following schemes to also be included in 2011/12 figures.

- **Holmdale, Sidmouth, 12 homes.**
- **Grove Road, Whimble, 11 homes.**
- **Site adjoining Village Hall, Uplyme, 8 homes.**
- **Bonnars Glen, Axminster, 10 homes.**
- **Powells Way, Dunkeswell, 9 homes.**
- **Land adjoining the Fountain Head Pub Branscombe, 9 homes.**
- **The Withey, Whimble, 4 homes.**

Total 63

4.3 Several further schemes (shown below) could complete in 2011/12, subject to HCA funding, planning and the developer's individual build programmes:

- **Dukes Way, Axminster, 45 homes.**
- **Former gas works, Exmouth, 10 / 18 homes.**

Total 55 / 63

4.5 An optimistic view would be that if HCA funding, planning etc are all in place we could see approximately 224 & 232 affordable homes being delivered in 2011/12. In reality a more realistic figure may be around 150.

4.6 The development pipeline for (2012/13) and beyond looks uncertain. This is in the main due to extreme pressure on the availability of HCA grant funding.

4.7 For the reasons set out above, we believe that the HCA will be looking to reduce the amounts of grant per unit, the shortfall being met by the increased rents, essentially replacing capital funding with rental revenue supporting higher borrowing for development.

5. Cranbrook

5.1 Due to funding, planning issues and other matters, there has until recently been uncertainty as to the start on site for Cranbrook and the delivery of the first affordable homes.

5.2 We have deliberately not included any affordable housing delivery figures for Cranbrook in our projections. However, it is understood that funding for the affordable housing has been approved so work could commence soon.

5.3 We understand that HCA grant funding will enable the first 300 affordable homes to be delivered over a 4 year period, commencing later this year in phase 1 of the development.

5.4 If construction proceeds as expected we could start to see the first completed affordable homes in years 2012/13. This potentially increases delivery predictions by approximately 75 homes a year. It is likely that greater numbers of affordable housing would be constructed in years two, three and four.

6. Conclusions

- 6.1 Continuing to work closely with Registered Provider's / Land Owners, Developers and progressing our own council house build programme has ensured that the amount of affordable homes that are predicted to be delivered this year and next remains at a comparatively high level within East Devon. Our housing enabling work is achieving our Housing Strategy targets of 100 new affordable homes per annum.
- 6.2 However, the pipeline (2012/13) and beyond looks uncertain. This is in the main due to extreme pressure on the availability of reduced HCA grant funding. We need to adapt to the new regime swiftly and ensure that our Registered Provider partners are equally engaged with the new way of working.
- 6.3 The significant reduction in HCA grant funding, will have an impact on the numbers of affordable housing being delivered. We will continue to work hard to try and ensure that we maximise any affordable housing opportunities in the district.

Summary table 2010/12

Year	Completed	Under construction	Predicted	Anticipated	Realistic Total	Maximum Total
2010/11	73	24 - 46			97	119
2011/12		106	50	55 - 63	156	211 - 219
	73	130 - 152	50	55 - 63	253	330 - 338

Legal Implications

There are no legal issues requiring comment.

Financial Implications

There are no financial implications arising from the recommendation. However, as indicated in the report, in the future there could be significant implications for the capital programme and the Housing Revenue Account in order to continue to deliver affordable housing.

Consultation on Reports to the Executive

None.

Background Papers

- Various HCA guidance for Registered Providers.

Paul Lowe Ext 2379
Housing Enabling Officer

Communities Overview and Scrutiny Committee
16 February 2011



Item 14

Extract from the minutes of the Overview and Scrutiny Coordinating Committee held on 26 January 2011.

42 **Scrutinising Scrutiny updated**

Members considered the updated report of 17 November 2010, highlighting the scope sheet; the research into the Executive Forward Plan; and the revised proposals for scrutiny structure that included officer support and budget savings.

Members debated the structure possibilities, including:

- Task and Finish Forums (TaFFs) should be increased to 7 Members in order to cover Member absence for some of those Forum meetings;
- TaFFs had worked well in the past, and needed to include key Members with the skills set required for the topic, with a degree of flexibility so that conclusions could be reached and presented back for a main Overview and Scrutiny Committee to consider;
- Any revised structure must undertake work that has focus on the customer;
- Recommendations needed follow up and feedback to the Committee;
- TaFFs should not be limited to Members of the Overview and Scrutiny Committees but be open to all Members in order to utilise their skills; and relevant Member Champions should be automatically involved;
- Robust consideration of topics for discussion if a single committee adopted;
- Housing Review Board (HRB) remained an Overview and Scrutiny Committee in its own right; a previous recommendation had been made for the Chairman of HRB to be a member of the main Overview and Scrutiny Committee;

The Chairman reminded Members of the valid and excellent work achieved by the current Committee structure. Reducing the number of formal committees, but utilising TaFFs effectively, would ensure that effective workload management and Member engagement was in place, but just under different "labels".

Role of Portfolio Holders

Some Members voiced concern on the practicalities and potential conflicts of interest of the roles if held at both District and County level. The reality of handling the workload was discussed. The Chairman reminded the Committee that a resolution had been made at the previous meeting on reviewing the roles, and was better suited for discussion by the new Council after May 2011.

RECOMMENDED (1) that a single Overview and Scrutiny Committee structure be adopted from May 2011, operating with monthly meetings held shortly before to the Executive Board;

42 **Scrutinising Scrutiny updated (continued)**

- RECOMMENDED** (2) that the single Overview and Scrutiny Committee utilise Task and Finish Forums as required, keeping flexibility by means of:
- a) the number of Members on each Forum as deemed appropriate for the task;
 - b) drawing on the skills set of the Council (excluding members of the Executive Board) for Forum membership, rather than restrict to purely Overview & Scrutiny committee Members, to ensure that the Forum delivers;
 - c) the number of meetings as deemed appropriate for the task.

- RESOLVED** (1) that scoping the work of the Overview and Scrutiny Committee commences from May 2011 as standard practice, with the scoping template being adopted for use.