

Public Document Pack

Mid Devon District Council

Cabinet

Thursday, 19 September 2019 at 6.00 pm
Exe Room, Phoenix House, Tiverton

Next ordinary meeting
Thursday, 17 October 2019 at 6.00 pm

Those attending are advised that this meeting will be recorded

Membership

Cllr R M Deed
Cllr L D Taylor
Cllr G Barnell
Cllr S J Clist
Cllr D J Knowles
Cllr A White
Cllr Mrs N Woollatt

A G E N D A

Members are reminded of the need to make declarations of interest prior to any discussion which may take place

1. **Apologies**
To receive any apologies for absence.
2. **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
3. **Declarations of Interest under the Code of Conduct**
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
4. **Minutes of the Previous Meeting** (*Pages 5 - 12*)
Members to consider whether to approve the minutes as a correct record of the meeting held on 22 August 2019.
5. **Regulation of Investigatory Powers** (*Pages 13 - 36*)
Arising from a report of the Director of Corporate Affairs and Business Transformation, the Community Policy Development Group made the following recommendations that:

(1) the Cabinet be requested to approve the reviewed Regulation of

Investigatory Powers procedure the revised RIPA policy including the new annex on social media/internet research.

(2) officers draft a policy on covert surveillance for non-RIPA cases to be submitted for approval and;

(3) the contents of the report be noted.

6. **Playing Pitch Strategy (Pages 37 - 40)**

To consider a report of the Head of Planning, Economy and Regeneration seeking Cabinet approval for officers to prepare a Playing Pitch Strategy for Mid Devon, using external consultant support where this is necessary.

7. **Tiverton Town Centre Regeneration Project - Tender Outcome (Pages 41 - 172)**

To consider a report of the Group Manager for Corporate Property and Commercial Assets/Deputy Chief Executive (S151) requesting the Cabinet to review the results of the Tiverton Town Regeneration tender and to award the JCT Design & Build 2016 Contract with amendments.

8. **Car Parking Working Group Report - Call in (Pages 173 - 196)**

Following the meeting on 22 August, the Chairman of the Scrutiny Committee had called in the following decision of the Cabinet

a) the proposed new tariffs for each of the council owned car parks in Mid Devon be approved as detailed in the annexe to the Working Group report apart from overnight charges from 1800 - 0800 which are to revert to being free of charge, with the exception of Tiverton Multi Storey and Phoenix House car parks (which will remain 24 hour charging).

for the following reasons:

- The decision is illogical
- The decision diminishes legitimate income
- The decision goes against the balanced recommendation of the Car Parking Working Group

The Scrutiny Committee at its meeting on 2 September 2019

RESOLVED that the Cabinet be requested to reconsider the decision to abolish night time car parking charges. (Minute attached)

9. **Financial Monitoring**

To receive a verbal report from the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure so far in the year.

10. **Notification of Key Decisions** (Pages 197 - 212)

To note the contents of the Forward Plan.

Stephen Walford

Chief Executive

Wednesday, 11 September 2019

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If you would like a copy of the Agenda in another format (for example in large print) please contact Sally Gabriel on:

Tel: 01884 234229

E-Mail: sgabriel@middevon.gov.uk

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 22 August 2019 at 6.00 pm

Present

Councillors

R M Deed (Leader)
L D Taylor, G Barnell, S J Clist,
D J Knowles, A White and Mrs N Woollatt

Also Present

Councillor(s)

Mrs C P Daw, R J Dolley, R Evans, B Holdman and
F W Letch

Also Present

Officer(s):

Andrew Jarrett (Deputy Chief Executive (S151)), Andrew Pritchard (Director of Operations), Andrew Busby (Group Manager for Corporate Property and Commercial Assets), Jill May (Director of Corporate Affairs and Business Transformation), Catherine Yandle (Group Manager for Performance, Governance and Data Security), Maria De Leburne (Solicitor) and Sally Gabriel (Member Services Manager)

34. **APOLOGIES**

There were no apologies.

35. **PUBLIC QUESTION TIME (00-01-38)**

Mrs Miller referring to item 6 (Car Park Working Group Report) asked the Cabinet why they were taking away the half hour of free parking. She explained that animals produced more methane gas than cars did carbon monoxide which was far more damaging for the environment. She felt that the town had been destroyed by the introduction of coffee shops, takeaways and salons. She disputed the claim that 30 minutes was not enough time for people to shop and gave examples of what people could achieve with 30 minutes free parking. She stated that the Council was being prejudiced towards Council shops by taking away the free parking facility. She said that the Cabinet were going to rob the public of this free parking privilege and that they should be ashamed. Cars equal shoppers and voters.

Mr Quinn referring to agenda item 4 (referring to the previous public question time and minutes of the previous meeting) and item 8 – (Financial Monitoring) had 2 questions.

Firstly 2 months ago in June, when the work programme for 3 Rivers was on the agenda, I asked the Cabinet whether they might wish to consider changing the aims of the work programme. The response was given by the Deputy Chief Executive. Last month I pointed out that I had not received an answer directly from the Cabinet and made comments on the previous response given by the Deputy Chief Executive. A further response from the Deputy Chief Executive has been published with the minutes. His view is that the aims of 3 Rivers were agreed when the Company was

formed, more than two years ago, and that the status quo should continue without Cabinet making any changes.

I am back today to point out, with the greatest respect, that I have still not received a direct answer from Cabinet to my original question. It is my understanding that the Cabinet can ask for changes to the proposed programme of work. When I asked my question, I gave reasons why they might wish to do so. As the 3 Rivers work programme is not on the agenda for this meeting tonight, can I now ask:

1. Will the Cabinet please reconsider my original June question when the 3 Rivers work programme is next on the agenda? (Can I ask that the Leader, not the Deputy Chief Executive answers this question please).

Secondly, the figures I gave to the last meeting for the cost of the HRA of the Burlescombe development are those given in reports to Members and in the annual accounts. These indicated a considerable overspend of HRA money. The Deputy Chief Executive, in his written response gives the actual cost to the HRA for the development by stating that the expenditure reported was actually offset by a £210k grant contribution from Homes England. Had the grant been tied to the spends in the reports, in the way this response has done, then the true net cost to the HRA could have been shown and a budget underspend recognised. I think it is a pity that the actual cost of this development to the Council was not made clear to Members, or the public until the publication of the written response to me.

2. In future financial reports, where grant funding is used for specific projects, could this be clearly shown and the actual net cost to the Council of the project be reported to members?

The Leader stated in response to the first question: that the Cabinet would consider the request when the next 3 Rivers work programme was delivered to the Cabinet in February.

The Deputy Chief Executive response to the second question was yes, he could do that in the future.

36. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-08-17)

Cllr Mrs N Woollatt informed the meeting that she had spoken to people with regard to item 6.

Cllr D J Knowles declared a personal interest in agenda item 6 as he had a resident's parking space in Wellbrook Street car park.

37. MINUTES OF THE PREVIOUS MEETING (00-09-09)

The minutes of the previous meeting were approved as a correct record and signed by the Chairman.

38. PLAY AREA SAFETY INSPECTION POLICY (00-10-06)

Arising from a report of the Group Manager for Corporate Property and Commercial Assets, the Environment PDG had made the following recommendation; that the Cabinet NOTE the following:

1. That the current risk assessments and proposed reduction in safety inspections were considered adequate to meet the Council's responsibilities and for individual pieces of play equipment to be identified on the Risk Assessment Forms;
2. That digital transformation of the current inspection methods would make the task more efficient and that the implementation of a process would be expedited.

The Group Manager for Corporate Property and Commercial Assets outlined the contents of the report stating that Mid Devon had 94 play areas (which included skate parks and a BMX track) under its direct control; 12 play areas were leased to Town and Parish Councils with a further 5 pending and the lease-in of land for 3 further sites were to be taken over by the Parish Councils. Each play area was assessed on use and location and it was felt that the inspection regime was robust.

Consideration was given to:

- The inspection routine in various locations
- Reductions in inspections for Saturdays would not have a significant impact
- The use of handheld or portable devices to record inspection details and the timescales for implementing such a scheme
- Inspecting play areas on behalf of parish councils which would secure income for the Council
- Signage in skate parks

RESOLVED that the recommendations of the Policy Development Group be **NOTED**.

(Proposed by Cllr D J Knowles and seconded by Cllr G Barnell)

Note: *Report previously circulated, copy attached to minutes.

39. **CAR PARKING WORKING GROUP REPORT (00-16-05)**

Arising from a report of the Deputy Chief Executive (S151) and Group Manager for Street Scene & Open Spaces, the Economy Policy Development Group had made the following recommendations:

- a) The proposed new tariffs for each of the council owned car parks in Mid Devon be approved as detailed in the annexe to the Working Group report;
- b) Overnight parking permits be altered to offer greater value for money for local residents and that the annual one off charge be set at £100. To also approve an option to pay by monthly direct debit at £10 per month with a one month cancellation period.

The Cabinet Member for Finance outlined the contents of the report stating that the Economy Policy Development Group had set up a working group to re-examine the effectiveness of the current charging regime and to consider any appropriate recommendations for changes. The Council had last visited its Pay and Display charges in April 2016 and in 2018/19 it generated £656K from 604,450 vends. In addition circa £115K was raised in charges for permits and off-street parking fines.

He considered the findings of the working group's report and explained that the tariff proposals had been put through a pricing model based on historic vend analysis.

Consideration was given to:

- A proposition for overnight charges to be removed except for the MSCP and outside Phoenix House
- Residents parking overnight in narrow side streets and the impact on emergency services
- Properties within the towns with no parking facilities
- Climate change issues would not stop people using cars in Mid Devon, especially in the rural areas
- The lack of bus services in the evenings
- The views of the Chairman of the Working Group and the work of the previous working group, the proposed suggestions of the Group, the need for the William Street car park to continue to have free time, the need to increase publicity for purchasing permits and the savings that could be made. He voiced concern with regard to the removal of night time charges as that would be an impact on income received.
- The proposal of £1.25 per hour in short stay car parks and whether that was an awkward amount to charge
- The amount of parking fees paid digitally
- The cost of parking across the county and into Somerset
- A concern that the William Street car park was very busy at school times and that shoppers could not park there
- Where the money went from overpayments and whether any overpayments collected should be given to charity

It was therefore:

RESOLVED that:

- a) the proposed new tariffs for each of the council owned car parks in Mid Devon be approved as detailed in the annexe to the Working Group report apart from overnight charges from 1800 - 0800 which are to revert to being free of charge, with the exception of Tiverton Multi Storey and Phoenix House car parks (which will remain 24 hour charging).
- b) the Economy Policy Development Group be requested to consider the issue of overpayments for car parking and what should happen to that additional income.

(Proposed by Cllr A White and seconded by Cllr Mrs N Woollatt)

Notes:

- i) Cllr Mrs N Woollatt informed the meeting that she had had correspondence with residents regarding the item;
- ii) Cllr D J Knowles declared a personal interest as he had a residents parking space in Wellbrook Street car park;
- iii) *Report previously circulated, copy attached to minutes.

40. **MULTI STOREY CAR PARK, TIVERTON - TENDER OUTCOME (00-53-17)**

The Cabinet had before it a * report of the Group Manager for Corporate Property and Commercial Assets requesting the Cabinet to review the results of the Multi Storey Car Park (MSCP) Improvement works tender and to award the JCT minor works Building Contract to a contractor.

The Group Manager for Corporate Property and Commercial Assets outlined the contents of the report stating that the MSCP had had works identified for essential maintenance and improvement works. Some of the works were required for insurance purposes, this included but was not limited to increasing the height of the safety railings to meet current standards and that this work had been prioritised. The Property Services team were aware of the pending Premier Inn Project and given the scope of the works to construct the hotel it was sensible to hold back the improvement scheme until the construction works for the project had been completed. The detailed specification for work had incorporated a range of essential improvements which had gone out to tender; he informed the meeting that there had been 7 tenders returned.

Following consideration of the works to take place it was:

RESOLVED that:

- a) The JCT Minor Works Building Contract with Contractor's Design 2016 Edition for the MSCP improvement works be awarded to supplier B;
- b) Delegated authority be given to the Deputy Chief Executive (151) and the Cabinet Member for Housing and Property Services to agree on which Category 2 items as detailed on Part 2 Annex B should be included within the Contract award to supplier B, subject to ongoing budget authority after essential works have been concluded.
- c) An additional £50k to the Capital project for 2019/20 as set at item 5.4. be approved.

(Proposed by Cllr S J Clist and seconded by Cllr L D Taylor)

Note: *Report previously circulated, copy attached to minutes.

41. **FINANCIAL MONITORING (00-56-46)**

The Cabinet had before it and **NOTED** a * report of the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure to date.

The Cabinet Member for Finance outlined the contents of the report stating that the report was very early in the financial year but that it predicted a General Fund deficit of £427k. He outlined the most significant variances to date highlighted within the report and emphasised the issue of the down turn in planning fee income. The Housing Revenue Account was showing an underspend as was the Capital Programme.

Discussion took place regarding:

- Vacant posts within the Housing Service
- The downturn in planning fees, the current economic climate and ongoing discussions taking place with regard to the issue.

Note: *Report previously circulated, copy attached to minutes.

42. **PERFORMANCE AND RISK (1-07-14)**

The Cabinet had before it and **NOTED** a * report of the Director of Corporate Affairs and Business Transformation providing Members with an update on the performance against the Corporate Plan and local service targets.

The Group Manager for Performance, Governance and Data Security outlined the contents of the report.

Consideration was given to:

- The number of Council Houses being built and the target
- FOI responses recorded at 100%
- The occupancy rate in Market Walk

Note: * Report previously circulated, copy attached to minutes.

43. **CABINET MEMBER DECISION (1-13-58)**

The following decision made by the Cabinet Member for Housing and Property Services was **NOTED**:

Following the implementation of the Homelessness Reduction Act 2017 in April 2018, a new strategy is necessary. The way in which the Council works has changed and therefore the existing strategy requires a complete review. Resourcing issues have delayed the completion of the new strategy.

However, officers in the Housing Service have met with stakeholders and have also undertaken a data review. Work has begun on drafting content.

Once the draft is finalised, there will be a consultation with stakeholders and then a report will go to the Homes Policy Development Group asking for a recommendation to the Cabinet that the new strategy is adopted.

44. **NOTIFICATION OF KEY DECISIONS (1-14-12)**

The Cabinet had before it, and **NOTED**, its rolling plan * for September 2019 containing future key decisions.

Note: *Plan previously circulated, copy attached to minutes

45. **ACCESS TO INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC (1-15-17)**

Prior to considering the following item on the agenda, discussion took place as to whether it was necessary to pass the following resolution to exclude the press and public having reflected on Article 15 15.02(d) (a presumption in favour of openness) of the Constitution. The Cabinet decided that in all the circumstances of the case, the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

It was therefore:

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information)

(Proposed by the Chairman)

46. **DISPOSAL OF LAND AT PARK NURSERY, PARK ROAD- TIVERTON**

The Cabinet had before it a report * of the Chief Executive outlining options for the disposal of an asset.

The Cabinet Member for Housing and Property Services outlined the contents of the report and a full discussion took place.

Returning to open session, the Cabinet:

RESOLVED:

- a) That the asset disposal of Park Nursey Depot, Park Road, Tiverton EX16 6AU be approved
- b) To proceed with the Freehold Sale, on the open market, with the sale being conditional on prior planning permission being obtained.

(Proposed by the Chairman)

Notes:

- i) Cllr Mrs N Woollatt requested that her abstention from voting with regard to (b) be recorded;
- ii) *Report previously circulated.

(The meeting ended at 7.54 pm)

CHAIRMAN

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**COMMUNITY PDG
20 AUGUST 2019**

REGULATION OF INVESTIGATORY POWERS ACT (RIPA) POLICY AND PROCEDURES 2019

Cabinet Member(s): Cllr Nikki Woollatt, Cabinet Member for the Working Environment and Support Services
Responsible Officer: Director of Corporate Affairs and Business Transformation

Reason for Report: to undertake the annual review of the Council's existing RIPA policy; to inform Members of the use of RIPA powers by the Council; to consider whether officers should draft a policy on covert surveillance for non-RIPA cases; and to inform Members of the intention to roll out training to officers on the monitoring of information online such as social media posts

RECOMMENDATIONS:

- (1) that it is recommended to Cabinet to approve the revised RIPA Policy, including the new Annex 1 on social media/internet research;
- (2) that officers draft a policy on covert surveillance for non-RIPA cases to be submitted for approval; and
- (3) to note that the contents of the Report, including the fact that the Council has not used its powers under RIPA since March 2014 and that training will be given to officers on monitoring of information posted online, such as social media posts.

Financial Implications: None directly arising, other than officer time

Legal Implications: As set out in the policy and this report

Risk Assessment: Adopting and complying with a RIPA Policy will minimise any risk to the Council of acting unlawfully

Equality Impact Assessment: No equality issues directly arising from this report

Relationship to Corporate Plan: Statutory guidance requires elected members to review the Council's use of RIPA and approve the RIPA policy at least once a year- therefore these requirements need to be complied with to show the Council is a well-managed Council

Impact on Climate Change: None directly arising

1 Background

- 1.1 The Regulation of Investigatory Powers Act 2000 (RIPA) was put in place to ensure that the use of certain investigatory powers by certain organisations complies with the UK's obligations under the European Convention on Human

Rights (ECHR) including Article 8 (the right to privacy). The proper authorisation of certain covert surveillance powers under RIPA ensures that the Council is acting in accordance with such human rights.

- 1.2 Following criticism of local authorities' use of covert surveillance powers additional safeguards were put in place including:-
- The need to obtain magistrate approval
 - Only be used to investigate offences which attract sentences of six months or more or relate to the underage sale of alcohol or tobacco.

2 The need for a covert surveillance policy for non-RIPA cases

- 2.1 The effect of these safeguards and restrictions mean that it will be a very rare occurrence for RIPA authorisation and judicial approval to be obtained – indeed the Council has not made use of such powers since 2014. The type of offences which the Council typically investigates does not attract sentences of six months or more. However, there may be occasions when the Council wants to conduct covert surveillance which could not be approved under RIPA because it is not an investigation into an offence which attracts a sentence of six months or more.
- 2.2 It should also be noted that covert investigation carried out without RIPA authorisation is not automatically unlawful because of the lack of authorisation. For instance if the Council conducts covert surveillance without RIPA authorisation it will not be in breach of Article 8 privacy rights if the Council can show that the interference was necessary and proportionate and there was process of authorisation that was fair.
- 2.3 The Office of Surveillance Commissioners in its Annual Report for 2012 to 2013 at paragraph 5.5 said the following:

It is not my role to encourage more or less use of covert surveillance but there are occasions when it is considered necessary and proportionate but the protection of RIPA cannot be sought. For example, covert surveillance within the residential premises of a vulnerable person may be a necessary and proportionate response but may not meet the serious crime criteria to enable authorisation for intrusive surveillance. My published guidance is supported by the Investigatory Powers Tribunal in the case of BA and others v Cleveland Police (IPT/11/129/CH). Though less frequent there may be occasions when a local authority deem it necessary and proportionate to conduct covert surveillance which does not meet the six month criteria set out in the relevant Act. In all of these circumstances since I do not decide whether the decision is correct or the authorisation valid, I consider it wise to have a verifiable audit similar to the process and documentation for RIPA available for later scrutiny

- 2.4 Officers seek Members' agreement to develop a policy for covert surveillance where RIPA does not apply. This policy should set out the authorisation procedure which would mirror the RIPA policy, but there would not be a judicial review mechanism. This policy would set out stringent tests for authorisation similar to RIPA authorisation and it would have to take into

account the Data Protection issues and well as Human Rights considerations. Once the policy has been formulated it would be brought back before Members for approval.

3 Approval for amendments to the Council's RIPA policy

- 3.1 The Investigatory Powers Commissioner's Office (IPCO) provides independent oversight of the use of investigatory powers. It carries out periodic inspections every 3 years. The IPCO wrote to the Council on the 18th October 2018 (Appendix 1) after it carried out a "desktop based documentary inspection" by one of the inspectors. IPCO was grateful that the Council had facilitated the process enabling the inspection to be conducted by way of a "desk top" approach. The IPCO was also pleased that the level of compliance shown by the Council with RIPA was such that a physical inspection was not necessary at the present time.
- 3.2 The IPCO reviewed the Council's RIPA policy and suggested amendments along the following lines:-
1. The policy should indicate that the renewal of directed surveillance or covert human intelligence source (CHIS) authorisation must be approved by a magistrates' court in the same manner as the initial authorisation
 2. Authorisation for vulnerable persons/juveniles as CHIS or for directed surveillance where there is a risk of obtaining confidential information may only be granted by the person who has been formally nominated as the acting Chief Executive in the absence of the Chief Executive
 3. There is a need for guidance on the monitoring of information online such as social media posts, during investigations.
- 3.3 Officers have drafted amendments to the Council's RIPA policy to take into account the IPCO's comments. Suggested amendments for nos. 1 and 2 above are technical changes which do not require much in the way of comment. Suggested amendment for no. 3 above is contained in the draft Annex 1 to the RIPA policy. The revised policy with tracked changes is shown at Appendix 2 to this Report.
- 3.4 For clarity, much of the publicly accessible internet content can be accessed by officers without the need for RIPA authorisation, but in some cases RIPA authorisation is required. Unfortunately the point at which access strays into surveillance is not always clear-cut. The Government has issued a code of practice for Covert surveillance and covert human intelligence sources in order to assist compliance with RIPA. The following paragraphs at 3.10 to 3.15 of the code of practice for directed surveillance put into context the use of the internet and RIPA:

3.10. The growth of the internet and the extent of the information that is now available online, presents new opportunities for public authorities to view or gather information which may assist them in

preventing or detecting crime or carrying out other statutory functions, as well as in understanding and engaging with the public they serve. It is important that public authorities are able to make full and lawful use of this information for their statutory purposes. Much of it can be accessed without the need for RIPA authorisation: use of the internet prior to an investigation should not normally engage privacy considerations. But if the study of an individual's online presence becomes persistent, or where material obtained from any check is to be extracted and recorded and may engage privacy considerations, RIPA authorisations may need to be considered. The following guidance is intended to assist public authorities in identifying when such authorisations may be appropriate.

3.11 The internet may be used for intelligence gathering and/or as a surveillance tool. Where online monitoring or investigation is conducted covertly for the purpose of a specific investigation or operation and is likely to result in the obtaining of private information about a person or group, an authorisation for directed surveillance should be considered, as set out elsewhere in this code. Where a person acting on behalf of a public authority is intending to engage with others online without disclosing his or her identity, a CHIS authorisation may be needed (paragraphs 4.10 to 4.16 of the Covert Human Intelligence Sources code of practice provide detail on where a CHIS authorisation may be available for online activity).

3.12 In deciding whether online surveillance should be regarded as covert, consideration should be given to the likelihood of the subject(s) knowing that the surveillance is or may be taking place. Use of the internet itself may be considered as adopting a surveillance technique calculated to ensure that the subject is unaware of it, even if no further steps are taken to conceal the activity. Conversely where a public authority has taken reasonable steps to inform the public or particular individuals that the surveillance is or may be taking place, the activity may be regarded as overt and a directed surveillance authorisation will not normally be available

3.13 As set out in paragraph 3.14 below, depending on the nature of the online platform there may be a reduced expectation of privacy where information relating to a person or group of people is made openly available within the public domain, however in some circumstances privacy implications still apply. This is because the intention when making such information available was not for it to be used for covert purposes such as investigative activity. This is regardless of whether a user of a website or social media platform has sought to protect such information by restricting its access by activating privacy settings

3.14 Where information about an individual is placed on a publicly accessible database, for example the telephone directory or Companies House, which is commonly used and known to be accessible to all, they are unlikely to have any reasonable expectation of privacy over the monitoring by public authorities of that information.

Individuals who post information on social media networks and other websites whose purpose is to communicate messages to a wide audience are also less likely to hold a reasonable expectation of privacy in relation to that information

3.15 Whether a public authority interferes with a person's private life includes a consideration of the nature of the public authority's activity in relation to that information. Simple reconnaissance of such sites (i.e. preliminary examination with a view to establishing whether the site or its contents are of interest) is unlikely to interfere with a person's reasonably held expectation of privacy and therefore is not likely to require a directed surveillance authorisation. But where a public authority is systematically collecting and recording information about a particular person or group, a directed surveillance authorisation should be considered. These considerations apply regardless of when the information was shared online. See also paragraph 3.6

- 3.5 The need to consider how the Council uses social media as an investigatory tool was further emphasised in expert training to key senior council officers in November 2018. Officers have therefore drafted an annex to the RIPA policy to provide guidance on the monitoring of information online such as social media posts. It is considered that training will need to be given to officers on the monitoring of information online, such as social media posts.

4 Other RIPA related activity in 2018-19

- 4.1 In addition to the review carried out by the IPCO (see paragraph 3.1 above) and the training provided in November 2018, the Co-ordinating Officer has also provided the annual statistical return to the IPCO. Thankfully, this was straightforward, given the non-use of RIPA in the previous year.

Contact for more Information: Philip Langdon (Solicitor and RIPA Co-ordinating Officer) 01884 234204 plangdon@middevon.gov.uk; Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer as Senior Responsible Officer) 01884 234210 ktebbey@middevon.gov.uk

Circulation of the Report: Cabinet Member seen and approved yes Cllr Woollatt, Leadership Team seen and approved [yes/no]

List of Background Papers: Appendix 1 – IPCO Letter dated 18 October 2018
Appendix 2 – RIPA policy – with draft revisions and additions

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Investigatory Powers
Commissioner's Office

PO Box 29105, London
SW1V 1ZU

Mr Stephen Walford
Chief Executive
Mid Devon District Council
Phoenix House
Phoenix Lane
Tiverton
Devon
EX16 6PP

18th October 2018

Dear Mr Walford,

**Inspection of Mid Devon District Council
Compliance with the Regulation of Investigatory Powers Act 2000 (RIPA)**

Your Council was recently subject of a desktop based documentary inspection by one of my Inspectors, Mrs Gráinne Athorn. I am grateful to you for facilitating this through your Legal Services Manager – Kathryn Tebbey who has provided the relevant materials including a comprehensive response to our Desktop Inspection Questionnaire, a copy of the Corporate Policy on the Use of Directed Surveillance and CHIS and guidance on the use of your CCTV systems.

The information you have provided has demonstrated a much improved level of compliance from that which was demonstrated at the time of the last Inspection in April 2015. This removes, for the present, the requirement for a physical inspection. It is anticipated that this will be undertaken when your authority's next three-yearly inspection is due (approximately autumn 2021).

I note that in his Inspection Report of 2015 Assistant Surveillance Commissioner HH Norman Jones made six recommendations for action, all of which have been completed. I understand that particular comment was made in relation to the overall quality of surveillance applications and authorisations. Given that Mid Devon District Council has made no further use of these powers during the intervening period, it is not possible to test if the refresher training provided to Council officials in 2015/6 has had the effect of improving the overall quality, and thus it is my intention to keep this element under review until such a time that we visit you again.

In respect of the provision of regular training, I understand that a further update package is pending and due to be delivered to key personnel in early 2019. I ask that you ensure that all four nominated Authorising Officers (including you in your capacity as Senior Authorising Officer) complete refresher training as a matter of priority to ensure that your knowledge of RIPA and the revised Codes of Practice is current.

With regard to the present corporate policy in respect of RIPA, I understand that this is due for revision shortly. Mrs Athorn has asked me to highlight three areas for improvement:

- I, Please draw readers' attention to the fact that when a directed surveillance or covert human intelligence source authorisation requires renewal, the renewal must be approved by a magistrates' court in the same manner as an initial authorisation;
- II, The policy states that in the absence of the Paid Head of Service/Chief Executive, the Corporate Directors may grant authorisations for vulnerable persons/juvenile CHIS or directed surveillance where there is a risk of obtaining confidential information. This is not the case. Such an authorisation may only be granted by the person who is formally nominated as the acting Chief Executive in your absence;
- III, It was acknowledged in your response to the desktop inspection form that there is need for guidance on the monitoring of information online such as social media posts, during investigations. I understand that the Council has already taken the stance of precluding activity of this kind, however this needs to be clearly stated within the policy.

My Office is available to you should you have any queries following the recent desktop inspection, or at any point in the future. Contact details are provided at the foot of this letter.

Yours Sincerely,

A handwritten signature in black ink that reads "Adrian Fulford". The signature is written in a cursive, slightly slanted style.

The Rt. Hon. Lord Justice Fulford
The Investigatory Powers Commissioner

MID DEVON DISTRICT COUNCIL

RIPA POLICY

USE OF DIRECTED SURVEILLANCE AND COVERT HUMAN INTELLIGENCE SOURCES REGULATION OF INVESTIGATORY POWERS ACT 2000

1.0 INTRODUCTION

- 1.1 The Regulation of Investigatory Powers Act 2000 (RIPA) regulates the use of covert investigative techniques by public authorities. It provides for the application for and granting of authorisations for those techniques covered by the Act.
- 1.2 Article 8 of the European Convention on Human Rights provides a right to private and family life. This is not an absolute right; it may be infringed in certain circumstances. The RIPA is designed to provide a statutory regulatory framework, which will meet the requirements of the European Convention on Human Rights.

2.0 PURPOSE

The purpose of this policy is to ensure that the Council complies with the requirement of RIPA and that appropriate authorisations are given for covert surveillance, the use of covert human intelligence sources and the acquisition and disclosure of communications data.

3.0 ASSOCIATED DOCUMENTS

3.1 Background documents

Report to the Council's Policy and Development Committee –15.02.01

3.2 Statutes and Statutory Instruments

- (a) Regulation of Investigatory Powers Act 2000
- (b) Human Rights Act 1998
- (c) Police and Criminal Evidence Act 1984
- (d) Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) Order 2010
- (e) Protection of Freedoms Act 2012

3.3 Guidance

- (a) Explanatory Notes to RIPA
- (b) Code of Practice for covert surveillance and property interference
- (c) Code of Practice for the use of covert human intelligence sources
- (d) Code of Practice for the acquisition and disclosure of communications data
- (e) Home Office Web Site <https://www.gov.uk/guidance/surveillance-and-counter-terrorism#local-authority-use-of-ripa>

All Codes of Practice are available on the Home Office Web Site <https://www.gov.uk/government/collections/ripa-codes>

4.0 SCOPE

The Act provides a regime of primary legislation and Codes of Practice, which divide covert investigation techniques into categories distinguished to an extent by the degree of intrusion involved. This procedure applies to all investigation and surveillance that may be subject of an authorisation under RIPA.

4.1 The Act covers the following investigatory powers:

- (1) Part I (Chapter II) - the acquisition of communications related data e.g. telephone billing data
- (2) Part II deals with:
 - intrusive surveillance on residential premises or in private vehicles
 - directed surveillance i.e. covert surveillance in the course of a specific operation
 - the use of covert human intelligence sources e.g. agents, informants, undercover officers
- (3) Part III - deals with the power to seize electronic keys giving access to encrypted computer material
- (4) Part IV - provides for scrutiny, complaint procedures and codes of practice

4.2 This policy document relates to the **use of directed surveillance** and **covert human intelligence sources**. It does not cover the acquisition and disclosure of communications data as it is not anticipated that this power will be used by the Council. If authorisation is however sought for this type of activity, guidance must be sought from Legal Services before any operation or investigation is undertaken. It does not cover intrusive surveillance because local authorities are not allowed to do this. Intrusive surveillance is the covert (i.e. secret) surveillance of anything taking place in residential premises or a private car and involves the presence of an individual on the premises or in the vehicle or is carried out by means of a surveillance device.

4.3 RIPA sets out the purposes for which each of these powers may be used, the Agencies and authorities that can use them and who should authorise the use. Authorisation under RIPA gives lawful authority for the use of these methods of obtaining information provided there is compliance with the statutory requirements and procedures. Obtaining an authorisation will ensure that the action is carried out in accordance with law and subject to stringent safeguards against abuse. It will also make the action less vulnerable to challenge under the Human Rights Act 1998.

4.4 For district councils, the Act does not allow directed surveillance or CHIS at all except for the purpose of preventing or detecting crime or preventing disorder. For example, this means that you cannot carry out these covert activities prior to the service of a

statutory notice, unless you believe an offence may have been committed, may be about to be committed, or there could be public disorder. Your only option in other cases will be to carry out overt – open, non-secretive – surveillance.

- 4.5 Services likely to conduct investigations covered by this Act are Planning, Environmental Health, Housing and Audit. However, any officer of the Council if he or she conducts an investigation using methods or techniques covered by this Act is required to seek the necessary authorisation, provided always that the purpose of the investigation is the one which the Act says can justify covered surveillance – see 4.4 above.

5.0 ACTIVITY REQUIRING AUTHORISATION

- 5.1 The following types of activity will require authorisation:

- directed surveillance
- the conduct and use of covert human intelligence sources
- obtaining communications data

- 5.2 Directed surveillance is, in essence, any activity undertaken covertly for the purpose of a specific investigation in such a way that is likely to result in obtaining information about a person's private life.

- 5.3 A covert human intelligence sources (CHIS) is effectively an inside informant or undercover officer, i.e. someone who develops or maintains their relationship with the surveillance target, having the covert purpose of obtaining or accessing information for the investigator. Council officers may act as CHIS when undertaking social media research. For a more detailed definition see section 26 of the Act.

6.0 APPLYING FOR AUTHORISATIONS

- 6.1 Subject to the provisions of paragraphs 6.3 and 8.7 the Directors are authorising officers for the Council. In the absence of the nominated authorising officer, applications for authorisation should be submitted to Chief Executive who also has the delegated authority to issue authorisations in relation to any service of the Council. Authorising officers may authorise for any service within the Council.

- 6.2 Any officer intending to use directed surveillance or a CHIS shall apply for authorisation from the authorising officer or in their absence from the Chief Executive as Head of Paid Service or in his absence a Director who is an authorising officer by completing the appropriate application form as set out at **Appendix DS/1 or CHIS/1**.

- 6.3 Special care needs to be taken with **confidential personal information**. This is information held in confidence relating to the physical or mental health or spiritual counselling concerning an individual (whether living or dead) who can be identified from it. Such information, which can include both oral and written communications, is held in confidence if it is held subject to an express or implied undertaking to hold it in confidence or it is subject to a restriction on disclosure or an obligation of confidentiality contained in existing legislation. Examples might include consultations between a health professional and a patient, or information from a patient's medical records. This also includes legally privileged material, journalistic materials and information given to a Member of Parliament. Owing to the very sensitive nature of this type of information authorisations potentially involving confidential personal

information must always be made by the **Chief Executive** or in his/her absence the person who is formally nominated to act as the Chief Executive.

- 6.4 When completing the application always include a full account of the steps to be taken in the investigation which require authorisation.

7.0 GRANTING OF AUTHORISATIONS FOR DIRECTED SURVEILLANCE

- 7.1 Section 28 provides that a person shall not grant authorisation for *directed surveillance* unless he believes that the authorisation is necessary on one of the statutory grounds and the authorised surveillance is proportionate to what is sought to be achieved by it. The applicant and the authorising officer must both consider whether it is necessary to use covert surveillance in the investigation. From 5 January 2004, only one ground applied to district councils and it is therefore the only one which can be used to justify an authorisation.

That ground is

- for the purpose of preventing or detecting crime or of preventing disorder

- 7.2 The authorising officer in determining whether the surveillance is proportionate will give particular consideration to any collateral intrusion on or interference with the privacy of persons other than the subject(s) of the surveillance. The Home Office Code of Practice has the following to say on the issue of proportionality:

“4.5 if the activities are deemed necessary on...the statutory grounds, the person granting the authorisation... must also believe that they are proportionate to what is sought to be achieved by carrying them out. This involves balancing the seriousness of the intrusion into the privacy of the subject of the operation (or any other person who may be affected) against the need for the activity in investigative and operational terms.

4.65 The authorisation will not be proportionate if it is excessive in the overall circumstances of the case. Each action authorised should bring an expected benefit to the investigation or operation and should not be disproportionate or arbitrary. The fact that a suspected offence may be serious will not alone render intrusive actions proportionate. Similarly, an offence may be so minor that any deployment of covert techniques would be disproportionate. No activity should be considered proportionate if the information which is sought could reasonably be obtained by other less intrusive means..” Home Office Code of Practice on Covert Surveillance and Property Interference.

A useful prompt is to ask yourself “ Is there any other way of obtaining the evidence?”. There is a need to consider the following:

- (i) Whether the use of covert surveillance is proportionate to the mischief being investigated, and
- (ii) Whether it is proportionate to the likely intrusion on the target and others, and
- (iii) Whether all other reasonable means of acquiring the evidence have been considered.
- (iv) What other methods had been considered and why they were not implemented.

- 7.3 Authorisations must be given in writing. It is possible that authorising officers may face cross-examination in court about the authorisation some time after it is granted and memories fade. It is therefore important that a full written record of what you are

being asked to authorise appears on the application form. If in doubt ask for more detail.

- 7.4 Authorising officers should not be responsible for authorising their own activities.
- 7.5 All RIPA authorisations must be approved by a Magistrate before an authorisation becomes effective, directed surveillance is undertaken, communications data is obtained or an application is made for a Covert Human Intelligent Source. Directed surveillance can only be authorised where the following conditions apply;

(1) The first condition is that the authorisation under [section 28](#) is for the purpose of preventing or detecting conduct which—

- (a) constitutes one or more criminal offences, or
(b) is, or corresponds to, any conduct which, if it all took place in England and Wales, would constitute one or more criminal offences.

(2) The second condition is that the criminal offence or one of the criminal offences referred to in the first condition is or would be—

- (a) an offence which is punishable, whether on summary conviction or on indictment, by a maximum term of at least 6 months of imprisonment or
are related to the underage sale of alcohol and tobacco or nicotine inhaling products.

7.6 Duration of Authorisations and Reviews

An authorisation in writing ceases to have effect at the end of a period of 3 months beginning with the day on which it took effect. So an authorisation starting 1st January would come to an end on 31st March. Regular reviews of authorisations should be undertaken. The results of the review should be recorded on **Appendix DS/2** and a copy filed on the central record of authorisations. If the surveillance provides access to confidential information or involves collateral intrusion more frequent reviews will be required. The Authorising Officer should determine how often a review should take place.

7.7 Renewals

- 7.7.1 While an authorisation is still effective the authorising officer can renew it if he considers this necessary for the purpose for which the authorisation was originally given. The authorisation will be renewed in writing for a further period, beginning with the day when the authorisation would have expired but for the renewal and can be for a period up to 3 months.

- 7.7.2 Applications requesting renewal of an authorisation are to be made on the appropriate form as set out at **Appendix DS/3** and submitted to the authorising officer. The renewal must be granted before the original authorisation ceases to have effect.

- 7.7.3 Applications for renewal will record:

- whether this is the first renewal, if not, every occasion on which the authorisation has previously been renewed
- the significant changes to the information in the initial authorisation

- the reasons why it is necessary to continue with the surveillance
- the content and value to the investigation or operation of the information so far obtained by the surveillance

The results of regular reviews of the investigation or operation.

7.7.4 When a directed surveillance authorisation requires renewal, the renewal must be approved by a magistrates' court in the same manner as an initial authorisation

7.8 Cancellations

The person who granted or last renewed the authorisation **MUST** cancel it if he is satisfied that the directed surveillance no longer meets the criteria for authorisation. Requests for cancellation will be made on the appropriate form as set out at **Appendix DS/4** and submitted to the authorising officer for authorisation of the cancellation. All directed surveillance cancellations must include directions for the management and storage of any surveillance product.

8.0 GRANTING OF AUTHORISATION FOR THE CONDUCT AND USE OF COVERT HUMAN INTELLIGENCE SOURCES (CHIS)

8.1 The same requirements of necessity and proportionality exist for the granting of these authorisations as are set down for directed surveillance.

8.2 Additionally the authorising officer shall not grant an authorisation unless he /she believes that arrangements exist for the source's case which satisfy the following requirements:

- there will at all times be an officer with day to day responsibility for dealing with the source and the source's security and welfare
- there will at all times be an officer who will have general oversight of the use made of the source
- there will at all times be an officer with responsibility for maintaining a record of the information supplied by the source
- records which disclose the identity of the source will not be available to persons except to the extent that there is a need for access to them to be made available

8.3 Similarly before authorising use or conduct of the source, the authorising officer must be satisfied that the conduct/use is proportionate to what the use or conduct of the source seeks to achieve, taking into account the likely degree of intrusion into privacy of those potentially effected for the privacy of persons other than those who are directly the subjects of the operation or investigation. Measures should be taken, wherever practicable, to avoid unnecessary intrusion into the lives of those not directly connected with the operation.

8.4 Particular care is required where people would expect a high degree of privacy or where, as a consequence of the authorisation 'confidential material' is likely to be obtained.

- 8.5 Consideration is also required to be given to any adverse impact on community confidence that may result from the use or conduct of a source or information obtained from that source.
- 8.6 Additionally, the authorising officer should make an assessment of any risk to a source in carrying out the conduct in the proposed authorisation.
- 8.7 Authorisation for the use of a CHIS must be given in writing. Only the Chief Executive or in his/her absence the person who is formally nominated to act as the Chief Executive may authorise the use of a juvenile or vulnerable CHIS.
- 8.8 Ideally the authorising officers should not be responsible for authorising their own activities e.g. those in which they themselves are to act as a source or in tasking a source. However it is recognised that this will not always be possible especially in the case of small departments. Authorisations must be approved by a Magistrate, see paragraph 7.5. The Solicitor employed by the Council will arrange the appointment before the Magistrate(s) and explain the procedure to the Authorising Officer. The Solicitor employed by the Council and the Authorising Officer will be required to attend before the Magistrate(s) to seek the Magistrate's approval to the authorisation.
- 8.9 An application for authorisation for the use or conduct of a source will be made on the appropriate form as set out at **Appendix CHIS/1** and must record:
- Details of the purpose for which the source will be tasked or deployed.
 - The reasons why the authorisation is necessary in the particular case and on the grounds on which authorisation is sought (e.g. for the purpose of preventing or detecting crime or disorder).
 - Where a specific investigation or operation is involved details of that investigation or operation.
 - Details of what the source would be tasked to do.
 - Details of potential collateral intrusion and why the intrusion is justified.
 - Details of any confidential material that might be obtained as a consequence of the authorisation.
 - The reasons why the authorisation is considered proportionate to what it seeks to achieve.
 - The level of authorisation required.
 - A subsequent record of whether authorisation was given or refused by whom and the time and date.

8.10 **Duration of Authorisations**

A written authorisation, unless renewed, will cease to have effect at the end of a period of twelve months beginning with the day on which it took effect except in the case of a juvenile CHIS which has a duration of one month. Oral authorisations will, unless renewed, last 72 hours.

8.11 Renewals

As with authorisations for directed surveillance authorisations for the conduct and use of covert human intelligence sources can be renewed, the same criteria applying. However before an Authorising Officer renews an authorisation, he must be satisfied that a review has been carried out of the use of a CHIS and that the results of the review have been considered. Applications for renewal must be made on the appropriate form as set out at **Appendix CHIS/3** and submitted to the authorising officer. However an application for renewal should not be made until shortly before the authorisation period is coming to an end.

8.12 An authorisation may be renewed more than once – provided it continues to meet the criteria for authorisation.

8.13 When covert human intelligence source authorisation requires renewal, the renewal must be approved by a magistrates' court in the same manner as an initial authorisation

8.13 Reviews

Regular reviews of authorisations should be undertaken. The results of the review should be recorded on **Appendix CHIS/2** and a copy filed on the central record of authorisations. If the surveillance provides access to confidential information or involves collateral intrusion frequent reviews will be required. The authorising officer should determine how often a review should take place.

8.14 Before an authorising officer renews an authorisation he must be satisfied that a review has been carried out of:

- The use made of the source during the period authorised
- The tasks given to the source
- The information obtained from the use or conduct of the source

8.15 If the authorising officer is satisfied that the criteria necessary for the initial authorisation continue to be met, he may renew it in writing as required. When covert human intelligence source authorisation requires renewal, the renewal must be approved by a magistrates' court in the same manner as an initial authorisation

8.16 Cancellations

The officer who granted or renewed the authorisation **MUST** cancel it if he/she is satisfied that

- the use or conduct of the source no longer satisfies the criteria for authorisation, or
- that the arrangements for the source's case no longer exist

8.17 Requests for cancellation will be made on the appropriate form as set out at **Appendix CHIS/4** and submitted to the authorising officer for authorisation of the

cancellation. All CHIS cancellations must include directions for the management and storage of any surveillance product.

8.18 Management Responsibility

The day to day contact between the Council and the source is to be conducted by the handler, who will usually be an officer below the rank of the authorising officer. No vulnerable person or young person under the age of 18 should be used as a source.

8.19 Security and Welfare

Account must be taken of the security and welfare of the source. The authorising officer prior to granting authorisation should ensure that an assessment is carried out to determine the risk to the source of any tasking and the likely consequences should the target know the role of the

8.20 Confidential Material

Where the likely consequence of the directed surveillance or conduct of a source would be for any person to acquire knowledge of confidential material the deployment of a source should be subject to special authorisation. In these cases the proposed course of conduct must be referred to the Head of Paid Service or (in his absence) a Director for a decision as to whether authorisation may be granted.

8.21 Monitoring of personal information online

The study of an individual's on-line presence may engage privacy considerations requiring RIPA authorisation. The attached annex gives guidance on the monitoring of information online such as social media

9.0 MAINTENANCE OF RECORDS

9.1 Each Service shall keep in a dedicated place

- a record of all authorisations sought
- a record of authorisations granted and refused
- applications for the granting, renewal and cancellation of authorisations

9.2 The records will be confidential and will be retained for a period of 3 years from the ending of the authorisation.

9.3 Each authorising officer shall send original copies of all applications/authorisations, reviews, renewals and cancellations to the RIPA Co-ordinating Officer when drafted who will maintain a central record of all authorisations. The report will include details of the level of compliance with the requirements for authorisation.

9.4 Authorising officers will ensure compliance with the appropriate data protection requirements and any relevant codes of practice produced by individual authorities in the handling and storage of material.

9.5 Where material is obtained by surveillance which is wholly unrelated to a criminal or other investigation or to the person subject of the surveillance and no reason to believe it will be relevant to future civil or criminal proceedings it should be destroyed

immediately. The decision to retain or destroy material will be taken by the relevant authorising officer.

10.0 AWARENESS OF THE CONTENTS OF THE ACT AND TRAINING

It shall be the responsibility of each Service Manager or other Authorised Officer to ensure that all staff involved or likely to be involved in investigations receive a copy of the training document, and are aware of the requirements and implications of the Act. It shall be the responsibility of the Senior Responsible Officer with the assistance of the RIPA Co-ordinating Officer to ensure that all relevant officers have received appropriate training and are aware of the requirements and implications of the Act.

11.0 CODES OF PRACTICE

A copy of each Code of Practice shall be kept in the reception area and be available to members of the public during usual working hours.

12.0 SENIOR RESPONSIBLE OFFICER AND RIPA CO-ORDINATING OFFICER

The Monitoring Officer is the Senior Responsible Officer for the Council whose role is:

- (i) to be responsible for RIPA training throughout the Council;
- (ii) to ensure that all authorising officers are of an appropriate standard; and
- (iii) to be responsible for heightening RIPA awareness throughout the Council.

The Senior Responsible Officer will nominate a Solicitor employed by the Council as the RIPA Co-ordinating Officer for the Council whose role is:

- (i) to collate all original applications/authorisations, reviews, renewals and cancellations;
- (ii) to keep the Central Record of Authorisations; and
- (iii) to notify the Leader of the Council of the receipt of authorisations from Authorising Officers.

13.0 MEMBER INVOLVEMENT

Members of the Community Wellbeing PDG should review this policy annually to ensure that it remains fit for purpose. Cabinet will consider reports from the OSC. The Cabinet should also consider reports on the use of the powers under the Act on a regular basis which shall be at least every year to ensure that it is being used consistently with this policy. Members of the Council will not however be involved in making decisions on specific authorisations.

Inventory of Surveillance Equipment held by MDCC

None as at 1 August 2019

Standard Operating Procedure for use of Surveillance Equipment

1. The Council operates the surveillance equipment (Equipment) as set out in the Inventory.
2. The Equipment should be stored, when not in use, in a locked cabinet under the control of the Senior Responsible Officer .
3. Any Officer of the Council considering using the Equipment for covert surveillance in a public place must make a written request to the Senior Responsible Officer or the RIPA Co-Ordinating Officer who will consider and decide whether the proposed use of the Equipment is appropriate bearing in mind the provisions of RIPA and the associated codes of practice.
4. Any Officer who uses the Equipment to record digital images may only view such images once captured and shall not download them on to a computer or other electronic storage facility unless this is first agreed by the Senior Responsible Officer and/or the RIPA Co-ordinating Officer.

Mid Devon District Council

Annex 1 to the Council's RIPA Policy

Open Source Internet Research and RIPA

Background

The internet enables access to a vast amount of information which can be useful to the Council in carrying out its statutory functions as well as engaging with the public.

Open Source Internet Research (OSIR) is the name given to viewing, collecting processing and analysing publicly available personal information stored on the internet including on Social Media. Social Media in this Annex means social networking websites such as Twitter, Facebook, YouTube, content communities and blogs.

This Annex to the Council's RIPA Policy covers the use of OSIR in investigations. Advice should be taken from HR should an investigation involve a member of staff. Where officers are carrying out OSIR they must be aware of the Council's RIPA Policy and the information contained in this annex.

Using OSIR raises the issue of whether RIPA authorisation must be obtained. This policy indicates when RIPA authorisation should be obtained. If RIPA authorisation is required the Council's RIPA policy must be complied with.

Investigatory techniques governed by RIPA

RIPA regulates the use of covert investigative techniques such as directed surveillance and CHIS, which are described in more detail in the Council's RIPA policy. RIPA requires that the use of these techniques must be authorised and judicial approved. The Council's RIPA policy sets out the process to obtain such authorisation and judicial approval.

Categories of using OSIR

This Annex focuses on four broad categories of OSIR to give an indication when RIPA authorisation is required.

Category 1

Category 1 is viewing publicly available postings or websites where the person viewing does not have to register a profile answer a question or enter correspondence in order to view e.g. a trader's website. There must be a low expectation of privacy and no RIPA authorisation would normally be required to view or record these pages.

However, repeated visits over time which amount to monitoring an individual's on line presence will require RIPA authorisation. How a person runs his/her business can be private information even if they do so in the public domain. No monitoring of a person's on line presence can take place without RIPA authorisation. The exception to this is where prior notification is given to the person that the Council is monitoring that person's on line presence. This would then be overt monitoring and would not require RIPA authorisation.

All visits to such websites for the purposes of any investigations must be recorded and be available for inspection by the Senior Responsible Officer and/or the Co-ordinating Officer-see Part 12 of the RIPA Policy for more details about these roles.

Guidance approved by the Senior Responsible Officer on record keeping of viewings will be distributed by the Co-ordinating Officer and must be adhered to. Using test purchases in an investigation does not necessarily trigger the need for RIPA authorisation but in each case advice must be sought beforehand from the Co-ordinating Officer

Category 2

Category 2 is viewing postings on social networks where the viewer has to register a profile but there is not otherwise a restriction on access. This would include Facebook where there is no need to be accepted as a "friend" to view. E.g. a trader has a "shop window" on Facebook advertising business and products

There are differences between this and Category 1. The person who posts information or runs such a website may reasonably expect viewers to work within the terms and conditions of the website. Viewings using a fictitious

identity or “covert account” require RIPA authorisation. No such viewings may take place without RIPA authorisation.

Viewing conducted in an overt manner do not require RIPA authorisation. Viewings can be conducted in an overt manner via an account profile which uses the officer’s correct name and email address (which should be a middevon.gov.uk).

All viewings for investigations regardless of whether RIPA authorised or not will need to be recorded and available for inspection by the Senior Responsible Officer and/or the Co-ordinating Officer. Guidance approved by the Senior Responsible Officer on record keeping of viewings will be distributed by the Co-ordinating Officer and must be adhered to.

Category 3

Category 3 is viewing postings on social networks which require a “friend” or similar status to view. Viewings using a covert account or fictitious identity will require RIPA authorisation. No such viewings may take place without RIPA authorisation.

Viewing conducted by using the officer’s correct name and email address (which should be a middevon.gov.uk) to acquire “friend status” may still require a RIPA authorisation. It may be that such a status is given by default on the part of the person posting or website owner. Officers will need to be sure that their access is being granted as a representative of the Council.

If officers are not sure that access is being granted to the officer as a representative of the Council then RIPA authorisation must be obtained before such viewings take place.

All viewings for investigations regardless of whether RIPA authorised or not will need to be recorded and available for inspection by the Senior Responsible Officer and/or the Co-ordinating Officer. Guidance approved by the Senior Responsible Officer on record keeping of viewings will be distributed by the Co-ordinating Officer and must be adhered to.

Category 4

Category 4 is the use of sophisticated OSIR tools and techniques including active search, reverse engineering and/or tools or filters etc to obtain information on an individual on the wider web. The use of such tools is likely to involve monitoring an individual and RIPA authorisation must be obtained before use

Covert Facebook accounts and similar covert social media accounts

Use of such covert accounts requires RIPA authorisation. Even with RIPA authorisation use of such covert accounts may be judged to be unlawful because the companies' terms and conditions do not allow such covert accounts. RIPA authorisation is not in itself sufficient to permit in law breaching a company's terms and conditions. Advice must be sought from the Co-ordinating Officer.

Procedures/instructions

Senior managers may issue instructions and procedure notes to provide further safeguards in using OSIR

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CABINET
19TH SEPTEMBER 2019

REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGENERATION

MID DEVON PLAYING PITCH STRATEGY

Cabinet Member: Councillor Graeme Barnell, Cabinet Member for Planning and Economic Regeneration

Responsible Officer: Mrs Jenny Clifford, Head of Planning, Economy and Regeneration

Reason for Report: To seek Cabinet approval for officers to prepare a Playing Pitch Strategy for Mid Devon, using external consultant support where this is necessary.

RECOMMENDATIONS:

That Cabinet approves:

- 1. The preparation of a Playing Pitch Strategy for Mid Devon**
- 2. The use of external consultant support to help the preparation of the Playing Pitch Strategy**

Financial Implications: It is anticipated that external consultant support will cost between £12,000 and £30,000 depending on the type of support that will be needed. This is currently being evaluated as part of detailed project planning. There is funding provision within the budget for the next review of the Local Plan for technical studies and new evidence and this falls within the scope of that work.

Legal implications: None as a result of this report, but it is to be noted that the Playing Pitch Strategy will ultimately require Cabinet approval for adoption as a Supplementary Planning Document (SPD).

Risk Assessment: The Playing Pitch Strategy will provide robust evidence that can be used to inform the preparation of development plans, masterplans and other plans, programmes and strategies. It can also be used to inform the Council's decisions made on planning applications submitted for determination.

Equality Impact Assessment: An up to date Playing Pitch Strategy can be used to help guide and inform decisions taken for the provision of sports pitches across the district that can be used by the whole community. It will not in itself lead to any impacts on the equality strands protected under the Equality Act 2010 (the 'protected characteristics'). The preparation of the Playing Pitch Strategy will be subject to community engagement at key stages.

Relationship to Corporate Plan: Preparation of the Playing Pitch Strategy will help the Council's Priority 3: Community, since it can be used to help support the development of sports facilities that will benefit the district, and which can promote physical activity, health and well-being.

Impact on Climate Change: The Playing Pitch Strategy will not have any direct impact on climate change.

1.0 Introduction/Background

- 1.1 A new 'Playing Pitch Strategy' is needed for Mid Devon that is consistent with Sport England's guidance. Sport England will need to be satisfied that the strategy has been prepared in accordance with their requirements and is therefore 'fit for purpose'.
- 1.3 A 'Playing Fields Strategy' for Mid Devon was published in 2010, originally as a requirement for the (now defunct) Building Schools for the Future (BSF) programme. An Open Space and Play Area Strategy was published in 2014, in part to support the evidence base for the planning policies contained within the emerging Local Plan Review. The scope of this study encompassed playing pitches but also looked more widely at the quantity, quality and accessibility of open space in general, including parks, play areas and other public open space. There is now a need for updated evidence and information specifically on the supply of and demand for playing pitches across Mid Devon district. This will help ensure that there is a good supply of high quality playing pitch facilities across the district to meet the sporting needs of local communities.
- 1.4 The Mid Devon Playing Pitch Strategy (PPS) will become part of an evidence base which will be used to help inform future strategic plan-making for the district. The PPS will also help to provide an early understanding of existing and future need for sports pitch provision in the Culm Valley area to the east of the district, encompassing the market town of Cullompton and the proposed Culm Garden Village. The findings of the PPS will be used to help shape masterplanning that is currently in progress for the Culm Garden Village.
- 1.5 In addition, the PPS will have a wider role, supporting work across the Council's service areas and external organisations with an interest in playing pitch provision within Mid Devon. In particular it will:
- Provide evidence that can be used to help inform planning applications submitted to the Council for determination and decisions made on these.
 - Be used by the Council to help inform the management of playing pitch assets for which it has responsibility.
 - Be used by private and third sector providers of playing pitches, and support local sports clubs and organisations, in making bids for funding from a variety of sources to maintain and improve provision.

2.0 Management and delivery of the strategy

- 2.1 It is anticipated that the main stages will be completed as follows (this approach follows the stages set out in the Sport England guidance):
- Stage A (Prepare and tailor approach): June 2019 – August 2019
COMPLETED

- Stage B (Gather supply and demand data): August 2019 – May 2020
- Stage C (Assess supply and demand data): May 2020 – October 2020
- Stage D (Develop the strategy): October 2020 – February 2021
- Stage E (Deliver the strategy): February 2021 – ongoing.

Within this programme, there will be an early focus for the Culm Valley area, with the intention that key stages will be completed in the winter 2019/2020 to help inform masterplanning work for the Culm Garden Village and the planning of road improvements at Cullompton.

- 2.2 A partnership approach to the development of the Playing Pitch Strategy has been established which brings together Mid Devon District and Devon County Council officers, MDDC Council members, Sport England and representatives from National Game Boards (NGBs) for the major pitch sports played in the district. An initial scoping meeting was held on 12th June 2019 at which the project steering group was established. The requirements for 'Stage A' of Sport England's PPS guidance were discussed and worked through at the scoping meeting; subsequent work has been undertaken to address issues that still needed attention before 'Stage B' (gathering supply and demand information) can begin. Completion of 'Stage A' has ensured that the approach to developing the PPS to meet the specific requirements of the study area (Mid Devon) has been prepared.
- 2.3 The project team will include an external consultant with project management provided by officers from Mid Devon District Council forward planning team.
- 2.4 The data gathering (Stage B) is to be completed in-house by the Council, as far as possible, in conjunction with NGBs. The role of the external consultant will be primarily to carry out the assessment and analysis required for Stage C and working with the project team to develop the strategy at Stage D. Some elements of Stage B may require consultant support, particularly where specialist knowledge and skills are needed. It will be the responsibility of the project steering group to ensure that the PPS is delivered appropriately and kept robust and up to date (Stage E).
- 2.5 Work at Stage A has established the scope of the study, including the sports to include in the strategy. The sports proposed for inclusion are as follows: football, cricket, rugby union and hockey.
- 2.6 Key outputs from the work will include:
- A report within which playing pitch supply, demand and assessment information is collated and presented.
 - A strategy document with clear sport, study area, sub-area and site specific recommendations alongside a prioritised action plan.

3.0 Justification for use of external consultant

- 3.1 The Council has sought to reduce the cost of preparing the PPS with the intention to carry out as much of the initial data gathering (pitch supply and demand information) as possible in-house, in conjunction with NGBs. Existing information will be used where available.
- 3.2 The Council does not have the specialist skills and resources required in-house to thoroughly carry out the data assessment stage (Stage C) in accordance with the Sport England guidance. It is therefore recommended to use a suitable external consultant to carry out the assessment and analysis required for Stage C and developing the strategy at Stage D. The consultant may also be needed for certain elements of data gathering (Stage B), particularly where specialist pitch assessments are required. The consultant would work alongside MDDC officers as part of the project delivery team and be required to deliver the key outputs set out above (assessment report and assist with the strategy document). Throughout the process, the work will be overseen by the project steering group.
- 3.3 Officers therefore seek approval for the commissioning of the strategy which is seen as a key piece of evidence going forward and will also inform strategic projects in and around Cullompton. Officers also seek approval for external consultant support to help the preparation of the Mid Devon Playing Pitch Strategy.

Contacts for more Information:

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Circulation of the Report: Cabinet Member seen and approved [yes/no – name of Cabinet Member], Leadership Team seen and approved [yes/no]

List of Background Papers:

<https://www.sportengland.org/facilities-and-planning/planning-for-sport/planning-for-sport-guidance/>

CABINET 19 SEPTEMBER 2019

TIVERTON REGENERATION PROJECT- TENDER OUTCOME

Cabinet Member(s): Cllr Simon Clist, Cabinet Member for Housing and Property Services

Responsible Officer: Andrew Busby Group Manager Corporate Property & Commercial Assets.

Reason for Report: For Cabinet to review the results of the Tiverton Town Regeneration tender and to award the JCT Design & Build 2016 Contract with Amendments.

RECOMMENDATION:

- 1) To award the JCT Design & Build 2016 Contract with Amendments to Supplier D.
- 2) That the revised cost of this project of £1.469m to be met from the 2019/20 Capital budget as detailed in para 8.1.

Relationship to Corporate Plan: The regeneration of Tiverton Town Centre supports the Corporate Plan Priority: Economy - Improving and regenerating our town centres.

Financial Implications: The procurement and cost of commissioning this regeneration scheme follows a master planning process that identified this project as a key regeneration project for the heart of Tiverton Town Centre. The Council owns the land and property assets within the area of this scheme. This regeneration scheme will have financial implications for the Council and have been considered in detail as outlined within this report.

Legal Implications: Legal implications which may arise from this redevelopment opportunity include lease renegotiation and party wall notices, as well as the terms of the contract. If external advice is required, this will be an additional financial cost to the project, if required a sum of circa £5k would be met from the project contingency budget.

Risk Assessment: This is an opportunity to utilise Council assets to support a regeneration of Tiverton Town Centre failure to do so could lead to deterioration in commercial activity and a less vibrant centre. The risk arising from a historic funding agreement with the South West Regional Development Agency relating to the Market has now been resolved.

Equality Impact Assessment: An Equality Impact Assessment has previously been completed and no issues have been identified.

Impact on Climate Change: The Contractor will be required to be committed to managing and minimising the environmental impact. This project will be planned in a manner which takes account of the environmental impact, seeking to reduce such effects as much as possible. This will include travelling to site and effective planning to reduce the number of deliveries. This will introduce and promote environmental

monitoring as a key element of management of the project. The impact of these works will result in an increase in our reported Carbon Footprint under scope 2 which will be reported in 2020/21 figures and the Council will look at measures to offset the additional carbon used on this project, e.g. energy efficiency lighting.

1.0 Introduction

- 1.1 At the meeting on the 8 March 2018 Cabinet approved the draft consultation material to scope out the content of the Tiverton Town Centre Masterplan Supplementary Planning Document (SPD) and resolved that public consultation should take place based on the draft material. Accordingly, a Stage 1 public consultation exercise was undertaken between 30 April and 10 June 2018.
- 1.2 This regeneration project will encourage footfall through to the Pannier Market and Market Walk and then onto Bampton Street to create the circular shopping route that will assist all traders on its path. This will be backed up by additional signage that will be funded partly from s106 monies secured from future Tiverton Town developments.
- 1.3 Officers were asked to explore whether regeneration projects associated with the sites in the Council's control be brought forward. This would align with the emerging masterplan and associated feedback obtained at stage 1 public consultation and could deliver a series of 'quick wins' for town centre regeneration and enhancement by utilising the Council's assets.
- 1.4 Clifton Emery Design was appointed at the beginning of 2018 to undertake an urban design feasibility study to consider how the Pannier Market could play a more positive role in the town. The Market itself is an attractive asset to the town which could contribute to the vibrancy and uniqueness of the town if it was more assessable to the visitor.
- 1.5 This study focused on two key areas which connect the Pannier Market to the wider town that includes the entrance from Fore Street to the Pannier Market area.
- 1.6 The study was presented informally to Members of the Cabinet, including the vision for the Pannier Market. Feedback from this presentation fed into subsequent work which explored deliverables. The study was also presented at an All Member Briefing on the 17 December 2018. Subsequent work explored deliverables from the feasibility work focusing on projects in and around the existing entrance to the Pannier Market off Fore Street. This would form an initial phase of works which could be built upon over time as funding allowed for the regeneration of Tiverton.
- 1.7 It was resolved at the Cabinet meeting dated 7 February 2019 to proceed to tender the regeneration project. This included commissioning detailed design work that included structural and mechanical and electrical work.

2.0 Regeneration project details:

- 2.1 The development site consists of approximately 0.17 hectares situated off 34 Fore Street and adjacent to the Pannier Market.
- 2.2 The site itself consists of a retail premises (34 Fore Street) with a pedestrian walkway running adjacent to this providing access to the Pannier Market from Fore Street as shown on Part 1 Annex A. The existing boundary wall to the walkway that bounds 36-38 Fore Street (Card Factory and Crusty Cob). The rear service yard to 36 Fore Street also forms part of this development along with some parking spaces directly northwards which form part of a larger open area immediately adjacent to the Pannier Market.
- 2.3 The various aspects to the development site have been identified as important drivers to improve the relationship between the pedestrianised retail area of Fore Street and the Pannier Market. This will not only provide an improved access but also visual improvements and additional retail offerings to entice visitors to move between the two areas of town.
- 2.4 Retail properties bound the site to the west, east and south of the site with the Pannier Market located directly north. Residential flats are typically located above these retail premises with town houses flanking both sides of the Pannier Market to the north and the proposed development will therefore fit in with surrounding properties.
- 2.5 The Pannier Market forms an important part of the town centre in terms of its heritage and varied retail offering compared to the more usual high street shops found on Fore Street and Gold Street. However, to the passing visitor, the Pannier Market may well be elusive aside from a restricted passageway with subtle signage adjacent to 34 Fore Street. Providing an improved gateway to the market from Fore Street is important to create an enhanced connection.

3.0 Financial analysis

- 3.1 Property Services instructed an independent cost consultant to obtain the potential cost of this regeneration project that was circa £1.2 million.
- 3.2 Property services have been working with Employer's Agents Faithful and Gould and internal Procurement to undertake a full tender process. The results of that tender are attached to this report as Part 2 Annex 1.
- 3.3 The cost to borrow the monies (if required) for this project will be an annual repayment and interest amount of £71,250 over a 25 year period. This will either be borrowed from the Public Works Loan Board or another suitable source which would be confirmed by the Group Manager for Finance.
- 3.4 This regeneration scheme would also result in an income for the authority from three two bed duplex apartments and three retail units on the ground floor for start-up businesses. The Group Manager for Corporate Property and Commercial Assets obtained potential rental values from a local estate agent

for the apartments and the retail units. The anticipated income for the scheme is circa £40-£45k per annum.

- 3.5 The property at number 34 Fore Street has been vacated and is therefore available to progress works. The Group Manager for Corporate Property and Commercial Assets liaised with the previous tenant who has relocated their business to Gold Street. The loss of rent on this property is £20k per annum.
- 3.6 This regeneration project includes the ground floor demolition of number 34 Fore Street which currently has an asset book value of £160k (excluding the land and the flat above) which will be effectively written off once the demolition works commence.
- 3.7 Flat 34a directly above 34 Fore Street is now vacant in preparation for the project. It is forecast that this flat could be re-let for £550 per month.
- 3.8 The flat directly above number 32 Fore Street (Johnsons Cleaners) has recently come back to the authority to manage; this follows the surrender on the lease from Johnson Cleaners. The Council has not let this flat until after the redevelopment project is completed. It is forecast that this flat could be let for £550 per month.
- 3.9 It is the intention that the existing/newly constructed flats will be retained by the Council for encouraging those who rent a commercial asset, can also rent accommodation. This will be achieved by granting a Letting Agent (3 Rivers Development Services Limited or others) a head lease to ensure that the Landlord and Tenant conditions are not met, this will ensure that no secure tenancy is created.
- 3.10 Project management to date has been supported by Employer's Agents Faithful & Gould who has ensured that the tender exercise captures all associated work and that contractual arrangements are in place upon contract award to protect the Council's interests. The Group Manager for Corporate Property and Commercial Assets will continue to meet the Client obligations and will ensure all associated Health and Safety controls are in place throughout the project.
- 3.11 The Part 2 financial analysis of the project details any associated losses and includes potential values resulting from lease renegotiations to enable the project to be delivered.
- 3.12 This project is required to unlock a regeneration objective that the Council has been looking to facilitate for a number of years. Additional revenue streams are business rates, Council tax charges and potentially new homes bonus.

4.0 Project proposals

4.1 This regeneration project will consist of the following aspects:

- Demolition of the ground floor retail shop at 34 Fore Street to create a widened pedestrian access to the Pannier Market.

- Display windows to the blank wall of 36-38 Fore Street. (These will now not be completely knocked through to the retail space)
- New cladding, canopy and signage to 34 Fore Street.
- Part demolition of the rear boundary wall to 36-38 Fore Street to create a new mixed use building comprising three ground floor retail units and three two bedroom apartments above.
- Quality footpath paving for the entrance from Fore Street and through the alleyway will also be important to enhance the scheme.
- Upgrade of the surrounding street furniture.

4.2 The layout and design of the proposal demonstrates that the site can accommodate the amount of retail and residential development proposed as well as provide ancillary accommodation such as bin and cycle storage. It also reflects adjacent building uses which also consist of ground floor retail with residential apartments above, evident along Fore Street and beyond.

4.3 The layout of the proposal builds on the existing pedestrian access adjacent to 34 Fore Street. The widening of this entrance will improve pedestrian access and visibility of the Pannier Market from Fore Street, making it a more welcoming approach.

4.4 Whilst the entrance from Fore Street is proposed to be widened, this will remain pedestrian only with vehicular access being provided via the Pannier Market as present. This will serve the new proposed building at the rear of 36-38 Fore Street as well as existing shops and the Half Moon public house.

4.5 Scale and massing have been considered from the outset to ensure that this development proposal does not dominate the character of the Pannier Market, utilising building forms that reflect the character of the surrounding buildings.

4.6 The Group Manager for Corporate Property and Commercial Assets has been liaising with the owner of the land to the rear of 40-42 Fore Street and should the Council purchase the land it could be used for providing car parking or garden space for the proposed apartments. It should be understood that this report is not seeking authority for that purchase. A decision would be made separately.

5.0 The Procurement Process

5.1 The tender was released through the e-tendering portal 'Supplying the South West' on 3 July 2019. The tender submissions were received on 21 August 2019 from a total of four suppliers. The tender was out for 50 days to ensure that contractors had enough time to price accurately, the minimum is 31 days.

6.0 Summary of Tender Valuation

6.1 Evaluation Criteria and Weightings

- The tender submissions have been evaluated on the most economically advantageous tender. The evaluation criteria contained a mix of quality and commercial questions to which a percentage weighting was assigned.

- The evaluation criteria and weightings used for this procurement process are 60% on ten quality questions and 40% on price.

6.2 The scoring methodology used to evaluate the quality and commercial criteria is shown below.

Score 0	No response	No response	
Score 1	Extremely Weak	Very poor proposal/ response; does not cover the associated requirements, major deficiencies in thinking or detail, significant detail missing, unrealistic or impossible to implement and manage	Weak
Score 2	Very Weak	Poor proposals/ response; only partially covers the requirements, deficiencies in thinking or detail apparent, difficult to implement and manage	
Score 3	Weak	Mediocre proposal/ response, moderate coverage of the requirements, minor deficiencies in either thinking or detail, problematic to implement and manage	
Score 4	Fair- Below Average	Proposal/ response partially satisfies the requirements, with small deficiencies apparent, needs some work to fully understand it	Fair - Good
Score 5	Fair – Average	Satisfactory proposal/ response, would work to deliver all of the Authority’s requirements to the minimum level	
Score 6	Fair – Above Average	Satisfactory proposal/ response, would work to deliver all of the Authority’s requirements to the minimum level with some evidence of where the Applicant could exceed the minimum requirements	
Score 7	Good	Good proposal/ responses that convinces the Authority of its suitability, response slightly exceeds the minimum requirements with a reasonable level of detail	
Score 8	Strong	Robust proposal/ response, exceeds minimum requirements, including a level of detail or evidence of original thinking which adds value to the bid and provides a great deal of detail	Strong – Excellent
Score 9	Very Strong	Proposal/ response well in excess of expectations, with a comprehensive level of detail given including a full description of techniques and measurements employed	
Score 10	Outstanding/ Excellent	Fully thought through proposal/ response, which is innovative and provides the reader with confidence of the suitability of the approach to be adopted due to the complete	Strong - Excellent

		level of detail provided	
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6.3 A summary of the tender submissions has been set out in Part 2 of this report as Part 2 Annex 2.

7.0 Evaluation process

7.1 Tender evaluation was conducted independently by Faithful and Gould and supervised by internal Procurement. The tender was released from “Supplying the South West” electronically by Internal Audit, that was done for transparency reasons.

7.2 The scoring methodology used in the report and associated ranking – further details will be shown in Part 2 Annex 2.

NAME: Supplier A

Deliverables	Weighting	Weighted Score
Total Price	40%	30.8%
Total Quality	60%	36%
Grand Total	100%	66.8%
Rank		3

NAME: Supplier B

Deliverables	Weighting	Weighted Score
Total Price	40%	25.60%
Total Quality	60%	40%
Grand Total	100%	65.6%
Rank		4

NAME: Supplier C

Deliverables	Weighting	Weighted Score
Total Price	40%	34.33%
Total Quality	60%	49%
Grand Total	100%	83.33%
Rank		2

NAME: Supplier D

Deliverables	Weighting	Weighted Score
Total Price	40%	40%
Total Quality	60%	44%
Grand Total	100%	84%
Rank		1

8.0 Budget

8.1 The original budget available to fund this project within the current 2019/20 financial year is £1.2 Million. After the conclusion of the recent tendering exercise, we now have a precise project cost of £1.469m (which includes initial enabling costs, Client Contingency and Employers Agents fees). The remaining budget of £269k to complete this project would be vired from the Capital for the district wide redevelopment project.

8.2 Based on all of the associated costs now received and taking into account the lost income from the retail units (£24k) that need to be remodelled and the associated income that will be derived from the additional residential and starter units (-£43k) and the annual borrowing costs (£71k), it is estimated that the project would require an annual subsidy of £52k.

8.3 This project was subject to an external funding bid to the Future High Streets Fund, unfortunately it was recently announced that the bid was unsuccessful. Therefore in order to take this project forward the Council will need to fully fund the project as initially envisaged.

9.0 Quality Control

9.1 The contract will be let by a JCT Design & Build 2016 Contract with Amendments. The terms of the contract will be managed by the Employer's Agent and the Client (Property Services).

10.0 Next Steps

- 10.1 Upon Cabinet approval, complete on lease amendments for the Card Factory and the Crusty Cob retail units.
- 10.2 To award the contract as recommended to the supplier with detailed specifications to ensure scheme quality and value for money.
- 10.3 To comply with any additional planning conditions of condition 2 of Planning 18/02080/FULL to allow substitute plans.
- 10.4 It has been made clear following potential contractors that it would be cost effective to prepare works between the contract award and the year end and to commence on site early in the New Year. This would also reduce inconvenience for the public and local traders during the 2019 Christmas trading period.

11.0 Conclusion

- 11.1 This regeneration scheme resulting in the proposed widened entrance to 34 Fore Street will provide improved physical and visual access to the Pannier Market. This will be reinforced by incorporating cladding panels above the entrance as well as an entrance canopy and signage to act as a visual gateway to the Market. This is a well adopted approach used by shopping arcades and centres to attract additional visitors to the Town. The use of cladding will add warmth to the new proposed entrance, compliment neighbouring brick buildings and reflect the metal structure of the Pannier Market itself.
- 11.2 The mixed use building to the rear of 36-38 Fore Street is intended to appear contemporary in details but be constructed of traditional materials such as facing brick facades which will sit on a glazed ground floor to reflect its use for retail units. These retail units will be used to assist with businesses who are looking to grow (incubator space) for example where a trader requires more space than the stalls at the Pannier Market can offer but where the trader is not quite established enough to take on the financial burden of a shop within the town. The size of the retail units would offer this opportunity and will be designed to be flexible so as to attract a wide range of local businesses.
- 11.3 Considering all the items within this report, it is recommended that the Cabinet should proceed and award the contract to supplier D for this exciting regeneration project to ensure value for money.

Contact for more Information: Andrew Busby Group Manager Corporate Property & Commercial Assets. abusby@middevon.gov.uk / 01884 234948.

Circulation of the Report: Councillor Simon Clist Cabinet Member Housing & Property Services, Leadership Team and Group Managers.

List of Background Papers: Cabinet Report 7th February 2019.



Tree Specification

All trees to be planted in 300mm topsoil and 600mm subsoil, finished with 50mm Ornamental Bark

Species	Girth (cm)	Description	Notes	No.
Acer x freemanii 'Jeffersred'	14-16	Extra Heavy Standard	2m High Clear Stem, RB	3

Grasses and Perennial Mix

All shrubs, grasses and perennials to be planted in 300mm topsoil and 600mm subsoil, finished with 50mm Ornamental Bark - All to be planted in a mix of 3-7 of the same species at an average rate of 6/m²

Species	Pot Size (Litres)	Height/Spread (cm)	Density (m ²)	Notes	%
Achillea millefolium	2	40	6	Full pot, fully rooted pot system, healthy clump	30
Carex testacea	2	40	6	Full pot, fully rooted pot system, healthy clump	15
Hakonechloa macra	5	40	6	Full pot, fully rooted pot system, healthy clump	5
Liriope muscari	2	30/40	6	Full pot, fully rooted pot system, healthy crown	5
Luzula nivea	5	60	6	Full pot, fully rooted pot system, healthy clump	5
Molinia caerulea	5	80	6	Full pot, fully rooted pot system, min 9 canes	5
Rudbeckia fulgida 'Goldstrum'	5		6	Full pot, fully rooted, healthy crown	10
Stipa arundinacea	5	80	6	Full pot, fully rooted pot system, min 9 canes	15
Verbena bonariensis	2		6	Full pot, fully rooted, healthy crown	10



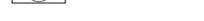
Notes

- To be read in conjunction with all associated plans, detailed drawings, documents and specifications.
- Detail drainage design to be completed by Drainage Engineers.
- External lighting to M+E design and specification.
- Refer to Engineers Design & Specifications for all level information.
- All treatment of softwork areas to comply to BS4428 Code of Practice for general landscape operations.
- Exact location of trees and root barriers to be confirmed on receipt proposed underground services information.
- This Plan is for planning purpose only do NOT construct from drawing.
- The hatches used in this plan are indicative and should not be used to scale from.
- Contractor to determine exact location of services/drainage, this should be confirmed on site prior to commencement of works to avoid tree pit / services conflicts.

Application Boundary



Proposed Tree Species
For specific detail, please see softworks specification.



Hardscape Kellen Breccia
Colour: Rosso (15%) Tagenta E (55%) Grigio (30%)
Size: 105 x 315 x 100mm Laid: Vertical Stretcher Bond
- Flush fitting (2mm maximum joint)
- No Chamfer
- Rosso to be laid in pairs, and to be laid on end
Supplier: hardscape.co.uk Tel: 01204 565500 Or similar approved

Hardscape Kellen Breccia
Colour: Rosso (15%) Tagenta E (55%) Grigio (30%)
Size: 100 x 200 x 100mm Laid: Vertical Stretcher Bond
- Flush fitting (2mm maximum joint)
- No Chamfer
- Rosso to be laid in pairs, and to be laid on end
Supplier: hardscape.co.uk Tel: 01204 565500 Or similar approved

Indicative Rosso layout - Hardscape Kellen Breccia
As a part of the Hardscape Kellen Breccia mix, the Rosso colour variation is to be laid as a 25% split of well spaced individual blocks and 75% pairs laid on end as displayed. Blocks to be placed in co-ordination/close proximity with light fittings where possible

Tegula concrete block paving
Colour: Traditional Laid: Herringbone
Size: 240 x 160 x 60mm Supplier: marshalls.co.uk Tel: 0333 920 7532 Or similar approved

Charcon Country Setts
Colour: Silver Grey Laid: Stretcher Bond
Size: 97 x 100 x 102mm Finished: Picked surface, cropped sides
Supplier: charcon.com Tel: 01325 372222 Or similar approved

Hardscape Kellen Breccia
Colour: Tagenta A Laid: Double stretcher
Size: 300 x 150 x 100mm Laid: Double stretcher
- Flush fitting (2mm maximum joint)
- No Chamfer
- Picked surface, cropped sides
Supplier: hardscape.co.uk Tel: 01204 565500 Or similar approved

Charcon Courtstone Flag: 450 x 450 x 63mm
Pattern: Half Bond Colour: Charcoal
Pedestrian Application:
- 450 x 450 x 50mm block to be laid flush with a maximum 2mm gap;
- Laid on 50mm compacted sharp sand;
- Inclusive Geo-Textile Membrane;
- Laid on 150mm MOT Type 1 compacted aggregate sub-base;
- Laid on compacted sub-layer.

Charcon K-lite Traditional Kerb
Size: 290 x 215 x 100mm
Colour: Dark Grey
Replacement dropped kerb to match existing full height kerb as per engineers specification.

Notes: Laying Instruction for all of the above

- Pedestrian Application:**
- Laid on 50mm sharp sand bedding course;
 - Inclusive Geo-Textile Membrane;
 - Laid 150mm depth compacted MOT Type 1 aggregate sub base;
 - Laid on compacted sub-layer.

- Vehicular Application:**
- Laid on 50mm sharp sand bedding course;
 - Inclusive Geo-Textile Membrane;
 - Laid on 100mm dense bitumin macadam compacted binder course;
 - Laid 150mm depth compacted MOT Type 1 aggregate sub base;
 - Laid on compacted sub-layer.

Streetlife Heavy-Heavy Bench
Available length: 2250, 2750, 3200mm
Width: 400mm Height: 450mm Supports: Cor-ten Steel
Finish: Base plate finish as per manufacturer recommendation
Supplier: Streetlife.nl Tel: 020 30 20 1509

Lighting
Gluzini Linealuce Compact Recessed 101
Product Code: B868 Size: 601 x 101 x 17mm
Supplier: Gluzini.com Tel: 01453 468000
Fixed as per manufacturer recommendation.

Tree Grille
Streetlife - Bamboo Tree Grille
Size: 1200 x 1200mm GA Diameter: 1000mm
Material: Cor-ten Steel
Supplier: Streetlife.nl Tel: 020 30 20 1509
Constructed as per manufacturer recommendation
- To be laid linear, ensuring the vertical pattern matches the surrounding paving.

Grasses and Perennial Mix
For specific detail, please see softworks specification.

D	Material amendment	09/07/19
C	Material updates and additional Bin Store	28/06/19
B	Updates to the layout/ specification	23/05/19
A	Changes to the design/layout	09/01/19

REV	NOTES	DATE
	Tiverton Pannier Market Landscape General Arrangement	D DH/DE
	170503 L 02 01	1:200 @ A1 December 2018

CliftonEmerydesign

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Scrutiny Committee – 2 September 2019 Minute 53 (a)

To consider:

a) Car Parking Working Group report*

- The decision was illogical
- The decision diminishes legitimate income
- The decision went against the balanced recommendation of the Car Parking Working Group

The Chairman explained that he had called in the decision as he felt that having different charges for night time parking in different car parks across the District was illogical and that the findings and recommendations of the Working Group were balanced.

The Committee discussed the Cabinet decision to abolish night time car parking charges and the Chairman of the Car Parking Working Group explained that over the course of the Group meetings night time car parking charges had been discussed. He explained that the working group had a long discussion about the charges and had decided to retain the £1 charge but to introduce a lower priced permit which would be able to be paid in monthly instalments and would cost the user less than 30p per day.

The Cabinet Member for the Working Environment and Support Services explained that she was part of the original Car Parking Working Group and she felt that the decision to remove night time charges was not illogical. She explained that the charges in the Multi Storey Car Park had always been different than the Council's other car parks. She explained that in her opinion the policy to charge people to park overnight had increased the amount of car parking on local streets. She explained that no other local authority in the South West charged people to park overnight and that the decision would not have a detrimental effect on the Council's income. She further explained that the Cabinet had understood and considered the Working Group recommendation but they didn't accept them in their entirety.

The Chairman of the Working Party explained to members that those neighbouring authorities that didn't charge for overnight parking had a residents' parking scheme which raised income for overnight parking but in a different way. He explained that this had been looked at by the working group, but it was felt that the Council should assist residents to park securely at night but with a lower fee.

The Cabinet Member for the Working Environment and Support Services informed members that people were driving around and around in Cullompton looking for a free car parking space. She addressed the points about residents' parking permits and suggested that this was something that could be looked at.

The Chairman of the Economy PDG addressed the committee and explained that they had accepted the findings of the Working Group. He acknowledged the current poor uptake of night time parking permits but stated that as part of the discussion into the new charges, it was agreed that there needed to be a public engagement campaign.

There were further discussions about the night time parking charges and members considered:

- Current poor sales of night time permits
- People wanting to park outside their homes
- The financial aspect of removing night time charges

The Committee agreed that the Cabinet should reconsider their decision.

It was therefore:

RESOLVED that the Cabinet be requested to reconsider the decision to abolish night time car parking charges.

(Proposed by the Chairman)

ECONOMY POLICY DEVELOPMENT GROUP

8 AUGUST 2019

Car Park Working Group Report

Cabinet Member(s): Councillor Alex White
Responsible Officer: Andrew Jarrett, Deputy Chief Executive (S151) and Stuart Noyce, Group Manager Street Scene & Open Spaces

Reason for Report: To provide Members with an update from the Car Park Working Group on the proposals for new Pay & Display charges.

RECOMMENDATION: That the PDG note the proposed Pay & Display charges outlined in this report and make any recommendations regarding the proposals to Cabinet.

Financial Implications: The financial implications are included in the report and in the supplementary appendices.

Legal Implications: Any changes to our Traffic Regulatory Order require prior publications and a period of consultation with the public.

Risk Assessment: Prudent assumptions have been made over potential income from associated changes to charging policy.

Equality Impact Assessment: There are no direct equality implication.

Relationship to Corporate Plan: Maximising income and usage of key corporate assets.

Impact on Climate Change: No impact assessed.

1.0 Introduction/Background

1.1 At the request of the Economy PDG a working group was set-up to examine the effectiveness of our current charging regime and to consider any appropriate recommendations for changes. The last meeting notes from the Working Group are attached at Appendix 1.

1.2 NB. The Council last revised its Pay & Display charges in April 2016 and in 2018/19 we generated £656k from 604,450 vends. In addition to this income we raise circa 115k in charges from Permits and Off-Street parking fines.

2.0 Findings

2.1 The working group, comprised of officers and Members, worked through the Pay & Display charges car park by car park across the District and its suggestions on a new pricing proposal are attached in Appendix 3. Appendix 2, a briefing note, is intended to aid the PDG Members in understanding the background to the proposals and the thought process which drove them.

2.2 The tariff proposals in Appendix 3 have been put through a pricing model based on historic vend analysis and have projected an increase in income of around £225,600. As the Briefing Note states (Appendix 2), this is heavily caveated due to the historic nature of the data, the demand-led nature of parking provision and the myriad of other external variables that can affect car park usage levels.

3.0 **Conclusion and Recommendation**

3.1 In order for any changes to be made to the Council's Pay & Display charges we are required to follow a statutory Traffic Regulatory Order process. This involves advertising the proposed charges, evaluating feedback and once agreed, reprogramming all of our machines and changing the parking boards. This process will take around 2-3 months and will cost around £5k.

Contact for more Information: Claire Gillard, Accountant, (01884) 234390, cgillard@middevon.gov.uk

Circulation of the Report: Cabinet Member, Leadership Team

List of Background Papers:

Appendix 1 – Car Parking Working Group – Meeting notes 12 July 2019

Appendix 2 – Briefing Note

Appendix 3 – New Pricing Proposal

Appendix 1

Car Parking Working Group – meeting notes 12 July 2019 (1.30pm)

Present Members: Cllrs R J Dolley, R Evans and R F R Radford (also Cllrs F Letch and Mrs N Woollatt as observers only)

Present Officers: A Jarrett, S Noyce, C Gillard, V Lowman and S Lees

Cllr Bob Evans was elected as Chairman of the re-established Working Group.

He explained that he had initially been appointed to the group as a co-optee and he remained as such since he was not a Member of the Economy PDG but had relevant experience and knowledge. Two of the original members of the working group had not been returned following the district council election in May and the remaining member was now a member of the Cabinet, therefore it had needed a new membership to be appointed.

At its meeting on 13 June 2019 the Economy PDG had appointed Cllrs Ron Dolley and Ray Radford to the re-established Working Group to work alongside Cllr Evans. Cllr Evans stated that the timing and change in membership had been unfortunate but he hoped he would provide some consistency.

He further explained how the original group had gone about their task having had discussions about each individual council owned car park in the 3 main towns. The WG had felt this was necessary since the 'offer' was not the same in each of the towns and each car park represented a unique set of circumstances. At their final meeting in December 2018 the previous WG had come up with a draft set of proposals. They had started from the premise that the 30 minutes 'free' parking did not do anything to encourage 'dwell' time within each town. This view had also repeatedly been relayed to them by traders.

With the aid of a spreadsheet showing the current car parking charges compared to the proposed new car parking charges, the newly re-formed WG considered each car park in turn to ascertain whether they were still of the same view:

William Street

Because of the need for parents to drop off and pick up children from Castle Primary School the WG felt it was still important to maintain the fee 8.30am to 9.30am and 3pm till 4pm free parking periods. However, they continued to recommend that the 30 minutes free parking throughout the day be removed.

St Saviours / Crediton

Recommendation for charges to remain as previously proposed.

Discussion took place regarding the number of car park permits given to the local school and the fact that many parents preferred to transport their children to school via a vehicle rather than walk them even though in many cases this was a short distance.

Phoenix House

The previous recommendation had been to alter these charges so as to take account of the Premier Inn and ensure that the council's income from car parking was not detrimentally affected.

It was felt that an hour ought to be the maximum stay in the parking bays outside Phoenix House. If people wanted longer then they could park in the multi-storey. It was confirmed that disabled drivers would get an extra hour free but that signage could be better in order to clarify this. It was suggested that DWP be asked to display some 'Pay and Display' signage in their window as a way forward.

MSCP

It was felt that previous charges had been on the low side compared to other multi-storey car parks in Devon. It was important to remember that this was a long stay car park and there was a need to encourage people to purchase permits. To park in the MSCP at the moment each day, if a person worked in Tiverton, would total £470 p.a., however, a permit currently only costs £180.

The recommendation of the WG is that the charges for the MSCP be tidied up and that they are:

- £2 for 2hrs
- £4 for 5hrs
- £6 for 10 hrs

If there was a charge for all day parking this would capture the Premier Inn customers. People that lived and worked locally could buy a permit which would work out at £1.32 a day. It was felt that this should be reflected in the other long stay car parks throughout the district.

Overnight charging

Cllr Woollatt made the point that, overnight in Cullompton, car parks were almost empty, most of the time, and yet the streets were clogged up with cars making it very difficult for local residents to park outside their own properties. She suggested that the WG consider offering free overnight parking in car parks where locally there was a problem for local residents. She also questioned whether charging for overnight parking was supporting the night time economy.

Cllr Evans stated that, in his view, overnight charging should stay but that the council should advertise permits better. It was still only £1 to park overnight and this had not

been increased in 3 years. An annual permit would reduce this cost to 50p per night, i.e. 50% less. It was his view that the council's revenue still needed to be maintained in order to support the provision of other vital services.

Cllr Dolley stated that there was a fine balance to be made and other parts of Devon and Somerset still charged for overnight parking.

The consensus view was that there should be charging for overnight parking but that the cost of permits should be reduced.

Westexe

The number of PCN's issued had been minimal but enforcement costs were still high. This was a different short stay car park – there was a relationship with Wetherspoons to bear in mind.

May need to look at increasing permit costs for the MSCP if charges are reduced elsewhere in order to balance costs.

The point was made that the situation was different in Westexe compared to Cullompton with regard to overnight charging. The streets in Westexe would be full of cars if the proposal was to go ahead. It was therefore agreed that the WG needed to consider the situation car park by car park.

High Street, Crediton

Moving away from the charge for 10 hours and staggering the charging periods was seen as an improvement.

Leave tariffs as they were previously recommended.

Wellbooke Street

The previous proposals were discussed on the spreadsheet provided and agreed.

Cllr Frank Letch's motion – free parking on Saturday's in the three main towns

Cllr Letch had felt that the footfall in Crediton on Saturdays was much greater on Saturdays than on week days largely due to there being a market. This had obvious benefits to the local economy. He felt that car parks were a community asset and should be used for the benefit of the local community and its economy. On market day, because of car park costs, there were an increased number of cars looking to park on the streets. However, he did understand that not charging on Saturdays in each of the towns would mean a loss of income to the council of between £37k and £50k per annum.

Cllr Woollatt stated that she did not quite understand why a lot of traders closed their businesses at lunchtime on Saturdays in Cullompton she still felt that not charging for overnight parking would be more beneficial to local residents than offering free

parking on Saturdays. Therefore she was not able to support Cllr Letch's Motion. Cllr Dolley was also not able to support the motion for similar reasons.

Cllr Evans stated that he would relay the views of the WG to the Economy PDG on 8 August so that they could formulate an opinion as to whether or not the Motion should be supported or rejected.

Permits

At the moment the council asked for a one off payment for an annual permit costing £185. It was felt that the council should look to offer customers the choice of either paying for an annual permit on a monthly basis, quarterly and half yearly. However, at the moment the software was not in place to support alternative payment methods. However, negotiations could take place with the supplier to provide alternative payment methods if the Cabinet supported the proposals. This was seen as a vital step forward if greater numbers of people were to purchase permits.

A suggestion was made to reduce overnight permits from £180 to £100 provided the option to pay monthly was made available to people. If the numbers of people wanting to buy permits increased greatly due to them being able to pay monthly then it might be worth the council investing some money into improving the software system to support this.

Discussion took place regarding whether or not overnight parking permit charges should be generic across the district or whether separate charges should apply to individual car parks. The consensus view was that consistency was needed across the three towns and that the following charges should be recommended for overnight charging:

- If paying by monthly direct debit – 12 months x £10 per month (total £120 per year)
- If making a one off payment – 1 year x £100 (total £100 per year)

Next steps

WG report to go to the 8 August Economy PDG meeting, Cllr Evans to present the report.

Include notes of this meeting and the spreadsheet with current and proposed new charges. Also include a bullet point summary of the recommendations being made listed by car park.

AJ to be present at the Economy PDG meeting.

Meeting closed 15:05pm

Appendix 2

Briefing from the Car Park Working Group

Please refer to Appendix 3 which details the current pay and display charges and the proposed pay and display charges.

The tariff proposals in Appendix 3 have been put through a pricing model based on historic vend analysis and have projected an increase in income of around £225,600. This increase will however come with a health warning as any price changes could influence peoples choices whether to use our car parks or not, vends/tickets purchased have already fallen since this data has been produced.

Note - the following forecast is based on 17/18 vend information – 18/19 budgeted income was £678,260 however only £636,000 was achieved mainly due to falling vends in MSPC. Andrew Jarrett constantly reminds members that there are a myriad of variables that can affect parking vends e.g. weather, shopping voids, tax changes, road works, seasonal trends (summer hols) etc. So therefore members need to consider precisely what additional budget would be sensible to include post implementation of these recommendations.

Below are brief notes as to the reasoning and thought process behind some of the tariff changes per car park.

Overnight Parking, Sunday's and Bank holidays

- There has been no change to the current charges for overnight parking - still includes the first 30 minutes free with overnight parking, Sundays and Bank Holidays remaining £1.00.

Short Stay Car Parks – Market Place, Becks Sq, Market Street, Cred

- To help increase the dwell time within the Town Centre's the 30 minute tariff of £1.00 has been removed.
- 1 hour tariff reduced from £1.50 to £1.25.
- Slight increase of 20p on the 2 hour tariff from £2.00 to £2.20.

Phoenix House Car Park

The working group felt that this car park was for the users of Phoenix House Offices, DWP and the Library and the charging period should be changed to reflect the drop off nature of these spaces.

- Still offering 15 minutes free.
- Introducing a maximum stay of 1 hour for £1.00 Monday – Saturday.

Multi-Storey Car Park

The working group talked through lots of possible options for the MSCP and made reference to the fact that this car park by its nature must be treated differently to the other long stay car parks in Crediton and Cullompton. It was felt by users and the working group that the current 14 hours for £2.00 did not reflect what users wanted and more stepped charges would be better going forward. Please refer to Appendix 3 for proposed charges.

William Street Car Park

This car park currently offers 30 minutes free during the day charging period. The working group wanted to be consistent and bring this car parks charging tariff in-line with the other short stay car parks. The only difference is this car park is situated across the road from Castle Primary School so is used by parents to drop off and pick up children from school. To avoid congestion in the town the working group felt that they wanted to keep the 30 minutes free during the time of drop off 8:30 – 9:30 and pick-up 15:00 – 16:00. Please refer to Appendix 3.

St Saviours Way (High Street), Crediton Car Park

This car park in the past has been classed as a long stay car park and currently has 10 hours for £2.00 which users and the working group did not feel was a true reflection of what users wanted. The working group have made the tariff's more stepped in charges but still keeping the long stay options.

Station Road, Cullompton Car Park

This car park in the past has been classed as a long stay car park and currently has 10 hours for £2.00 which users and the working group did not feel was a true reflection of what users wanted. The working group have made the tariff's more stepped in charges but still keeping the long stay options. Please refer to Appendix 3.

Westexe South Car Park

The working group wanted to bring this car park in-line with the other short stay car parks within the town.

- The 30 minutes free tariff during day-time charging has been removed to help try and encourage more dwell time.
- 1 and 2 hours tariffs are now the same as the other short stay car parks.

- 3 hour tariff remains for the users of bars and restaurants in the area during the day with a slight increase to the current charge.

Wellbrook Street Car Park

- To be consistent with Westexe car park the 30 minutes free tariff has been removed.
- 1 and 2 hours tariffs are now the same as the other short stay car parks.
- Reduced the 4 hour tariff to 3 hours with the same pricing as Westexe.
- An increase to the price on the 24 hour tariff.

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2019/20 P&D New Pricing Proposal

Car Park	Current Income	Proposed Income	Difference
Market Place, Tiverton	265,816	284,272	- 18,456
Becks Square, Tiverton	98,947	106,265	- 7,318
Phoenix House, Tiverton	5,958	7,602	- 1,644
MSCP, Tiverton	125,779	239,327	- 113,548
William Street, Tiverton	32,520	56,023	- 23,503
High Street, Crediton	94,437	113,223	- 18,786
Station Road, Cullompton	41,948	41,282	666
Market Street, Crediton	44,988	47,919	- 2,932
Westexe South, Tiverton	59,413	94,800	- 35,387
Wellbrook Street, Tiverton	16,473	21,197	- 4,724
Totals	786,278	1,011,910	- 225,632

Market Place, Tiverton

Proposed Tariff	
30 Mins - Remove	-
1 Hour	1.25
2 Hours	2.20
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Proposed		
Duration	Tariff	Total Vends Amount
1 Hour	1.25	121,368 151,710.00
2 Hours	2.20	52,334 115,134.80
Overnight 18:00 - 08:00 30 mins	Free	1,754 -
Overnight 18:00 - 08:00	1.00	9,103 9,103.00
BH & Sunday Parking	1.00	8,324 8,324.00
		192,883 284,271.80

Current Tariff	
30 Mins	1.00
1 Hour	1.50
2 Hours	2.00
Overnight 18:00 - 08:00	Free
30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Current		
Duration	Tariff	Total Vends Amount
30 Mins	1.00	76,663 76,663.00
1 Hour	1.50	44,705 67,057.50
2 Hours	2.00	52,334 104,668.00
Overnight 18:00 - 08:00	Free	1,754 -
30 mins	Free	-
Overnight 18:00 - 08:00	1.00	9,103 9,103.00
BH & Sunday Parking	1.00	8,324 8,324.00
		192,883 265,815.50

Assumptions
By removing the 30 Min Tariff all current 30 mins vends have been moved to 1 hour vends in the proposed tabled

Becks Square, Tiverton

Proposed Tariff	
30 Mins - Remove	-
1 Hour	1.25
2 Hours	2.20
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Current Tariff	
30 Mins	1.00
1 Hour	1.50
2 Hours	2.00
Overnight 18:00 - 08:00	Free
30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Proposed			
Duration	Tariff	Total Vends	Amount
1 Hour	1.25	44,075.00	55,093.75
2 Hours	2.20	19,811.00	43,584.20
Overnight 18:00 - 08:00 30 mins	Free	568.00	-
Overnight 18:00 - 08:00	1.00	4,223.00	4,223.00
BH & Sunday Parking	1.00	3,364.00	3,364.00
		72,041	106,264.95

Current			
Duration	Tariff	Total Vends	Amount
30 Mins	1.00	28,750	28,750.00
1 Hour	1.50	15,325	22,987.50
2 Hours	2.00	19,811	39,622.00
Overnight 18:00 - 08:00	Free	568	-
30 mins	1.00	4,223	4,223.00
Overnight 18:00 - 08:00	1.00	3,364	3,364.00
BH & Sunday Parking	1.00	72,041	98,946.50

Assumptions

By removing the 30 Min Tariff all current 30 mins vends have been moved to 1 hour vends in the proposed tabled

Phoenix House, Tiverton

Proposed Tariff	
Mon - Sat 15 mins	Free
Mon Sat 1 hour (max stay 24 hr charging) Norm Sun charges still apply	1.00

Current Tariff	
Mon - Fri 15 mins	Free
Mon - Fri 30 mins	0.60
Sat - 2 Hours	2.00
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00 BH & Sunday Parking	1.00
	1.00

Current			
Duration	Tariff	Total Vends	Amount
Mon - Fri 15 mins	Free	23,734	-
Mon - Fri 30 mins	0.60	5,599	3,359.40
Sat - 2 Hours	2.00	872	1,744.00
Overnight 18:00 - 08:00 30 mins	Free	276	-
Overnight 18:00 - 08:00 BH & Sunday Parking	1.00	144	144.00
	1.00	711	711.00
		31,336	5,958.40

Proposed			
Duration	Tariff	Total Vends	Amount
Mon - Sun 15 mins	Free	23,734	-
Mon-Sun 1 hour (max stay 24 hr charging)	1.00	7,602	7,602.00
		31,336	7,602.00

Assumptions
Apart from the free 15 min tariff all other tariffs will be 1 hour

MSCP, Tiverton

Current Tariff	
14 Hours	2.00
24 Hours	5.00
2 Days	10.00
3 Days	15.00
4 Days	20.00
5 Days	25.00
7 Days	30.00

Proposed Tariff	
2 Hours	2.00
5 Hours	4.00
10 Hours	6.00
1 Day	10.00
2 Days	20.00
3 Days	30.00
4 Days	40.00
5 Days	50.00
7 Days	70.00

Current			
Duration	Tariff	Total Vends	Amount
14 Hours	2.00	61,507	123,014.00
24 Hours	5.00	269	1,345.00
2 Days	10.00	41	410.00
3 Days	15.00	18	270.00
4 Days	20.00	9	180.00
5 Days	25.00	14	350.00
7 Days	30.00	7	210.00
		61,865	125,779.00

Proposed			
Duration	Tariff	Total Vends	Amount
2 Hours	2.00	24,603	49,205.60
5 Hours	4.00	18,452	73,808.40
10 Hours	6.00	18,452	110,712.60
1 Day	10.00	269	2,690.00
2 Days	20.00	41	820.00
3 Days	30.00	18	540.00
4 Days	40.00	9	360.00
5 Days	50.00	14	700.00
7 Days	70.00	7	490.00
		61,865	239,326.60
			186,282.79

Assumptions			
2 Hours	40%	30%	30%
4 Hours			
9 Hours			
Total			100%
The above tariff has been split over 3 new tariffs			

Premier Inn expected open September 19 - Have assumed nil growth and will accept the windfall during 19-20

William Street, Tiverton

Current Tariff	
30 Mins	Free
2 Hours	2.00
Overnight 18:00 - 08:00	Free
30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Proposed Tariff	
30 mins free (08:30 - 09:30 & 15:00 - 16:00)	Free
1 Hour	1.25
2 Hours	2.20
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Current		
Duration	Tariff	Total Vends Amount
30 Mins	Free	56,826
2 Hours	2.00	13,271
Overnight 18:00 - 08:00	Free	3,271
30 mins	Free	-
Overnight 18:00 - 08:00	1.00	3,189
BH & Sunday Parking	1.00	2,789
		79,346
		32,520.00

Proposed		
Duration	Tariff	Total Vends Amount
30 mins free (08:30 - 09:30 & 15:00 - 16:00)	Free	17,048
1 Hour	1.25	30,693
2 Hours	2.20	5,308.40
Overnight 18:00 - 08:00 30 mins	Free	3,271
Overnight 18:00 - 08:00	1.00	3,189
BH & Sunday Parking	1.00	2,789
		62,298
		56,022.73

Assumptions			
Free (8:30-9:30 & 15:00-16:00)	30%	40%	70%
30 Mins (free)	30%	60%	100%
2 Hours	40%	40%	100%
<p>The above 2 tariffs have been split over 3 new tariffs. An assumption of 30% loss in vends due to no longer having 30 mins free parking</p>			

High Street, Crediton

Current Tariff	
10 Hours	2.00
24 Hours	5.00
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Proposed Tariff	
2 Hours	1.80
5 Hours	2.50
10 Hours	3.00
24 Hours	5.00
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Current			
Duration	Tariff	Total Vends	Amount
10 Hours	2.00	40,840	81,680.00
24 Hours	5.00	1,615	8,075.00
Overnight 18:00 - 08:00 30 mins	Free	382	-
Overnight 18:00 - 08:00	1.00	2,900	2,900.00
BH & Sunday Parking	1.00	1,782	1,782.00
		47,519	94,437.00

Proposed			
Duration	Tariff	Total Vends	Amount
2 Hour	1.80	8,168	14,702.40
5 Hours	2.50	24,504	61,260.00
10 Hours	3.00	8,168	24,504.00
24 Hours	5.00	1,615	8,075.00
Overnight 18:00 - 08:00 30 mins	Free	382	-
Overnight 18:00 - 08:00	1.00	2,900	2,900.00
BH & Sunday Parking	1.00	1,782	1,782.00
		47,519	113,223.40

Large increase on current tariff

Assumptions				
	2 Hour	5 Hours	10 Hours	Total
10 Hours	20%	60%	20%	100%
The 10 Hours tariff has been split over 2 new tariffs				

Station Road, Cullompton

Current Tariff	
10 Hours	2.00
24 Hours	5.00
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Proposed Tariff	
1 Hour	1.00
2 Hours	1.80
10 Hours	3.00
24 Hours	5.00
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Current			
Duration	Tariff	Total Vends	Amount
10 Hours	2.00	16,660	33,320.00
24 Hours	5.00	939	4,695.00
Overnight 18:00 - 08:00 30 mins	Free	939	-
Overnight 18:00 - 08:00	1.00	891	891.00
BH & Sunday Parking	1.00	3,042	3,042.00
		22,471	41,948.00

Proposed			
Duration	Tariff	Total Vends	Amount
1 Hour	1.00	6,664	6,664.00
2 Hours	1.80	3,332	5,997.60
10 Hours	3.00	6,664	19,992.00
24 Hours	5.00	939	4,695.00
Overnight 18:00 - 08:00 30 mins	Free	939	-
Overnight 18:00 - 08:00	1.00	891	891.00
BH & Sunday Parking	1.00	3,042	3,042.00
		22,471	41,281.60

Assumptions				
1 Hour	2 Hours	10 Hours	Total	
40%	20%	40%	100%	
The 10 Hours tariff has been split over 2 new tariffs				

Market Street, Crediton

Proposed Tariff	
30 Mins - Remove	-
1 Hour	1.25
2 Hours	2.20
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Proposed		
Duration	Tariff	Total Vends Amount
1 Hour	1.25	10,884 13,605.00
2 Hours	2.20	14,837 32,641.40
Overnight 18:00 - 08:00 30 mins	Free	276 -
Overnight 18:00 - 08:00	1.00	866 866.00
BH & Sunday Parking	1.00	807 807.00
		27,670 47,919.40

Current Tariff	
30 Mins	1.00
1 Hour	1.50
2 Hours	2.00
Overnight 18:00 - 08:00	Free
30 mins	1.00
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Current		
Duration	Tariff	Total Vends Amount
30 Mins	1.00	5,371 5,371.00
1 Hour	1.50	5,513 8,269.50
2 Hours	2.00	14,837 29,674.00
Overnight 18:00 - 08:00	Free	276 -
30 mins	1.00	866 866.00
Overnight 18:00 - 08:00	1.00	807 807.00
BH & Sunday Parking	1.00	27,670 44,987.50

Assumptions

By removing the 30 Min Tariff all current 30 mins vends have been moved to 1 hour vends in the proposed tabled

Westexe South, Tiverton

Current Tariff	
30 Mins	Free
3 Hours	2.00
Overnight 18:00 - 08:00	Free
30 mins	1.00
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Proposed Tariff	
30 Mins - Remove	-
1 Hour	1.25
2 Hours	2.20
3 Hours	2.80
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Current			
Duration	Tariff	Total Vends	Amount
30 Mins	Free	24,925	-
3 Hours	2.00	23,699	47,398
Overnight 18:00 - 08:00	Free	4,151	-
Overnight 18:00 - 08:00	1.00	7,191	7,191
BH & Sunday Parking	1.00	4,824	4,824
		64,790	59,413

Proposed			
Duration	Tariff	Total Vends	Amount
1 Hour	1.25	27,172	33,965
2 Hours	2.20	7,110	15,641
3 Hours	2.80	11,850	33,179
Overnight 18:00 - 08:00 30 mins	Free	4,151	-
Overnight 18:00 - 08:00	1.00	7,191	7,191
BH & Sunday Parking	1.00	4,824	4,824
		62,298	94,800

Assumptions				
	1 Hour	2 Hour	3 Hours	Total
30 Mins (Free)	90%			90%
3 Hours	20%	30%	50%	100%
The above 2 tariffs have been split over 3 new tariffs				

Assuming 10% reduction in vends

Because of Premier Inn do we increase night-time rate in this car park- or do a lot more night time enforcement

Wellbrook Street, Tiverton

Proposed Tariff	
30 Mins - Remove	-
1 Hour	1.25
2 Hours	2.20
3 Hours	2.80
24 Hours	5.00
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Current Tariff	
30 Mins	Free
4 Hours	2.00
24 Hours	3.00
Overnight 18:00 - 08:00 30 mins	Free
Overnight 18:00 - 08:00	1.00
BH & Sunday Parking	1.00

Proposed		
Duration	Tariff	Total Vends Amount
1 Hour	1.25	1,713 1,714
2 Hours	2.20	956 2,103
3 Hours	2.80	2,600 7,281
24 Hours	5.00	1,510 7,551
Overnight 18:00 - 08:00 30 mins	Free	2,517 -
Overnight 18:00 - 08:00	1.00	351 351
BH & Sunday Parking	1.00	2,197 2197
		11,845 21,197

Current		
Duration	Tariff	Total Vends Amount
30 Mins	Free	1,195 -
4 Hours	2.00	3,187 6,374
24 Hours	3.00	2,517 7,551
Overnight 18:00 - 08:00 30 mins	Free	2,517 -
Overnight 18:00 - 08:00	1.00	351 351
BH & Sunday Parking	1.00	2,197 2,197
		11,964 16,473

Assumptions					
	1 Hour	2 Hours	3 Hours	24 Hours	Totals
30 Mins (Free)	90%				90%
4 Hours	20%	30%	50%		100%
24 Hours			40%	60%	100%
been split over 3 new					

Assuming 10% reduction in vends

MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

October 2019

The Forward Plan containing key Decisions is published 28 days prior to each Cabinet meeting

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
District Officer Discretionary Time For Members to receive a report from the Group Manager of Street Scene and Open Spaces on proposals for District Officer Discretionary Time.	Environment Policy Development Group Cabinet	24 Sep 2019 17 Oct 2019	Stuart Noyce, Group Manager for Street Scene and Open Spaces Tel: 01884 244635	Cabinet Member for the Environment (Councillor Luke Taylor)	Open
Cost Recovery & Commercialisation in Growth, Economy & Delivery To receive a report presenting Members with steps to introduce cost recovery into the Growth, Economy and Delivery Service and to look at issues relating to further commercialisation within the service.	Economy Policy Development Group Cabinet Scrutiny Committee	26 Sep 2019 17 Oct 2019 28 Oct 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
Statement of Community Involvement Review 2018	Scrutiny Committee	30 Sep 2019	Jenny Clifford, Head of Planning,	Cabinet Member for Planning and	Open

Agenda Item 10.

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Report to seek authority to consult on the draft revised text.	Cabinet Council	17 Oct 2019 6 Nov 2019	Economy and Regeneration Tel: 01884 234346	Economic Regeneration (Councillor Graeme Barnell)	
S106 Governance To agree governance arrangements for S106 agreements	Scrutiny Committee Cabinet	30 Sep 2019 17 Oct 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
Strategic Grants and Service Level Agreement Programme 2020-2023 To receive a report from the Group Manager for Growth, Economy and Delivery on the Strategic Grants and Service Level Agreement Programme 2020-2023	Scrutiny Committee Community Policy Development Group Cabinet	30 Sep 2019 8 Oct 2019 17 Oct 2019	Adrian Welsh, Group Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
Corporate Asbestos Policy To consider a revised policy.	Homes Policy Development Group Cabinet	1 Oct 2019 17 Oct 2019	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Hoarding Policy To consider a revised policy.	Homes Policy Development Group Cabinet	1 Oct 2019 17 Oct 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Harassment Policy To consider a revised policy.	Homes Policy Development Group Cabinet	1 Oct 2019 17 Oct 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Pets and Animals Policy To consider a revised policy.	Homes Policy Development Group Cabinet	1 Oct 2019 17 Oct 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Housing Revenue Account Asset Management Strategy To consider a revised strategy.	Homes Policy Development Group Cabinet	1 Oct 2019 17 Oct 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Compensation Policy To consider a revised policy.	Homes Policy Development Group Cabinet	1 Oct 2019 23 Oct 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Council Tenancy Rent Debit Frequency To consider the housing service rental charge	Homes Policy Development Group Cabinet	1 Oct 2019 17 Oct 2019	Claire Fry, Group Manager for Housing Tel: 01884 234920	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Market Schedule of Tolls To receive a report recommending a schedule of market tolls for 2019/20.	Cabinet Member for Planning and Economic Regeneration	October 2019	Adrian Welsh, Group Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
Single Equalities Policy and Equality Objective To receive the annual review of the Single Equalities Policy and Equality Objective from the Director of Corporate Affairs and Business Transformation	Community Policy Development Group Cabinet	8 Oct 2019 21 Nov 2019	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
Cullompton Railway Station Project To consider a report on proposed governance arrangements	Cabinet	17 Oct 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<p>Heart of the South West Joint Committee Governance Update To receive an update on governance arrangements for the statutory joint committee covering the Heart of the South West area.</p>	<p>Cabinet Council</p>	<p>17 Oct 2019 6 Nov 2019</p>	<p>Stephen Walford, Chief Executive Tel: 01884 234201</p>	<p>Leader of the Council (Councillor Bob Deed)</p>	<p>Open</p>
<p>Local Plan Examination - Main Modifications To agree main modifications to the Local Plan Review for consultation purposes and submission to the Inspector.</p>	<p>Cabinet Council</p>	<p>17 Oct 2019 6 Nov 2019</p>	<p>Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346</p>	<p>Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)</p>	<p>Open</p>
<p>Draft Design Supplementary Planning Document To consider a report seeking approval to consult on the draft Supplementary Planning Document.</p>	<p>Cabinet</p>	<p>17 Oct 2019</p>	<p>Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346</p>	<p>Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)</p>	<p>Open</p>
<p>Lords Meadow Leisure Centre - Filter Project To consider the outcome of the tender for the project</p>	<p>Cabinet</p>	<p>17 Oct 2019</p>	<p>Andrew Busby, Group Manager for Corporate Property and Commercial Assets Tel: 01884</p>	<p>Cabinet Member for Housing and Property Services (Councillor Simon Clist)</p>	<p>Part exempt</p>

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
			234948		
Cleaning Contractors To approve the outcome of the procurement exercise.	Cabinet	17 Oct 2019	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
Treasury Management Strategy and Mid Year Review To consider a report with information regarding the treasury performance in the first 6 months of the municipal year.	Cabinet Council	17 Oct 2019 6 Nov 2019	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
Medium Term Financial Plan To consider an updated Medium Term Financial Plan	Cabinet	17 Oct 2019	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
Greater Exeter Strategic Plan for Consultation To consider a report of the Head of Planning, Economy and Regeneration regarding a draft strategic plan.	Scrutiny Committee Cabinet	28 Oct 2019 21 Nov 2019	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Schedule of Meetings To consider the Schedule of Meetings for 2020/21	Cabinet Council	21 Nov 2019 8 Jan 2020	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Bob Deed)	Open
Environment Educational Enforcement Policy To receive a report from the Group Manager of Street Scene and Open Spaces on the updates to the Environment Education and Enforcement Policy	Environment Policy Development Group Cabinet	26 Nov 2019 19 Dec 2019	Stuart Noyce, Group Manager for Street Scene and Open Spaces Tel: 01884 244635	Cabinet Member for the Environment (Councillor Luke Taylor)	Open
Replacement PVCU Double Glazed Units/Entrance Doors 2020 – 2024. To consider the outcome of the tender process	Cabinet	21 Nov 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Council Tax Empty Levy Charge To receive the Council Tax Empty Levy Charge	Scrutiny Committee Cabinet Council	2 Dec 2019 13 Feb 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White) Cabinet Member for Finance (Councillor Alex	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
				White)	
Business Rates - Discretionary Rate Relief To receive the Business Rates - Discretionary Rate Relief	Scrutiny Committee Cabinet Council	2 Dec 2019 13 Feb 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
Homelessness Strategy To consider a revised policy	Homes Policy Development Group Cabinet	3 Dec 2019 19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Allocations Policy and Resources To consider a revised policy.	Homes Policy Development Group Cabinet	3 Dec 2019 19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Income Management Policy To consider a revised policy.	Homes Policy Development Group Cabinet	3 Dec 2019 19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Tenancy Policy review and Tenancy Strategy To consider a revised policy	Homes Policy Development Group Cabinet	3 Dec 2019 19 Dec 2019	Claire Fry, Group Manager for Housing Tel: 01884 234920	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Domestic Abuse Policy To consider a revised policy.	Homes Policy Development Group Cabinet	3 Dec 2019 19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Improvements to Council Property Policy To consider a revised policy.	Homes Policy Development Group Cabinet	3 Dec 2019 19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
ASB Policy and Procedures To consider a revised policy	Homes Policy Development Group Cabinet	3 Dec 2019 19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Leasehold Management Policy To consider a revised policy	Homes Policy Development Group Cabinet	3 Dec 2019 19 Dec 2019	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<p>Community Safety Partnership To consider a report from the group Manager for Public Health and Regulatory Services outlining the Council's Community Safety Action Plan, and to seek Members recommendation to acknowledge and accept the priorities action plan</p>	<p>Community Policy Development Group Cabinet</p>	<p>10 Dec 2019 16 Jan 2020</p>	<p>Simon Newcombe, Group Manager for Public Health and Regulatory Services Tel: 01884 244615</p>	<p>Cabinet Member for Community Well Being (Councillor Dennis Knowles)</p>	<p>Open</p>
<p>Council Tax Support/Extreme Hardship To receive the Council Tax Support/Extreme Hardship Policy</p>	<p>Community Policy Development Group Cabinet Council</p>	<p>10 Dec 2019 13 Feb 2020 26 Feb 2020</p>	<p>Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242</p>	<p>Cabinet Member for Finance (Councillor Alex White)</p>	<p>Open</p>
<p>Use of CCTV Policy and Guidance To receive and approve the Use of CCTV Policy and Guidance</p>	<p>Community Policy Development Group Cabinet Council</p>	<p>10 Dec 2019 19 Dec 2019 8 Jan 2020</p>	<p>Andrew Busby, Group Manager for Corporate Property and Commercial Assets Tel: 01884 234948</p>	<p>Cabinet Member for Community Well Being (Councillor Dennis Knowles)</p>	<p>Open</p>

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Town Centre and Fore Street Flat Remodelling Projects To consider the proposed projects	Cabinet	19 Dec 2019	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Corporate Health & Safety Policy To receive the annual review of the Corporate Health & Safety Policy from the Director of Corporate Affairs and Business Transformation.	Community Policy Development Group Cabinet	10 Dec 2019 16 Jan 2020	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
Climate Strategy and Action Plan To receive the 4 yearly review of the Climate Strategy and Action from the Group Manager for Public Health and Regulatory Services.	Environment Policy Development Group Cabinet	14 Jan 2020 13 Feb 2020	Simon Newcombe, Group Manager for Public Health and Regulatory Services Tel: 01884 244615	Cabinet Member for the Environment (Councillor Luke Taylor)	Open
Tax Base Calculation To consider the statutory calculations necessary to determine the tax base for the Council Tax	Cabinet Council	16 Jan 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Draft Budget To consider the draft budget	Cabinet	16 Jan 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
Corporate Plan To consider a revised Corporate Plan	Cabinet Council	16 Jan 2020 26 Feb 2020	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Bob Deed)	Open
Bereavement Services Fees & Charges To receive the annual review of Bereavement Services Fees & Charges from the Group Manager for Corporate Property and Commercial Assets	Environment Policy Development Group Cabinet	 14 Jan 2020 13 Feb 2020	Andrew Busby, Group Manager for Corporate Property and Commercial Assets Tel: 01884 234948	Cabinet Member for the Environment (Councillor Luke Taylor)	Open
Garage Management Policy	Homes Policy Development Group Cabinet	 28 Jan 2020 13 Feb 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Car Parking Management Policy (housing amenity, residential and permit holder car parks)	Homes Policy Development Group Cabinet	28 Jan 2020 13 Feb 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Beech Road, Tiverton - Design and Build Tender To consider the award of the tender	Cabinet	13 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Part exempt
Rivers Development Limited - Business Plan To consider the business plan.	Cabinet	13 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Fully exempt
National Non-Domestic Rates To receive an update on the income generation and financial implications of the number of Business Rate properties and to approve the NNDR1.	Cabinet Council	13 Feb 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
Budget To consider the budget for 2020/21	Cabinet Council	13 Feb 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151)	Cabinet Member for Finance (Councillor Alex	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
			Tel: 01884 234242	White)	
Capital Programme To consider the Capital Programme for 2020/21	Cabinet Council	13 Feb 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
Treasury Management Strategy and Annual Investment Strategy To consider the proposed Treasury Management Strategy and Annual Investment Strategy	Cabinet Council	13 Feb 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
Capital Strategy To agree the proposed Capital Strategy	Cabinet Council	13 Feb 2020 26 Feb 2020	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Alex White)	Open
Policy Framework To consider and endorse the Policy Framework	Cabinet Council	13 Feb 2020 26 Feb 2020	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Bob Deed)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
The Establishment To consider the overall structure of the Council showing the management and deployment of officers	Cabinet Council	13 Feb 2020 26 Feb 2020	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
Pay Policy To consider a report relating to Senior Officers pay	Cabinet Council	13 Feb 2020 26 Feb 2020	Jill May, Director of Corporate Affairs and Business Transformation Tel: 01884 234381	Leader of the Council (Councillor Bob Deed)	Open
Contaminated Land Cost Recovery Policy To receive the 5 yearly review of the Contaminated Land Cost Recovery Policy	Environment Policy Development Group Cabinet	10 Mar 2020 26 Mar 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for the Environment (Councillor Luke Taylor)	Open
Tenancy Policy To consider a revised policy.	Homes Policy Development Group Cabinet	17 Mar 2020 26 Mar 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Tenancy Strategy To consider a revised strategy.	Homes Policy Development Group Cabinet	17 Mar 2020 26 Mar 2020	Andrew Pritchard, Director of Operations Tel: 01884 234950	Cabinet Member for Housing and Property Services (Councillor Simon Clist)	Open
Grant Payments to External Organisations To receive the 4 yearly review of Grant Payments to external organisations from the Group Manager for Growth, Economy & Delivery	Community Policy Development Group Cabinet	24 Mar 2020 16 Apr 2020	Paul Tucker, Grants and Funding Officer	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
Design Supplementary Planning Document - post consultation To consider the Supplementary Planning Document post consultation	Cabinet	26 Mar 2020	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open

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