

Public Document Pack

Mid Devon District Council

Community Policy Development Group

Tuesday, 23 March 2021 at 2.15 pm
Virtual Meeting

Next meeting
Tuesday, 1 June 2021 at 2.15 pm

Important - this meeting will be conducted and recorded by Zoom only. Please do not attend Phoenix House. The attached Protocol for Remote Meetings explains how this will work.

To join the Zoom Meeting please use the following link:

<https://zoom.us/j/97643831502?pwd=WW5pV0g4bjVLL2JBb2kyRXAzenVxUT09>

Meeting ID: 976 4383 1502
Passcode: 611023

One tap mobile

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Meeting ID: 976 4383 1502
Passcode: 611023

Membership

Cllr Mrs E M Andrews

Cllr Mrs C Collis

Cllr E J Berry

Cllr W Burke

Cllr L J Cruwys

Cllr Mrs C P Daw (Chairman)

Cllr J M Downes

Cllr B Holdman

Cllr Mrs M E Squires

AGENDA

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

- 1 **Apologies and Substitute Members**
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2 **Remote Meetings Protocol** *(Pages 5 - 12)*
Members to note the Remote Meetings Protocol
- 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 13 - 18)*
Members to consider whether to approve the Minutes of the last meeting as a correct record.
- 5 **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
Note: A maximum of 30 minutes is allowed for this item.
- 6 **Chairmans Announcements**
To receive any announcements that the Chairman may wish to make.
- 7 **Community Safety Action Plan** *(Pages 19 - 26)*
To consider a report from the Corporate Manager for Public Health, Regulation and Housing outlining the Council's Community Safety Action Plan, and to seek Members recommendation to acknowledge and accept the priorities action plan
- 8 **Air Quality Action Plan Update** *(Pages 27 - 48)*
To receive the 4 yearly review of the Air Quality Action Plan from the Corporate Manager for Public Health, Regulation and Housing
- 9 **Corporate Anti Social Behaviour Policy** *(Pages 49 - 68)*
To receive the 3 yearly review of the Corporate Anti Social Behaviour Policy from the Corporate Manager for Public Health, Regulation and Housing
- 10 **Regulation of Investigatory Powers** *(Pages 69 - 86)*
To receive a report from the Head of Legal Services (Monitoring Officer) providing an annual review of the Council's RIPA policy.

- 11 **Financial Monitoring** (Pages 87 - 90)
To receive a verbal Financial Monitoring report from the Principal Accountant.
- 12 **Community Engagement Strategy (Including Action Plan)** (Pages 91 - 138)
To receive the 2 yearly review of the Community Engagement Strategy and Action Plan
- 13 **Performance and Risk** (Pages 139 - 148)
To provide Members with an update on performance against the corporate plan and local service targets for 2020-2021 as well as providing an update on the key business risks.
- 14 **Chairmans Annual Report** (Pages 149 - 150)
To receive the Chairmans Annual Report
- 15 **Identification of Items for the Next Meeting**
Members are asked to note the following items which are due to the next meeting:
- Town and Parish Council
 - 6 Month Leisure Update
 - Motion 564 - Motion 564 (Councillors: Miss Wainwright and Miss J Norton – 24 February 2020)

Note: This item is limited to 10 minutes. There should be no discussion on the items raised.

Stephen Walford
Chief Executive
Monday, 15 March 2021

Covid-19 and meetings

Meetings will not be held in person at Phoenix House until the Covid-19 crisis eases. Instead, the meetings will be held remotely via Zoom and you will be able to join these meetings via the internet. Please see the instructions on each agenda and read the Protocol on Remote Meetings before you join.

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by **no later than 4pm on the day before the meeting**. This will ensure that your name is on the list to speak and will help us ensure that you are not missed – as you can imagine, it is easier to see and manage public speaking when everyone is physically present in the same room. Notification in this way will ensure the meeting runs as smoothly as possible.

If you require any further information, please contact Carole Oliphant on: coliphant@middevon.gov.uk

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Mid Devon District Council - Remote Meetings Protocol

1. Introduction

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations permit remote attendance in Local Authority meetings.

Remote attendance is permitted as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting (in line with the public participation scheme). A visual solution is preferred, but audio is sufficient.

This also relates to members of the public attending the meeting also being heard.

The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

2. Zoom

Zoom is the system the Council will be using for the time-being to host remote / virtual meetings. It has functionality for audio, video, and screen sharing and you do not need to be a member of the Council or have a Zoom account to join a Zoom meeting.

3. Access to documents

Member Services will publish the agenda and reports for committee meetings on the Council's website in line with usual practice. Paper copies of agendas will only be made available to those who have previously requested this and also the Chair of a virtual meeting.

If any other Member wishes to have a paper copy, they must notify the Member Services before the agenda is published, so they can arrange to post directly – it may take longer to organise printing, so as much notice as possible is appreciated.

Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

4. Setting up the Meeting

This will be done by Member Services. They will send a meeting request via Outlook which will appear in Members' Outlook calendar. Members will receive a URL link to click on to join the meeting.

5. Public Access

Members of the public will be able to use a weblink and standard internet browser. This will be displayed on the front of the agenda.

6. Joining the Meeting

Councillors must join the meeting early (i.e. at least five minutes before the scheduled start time) in order to avoid disrupting or delaying the meeting. Councillors should remember that they may be visible and heard by others, including the public, during this time.

7. Starting the Meeting

At the start of the meeting, the Member Services Officer will check all required attendees are present (viewing the participant list) and that there is a quorum. If there is no quorum, the meeting will be adjourned. This applies if, during the meeting, it becomes inquorate for whatever reason.

The Chair will remind all Members, Officers and the Public that **all microphones will be automatically muted**, unless and until they are speaking. This prevents background noise, coughing etc. which is intrusive and disruptive during the meeting. The Hosting Officer will enforce this and will be able to turn off participant mics when they are not in use. Members would then need to turn their microphones back on when they wish to speak.

8. Public Participation

Participation by members of the public will continue in line with the Council's current arrangements as far as is practicable. However, to ensure that the meeting runs smoothly and that no member of the public is missed, all those who wish to speak must register **by 4pm on the day before the meeting**. They should email their full name to Committee@middevon.gov.uk. If they wish to circulate their question in advance, that would be helpful.

At public question time, the Chair will invite the public by name to speak at the appropriate time. At that point, all public microphones will be enabled. This means that, to avoid private conversations being overheard, no member of the public should speak until it is their turn and they should then refrain from speaking until the end of public question time, when all microphones will be muted again. In the normal way, the public should state their full name, the agenda item they wish to speak to **before** they proceed with their question.

Unless they have registered, a member of the public will not be called to speak.

If a member of the public wishes to ask a question but cannot attend the meeting for whatever reason, there is nothing to prevent them from emailing members of the Committee with their question, views or concern in advance. However, if they do so, it would be helpful if a copy could be sent to Committee@middevon.gov.uk as well.

9. Declaration of Interests

Councillors should declare their interests in the usual way. A councillor with a disclosable pecuniary interest is required to leave the room. For remote meetings, this means that they will be moved to a break-out room for the duration of this item and will only be invited back into the meeting when discussion on the relevant item has finished.

10. The Meeting and Debate

The Council will not be using the Chat function.

The Chair will call each member of the Committee to speak - the Chair can choose to do this either by calling (i) each member in turn and continuing in this way until no member has anything more to add, or (ii) only those members who indicate a wish to speak using the 'raise hand' function within Zoom. This choice will be left entirely to the Chair's discretion depending on how they wish to manage the meeting and how comfortable they are using the one or the other approach.

Members are discouraged from physically raising their hand in the video to indicate a wish to speak – it can be distracting and easily missed/misinterpreted. No decision or outcome will be invalidated by a failure of the Chair to call a member to speak – the remote management of meetings is intensive and it is reasonable to expect that some requests will be inadvertently missed from time to time.

When referring to reports or making specific comments, Councillors should refer to the report and page number, so that all Members of the Committee have a clear understanding of what is being discussed at all times.

11. Voting

On a recommendation or motion being put to the vote, the Chair will go round the virtual room and ask each member entitled to vote to say whether they are for or against or whether they abstain. The Member Services Officer will announce the numerical result of the vote.

12. Meeting Etiquette Reminder

- Mute your microphone – you will still be able to hear what is being said.
- Only speak when invited to do so by the Chair.
- Speak clearly and please state your name each time you speak
- If you're referring to a specific page, mention the page number.

13. Part 2 Reports and Debate

There are times when council meetings are not open to the public, when confidential, or "exempt" issues – as defined in Schedule 12A of the Local Government Act 1972 – are under consideration. It is important to ensure that there are no members of the public at remote locations able to hear or see the proceedings during such meetings.

Any Councillor in remote attendance must ensure that there is no other person present – a failure to do so could be in breach of the Council’s Code of Conduct.

If there are members of the public and press listening to the open part of the meeting, then the Member Services Officer will, at the appropriate time, remove them to a break-out room for the duration of that item. They can then be invited back in when the business returns to Part 1.

Please turn off smart speakers such as Amazon Echo (Alexa), Google Home or smart music devices. These could inadvertently record phone or video conversations, which would not be appropriate during the consideration of confidential items.

14. Interpretation of standing orders

Where the Chair is required to interpret the Council’s Constitution and procedural rules in light of the requirements of remote participation, they may take advice from the Member Services Officer or Monitoring Officer prior to making a ruling. However, the Chair’s decision shall be final.

15. Disorderly Conduct by Members

If a Member behaves in the manner as outlined in the Constitution (persistently ignoring or disobeying the ruling of the Chair or behaving irregularly, improperly or offensively or deliberately obstructs the business of the meeting), any other Member may move 'That the member named be not further heard' which, if seconded, must be put to the vote without discussion.

If the same behaviour persists and a Motion is approved 'that the member named do leave the meeting', then they will be removed as a participant by the Member Services Officer.

16. Disturbance from Members of the Public

If any member of the public interrupts a meeting the Chair will warn them accordingly. If that person continues to interrupt or disrupt proceedings the Chair will ask the Member Services Officer to remove them as a participant from the meeting.

17. After the meeting

Please ensure you leave the meeting promptly by clicking on the red phone button to hang up.

18. Technical issues – meeting management

If the Chair, the Hosting Officer or the Member Services Officer identifies a problem with the systems from the Council’s side, the Chair should either declare a recess while the fault is addressed or, if the fault is minor (e.g. unable to bring up a presentation), it may be appropriate to move onto the next item of business

in order to progress through the agenda. If it is not possible to address the fault and the meeting becomes inquorate through this fault, the meeting will be adjourned until such time as it can be reconvened.

If the meeting was due to determine an urgent matter or one which is time-limited and it has not been possible to continue because of technical difficulties, the Chief Executive, Leader and relevant Cabinet Member, in consultation with the Monitoring Officer, shall explore such other means of taking the decision as may be permitted by the Council's constitution.

For members of the public and press who experience problems during the course of a meeting e.g. through internet connectivity or otherwise, the meeting will not be suspended or adjourned.

19. Technical issues – Individual Responsibility (Members and Officers)

Many members and officers live in places where broadband speeds are poor, but technical issues can arise at any time for a number of reasons. The following guidelines, if followed, should help reduce disruption. Separate guidance will be issued on how to manage connectivity – this paragraph focusses on the procedural steps. Joining early will help identify problems – see paragraph 6.

- Join public Zoom meetings by telephone if there is a problem with the internet. Before all meetings, note down or take a photograph of the front page of the agenda which has the necessary telephone numbers. Annex 1 to this protocol contains a brief step-by-step guide to what to expect
- Consider an alternative location from which to join the meeting, but staying safe and keeping confidential information secure. For officers, this may mean considering whether to come into the office, subject to this being safe and practicable (childcare etc.)
- If hosting a meeting via Zoom (briefings etc.), consider creating an additional host when setting up the meeting. The additional host can step in if the main host has problems – remember that without a host, the meeting cannot close and any information on the screens will remain on view
- Have to hand the telephone number of another member or officer expected in the meeting – and contact them if necessary to explain the problem in connecting
- Officers should have an 'understudy' or deputy briefed and on standby to attend and present as needed (and their telephone numbers to hand)
- For informal meetings and as a last resort, members and officers may be able to call another member or officer in the meeting who can put the 'phone on loudspeaker for all to hear – not ideal, but it ensures some degree of participation and continuity

- Member Services will hold a list of contact details for all senior officers

Phone only access to zoom meetings

(Before you start **make sure you know the Meeting ID and the Meeting Password**) – Both of these are available on the agenda for the meeting

Call the toll free number either on the meeting agenda or on the Outlook appointment (this will start with 0800 --- ----)

(Ensure your phone is on 'speaker' if you can)

A message will sound saying *"Welcome to Zoom, enter your meeting ID followed by the hash button"*

- **Enter Meeting ID followed by #**

Wait for next message which will say *"If you are a participant, please press hash to continue"*

- **Press #**

Wait for next message which will say *"Enter Meeting Password followed by hash"*

- **Enter 6 digit Meeting Password followed by #**

Wait for the following two messages:

"You are currently being held in a waiting room, the Host will release you from 'hold' in a minute"

Wait.....

"You have now entered the meeting"

Important notes for participating in meetings

Press ***6** to toggle between **'mute' and 'unmute'** (you should always ensure you are muted until you are called upon to speak)

If you wish to speak you can **'raise your hand'** by pressing ***9**. Wait for the Chairman to call you to speak. The Host will lower your hand after you have spoken. Make sure you mute yourself afterwards.

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COMMUNITY POLICY DEVELOPMENT GROUP**
held on 26 January 2021 at 2.15 pm

Present

Councillors

Mrs C P Daw (Chairman)
E J Berry, Mrs C Collis, L J Cruwys,
J M Downes, B Holdman and
Mrs M E Squires

Apologies

Councillor(s)

Mrs E M Andrews

Also Present

Councillor(s)

R M Deed, R Evans and D J Knowles

Also Present

Officer(s):

Jill May (Director of Business Improvement and Operations), Ian Chilver (Group Manager for Financial Services), Catherine Yandle (Group Manager for Performance, Governance and Data Security), John Bodley-Scott (Economic Development Team Leader), Lee Chester (Leisure Manager), Clare Robathan (Scrutiny Officer) and Carole Oliphant (Member Services Officer)

59 **APOLOGIES AND SUBSTITUTE MEMBERS (0.02.47)**

Apologies were received from Cllr Mrs E M Andrews

60 **REMOTE MEETINGS PROTOCOL (0.03.05)**

The Group had before it, and **NOTED**, the *Remote Meetings Protocol.

Note: *Remote Meetings Protocol previously circulated and attached to the minutes

61 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0.03.55)**

Members were reminded of the requirement to make declarations where appropriate

62 **MINUTES OF THE PREVIOUS MEETING (0.04.18)**

The Minutes of the Meeting held on 8th December 2020 were approved as a correct record

63 **PUBLIC QUESTION TIME (0.04.44)**

Andrea Rowe from the Museum of Mid Devon Life referring to item 9 on the agenda stated:

The Board were concerned that the Council would cut the grant for 2021-2022 and that the Tourist Information Centre had just been announced as a finalist in the Visitors Centre of the year for 2020-2021.

The museum and tourist information service play a vital role in boosting the local economy by attracting visitors to the Mid Devon area, both to visit the museum and through our work on Visit Mid Devon which promotes the local area as a visitor destination. Given the challenges High Streets are currently facing, our town centre location is also a significant factor.

Using the Association of Independent Museum's Economic Impact Toolkit we have estimated that the museum's economic contribution to the local economy in 2019 was £213,744. This means that for every £1 that MDCC invested in the museum in 2018, there was a return of over £7 into the local economy.

The Museum and Information Services offer a variety of challenging volunteering opportunities which currently attract over 80 people and provide unique learning experiences on site and in schools and care homes for the young and old. They also organise low cost family activities in school holidays.

Are members fully aware of the economic, wellbeing and social impact of the museum?

The Chairman advised that the question would be addressed during the agenda item.

64 **CHAIRMAN'S ANNOUNCEMENTS (0.10.08)**

The Chairman had no announcements to make

65 **BUDGET (0.10.21)**

The Group had before it, and **NOTED**, the *Budget report for 2021/2022 from the Deputy Chief Executive (S151).

The Group Manager for Finance stated that this was the second draft of the budget and that the deficit had reduced from an excess of £3m to £490k and included the impact of the Government's funding settlement.

He explained that Government funding for the pandemic via the Income Compensation Scheme had been extended to the end of June 2021.

He further explained that it remained a very volatile period and that the unknown impact of the ongoing Covid crisis may vary the numbers further.

Some of the £490k deficit would need to be met from reserves but Members were asked to consider that the deficit for 2022-2023 was forecast as £3m.

Members were asked to highlight any savings which could be considered to reduce the deficit for 2021-2022 and beyond.

Consideration was given to:

- Business rate return implications and how these could be mitigated
- What were acceptable services levels and how these could be determined
- Members concerns with regard to using reserves to reduce the budget deficit

Note: *The budget report previously circulated and attached to the minutes

66 **FINANCIAL MONITORING (0.26.15)**

The Group received a verbal financial monitoring report from the Group Manager for Finance who explained that as of November 2020 the forecast had improved by £133k and that the Council could realise a surplus of £109K. He explained that when the report had been produced there was no knowledge of a further lockdown so the situation could deteriorate.

The officer explained that the projected surplus did not mean additional money to spend but would see the Council ending the financial year better than anticipated. If any monies were left at the end of year this would be put into an ear marked reserve to bridge any future budget gap.

He explained that £530k had been received from the Government to date, through the Income Compensation Scheme and that an additional claim for £775k had been submitted. There was a risk of misinterpretation of the rules so these figures may need to be adjusted.

67 **GRANT PAYMENTS TO EXTERNAL ORGANISATIONS (0.36.15)**

The Group had before it a *report from the Head of Planning, Economy and Regeneration presenting the Strategic Grants Programme Evaluation and Review.

The Economic Development Team Leader outlined the contents of the report and explained that the Working Group had met 3 times to discuss the budget. The pandemic had severely impacted the Council's partners who had shown great resilience and had all played an important part in assisting and supporting vulnerable residents.

The officer explained that the Working Group had recognised the important work that the partners did and the financial difficulties the Council was facing.

Consideration was given to:

- The Working Group did not wish to cut the grants to the existing partners
- The £9650 saving from the Age UK Mid Devon grant should be offered as a saving to protect the grants for the other partners
- The additional external funding that was now available to the Council's partners
- Regular meetings with the partners were held which highlighted and signposted partners to additional sources of income that they may be entitled to

It was therefore **RECOMMENDED** to the Cabinet that:

- 1) A one year grant award be made for 2021-2022, with a review in the autumn of 2021;
- 2) Grants to be made on a 1 year settlement basis, to be reviewed annually each autumn;
- 3) The £9,650 previously offered to Age UK Mid Devon be identified as a saving;
- 4) The grant payments for 2021–2022 to the Council’s other strategic partners should remain at the same levels as 2020-2021.
- 5) The levels recommended were:

Organisation	2021-2022 Grant
Churches Housing Action Tam (CHAT)	£12,500
Citizens Advice	£15,500
Involve – Voluntary Action in Mid Devon	£12,000
Mid Devon Mobility	£22,000
Grand Western Canal	£45,000
Tiverton Museum of Mid Devon Life	£27,500
Tourist Information Service	£4,000
Total Grants	£138,500
Savings	£9,650

- 6) If the Cabinet were minded to reduce the grant payment awards in 2021-2022 the Community PDG recommended that the organisations which directly supported vulnerable residents should have their grant payments protected, namely:
 - Churches Housing Action Team (CHAT)
 - Citizens Advice
 - Involve – Voluntary Action in Mid Devon
 - Mid Devon Mobility

(Proposed by the Chairman)

Reason for the Decision – So that the allocation of grants could continue to support external agencies delivering services to enhance the Council’s Homes, Community and Economy priorities

Notes:

- i.) Cllr D J Knowles declared a personal interest as a member of the Mid Devon Museum and Involve
- ii.) *Report previously circulated and attached to the minutes

68 SINGLE EQUALITIES POLICY AND EQUALITY OBJECTIVES (0.56.42)

The Group had before it a *report of the Group Manager for Performance, Governance and Data Security presenting the Single Equalities Scheme and Equality Objectives.

There was no further discussion on the report.

It was therefore **RECOMMENDED** to the Cabinet that:

- The Single Equalities Scheme and Equality Objectives be **APPROVED**

(Proposed by Cllr E J Berry and seconded by Cllr Mrs M E Squires)

Reason for the Decision – To ensure that the Council fulfils its statutory duties under the Equality Act 2020

Note: *Report previously circulated and attached to the minutes

69 **PERFORMANCE AND RISK (0.58.53)**

The Group had before it, and **NOTED**, a *report of the Group Manager for Performance, Governance and Data Security providing updated information on the performance against the Corporate Plan and local service targets for 2020-21.

The Officer outlined the contents of the report and explained that the results were to the end of November 2020. Some of the items did not currently have results against the Corporate Plan as there was a need to work with partners and establish the measures which had been difficult during the pandemic.

Note: *Report previously circulated and attached to the minutes

70 **ON LINE BOOKING SYSTEM FOR LEISURE CENTERS (1.00.00)**

The Leisure Manager explained to the Group that discussions had taken place regarding the suitability of any new CRM system to dovetail a bespoke leisure booking system onto it. The draft leisure plan for 2022-2023 already had a capital budget put aside for an off-the-shelf leisure offering so dovetailing a bespoke system into a CRM which had not yet been established would not be advantageous.

The officer explained that he had no quantitative data to suggest that there were any issues with the current offering.

The Leisure Manager explained that when the time came to establish a procurement exercise to define the new leisure booking system, a working group would be set up with Members and frequent users to help select a suitable offering.

71 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING (1.09.05)**

There were no additional items identified

(The meeting ended at 3.27 pm)

CHAIRMAN

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COMMUNITY POLICY DEVELOPMENT GROUP 23 MARCH 2021

COMMUNITY SAFETY PARTNERSHIP PRIORITIES REPORT 2021-2022

Cabinet Member(s): Cllr Dennis Knowles
Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing (Chair East & Mid Devon CSP)

Reason for Report and Recommendation: To provide an update on the Community Safety Partnership (CSP) priorities and the planned activities of the partnership for the coming year.

Recommendation: That the PDG notes priorities of the East & Mid Devon Community Safety Partnership and planned activities within the partnerships priorities and action plan for 2021-22.

Financial Implications: There are no direct financial implications as a result of this report aside from highlighting potential ad-hoc costs arising from Domestic Homicide Review responsibilities as set out below.

Budget and Policy Framework: Funding for the Partnership is provided by external grant and the details of this are outlined in Section 4.0 of the report. It should be noted that from financial year 2022 onwards the Police & Crime Commissioner has reviewed the service commissioning process and the CSP will no longer receive a direct grant. Future funding will likely be in the form of direct funding applications for specific projects with priority to those that show joint working across Devon.

The CSP are legally responsible for the delivery of Domestic Homicide Reviews (DHR) under the Domestic Violence, Crime and Victims Act 2004. Until recently this activity was absorbed at county level without any direct financial contribution by local CSPs. They will continue to be coordinated and delivered on a county basis through the Safer Devon Partnership, however all District Authorities agreed to contribute £1,125 annually towards the cost of undertaking these reviews. This amount may vary slightly depending on the number of DHRs that are required across the county.

Legal Implications: The Crime and Disorder Act 1998 makes it a statutory requirement for the police and local authorities to engage with partners to form a community safety partnership for the purposes of reducing crime and disorder. The 1998 Act places a legal responsibility on the partnership to consult with the community on the priorities it has set and to inform them of progress against the action plan. The Act also requires the partnership to carry out a Strategic Assessment of the area which is used to inform the partnership priorities. The partnership is also responsible for conducting Domestic Homicide Reviews and these are led by Devon County Council.

The new Domestic Abuse Bill will place a duty on Local Authorities in England to provide support to victims of domestic abuse and their children in refuges and other safe accommodation. It is currently going through the House of Lords and likely to come into force in the spring.

The Serious Violence Bill has been delayed until 2022 but is likely to have implications for Community Safety Partnerships and Public Health teams.

Risk Assessment: There is a risk to the Council if it does not engage with the partnership in respect of failing to meet statutory duties. In turn, the ability of the partnership to provide effective multi-agency working to reduce crime and disorder in our community is potentially reduced.

Equality Impact Assessment: The 2018-21 CSP Plan has had an equality impact assessment (EIA) completed. The transition to the Trauma Informed approach plan has had an equality impact assessment completed. Overall, no adverse impacts on persons with legally protected characteristics has been identified. However, the CSP Plan and the wider purpose of the CSP itself is to help protect or support some of the most vulnerable persons in our area.

Relationship to Corporate Plan: The priorities of the CSP and the activities undertaken as part of the action plan compliment the ambitions of the Corporate Plan. In particular this activity contributes to the priority of Community. The CSP works directly with the wider community, youth groups and local partners to ensure the district is a safe place to live, work and visit.

Impact on Climate Change: None directly arising from the report. Since the Covid Pandemic the Partnership now undertakes the majority of its management work remotely through electronic communications which limits officer travel and physical meetings.

1.0 Introduction/Background

- 1.1 The East & Mid Devon Community Safety Partnership (CSP) has been formed in order to meet our statutory duties under the Crime & Disorder Act 1998 and is a multi-agency group working together to reduce crime and disorder.
- 1.2 The CSP meets four times per year. The role of chairing the partnership can be met by any of the statutory partners within the partnership and most recently this function has been carried out by Mid Devon District Council.
- 1.3 The Police and Justice Act 2006 requires the local authority to put in place a method of scrutinising the manner in which the partnership functions. Every local authority must have in place a committee with the power to review and scrutinise the actions of the CSP and make recommendations about how it functions. The East and Mid Devon CSP is scrutinised through each Councils

Scrutiny Committee via an annual report. A report was presented at the Scrutiny committee meeting held on 20 July 2020 and an updated report will be presented in the summer of 2021.

- 1.4 The principal purpose of this report is for the Community Policy Development Group to be aware of the planned activities for the CSP going forward.

2.0 **Priority Areas**

- 2.1 The East & Mid Devon CSP Priorities for 2021-22 are based on the evidence given in the Safer Devon Partnership (SDP) Strategic Assessment, which was refreshed in 2020. This gave clear indications that the biggest areas of concern are hidden risk, harm and exploitation alongside emerging issues that are a result of the pandemic. East & Mid Devon risks are clearly mirrored within the report, matching the key areas.

- 2.2 The CSP has therefore shaped and sharpened the priorities based on the strategic assessment 2020:

1. Sexual Violence and Domestic Violence & Abuse
2. Youth Risk and Vulnerability
3. Problem Alcohol & Drug Use
4. Exploitation
5. Violent Crime

- 2.3 The CSP will have a focus on building resilience for children and young people across all themes.

- 2.4 The impact of the pandemic has been felt across all communities and the CSP agreed that work would also be proactive in identifying and addressing neglect of our residents, both young and old, which has been heightened due to the pandemic impacting on finances and services.

- 2.5 As resources across all partner agencies become even more stretched our approach will be to commit to putting our energy into areas where we can add best value.

- 2.6 We will continue to promote a 'Trauma Informed' approach across the partner agencies. This approach encourages practitioners and staff to recognise that many service users and community members have experienced some form of traumatic event that they are living with day to day, and may impact on their life choices, activities and actions. This is even more evident as services notice the increases in domestic abuse, child on parent abuse and an increase in substance and alcohol misuse during the pandemic.

2.7 The CSP has confirmed commitment to project work as follows:

- The use and understanding of the Trauma lens to focus on how harm happens and how safety is compromised within relationships (individual or family) and in the community
- Developing Person Centred Approaches to Community Safety in line with the Strategic Assessment Priorities.
- Equitable, timely and evidence based interventions

3.0 Action Plan 2021-22

Work over the coming year will include:

- Training and awareness raising for staff and practitioners on the Trauma Informed Approach and Recognising & Addressing Neglect.
- Raising awareness of trauma and the lifelong legacy with staff and community leaders
- Explore and support nurturing and supportive provision for young people who are experiencing traumatic events in their lives
- Support positive ways to 'close the loop' in the negative cycles that trauma can bring to families
- Analysing and responding to the new responsibilities for Local Authorities as a result of new Domestic Abuse and Serious Violent Crime legislation currently going through parliamentary approval.
- Focus on the transition year from primary to secondary education which can be very challenging and look to support young people and families through this process.

4.0 Spending Plan 2021-22

4.1 Annex 1 indicates the draft CSP spending plan in relation to the £25,000 grant from the Office of the Police & Crime Commissioner (OPCC). This has yet to be approved by the OPCC (a condition of funding), with a caveat that it may be subject to change if other issues emerge during the year. Approval is likely to be late April 2021.

4.2 The CSP will also be mindful of the impact of the Covid-19 pandemic and localised areas of concern that relate to this within both districts. It has already been well documented and reported in press and media that a rise in domestic abuse cases has been seen during 'lockdown', confirmed by the unprecedented rise in referrals to supporting organisations during the last year. There has also been an increase in anti-social behaviour issues relating to neighbourhood disputes that have bubbled-up during the lockdown periods, and a rise in noise and bonfire complaints. The CSP continue to keep a watchful eye on emerging issues and linking with the other Devon CSPs and the OPCC to address these.

Contact for more Information: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing snewcombe@middevon.gov.uk or Julia Ryder, Specialist Lead - Community Safety & Emergency Planning jryder@middevon.gov.uk

Circulation of the Report:

Cabinet Member for Community Well Being (Cllr Dennis Knowles)
Members of the Community Policy Development Group
All Leadership Team
All Corporate Management Team
All Group/Operations Managers

List of Background Papers and weblinks:

Safer Devon Partnership
Information relating to the Devon Strategic Assessment and priorities for Devon.
<https://saferdevon.co.uk/about-safer-devon/>

Domestic Abuse Bill – updates available at
<https://www.parliament.uk/business/news/2021/january/lords-debates-domestic-abuse-bill2/>

Public Health England/College of Policing – *Public health approaches in policy. A discussion paper* (PHE 2019) available at
<https://www.college.police.uk/What-we-do/Support/uniformed-policing-faculty/Documents/Public%20Health%20Approaches.pdf>

Annex 1

Community Safety Partnership Fund 2021-22 Spending Intentions Plan (draft)

Project/Service/Pilot title and brief outline	Amount allocated £	How the outcomes will be measured
Problem Drink & Drug Use Axminster Hub – Continued support of this community project supporting drugs and alcohol misuse in the town, supported by Together service.	£1000	Number of clients using the Hub. Reduction of community issues caused by drugs & alcohol users. Possible link to YSmart and Space and Together
Extra-Familiar Youth Risk & Vulnerability East & Mid Devon Youth Engagement. Youth development meeting to develop bespoke solutions for the area consideration of Outreach Fixed working or bespoke work	£10,000	Number of clients engaged. Support to vulnerable young people and links to County Lines and other vulnerabilities. Reduction in ASB / positive outcomes recorded in relation to trauma informed working.
Supporting Youth Provision over school holidays for most high risk and vulnerable	£1000	Number of clients engaged. Support to vulnerable young people and links to County Lines and other vulnerabilities.
Supporting Schools and education providers to impact on the CSP priorities	£1000	Number of staff or youths engaged with/trained.
Sexual Violence & Domestic Violence & Abuse Supporting Sexual Violence and Domestic Abuse services to provide local projects across the two districts.	£5000	Evaluation of project and positive outcomes. Investigating supporting services locally with rise in referrals and consideration of where best value could be for CSP financial input.
DHR Contributions for each Authority relating to additional resource costs as required for each review.	£2000	Hours of administrative and support time for each DHR
Exploitation Raising the awareness of <ul style="list-style-type: none"> - Modern Slavery & Human Trafficking - Radicalisation / Extremism - On-line Safety 	£2000	Number of Bitesize workshop sessions delivered and number of practitioners reached and upskilled.
Violent Crime Work with partner agencies to develop strategies and training to support staff to understand and tackle violent crime by means of Bitesize workshops and information exchange.	£1000	tbc
Trauma Informed Approach Delivery of Trauma Informed training to professionals and practitioners to raise awareness of this approach to business and influence future working practices.	£1000	Number of Sessions and informed/trained practitioners.
COMMUNITY Devon Mediation Service to allow 'free referrals' from agencies.	£1000	Reduction in neighbour disputes Number of referrals to the Devon mediation service Number of cases successfully resolved.
Total	£25,000	

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COMMUNITY PDG

23 MARCH 2021

Air Quality Action Plan update

Cabinet Member(s): Cllr Dennis Knowles

Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report and Recommendation: To provide a progress report on Local Air Quality Management and the update to the combined Air Quality Action Plan for the Crediton and Cullompton Air Quality Management Areas.

RECOMMENDATION: That the PDG notes the progress made and endorses the plan to complete the Air Quality Action Plan update in 2021.

Relationship to Corporate Plan: The Air Quality Action Plan aligns with and directly supports a number of key themes in the Corporate Plan 2020-24. In particular, the priority given to the environment and aspirations towards sustainable communities and a sustainable planet. Furthermore, there is a relationship between Local Air Quality Management and Climate Change as set out below.

Financial and Policy Implications: The current and future updated plan encompass measures ranging from small-scale initiatives through to major infrastructure projects such as the Cullompton Town Centre relief road. As such, the plan will be delivered through a variety of different mechanisms including the Local Plan Review and planning obligations such as s106 in addition to Government infrastructure funds and the Devon County Local Transport Plan (LTP 3). There may also be opportunities to bid for future Air Quality Grant funding nationally though this is not certain.

As measures are formalised and updated then these will be further assessed and provisional implementation costs identified where these costs are not already known. Major infrastructure proposals for example are included in the Local Plan Review Infrastructure Plan which outlines estimated costs.

Specifically, the Cullompton Town Centre Relief Road has been awarded £10m funding from the Homes England Housing Infrastructure Fund towards the £15m scheme. The Council is required to part forward fund the project and the £5m balance for the Cullompton Scheme will need to be funded by the Council until such a time as the s106 monies can be collected from future housing development that is unlocked by the provision of the road.

The removal of the s106 pooling restrictions under the Community Infrastructure Levy Regulations from 1st September 2019 has allowed for s106 contributions to be pooled or collated from different developments. This has made the collection of s106 funds to deliver specific projects easier as the previous limit on pooling 5 or more obligations has now been removed.

Overall, greater clarity on funding for other specific measures and the plan overall will emerge once the update to the Air Quality Action Plan is complete following consultation with external partners such as Devon County Council.

Legal Implications: The adoption and implementation of an Air Quality Action Plan (where an authority has designated one or more Air Quality Management Areas) is a statutory requirement under Part IV of the Environment Act 1995 for Local Air Quality Management (known as the LAQM regime). Under the regime, Local Authorities (LA's) therefore have a duty to pursue measures which are designed to improve air quality. The thresholds for air pollution are set out in statutory UK Air Quality Objectives which in turn duplicate EU limit values and binding air quality standards.

These EU requirements are enshrined into UK law and furthermore the Localism Act 2011 allows the Government (DEFRA) to recharge LA's with the cost of meeting these standards if it chooses to do so.

The remodelled statutory Government guidance to the LAQM regime and the Clean Air Strategy place greater emphasis on delivery of effective intervention mechanisms to improve existing hot-spots and the need to mitigate for the effects of new development and public exposure to poor air quality.

Risk Assessment: In addition to meeting our statutory duties and the risk of financial penalties under the Localism Act 2011 if we fail to do so (see above), a failure to make improvements to air quality would be directly contrary to our adopted Public Health plan. Therefore, we would not address a priority health target locally. Furthermore, the successful implementation of an Air Quality Action Plan underpinning relevant Local Plan policies is essential to mitigate against the impact of significant new development district-wide and to deliver the wider community infrastructure benefits.

Given the inherent requirement to have planning obligation measures in place in order to deliver major parts of the plan then the successful implementation of the Air Quality Action Plan should be considered against the requirement to update the Supplementary Planning Document on Air Quality and Development (see Project 2, Annex 1).

Air quality has an increasingly high profile in terms of both local and national policy in addition to wider reporting of the issue across regional and national media. In turn this is generating public awareness beyond local communities within our specific AQMA areas.

Equality Impact Assessment: No equality issues specifically identified in this report. Nonetheless, whilst poor local air quality impacts everyone, air quality standards are health-based and designed to protect the most vulnerable persons including those who are young, elderly and/or have pre-existing disabilities arising from sensitive medical conditions. Consequently, the Council's Air Quality Action Plan seeks to proactively protect some of those residents with protected characteristics.

Impact on Climate Change: None directly arising from the report. The LAQM legislative regime does not include carbon dioxide or other major climate change gases. However, there will be impacting emissions from road transport and other relevant sources targeted within the Council's Air Quality Action Plan (AQAP) and consequently a potential surrogate benefit between tackling local air quality issues and climate change. However, it is also recognised that national policies have resulted in a consumer/manufacture shift away from diesel to petrol (or petrol/hybrid) powered road vehicles due to local pollution concerns. This may have a negative impact nationally on carbon dioxide emissions due to the inherent better performance of modern diesel engines in this respect. Nonetheless, whilst there are measures in the MDDC AQAP promoting a switch to low-emission/non-combustion engine vehicles there are none directly targeting diesel vehicles in this context.

1.0 **Air Quality as a Public Health concern**

- 1.1 Poor air quality is the largest environmental risk to public health in the UK, as long-term exposure to air pollution can cause chronic conditions such as cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy. It is the fourth greatest threat to public health after cancer, heart disease and obesity.
- 1.2 Nationally, the health cost of poor air quality is estimated at £8-20 billion each year and Public Health England estimate that long-term exposure to man-made pollution has an annual effect equivalent to 28-36,000 deaths (Committee on the Medical Effects of Air Pollutants). A recent European survey (European Heart Journal) has put forward an even higher UK figure of 64,000, meaning the impact is now similar to that of smoking.
- 1.3 Furthermore, for the first time in the UK (possibly the world) air pollution has been recognised as a cause of a person's death. In December 2020, Southwark

Coroner's Court in London found that air pollution "made a material contribution" to the death of nine-year-old Ella Adoo-Kissi-Debrah.

1.4 Ella had a rare type of acute asthma; she was particularly susceptible to the toxic gases and particles in air pollution. In his verdict, the coroner said the cause was "multi-factorial. It was down to both genes, and the environment". From a legal perspective, although this decision does not have any binding impact on other courts, it is still important as the first formal legal recognition of air pollution as contributing to the death of a particular individual.

1.5 In accordance with our legal duties, Mid Devon has declared Air Quality Management Areas in Crediton and Cullompton due to exceedances of air quality standards leading to the adoption and implementation of an Air Quality Action Plan. For context, Ella had lived near the South Circular Road in Lewisham and died in 2013, following an asthma attack. Pollution at this location also exceeded statutory air quality objectives, but at an order of magnitude higher than any levels recorded in Mid Devon.

2.0 **Air Quality Action Plan Measures and activity during 2020**

2.1 As previously reported to members in October 2019 (Community PDG), there are twenty-one measures identified in the current Air Quality Action Plan. The measures range from small-scale projects such as car clubs, to large infrastructure projects such as the Cullompton Town Centre Relief Road.

2.2 Planning obligation (s106) funding is a key mechanism in delivering many of the measures. There is ongoing dialogue between Public Health and the S106 Monitoring officer, other officers in relation to identifying new air quality projects and the release of funds for projects already earmarked.

2.3 As also previously reported to members, a number of projects were due to be completed in early 2020 designed to accelerate delivery of the wider plan overall and provide resilience/additional capability going forward. These were duly accomplished and were intended to inform a comprehensive update of the Action Plan later in 2020 however this was not possible due to the ongoing Covid pandemic. Nonetheless, those projects completed included:

- Review and redesign of our air quality monitoring network
- Commissioning 4 no. 'AQ Mesh' air quality monitoring devices. These are highly mobile, solar/battery powered lamp-post mounted instruments

capable of real-time monitoring 24/7/365 for nitrogen oxides and particulate matter. They provide a cost-effective but significant strengthening of our monitoring capabilities and will be used flexibly to support our development of Action Plan measures in each air quality management area and assessment work in relation to new major development proposals

- Crediton Traffic and Urban Realm Feasibility Study
- A comprehensive Low Emission Strategy for Cullompton – this will link to the assessment work on the town centre relief road and provide a wider plan for further improvements in the town

3.0 **Action Plan update 2021**

3.1 Due to the Covid pandemic, the planned update of the Action Plan and other related projects has been moved into 2021.

3.2 In November 2020, approval was granted to allocate circa £32k of s106 Air Quality project funding in order to deliver the projects and work plan for 2021 set out in detail within Annex 1, building on work completed 12-months previously.

3.3 In summary, Annex 1 sets out three interconnected projects or work-streams as follows:

- Project 1 – Air Quality Action Plan (AQAP) Update
- Project 2 - Update to the Supplementary Planning Document on Air Quality and Development
- Project 3 – Mid Devon Air Quality Sensor (monitoring) Data and Public Reporting

3.4 Due to the specialist nature of this work and the need for independent technical and quality assurance to meet Defra requirements, we have commissioned with Ricardo Energy and Environment to complete this work, supported by officers as required.

3.5 Ricardo have extensive experience in preparing AQAPs and SPDs for local authorities throughout the UK, including AQAPs recognised as examples of good practice by Defra and the Devolved Administrations. The proposed Ricardo project delivery team will be comprised of specialists, all of whom have worked on the previous LAQM work packages for MDDC, and have extensive experience in

supporting other local authorities across the UK in the development of AQAPs and associated LAQM work.

3.6 To date, Ricardo have just completed a working draft of the AQAP report which includes updated source apportionment analysis (detailed breakdown of pollutant sources for action planning purposes), review of existing policies and preparation of a provisional list of measures. This draft is currently with officers for fact checking and wider review. The next steps are to confirm the provisional list of measures and hold the core steering group meeting to assess which measures are taken forward in the AQAP process.

3.7 The specific make-up of the core steering group is currently under determination but it is intended that this will include officers from relevant internal services and external bodies (e.g. DCC Highways, Crediton and Cullompton Town Councils) and the Cabinet Member of Community Well Being.

4.0 Annual Status Report

4.1 Also under the LAQM regime is a requirement for an annual report. This provides an overview of air quality in Mid Devon District Council area during the most recent calendar year and is known as an Annual Status or ASR report and follows a prescribed format set by Defra.

4.2 The ASR report specifically fulfils the requirements of the formal regime set out in Part IV of the Environment Act (1995) and the relevant Statutory Policy and Technical Guidance documents. This is therefore a legally required document that must be submitted to Defra for formal review and approval.

4.3 The ASR is therefore a formal annual requirement showing the strategies employed by MDDC to improve air quality and any progress that has been made.

4.4 The 2020 ASR (for 2019) was completed against at extended August 2020 deadline and we have received notice of the formal Defra review indicating they are satisfied with the report. All ASR and older air quality management reports can be viewed at <https://www.middevon.gov.uk/residents/environment/air-quality/local-air-quality-management/>.

4.5 The 2020 report concluded:

- For the first time since monitoring commenced, in 2019 nitrogen dioxide (NO₂) annual mean concentrations did not exceed formal Air Quality Standards (AQS) objective limits at any locations. However, sites within the Cullompton AQMA (both B3181/Fore Street) and within the Crediton AQMA (High Street, western end) were within 10% of the objective.
- NO₂ concentrations have been relatively stable in the last five-six years, however, decreases observed in 2019 followed previously reported increases in 2018 at the same locations. Data from Cullompton was also impacted in 2019 due to a lengthy road closure for essential gas main works.
- The ongoing sensitivity of town-centre locations within each AQMA to poor air quality and that there is no clear downward trend that can be reliably reported at this stage
- Concentrations of particulate matter continue to remain well below the AQS objective limits at Exeter Road within Crediton AQMA following completion of the major Lords Meadow Link road.

The report recommended:

- A requirement to continue to manage and mitigate air quality pressures arising from existing sources and new emissions arising from major planned development within the district.
- A further requirement to continue to review the monitoring locations across the district to ensure a good understanding, particularly following a full year of data from the new AQMesh sensors; and
- Continued requirement therefore to formally retain the existing AQMA for nitrogen dioxide. Therefore, to deliver measures set out in the published Mid Devon District Council AQAP (2017) noting key progress and the requirement to provide a comprehensive update to the plan in as soon as possible, noting the unavoidable delay due to Covid.

4.6 It should also be noted that pollution levels in 2020 (provisional, unratified data) were substantially lower than recent, relatively stable figures would have suggested (-20 to -25%). No doubt this was largely due to impact of national lockdowns and other tier-based restrictions significantly reducing overall traffic volumes. As a result, the 2020 data cannot be considered representative of likely post-Covid air quality and the 2021 ASR report will have to account for this.

9.0 Recommendation

9.1 That the PDG notes the progress made and endorses the plan to complete the Air Quality Action Plan update during 2021.

Contact for more Information: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing snewcombe@middevon.gov.uk.

Circulation of the Report:

Cabinet Member for Community Well Being (Cllr Dennis Knowles)
Members of the Community Policy Development Group
All Leadership Team
All Group/Operations Managers

List of Background Papers:

MDDC and Crediton Town Council:

Mid Devon Air Quality Action Plan 2017-21

(<https://www.middevon.gov.uk/media/345645/aqap-mid-devon-district-council-2017.pdf>)

Cabinet 31st January 2019, 30th May 2019 - Housing Infrastructure Fund

Crediton Traffic and Urban Realm Feasibility Study (PJ Associates September 2018)

National legislation, Strategy and Guidance:

Local Air Quality Management legislation and regulations

(<https://www.gov.uk/government/publications/2010-to-2015-government-policy-environmental-quality/2010-to-2015-government-policy-environmental-quality#appendix-5-international-european-and-national-standards-for-air-quality>)

Local Air Quality Management Statutory Policy Guidance

(<https://www.gov.uk/government/publications/local-air-quality-management-policy-guidance-pg09>)

National Clean Air Strategy 2019 (DEFRA)

(<https://assets.publishing.service.gov.uk/./clean-air-strategy-2019.pdf>)

Air quality and public health:

Associations of long term average concentrations of nitrogen dioxide with mortality -
A report by the Committee on the Medical Effects of Air Pollutants 2018

(https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/734799/COMEAP_NO2_Report.pdf)

European Heart Journal report on Cardiovascular Disease and Air Pollution 2019

(<https://academic.oup.com/eurheartj/article/40/20/1590/5372326>)

Annex 1 – 2021 Local Air Quality Management Projects

Introduction

Funding for these projects has come from the Crediton general air quality s106 funding pot. There are several legal reasons for this and it's also recognised that there are inherent parallel benefits to the Cullompton AQMA and the district generally. Nonetheless, it's important to set out how these projects will directly apply to the benefit of local air quality within Crediton and its air quality management area.

In particular, proposals provide for major update the district-wide Air Quality Action Plan and other policy work which contain general and specific measures with impact in Crediton. Examples include:

- Air quality Supplementary Planning Document setting out a mass-based emission assessment approach that will apply to major developments and schemes within Crediton and the measurement of mitigation measures/packages. It will also set out future s106 contribution formula and considerations in respect new and existing projects targeted to the town
- Development of specific project proposals in respect of the delivery of the Crediton Town Centre Traffic and Urban Realm Feasibility study and identified traffic management measures developed and tested during 19/20 – specifically these are four broad project schemes: Church Street to Charlotte Street, Union Terrace to the War Memorial, St Saviours Way to Union Terrace and Western Road to St Saviours Way
- Delivery of existing and new projects in respect of on-street EV charging infrastructure at public and taxi rank locations in the Crediton town centre
- Development of new technical licensing proposals to shift from current EURO emission standards with 'grandfather' rights to accelerate a shift ultra-low emission/EV taxi fleet as applicable to all operators but will pilot with Crediton based operators
- Commissioning of an updated detailed source apportionment of air quality as derived from home, farming, industry and transport emissions sources as specifically applied to Crediton area – this will take a combination of Crediton specific and national data to enable new targeted measures for the town to be developed. In line with the Government Clean Air Strategy (2019), there will be a new consideration around home sources and domestic solid fuel burning which has particular relevant to Crediton town centre as impacted by its valley and street canyon topography
- Management, quality assurance and verification of the x2 current MESH real-time 24/7/365 air quality monitoring stations (plus existing NOx tube network) within Crediton. This data will be publically disseminated via a dedicated UK website (note the proposal also cover the x2 monitors currently located in Cullompton but both dataset

require expert management to enable mutual local validation of baseline and trend before comparison with non-local UK reference sites)

- Development of links between Crediton specific local air quality management plan measure and the MDDC Climate Change Action Plan

Project 1 – Air Quality Action Plan (AQAP) Update

The current AQAP was produced in 2018 and is formally due a major update. This was due in 2019, however due to Covid-19 has been pushed back in 2021 for completion. The reasons for the required update are:

- Cyclical update reporting into Defra
- Update the technical assessment work underpinning the development of measure to meet updated Defra requirements. The current pollution source appointment work was last completed in 2010 and underpinned by monitoring and assumptions that are now out of date (see Project 2)
- Incorporate new measures identified following the 2019 work. These are required to continue the improvement of local air quality across the district to meet Air Quality Regulations. These are set in UK legislation and will continue to post-Brexit
- Development of further measures
- Link measures and funding to an updated Supplementary Planning Document (See Project 3)
- Develop links between the AQAP and the Council's emerging Climate Change Action Plan

This package of work will build on Ricardo's previous work in reviewing the current MDDC Air Quality Action Plan.

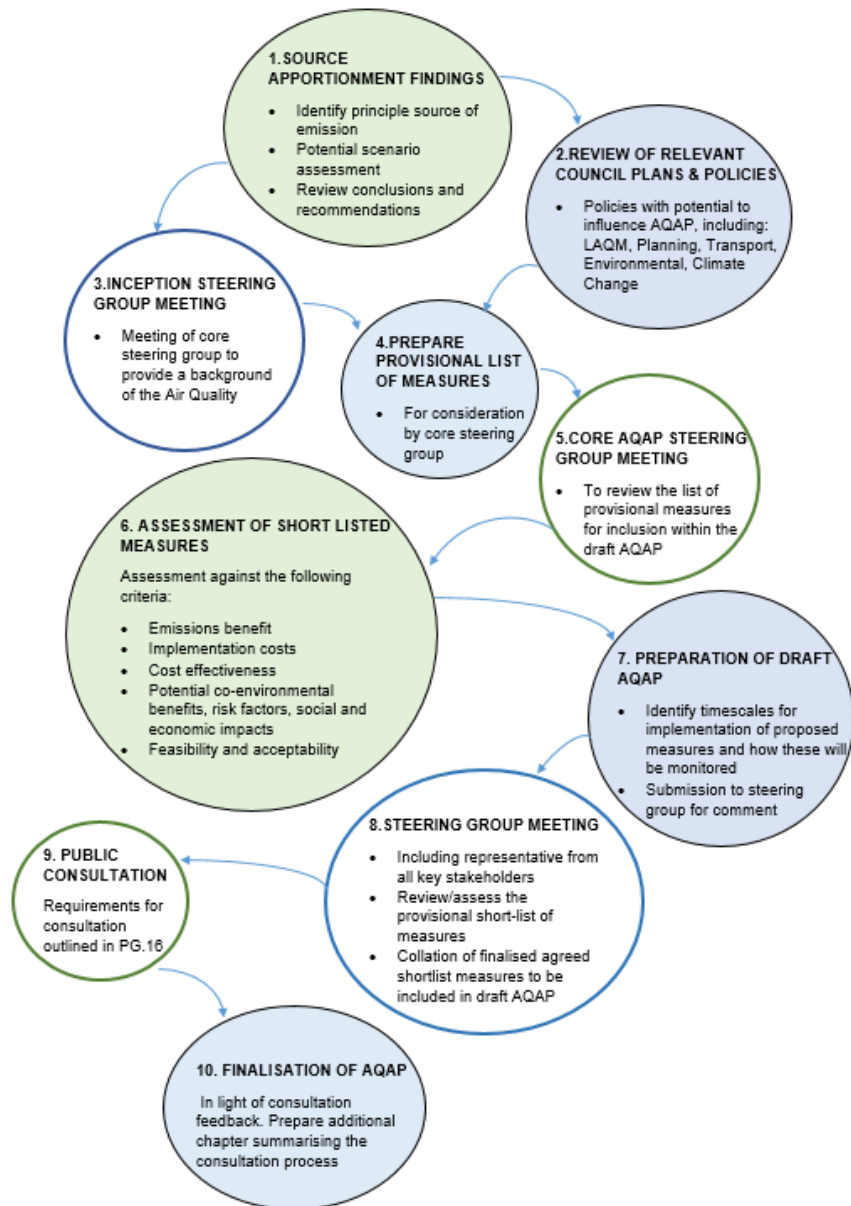
AQAPs are strategic documents in which the Council outlines measures it intends to take in pursuit of achieving the air quality objectives in the Air Quality Management Areas (AQMAs). Technical Guidance (TG16) recommends the following approach for the development of an AQAP:

1. Develop the AQAP in stages;
2. Undertake appropriate local monitoring and assessment (including modelling and source apportionment);
3. Decide what level of actions are required; what measures are already in place and what new measures could be considered;
4. Establish links to other key policy areas / strategies;
5. Establish a Steering Group with key stakeholder groups at an early stage;

6. Undertake measures selection and impact assessment;
7. Agree monitoring and evaluation of success, and annual review of progress;
8. Undertake consultation.

The proposed process for updating the Air Quality Action Plan for MDDC is presented in Fig. 1

Figure 1: Action planning process



Source Apportionment Analysis

The source apportionment analysis of air quality forms an integral part of the AQAP process and is crucial to the development of an effective and proportionate plan.

RapidAir® is unique to Ricardo and has been developed in response to their core work around air quality at local and national Government level. It has already been used to assess the impact on air quality of a proposed Traffic Management Scheme in Crediton and a Low Emission Strategy for Cullompton. Therefore, it is proposed to provide two sets of source apportionment depending on the information available:

- Source apportionment of the Defra background maps can be used to provide source apportionment of pollutants at the 1 km x 1 km scale, at agreed locations across Mid Devon. These locations will be agreed with the client prior to commencement of the project. Example locations could include Tiverton and/or areas adjacent to the M5.
- Source apportionment at locations within the Crediton and Cullompton AQMAs can be provided, making use of the emissions modelling outputs generated in the air quality modelling studies completed by Ricardo. We propose to provide source apportionment at NO₂ hotspot locations within the Cullompton and Crediton AQMAs; this will include a breakdown of road sources in addition to the Defra background map source apportionment.

Following the source apportionment analysis, a summary of its conclusions with respect to source contributions will be prepared for inclusion within the draft AQAP. The conclusions of the source apportionment and the existing AQAP will be used to inform the preparation of the provisional list of measures for consideration by the AQAP Steering Group.

Review of relevant existing MDDC Policies

Air Quality Action Plans should take account of related plans such as the Local Transport Plan and the Local Plan/Local Development Plan, as ongoing activities that may contribute to improving air quality within the AQMA are likely to have an influence on the development of a successful AQAP. In addition, it is important that any existing commitments of MDDC are not conflicted by measures included within the draft AQAP.

Ricardo has already undertaken an extensive review of MDDC's air quality planning policies. This review included an examination of the Mid Devon Local Plan (consisting of the Core Strategy 2006 – 2026, Allocations and Infrastructure Development Plan Document, and Development Management Policies) as well as the Mid Devon SPD on Air Quality and Development and current Mid Devon AQAP. In addition, Ricardo will revisit the recently adopted Mid Devon Local Plan 2013 – 2033 and the latest Annual Status Report (ASR).

A summary of each of the relevant identified policies, highlighting potential overlaps with the draft AQAP, will be included within the draft report. In this section we propose to provide an overview of existing MDDC policies including further information on any new or developing MDDC policies that may influence the development of the AQAP.

Inception Steering Group Meeting

As shown in the flowchart, this section comprises a meeting of the core Steering Group to provide background information on the current air quality in Mid Devon. Ricardo has already undertaken the 2019 ASR for MDDC, as well as a review of MDDC's air quality monitoring programme and dispersion modelling for two villages in Mid Devon. Ricardo and the project team are therefore well informed regarding the current air quality in Mid Devon. The 2020 ASR will be reviewed to enable us to have the most up to date information.

Preparation of provisional list of measures for consideration by the Core AQAP Steering Group

A wide range of potential options may be available to MDDC and other stakeholders to improve local air quality within the designated AQMAs and wider area. Therefore, at the onset of the action planning process it is appropriate to consider all potential options. This will draw on the short list of measures Ricardo has already assessed as part of the Cullompton Low Emission Strategy³, some of which were shown to have wider benefits for the District.

Following a review of the source apportionment, current AQAP and relevant existing MDDC policies, a provisional list of potential measures for consideration by the Steering Group will be prepared. Whilst MDDC may not have the necessary powers to implement all such options we would expect them to work with, or encourage other organisations and agencies that have the capacity to take such options forward.

Upon completion, the provisional list of potential measures will be submitted to the Project Officer at MDDC prior to the proposed Steering Group meeting.

Core AQAP Steering Group Meeting to assess provisional list of measures for further inclusion within the draft AQAP

Following the preparation of the provisional list of potential measures for inclusion within the draft AQAP, we recommend that a meeting of the Core AQAP Steering Group is held at the earliest opportunity in order to undertake an initial appraisal of the measures. The main aim of this meeting would be to present the provisional list of measures for the consideration of the group and undertake an initial appraisal of each proposed measure.

We propose this meeting is hosted online via teleconference. Ricardo will be happy to provide support at this meeting and minute any comments of the measures to provide a summary of comments for inclusion in the draft Plan.

Assessment of short-listed measures

The shortlist of measures will be assessed against a wide range of criteria in order to assess their suitability for inclusion in the Plan. The proposed criteria against which options will be assessed are:

- Potential air quality impact;
- Implementation costs;

- Cost-effectiveness;
- Potential co-environmental benefits, risk factors, social impacts and economic impacts; and
- Feasibility and Acceptability.

The assessment of the potential air quality impact of the measures is a key aspect in that the AQAP must focus on prioritising options that improve air quality most effectively. The assessment is complex in that the detailed assessment of any given option could normally be subject to a study of its own requiring significant resources. This aspect of the Action Plan will incorporate the findings of the source apportionment. For measures where this is not applicable, a semi-quantitative assessment relying on a level of judgement will be adopted.

Preparation of draft Air Quality Action Plan

The next stage in the process is the preparation of the draft AQAP document including the short-list of proposed measures agreed at the previous steering group meetings. It will be the responsibility of MDDC to collate all feedback from steering group and stakeholders on the proposed list of measures.

There is also a need to demonstrate a clear project management approach to the implementation of the AQAP (and its associated measures) and hence targets and indicators, with associated timescales, should be developed for each measure adopted. To do this effectively, further discussion will be required with representatives from services/organisations responsible for the implementation of each of the proposed measures. These additional discussions will focus on the timescales for implementing different aspects of the proposed measures, and where possible, the identification of indicators to enable MDDC to demonstrate progress on the implementation of the AQAP in future years.

Public Consultation

The public consultation process primarily relates to the wider consultation process, including statutory consultees, the public and local businesses. Under the statutory guidance, local authorities are required to consult on the preparation of their AQAP. The aim of the consultation process is to provide consultees with the opportunity to provide opinions on what the Plan should include. It is recommended that consultation should be undertaken following development of the draft Plan.

The guidance states that authorities should decide on the timescale for consultation but recommends that no consultation exercise should last for fewer than six weeks. In addition, it notes that the consultation on the draft plan should include:

- Details of which pollutants the authority will look at and an indication of where they come from;
- The timescales for implementing each proposed measure; and
- Details of other organisations or agencies whose involvement is needed to meet the plan's objectives and what the authority is doing to get their co-operation.

Local authorities across the UK have adopted a range of different approaches when undertaking consultation on their draft AQAPs. These have included the submission of the draft Plan to statutory consultees and relevant organisations, the preparation of draft Plan summary leaflets/questionnaires, and the hosting of public meetings or workshops. As part of this process we would also support MDDC in identifying a comprehensive list of consultees for the consultation process. Ricardo will work with MDDC to identify a comprehensive list of attendees following completion of the draft plan.

Finalisation of Air Quality Action Plan

Upon completion of statutory public consultation on the draft AQAP, it is feasible that some changes or modifications of the draft plan will be required. At this point, we propose to liaise with the coordinating officer at MDDC to confirm the required changes prior to amending the plan.

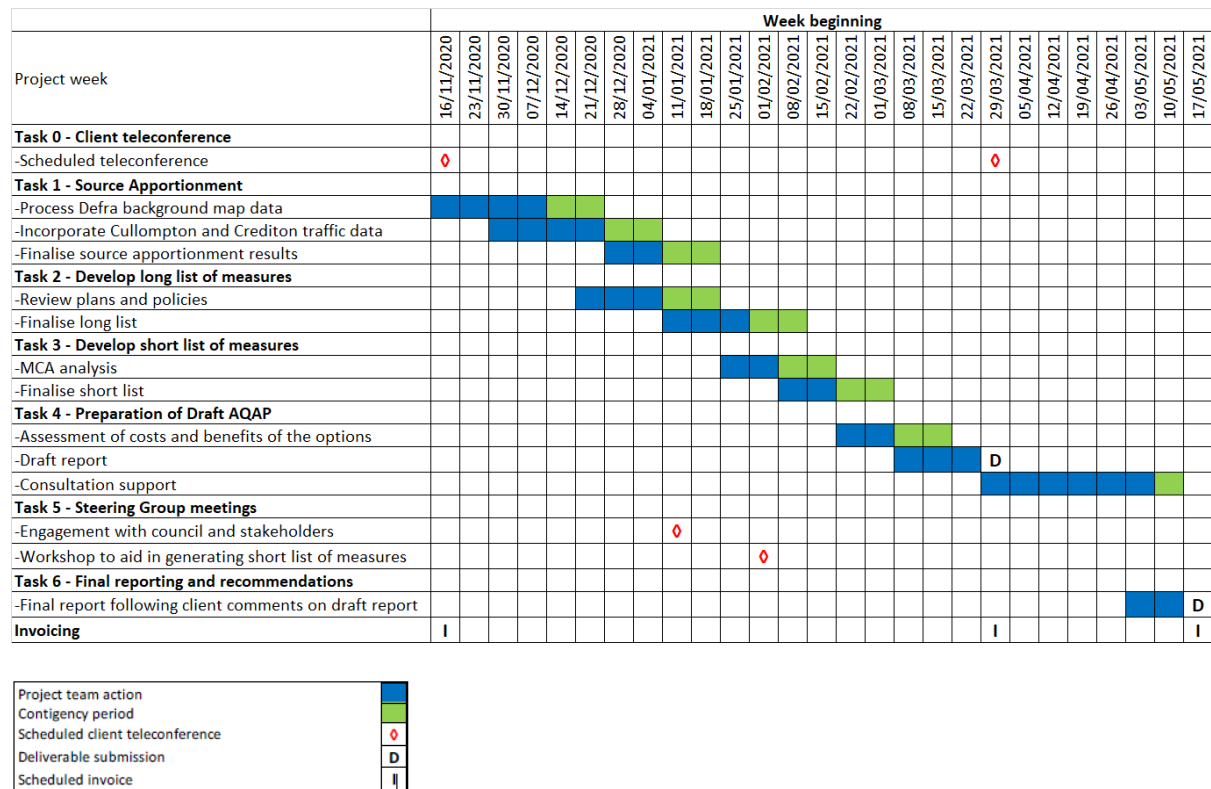
Following these discussions, Ricardo will make the agreed changes to the draft plan and also include an additional section summarising the consultation process undertaken by the Council and a brief summary of feedback comments received. Following completion, an electronic copy (MS Word) of the amended plan will be submitted to MDDC for comment. It will be the responsibility of MDDC to collate all feedback from the steering group and stakeholders, and provide Ricardo with one set of corrections / amendments to finalise the Air Quality Action Plan.

Air Quality Action Plan outline structure

The AQAP will have the following structure and content in order to meet the requirements outlined in TG16.

1. Introduction
2. Overview of Ambient Air Quality and Local Air Quality Management Process
3. Statement of the air quality issues in MDDC (including source apportionment)
4. Description of the adopted approach for developing the Air Quality Action Plan
5. Action Plan Options and Assessment (initial assessment and development of measures)
6. Methodology Utilised to Assess Shortlisted Measures
7. Action Plan - Including discussion of:
 - a. The prioritisation of measures,
 - b. Their anticipated impact on air quality within the AQMA,
 - c. How measures will be funded,
 - d. How MDDC will monitor and evaluate the effectiveness of the plan
8. List of useful references

Figure 2: Project schedule for update to the Air Quality Action Plan



Project 2 – Update to the Supplementary Planning Document on Air Quality and Development

This package of work will build on Ricardo’s previous work in reviewing MDDC’s current air quality planning policies.

The current Supplementary Planning Document on Air Quality and Development⁵ was created to aid developers to prevent/minimise adverse impacts on local air quality associated with their development and highlights suitable methods of mitigation expected by the Council. However, the SPD was published in 2008, prior to a number of key Council documents that supersede the referenced information in the SPD. As a result, it is understood that we must update the SPD to reflect the current plans and policies and include references to the latest technical guidance for air quality assessments.

Overview

The SPD on Air Quality and Development was extensively reviewed as part of the Ricardo report “Review of Mid Devon District Council’s Air Quality Planning Policies” and a number of improvements were suggested, including:

- It is recommended MDDC consider updating their system for classifying developments.
- It is recommended the SPD be updated to include references to the latest technical guidance for air quality assessments, including Technical Guidance 16 (TG16) and the Institute of Air Quality Management (IAQM)’s guidance for construction dust assessments.
- It is recommended MDDC develop a new emissions mitigation assessment, based on the latest Interdepartmental Group on Costs and Benefits (IGCB) Air Quality Damage Costs and Emissions Factor Toolkit (EFT).
- It is recommended the SPD be updated to reflect the latest IAQM Land-use and Development Control Guidance.
- It is recommended that Cumulative Impacts and Mitigation section of the SPD be updated to go further than suggesting a process for developments to provide financial contributions to AQAPs.
- Ricardo will update the SPD on Air Quality and Development to fulfil the improvements suggested above.

Proposed delivery

The proposed approach for this work is as follows:

- Arrange a kick-off call with the MDDC Project Officer (Public Health) and Forward Planning colleague to confirm the approach for completing the review. It is important a representative of the Forward Planning team join the call to ensure the relevant air quality planning requirements are reflected in the updated guidance.
- Complete a review of any additional documents not included in Ricardo’s “Review of Mid Devon District Council’s Air Quality Planning Policies” to identify the Council’s commitments relating to air quality for new developments. A preliminary review in support of this proposal has identified the following key additional areas that will need to be factored into the Guidance:
 - Mid Devon Local Plan Review (2013 – 2033) policies S1 (Sustainable development priorities), S11 (Cullompton), S12 (Crediton) and DM3 (Transport and air quality).
 - The current AQAP 2017 – 2021, and updated AQAP once prepared.
 - The recent Cullompton Low Emission Strategy.
- Ricardo will prepare an updated SPD that reflects the policies described above, as well as those previously reviewed. The SPD will also be updated to include the latest national requirements and guidance relating to the assessment of air quality impacts, applicable to development, including:
 - Local Air Quality Management – Technical Guidance (TG16)
 - Local Air Quality Management – Policy Guidance (PG16)

- Environmental Protection UK & Institute of Air Quality Management – Land-Use Planning & Development Control: Planning for Air Quality (2017)
 - Institute of Air Quality Management – Guidance on the assessment of dust from demolition and construction (2014)
 - Institute of Air Quality Management – Guidance on the assessment of odour for planning (2014)
- The SPD will allow developers to categorise their development as either Minor, Medium or Major, fulfilling the suggested improvement for MDDC to update their system for classifying developments. This classification will determine the approach the developer must follow, and will describe:
 - How to determine when an air quality assessment is required.
 - How to undertake an assessment, including the latest tools available to support this.
 - Requirements for undertaking an assessment of emissions during construction and demolition activities.
 - How to determine the significance of air quality impacts relating to a development.
 - Recommendations for mitigation during construction/demolition and following the completion of a development.
 - How to quantify impacts on air quality and recommendations for offsetting those impacts.
 - A series of case studies illustrating how to categorise, assess, report and mitigate against the air quality impacts resulting from development.
 - Ricardo will provide MDDC with a draft document for review. It is recommended at this stage we arrange a progress meeting with key representatives of the Council, including the Environmental Protection, Planning and Public Health teams, to discuss the updated Guidance and receive feedback.
 - Following the progress meeting Ricardo will provide a final draft of the Guidance.
 - Ricardo can also make arrangements to attend any further meetings/consultation events to discuss the updated SPD. A separate cost can be provided for this on request.

Figure 3: Project schedule for update to the Supplementary Planning Document

Project week	Week beginning										
	29/03/2021	05/04/2021	12/04/2021	19/04/2021	26/04/2021	03/05/2021	10/05/2021	17/05/2021	24/05/2021	31/05/2021	
Task 0 - Client teleconference											
-Scheduled teleconference	◊							◊			
Task 1 - Review of additional documentation											
-Review updated Local Plan and any additional documentation											
Task 2 - Preparation of Draft SPD											
-Preparation of draft report											
Task 3 - Final reporting											
-Final report following client comments on draft report											
Invoicing	I									I	

Project team action	
Contingency period	
Scheduled client teleconference	◊
Deliverable submission	D
Scheduled invoice	I

Project 3 – Mid Devon AQ Sensor Data and Public Reporting

This package of work will build project the necessary local air quality monitoring sensor data for Project 1 and 2 above. It also builds on Ricardo’s previous work in reviewing the air quality monitoring network across Mid Devon and providing key public reporting data via the Air Quality England website <https://www.airqualityengland.co.uk/> (itself a current AQAP measure/commitment). This project will run from December 2020-December 2021.

This is a highly technical and resource intensive process which is essential in order to satisfy Defra technical and MCERT accreditation data requirements. Valid, quality assured air quality data must be used to underpin other AQAP and Local Air Quality Management work, otherwise false assumptions may be made and measures to improve air quality are at risk of being poorly targeted/ineffective. Furthermore, as the approved national air quality data resource for England, only robust datasets meeting quality assurance criteria can be published on the AQ England website.

This will provide for external, assured sensor monitoring services for the four AQ-Mesh monitoring located in Crediton and Cullompton. To maintain a key balance between data quality and value this will include:

Data Correction

Why do we need to correct the data? Sensor responses are indicative and are known to vary widely, even across the same make, model and pollutant batch. For example, when installed and run side by side PM10 measurements from one Sensor may record +45% and another may record -35% compared to the MCERTS analysers – therefore these inconsistencies need to be accounted for in the data management process.

Co-location Correction

To account for the inconsistencies we advise each sensor is installed at a pre-existing 'Reference' monitoring station, to undertake characterisation and a quality control co-location study. The aims of these QC tasks is to assess and quantify how each sensor responds to ambient pollutants. The sensors will be co-located at the sample inlet of a monitoring station where approved MCERTs accredited instruments with full QA/QC and data management processing is applied. We have used several monitoring stations for this purpose, and so have established resources, with similar datasets having been recorded, which are available for QA/QC cross checks. The characterisation and co-location measurements obtained from this phase of the work programme will be used to establish correction factors for each pollutant for input to the quality control of each individual sensor for the measurement phase datasets. The co-location study is crucial to establish that the sensor responses for each pollutant track the reference instrument measurements

Hourly/daily data collection and checking

All incoming data from the Sensors will be automatically screened and checked prior to being released as validated provisional datasets. The data are screened and checked using specifically developed software algorithms that identify and report suspect data and equipment faults. The datasets are processed in near real time by applying the co-location scaling factor and is then screened for signs of equipment malfunctions and unusual events.

Both raw and scaled data are stored as separate database files (original raw data are retained at all times). Ricardo policy on data validation (adopted and proven within the national network) is that all data are assumed to be correct unless there is sound evidence to suggest otherwise. This prevents the validation process from erroneously removing important air pollution episode data. The automatic screening procedures, and the experience of our expert data management staff, will ensure that the highest quality data will be appended to each sites' database and be released for reporting as validated data. Post automated checking and scaling the datasets are dissemination on the **Air Quality England website**, this enables reasonably robust datasets to be published

Manual Daily Checking

The data checking team carry out manual daily data quality checks to ensure successful data acquisition and to investigate instances of suspect data. The daily checking log will be used during the ratification process for each pollutant. Any faults will be reported immediately to MDDC Public Health. Measurements across the Crediton and Cullompton sites will cross-compared for anomaly identification and local trend analysis recognising local network inter-relationships

Data Ratification

This is the compilation and checking of all site measurement datasets and information, and undertake pre-defined quality checks. In brief the main stages are as follows:

- Post ratification of the MCERTSs data, so 3-months in arrears, we use the ratified MCERTS data to re-process and QA/QC the Sensor data. As part of this process we re-

assess the correction factor for each pollutant and rescale the datasets as required, this is a time consuming process as each pollutant species from each Sensor unit will have a different scaling factors, there is considerable expertise involved in determining where the base line sits (this can change results by +/- 25% if not applied correctly). We then compare the measurements to other similar datasets to evaluate and address any inconsistencies.

- The datasets are then checked by a third party, and assuming all is as expected are then locked as ratified

**COMMUNITY PDG
23 MARCH 2021**

CORPORATE ANTI-SOCIAL BEHAVIOUR POLICY

Cabinet Member(s): Cllr Dennis Knowles, Community Well Being
Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report and Recommendation: To provide an updated Corporate Anti-Social Behaviour (ASB) Policy that ensures a consistent approach across the organisation in line with current legislation and practice.

RECOMMENDATION: That the PDG recommend that Cabinet approve the updated ASB Policy as attached in Annex 1.

Relationship to Corporate Plan: Working with local communities to encourage positive behaviours is a key theme within the current local plan. In particular, supporting the community under the Community strand of the plan links directly to dealing with anti-social behaviour within the Mid Devon area.

Financial Implications: There are no specific financial implications resulting from this policy.

Budget and Policy Framework: This is a policy to ensure the relevant Council services and functions are dealing with ASB notifications consistently as a number of services are responsible for different aspects of behaviours that may constitute anti-social behaviour. There are nonetheless no direct budget implications as this work is considered business as usual.

Legal Implications: The Anti-Social Behaviour, Crime and Policing Act 2014 provides agencies including Local Authorities with enforcement powers in addressing anti-social behaviour. The use of those powers is covered by the Enforcement Policy PH/EP/09/20 to ensure the key principles of enforcement are followed.

The Council has a specific responsibility to address ASB as part of wider strategies for reducing crime and disorder under the provisions of the Crime & Disorder Act 1998, but there is no legal requirement to have a specific corporate ASB Policy.

Equality Impact Assessment: An Equality Impact Assessment has been completed and is attached in Annex 2. There are no direct impacts from the policy in respect of equality but this must be considered on a case by case basis in determining the best course of action in the circumstances.

Risk Assessment: A co-ordinated approach to ASB is required to ensure resident satisfaction. If the Council does not commit resources to ASB issues the policy will not be effective and the Council could fail in its responsibilities under the Crime & Disorder Act 1998.

The policy ensures that a consistent approach to assessing the case is undertaken but that the resulting action may vary depending on the circumstances.

Impact on Climate Change: Some activities that are considered antisocial within the community can have a detrimental impact on the environment. Examples such as bonfires, and reviving car engines can be considered under this policy and therefore taking action in such cases may have a positive impact on climate change, albeit it small.

1.0 Introduction

1.1 This ASB Policy was last reviewed in 2017 and is now due a review and update. The policy underwent a major rewrite just over three years ago so this review is to ensure that any fundamental changes to legislation or practice have been captured in the policy.

1.2 The purpose of this corporate ASB policy is to provide an overarching basis to link all local services that deal with ASB, therefore to improve co-ordination and encourage a consistent approach to dealing with issues that arise, either informally or formally through the enforcement powers available.

1.3 There have been no significant legislative or procedural changes over the last three years and therefore the policy remains largely unchanged except to make roles and responsibilities in dealing with ASB clearer.

2.0 Consultation responses & resulting changes

2.1 The draft policy document has been shared internally with all service areas that respond to ASB complaints. It has also been shared with our police partners for comment. No recommendations for change have been received following the consultation period, with one positive comment received from the Housing Team.

3.0 Recommendation

3.1 That the PDG consider the updated policy and recommend it for approval by Cabinet.

Contact for more Information: Julia Ryder (Community Safety & Emergency Planning Officer) jryder@middevon.gov.uk or Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing) snewcombe@middevon.gov.uk

Circulation of the Report:

Cabinet Member with responsibility for Community Well Being (Cllr Dennis Knowles)
Members of the Community Policy Development Group
All Leadership Team
All Corporate Management Team
All Group/Operations Managers

List of Background Papers:

None

Annex 1 – updated ASB Policy

Annex 2 – Equalities Impact Assessment

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Title: **Anti-Social Behaviour Policy**

This policy sets out the Council’s approach to dealing with anti-social behaviour (ASB) within the area of Mid Devon.

Owner: **Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing**

Date: **February 2021**

Version Number: **4**

Status: **Draft updated version 4. This version of the Anti-Social Behaviour Policy is proposed to be adopted March 2021 (Cabinet).**

Review Frequency: **Every three years**

Next review date: **January 2024**

Consultation: **This document was sent out for consultation to the following:**

Devon and Cornwall Police
Corporate Management Team
Public Health Team
Community Safety Partnership
Devon ASB Officers Group
Neighbourhood Housing Team

Document History

This document obtained the following approvals:

Title	Date	Version Approved
ASB Policy 2017	Oct 2017	v3 Jan 2018
ASB Policy v4 Draft	Feb 2021	v4 Mar 2021 (tbc)

Mid Devon District Council

Anti-Social Behaviour Policy

February 2021

Mid Devon District Council – Anti-Social Behaviour Policy

Contents

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- 7.0 Partnership Working
- 8.0 Enforcement
- 9.0 Support for Vulnerable Victims and Perpetrators
- 10.0 Data Protection & Information Sharing
- 11.0 Policy Review

1.0 Policy Statement

1.1 This policy sets out the Council's approach to dealing with anti-social behaviour (ASB) within the area of Mid Devon.

2.0 Policy Aims

2.1 This policy has the following aims:

1. To identify the areas of ASB that the Council will deal with;
2. To identify partner organisations that the council will work with to resolve ASB within the community;
3. To clearly set out the responsibilities of residents in the Mid Devon area in helping to reduce ASB;
4. To clearly identify the manner in which ASB can be reported to the Council.

3.0 Introduction

3.1 The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as:

- a) conduct that has caused, or is likely to cause harassment, alarm or distress to any person;
- b) conduct capable of causing nuisance or annoyance to a person in relation to that persons occupation of residential premises; or
- c) conduct capable of causing housing related nuisance or annoyance to any person.

3.2 There are many types of behaviour that could be considered as being anti-social, and different types of behaviour will have differing levels of impact depending on where and when it is conducted. Some examples are:

- Occurring in a public space - *drinking, graffiti*
- Affecting a community - *rowdy neighbours*
- Directed towards an individual - *harassment or verbal abuse*
- Affecting the environment - *fly tipping, litter*

4.0 Responsibility of residents and visitors

4.1 It is the responsibility of *all* of us who live, work or visit the area to ensure that ASB does not blight our landscape or that of our environment or our communities. We can promote good behaviour throughout our district but we need the help of all members of our community. It is the responsibility of everyone to acknowledge where problems exist and report these to the relevant agencies, and for communities to take positive action to tackle and prevent ASB.

4.2 It may be possible to resolve ASB issues locally without the direct involvement or intervention of the Council or other agencies. Advice and support can be sought from agencies such as the Citizens Advice Bureau and the Devon Mediation Service. A more formal approach to addressing issues is not always necessary or welcome by communities, however, we would not wish for individuals to put themselves at risk. If lower level intervention is not possible or practical then ASB can be reported to the Council for advice.

4.3 It should be noted that for Mid Devon District Council to take action suitable evidence will need to be gathered and witness statements secured in order to progress an investigation and possible interventions. Complainants should be aware that they will be requested to provide the Council with such evidence, or formal statements, in order for the Council to move forward with positive action that can address the ASB.

4.4 Where complainants are fearful of reprisals if they report ASB the Council will do all it can to support individuals. It may be possible for council officers to create community impact statements thus negating the need for specific individuals to give personal statements, however personal statements from those impacted by ASB have a far superior impact if used in court.

5.0 Council and Housing Association tenants

5.1 The Councils Housing team will have its own policy on ASB and enquiries should first be directed to your neighbourhood officer.

5.2 Housing associations will also have a policy on ASB and should also be contacted in the first instance before contacting the Council.

6.0 Councils Responsibility for ASB

6.1 Below is a list of the types of ASB the Council can and can't deal with. This is not exhaustive and officers of the council will exercise judgement in order to establish an appropriate response.

	Yes we can deal with this	No we can't deal with this	Can anyone else help?
Accumulations	Dog fouling on a premises		
	Rubbish on a premises		
	Noxious matter (domestic waste)		
Air Pollution	Bonfire smoke on a domestic premises		
		Burning of trade waste	Environment Agency
	Fumes, gases from residential premises		
		Dark smoke from a	Environment

	Yes we can deal with this	No we can't deal with this	Can anyone else help?
		chimney stack (unless it is a permitted premises)	Agency
	Dust, steam, smell from commercial premises. Might be controlled by a permit so need to check if it has one		Environment Agency
	Dark smoke from a chimney stack on a permitted premise.		Environment Agency
Alcohol related	Licensed premises		
		On-street or disorder at premises	Police
		Underage Drinking	Police
Animals/Pests	Only where animals are being kept in a way that might cause a nuisance		
		Issues of animal cruelty	RSPCA
	Sightings of rats/mice other pests		
	Stray dogs or other stray animals		
		Dog fighting	Police
	Dog fouling		
		Aggressive dogs towards dogs or humans	Police
Environmental	Abandoned Vehicles		
	Fly-tipping		
	Fly-posting		
	Litter		
	Graffiti		
	Illegal Camping		
High hedges	Only where there is an impact on natural light in the home		
		Right to a view	Private Legal Advice
		Boundary disputes	Private Legal Advice
		Hedges affecting the highway	Devon Highways

	Yes we can deal with this	No we can't deal with this	Can anyone else help?
		Neighbour disputes	Devon Mediation Services or Private Legal Advice
Light Pollution	Security Lights from commercial premises and residential premises. For commercial premises there might be a permit that needs to be looked at first.		
		Emergency helicopter landing sites	
Noise	Music from any premises or land		
	Amplified music in the street		
		Noise on the highway	
		Aircraft noise	
	Loud music or noise from parked vehicles		
	Excessive noise from ice cream vans		
		Children playing in gardens	Devon Mediation Services
	Noise from everyday living and normal reasonable behaviour	Devon Mediation Services	
Properties in poor or derelict condition	Empty homes		
	Unsanitary conditions		
Other types of ASB		Issues with drug or alcohol abuse Dealing, visitors to property, etc.	Police
		Violence	Police
		Harassment or Intimidation	Police
		Verbal abuse	Police
		Youths/children	Police/ Mash
		Criminal damage	Police
		Hate Incidents or Crimes	Police
	Domestic Abuse	Police	

6.2 If individuals or communities experience ASB they should contact the Council on 01884 255255 and clearly explain the nature of the issue so that the call can be directed to the relevant department.

6.3 The Council also provides access to the Noise App and the Reportable App to allow residents to report incidents using their smart phone. Appendix (1) provides details on the Apps.

6.4. Only if the Apps cannot be used should an ASB referral form be downloaded from the website to be completed and posted to the Council. Appendix (2) is a copy of the ASB referral form.

6.5 Reports of ASB that transpire to be a dispute amongst neighbours will not be actioned by Mid Devon District Council. The complainants will be encouraged to use Mediation Services (which will be offered to all neighbours involved) and/ or to seek personal legal advice.

6.6 Only if the dispute becomes prolonged, vexatious or breaching into criminal activity will the Council and/or other partner agencies, such as the police, intervene. This could be to investigate all neighbours and take appropriate action which may include use of the ASB Escalation Process, a Neighbourhood Agreement, or in worse case scenarios use of formal legislation to ensure that neighbours live peacefully alongside each other.

7.0 Partnership Working

7.1 Mid Devon District Council is a key statutory partner within the East & Mid Community Safety Partnership (CSP) where all partners are committed to ensuring Mid Devon remains a safe place to live, work and visit.

7.2 Partner agencies include the Police, Fire and Rescue, Local Authorities (including County, Town and Parish Councils), Health Services, Probation Services, the voluntary sector and any organisation with a desire to reduce ASB.

7.3 We work with other Partner Agencies to tackle all ASB. We link with the Police and other partners across the peninsula to ensure a consistent approach and adhere to an agreed ASB escalation process from low level warning letters to court action.

7.4 Addressing ASB issues can often take time, in order to gather all information and engage with local people to identify long-term solutions to stop similar issues recurring. The Council will work in partnership with other agencies to identify the most effective and efficient methods of addressing ASB cases, taking into account resources, funding available and other priorities within the District.

7.5 The Council will participate in the ASB Case Review process, known as the Community Trigger. This enables victims of ASB to formally request a case review, where the case meets certain criteria. This process is overseen by the East & Mid Devon CSP.

8.0 Enforcement

8.1 Underpinning this policy is the need to take a balanced approach to problems and to recognise that community wellbeing is also a key priority for the Council. It is essential that action taken is proportionate to the problem, to resources available and in line with the Council's enforcement policies. The community should be involved when appropriate in order to ensure that workable solutions are found.

8.2 Any intervention taken as a result of alleged ASB will be fair and considered on a case by case basis. Where possible signposting to appropriate advice and support services will be given, followed by lower level warnings and voluntary contracts. The council adheres to the Devon-wide ASB Escalation Process which is fully supported by the Police and delivered in partnership. Legal action will only be sought as a last resort, where all other interventions have failed or the action is necessary to protect the community.

8.3 It is recognised that those that commit ASB often have underlying issues such as substance misuse and/or mental health that is having a negative effect on the individual and their behaviour. Young people and children often become involved in ASB because of lack of behavioural and social boundaries put in place by parents or carers, often the family members may be experiencing substance addiction, domestic abuse, and/or mental health problems. Many perpetrators of ASB are recognised as vulnerable. Each case will be assessed and professional agencies engaged where there are wider, underlying issues at the heart of the behaviour. A wide range of preventative measures, including positive intervention and support will be used to achieve a successful resolution. We will work in partnership to seek appropriate solutions.

8.4 When issues of concern are reported or raised by the community to the District Council, each service will assess the situation and gather evidence in line with their service standards in order to resolve the problem.

8.5 As a last resort enforcement powers can be used in certain circumstances. This can range from a community protection notice, through to an abatement notice, fixed penalties or prosecution.

8.6 All enforcement action will be taken in accordance with the Council's current enforcement policy.

9.0 Support for Vulnerable Victims and Perpetrators

9.1 We will appropriately risk assess all complaints and prioritise accordingly, acting as swiftly as possible to protect people and property.

9.2 In certain circumstances we may have a legal obligation to share relevant information with other statutory agencies e.g. if there is a safeguarding concern about the complainant or the perpetrator.

9.3 We recognise that perpetrators of ASB may have support needs and we will liaise with individuals and seek their consent to make referrals to appropriate agencies who can offer additional help and support to them. We reserve the right to make a referral to Devon County Children and Families Service, a safeguarding referral, or contact the police, without permission of the individual(s) concerned where the situation and provision of the Data Protection Act and any other legislation justifies it.

9.4 In the most serious cases, resulting in a court hearing, the complainant/resident will be consulted about how their evidence and identity will be treated as the case progresses towards the courts and about appropriate support available to them.

10.0 Data Protection and Information Sharing

10.1 The key to addressing ASB successfully is for agencies to share information they hold. Reports from residents and members of the community are vital in order to link reports made by either residents or other agencies. Information about general ASB can easily be shared between partner agencies but information relating to individuals must only be shared by following the Information Exchange Protocol. Mid Devon District Council works closely with other agencies through the Mid & East Devon Community Safety Partnership.

10.2 ASB reported to Mid Devon District Council via representations in connection with the Licensing Act 2003, would require us to share this information as it must be shared with the applicant. However, if individuals have legitimate concern for their welfare, they can request

that personal information is redacted. This may also apply to other legislation that the District Council works within.

11.0 Policy Review

11.1 This ASB Policy will be reviewed and updated on a three year cycle or sooner where there are any changes to legislation.

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Reportable App

<https://www.middevon.gov.uk/residents/community-safety/crime/anti-social-behaviour/>

Noise App

<https://www.middevon.gov.uk/media/346618/the-noise-app-information-sheet.pdf>

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APPENDIX 2
Referral Form (for the App and/or diary sheet)



NUISANCE REFERRAL FORM

Reference: ^;
Please complete all the information required on this form.

ABOUT YOU	
Name:	
Address:	
Home Telephone no:	Mobile no:
Email address:	
Are you a: private tenant <input type="checkbox"/> council tenant <input type="checkbox"/> owner/occupier <input type="checkbox"/>	
Name of landlord or managing agent:	
Telephone no:	email:
How long have you lived at your address?	
ABOUT THE PROBLEM	
Describe the problem you are experiencing:	
How long have you been experiencing a problem?	
ABOUT THE PERSON/PROPERTY CAUSING THE PROBLEM	
Name:	
Address/location:	

Home Telephone no:		Mobile no:	
Email address:			
Are they a: private tenant <input type="checkbox"/> council tenant <input type="checkbox"/> owner/occupier <input type="checkbox"/>			
Name of landlord or managing agent (if known):			
Telephone no:		email:	
ABOUT THE STEPS YOU HAVE TAKEN TO RESOLVE THE PROBLEM			
If you do not know who is causing the problem or where the problem is coming from please find out before submitting this form.			
Have you spoken to the person causing the problem to advise them of the impact it is having on you? Yes <input type="checkbox"/> No <input type="checkbox"/>			
<u>It is important that wherever possible you approach your neighbour and try to resolve the matter in an informal and polite manner. Your neighbour might not be aware that they are causing any nuisance and this might be the first time they have been made aware of the situation</u>			
What response did you receive?			
If you have not spoken to them, why is this?			
Please provide copies of any correspondence, photographs or any other information that relates to the problem you are concerned about.			

Declaration:

I confirm the information I have provided is correct and that I will co-operate with the Council should formal action be required. I am aware that the Council will hold my information for the purposes of investigating this problem and that it may be shared with other agencies as part of the investigation. I am also aware that my details may need to be disclosed to the alleged perpetrator should the matter go to court. I therefore give my permission for the Council to proceed with its investigation and to undertake all actions as deemed necessary.

Signature(s):

Date:

Please return to:

Public Health and Regulatory Services

Mid Devon District Council, Phoenix House, Phoenix Lane, Tiverton, EX16

6PP

Tel: 01884 255255; **Email:** health@middevon.gov.uk

Equality Impact Assessment – Anti-social Behaviour Policy 2021

Equality Impact Assessment Form and Action Table			
What are you completing the Impact Assessment on (which policy, service, MTFP reference etc)?	Anti-Social Behaviour Policy		
Version	4	Date	February 2021
Section 1 – Description of what is being impact assessed			
<ul style="list-style-type: none"> • If the policy provides a reasonable response to those that report Anti-Social Behaviour (ASB) to Mid Devon District Council and/or the Community Safety Partnership (CSP). • Whether the policy takes account of all the potential factors that could be associated with reports of ASB. • If any subsequent action taken by the Council or CSP in relation to the ASB is proportionate in regard to the individuals responsible for the ASB. 			
Section 2A – People or communities that are targeted or could be affected (taking particular note of the Protected Characteristic listed in action table)			
<p>Those reporting ASB who could be vulnerable by age, disability and mental health, race, ethnicity, and religion.</p> <p>Those responsible for causing ASB who could be young people, sometimes children, and those experiencing mental health issues.</p>			
Section 2B – People who are delivering the policy or service			
Staff responsible for responding to ASB complaints from the community.			
Section 3 – Evidence and data used for the assessment (Attach documents where appropriate)			
<p>Evidence indicates that the majority of ASB is caused by young people within the community. This behaviour is most often due to the lack of boundaries put in place by parents/carers and family members. Often the family is dysfunctional and adults in the home are experiencing issues with domestic abuse, alcohol, drugs, mental health or a combination of some or all.</p> <p>However, when adults are involved in the cause of ASB there is much evidence to show that use of alcohol, drugs or mental health issues play a part in the behaviour.</p>			
Section 4 – Conclusions drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use prompt sheet in the guidance for help with what to consider):			
<p>The impact of the updated ASB Policy is minimal as there are effective, existing multi-agency information sharing practices in place with key partner agencies. The process encourages all agencies to consider the vulnerability of victims, the wider community and perpetrators and their families when considering and implementing solutions and sanctions. A small amendment has been made to the policy to include a statement around considering thoughts and actions regarding equalities during the process.</p>			

Section 5 - If you have identified any negative impacts you will need to consider how these can be mitigated to either reduce or remove them. In the table below let us know what mitigation you will take. (Please add rows where needed)

Identified issue drawn from your conclusions	Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?	Who is responsible for the actions? When will the action be completed?	How will it be monitored? What is the expected outcome from the action?
Age			
Different approaches and mechanisms are required for engaging with different age groups, resulting in potential for inconsistent approaches across the council.	ASB Policy requires officers to have regard to the underlying reasons behind behaviour and vulnerabilities of perpetrators and victims. This will mean that no single approach is suitable in each case but the approach to assessing the situation is consistent.	ASB Lead Officer oversees multiagency responses, liaising with youth agencies, health and social care.	Regular review of ASB activities undertaken in respect of the policy and perpetrator/victim age.
Disability			
Different approaches and mechanisms may be required for engaging with and representing, people with a range of disabilities depending on their individual needs. This may result in inconsistent approaches.	ASB Policy requires officers to have regard to the underlying reasons behind behaviour and vulnerabilities of perpetrators and victims. This will mean that no single approach is suitable in each case but the approach to risk assessing the situation is consistent.	ASB Lead Officer oversees multiagency responses, liaising with youth agencies, health and social care.	Regular review of ASB activities undertaken in respect of the policy and perpetrator/victim disability to ensure this group is not being disadvantaged.
Gender Reassignment			
There are no direct impacts from the policy in respect of gender reassignment. Any person affected by ASB or is found to be a perpetrator of ASB will be dealt with following the policy and taking account of the circumstances surrounding the ASB.	N/A	N/A	N/A
Marriage and Civil Partnership			
No issues identified	N/A	N/A	N/A
Pregnancy and Maternity			
There are no direct impacts from the policy in respect of pregnancy and maternity.	N/A	N/A	N/A

Any person affected by ASB or is found to be a perpetrator of ASB will be dealt with following the policy and taking account of the circumstances surrounding the ASB.			
Race (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)			
There are no direct impacts from the policy in respect of race. Any person affected by ASB or is found to be a perpetrator of ASB will be dealt with following the policy and taking account of the circumstances surrounding the ASB. However there is scope for race to be a factor in alleged ASB cases and this should be recognised when dealing with cases.	ASB Policy requires officers to have regard to the underlying reasons behind behaviour and vulnerabilities of perpetrators and victims. This will mean in some cases having regard to race and recognising that no single approach is suitable in each case. The approach to risk assessing the situation should remain consistent in line with the policy.	ASB Lead Officer oversees multiagency responses, liaising with youth agencies, health and social care.	Regular review of ASB activities undertaken in respect of the policy and perpetrator/victim race to ensure this group is not being disadvantaged.
Religion and Belief			
There are no direct impacts from the policy in respect of religion and belief. Any person affected by ASB or is found to be a perpetrator of ASB will be dealt with following the policy and taking account of the circumstances surrounding the ASB. However there is scope for religion and belief to be a factor in alleged ASB cases and this should be recognised when dealing with cases.	ASB Policy requires officers to have regard to the underlying reasons behind behaviour and vulnerabilities of perpetrators and victims. This will mean in some cases having regard to religion and belief and recognising that no single approach is suitable in each case. The approach to risk assessing the situation should remain consistent in line with the policy.	ASB Lead Officer oversees multiagency responses, liaising with youth agencies, health and social care.	Regular review of ASB activities undertaken in respect of the policy and perpetrator/victim religion and belief to ensure this group is not being disadvantaged
Sex			
No issues identified	N/A	N/A	N/A
Sexual Orientation			
No issues identified	N/A	N/A	N/A
Other (including caring responsibilities, rurality, low income, Military Status etc)			
Rurality It is important that the service is able to engage with and represent individuals who live in rural areas and / or have limited access to public transport.	ASB Policy requires officers to have regard to the circumstances of the situation which may require a different approach when considering locality. The approach to risk assessing the situation should remain consistent	ASB Lead Officer oversees multiagency responses, liaising with youth agencies, health and social care.	Regular review of ASB activities undertaken in respect of the policy and perpetrator/victim location to ensure this group is not being disadvantaged

	in line with the policy.		
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Section 6 - How will the assessment, consultation and outcomes be published and communicated? E.g. reflected in final strategy, published. What steps are in place to review the Impact Assessment

Impact assessment to be reviewed alongside review of ASB policy – see below.

Completed by:	Julia Ryder/Tanya Wenham, Public Health and Regulatory Services
Date	9 February 2021
Signed off by:	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing
Date:	16 February 2021
Compliance sign off date:	
Review date:	Next review date of ASB Policy (January 2024)

COMMUNITY POLICY DEVELOPMENT GROUP 23 MARCH 2021

ANNUAL REVIEW OF THE REGULATION OF INVESTIGATORY POWERS ACT (RIPA) POLICY

Cabinet Member(s): Councillor Dennis Knowles, Cabinet Member for Community Well-being

Responsible Officer: Kathryn Tebbey, Head of Legal Services (Monitoring Officer)

Reason for Report: to carry out an annual review of the Council's RIPA policy

RECOMMENDATION: that Community PDG recommends to Cabinet that

(a) the revised Regulation of Investigatory Powers Act (RIPA) policy be adopted; and

(b) that delegated authority be given to the Head of Legal Services (Monitoring Officer) to review the designation of the Co-ordinating Officer within the RIPA policy and to make such changes to that designation as she considers appropriate.

Financial Implications: None directly arising from this report.

Legal Implications: The use of RIPA powers is heavily regulated and scrutinised by the Investigatory Powers Commissioner's Office ("IPCO"). The legislation, combined with Codes of Conduct, sets the framework for the use of RIPA powers. Statutory guidance requires the Council to use of RIPA and the RIPA policy annually.

Risk Assessment: There are no risks directly arising from this report. The Council has the necessary policy in place and further training will soon be provided to officers, particularly in relation to the use of social media for investigations.

Equality Impact Assessment: None directly arising from this report, but human rights, including equalities matters, are at the heart of RIPA.

Relationship to Corporate Plan: Part and parcel of a well-managed Council.

Impact on Climate Change: None.

1.0 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.

2.0 **The Council and RIPA in the last 12 months**

2.1 Once again the Council has not used its RIPA surveillance powers in the last 12 months. The last time such powers were used dates back to 2014.

2.2 In September and October 2018, the IPCO conducted its 3 year review/inspection of the Council. This was a desktop exercise, rather than physical inspection. The IPCO was pleased with the level of compliance shown. The next inspection, in late 2021, is likely to be a physical inspection of compliance, unless the IPCO revises its approach in response to the pandemic i.e. by only visiting those councils which have made active use of RIPA powers since the last inspection and where they are unable to demonstrate sufficient attention to training. The Monitoring Officer has already spoken to the IPCO and will do so during the summer to see whether there will be an alternative review method for this year.

2.3 Refresher training was commissioned in late 2018 the key Council officers involved in RIPA, particularly at approval/authorisation level. Further training will be organised this year – in part a refresher, but also some specific training about the use of social media in monitoring and investigative activity. Social media as an open source of material is a particular area of focus for the IPCO. The RIPA policy addresses this, but it is important that the intended training transfer this theory into practice. The Monitoring Officer intends to work with the Corporate Manager for Public Health, Regulation and Housing on this.

2.4 The RIPA policy has been reviewed annually in each municipal year and no major changes are proposed this year. However, the policy has been 'tidied up' and given greater clarity in places (Appendix 1). It is this version that the Cabinet will be asked to adopt. The appendices to the policy are forms for administrative use and these are not included for adoption – they may change over time and some flexibility is required.

2.5 It is noted that the Senior Responsible Officer (SRO) is the Monitoring Officer and this will not change. The SRO will review the designation of the Co-ordinating Officer as a solicitor – there may be a case for it to sit elsewhere. Delegated authority is sought to enable that review to take place without needing a referral back to the Community PDG and/or Cabinet.

Contact for more Information: Kathryn Tebbey, Head of Legal Services (Monitoring Officer) as Senior Responsible Officer for RIPA (01884) 255255 ktebbey@middevon.gov.uk

Circulation of the Report: Cabinet Member for Community Well-being

List of Background Papers: None.

MID DEVON DISTRICT COUNCIL

POLICY ON THE USE OF COVERT INVESTIGATION TECHNIQUES (Application of the Regulation of Investigative Powers Act (RIPA) 2000)

1.0 INTRODUCTION

1.1 The Regulation of Investigatory Powers Act 2000 (hereafter referred to as 'the Act' or 'RIPA') regulates the use of covert investigative techniques by public authorities. It provides for the application for, and granting of, lawful authorisations for those surveillance techniques covered by the Act.

1.2 The European Convention on Human Rights (ECHR) is enshrined in UK law through the Human Rights Act 1998.

Article 8 of the ECHR 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 requirements of RIPA (and the overarching human rights and freedoms) - and that appropriate authorisations are given for covert surveillance, the use of covert human intelligence sources and, even rarer still, 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
- (f) Investigatory Powers Act 2016
- (g) General Data Protection Regulations (GDPR)
- (h) Data Protection Act 2018

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

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

4.0 SCOPE

4.1 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 require an authorisation under RIPA.

4.2 This policy document relates to the **use of directed surveillance** and **covert human intelligence sources (CHIS)**. It does not cover the acquisition and disclosure of communications data as this engages an entirely separate procedure involving Judicial Commissioners at the Investigatory Powers Commissioner's Office (IPCO).

Guidance must be sought from Legal Services before any decision is taken to seek authority for the acquisition of communications data.

4.3 This policy 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 directed surveillance and CHIS may be used, and who should authorise the use.

Authorisation under RIPA gives lawful authority for the use of covert 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, RIPA 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.

The only option in any other cases will be to carry out overt – open, non-secretive – surveillance.

4.5 Services likely to conduct investigations covered by RIPA 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 RIPA) is required to seek the necessary authorisation, provided always that the purpose of the investigation is one which RIPA says can justify covert 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 a CHIS

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 source (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.

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 an 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 must apply for authorisation from 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 on behalf of 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 of RIPA provides that *'a person shall not grant authorisation for directed surveillance unless he believes that the authorisation is:*

(a) necessary for the purpose of preventing or detecting crime, or of preventing disorder involving a crime; and

the authorised surveillance is proportionate to what is sought to be achieved by it. ‘

There is a **crime** threshold to be reached, i.e. the criminal offence:

- is or would be punishable (whether on summary conviction or on indictment) by a maximum term of at least 6 months of imprisonment, or
- it arises from the underage sale of alcohol, tobacco, or nicotine inhaling products.

Authorising Officer

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.

Such consideration of proportionality must involve:

- **balancing** the size and scope of the proposed activity against the gravity and extent of the perceived crime or harm;
- **explaining** how and why the methods to be adopted will cause the least possible intrusion on the subject and others;
- **considering** whether the activity is an appropriate use of the legislation and a reasonable way, having considered all reasonable alternatives, of obtaining the information sought;
- **evidencing**, as far as reasonably practicable, what other methods had been considered and why they were not implemented, or have been implemented unsuccessfully.

The Home Office Code of Practice on Covert Surveillance and Property Interference 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.

4.6 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.”

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 they are being asked to authorise, appears on the application form. If in doubt, Authorising Officers should 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 and directed surveillance is undertaken, or a CHIS deployed. .

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, e.g. 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 at the time of giving the initial authorisation, how often a review should take place (and this may also be subsequently reviewed).

7.7 **Renewals**

7.7.1 While an authorisation is still in force, 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 it is the first renewal; and if not, every occasion on which the authorisation has previously been renewed. Applications must also detail:

- 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 (or other person with Authority under this policy) **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 with directed surveillance.

8.2 Additionally, the Authorising Officer shall not grant an authorisation unless he /she believes that arrangements exist 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 the 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 the privacy of those potentially effected, and 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 CHIS 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 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 CHIS 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 CHIS 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 CHIS 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 task and the likely consequences should the target know the role of the CHIS.

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, 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

- there is no reason to believe it will be relevant to future civil or criminal proceeding

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 an Authorised Officer for that service, to ensure that all staff involved or likely to be involved in investigations, are adequately trained so as to be 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 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 raising RIPA awareness throughout the Council.

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

- (i) to collate all original applications and 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.

12.0 MEMBER INVOLVEMENT

Cabinet will consider reports from the IPCO. 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 MDDC

None as at 1 December 2020

Standard Operating Procedure for use of Surveillance Equipment

The Equipment should be stored, when not in use, in a locked cabinet under the control of the Senior Responsible Officer.

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.

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 (OSIR) 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, online 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.

1.0. Open Source Internet Research (OSIR)

- 1.1 OSIR is the collection, evaluation and analysis of materials from sources available to the public, whether on payment or otherwise, to use as intelligence or evidence, within investigations.
- 1.2. OSIR is a powerful tool against crime. MDDC needs to ensure that any collection of information from the internet for an enforcement purpose is conducted in such a way that the integrity of any evidence gained is maintained.
- 1.3. MDDC staff must consider whether their evidence or intelligence gathering is likely to interfere with a person's right to respect for their family life (Human Rights Act 1998 - Article 8) and, if so obtain appropriate authorisation under the RIPA for their research. Where RIPA does not apply, a privacy impact statement may still be required.

2. General principles

- 2.1. Online communication via the internet has become the preferred method of communication between individuals, within social groups or indeed with anyone in the world with internet access.
- 2.2. Such communication may involve web sites, social networks (e.g. Facebook), chat rooms, information networks (e.g. twitter) and/or web based electronic mail.
- 2.3. Just because other people may also be able to see it, does not necessarily mean that a person has no expectation of privacy in relation to information posted on the

internet. Think of it as similar to a private conversation between diners in a restaurant – you would not expect other diners to listen too closely or to make recordings.

- 2.4. Online research and investigative techniques capable of interfering with a person's Article 8 rights should be used only when necessary and proportionate.

3.0 Categories of 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 the posts, 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 online 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 online 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 a “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.

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 legally permit 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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Mid Devon District Council
Financial Monitoring Verbal Update
2020/21 Jan / Month 10

1. General Fund

This will be the final reporting period prior to presentation of the 2020/21 Outturn Report to Cabinet in June. It has been an extraordinary year due to the impact of Covid 19. Financially the Council has suffered significant service disruption with resultant income losses. The response from Government has evolved as the crisis necessitated, with little warning, including the provision of various levels of Covid grant funding. The unpredictability has frustrated our forecasting; and this will continue, not least with the interpretation/calculation risk we have previously discussed particularly with respect to the Income Compensation Scheme.

Month 9 – Dec 20 £k	Month 10 – Dec 21 £k	Movement £k
89	46	(43)

The Month 10 reporting indicates a forecast improvement of £43k and now indicates a deficit of £46k.

The third lockdown persists as expected so income losses were already largely forecast although there have been some small adjustments. The Council continues to participate in the Job Protection Scheme with a further £74k claimed for January (YTD = £471k). The January claim largely relates to officers working in the leisure centres which remain closed. Despite the speculation, it is not certain when this lockdown may start to be relaxed but it is clear that the leisure centres will not reopen this (financial) year.

To recap MDDC has received £1,197k in non-ring fenced Covid funding (including £39k late last year); is awaiting £775k being the second submission under the Income Compensation Scheme prior to the final reconciliation for the year in May (forecast - £1.650m); and will benefit under the Collection Fund Compensation Scheme with the NDR element yet to be finalised.

The table below shows how the monthly movement breaks down between budget lines. To be concise, the table only includes service areas where the forecast has moved between December and January. For these service lines, it extracts the variance value which is funded from ear marked reserves as this will not contribute to the overall (surplus)/deficit movement.

General Fund Summary £K	Full Year Variance				M10
	M9	EMR	Bridge Other	Total	
Cllr Bob Deed					
Corporate Management	8		38	38	46
Cllr Colin Slade					
Grounds Maintenance	(78)		(3)	(3)	(81)
Waste Services	63		7	7	70
Cllr Dennis Knowles					
Environmental Services incl. Licensing	(60)		(4)	(4)	(63)
IT Services	42	(5)	(22)	(27)	14
Recreation And Sport	1,485		(2)	(2)	1,483
Cllr Andrew Moore					
Revenues And Benefits	(201)		(34)	(34)	(234)
Car Parks	535		(17)	(17)	518
Cllr Bob Evans					
General Fund Housing	38	(155)	5	(150)	(112)
Cllr Richard Chesterton					
Planning And Regeneration	246		(34)	(34)	212
Cllr Mrs Nikki Woollatt					
Legal & Democratic Services	(17)		(2)	(2)	(19)
All General Fund Services		(160)	(68)	(227)	
Interest Payable on Other Activities	(340)		(4)	(4)	(344)
Interest Receivable on Investments	(177)		(16)	(16)	(193)
Transfers into/(from) Earmarked Reserves	1,169	160	(0)	160	1,329
Total Budgeted Expenditure		0	(88)	(88)	
Covid19 Income Compensation Scheme	(1,700)		50	50	(1,650)
Total Budgeted Funding		0	50	50	
Forecast in year (Surplus) /	89	0	(38)	(38)	51

Deficit

General Fund Reserve 31/03/20	(2,251)	(2,251)
Forecast General Fund Balance 31/03/2021	(2,162)	(2,200)

Therefore those items not funded by EMRs and which contribute to the month on month deficit movement are as follows:

- Corporate Management - £38k:
 - Officer TUPE costs - £38k
 - 3RDL professional fees - £7k
 - Other small cost savings – (£7k)
- Grounds Maintenance – Staff costs - (£3k)
- Waste Services - £7k:
 - Garden waste permit sales reduced over performance - £6k
 - Recycling income reduced under performance – (£22k)
 - Street Cleansing income re Grand Western Canal part year – £5k
 - Staff costs including agency - £28k
 - Additional Covid 19 costs (vehicle hire & PPE) – (£14k)
 - Fuel savings – £4k
- Environmental Services – licencing income reduced under performance due to Covid – (£4k)
- IT – (£22k):
 - Reduced additional maintenance costs due to delays implementing voice over Skype – (£3k)
 - Software costs - £8k
 - Salary savings – (£7k)
 - Retained consultancy to cover vacancies re technical support for R&B – (£20k)
- Recreation & Sport – (£2k):
 - Further cost centre savings due to closures – (£5k)
 - Covid 19 income losses adjustment - (£7k)
 - Salary costs – £10k
- Revenues & Benefits – (£34k):
 - Reduced agency requirement to manage Covid 19 grant administration – (£39k)
 - Other staff costs - £5k
- Car Parks – (£17k)
 - Adjustment to P&D income losses arising from Covid 19 – (£13k)
 - Adjustment to off street parking fines arising from Covid 19 – (£4k)

- General Fund Housing – Homelessness debt review and write off - £5k
- Planning and Regeneration – (£34k)
 - Development management income reduced under performance due to Covid – (£36k)
 - Development management vacancy management savings - £2k
- Legal & Democratic – Sale of electoral register – (£3k)
- Interest payable – Reduced cost of borrowing as no new loans required in 2020/21 – (£4k)
- Interest Receivable on Investments – (£16k)
 - Interest on 3RDL loan drawdowns – (£5k)
 - CCLA dividend exceeding expectations – (£11k)
- Income Compensation Scheme – adjustment to reflect reduced income loss expectations - £50k

2. HRA

	Month 9 – Dec 20 £k	Month 10 – Jan 21 £k	Movement £k
Forecast (Surplus) / Deficit	230	37	(193)

Month 10 reporting shows a forecast reduction in the deficit by £193k to £37k.

The reasons for this movement is as follows:

- Rental income reduction due to void levels increasing during the pandemic amendment – £5k
- Staff costs reduced savings (DLO & Development Team) - £35k
- Increased non staff savings in planned maintenance – (£83k)
- Reduced non staff savings in responsive and voids - £12k
- Fuel usage savings reduction - £22k
- DLO recharge (revenue and capital) under recovery improvement – (£100k)
- DFG under recovery improvement – (£20k)
- Tenancy services additional staff savings including sewage maintenance, communal roads and warden services – (£64k)

**COMMUNITY PDG
23 MARCH 2021**

COMMUNICATION AND ENGAGEMENT STRATEGY

Cabinet Member(s): Cllr Dennis Knowles, Cabinet Member for Community Wellbeing

Responsible Officer: Jane Lewis, Communications & Engagement Manager

Reason for Report: The purpose of this report is to provide members with the revised Communication and Engagement Strategy and an update on the achievements made since the last strategy, which was approved in 2018.

Recommendation: To recommend to Cabinet the content of the revised Communication and Engagement Strategy and Media and Social Media Policy.

Financial Implications: The majority of the proposed actions can be implemented with the existing Communication staff (subject to the vacant post being filled). Should the Council wish to implement larger scale communication changes or engagement methods, this would involve additional costs. Any costs identified within the attached action plan would be accompanied by a costed and approved business case.

Budget and Policy Framework: This is a review of the existing Communication and Engagement Strategy.

Legal Implications: To ensure that all communication and methods of consultation are compliant with Data Protection/GDPR (and any other relevant laws) and that they support the Council's single equality scheme.

Risk Assessment: Failure to engage with the Council's stakeholders could mean the Council's actions and objectives are not understood.

Equality Impact Assessment: Any consultation and communication channels would be arranged in such a way as to enable engagement by all members of the community.

Relationship to Corporate Plan: To ensure that our customers, staff, members and stakeholders are informed and engaged with Council services and news through appropriate and varied channels.

Impact on Climate Change: The Communication and Engagement Strategy includes work to support the Council's ambition to become carbon neutral by 2030.

1.0 Introduction/Background

1.1 The current Communication and Engagement Strategy was written in 2018 and was due to be revised late 2020. It was delayed until Spring 2021 due to the Covid pandemic.

1.2 Before the revision to the 2021 strategy was completed a working group was formed to discuss community engagement. The group agreed the revised action plan was fit for purpose.

- 1.3 An internal audit of the social media function was also carried out in 2020. As a result of some the recommendations made, the Communications team will be leading on further support and co-ordination around the corporate wide approach to social media.
- 1.4 The Communications Team currently consists of the Communication and Engagement Manager (part time 22.5 hrs per week) and a Communications Officer (part time 32 hours per week). The work of this team includes social media, media relations, internal communication, engagement, graphic design and digital content.
- 1.5 A full time post within the team is currently vacant and being advertised. Until that time resources remain stretched, particularly at a time when the team is supporting the Council's work around its Covid response, the upcoming Census and elections, ensuring the Council's current website complies with accessibility legislation, as well as day-to-day work supporting services and maintaining media and social media channels.

2.0 Covid Pandemic

- 2.1 Much of the team's work in 2020 inevitably had to stray from our plans in order to support the Council's work responding to the Covid-19 pandemic. This Covid related work centred around working closely with partners to ensure a Devon-wide approach to dealing with the outbreak, as well as shared messaging between the relevant agencies. The team also communicated regularly with all parishes and shared national assets released by both the NHS and Public Health England regularly.
- 2.2 Before the pandemic was upon us the team had made progress improving engagement, in line with the community engagement action plan which approved in 2018.
- 2.3 Key highlights are below and a full table shows the evaluation against the 2018 objectives in *figure 1 and figure 2*.
- 2.4 Subscribers to our email subscription service have increased by 141%, followers to our Facebook social media page have grown by 82% since 2018.
- 2.5 Improved use of video and graphics for the public content, made possible now that we have a trained graphic designer within the team.
- 2.6 A quarterly e-newsletter was launched.
- 2.7 We supported many services with surveys to interact with the public including – budget setting, customer interaction, new build home owners.

Figure 1

External communication objective as set out in 2018 action plan	Evaluation
Produce newsletter for residents	First edition published in 2019. Now have 700 subscribers for this single topic.
Increase Gov Delivery sign up	Sept 2018 - 3,664 subscribers Sept 2019 - 6,046 subscribers Sept 2020 - 8,830 subscribers
Grow social media presence	Sept 2018 - 1,622 Facebook followers Sept 2019 - 2,182 Facebook followers Sept 2020 - 2,948 Facebook followers. Twitter – figures currently not available
Increase Council generated news content	Communications officers were assigned portfolios and the Communication Manager was added to Phoenix Portal so now sees reports before they are in the public domain. However, resourcing has meant we have not been able to act on this. The five day calling in period also limits the ability of the Council to share news stories before the press themselves who may attend the meetings.
Create joint campaigns with local media	Two “return to our town centre campaigns” run by the Economic Development team via paid for adverts were launched.
Support the business transformation project	The Communications team supported the Customer First team when the Council stopped taking cashless payments. The team is also supporting Customer First with a Customer Interaction survey.
Launch annual residents survey	There have been numerous surveys the Communications team has been part of, such as a budget setting survey, and we are mindful of survey fatigue. There is currently a customer interaction survey which is live and running until March.

	Any annual survey needs to be resourced and budgeted for appropriately. Members also need to be mindful that any questions do not lead to false hope about future funding for desirable projects
Launch a new community panel/recruit community champions	This project has not begun.
Improve work with town and parishes	Better liaison with Member Services, particularly the Parish Liaison Officer. There was considerably more contact between the Communications Team and parishes during the height of the first lockdown when there were many messages, and literature shared.
Create a database of social media groups to utilise	Stakeholder list created and available on Sharepoint for other teams to access.
Work with national campaigns to engage the younger electorate and future electorate	Covid and resourcing issues has meant these projects have been put on hold. However, the team has supported numerous national events such as National Apprenticeship Week and the LGAs Our Day.
Engage with hard to reach groups	This is being led by Catherine Yandle. (The third forum took place in Dec 2020).

Figure 2

Internal communication objective as set out in 2018 action plan		Evaluation
Create a more interactive staff newsletter		A number of polls have been circulated to staff regarding the frequency of the Link. Results showed staff prefer it to remain weekly. A small group of staff was also formed to look into a new format for the Link. However, web development and comms resourcing means the new

	system has not been developed as yet.
Improve communication liaison with staff Impact Group	Launched in Autumn 2019 with 16 representatives from across the Council departments and held each quarter since. Topics covered include Evolve, staff retention, benefits.
Support internal projects such as Evolve	Received positive feedback from L&D over Evolve launch. Supported with booklet, leaflet, articles, video and artwork.
Explore options to create a more user friendly intranet	Not started – long term project.
Explore internal social media options	This was explored previously but put on hold following data scandals in the news at the time. However, now that many staff are working from home it may be the time to explore this again.

3.0 Working Group

- 3.1 In November 2020 the Community PDG agreed that a working group would be formed to review the MDDC Communication and Engagement Strategy. The desired outcome was to ensure an effective Communications and Engagement Strategy that considers new and innovative ways of engaging customers.

The Working Group comprised of Cllr J Berry (Chairman), Cllr Mrs E Andrews and Cllr B Holdman. The Working Group considered the effectiveness of the strategy and any further initiatives needed to increase community engagement. Discussion took place around: the progress since the 2018 strategy; concern with regard to reaching people who did not use the internet; how Members should be engaging with their residents as well as the Council; and training available for Members on how to better communicate with residents.

The Communications and Engagement Strategy and Action Plan was reviewed by the Working Group and recommended approval subject to a reference being added to the Strategy of the Protocol on Member/Officer Relations (page 164 of the Constitution).

4.0 Staff Survey

- 4.1 Staff are asked to complete an anonymous staff survey annually. In addition, in 2020 a Covid19 specific staff survey was sent out.

5.0 Websites

5.1 Since the last Communication Strategy was completed in 2018 new websites have been created by our Web Developer. These include the Culm Garden Village site and more recently a Climate Resilience website has been started. This climate website, which is not yet live, uses a newer version of Umbraco (Umbraco 8). This will help the Council with the future development of its corporate website as using this version allows improved graphics which meet accessibility criteria.

6.0 Conclusion

6.1 Despite the pandemic and changes to staffing within the team the service has managed to achieve the majority of the actions set out in the previous strategy. In addition the Communications team has continually supported services across the Council with many ad hoc projects, often at short notice.

6.2 The team is now looking to support the Council with its Covid recovery activities and future national projects such as the 2021 Census. The team will also be continuing to improve engagement, both internally with staff, and externally with the public, and has clear objectives as to how to achieve this within the existing Communications team and budget.

Contact for more Information: Jane Lewis, Communication and Engagement Manager jlewis@middevon.gov.uk

Circulation of the Report: Cabinet Member, Corporate Manager, Leadership Team

Mid Devon District Council

Communication and Engagement Strategy

Policy Number:

January 2021

Version Control Sheet

Title: Communication & Engagement Strategy

Purpose: To provide an efficient communications and engagement service which enhances the Council's reputation. To encourage two way communication which ensures our staff, customers, members and stakeholders influence, support and are well informed about the work of the Council.

Owner: Communication and Engagement Manager
jlewis@middevon.gov.uk

Date: January 2021

Version Number: 2

Status:

Review Frequency: Every two years.

Next review date: 2023

Consultation This document was sent out for consultation to the following:

Leadership Team
Corporate Management Team
Community PDG
Cabinet

Document History

This document obtained the following approvals.

Title	Date	Version Approved
Leadership Team		
Corporate Management Team		
Community PDG		
Cabinet		

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1.0 Introduction

1.1 This strategy includes:

- Internal communication action plan
- Community engagement action plan
- Social media and media relations policy
- Stakeholder and community groups mapping

Background

1.2 The Council previously had separate communication and engagement strategies which were amalgamated in 2018 along with the Media and Social Media Protocol.

1.3 The current structure of the Communication team is a part time Communication and Engagement Manager, part time Communications Officer and a vacant post of full time Digital Communications Officer.

1.4 The team sits within Digital Transformation and Customer Engagement and works closely with all service areas of the Council to provide a more effective approach to communication and engagement with all stakeholders.

1.5 The Communication function is split into three key areas, all of which are detailed in this strategy:

- Internal communication
- Community engagement (including social media)
- Media relations

1.6 Communication within the Council supports the Council's mission, as expressed through its internal operating framework:

To be an energetic, confident and agile organisation, with the ambition to change, the confidence to innovate, the compassion to care and the determination to succeed.

1.7 The Communication function can help achieve this by:

- sharing the achievements of staff, service areas and members
- supporting staff and members through changes and new ways of working
- providing advice on how service areas can consult and engage positively with our communities
- raising the profile of the Council within the district and beyond
- informing our community of changes in a timely and accessible way, using plain English

1.8 Each area of communication also supports the Council's Corporate Plan and annual priorities of the service areas.

1.9 Core functions of the Communications team include:

- Media relations and media monitoring
- Social media
- Staff communication
- Community consultation and engagement
- Stakeholder consultation and engagement
- Branding and corporate campaigns
- Communication advice and training for managers, leadership team and elected members
- Website editing

2.0 Scope

2.1 This policy applies to all staff and members.

3.0 Related Documents

- Internal communication action plan
- Community engagement action plan
- Social media and media relations policy
- Stakeholder and community groups mapping
- Channel access strategy
- Tenant involvement strategy
- Culm Garden Village engagement strategy
- Town and Parish charter
- Climate action plan

4.0 Internal Communication

Background

4.1 The Council currently employs circa 508 staff, based across six sites (Phoenix House, Carlu Close, Old Road and three leisure centres based in Cullompton, Tiverton and Crediton).

4.2 Internal communication matters because it ensures our staff have the right information to carry out their jobs well, have sufficient opportunities to communicate their views and feel valued and supported by their employer. Internal communication is also important as it can have a positive influence on performance, retention of staff, innovation and wellbeing. This in turn means our staff are more likely to support the Council's objectives, enabling the Council to deliver its corporate plan and ensuring it provides a quality and efficient service to residents, partners and stakeholders.

4.3 All staff should operate according to the Officer Code of Conduct.

4.4 All elected members should operate according to the Member Code of Conduct.

Aim

4.5 To provide an internal communication system which promotes interaction and ensures staff and elected members, at all levels, feel valued and informed and are in a position to support the mission and objectives of the Council.

4.6 We will do this by:

- Ensuring communication is shared with staff in a timely, easily accessible way, especially during periods of change and innovation, so that they feel better informed and engaged
- Help employees see the connection between their job and the organisation's aims
-
- and objectives
- Recognising that different methods of communication are needed depending on the audience and message
- Encouraging staff to share good practice and expertise
- Encouraging senior management to listen to staff feedback and questions and respond accordingly, creating a climate of two way communication and improved levels of trust
- Facilitating free flowing communication

Table 1: Current methods of internal communication - staff

Current channels	staff	Purpose	Distribution	Responsibility
The Link		Round up of weekly news, key events and decisions	Weekly (Mon)	Communications team
Sharepoint		Information sharing portal	Ongoing	IT and service areas
Staff Q&As		To encourage questions, to provide face-to-face interaction between leaders and staff, To share wider aims of the Council To receive feedback from staff	Leader and Deputy Leader annual Q&A Leadership team biannual	Leadership team Leader Deputy Leader
All officer emails		Time sensitive or urgent issues to inform	As required	Leadership team Corporate Management team

			Communications team Executive Assistant
HR services newsletter	Information sharing about payroll, HR, L&D, H&S	Quarterly	HR
Noticeboards	Printed information, particularly useful for those who do not have access to IT	As required	Supervisors and site managers eg Carlu Close, Old Road
Staff survey	Receive feedback from staff on specific questions	Annual	HR Corporate Management Team
Impact - staff consultation group	Agenda items to discuss specific topics each quarter	Quarterly	HR

Table 2: Current methods of internal communication - members

Current member channels	Purpose	Distribution	Responsibility
WIS	Information about key dates, council news and events	Weekly (Thurs)	Member Services
Member briefings	For more complex issues requiring training or face-to-face discussion	As required	Member Services
All member emails	Urgent or time sensitive issues	As required	Chief Executive Member Services
Notices in Members' Room	Printed information	As required (post Covid remote working)	Member Services/ Communications Team

Constraints

- No easy to read, searchable intranet for staff or Members
- Current version of Sharepoint is clunky, holds too much information which is poorly visible and has a poor search function
- Not all staff have access to a computer for online internal communication
- Currently limited ways for staff to share their views, particularly anonymously, although all surveys are anonymised.
- Multiple sites for staff bases
- Budget

Table 3: Proposed internal communication action plan

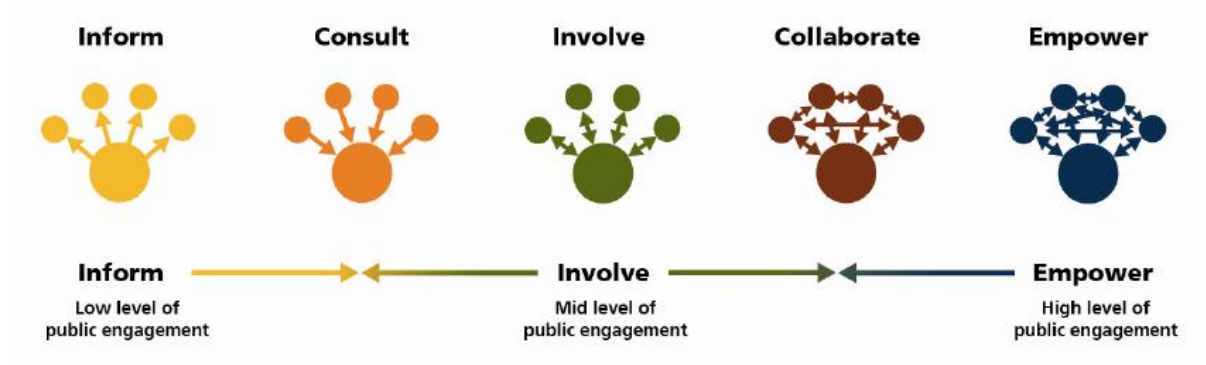
Objective	Responsible	Future
Create a more interactive staff newsletter	Communications Team with input from IT, HR	Create a new format of the Link Consider use of Umbraco 8 or MS365
Improve communication liaison with staff Impact Group	Communications Team and HR	Ensure Comms is represented on the panel and that an article appears in the Link after each meeting
Support internal projects such as Evolve	Communications Team and L&D	Support promotion of appraisals, skills review etc Revisit coaching promotion which was put on hold due to Covid19.
Explore options to create a more user friendly intranet	Communications Team IT HR	A searchable intranet could help all services and reduce call/email time. Consider resourcing needed and potential business case.
Encourage greater uptake of annual staff survey	Communications Team HR Corporate Management Team	Promotion, incentives. Publicise actions taken following feedback from previous surveys – show staff it makes a difference and impact.
Explore internal social media options	Communications Team - would need admin support from services	To be added to the Impact group agenda

5.0 Community Engagement

Background

5.1 Community engagement is about putting communities at the heart of their own local services. Effective community engagement is essential to ensure the services the Council operates are fit for the communities they serve. In some areas of the Council there is a statutory consultation requirement when the Council has a duty to engage with the public (such as Planning and Licensing) which is supported by the Council's adopted Statement of Community Involvement 2020. At other times the Council voluntarily and actively seeks out the views of the community to ensure the Council is delivering a high quality, cost effective service which meets the needs of the customer.

5.2 There are different levels of engagement and this should be considered when embarking on any form of engagement. The most appropriate method of engagement will depend on the desired outcome and audience:



Aim

- 5.3 To develop and improve community engagement to ensure the Council can:
- understand and respond to the needs of our customers
 - plan and deliver better and more efficient services
 - take transparent decisions based on evidence and be held accountable for these decisions
 - build relationships with the local community
 - test out ideas and explore local issues
 - measure the performance of the Council in delivering services
- 5.4 Effective engagement also means the local community will have a greater say and impact on the delivery of local services and be better informed about the Council's work.
- 5.5 We will do this by:
- Sharing information via multiple channels
 - Exploring new partnerships, particularly with community and voluntary groups, as well as statutory/public sector partners
 - Working with members to promote the work of the Council and to receive feedback from constituents
 - Encouraging service areas to share news and upcoming events and consultation
 - Giving the community and stakeholders a means to express their views
 - Listening to the feedback from our customers
- 5.6 Our community engagement methods will also support and adhere to our Single Equality Scheme 2021.

Elected Members

- 5.7 The Council's elected members represent the views of the district and in particular their ward and are an essential part of creating effective community engagement.
- 5.8 A channel of communication from constituents to the Council through elected representatives, and vice versa, should be explored. This channel could be

utilised to enhance two way communication and be used to receive feedback from our wards but also to share district wide news at local level, such as via councillor led surgeries.

Table 4: Current engagement channels

Channel	Audience	Responsibility
MDDC website	Residents, businesses and media	Communications team and IT
Press releases	Media	Communications team
Facebook pages: Mid Devon Council Mid Devon Leisure Tiverton Pannier Market Electric Nights Mid Devon Housing Community Safety Partnership	Residents & media	Communications Leisure Market Officer Economic Regeneration and Growth Officer Housing Community Safety and Emergency Planning Officer
Twitter accounts: Mid Devon Council Mid Devon Leisure Tiverton Pannier Market Electric Nights Mid Devon Housing Community Safety partnership	Residents and businesses and media	Communications Leisure Market Officer Economic Regeneration and Growth Officer Housing Community Safety and Emergency Planning Officer
Gov Delivery	Residents	Communications team
Statutory notice eg planning, licensing and elections	Residents and businesses	Service area leads See Statement of Community Involvement
Annual council tax bill and letter	Residents	Revenues
Tiverton Town Centre Partnership	Tiverton businesses	Economic Development Officer
Customer First	Residents	Customer Service Manager
Town and Parish Newsletter	Clerks, town and parish councillors	Parish Liaison Officer
Housing News 4 U	Council tenants	See Tenant Involvement Strategy
Tenant involvement group	Council tenants	See Tenant Involvement Strategy
Support of Mid Devon Business Forum	Businesses	Economic Development Officer

Table 5: Proposed community engagement action plan

Objective	Responsibility	Method
Promote newsletter to residents	Communications team	Promotional drive for newsletter Consider liaison with parishes/via parish newsletter
Increase GovDelivery sign up	Communications team	Continue to develop email subscribers. Look at alternative provider including via a new CRM
Continue to grow social media presence	Communications Team	Bring in a member of staff who can support this area of work. Improve forward SM content planning and to use the extra resource (replacement of previous role) to spot trending articles and improve two way interaction.
Increase Council generated news content	Communications Team	Once fully staffed and the Covid communication work has decreased to improve relationship with PDG chairs. To use Phoenix Portal committee reports system to forward plan and be proactive with press releases. The constraint here which causes an issue is the calling in period.
Create joint campaigns with local media	Communications Team supporting service specific campaigns	This is unlikely due to lack of advertising budget but can be considered and services can cost in for specific projects.
Support the business transformation project	Communications Team	On approval from Cabinet to pursue the procurement of a Customer Portal) and as part of a general review of customer service a small group of customers will be sought to provide feedback on service redesign and the user experience. Continue to promote Do it Online pages. Support all services with new projects.
Explore options for an annual residents survey	Communications Team with support from Customer First	If the Council decides to run an annual survey this needs to be resourced and budgeted for appropriately. Members also need to be mindful that any questions do not lead to false hope about future funding for desirable projects. Members also need to be aware of survey fatigue.
Launch a new community	Communications Team	To be considered in future with the Community Engagement Working

panel/recruit community champions		<p>Group.</p> <p>To involve members of the public to be actively involved in elements of business transformation as well as service specific projects.</p> <p>This may also tie in with extending the Equality Forum with outside representation</p>
Continue liaison work with town and parishes	Communications Team and Member Services	Regular contact, WIS, monthly newsletter, member briefings etc
Maintain a database of social media groups to utilise	Communications Team	To maintain and update this database. To use it more frequently as part of the social media planning calendar
Work with national campaigns and support national promotional weeks	<p>Communications Team and Elections team</p> <p>Recycling Officer</p>	<p>This will form part of the communication planning once fully resourced team.</p> <p>Also discussed by the Community Engagement Working group as events such as National Democracy Week should be led by elected Members.</p>
Engage with hard to reach groups	Operations Manager for Performance, Governance and Health & Safety with Communications support	To support the Equality Forum to grow and to be opened up to outside groups at an appropriate time.
Develop corporate use of LinkedIn	Communications with HR support	Develop connections across the platform
Develop social media governance framework and forward plan	Communications	<p>Launch social media governance group.</p> <p>Seek views from this group as well as IT and other councils.</p>
Support Climate Change agenda	Communications Team, Corporate Manager for Property Services, Leisure and Climate Change, Climate and Sustainability	<p>Launch website</p> <p>Database of local groups and initiatives</p> <p>New partnership between Communications Team and Climate and Sustainability Specialist</p>

	Specialist, Cabinet Member for Climate Change	
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6.0 Media relations

6.1 See Social Media and Media Relations Policy in appendix one.

6.2 Core functions include:

- Responding to press enquiries in a timely manner with an appropriate, informed response
- Generating press releases and supporting service areas with their own media coverage
- Providing a media monitoring service
- Supporting members and officers with media interviews and responses
- Reputation management
- Generating social media content
- Managing social media pages and responding to comments
- Responding to customer enquiries which come in via social media

Aim

6.3 To work closely with existing media, and to develop relationships with new media channels, to inform and engage the public about the work of the Council, ensuring the reputation of the Council is upheld and enhanced.

6.4 We will do this by:

- Meeting regularly with local reporters and editors
- Considering the use of paid for adverts and boosted posts, particularly for campaigns
- Generating news content
- Generating photo and video content
- Monitoring local and national news
- Linking trending articles to the Council's work on social media
- Working closely with Members on issues that matter to them

In addition the Communications team will develop a social media governance group and devise a social media governance framework and forward plan. This document will support for the effective and appropriate use of social media across service areas and corporately.

Constraints

- We cannot control the media, including their angle or the timing of their articles
- Leaks of information
- Staffing – the resources of the Communications Team are limited particularly with regards to monitoring social media platforms
- Budget – the Communications Team does not currently have an advertising budget

Evaluation and monitoring

- 6.5 Media enquiries are monitored in Comms Flow. This system was built in house by staff who are no longer with the organisation and may need to be replaced at some point. The Council may need to explore the purchase of a new media system which can log media enquiries as well as disseminate all press releases to multi channels. Eg Vuelio, Crowd Control, PR Gloo.
- 6.6 A monthly communication report is presented to the Leadership Team which includes social media and website analysis.
- 6.7 The Council receives a copy of the Mid Devon Gazette and, on an ad hoc basis, the Crediton Courier and sends out a weekly media monitoring email, including links to online articles. The Council does not have a license with the NLA (Newspaper License Authority) to create photocopies of articles, but a copy of this newspaper is kept in the office.

7.0 Emergency planning

- 7.1 The Communications Team does not take part in an official standby rota but is available to be contacted out of hours through the Devon Emergency Planning Service (DEPS) telephone directory.
- 7.2 The members of the Communications Team are all detailed in this document which is available to standby officers, senior leadership team and the emergency planning officer.
- 7.3 There is also a team of staff, who do not form part of the Communications Team, but who have the capability to edit the website. These members of staff are also detailed in the DEPS directory.
- 7.4 In addition, the Council's IT team have capability to update the website during an emergency or 'out of hours' event.

Accessibility

7.5 The Council must follow WCAG 2.1 AA standards on all public facing websites and business applications that the public can use such as apps. The standards required can be found here: <https://www.w3.org/TR/WCAG21/>

7.6 Any software procured / commissioned by the authority should be checked to ensure it meets WCAG 2.1 AA standards. We would be breaking the law if we purchase publicly visible apps /websites that don't meet this criteria.

7.7 The Communications team and web developer manage a team of content editors/uploaders who are responsible for the accessibility of the content they upload to any Council run website or where a website is hosted by a third party supplier such as ModernGov.

7.8 Officers in the Council have a responsibility to ensure content they would like in the public domain is accessible following WCAG 2.1 AA Standards. This is not new and part of the Equalities Act 2010.

7.9 Due to increasing complexities with the accessibility requirements and the need for the Council to ensure it meets all the requirements the Communications team, in collaboration with the web developer is looking to create a formal sign off system for the publication of documents such as Council branded leaflets to be used by all services. This will also ensure consistent branding.

8.0 Corporate branding

8.1 The Council does not have an up-to-date branding policy or guidelines. There would be a significant cost implication for a full rebrand, but while the current accessibility work is being undertaken, now is an appropriate time to refresh certain documents such as committee report and letter templates.

9.0 Website

9.1 The existing corporate website is updated by a team of web contributors, overseen by the Communications Team and Web Developer.

9.2 It is hoped in the future the Council's own MDDC website will move to Umbraco 8, however, this will involve a rewrite of much of the current content as well as providing training for the web contributors and Communications team.

9.3 Once the initial accessibility work is complete ahead of the next audit there should be a new and continuous focus on ensuring website content is relevant and timely. This work should emphasise the need to remove content that is not necessary. This work will support website upgrades and customer service specific improvement projects.

10.0 Media training

10.1 All elected members are offered media training as part of their induction programme. The Communications Team can also offer media training and guidance for media interviews to officers. This will be tailored to the individual.

11.0 Appendices

- Appendix one: Social Media and Media Relations policy

Appendix One:

Media & Social Media Policy

January 2021

Media and Social Media Policy

Version Control Sheet

Title: **Media and Social Media Policy**

Purpose: **To outline how we deal with media and social media and to provide advice and guidance to officers and elected Members**

Owner: **Communications & Engagement Manager**
jlouis@middevon.gov.uk

Date: **January 2021**

Version Number: **1.0**

Status:

Review Frequency: **Every two years or sooner if required**

Next review date: **January 2023**

Consultation: **This document will be sent out for consultation to the following:**
Community PDG
Cabinet

Document History

This document obtained the following approvals.

Title	Date	Version Approved
Community PDG*		
Cabinet		

*- Delete if not applicable

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1 Introduction

This policy outlines procedures for Mid Devon District Council officers and elected Members who may come into contact with the media. It supports the Council's **Communication and Engagement Strategy**.

With the growth of social media, online versions of newspapers, blogging and citizen journalism, any media policy must now take into account both the traditional media (newspapers, magazines, radio and TV) and online digital media (including websites, blogs and social media).

It explains processes in relation to: proactive media relations; dealing with media enquiries; and dealing with posts on social media. It also provides guidance on a range of other media-related issues.

1.1 Our strategic aim

To work closely with existing media, and to develop relationships with new media channels, to inform and engage the public about the work of the Council, ensuring the reputation of the Council is upheld and enhanced.

1.2 Our policy statement

Mid Devon District Council recognises the value of the media and social media, as a means of communicating information and messages to the public. We are committed to:

- transparent government;
- a positive working relationship with the media;
- always being open, honest and proactive in our dealings with the media and on social media, and;
- respecting the right of the media to report all views on any given topic.

2 Proactive media relations

Positive media coverage comes from pro-active media relations and the recognition of a good news story. Ideas for stories can come from both officers and elected Members. The drafting of press releases is undertaken primarily by the Communications team. Creative and editorial support is also offered to services; however they are free to submit their own drafts where appropriate sign-off has already been sought.

2.1 Press releases

Media coverage is predominantly generated through the publication and distribution of press releases to:

- Increase public awareness of services provided by the Council and the functions we perform
- Explain to residents and council taxpayers the reasons for particular policies and priorities
- Improve local accountability
- Publicise forthcoming events
- Encourage participation in public consultations
- Explain changes to services
- Explain how the Council is dealing with issues of particular interest to local communities
- Share good news

2.1.1 Press release content

For advice on writing a press release, see **Phoenix Portal >> Communication >> Media Relations:**

- [How to write a good press release](#)
- [Quick checklist when writing a press release](#)

Tip: Make sure that the relevant Cabinet Member(s) – and, for local issues, any Ward Members – are informed about what is happening and that a press release is being prepared (even if those Members are not actually quoted in the press release).

2.1.2 Who should be quoted in a press release?

Quote attribution depends on the nature of the press release, for example:

- The relevant Cabinet Member and the officer most directly involved in the subject may both be quoted – this gives the media a strategic/policy viewpoint, as well as the day-to-day operational viewpoint
- An officer
- A Member
- An external partner

If the press release provides only straightforward information, there's no need to include a quote.

2.1.3 Contact details on press releases

Only contact details for the Communications team are included in the 'ENDS' of all press releases for follow-up enquiries from the press. This is to prevent journalists from contacting officers directly with future enquiries and to ensure all contact with the press is directed through, and logged with Communications.

Specific contact details may only be included in relation to consultations, where a 'return path' is required for respondent enquiries.

Tip: Where a press release covers a specialist subject for which follow-up inquiries from the press can only be answered confidently by a specific officer or Member, he/she should ensure they're available for contact by the Communications team, the following few days after release

2.1.4 Press release approval

For press releases written by the Communications team, sign-off is sought from the relevant Corporate Manager and Cabinet Member. Where a press release has been written by a service directly, it's up to the author to agree sign-off with the relevant Service Manager or Corporate Manager and Cabinet Member before submitting to communications@middevon.gov.uk, for publication and distribution.

Before issuing to the media, the Communications team will undertake checks for spelling, language and grammar.

Tip: Depending on the complexity of the subject matter, various people may need to agree the wording of a press release, such as:

- Any quoted elected Member/officer(s)
- The relevant service manager
- The Chief Executive, Director or Corporate Manager (for important corporate issues or important operational issues)
- The Leader of the Council or the relevant Cabinet Member (for important strategic issues or policy decisions)
- Relevant partner organisations

2.1.5 Press release distribution

Press releases from services which are time-sensitive and sent in advance, must contain *****EMBARGOED***** within the subject line, along with the specified date for release. Press releases must also be accompanied with an appropriate image at an industry standard resolution of ~300dpi. This is not only for publication online, but also for reprinting by the press, should they choose to cover the article.

All press releases are published onto the Council's website and then distributed via email to all media contacts, town and parish councils, and internally to Corporate Managers, Members and Customer First for info.

Press releases are further promoted through:

- social media posts published on the corporate [Facebook](#) and [Twitter](#) pages, which link back to the story on www.middevon.gov.uk/news and;
- via e-bulletin to GovDelivery subscribers subscribing to the Council's email subscription service.

2.2 Other ways of generating coverage

The Communications team can be consulted for advice on other aspects of media relations including:

- Planning media campaigns
- Setting up photo opportunities
- Media briefings and media launches
- Use of embargos (where the media is given advance notice but cannot publish until a specified date)
- Negotiating exclusives
- Negotiating special features
- Improving web pages to support publicity
- Making better use of social media
- Increasing community engagement through GovDelivery

3 Reputational issues

3.1 Imbalanced or inaccurate media coverage

When media coverage of a particular issue is unduly negative and imbalanced, services can liaise with the Communications & Engagement Manager about how best to try to redress the balance. Action taken in response may involve:

- A letter to the press
- A request for a correction
- Communications & Engagement Manager, Chief Executive and/or Leader to meet and discuss with the Editor
- Generating further media coverage to move the story on in a more positive way

If we judge the following coverage to still be unfair or not based on fact, a complaint may be made to IPSO. Who?

3.2 Confidential information

Leaking of confidential information, exempt agenda items and minutes to the media, is viewed seriously by the Council. The [Freedom of Information Act 2000](#) (see also 4.3 below), allows certain information to be available on request to anyone including the media, unless the Council has a valid reason for not releasing it. Please refer to the [Freedom of information Policy](#) on SharePoint for further information.

Occasionally, issues come to the notice of the media that involve staff or Members and aspects of their private lives or employment contracts. Our policy is not to comment upon such issues. Factual responses are permitted, for example: *'I can confirm that the employee is no longer in employment with Mid Devon District Council, but I am not able to discuss the situation in any greater detail'*.

3.3 Issues relating to employee relations

It is recognised that there will be occasions where the Unions wish to comment to the media in relation to issues rather than individual cases, on behalf of itself and its members.

There are mechanisms for complaining about issues or situations arising in the workplace and individual employees should refer to the procedures laid out in the appropriate policies (e.g. [grievance](#), [dignity at work/harassment](#) and [appeals procedure](#), [whistle-blowing](#)), available on SharePoint. If in doubt about how to raise concerns or which policy would be most appropriate for their needs, employees should seek advice and guidance from [Human Resources](#).

3.4 Protecting the Council's reputation

While it is recognised that elected Members will want to comment on particular issues such as Council policies and decisions, neither officers nor Members should bring the Council into disrepute or publicly criticise individual officers or associates.

4 Media enquiries

Every media enquiry can be used as a positive opportunity to get a message across to the public. Failure to provide a response explaining 'our side of the story' is an opportunity missed to ensure the subsequent reporting is fair and balanced. Our preference is to provide a response rather than 'no comment', which can come across as aloof, uncaring or that we have something to hide. If, for some reason we cannot comment in detail, for example, in relation to case work which is ongoing, we can usually provide a general comment and an explanation as to why we cannot go into detail.

4.1 Points of contact for media enquiries

4.1.1 Communications

The press and media personnel are encouraged to contact the Communications team with any requests for comments, supporting information or interviews. Communications will liaise with the relevant Corporate Manager or service spokesperson to coordinate a response. The enquiry and proposed response is also Cc'd to the relevant:

- generic department email;
- Cabinet Member;
- Leader of the Council (if controversial), and;
- Committee Chair (if in relation to an incident or comment made at a committee meeting).

The Communications team will ensure all statements received are well written and submitted within the media's deadline. Final statements will be appropriately attributed, ensuring staff names and job titles are correct. Care is also taken to ensure that direct contact details for staff are not disclosed in any replies sent to the press.

Where a response from the relevant service is outstanding, we will respond to acknowledge receipt of the journalist's enquiry and to ask whether he/she is willing to extend the deadline for their enquiry. If no one is available, we will reply stating that the appropriate officer is currently unavailable for comment.

All contact between the press and staff internally is documented on the media reporting system 'CommsFlow' for future reference and month end analysis.

4.1.2 Officers and Members

The media may from time to time contact officers or Members directly. If the enquiry is straightforward, requiring only a factual answer, this can be answered there and then. However, the responding officer or Member must notify the Communications team to record the enquiry onto CommsFlow.

With the immediacy of news now being published predominantly online, Officers and Members should be aware of the urgent need to respond within the deadline set by the enquiring journalist. It is within our mutual interest to respond positively and on time. The forging of good relations with the press allows us to build favours and any future coverage will likely be more favourable, or at least less critical if the story is negative. Similarly, journalists will be more willing to amend or withdraw a story if it's been reported inaccurately.

Note: Nothing in this policy precludes Members or political groups from speaking to or contacting the media. Members should make it clear to the media whether they are speaking:

- officially on behalf of the Council – in this case the Communications team should be kept informed, *or*;
- officially on behalf of their particular political group, *or*;
- in a personal capacity.

Media training will be offered to all Members who are likely to be called on to speak to the media.

4.2 Media interviews and comments

4.2.1 Officers

It is up to heads of service and Corporate managers to make arrangements for which officers in their teams can act as a spokesperson to provide comments or be interviewed by journalists.

The relevant Cabinet Members, should be consulted for advice at any time and be involved in drafting any media statements or preparing for interviews that are highly controversial or where this is a significant reputational risk to the Council.

Officers are likely to be called on to comment on these issues:

Chief Executive / Leadership Team	Major corporate issues (and in situations where the Leader would normally respond but is not available within the timescale)
Corporate Managers	Corporate issues within their service areas (and in situations where the Cabinet Member would normally respond but is not available within the timescale)
Officers	To answer questions of fact and/or technical information within their areas of expertise and in relation to projects and initiatives they are involved in, but they will not be expected to do live on-air interviews unless they have received appropriate media training

4.2.2 Members

Members are likely to be called on to comment on these issues:

Leader	Strategic issues, key policy decisions, and other major corporate issues affecting the Council
Cabinet Members	Issues that come under their remit
Chairmen of PDGs	Issues their PDG is involved in
Chairmen and Vice-Chairmen of committees	Recent committee decisions
Chairman and Vice-Chairman of Scrutiny	Issues that Scrutiny raise and reviews that they are working on
Local Ward Members	Issues of particular local concern
Group Leaders	Issues that transcend politics, for example obituaries

4.3 Freedom of Information (FOI) requests

Some media enquiries are submitted as FOI requests, in which case the Performance, Governance and Health & Safety team will coordinate the response in accordance with the applicable legislation. See [Freedom of Information Policy](#) in the Governance area within 'Policies & Strategies' on SharePoint.

5 Social media

In addition to posting proactive stories on [Facebook](#) and [Twitter](#), social media is now also used as a customer service channel, where we can respond directly to customers' questions, comments or complaints.

Customer enquiries are currently dealt with via the Communications team but in future this area of social media may fall to the Customer Services team.

5.1 Main corporate accounts

The Communications team maintains and administers the corporate [Facebook](#) and [Twitter](#) accounts. Where applicable, notifications in the form of questions, complaints and comments are dealt with directly by the Communications Officer. If the query is more complex, or concerns service policy, the relevant service is approached for information and guidance when forming an appropriate response.

Services should be aware there is no such thing as a 'deadline' on social media; customer expectation is for a quick response – certainly hours rather than days – and leaving a post (particularly a negative comment or complaint) unanswered for more than a few hours gives the impression we are ignoring it.

5.2 Other service-specific accounts

A number of services have their own specific social media accounts to include:

- MDDC Housing
- Community Safety Partnership
- Tiverton Pannier Market
- Electric Nights Streetfood
- Mid Devon Leisure
- Culm Garden Village
- Mid Devon Business

Staff within these services respond to their own notifications, however with the use of Business Manager for Facebook, the Communications team can access and publish posts onto these pages, where urgent action is required

and the relevant page editor is absent. (This does not apply to Twitter, for which there is no Business Manager equivalent).

Any service wishing to set up a new social media account must discuss this with the Communications & Engagement Manager first.

In line with Facebook's own new rules the Council is introducing two factor authentication for security purposes. Facebook is introducing this as mandatory shortly. All accounts must use this going forward in 2021.

In line with existing IT policies staff should not access corporate social media accounts using personal devices.

Note for emergency purposes only, eg if all networked systems were down, the Communications team can access social media to update the public during an emergency situation via personal devices. This is only to be used when no work issued devices including iPads/mobiles are available.

5.3 Dealing with detractors

When dealing with detractors, ALL page editors and administrators using social media business accounts should avoid getting into an argument or inflaming a discussion. Officers will try to help in the first instance; if the user continues to post without engaging our offer of help, their posts will be ignored.

5.4 Deleting abusive or discriminatory comments

As a general principle we do not attempt to moderate posts on social media, as to do so could also open us up to accusations of 'censorship'. However, we will remove any posts from our social media accounts that are abusive (for example, use of language or personal attacks on a particular named officer or Member) or discriminatory (for example, racist or homophobic) and we will also give the reason for deleting a post.

5.5 Social media guidelines

The following guidelines set out the responsibilities, standards of behaviour and provide guidance to employees and Members using social media in a

professional capacity, and things to consider when using social media for personal purposes.

All employees and Members should be aware of and adhere to the following policies, whichever is applicable:

- [Dignity at Work](#)
- [Single Equality Scheme](#)
- [Member Code of Conduct](#)
- [Officer Code of Conduct](#)
- [MDDC safeguarding policy](#)

5.5.1 Do

- **be responsible and respectful** at all times by adhering to the existing policies listed above
- **trust yourself** to use social media – the Council already trusts you to send an email on behalf of the organisation and the same applies for social media
- check your **privacy** settings – understand who can see the information you publish and your personal information
- **chat** informally with other users – use language and tone of voice that's consistent with your target audience
- **credit** other people's work, ideas and links
- **respond** to all comments and private messages as quickly and honestly as possible. Be personal in your response – show empathy and a desire to find a resolution to problems where appropriate
- Drive the conversation **offline if it's sensitive** in nature or likely to escalate – ask the individual to message you privately with more details and include your name so the customer knows who he or she is talking to.
- **listen** in on other pages to what's being said about the Council, its services and the local area, then join in on discussions, and;
- **share** helpful content and links signposting people to the appropriate service or authority to inform & grow your audience. If you're in any doubt about sharing any particular content, the best rule-of-thumb to follow is don't share it!
- **seek** [legal advice](#), it's there to help you
- **add value** by creating content that educates and spreads awareness about Council services. Include positive stories encountered whilst on the 'day job' and news-bites with perspective to show the human side to public services
- align your posts with the **Council's purpose and values** as summarised in the [Corporate Plan 2020-2024](#) and [Communications & Reputation Guidelines](#) (needs to be reviewed but still relevant)
- **seek permission** to publish any information, report or conversation that is not already in the public domain. Do not cite or reference customers, partners or suppliers without their approval

- **respect copyright** when linking to images or other online material – obtain owner permission and provide appropriate attribution when using images that aren't your own, and make sure you purchase the correct license for any stock images used
- respect the pre-election period known as '**Purdah**' (see local.gov.uk/our-support/purdah)
- **ask** your followers questions to glean valuable insights (but ensure there's a clear and resourced return path for respondents to leave their feedback and make sure you share the results with them)
- **monitor and evaluate** the success of your activity.

5.5.2 Don't

- post content which will **embarrass** the Council or yourself
- **reduce your credibility** by posting your every personal thought – especially if you're complaining
- **moderate posts** unless they are abusive – blocking someone or deleting their posts without just cause will incur accusations of “censorship”
- use council **jargon** or corporate speak
- **ignore comments** and private messages
- say anything you **cannot substantiate** – if you don't know the answer, let the individual know you're looking into the matter
- **argue** with customers or inflame a discussion
- refer customers to **another channel** such as email or telephone – if they've contacted you via Twitter, you should respond in kind. The exception would be sensitive topics such as comments in relation to Planning applications, etc.
- follow or share **political opinions** or groups which could otherwise compromise the Council's impartial service to the government
- **broadcast** or talk at people. Users who post information which is mostly information-sharing have twice as many followers than those who post mostly relating to themselves
- **cover up** mistakes, be honest and you'll get more respect for it in the long run
- disclose **personal information** – to do so would be in contravention of the [Information Security Incident Policy](#) and the social media platform's rules
- **assume** that social media will look after itself – you will need to invest time, enthusiasm and energy to make it work. And don't leave your accounts unattended for long spells
- **share your passwords** with anyone other than the Communications Team.

5.6 Training

One-to-one staff or Member training to use Facebook and Twitter can be provided by the Communications team on request. Such requests should be

emailed to communications@middevon.gov.uk. A new [Social Media Guide for Members and Staff](#) is available. In addition, an in-depth user guide written in-house specifically for Twitter is available to staff who have received the afore-mentioned training, see [Service User Guide for Twitter](#).

6 Other issues and special circumstances

6.1 Emergencies and out-of-hours contact

In the event of an emergency situation affecting multiple agencies, a Media Cell will be setup by the lead agency to manage communications and the press. For more information, please refer to the [Devon Emergency Planning Service \(DEPS\) Incident Response & Recovery Plan](#) on SharePoint.

In the event of the media contacting the Council outside normal office working hours and if deemed an emergency, contact details for the Communications & Engagement Manager and Communications, Web & Digital Systems Administrator are listed in [Part 5 of the DEPS Incident Response and Recovery Plan](#). The Communications & Engagement Manager will decide if and what response is required. If a response is required, she will contact the relevant officer (Chief Executive or head of service) and/or lead Member.

6.2 Court cases

The Council will occasionally launch prosecutions and will want to use successful outcomes of court cases to deliver a message to the public. The best way of doing this is by issuing a press release, or prior notification to the media of an impending court case. The relevant Corporate Manager should be consulted.

6.3 Photography and child protection

As outlined in our [Safeguarding Children and Adults at Risk Policy and Procedures](#), Officers, Members and volunteers should be vigilant at all times. Any person using cameras or videos within Council premises and at events or activities which involve children and young people, should be approached and asked to complete a [Photography Consent Form](#) (see **SharePoint >> Communications >> External Communications**).

Guidance for commissioning professional photographers or inviting the press to cover Council services, events and activities

- Ensure that you make your expectations clear in relation to child protection

- Check credentials of any photographers and organisations used
- Ensure identification is worn at all times, if they do not have their own – provide it
- Do not allow unsupervised access to children or young people or one-to-one photographic sessions
- Parents must be informed when photographs of their child or young person may be taken at activities or events, and parental consent forms need to be signed agreeing to this
- It is recommended that the names of children or young people should not be used in photographs or video footage, unless with the express permission of the child or young person's parent

6.4 Data protection

The [Data Protection Act 2018 \(DPA\)](#) determines the way in which we obtain, hold, use, release and dispose of personal information. Data which is protected should not be released to the media. For guidance, see [Data Protection Policy](#) or contact the Operations Manager for Performance, Governance and Health & Safety.

6.5 Elections

During elections, all publicity referring to a political party or anyone standing for election will – except as in the following paragraph – be suspended between the publication of a notice of election and polling day.

Members will not be quoted in press releases during this period unless it is a Member holding a key political or civic position commenting on an emergency or an important event outside the Council's control and where there is a genuine need for a response by a Member. For further information concerning the publicity restrictions observed by Local Authorities during the pre-election period known as 'purdah', please refer to local.gov.uk/our-support/purdah.

6.6 Filming, recording and use of social media at Council meetings

All media, including radio and TV journalists, and members of the public may attend Council, Cabinet, PDG and committee meetings (apart from items

where the public is excluded). They may record, film or use social media before, during or after the meeting, so long as this does not distract from or interfere unduly with the smooth running of the meeting. Anyone proposing to film during the meeting is requested to make this known to the Chairman in advance. The Council also makes audio recordings of meetings which are published on our website.

7 Media monitoring and evaluation

7.1 Monitoring

7.1.1 Newspaper mentions

The Communications team receives the following newspapers

- Tiverton Gazette

Any articles referencing the Council, its staff or Members are summarised and sent to the Leadership Team, relevant Corporate Managers and Members for information. All papers are kept for 6 weeks in the Comms area at Phoenix House where they can be seen by Officers and Members. (Note this is currently not the case due to home working during the pandemic)

7.1.2 Online mentions

The Communications Officer monitors the following news websites on a daily basis:

- [DevonLive](#)
- [Crediton Courier](#)
- [BBC News South West](#)

Links to any articles referencing the Council, its staff or Members are sent to the relevant Officers or Members for information.

For any printed or online reporting which is found to be baseless, either the Communications & Engagement Manager or relevant Corporate/Service Manager can decide whether any follow-up action is required in response (see also 3.1 above). Any coverage generated – whether from a press release or by responding to a media enquiry – is collated and reported monthly to the Leadership Team for evaluation.

7.2 Press cuttings

Because it is prohibitively expensive, we do not have the necessary NLA Media Access licence to permit us to photocopy or electronically scan press cuttings. Officers and Members should therefore not make or store any copies of press cuttings for any purpose, as to do so would be breaking

copyright law. The originals of articles may however be cut out from newspapers and kept.

7.3 Social media monitoring

The social media channels for the following areas are monitored by the Communications team:

- (both local and national)
- Media organisations (both local and national)
- Community news and forums

References to the Council or Members are flagged and reported as above.

7.4 Web Alerts

Monitoring of the web is undertaken automatically. The Communications, Web & Digital Systems Administrator has setup a Google Alerts account to detect changes in content for predefined search terms. Terms have been entered for the Council, its premises, ongoing plans/developments, and names of key staff, Members and vexatious complainers. Additional search terms are added as and when appropriate, or the need arises.

Any detections are automatically emailed to communications@middevon.gov.uk, then forwarded to the relevant staff and/or Members, as above.

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COMMUNITY PDG 23 MARCH 2021:

PERFORMANCE AND RISK REPORT

Cabinet Member Cllr Dennis Knowles
Responsible Officer Group Manager for Performance, Governance and Data Security

Reason for Report: To provide Members with an update on performance against the Corporate Plan and local service targets for 2020/21 as well as providing an update on the key business risks.

RECOMMENDATION: That the PDG reviews the Performance Indicators and Risks that are outlined in this report and feeds back areas of concern to the Cabinet.

The PDG is invited to review the targets suggested for 2021/22 against the Corporate Plan Performance framework and recommend their approval to Cabinet. (Appendix 4)

Relationship to Corporate Plan: Corporate Plan priorities and targets are effectively maintained through the use of appropriate performance indicators and regular monitoring.

Financial Implications: None identified

Budget and Policy Framework: None

Legal Implications: None

Risk Assessment: If performance is not monitored we may fail to meet our corporate and local service plan targets or to take appropriate corrective action where necessary. If key business risks are not identified and monitored they cannot be mitigated effectively.

Equality Impact Assessment: No equality issues identified for this report.

Impact on Climate Change: No impacts identified for this report.

1.0 Introduction

- 1.1 Appendix 1 provides Members with details of performance against the Corporate Plan and local service targets for the 2020/21 financial year.
- 1.2 Appendix 2 shows the section of the Corporate Risk Register which relates to the Community Portfolio. See 3.0 below.
- 1.3 Appendix 3 shows the profile of all risks for the Community Portfolio.
- 1.4 All appendices are produced from the corporate Service Performance And Risk Management system (SPAR).

2.0 Performance Appendix 1

- 2.1 The KPIs identified are mostly new PIs and performance on most has been affected by Covid 19. It is unlikely that much progress will be seen over the next few months.
- 2.2 Several of the corporate plan aims will require partnership working with Devon County Council, the NHS and Town and Parish Councils and lobbying activity. Targets for these remain to be developed.
- 2.3 Regarding support through the Covid pandemic the council has paid grants totaling over £28M so far with further payments of £2M expected over the next few weeks. The vast majority of this was to retail, hospitality and small businesses but we have £534,410 funding specifically to help adversely affected individuals through Hardship funding and the Self Isolation payments. For the latter we have had 263 applications so far; 104 have been paid (£52k), 144 rejected and 15 are awaiting assessment.

Targets

- 2.4 The targets for the next financial year against the Corporate Plan Performance framework will need to be approved by Cabinet at their meeting on 8 April. The proposals are attached as appendix 4.

3.0 Risk

- 3.1 Risk reports to committees include strategic risks with a current score of 10 or more in accordance. (See Appendix 2)
- 3.2 Operational risk assessments are job specific and flow through to safe systems of work. These risks go to the Health and Safety Committee biannually with escalation to committees where serious concerns are raised.
- 3.3 The Corporate risk register is regularly reviewed by Group Managers' Team (GMT) and Leadership Team (LT) and updated as required.

4.0 Conclusion and Recommendation

- 4.1 That the PDG reviews the performance indicators and risks for 2020/21 that are outlined in this report and feedback any areas of concern to the Cabinet. In addition that the PDG considers PIs and targets to set for 2020/21.
- 4.2 The PDG is invited to review the targets suggested for 2021/22 against the Corporate Plan Performance framework and recommend their approval to Cabinet.

Contact for more Information: Catherine Yandle, Group Manager Performance, Governance and Data Security ext 4975

Circulation of the Report: Leadership Team and Cabinet Member

Corporate Plan PI Report Community

Monthly report for 2020-2021
 Arranged by Aims
 Filtered by Aim: Priorities Community
 Filtered by Flag: Exclude: Corporate Plan Aims 2016 to 2020
 For MDDC - Services

Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Community																	
Priorities: Community																	
Aims: Health and Wellbeing																	
Performance Indicators																	
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Annual Community Safety Partnership (CSP) Action Plan</u>	n/a	n/a	Actions identified in plan delivery affected by Covid.Update February on draft out-turn for 20/21.													Simon Newcombe	(February) Out-turn for 20/21 Action Plan currently being reviewed and just one project outstanding. This is Junior Life Skills which was due to have been delivered in schools but has not been possible due to the pandemic and school closures. The final financial and Action Plan out-turn will be agreed at 11 Feb CSP Board Meeting together with Action Plan update for 21/22 (subject to funding confirmation) (SN)
<u>Safeguarding standards for drivers</u>	n/a	n/a	100%						100%					100%		Simon Newcombe	(February) Training has been delivered remotely/online during pandemic. All scheduled training completions due to end of Feb 2021 have been completed for those drivers retaining a licence (SN)
<u>Mental Health First Aiders</u>	n/a	n/a	5	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a		Matthew Page	(Quarter 3) We have 10 trained mental health first aiders in place. No further training has

Corporate Plan PI Report Community																	
Priorities: Community																	
Aims: Health and Wellbeing																	
Performance Indicators																	
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>National and regional promotions</u>	n/a	n/a	5	0	1	1	1	2	3	4	5	5	5			Simon Newcombe	taken place this year (CY) (November) Fuel Poverty Awareness Day (TW)

Aims: Community Involvement																	
Performance Indicators																	
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>% of complaints resolved w/in timescales (10 days - 12 weeks)</u>	95% (10/12)	94%	90%	100%	100%	96%	91%	94%	93%	90%	90%	89%	86%			Lisa Lewis	(January) 16 completed at 1st check (RT)
<u>Number of Complaints</u>	279 (10/12)	313		5	21	45	64	97	122	145	163	184	211			Lisa Lewis	(July) figure amended from 23 to 19 as 4 are either SRs or not MDDC (RT)

Aims: Leisure Centres																	
Performance Indicators																	
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Health Referral Initiative starters</u>	n/a	n/a	15	0	0	0	0	0	0	4	2	0	0			Corinne Parnall	(December) COVID (K)
<u>Health Referral Initiative completers</u>	n/a	n/a	15	0	0	0	0	0	0	0	0	0	0			Corinne Parnall	(December) Schemes were suspended due to Covid (K)
<u>Health Referral Initiative conversions</u>	n/a	n/a	5	0	0	0	0	0	0	0	0	0	0			Corinne Parnall	(December) Schemes were suspended due to Covid (K)

Community PDG Risk Management Report - Appendix 2

Report for 2020-2021

For Community - Cllr Dennis Knowles Portfolio

Filtered by Flag: Include: * Corporate Risk Register

For MDDC - Services

Not Including Risk Child Projects records, Including Mitigating Action records

Key to Performance Status:

Mitigating Action:

Milestone Missed

Behind schedule

In progress

Completed and evaluated

No Data available

Risks: No Data (0+)

High (15+)

Medium (6+)

Low (1+)

Community PDG Risk Management Report - Appendix 2

Risk: Coronavirus Pandemic There is now a significant risk to MDDC's ability to conduct business as usual

Service: Governance

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Business Continuity Planning (BCP)	BCPs have been reviewed. Regular updates are being obtained from Public Health England and the Local Resilience Forum. Weekly meetings of managers and Leadership Team via Skype.	Catherine Yandle	06/03/2020	07/01/2021	Positive(2)
In progress	Financial and Economic	To ensure that local authorities	Catherine Yandle	13/05/2020	07/01/2021	Positive(2)

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Community PDG Risk Management Report - Appendix 2

Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
	effects monitoring	including MDDC are reimbursed in full for the Covid 19 response by Central government. At present we have been given approx. £1.2M to date in extra funding in 4 tranches.				
Current Status: High (25)		Current Risk Severity: 5 - Very High		Current Risk Likelihood: 5 - Very High		

Service Manager: Simon Newcombe

Review Note: Response continually monitored in the light of the increased threat from the new Covid variant in combination with poor weather, Brexit etc. Community response has been stood up in view of the National lockdown

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Risk Matrix Community Appendix 3

Report For Community - Cllr Dennis Knowles Portfolio Current settings

Risk Likelihood	5 - Very High	No Risks	No Risks	No Risks	No Risks	1 Risk
	4 - High	No Risks	No Risks	No Risks	No Risks	No Risks
	3 - Medium	No Risks	No Risks	2 Risks	No Risks	No Risks
	2 - Low	No Risks	2 Risks	7 Risks	4 Risks	5 Risks
	1 - Very Low	No Risks	No Risks	No Risks	No Risks	No Risks
		1 - Very Low	2 - Low	3 - Medium	4 - High	5 - Very High
		Risk Severity				

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KPI	Agreed 2020/21 target	Proposed 2021/2022 target	Rationale
Community Safety Partnership Action Plan	Develop plan	None	From CSP Action Plan Bitesize workshops delivered
Safeguarding Standards for Drivers (Licensing)	100%	100%	H&S
Mental Health 1st Aiders trained	5	5	Increase from current 10 trained
National and Regional Promotions	5	5	Re Health & Wellbeing
Digital Connectivity Super fast Coverage	>24 Mbps	Lobby	Customer digital accessibility survey
Health Referral Initiatives Starters	15	15	Leisure centres are currently shut, aim to restart in May if open in April
Health Referral Initiatives Completers	10	10	Leisure centres are currently shut, aim to restart in May if open in April
Health Referral Initiatives Conversions	5	5	Leisure centres are currently shut, aim to restart in May if open in April
Complaints received	None	None	Responsive, actual recorded
Complaints resolved on time (stage 1)	90%	90%	May change when the complaints policy is reviewed.

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Community Annual Report 2020-21

The first meeting of the year took place on 28 July, at which Cllr Colin Slade was elected Chairman. Shortly after, Cllr Slade was appointed Cabinet Member for the Environment, and as such I was duly elected Chairman of the Community Policy Development Group (PDG) in the September meeting.

Throughout the year the Group has heard regular updates from the Leisure Manager, outlining the health and wellbeing activities in the three leisure facilities at Exe Valley, Culm Valley and Lords Meadow. This year we discussed the impact that Covid 19 was having on the Leisure Centres, and discussed processes for re-opening when they could. We also received a detailed presentation on the electronic booking system used and a demonstration of the mobile app. Members discussed whether the current system was user friendly, and that there are funds held in the capital programme for 2022/2023 for an improvement to the system. Members agreed they would support a case to increase funding for an enhanced IT offering, and at our January meeting we discussed the possibility of setting up a Working Group to help establish a procurement exercise when the time is right.

In October I chaired a joint special meeting of the Community, Environment and Homes PDG's to review the Operations Directive Enforcement Policy. The policy is a key enforcement policy which covers all the enforcement functions of the Council, except planning enforcement. The policy was brought back to the Groups for adoption due to a number of legislative changes and a change to the reporting framework of the Council. Discussion in the special PDG took place on how legislation changes were reviewed; how recycling enforcement impacted on recycling rates; and other issues, including stray dogs. The joint meeting then recommend that the Cabinet adopt the revised Enforcement Policy subject to some minor amendments.

We had two Working Groups during this year. The first reviewed the processes and level of funding to individual grant recipients for 2021-2024. Throughout discussions, members recognised the effect of the pandemic on the stability and finances of our strategic partners in the voluntary and community sector. In recognition that this has been an extraordinary year, the group recommended that the current funding settlement should run for a 12 month period from 2021-2022, after which a further review would commence, and that the scheme should be closed to new applicants for 2021-2022. The Group presented its final recommendations to the Community PDG in January 2021, at which we heard a representation from the Museum of Mid Devon Life. Consideration was given to the saving from Age UK Mid Devon which the Group agreed should be offered as a saving to protect grants for other partners. We therefore recommended that: a one year grant award be made for 2021-2022, with a review in the autumn of 2021; grants be made on a one year settlement basis, to be reviewed annually each autumn; that the £9,650 previously offered to Age UK Mid Devon be identified as a saving; and that the grant payments for 2021-2022 to the Council's other strategic partners should remain at the same levels as 2020-2021. The Cabinet subsequently approved our recommendations.

The second Working Group reviewed the MDDC Communications and Engagement Strategy, before it was brought back to the Committee for approval. The Group

discussed issues including: how the strategy was helping to reach hard to reach people; the use of local media; and the proposal for Councillor Champions. The Community Engagement Strategy and Action Plan was reviewed by the Working Group and recommended approval subject to a reference being added to the Strategy of the Protocol on Member/Officer Relations. The Group agreed that the issue of Communications and Engagement would be revisited towards the end of 2020.

An important part of the yearly activity is to review routine reports and receive regular financial updates, including performance and risk and the revenue and capital outturn figures. As ever, the Group received a number of regular standing items, including the annual review of the Corporate Health and Safety Policy, and the Single Equalities Policy and Equality Objectives. We also considered: the Community Safety Partnership (CSP) priorities and the planned activities of the partnership for the coming year; the Devon County Council Joint Safeguarding policy and MDDC Guidance and Procedures; and the revised Contaminated Land Cost Recovery Policy.

The PDG also received the annual CCTV update, and reviewed the use of CCTV policy. During the annual update the Group heard how the CCTV system will be upgraded in the refurbished multi storey car park, and the group requested that consideration be given to installing CCTV cameras in the stairwells. In November the group reviewed the CCTV Code of Practice, the CCTV Policy and the Action Plan and discussed the ongoing financial pressures, and the ongoing capital bid. The PDG then recommended to the Cabinet that the CCTV Code of Practice, Policy and Action Plan be adopted.

This has been my first year as Chair of the Community PDG and I have found it both challenging and rewarding. As we look forward, I hope the Group will consider an ambitious programme for the following year that continues to promote the health, safety and wellbeing of people within Mid Devon. I am keen that the Group now considers reviewing issues including community engagement, air quality and community public health. I would like to thank the Members and Officers for their contributions, as well as our Clerk, Carole Oliphant, for keeping us on track.

Cllr Christina Daw