

# Public Document Pack

**Mid Devon District Council**

**Cabinet**

**Thursday, 8 April 2021 at 6.00 pm  
Remote Meeting**

**Next ordinary meeting  
Thursday, 13 May 2021 at 6.00 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.

Join Zoom Meeting

<https://zoom.us/j/94634675322?pwd=dzdpMDFYWpNd0pKaDNTdmpjOGtHdz09>

Meeting ID: 946 3467 5322

Passcode: 882408

One tap mobile

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0 800 358 2817 United Kingdom Toll-free Meeting ID: 946 3467 5322

Passcode: 882408

Find your local number: <https://zoom.us/u/adzK2bc8cT>

## Membership

Cllr R M Deed

Cllr R J Chesterton

Cllr Mrs C P Daw

Cllr R Evans

Cllr D J Knowles

Cllr B A Moore

Cllr C R Slade

Cllr Mrs N Woollatt

# AGENDA

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

1. **Apologies**  
To receive any apologies for absence.
2. **Protocol for Remote Meetings** (Pages 7 - 14)  
To note the protocol for remote meetings.
3. **Public Question Time**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
4. **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.
5. **Minutes of the Previous Meeting** (Pages 15 - 36)  
Members to consider whether to approve the minutes as a correct record of the meeting held on 4 March 2021.

The Cabinet are also requested to reconsider the minutes of the meeting held on 4<sup>th</sup> February, where there was an error identified within Minute 308 - Tax Base (recommendation 1 – the figure should read 28,594,38) – the error was identified at Council on 24 February and the minutes have now been amended and require further approval.

6. **Bereavement Services Fees & Charges** (Pages 37 - 48)  
Following a report of the Corporate Manager for Property, Leisure and Climate Change, the Environment Policy Development Group have made the following recommendation: that the proposed charges for 2021-22 set out on Table A be approved.
7. **Devon Home Choice Policy Review** (Pages 49 - 72)  
Following a report of the Operations Manager for Housing and the Corporate Manager for Public Health, Regulation and Housing, the Homes Policy Development Group had made the following recommendations: that the following proposed changes to the Devon Home Choice Scheme be approved (as listed within the report):

Proposal 1  
Proposal 3  
Proposal 4  
Proposal 5  
Proposal 6

8. **Corporate Anti Social Behaviour Policy** (*Pages 73 - 92*)  
Following consideration of a report of the Corporate Manager for Public Health, Regulation and Housing, the Community Policy Development Group has made the following recommendation: that the updated Anti-Social Behaviour Policy as attached in Annex 1 be approved.
9. **Community Engagement Strategy (Including Action Plan)** (*Pages 93 - 140*)  
Following consideration of a report of Communications & Engagement Manager, the Community Policy Development Group has made the following recommendations: that the revised Communication and Engagement Strategy and Media and Social Media Policy be approved subject to the inclusion of 'In addition to the existing channels of engagement in the table above the Council also has statutory functions to fulfil in terms of communication and consultation, this includes planning matters via the Statement of Community Involvement' on page 10 of the strategy.
10. **Regulation of Investigatory Powers** (*Pages 141 - 158*)  
Following consideration of a report of the Head of Legal (Monitoring Officer), the Community Policy Development Group has made the following recommendations:
  - a) The revised Regulation of Investigatory Powers Act (RIPA) policy be adopted; and
  - b) 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
11. **Cullompton Conservation Management Plan (Consultation Draft)** (*Pages 159 - 276*)  
To consider a report of the Head of Planning, Economy and Regeneration requesting approval of the Draft Cullompton Conservation Area Assessment and Management Plan (CAMP) to be published for public consultation.
12. **The Design of Shopfronts and Associated Advertisements Supplementary Planning Document** (*Pages 277 - 320*)  
To consider a report of the Head of Planning, Regeneration and Economy requesting approval of the draft Design of Shopfronts and Associated Advertisements Supplementary Planning Document to be published for public consultation.
13. **Vinyl Flooring Contract 2021-2024** (*Pages 321 - 326*)  
To consider a report of the Building Services Operations Manager advising Members on the results for the tendering of the Vinyl Flooring Renewal Contract 2021-2024 and requesting confirmation of the award of the contract.

14. **Performance and Risk** (*Pages 327 - 396*)  
To consider a report of the Operations Manager for Performance, Governance and Health and Safety providing Members with an update on the performance against the Corporate Plan and local service targets.
- The Policy Development Groups have considered the targets within the Corporate Plan and have made the following recommendations:
- Environment Policy Development Group (9 March 2021)**  
The targets suggested for 2021/2022 against the Corporate Plan Performance framework (appendix 4) be approved subject to:
- Garden Waste Customers – target to be set at 11,200
  - Corporate Renewable Energy Projects – target to be set at 4
- Economy Policy Development Group (11 March 2021)**
- That the targets suggested for 2021/22 against the Corporate Plan Performance Framework be approved.
- Homes Policy Development Group (16 March 2021)**
- That the targets suggested for 2021/22 against the Corporate Plan Performance Framework be approved.
- Community Policy Development Group (23 March 2021)**
- The suggested targets for 2021/2022 against the Corporate Plan Performance framework be approved.
15. **Revised Schedule of Meetings** (*Pages 397 - 398*)  
To consider (and make recommendation to Council) a revised Schedule of Meetings, following the Cabinet's decision to move its meetings to a Tuesday.
16. **Notification of Key Decisions** (*Pages 399 - 406*)  
To note the contents of the Forward Plan.
17. **3 Rivers Developments Limited - Performance Update** (*Pages 407 - 426*)  
To receive an update report.

**Stephen Walford**  
Chief Executive  
Monday 29 March 2021



## **Covid-19 and meetings**

The Council will be holding some meetings in the next few weeks, but these will not be 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](mailto: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 Sally Gabriel  
E-Mail: [sgabriel@middevon.gov.uk](mailto:sgabriel@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](mailto: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](mailto: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 **CABINET** held on 4 March 2021 at 6.00 pm

### **Present**

#### **Councillors**

R M Deed (Leader)  
R J Chesterton, R Evans, D J Knowles,  
B A Moore, C R Slade and Mrs N Woollatt

### **Also Present**

#### **Councillor(s)**

S J Clist, Mrs C P Daw, R J Dolley and B G J Warren

### **Also Present**

#### **Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Andrew Busby (Corporate Manager for Property, Leisure and Climate Change), Paul Deal (Corporate Manager for Finance), Dean Emery (Corporate Manager for Revenues, Benefits and Recovery), Lisa Lewis (Corporate Manager for Business Transformation and Customer Engagement), Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Maria De Leburne (Legal Services Team Leader), Fiona Wilkinson (Principal Revenues & Benefits Officer), Sarah Lees (Member Services Officer) and Sally Gabriel (Member Services Manager)

### **Also in**

#### **Attendance:**

Nick Sanderson (Acting Managing Director – 3 Rivers Developments Limited) and Bill Yardley (Non-Executive Director – 3 Rivers Developments Limited)

### **334. APOLOGIES (00-02-58)**

There were no apologies.

### **335. PROTOCOL FOR REMOTE MEETINGS (00-03-05)**

The protocol for remote meetings was **NOTED**.

### **336. PUBLIC QUESTION TIME (00-03-20)**

There were no questions from members of the public present.

### **337. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-03-43)**

Members were reminded of the need to make declarations of interest when appropriate.

**338. MINUTES OF THE PREVIOUS MEETING (00-04-00)**

The minutes of the previous meeting were approved as a correct record.

**339. CORPORATE RECOVERY POLICY (00-04-28)**

Following consideration of a report of the Deputy Chief Executive (S151), the Corporate Manager of Revenues, Benefits & Recovery and the Principal Revenues and Benefits Officer, the Audit Committee had recommended that the updated Corporate Recovery Policy be approved.

The Cabinet Member for Finance outlined the contents of the report stating that the fully updated policy reflected the new legislation which was due to come into effect in May 2021 and provided a more consistent approach for recovery of debt across the Council, it also provided a focus on assessing financial vulnerability and vulnerability in general.

**RESOLVED** that the revised policy be approved.

(Proposed by Cllr B A Moore and seconded by Cllr C R Slade)

Reasons for the decision:

- The policy will help to enforce and recover c£82m in local taxation and sundry debts. Failure to use a consistent approach could have a detrimental effect on budgets and delivery of services.
- The policy sets the framework for a consistent and sensitive approach to collecting debt whilst at the same time ensuring that the Council continues to maximise income collection and arrears recovery performance.
- This policy should ensure that each debtor is treated fairly and minimises then risk of legal challenge
- There is a potential reputational risk should the policy not be adhered to.
- Maximising income for the Council is essential particularly during current financially challenging years. It is important to have a policy that is clear and transparent to ensure any recovery action is timely and proportionate.

Note: \* Report previously circulated; copy attached to the minutes.

**340. ASSET MANAGEMENT AND CAPITAL STRATEGY PLAN 2021-2025 (00-11-10)**

The Cabinet had before it a \* report of the Corporate Manager for Property, Leisure and Climate Change seeking approval of the revised Asset Management and Capital Strategy Plan for 2021-2025.

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that the latest version of the plan set out a continued direction for managing assets. In the document, the assets were seen as the means by which public benefits were delivered either through their employment or to deliver services

or as investments. The plan highlighted joined up working that was taking place such as combining the grounds maintenance facility with the waste and recycling operation and set out the organisational framework for the strategic and day to day management of property through the placing of asset management in the Council structure and the establishment of specific asset management arrangements. Important issues such as carbon reduction were covered in the plan as were performance indicators to ensure that value for money was being delivered through the use of assets.

Consideration was given to capital financing and the increase in internal borrowing as highlighted within the report; it was explained that this mirrored the Capital Programme and outlined the use of temporary cash flow through investment.

**RESOLVED** that the Asset Management and Capital Strategy Plan for 2021-25 be approved.

(Proposed by Cllr R B Evans and seconded by Cllr B A Moore)

**Reason for the decision** – The delivery of the strategy will ensure best use of Council assets to continue to support the Council in delivering its service to the public.

Note: \* Report previously circulated; copy attached to the minutes.

#### 341. **BEECH ROAD, TIVERTON - DESIGN AND BUILD TENDER (00-15-25)**

The Cabinet had before it a \* report of the Corporate Manager for Property, Leisure and Climate Change reviewing the results of the tender for Beech Road, Tiverton and seeking to award the JCT Design & Build 2016 Contract as amended.

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that the recommendation was to provide 3 social rented houses on HRA land at Beech Road. He explained that further consultation should take place with the owners of neighbouring properties as the previous consultation had taken place some time ago. He explained the tender process and highlighted that consideration had been given to quality as well as price in the scoring of the tenders received.

**RESOLVED** that:

The Deputy Chief Executive (S151) and the Deputy Leader and Cabinet Member for Housing and Property Services be given delegated authority to award the contract for works required to provide three social rented houses at Beech Road in Tiverton, once consultation has been concluded to:

- (i) Contractor 2 under a JCT Design and Build Contract 2016 (as amended).
- (ii) To fund the balance of the development at £222k as detailed in paragraph 5.8 of the report

(Proposed by Cllr R B Evans and seconded by Cllr C R Slade)

**Reason for the decision** - there was a need to confirm the award of the tender so that the specified work could be progressed and for the funding for the project be approved.

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

#### 342. **OPTIONS FOR THE PROCUREMENT OF ENERGY (00-19-20)**

The Cabinet had before it a \* report of the Corporate Manager for Property, Leisure and Climate Change providing an overview of the options available for the supply of gas and electricity to the Council.

The Cabinet Member for Finance outlined the contents of the report stating that the energy supply contract for the General Fund and Housing Revenue Account for gas and electricity had a break date of 1 October 2021 and a six month termination notice would need to be exercised. There was a need to procure energy for the next 3 years. LASER was a specialist trading arm within Kent County Council and was dedicated to delivering gas, electricity and other utility services for the public sector. He explained the value for money exercise that had taken place and the results of the ongoing carbon footprint assessment for the Council.

He praised the work of the former Cabinet Member for Climate Change for her input into the report and highlighted that there was a need for the Council to continue to improve its carbon footprint.

**RESOLVED** that:

- 1) Delegated authority be given to the Cabinet Member for Finance, in consultation with the Corporate Manager for Property, Leisure and Climate Change, to continue with the LASER energy framework covering the purchase of Gas and Electricity between 01/10/2021 and 30/09/2024; and
- 2) Delegated authority be given to the Corporate Manager for Property, Leisure and Climate Change to submit a letter of intent to participate in the Devon Energy Collective; and
- 3) To procure a further 50% of our electricity consumption via the 'Green Basket' under the LASER Framework for renewable energy for an additional £8k in the financial year 21/22.

(Proposed by Cllr B A Moore and seconded by Cllr C R Slade)

**Reason for decision** - By not exercising the break date on 01/10/2021 that requires 6 months' notice, the Council will continue to be contractually obliged to use the LASER Framework until 30/09/2024. The decision is to continue to use the OJEU compliant framework and the Council is getting economies of scale by joining this collaborative procurement with other Devon authorities.

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

### 343. **FINANCIAL MONITORING (00-23-45)**

The Cabinet had before it and **NOTED** a \* paper of the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure so far in the year.

The officer outlined the contents of the paper stating that monitoring to the end of December indicated a forecasted improvement of £43k which now indicated a deficit of £46k, in terms of the size of the overall budget, this was very close to a balanced budget. There was still some uncertainty with regard to how the Government would implement the Income Protection Scheme with regard to loss of income from Business Rates and Council Tax. He reflected on the Chancellor's budget which had taken place the day before and explained that this may have an indirect effect on the Council. The various relief schemes with regard to the pandemic were still in place and there was still more work to take place for the Revenues and Benefits team.

He also explained a new programme of Government funding opportunities that could be applied for via a bidding process.

Consideration was given to the amount of officer time given to the creation of bids for funding.

Note: \*Paper previously circulated, copy attached to minutes.

### 344. **POSSIBLE CHANGE TO START TIME OF FUTURE MEETINGS OF THE CABINET (00-28-20)**

The Leader addressed the meeting requesting consideration of a change to time and possible day for Cabinet meetings to take place in the future. He explained that meetings of late had been very long and that maybe it was more appropriate for meetings to take place in the mornings.

Consideration was given to holding meetings from June at 10.00 on a Tuesday morning and it was generally agreed that this was a good idea.

It was therefore **AGREED** that future meetings (from June 2021) take place at 10.00am on a Tuesday and that the clerk supply the next meeting of the Cabinet with a revised schedule of meetings setting out a revised timetable for consideration.

(Proposed by Cllr D J Knowles and seconded by Cllr R J Chesterton)

### 345. **NOTIFICATION OF KEY DECISIONS (00-36-20)**

The Cabinet had before it and **NOTED** its \*rolling plan for April 2021 containing future key decisions.

The clerk outlined the movements that had taken place within the plan.

Note: \*Plan previously circulated, copy attached to minutes.

346. **3 RIVERS DEVELOPMENTS LIMITED - BUSINESS CASE AND APPRAISAL FOR THE 9 DWELLINGS AT BAMPTON (00-37-00)**

The Cabinet had before it a \* report of the Deputy Chief Executive (S151) and from 3 Rivers Developments Limited providing Cabinet with a business case for a development scheme at Bampton which was included in the company's recent Business Plan.

The Leader explained that the business case had been considered by the Scrutiny Committee at its meeting on 1 March 2021 and that a set of questions had been provided for consideration prior to determining the business case.

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

Upon a vote being taken this was **APPROVED**.

Following discussion the meeting returned to open session:

It was **RESOLVED** that the 3 Rivers Developments Limited business case for the site adjacent to Elizabeth Penton Way, Bampton, be approved.

(Proposed by Cllr B A Moore and seconded by Cllr R B Evans)

**Reason for Decision** - It had been agreed at Cabinet in July 2020 that any development with an estimated build cost in excess of £1m must be brought to Cabinet for consideration. This consideration would include a detailed business case report from the company.

Note: \*Report previously circulated.

347. **3 RIVERS DEVELOPMENTS LIMITED UPDATE REPORT (00-48-16)**

The Cabinet had before it and **NOTED** a \* report from the Deputy Chief Executive (S151) providing an update on current project performance and any key risks.

The Cabinet Member for Housing and Property Services stated that the information within the report provided an up to date reflection on the progress made by the company.

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

(The meeting ended at 7.34 pm)

**CHAIRMAN**



## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **CABINET** held on 4 February 2021 at 6.00 pm

### **Present**

#### **Councillors**

R M Deed (Leader)  
R J Chesterton, R Evans, D J Knowles,  
B A Moore, C R Slade, Ms E J Wainwright  
and Mrs N Woollatt

### **Also Present**

#### **Councillor(s)**

G Barnell, J Cairney, S J Clist, Mrs C P Daw, R J Dolley,  
J M Downes, F W Letch, R F Radford, B G J Warren and  
A Wilce

### **Also Present**

#### **Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Jenny Clifford (Head of Planning, Economy and Regeneration), Kathryn Tebbey (Head of Legal (Monitoring Officer)), Jill May (Director of Business Improvement and Operations), Dean Emery (Corporate Manager for Revenues, Benefits and Recovery), Lisa Lewis (Corporate Manager for Business Transformation and Customer Engagement), Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Matthew Page (Corporate Manager for People, Governance and Waste), Tristan Peat (Forward Planning Team Leader), Catherine Yandle (Operations Manager for Performance, Governance and Health & Safety), John Bodley-Scott (Economic Development Team Leader), Nick Sanderson (Acting Managing Director of 3 Rivers Developments Ltd), Fiona Wilkinson (Principal Revenues & Benefits Officer), Tim Powell (Corporate Projects Officer) and Sally Gabriel (Member Services Manager)

### **Also in**

#### **attendance**

Nick Sanderson (Acting Managing Director of 3 Rivers Developments Limited), Bill Yardley (Non-Executive Director of 3 Rivers Developments Limited) and John Riley (Finance Director - of 3 Rivers Developments Limited)

## **298. APOLOGIES (00-03-00)**

There were no apologies for absence.

## **299. PROTOCOL FOR REMOTE MEETINGS (00-03-07)**

The protocol for remote meetings was noted.

### 300. **PUBLIC QUESTION TIME (00-03-30)**

The Chairman read a statement on behalf of Mr Quinn

Concerning Agenda Items: 18 (Pay Policy) and 20 (Key Decisions)

Within the Pay Policy papers, there is reference to a retention payment being made to the Deputy Chief Executive - of £5,000.

The Pay Supplement Policy states that “Retention payments will only be authorised on the basis of the provision of robust evidence amounting to a material factor” and “A clear business case detailing the significant impact on service delivery will be required for submission to the Pay and Grading Group, following authorisation by Director or the Chief Executive”.

My questions on this item are:

- a) How many retention payments were made to other staff over this period?
- b) Can the Business Case, used to substantiate the award of this payment, be made available to the public?

Turning to Key Decisions: At the Cabinet meeting on 29 October 2020, expenditure was agreed to: “secure legal advice on exploring the advantages of new governance arrangements to include a holding company and Teckal-compliant subsidiary, in order to deliver the most benefits for Mid Devon”.

At the Cabinet meeting on 3 December 2020, I asked: “When the report on the ‘Teckal’ Company was expected to be brought before Cabinet?” and “Will this report be ‘Open’ – to allow for public scrutiny?”

The Cabinet Member for Housing and Property Services replied: “The report was likely to be scheduled to come to Cabinet in January” and “Yes this would be listed as an open item”.

Just two weeks ago, the key decisions list provided to Scrutiny Committee showed that the open report would be coming to this meeting of Cabinet.

But it is not here – and the new key decisions list does not show the report being rearranged. So my questions on this item are:

- c) What has happened to this report?
- d) What has happened to the money that was appropriated for it?
- e) Has the idea of a ‘Teckal’ company been dropped?

The Chairman stated that the questions would be answered when the items were discussed.

### 301. **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-06-47)**

Members were reminded of the need to make declarations of interest when appropriate.

The following interests were reported:

**Item 9 Grant payments to external organisations:**

Cllr C R Slade declared a personal interest as he was the Devon County Council representative for INVOLVE, the Chairman of the Grand Western Canal Joint Advisory Committee and a Trustee of the Tiverton Museum.

Cllr D J Knowles declared a personal Interest as he was a Life Member of the Tiverton Museum and a Trustee of INVOLVE.

Cllr B A Moore declared a personal interest as he was the Mid Devon Representative for INVOLVE.

**302. MINUTES OF THE PREVIOUS MEETING (00-08-22)**

Subject to the inclusion of Cllr A Wilce in the attendance list, the minutes of the previous meeting were approved as a correct record.

**303. MOTION 566 (COUNCILLORS: G BARNELL AND S J CLIST - 17 DECEMBER 2020) - (00- 09-00)**

The following motion has been passed to the Cabinet from Council for consideration and report:

This Council agrees to commission, as a matter of urgency, a plan based on evidence of local housing need for the delivery of affordable rented and social rented housing across Mid Devon. This plan should make best use of the Government's Affordable Housing programme 2021/26 and be presented to Council by June 2021.

The Lead Member for the Motion was invited to address the Cabinet: Cllr G Barnell then addressed the meeting stating that the motion was proposed as a call for action from the minority group asking for a plan within 6 months for delivery of social and affordable rented housing. It did not ask for the delivery of a joint Local Housing Needs Assessment or a new Housing Strategy both of which were not necessary for the delivery of more social rented housing. He referred to the priorities within the Corporate Plan and explained that there was a growing gap in social rented housing in the district. He referred to registered providers who wanted to deliver social rented housing, the impact of the 'Right to Buy' scheme and the modest programme of return on social rented housing. He referred to national studies and the programme for housing for social rented and affordable rented homes and MDDC's performance figures against those studies. He referred to monies allocated within the Medium Term Financial Plan set aside for the construction of additional affordable rented homes which could yield an additional seven or eight homes and that this would not keep pace with homes being released under 'Right to Buy'; there was no mention of socially rented homes. He then referred to funding streams available and the urgent need for an ambitious plan for the delivery of a programme of social rented housing across Mid Devon.

Cllr Clist was then invited to address the meeting: he stated that the Cabinet Member for Housing and Property Services was aware of the need for social rented housing

and following the pandemic the need would be greater.

The Cabinet Member for Housing and Property Services responded stating that he felt that the motion was unnecessary, it was a duplication of the work that was already underway, and that there was a need for a realistic plan, for the authority to take advantage of other funding opportunities and to have a proper evidence based assessment of the need, together with evidence of the type of accommodation required, construction type, wider infrastructure costs and land availability. He was working with officers on a 15 month fully evidenced plan. He referred to funding streams available and the time limits on those, the money that had had to be returned and a request to the HMCLG for an extension of time

Consideration was given to:

- The New Homes Bonus and that it was not a fund for building new homes, it had been set up as a bonus grant to benefit the community, keep Council tax low and boost front line services.
- The timing of the Housing Need Assessment and the production of a Housing Strategy
- A timeline for reports coming forward to the Cabinet on this subject
- The production of a 3 year rolling plan
- The need to look at all available channels for funding
- The date proposed in the motion of June 2021 was unrealistic
- Small funding sources were not enough, there was a need for large investment into a programme of building social rented homes
- The need to understand the housing need

**RECOMMENDED** to Council that Motion 566 not be supported as the timeline proposed within the motion was not achievable, there were already strands of work taking place with a planned programme already set out.

(Proposed by Cllr R B Evans and seconded by Cllr C R Slade)

#### 304. **NEW MID DEVON LOCAL PLAN (00-50-23)**

The Cabinet had before it a \*report of the Head of Planning, Regeneration and Economy considering options available to Council for the scope, approach and timetable for the preparation of a new Local Plan for Mid Devon.

The Cabinet Member for Planning and Economic Regeneration stated that there was a legal requirement for the Council to complete a review of the Mid Devon Local Plan 5 years from the date of its adoption. The current Mid Devon Local Plan was adopted in late July 2020 and was examined through transitional arrangements in relation to the 2012 NPPF.

In order to meet the legal requirement for a review there was a need to start preparing a new local plan for the district now which would

- be in conformity with current national planning policy in the 2019 NPPF,
- maintain a 5 year supply of housing sites to meet future housing needs,

- provide planning policy for the Culm Garden Village proposal; and
- which could respond to the Council's policy priorities.

There was also a need to start preparing a new Local Plan following the decisions made by Councils not to progress the Greater Exeter Strategic Plan and for a joint non-statutory strategy and infrastructure plan to be prepared instead.

The paper before members also considered the merits of 6 alternative approaches for preparing a new Local Plan. These included an option for no review needed, a partial plan review and a full plan review. These are weighed up in terms of their advantages and disadvantages. The report also highlighted:

- that a delay to plan making could risk the strategic policies for Mid Devon becoming out of date, an inability to demonstrate a 5 year supply of housing land and the 'tilted balance' being applied to planning decisions for housing proposals on sites not identified in the Local Plan; and
- that while future planning reforms set out in the Government's White Paper could affect a number of the options, the Government had strongly encouraged local authorities to continue the preparation and adoption of local plans and not to delay this in the expectation of those future planning reforms

He outlined the recommendation within the report stating that this could be achieved through current resourcing and budgetary provision, with a potential adoption in mid-2025.

He added that the report also recommended that a non-statutory interim policy statement on planning for climate emergency be prepared alongside the new Local Plan – Option 3. This could supplement current adopted Local Plan policies and help inform the policies in a new local plan.

Consideration was given to:

- The involvement of the Planning Policy Advisory Group in bringing the report forward
- The interim policy statement for climate emergency would act as a bridge and that the new Climate Change officer would guide this further
- The timeline for the plan and whether it would take too long and that key issues should be considered within a shorter timeframe

**RESOLVED** that:

The preparation of a new Local Plan for Mid Devon following the approach set out in Option 6b: Full Local Plan (enhanced consultation) be approved together with Option 3: Non-statutory interim policy statement on planning for the climate emergency set out in Table 1.

(Proposed by Cllr R J Chesterton and seconded by Cllr D J Knowles)

**Reason for Decision** – There is a need to begin a review of the adopted Local Plan as soon as practicable and to prepare a new Local Plan for Mid Devon

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

### 305. **LOCAL DEVELOPMENT SCHEME (1-04-04)**

The Cabinet had before it a \*report of the Head of Planning, Regeneration and Economy updating the Local Development Scheme and providing a timetable for the production of a new Local Plan for Mid Devon.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that there was a legal requirement for the Council to have a Local Development Scheme, which must be made publicly available and kept up to date.

The adoption of the Mid Devon Local Plan in late July 2020 and decisions made by Councils not to progress the Greater Exeter Strategic Plan meant that there was a need for the Local Development Scheme to be revised.

The report sought Cabinet approval for a revised Local Development Scheme to come into effect on the 11<sup>th</sup> February. The scheme set out the timetable for preparing a new Local Plan for Mid Devon which followed the option 6b full plan review with enhanced consultation that was recommended in the preceding Cabinet report.

The revised Local Development Scheme no longer included a timetable for preparing the Greater Exeter Strategic Plan, and did not include a timetable for preparing a joint non-statutory strategy and infrastructure plan since this would not be subject to a formal process for plan making.

There was no requirement to consult on revisions to the Local Development Scheme. Once approved and brought into effect, the revised Local Development Scheme would be published on the Council's website.

**RESOLVED** that the revised Local Development Scheme attached at Appendix 1 be approved to come into effect on 11 February 2021.

(Proposed by Cllr R J Chesterton and seconded by Cllr C R Slade)

**Reason for decision:** A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 as amended by Section 111 of the Localism Act 2011.

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

### 306. **GRANT PAYMENT TO EXTERNAL ORGANISATIONS (-07-30)**

Following consideration of a report of the Head of Planning, Economy and Regeneration, the Community Policy Development Group had made the following recommendation:

- 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 £9650 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:

<b>Organisation</b>	<b>2021-2022 Grant</b>
Churches Housing Action Team (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
<b>Total Grants</b>	<b>£138,500</b>
<b>Savings</b>	<b>£9,650</b>

- If the Cabinet were minded to reduce the grant payment awards in 2021-2022 the Community Policy Development Group would recommend 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

The Cabinet Member for Community Well-Being outlined the contents of the report stating that many of the strategic partners had found new funding streams which could be used in addition to the grants available from the authority. He highlighted the closure of Age UK (Mid Devon) and that this money could be used as a potential saving. He explained the impact of the pandemic on many of the grant recipients and how they would be important in the future.

Consideration was given to:

- The need to consider a longer term settlement for grant recipients in the future, rather than a one year settlement
- A typographical error with regard to the 2019/20 funding for the Citizens Advice Bureau
- How vital the recipients were to the community and the role they were playing during the pandemic

**RESOLVED** that the recommendation of the Policy Development Group be approved.

(Proposed by Cllr D J Knowles and seconded by Cllr C R Slade)



**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 he was a Life Member of the Tiverton Museum and a Trustee of INVOLVE;
- ii) Cllr B A Moore declared a personal interest as he was the Mid Devon Representative for INVOLVE;
- iii) Cllr C R Slade declared a personal interest as he was the Devon County Council representative for INVOLVE, the Chairman of the Grand Western Canal Joint Advisory Committee and a Trustee of the Tiverton Museum;
- iv) \*Report previously circulated and attached to the minutes

**307. 3 RIVERS DEVELOPMENT LIMITED - BUSINESS PLAN (1-21-40)**

The Cabinet had before it a \* report of the Chief Executive providing Cabinet with a 5 year Business Plan.

The Cabinet Member for Housing and Property Services introduced the 2 new directors that had joined the company:

- Mr Bill Yardley – Non Executive Director
- Mr John Riley – Finance Director

and welcomed them to the meeting.

A Member posed a series of questions which were answered by the Deputy Chief Executive (151) at this point in the meeting:

With regard to interest received, the Deputy Chief Executive (S151) stated that all the interest was shown in the top part of the table, monies were earned and recharged and the money came from cash balances not the PWLB.

With regard to MDDC recharges – these amounts related to costs of MDDC officer time, office accommodation, IT support etc, and whether the council recharges the company at cost, the Deputy Chief Executive (s151) stated that the Councillor was correct, all amounts were recharged at cost, but that it was a financial benefit to the Council.

With regard to loans advanced - clarity was sought with regard to the loan figures and a statement by the Chief Executive which differed in amounts and whether the loans were properly secured– the Deputy Chief Executive (S151) stated that – this has nothing to do with working capital, the loan was £9,611,100 – the difference was the timing difference on the VAT on Knowle Lane and with regard to securing the loan – this was in hand at the present time.

Repaid – if the VAT refund was £550,000 would this not have allowed 3RDL to pay the Council back the single working capital loan it was using to fund its normal



operations. The Deputy Chief Executive (S151) stated that the overall loan request for the Knowle Lane site initially included the £550k VAT charged on the land purchase. This sum was fully repaid by the company once they had recovered the VAT from HMRC.

How the working capital loan had been paid off? – the Deputy Chief Executive (S151) to provide this information. (Answer supplied - The working capital advance(s) are being recharged back to the company over a 4 year period which is based on the estimated breakeven timetable).

Why impairments had been considered a direct financial benefit to the Council – The Deputy Chief Executive (S151) stated the report did not state impairments were a financial benefit, but there was a financial benefit in the table – loans and impairments could be signified at the bottom of the table.

Discussion then took place with regard to:

- impairments and how they were reported
- the need for proper scrutiny of the business plan prior to a decision of the Cabinet
- The presentations made to the informal workshop for the Scrutiny and Audit Committees and the work that was taking place to include the Audit Committee in the risk aspect of the business
- Whether there should be more information within the business plan with regard to climate change
- The business plan was a set of ambitions, the allocation of money for projects would require individual business cases which would need to be approved
- The opportunities for 3 Rivers to make money and recycle profit to protect against service cuts for the council

The Chairman then indicated the need to go into Part II to consider the Business Plan in details it was therefore **RESOLVED** that:

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

(Proposed by the Chairman)

Following lengthy discussion on the contents of the Business Plan, the meeting returned to open session and it was:

**RESOLVED** that: the 3 Rivers Development Ltd Business Plan be approved; with the inclusion of the associated borrowing requirement of £14.74m shown for 2021/22 in the Council's General Fund, Capital Programme and Treasury Strategy budgets. Also that the total gross funding envelope included for 2022/23 to 2025/26 of £64.69m be noted

(Proposed by Cllr R B Evans and seconded by Cllr B A Moore)

**Reason for the decision:** the approval of the Business Plan is required in line with the Council's obligations under the existing shareholder agreement and in order to make appropriate provision in the Budget for 2021/22

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

### 308. **TAX BASE CALCULATION (1-58-12)**

The Cabinet had before it a \* report of the Deputy Chief Executive (S151) detailing the statutory calculations necessary to determine the Tax Base for the Council Tax. The calculations made follow a formula laid down in Regulations.

The officer outlined the contents of the report stating that every year each billing authority was required to calculate and approve its Band D equivalent Council Tax base. The figure for the coming year was 28,594,38 properties which amounted to £6,114,620 being raised by Council Tax for the district. The report set out the key information and the exemptions/ appeals allowance/discounts that were applicable and which impacted on the return. He added that the collection rate was normally 98% but had been reduced to 96% because of the pandemic.

**RECOMMENDED** to Council that:

1. That the calculation of the Council's Tax Base for 2021/22 be approved in accordance with The Local Authorities (Calculation of Tax Base) (England) Regulations 2012 at **28,594,38** an increase of circa 206 Band D equivalent properties from the previous financial year.
2. That the current collection rate of 98% be reduced to 96% detailed in paragraph 2.

(Proposed by Cllr B A Moore and seconded by Cllr R B Evans)

**Reason for decision:** Mid Devon District Council is a Statutory Billing Authority and must set its Council tax each year.

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

### 309. **NATIONAL NON-DOMESTIC RATES (2-06-32)**

The Cabinet had before it a \* report of the Deputy Chief Executive (S151) providing Members with an update of the income generation and financial implications of the number of Business Rate properties in Mid Devon and to approve the NNDR1 (estimated income to be generated in 2021/22 from business rates).

The officer outlined the contents of the report stating that again this was a statutory requirement for setting the business rate property base. The net yield from 3350 business rated properties amounted to £15,501,737. A large amount of the receipt went into the Central Government pool and was redistributed, the approximate figure kept by Mid Devon was £3.3m. Again exemptions/allowances and reliefs applied and these are all verified by the Revenues Team and checked by the Accountancy Team. He reported that there may be a delay in the billing exercise due to the timing of the Chancellor's budget announcements.

**RECOMMENDED** to Council that:

1. That the calculation of the NNDR1 net yield of £15,501,737m from 3350 Business Rated properties is noted and approved for 2021/22;
2. That the proportions distributed to the respective authorities and Central Government be allocated as per the statutory regulations; and
3. That Members note that Central Government will reimburse the Council through a Section 31 grant to compensate it for the reduction in collectable business rates as a result of introducing reliefs.

(Proposed by Cllr B A Moore and seconded by Cllr C R Slade)

**Reason for decision:** This is a statutory function and is a legal requirement. The Council must set its budget annually based on the tax base and the NNDR1 projected values.

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

#### 310. **FINANCIAL MONITORING (2-11-40)**

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

The officer outlined the contents of the report explaining how the current year had been unprecedented, but to date the General Fund deficit was predicted at £89K. The Council had received 4 tranches of Government support and it was estimated that the Government would pay £1.6m in income protection to mitigate losses in leisure, planning, car parking etc. and that they had also stated that they would honour 75% of any lost revenue from Council Tax and Business Rates, but that guidance was still awaited. 2 claims for income protection had been made and a final one would be made at the end of May.

Consideration was given to:

- The pressure on staff at the current time and the support given by managers and senior officers
- The savings made on vacancies
- Prioritisation of service delivery

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

#### 311. **BUDGET (2-25-30)**

The Cabinet had before it a \* report of the Deputy Chief Executive (S151) providing the budget proposals for the General Fund and the Housing Revenue Account for the year 2021/22.

The Cabinet Member for Finance outlined the contents of the report stating that the proposed budget had been discussed at numerous meetings throughout the year which had included review by the Policy Development Groups and the Scrutiny Committee. He explained that there was a need for a temporary transfer from the New Homes Bonus of £385K to cover the deficit. He referred to the budget gap predicted for 2022/23 and the work that had to take place with regard to this.

The Deputy Chief Executive (S151) reported that the settlement to be received from the Government was in line with the figures stated in the report

Consideration was given to:

- The savings required for the financial year 2022/23
- The need for a conversation on climate change priorities going forwards and the schemes that had already been highlighted
- News of external funding that had been achieved that day from the Decarbonisation Fund which would help improve the leisure centres, the multi-storey carpark and other portfolio assets

**RECOMMENDED** to Council that:

1. Council Tax is increased by £5 (2.39%) on a Band D property to £213.84.
2. General Fund budget for 2021/22 is approved.
3. The 2021/22 budget requires no transfer from the General Fund Balance.
4. The General Fund Budget requires a temporary transfer of £386k from the New Homes Bonus EMR.
5. HRA budget for 2021/22 be approved – Appendix 5.
6. HRA fees/charges are approved based on the attached Appendix 5b.
7. Work on strategic planning for delivering balanced budgets in the future is commenced in the Spring.

(Proposed by Cllr B A Moore and seconded by Cllr R B Evans)

**Reason for decision** – there is a need to make a recommendation to Council requesting that a balanced budget be set.

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

### 312. **CAPITAL PROGRAMME (2-44-11)**

The Cabinet had before it a \*report of the Deputy Chief Executive (S151) seeking approval of the 2021/22 Capital Programme and note the draft 2022/23, 2023/24 and 2024/25 programmes and make recommendation to Council.

The officer outlined the contents of the report stating that most members had been able to challenge the contents of the Capital Programme through various meetings. He outlined the material items within the report that of the hydro mills project, 3 Rivers funding, ongoing financial support for the HIF Scheme and HRA build and property maintenance.

**RECOMMENDED** to Council that:

1. The detailed Capital Programme for 2021/22 be approved and the estimated amounts for 2022/23, 2023/24 and 2024/25 be noted.

2. To agree to earmark New Homes Bonus (NHB) monies of £0.790m to support the 2021/22 Capital Programme (see para 2.3).

(Proposed by Cllr B A Moore and seconded by Cllr C R Slade)

Reason for the decision: There is a need for a balanced Capital Programme to be agreed by Council.

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

### 313. **TAX STRATEGY AND POLICY (2-47-45)**

The Cabinet had before it a \*report of the Deputy Chief Executive (S151) informing Members that the Council's tax risk exposure has changed and having tax policies and procedures in place helped to mitigate this risk.

The officer outlined the contents of the report stating that this was a new policy to comply with the Criminal Finances Act 2017 which introduced a corporate offence, which applied to relevant bodies including local authorities. This offence could occur where an associated person of a local authority, which could include suppliers had committed tax evasion offences and the local authority was held guilty of failure to prevent. There was a need for due diligence to protect the authority against any offence, with reasonable measures in place to mitigate the risk.

| **RECOMMENDED** to Council that: the Tax Strategy be approved.

(Proposed by Cllr B A Moore and seconded by Cllr R B Evans)

Reason for decision – there is a need to have such a strategy in place.

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

### 314. **POLICY FRAMEWORK (2-54-43)**

The Cabinet had before it a \* report of the Chief Executive with regard to the Policy Framework and requesting the Cabinet to make recommendation to Council.

| **RECOMMENDED** to Council that the Policy Framework be adopted.

(Proposed by the Chairman)

**Reason for the decision** – the Constitution states that the Policy Framework must be approved by Council each year.

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

### 315. **PAY POLICY (2-57-32)**

The Cabinet had before it a \* report of the Corporate Manager for People, Governance and Waste complying with the legislative requirements of the Localism Act 2011 relating to senior pay in particular the role of the Chief Executive, Directors and other senior officers.

Responding to a question raised in public question time with regard to a retention payment being made, the Leader stated that: the retention payment was made to retain a critical member of the Leadership Team at a time when the Council was about to lose a number of staff to an adjacent local authority, given that that authority's pay bands for that equivalent post were significantly higher than Mid Devon's as a result of its enlarged size due to a merger of two authorities

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report stating that the Pay Policy appended to the report was to be noted as a draft, pending formal review by both management team, unions and the staff consultative group. The Pay Policy would be approved at the Joint Negotiation and Consultative Committee which she attended.

| **RECOMMENDED** to Council that the Pay Policy be approved.

(Proposed by the Chairman)

**Reason for the decision:** The Localism Act 2011 requires an annually published Pay Policy which has been adopted by the full Council.

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

### 316. **THE ESTABLISHMENT (3-01-30)**

The Cabinet had before it a \* report of the Corporate Manager for People, Governance and Waste informing Members of the overall structure of the Council showing the management and deployment of officers.

The officer outlined the contents of the report stating that it set out the new senior management structure, performance of the workforce and sickness absence statistics

| **RECOMMENDED** to Council that the Establishment be approved.

(Proposed by the Chairman)

**Reason for the decision:** The Constitution states that the Establishment should be received by Council annually.

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

### 317. **NOTIFICATION OF KEY DECISIONS (3-05-25)**

The Cabinet had before it and **NOTED** its \*rolling plan for March 2021 containing future key decisions.

Providing answers to questions posed in public question time with regard to a report on a 'Teckal' company, the Cabinet Member for Housing and Property Services stated that the report had been moved to the April meeting of Cabinet and could be found on page 226 of the agenda pack. The budget for this work would be carried forward into the next financial year and no, the idea had not been dropped, the Council would be considering a number of options for social housing.

Note: \*Plan previously circulated, copy attached to minutes.

### 318. **3 RIVERS DEVELOPMENT LIMITED - UPDATE REPORT (3-08-54)**

The Cabinet had before it and **NOTED** a \* report from the Chief Executive providing an update on current project performance and any key risks.

The Cabinet Member for Housing and Property Services stated that the information within the report provided an up to date reflection on the progress made by the company.

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

(The meeting ended at 10.11 pm)

**CHAIRMAN**

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## ENVIRONMENT PDG

9 March 2021

### Bereavement Services Fees and Charges

**Cabinet Member:** Cllr Colin Slade Cabinet Member for the Environment

**Responsible Officer:** Andrew Busby Corporate Manager for Property, Leisure and Climate Change

**Reason for Report:** To review and approve Bereavement Services Fees & Charges for 2021-22.

**RECOMMENDATION(S):** To recommend approval to Cabinet of the proposed charges for 2021-22 set out on Table A.

**Relationship to Corporate Plan:** Priority 5 -Corporate

**Financial Implications:** Bereavement Services total income for 2019/20 was £94,317 in a full year; the proposed increases in fees could generate an additional annual income of £2,532.20.

**Budget and Policy Framework:** The Council remains committed to operating the two cemeteries it has responsibility for and providing the best standard of service and support to bereaved residents within the financial constraints that exist.

**Legal Implications:** By virtue of section 214 of the Local Government Act 1972 and of the provisions of the Local Authorities' Cemeteries Order 1977, the Council is the burial authority. Paragraph 15 of the said 1977 Order provides burial authorities with the power to charge such fees as they think are proper – "(a) for or in connection with burials in a cemetery; (b) for any grant of a right to place and maintain a tombstone or other memorial in a cemetery...(c) for any grant of a right to put an additional inscription on such a tombstone or other memorial".

A burial authority is obliged to keep a table showing the matters in respect of which fees or other charges are payable to them, and the amount of each such fee or charge, and the table shall be available for inspection by the public at all reasonable times.

**Risk Assessment:** Failure to increase charges will further impact on the financial constraints the Council

**Equality Impact Assessment:** An equality impact assessment has been undertaken and is attached as Annex A.

### 1.0 Introduction

- 1.1 In previous years price increases within the Bereavement Service were necessary for the Council to reduce the estimated cost of service provision. The focus remains on providing the best possible standards of service, which includes not only the maintenance of our two cemeteries but the ongoing aim of ensuring that the long-term needs of burials are met. Our two cemeteries

provide places for quiet reflection where people are treated with dignity and respect at all stages of their lives.

- 1.2 The Council remains committed and continues to ensure that re-investment is made for various maintenance works across the Council's two cemeteries in Crediton and Tiverton including the buildings.
- 1.3 It is proposed to increase bereavement charges from 1 April 2021 by 2%, as set out in Table A.
- 1.4 In the case of a death with no next of kin, or should some members of the public be unable to meet these new charges through financial hardship or other such circumstances, support is available to bereaved families. There are three main means of support: Social Services, the hospital where the death occurred and Funeral Expenses Payments, available via the Department of Work and Pensions.
- 1.5 In addition under Section 46 of the Public Health (Control of Disease) Act 1984 a local authority will meet the costs of a basic funeral where the deceased or the next of kin are not in a position to meet the expenses. In 2019-2020 the cost of providing national assistance burials was £1,100, of this we managed to recover £855.00 leaving a cost of £245.00 to the Council.
- 1.6 Among the broader financial considerations, the Council continues to face budget pressures and has experienced a reduction of core funding from central government.

## 2.0 Background

- 2.1 There is a risk that budget targets will not be met due to increased costs of providing the service and therefore this decision is important in ensuring the sustainability of burial provision.
- 2.2 The Council apply a range of fees and charges associated with burials. The existing fees and charges are presented on Table A.

## 3.0 Table A

- 3.1 Column 'A' lists the current charges that were set in 2018-20.
- 3.2 Column 'B' shows proposed charges for 2021-22 that includes an increase of 2%.

**Table A**

A			B		
'A' - Current charges 2018-20			'B' - Proposed charges 2021-22		
Interment fees of a coffin		Ashes	Interment fees of a coffin		Ashes
Adult (+18 yrs)	£1052.50	£173.00	Adult	£1076.50	£176.50

Under 18 Stillborn/NVF/	Nil	N/A	Stillborn/NVF/ Under 18	Nil	N/A
<b>Interment beneath memorial tree</b> (Includes 30 Years Exclusive Rights of Burial subject to limited availability)  £541.00			£552.00		
<b>Exclusive Rights of Burial and Right to Erect a Memorial</b>					
	30 years	75 years		30 years	75 years
Adult grave	£1140.50	£2794.00	Adult grave	£1163.50	£2850.00
Childs grave	FOC	£611.00	Childs grave	FOC	£623.00
Cremation plot	£328.00	£826.00	Cremation plot	£334.50	£842.50
<b>Sundry charges</b>					
Exhumation- Standard administration fee. Total charge quoted upon request and on a case -by -case basis.			£75.00		
To carry out a trial dig			£155.00		
Saturday/Bank holiday supplement					
£183.00 ( Ashes only interments )			£186.50 ( Ashes only interments )		
Administration fees for Transfer of Rights/Assignments, etc.					
£33.00			£35.00		

**Table A Continued**

A		B
‘A’ - Current charges 2018-20		‘B’ - Proposed charges 2021-22
<b>Additional costs are required when the grave was purchased before 1 April 2003</b>		
Erect a Headstone	£177.50	£181.00
Headstone & Kerbing	£440.00	£449.00
Additional Inscription	£108.00	£110.00
Place Tablet (18x18) Vase	£108.00	£110.00
Tablet/Ledger (18x36)	£205.00	£209.50
Tablet/Ledger larger than (18x36)	£325.00	£331.50
Place open kerbing up to (7x3)	£284.00	£289.50
Place open kerbing larger than (7x3)	£518.50	£529.00
Place fully enclosed kerbset	£609.00	£621.00

#### 4.0 Financial Implications

- 4.1 The proposed charges from 1st April 2021 would increase income by circa £2,532.20 and the schedule of charges is listed at Table A within this report.
- 4.2 A comparison of the cemeteries and crematorium fees currently charged by other surrounding local authority and private providers shows fees across the area vary (please see Table B). It is acknowledged that all authorities will review their bereavement service charges in the coming months and each one will differ in terms of the current level of service provision they choose to make. Therefore, it is difficult to make a true like for like comparison with other neighbouring authorities.
- 4.3 If a funeral director requires any changes or an exhumation that requires a licence prior to disturbing an existing grave, it is proposed to introduce a fee of £75.00 for every application that the Council has to make, with a quotation being provided on a case-by case basis. Whilst it is acknowledged that these applications are not made as a regular occurrence, they are time consuming in the administration and pursuance of the said licence.

## 5.0 Table B

5.1 Column 'A' compares current Mid Devon charges with three neighbouring authorities and a town council.

5.2 Column 'B' compares increased Mid Devon charges with three neighbouring authorities and a town council.

**Table B                      A                      B**

<b>Costs as from April 2018</b>		<b>MDDC</b>	<b>MDDC+2%</b>	<b>Exeter City</b>	<b>East Devon</b>	<b>Cullompton Town Council 21/22</b>	<b>Taunton West &amp; Somerset</b>
<b>Burial Interment fees</b>	Juvenile	FOC	<b>FOC</b>	FOC	FOC	FOC	FOC
<b>Burial Interment fees</b>	Adult	£1052.50	<b>£1076.50</b>	£1200.00	£491.00	£1240.00	£824.00
<b>Ashes Interment fees</b>	Casket	£173.00	<b>£176.50</b>	£200.00	£143.00	£241.00	£78.00
<b>Ashes Interment fees</b>	Scatter	£173.00	<b>£176.50</b>	£150.00	£143.00	£241.00	£78.00
<b>Saturday and BH supplement</b>	Saturday	£183.00	<b>£186.50</b>	N/A	N/A	£315/£157	£230/£90
	Bank Hol	£183.00	<b>£186.50</b>		N/A	£315/£157	£230/£90
<b>EROB 30Yrs</b>	Adult	£1140.50	<b>£1163.50</b>	£1200.00	(50)EROB £870.00	£1200.00	-
<b>EROB 30Yrs</b>	Child	FOC	<b>FOC</b>	FOC	FOC	£Nil	-
<b>EROB 30Yrs</b>	Ashes	£328.00	<b>£334.50</b>	£600	£205.00	£404.00	-
<b>EROB 75 Years</b>	Adult	£2,794.00	<b>£2,850.00</b>	-	-	£2794.00	£1045.00
<b>EROB 75 Years</b>	Child	£1027.00	<b>£611.00</b>	-	-	£Nil	N/A
<b>EROB 75 Years</b>	Ashes	£826.00	<b>£842.50</b>	-	-	£965.00	£755.00

## **6.0 Conclusion**

6.1 If the 2% increase on cemetery fees & charges are brought in for 21-22 this would generate an estimated £2,532.22 in income based on 21-22 budgeted income figures. This additional income would reduce the net cost of service, which in 21-22 is £147,130.

**Contact for more Information:** Andrew Busby, Group Manager Corporate Property & Commercial Assets - 01884 234948 (abusby@middevon.gov.uk).

**Circulation of the Report:** Leadership Team, Cabinet member for the Environment, Group Managers.

## Equality Impact Assessment Form and Action Table 2017

(Expand the boxes as appropriate, please see guidance)

"I shall try to explain what "due regard" means and how the courts interpret it. The courts have made it clear that having due regard is **more than having a cursory glance** at a document before arriving at a preconceived conclusion. Due regard requires public authorities, in formulating a policy, to give equality considerations the weight which is **proportionate in the circumstances**, given the potential impact of the policy on equality. It is not a question of box-ticking; it requires the equality impact to be **considered rigorously and with an open mind.**"

**What are you completing the Impact Assessment on (which policy, service, MTFP reference etc.)?**

Review a 2% increase in charges for Bereavement Services.

**Version**

1

**Date**

09.03.2021

### **Section 1 – Description** of what is being impact assessed

The increase of 2% fees and associated charges for Bereavement Services.

### **Section 2A – People or communities that are targeted or could be affected** (taking particular note of the Protected Characteristic listed in action table)

Communication will be necessary with the funeral directors who use our two cemeteries, as their customers will be affected. Protected Characteristics will include.

- Age
- Disability

### **Section 2B – People who are delivering** the policy or service

Potential of direct/indirect customer dissatisfaction with an increase in fees leading to challenging phone calls to the Corporate Property and Commercial Assets team who are based at Phoenix House.

**Section 3 – Evidence and data** used for the assessment (Attach documents where appropriate)

Attached report includes benchmarking fees and charges with other authorities.

**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):

The increases in fees are necessary to maintain standards at our two cemeteries and are comparable with other authorities.

**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?
<b>Age</b>			
Different approaches and mechanisms are required for engaging with and representing, people of different ages, in particular children and young people.	The specification requires the Provider to not only comply with the Equality Act 2010 and related duties, but to strive for best practice.	Communication with funeral directors regarding the increase in fees that will be carried out by the Corporate Property and Commercial Assets team upon Cabinet approval.	This would be directly monitored by the service, increased income is expected which is required to maintain current service levels.



<b>Disability</b>			
Different approaches and mechanisms may be required for engaging with and representing, people with a range of disabilities depending on their individual needs.	The specification requires the Provider to not only comply with the Equality Act 2010 and related duties, but to strive for best practice.	Financial assistance with burials is available in the event that families do not have the means to bury relatives.	This would be directly managed by the service detailed in section 2B.
<b>Gender Reassignment</b>			
N/A	N/A	N/A	N/A
<b>Marriage and Civil Partnership</b>			
No issues identified	N/A	N/A	N/A
<b>Pregnancy and Maternity</b>			
N/A	N/A	N/A	N/A
<b>Race</b> (including ethnicity or national origin, colour, nationality and Gypsies and Travellers)			
N/A	N/A	N/A	N/A

<b>Religion and Belief</b>			
N/A	N/A	N/A	N/A
<b>Sex</b>			
N/A	N/A	N/A	N/A
<b>Sexual Orientation</b>			
N/A	N/A	N/A	N/A
<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)			
<b>Rurality</b>  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.	The specification requires the Provider to meet the needs of all people in Mid Devon, to have a presence in local communities and ensure that communications plans reflect the rurality of Mid Devon.  The Provider is required to ensure that the service represents the diverse population of Mid Devon and that reasonable adjustments are made to all services / activities to ensure individuals are able to access the service.  Operational commissioning of the service will ensure that the service is being delivered according to the service specification and quality standards and will take account of customer feedback.	Communication with funeral directors and helpline number on Mid Devon District Council web site.	This would be directly managed by the service detailed in section 2B.

**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

The Corporate Property and Commercial Assets team will implement, in the event of Cabinet resolving to approve the attached report

<b>Completed by:</b>	Andrew Busby
<b>Date</b>	11.02.21
<b>Signed off by:</b>	
<b>Date</b>	
<b>Compliance sign off Date</b>	
<b>To be reviewed by: (officer name)</b>	
<b>Review date:</b>	

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## HOMES POLICY DEVELOPMENT GROUP 16 MARCH 2021

### DEVON HOME CHOICE POLICY REVIEW

**Cabinet Member(s):** Cllr Bob Evans, Cabinet Member with Responsibility for Homes & Property Services

**Responsible Officer:** Mrs Claire Fry, Operations Manager for Housing Services/Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

**Reason for Report and Recommendation:** The Management Board of the Devon Home Choice scheme has undertaken a consultation on proposed changes to associated policy and procedures and this report provides more information about this. Individual local authority members of the scheme have been asked to approve the adoption of these changes.

**Recommendation:** Members are recommended to agree the proposed changes to the Devon Home Choice scheme and to request that the Cabinet adopts them

**Financial Implications:** Management of the Housing Register is a strategic housing activity and there is a budget set aside within the General Fund to support this work. The Devon Home Choice scheme is funded by each of the local authorities with housing responsibilities in Devon, including the two unitary authorities Plymouth City Council and Torbay Council, and also by registered providers of social housing (including the Council) which make a payment in respect of each property advertised through the scheme. Although the proposal policy changes do not impact upon this, for clarity, currently, strategic housing authorities, of which there are 10 in Devon including MDDC, pay £1k each to support the functioning of the scheme and all landlords pay £25 advertisement fee per property. The budget is reviewed by the Management Board including a representative of MDDC (Claire Fry) on a quarterly basis.

**Budget and Policy Framework:** There are no direct budget implications arising from this policy review. The Devon Home Choice Policy sets out the Devon housing authorities' collective social housing scheme which determine priorities, and details the procedures to be followed in allocating housing accommodation as required by the Housing Act 1996. More information is provided under Legal Implication and within the report.

**Legal Implications:** Part 6 of the Housing Act 1996 regulates the allocation of social rented housing by local authorities. Part 6 was amended by the Homelessness Act 2002, and, with effect from 18 June 2012, by the Localism Act 2011. Local authorities are not under a duty to maintain a housing register but are required to have an allocation scheme for determining priorities between applicants for housing which sets out the procedure to be followed when allocating housing accommodation.

There is a regulatory requirement for registered providers of social housing to co-operate with local authorities' strategic housing functions and their duties to meet

identified local housing needs. This includes assistance with local authorities' homelessness duties, and through meeting objectives in nominations agreements.

**Risk Assessment:** Failure to run a housing register that is transparent could result in complaints from people who feel that they have been unfairly disadvantaged and this could result in reputational damage.

**Equality Impact Assessment:** Devon Home Choice provides an assessment framework which is used to ensure that all requests for rehousing are managed in the same way, ensuring that no one housing applicant is treated any more or less favourably than any other. Diversity data is requested from housing applicants and is recorded so that it can be monitored.

Those who have special needs, which may include disabilities, a low level of literacy or mental health issues may be disadvantaged because the Council expects housing applicants to apply for housing online but our Housing Options Assistant will assist those with no internet access with the completion of the application form and updating their circumstances when necessary.

The Council can also set up auto-bids which enable bids to be placed on suitable properties in an applicant's areas of preference without them having to go into the system themselves. Those people who are not used to using online services, or who live in areas where broadband coverage is poor, may also be disadvantaged but the auto-bid system can be used to mitigate this, too. There is a video which is available on line which provides an overview of the scheme and how to use it

The Management Board monitors reports relating to performance on a regular basis with a view to checking engagement, and periodically monitors the results of satisfaction surveys which often highlight relevant issues. There is an annual review of the scheme and any changes necessary to mitigate the impact of any issues identified can be implemented.

**Relationship to Corporate Plan:** The Corporate Plan states that homes are a priority for the Council.

**Impact on Climate Change:** None directly arising from this policy update. In wider terms, the ICT system used to administer the Devon Home Choice scheme is a cloud-based one. The Council encourages anyone wishing to register for rehousing or those wishing to update their existing application to do so online, thus reducing the need for paper. The Council does not carry a stock of printed application forms but will provide support to those who do not have internet access by assisting them with making applications or updating existing applications over the telephone. Previously, home visits were undertaken as necessary but these have been suspended since the start of the pandemic.

## **1. Introduction/Background**

- 1.1 Local authorities are required to have allocation schemes which give "reasonable preference" to certain categories of those in housing need. In addition, housing can only be allocated to those who are "qualifying persons", in accordance with the provisions of the Housing Act 1996. The statutory guidance issued in June 2012 provides direction on the factors which affect

eligibility and qualification. Housing authorities are required to have regard to this in exercising their functions under Part 6 of the Housing Act 1996.

- 1.2 Historically, local authorities held housing waiting lists but since 2010 they have been expected to operate choice based lettings schemes. This way of letting homes represented an alternative approach to the management of housing allocations which had previously been based on the award of points to those in housing need. Schemes set out the basis on which additional points would be awarded and those with the most points generally had the highest priority for rehousing.
- 1.3 The Localism Act 2011 gave local authorities more freedoms with regard to decision-making relating to qualifying applicants who could register for rehousing. Whilst Councils are required to give “reasonable preference” to some people as defined in the statutory guidance, they can manage the housing waiting list in such a way as to support any local priorities. Therefore, they can refuse to accept applications from those who are not in housing need.
- 1.4 Local authorities are also expected to have a tenancy strategy which must be shared with all the registered providers of social housing which work in their areas. These strategies must provide guidance to those registered providers. Since the Council has retained housing stock, the landlord service is a registered provider and is therefore required to have due regard to the tenancy strategy. Our tenancy strategy is available to view on the webpages of the Housing Service. It is due for review and this will be undertaken during the project to consolidate housing-related policies which is planned as part of the service improvement programme. Members have been briefed on this programme previously.
- 1.5 In addition, local authorities are expected to have regard to their homelessness strategies when preparing or modifying their housing allocation schemes.
- 1.6 It should be noted that, since 2012, successive Governments have issued further statutory guidance relating to qualification criteria. This includes reference to local connection and armed forces personnel, and to eligibility for social housing post-Brexit.

## **2 Devon Home Choice**

- 2.1 The Council works in partnership with the other local authorities in Devon to deliver a choice based lettings scheme known as Devon Home Choice (DHC). All the other registered providers which operate in the Districts, and the two unitary authorities, which work across Devon are also involved in the scheme as partners.
- 2.2 The aims of DHC, as stated in the policy document, are to provide:
  - Choice for people seeking housing and the ability to move within Devon
  - A common scheme across Devon that is transparent, easy to understand and accessible to all

2.3 DHC provides a common:

- Application form
- Housing register
- Approach to assessing housing need and awarding priority
- Approach to advertising available properties

2.4 The DHC scheme includes an assessment framework which contains detailed criteria against which housing need is determined. The circumstances of all housing applicants are considered in accordance with this framework and they are then placed into one of five bands, according to need, in descending order of priority.

2.5 The bands range from Band A, where someone is in urgent need of rehousing (usually due to serious threats of violence or for medical reasons), to Band E, which is also known as the band of no housing need.

2.6 When allocating a home, in common with those of other landlords which work within the scheme, our Officers will ensure that applicants have a need for the type of home which they have bid for. This is in order to ensure that the Housing Service makes the best use of stock. If the property has adaptations, it would only be let to someone who had a need for the type of accommodation being offered. Landlords are also required to verify the local connection of housing applicants, if required.

2.7 The Council has an allocations policy which is available to view on the webpages of the Housing Service. It is due for review and this will be undertaken as part of the project to consolidate housing-related policies which is planned as part of the service improvement programme referred to within this report previously.

2.8 The allocations policy states that the Council uses the DHC scheme to assess housing need and to allocate our own housing stock. It notes that the DHC scheme is very prescriptive and that it sets out how registered providers will give preference to certain applicants by labelling adverts. The Council's allocations policy explains when the preference labels will be used and sets out the method to be used to validate each label. Labels are defined.

2.9 The Council is a member of the Management Board which oversees the work of the two Officers employed to manage DHC. These Officers are employed by Exeter City Council on behalf of the partnership. It should be noted that the Partnership Agreement is reviewed annually and that the Operations Manager for Housing Services has delegated authority to sign this.

### **3 Consultation**

3.1 The assessment framework provided by DHC has been reviewed on a number of occasions in recent years to ensure that any changes included in relevant legislation and statutory instruments were met, and in line with good practice. For example, changes arising from the Homelessness Reduction Act 2017 and associated Code of Guidance were implemented and also those



relating to the regulations relating to the allocation of social housing following the UK's exit from the European Union issued in 2019.

- 3.2 The Management Board at the meeting on 11 September 2020 agreed that a number of changes being proposed were significant and therefore a public consultation should be undertaken.
- 3.3 The consultation aimed to obtain feedback from (including but not limited to) statutory agency workers, voluntary agency workers, existing tenants of a DHC partner landlord (e.g. Mid Devon DC) and other DHC applicants
- 3.4 The questions contained within the consultation are shown in Annex 1.
- 3.5 In line with this decision, a consultation ran for 13 weeks from 1 November 2020 until 31 January 2021 on the DHC home page.
- 3.6 An appropriate message was added to the login pages of applicants together with a link to the consultation. In addition, a bulk email was sent to every active applicant on the register. A county-wide publicity strategy was agreed and on 23 November 2020, Members of the Council were advised about the consultation in the Weekly Information Sheet.
- 3.7 In line with the project plan, the consultation responses were analysed during February and the outcome of the consultation responses is due to be circulated to members of the Management Board on 1 March 2021 with the deadline for the policy review changes to be signed off at the meeting on 12 March 2021. The draft findings of the Management Board against each proposal as available ahead of the March meeting are set out in Section 4 below.
- 3.8 The Operations Manager for Housing Services will provide a further (verbal) update on the outcome of the consultation at the meeting of the Homes Policy Development Group on 16 March 2021.
- 3.9 The Management Board was planning to publish the new policy and the results of the consultation on the DHC website with effect from 1 April 2021 but the Operations Manager for Housing Services has made the DHC Management Board aware of the decision-making timetable of the Council and therefore the publication will be delayed until the Cabinet accepts or rejects any recommendations made by the Homes PDG.

#### **4 The Proposed Changes**

- 4.1 A list of the proposed changes to the DHC policy are shown in Annex 2. More information of each of these is provided below.
- 4.2 Proposal 1 relates to bidding for larger 1-bed properties where applicants are lacking 2-bedrooms.

It was suggested because currently there is a shortage of larger homes in Devon. As an illustration of this, the Council, as a landlord, only has 39 x 4 bedroom units, 1 x 5 bedroom unit and 1 x 6 bedroom unit. In the private

sector, families can make a choice as to whether or not to accept a home smaller than they need in practice because that home will offer more living space than their existing property. This proposal was based on this reasoning but it is not recommended for agreement by the Management Board.

- 4.3 Proposal 2 relates to a new question on the application form regarding housing need criteria.

This is recommended for agreement by the Management Board. It means that housing applicants will be made aware of home-ownership options which may be open to them as an alternative to social housing.

- 4.4 Proposal 3 relates to maximum occupancy of larger properties.

This arose due to the shortage of larger homes in the county. In many cases, the shortage of 6 and 7 bedroom homes available for large households is such that they may never be rehoused if the decision on an allocation is related to their bedroom need. However, many 4 and 5 bedroom homes can accommodate large households with the members of that household deciding how to make best use of the space available to them. Therefore, for example, in a family with several children, the largest bedroom may be used to accommodate four children in two sets of bunk beds. The Management Board is recommending agreement of this change.

- 4.5 Proposal 4 relates to occupancy of high-rise flats by younger children.

This will not apply in Mid Devon due to the fact that there are no large blocks of flats taller than 4 stories. However, the aim of this proposed change is to minimise the risk of serious injury or death to young children living in flats located above the third floor of a building. This was agreed in principle by the Management Board subject to a review of the current cases with this banding reason.

- 4.6 Proposal 5 relates to those household members who cannot succeed to a tenancy following the death of a tenant. It gives some priority for rehousing to such cases provided they have lived at the home for 12 months and that if they have approached the local authority, that the authority has confirmed that s188 duty to accommodate is triggered, in line with homelessness legislation.

As a registered provider of social housing, the Council has a tenancy changes policy which offers Officers some discretion in such cases. Where the death of a tenant leaves someone in the property without a right to succession, the Council may consider granting a tenancy, or offer a tenancy at an alternative property. However, the tenancy changes policy states that in exercising this discretion: "We will ensure that the Tenancy Policy, Allocations Policy and Devon Home Choice Scheme are not undermined".

The effect of proposal 5 is to ensure that those who may require rehousing due to the death of the tenant at the property where they have lived for at least a year have their circumstances assessed by the Council in its strategic role. This will ensure that they are given the option to bid for a property of the right size and type according to their needs. This does not mean that they

have to be homeless, just that they are required to approach the Council. In this way, the Council in its role as a strategic housing authority can monitor such cases including those arising in housing association stock. Priority for rehousing will be awarded as long as applicants make an attempt to engage with the Council and are proactive about searching for another home. Their options are therefore wider than if the landlord was seeking to identify alternative accommodation suitable for them from within their own stock.

This proposal is recommended for agreement by the Management Board.

4.7 Proposal 6 relates to management of financial risk.

It specifically relates to applicants who have rent arrears or have had rent arrears included in a Debt Relief Order or bankruptcy and there is a recommendation that a sanction is applied in these cases for a period of 2 years from the date of discharge of the debt. This is recommended for agreement by the Management Board.

4.8 Proposal 7 relates to the provision relating to the assessment of cases where there is severe overcrowding.

Rather than referring to 2 children in a household lacking a bedroom, the proposal suggests that the policy will be amended so that the reference is to 2 people and is recommended for agreement by the Management Board.

4.9 Proposal 8 relates to the award of priority for rehousing when hazards may be present in a home.

Environmental Health teams from different authorities were consulted. As a result of their recommendation, the Management Board agreed that there should be no change to the policy of awarding Band B (a high priority for rehousing) to those households which are so overcrowded as to mean that there is a Category 1 hazard (arising from the Housing Health and Safety Rating System – HHSRS) in relation to the overcrowding.

## 5 Recommendation

5.1 Members are recommended to agree the proposed changes to the Devon Home Choice scheme and to request that the Cabinet adopts them

**Contact for more Information:** Mrs Claire Fry, Operations Manager for Housing Services, tel: 01884 255255 (via callback) [cfry@middevon.gov.uk](mailto:cfry@middevon.gov.uk) or Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing [snewcombe@middevon.gov.uk](mailto:snewcombe@middevon.gov.uk)

### Circulation of the Report:

Members of the Housing PDG  
Cllr Bob Evans, Cabinet Member for Homes  
All Leadership Team

All Corporate Management Team  
Group/Operations Managers  
Legal Services

**List of Background Papers:**

Devon Home Choice home page:

<https://www.devonhomechoice.com/>

Mid Devon District Council housing-related strategies and policies:

<https://www.middevon.gov.uk/residents/housing/council-housing/strategies-and-policies/>

**Annex 1 – DHC Consultation Form (separate PDF doc)**

## **Annex 2 – Proposed changes to DHC Policy**

**Proposal 1:** That applicants who are lacking 2 bedrooms be allowed to bid for homes 1 bedroom larger than their current home.

**Proposal 2:** That a new question is added to Section 1 of the application form (Housing need criteria), and a corresponding indicator or banding on the application to identify applicants who are interested in Rent to Buy or Build to Rent properties.

**Proposal 3:** That 4 and 5 bedroom homes are advertised using the maximum number of occupants as a restriction rather than the bedroom need.

**Proposal 4:** That Band C for 'Children under 8 above the third floor' is not awarded in blocks of flats where improvement works have been carried out, including windows fitted with restrictors, which would mean that the flats would be suitable for households with children under 8.

**Proposal 5:** That we allow some priority for members of household left in use & occupation after death of tenant and cannot succeed tenancy.

**Proposal 6:** That we review the current policy around the registering, banding and letting of properties to applicants who have rent arrears or have had rent arrears included in a DRO or bankruptcy.

**Proposal 7:** That paragraph 3.5.3.1 of the policy (Band B for severe overcrowding) be amended to refer to 2 people lacking a bedroom rather than 2 children).

**Proposal 8:** That the reference to Category 1 hazards in the Band B reason for severe overcrowding be amended so that it is not a blanket award of Band B

## DHC Policy Review Consultation Form

Devon Home Choice is a choice based letting scheme that covers the whole of Devon. It is a partnership between the 10 Devon local authorities and 23 housing associations operating in Devon.

Please note that although the consultation form is hosted by Exeter City Council this process is for all of the Devon Home Choice partners.

This consultation seeks views on the Devon Home Choice Policy and proposed changes which are due to come into effect from 1<sup>st</sup> April 2021. The consultation will be open from 1<sup>st</sup> November 2020 until 31<sup>st</sup> January 2021.

The Devon Home Choice Policy sets out the Devon housing authorities' collective social housing scheme which determine priorities, and details the procedures to be followed in allocating housing accommodation as required by the Housing Act 1996.

The consultation aims to obtain feedback from (including but not limited to) Statutory agency workers, Voluntary agency workers, existing tenants of a DHC partner landlord and Other DHC applicants.

The current policy wording and details of the proposed changes can be found at [www.devonhomechoice.com/consultation](http://www.devonhomechoice.com/consultation). These changes have been proposed following an initial review of the policy by the Devon Home Choice partners. A paper version of the consultation form is available from your local authority on request.

The Devon Home Choice Policy must meet legislative requirements.

All feedback provided will be considered by the Devon Home Choice Management Board and the outcomes will be published on the website but please note that we will not be able to provide individual responses or feedback.

### **Section 1 - About you**

1) Are you (please tick one):

- Statutory agency worker
- Voluntary agency worker
- Existing tenant of a DHC partner landlord
- DHC applicant
- Other

If you have answered this question 'Other' please provide details.

--

2) If you answered question 1 either 'Existing tenant of a DHC partner landlord' or 'DHC applicant':

Which local authority area do you live in? (please tick one)

- East Devon
- Exeter
- Mid Devon
- North Devon
- Plymouth
- South Hams
- Teignbridge
- Torbay
- Torridge
- West Devon
- Outside Devon

3) If you are a DHC applicant, which local authority area are you seeking to live in? (please tick one)

- East Devon
- Exeter
- Mid Devon
- North Devon
- Plymouth
- South Hams
- Teignbridge
- Torbay
- Torridge
- West Devon

Conditional questions if question 1 is answered 'Statutory agency worker'  
'Voluntary agency worker'

4) Which local authority area(s) do you work in? (please tick all that apply)

- East Devon
- Exeter
- Mid Devon
- North Devon
- Plymouth
- South Hams
- Teignbridge
- Torbay
- Torridge
- West Devon



## **Section 2 – Priority and how it is awarded**

Applications on the Devon Home Choice register are awarded a band depending on their level of housing need and a bedroom need to determine the size of home which they will normally be eligible to bid for.

1) I understand how Devon Home Choice applications are prioritised/banded. Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (optional).

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2) Devon Home Choice uses the 'bedroom standard' to assess the size of home applicants need (see section 3.18 of the policy). This means that children of the opposite sex can share a bedroom up to the age of 10, children of the same sex between the ages of 10 and 16 can share a bedroom and anyone over the age of 16 is allocated their own bedroom need.

Do you agree that this is a fair way of deciding the size of home applicants can bid for?

Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (optional)

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3) Do you think that households who are lacking at least 2 bedrooms should be allowed some flexibility to decide which household members they are happy to share a bedroom (e.g that 2 siblings of the same sex over the age of 16 can share a bedroom)?

Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (optional).

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### **Section 3 – Rent Arrears**

Applicants who have rent arrears or tenancy related debt above £500 will usually be placed in the No Housing need Band (E) or removed from the Devon Home Choice register in the Local Authority areas which do not register households with no housing need. Each case will be considered individually (see section 2.6.3 of the policy).

This sanction will apply unless:

- there are exceptional circumstances or
- they clear their debt or
- the landlord is satisfied that the applicant is entitled to an amount of benefit sufficient to clear the arrears or
- the applicant has shown a clear intention to pay. That payments are made in accordance with an agreed repayment schedule during a period of at least 3 months or
- there are exceptional circumstances relating to need.

(see section 2.6.4 of the policy).

Applicants who have had their rent arrears included in a Debt Relief Order, bankruptcy declaration or individual voluntary agreement (IVA) will still have their applications placed into Band E or removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need, unless there is some additional and exceptional reason for not doing so.

Applicants with rent arrears or tenancy related debt to a social or private landlord that were accrued in the previous two years on their current or previous tenancy will not normally be offered a property. (section 2.6.2 of the policy).

1) It is reasonable to exclude those with rent arrears above £500 with no payment plan as it does not demonstrate a change of behaviour if they do not address former debt therefore increasing the chances of a risk of tenancy failure.

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (optional).

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2) It is reasonable to exclude applicants with rent arrears included in a Debt Relief Order (unless the debt has been paid in full) or Bankruptcy Order which includes Rent Arrears or Tenancy Related Debt for 2 years.

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1	2	3	4	5
Completely agree	Agree	Neutral	Disagree	Strongly disagree

Comments (optional).

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3) Do you have any comments relating to applicants with rent arrears section of the policy?

- Yes
- No

(Please complete if you answered yes above)

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#### **Section 4 – Health and wellbeing**

Health and wellbeing priority can be awarded if it is assessed that an applicant's health and/ or wellbeing is made worse by their current home, or lack of a home, or that an applicant's health means that their current home is unsuitable or if an applicant has health and wellbeing needs arising from domestic abuse (see section 3.19 of the policy).

There is a Health and Wellbeing Assessment Framework in the policy (see section 3.20 of the policy) which contains information on how an applicant's health and wellbeing priority is assessed. Local authorities will often request supporting evidence from a suitable medical or support professional to enable them to assess an applicant's needs.

1) I understand how priority (banding) for health and wellbeing needs is assessed.

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (*optional*).

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2) Do you have any comments relating to the provision of supporting evidence?

- Yes
- No

(Please complete if you answered yes above)

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3) The Health and Wellbeing Assessment priority award criteria is fair.

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (optional).

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### **Section 5 – Local connection**

People who do not have a local connection to Devon are allowed to join the housing register but in most cases their application will be limited to Band D unless there are special circumstances (see section 3.9 of the policy).

1) I agree that applicants with no local connection should be able to join the Devon Home Choice register.

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (optional).

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Some homes may be advertised on Devon Home Choice with a requirement that the successful applicant has a local connection to a specified area, or applicants who have a local connection may be prioritised over those who do not. This may be due to a planning requirement (called a Section 106 agreement), or a Local Lettings Plan, or because a local authority has reached their limit for moves between areas – these are referred to as cross border moves (see section 4.2 of the policy)

2) It is right that Devon Home Choice monitors ‘cross border moves’ between local authority areas and that a limit capped at 2% of lets for ‘cross border moves’ is reasonable (see section 64 of the procedures manual).

*Please select your answer below based on a scale of 1 (Completely disagree) to 10 (Completely agree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (*optional*).

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## **Section 6 – Armed Forces**

The Devon Home Choice Policy is compliant with the requirements of the Armed Forces Covenant and Government guidance on improving access to social housing for members of the Armed Forces (see section 3.10 of the policy).

The local connection provisions do not apply to members of the armed forces and some former service personnel. In addition, the local connection criteria will not be applied to divorced or separated spouses or civil partners of service personnel who are required to move out of accommodation provided by the Ministry of Defence.

1) The exemption from local connection provisions should also be applied to the adult children of members of the armed forces who are no longer able to stay in the family home.

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1	2	3	4	5
Completely agree	Agree	Neutral	Disagree	Strongly disagree

Comments (*optional*)

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## **Section 7 – Domestic Abuse**

Domestic abuse is unacceptable. Perpetrators of domestic abuse will not be eligible to register with Devon Home Choice. Some special provisions have been made within the Devon Home Choice policy to ensure that victims of domestic abuse are treated sensitively and fairly (see section 3.11 of the policy).

1) People who have served with a domestic abuse protection notice or order in the last 2 years will not be eligible to join the housing register. Do you agree that this is fair?

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (*optional*)

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### **Section 8 – Advertising and allocation of homes**

Homes are advertised on Devon Home Choice from midnight on Wednesday until midnight on the following Monday. Applicants may bid for up to 3 homes per week.

At the end of each letting cycle applicants who have bid for a property will be prioritised, firstly by their band (e.g applicants in the High housing need band (Band B) will be listed above applicants in the Medium housing need band (Band C)) and secondly within each band in order of their band start date, with the applicant with the earliest band start date at the top.

Adapted or accessible homes may be prioritised by the accessibility need of the applicant (e.g applicants who require a wheelchair accessible home will be prioritised for that type of property over those who do not require a wheelchair accessible home). See section 62 of the Procedures Manual for more information on the shortlisting process.

1) I understand how applicants are prioritised for homes?

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
--------------------------	------------	--------------	---------------	---------------------------

Comments (*optional*).

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2) Do you use the Devon Home Choice App to place bids?

- Yes
- No

Comments (*optional*).

3) Are you aware that you can set up property alerts to send you an email when a property which might be suitable for you is being advertised?

- Yes
- No

Comments (*optional*).

4) The Devon Home Choice Management Board may consider introducing flexible letting cycles. This may mean that some homes may be advertised whenever they become available and would not be advertised in accordance with the current advertising cycle (from midnight on Wednesday until midnight on the following Monday). This is something which I would like to see introduced.

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1	2	3	4	5
Completely agree	Agree	Neutral	Disagree	Strongly disagree

Comments (*optional*).



## **Section 9 - Reviews**

Any applicant has the right to request a review of decisions taken in regard to their application (see section 4.21 of the policy).

1) I am aware of how an applicant can request a review of their application.  
*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (*optional*).

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2) I understand the different roles of local authorities and landlords with regard to requesting a review.

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (*optional*).

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## **Section 10 – Proposed Change to the current policy**

Following discussions and consideration by the Devon Home Choice Management Board it is proposed to make the following changes to the current DHC Policy:

1) That the Band C for applicants with children under 8 living above the third floor (see section 3.6.3 of the policy) is not awarded in blocks of flats with lifts where improvement works have been carried out which include windows having been fitted with restrictors. This would enable landlords to allocate

homes to applicants with young children in the future. Do you agree that the band reason should be removed in these circumstances?

*Please select your answer below based on a scale of 1 (Completely agree) to 5 (Strongly disagree).*

1 Completely agree	2 Agree	3 Neutral	4 Disagree	5 Strongly disagree
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Comments (*optional*).

### **Section 11 – General**

1) Do you have any comments with regard the changes which are currently being proposed and which are detailed in the [proposed policy changes](#)?

- Yes
- No

(Please complete if you answered yes above)

2) Are there any banding reasons which you consider to be unfair? If yes please provide details.

- Yes
- No

(Please complete if you answered yes above)

3) Are there any other areas of the Devon Home Choice Policy which you think should be reviewed? Where possible please refer to the specific section of the policy.

Comments (*optional*).

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**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 revving 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](mailto:jryder@middevon.gov.uk) or Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing) [snewcombe@middevon.gov.uk](mailto: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:

<b>Title</b>	<b>Date</b>	<b>Version Approved</b>
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

- 1.0 Policy Statement
- 2.0 Policy Aims
- 3.0 Introduction
- 4.0 Responsibility of Residents & Visitors
- 5.0 Council and Housing Association tenants
- 6.0 Councils Responsibility for ASB
- 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 Council's 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?
<b>Accumulations</b>	Dog fouling on a premises		
	Rubbish on a premises		
	Noxious matter (domestic waste)		
<b>Air Pollution</b>	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
<b>Alcohol related</b>	Licensed premises		
		On-street or disorder at premises	Police
		Underage Drinking	Police
<b>Animals/Pests</b>	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
<b>Environmental</b>	Abandoned Vehicles		
	Fly-tipping		
	Fly-posting		
	Litter		
	Graffiti		
	Illegal Camping		
<b>High hedges</b>	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
<b>Light Pollution</b>	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	
<b>Noise</b>	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
<b>Properties in poor or derelict condition</b>	Empty homes		
	Unsanitary conditions		
<b>Other types of ASB</b>		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.

DRAFT

**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.

<b>ABOUT YOU</b>	
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?	
<b>ABOUT THE PROBLEM</b>	
Describe the problem you are experiencing:	
How long have you been experiencing a problem?	
<b>ABOUT THE PERSON/PROPERTY CAUSING THE PROBLEM</b>	
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:	
<b>ABOUT THE STEPS YOU HAVE TAKEN TO RESOLVE THE PROBLEM</b>			
<b>If you do not know who is causing the problem or where the problem is coming from please find out before submitting this form.</b>			
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			
<b>What are you completing the Impact Assessment on (which policy, service, MTFP reference etc)?</b>	Anti-Social Behaviour Policy		
<b>Version</b>	4	<b>Date</b>	February 2021
<b>Section 1 – Description</b> of what is being impact assessed			
<ul style="list-style-type: none"> <li>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).</li> <li>Whether the policy takes account of all the potential factors that could be associated with reports of ASB.</li> <li>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.</li> </ul>			
<b>Section 2A – People or communities that are <b>targeted or could be affected</b></b> (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>			
<b>Section 2B – People who are <b>delivering</b> the policy or service</b>			
<p>Staff responsible for responding to ASB complaints from the community.</p>			
<b>Section 3 – Evidence and data</b> 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>			
<b>Section 4 – Conclusions</b> drawn about the equalities impact (positive or negative) of the proposed change or new service/policy (Please use <b>prompt sheet</b> 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)**

<b>Identified issue drawn from your conclusions</b>	<b>Actions needed – can you mitigate the impacts? If you can how will you mitigate the impacts?</b>	<b>Who is responsible for the actions? When will the action be completed?</b>	<b>How will it be monitored? What is the expected outcome from the action?</b>
<b>Age</b>			
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.
<b>Disability</b>			
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.
<b>Gender Reassignment</b>			
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
<b>Marriage and Civil Partnership</b>			
No issues identified	N/A	N/A	N/A
<b>Pregnancy and Maternity</b>			
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.			
<b>Race</b> (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.
<b>Religion and Belief</b>			
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
<b>Sex</b>			
No issues identified	N/A	N/A	N/A
<b>Sexual Orientation</b>			
No issues identified	N/A	N/A	N/A
<b>Other</b> (including caring responsibilities, rurality, low income, Military Status etc)			
<b>Rurality</b> 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.

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



**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
<b>Produce newsletter for residents</b>	First edition published in 2019. Now have 700 subscribers for this single topic.
<b>Increase Gov Delivery sign up</b>	Sept 2018 - 3,664 subscribers Sept 2019 - 6,046 subscribers Sept 2020 - 8,830 subscribers
<b>Grow social media presence</b>	Sept 2018 - 1,622 Facebook followers  Sept 2019 - 2,182 Facebook followers  Sept 2020 - 2,948 Facebook followers.  Twitter – figures currently not available
<b>Increase Council generated news content</b>	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.
<b>Create joint campaigns with local media</b>	Two “return to our town centre campaigns” run by the Economic Development team via paid for adverts were launched.
<b>Support the business transformation project</b>	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.
<b>Launch annual residents survey</b>	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
<b>Launch a new community panel/recruit community champions</b>	This project has not begun.
<b>Improve work with town and parishes</b>	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.
<b>Create a database of social media groups to utilise</b>	Stakeholder list created and available on Sharepoint for other teams to access.
<b>Work with national campaigns to engage the younger electorate and future electorate</b>	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.
<b>Engage with hard to reach groups</b>	This is being led by Catherine Yandle. (The third forum took place in Dec 2020).

Figure 2

<b>Internal communication objective as set out in 2018 action plan</b>		<b>Evaluation</b>
<b>Create a more interactive staff newsletter</b>		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.
<b>Improve communication liaison with staff Impact Group</b>	Launched in Autumn 2019 with 16 representatives from across the Council departments and held each quarter since. Topics covered include Evolve, staff retention, benefits.
<b>Support internal projects such as Evolve</b>	Received positive feedback from L&D over Evolve launch. Supported with booklet, leaflet, articles, video and artwork.
<b>Explore options to create a more user friendly intranet</b>	Not started – long term project.
<b>Explore internal social media options</b>	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](mailto: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**  
[jlouis@middevon.gov.uk](mailto:jlouis@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.

<b>Title</b>	<b>Date</b>	<b>Version Approved</b>
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
<b>The Link</b>		Round up of weekly news, key events and decisions	Weekly (Mon)	Communications team
<b>Sharepoint</b>		Information sharing portal	Ongoing	IT and service areas
<b>Staff Q&amp;As</b>		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
<b>All officer emails</b>		Time sensitive or urgent issues to inform	As required	Leadership team Corporate Management team

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

**Table 2: Current methods of internal communication - members**

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

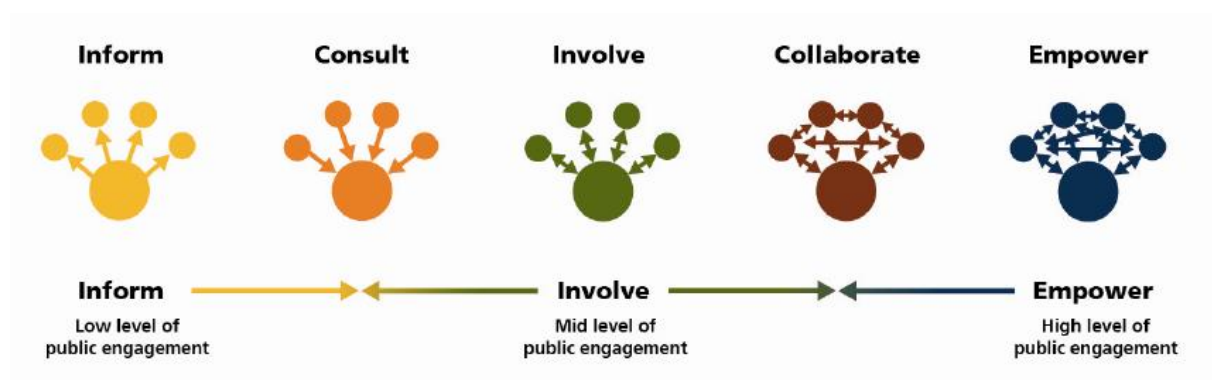
**Table 3: Proposed internal communication action plan**

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

## 5.0 Community Engagement

### Background

- 5.1 own Community engagement is about putting communities at the heart of their 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**

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

**Table 5: Proposed community engagement action plan**



<b>Objective</b>	<b>Responsibility</b>	<b>Method</b>
<b>Promote newsletter to residents</b>	Communications team	Promotional drive for newsletter Consider liaison with parishes/via parish newsletter
<b>Increase GovDelivery sign up</b>	Communications team	Continue to develop email subscribers. Look at alternative provider including via a new CRM
<b>Continue to grow social media presence</b>	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.
<b>Increase Council generated news content</b>	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.
<b>Create joint campaigns with local media</b>	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.
<b>Support the business transformation project</b>	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.
<b>Explore options for an annual residents survey</b>	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.
<b>Launch a new community</b>	Communications Team	To be considered in future with the Community Engagement Working

<b>panel/recruit community champions</b>		<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>
<b>Continue liaison work with town and parishes</b>	Communications Team and Member Services	Regular contact, WIS, monthly newsletter, member briefings etc
<b>Maintain a database of social media groups to utilise</b>	Communications Team	To maintain and update this database. To use it more frequently as part of the social media planning calendar
<b>Work with national campaigns and support national promotional weeks</b>	<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>
<b>Engage with hard to reach groups</b>	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.
<b>Develop corporate use of LinkedIn</b>	Communications with HR support	Develop connections across the platform
<b>Develop social media governance framework and forward plan</b>	Communications	<p>Launch social media governance group.</p> <p>Seek views from this group as well as IT and other councils.</p>
<b>Support Climate Change agenda</b>	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**  
[jlewis@middevon.gov.uk](mailto:jlewis@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](mailto: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](http://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:

<b>Chief Executive / Leadership Team</b>	Major corporate issues (and in situations where the Leader would normally respond but is not available within the timescale)
<b>Corporate Managers</b>	Corporate issues within their service areas (and in situations where the Cabinet Member would normally respond but is not available within the timescale)
<b>Officers</b>	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:

<b>Leader</b>	Strategic issues, key policy decisions, and other major corporate issues affecting the Council
<b>Cabinet Members</b>	Issues that come under their remit
<b>Chairmen of PDGs</b>	Issues their PDG is involved in
<b>Chairmen and Vice-Chairmen of committees</b>	Recent committee decisions
<b>Chairman and Vice-Chairman of Scrutiny</b>	Issues that Scrutiny raise and reviews that they are working on
<b>Local Ward Members</b>	Issues of particular local concern
<b>Group Leaders</b>	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](http://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](mailto: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](https://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](mailto:communications@middevon.gov.uk), then forwarded to the relevant staff and/or Members, as above.

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## 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 review the 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](mailto: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 1<sup>st</sup> January would come to an end on 31<sup>st</sup> 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 Coordinating 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](mailto: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](mailto: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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## CABINET

8<sup>th</sup> April 2021

### REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGENERATION

#### CULLOMPTON CONSERVATION AREA ASSESSMENT AND MANAGEMENT PLAN

**Cabinet Member** Cllr Richard Chesterton, Cabinet Member for Planning and Economic Regeneration

**Responsible Officer** Mrs Jenny Clifford, Head of Planning, Economy & Regeneration

**Reason for the Report:** To approve the Draft Cullompton Conservation Area Assessment and Management Plan (CAMP) to be published for public consultation.

#### RECOMMENDATIONS:

That Cabinet approves:

1. The draft Cullompton Conservation Area Assessment and Management Plan (Appendix 1 to this report), including proposed alterations to the extent of the Cullompton Conservation Area made through Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended), for public consultation.
2. That delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Regeneration to finalise the material and arrangements for consultation, including making any further updates to reflect matters discussed by the Planning Policy Advisory Group.

**Financial Implications:** Cullompton has been awarded a High Street Heritage Action Zone (HAZ) by Historic England. This will bring money in the form of a grant from Historic England to be invested in a core area at the centre of the Conservation Area. This money will be invested in the form of grants and public realm work. The draft Cullompton CAMP is a key document in the partnership with Historic England. It has been produced in house as part of the in kind match funding by Mid Devon District Council towards the High Street Heritage Action Zone (HAZ) agreement with Historic England.

This report does not identify the funding sources or arrangements that will be needed to deliver the regeneration opportunities or for the redevelopment sites that are identified within the draft Cullompton CAMP. Funding is likely to involve a range of public and private sector investment, and will include money from Historic England as part of the High Street HAZ agreement.

**Budget and Policy Framework:** The preparation of the Draft CAMP been undertaken as part of match funding from Mid Devon District Council for the Cullompton High Street HAZ.

The Policy Framework is extensive and is listed in section 2.4 of the CAMP. In summary it includes Statute, The National Planning Policy Framework, the adopted Mid Devon Local Plan and other documents that have been adopted or approved by the Council as well as locally determined policies and strategies, and national guidance that form an integral part of the decision making process.

The area defined as being within a conservation area boundary has statutory protection under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) where the Local Planning Authority is required, with respect to any buildings or other land in a conservation area, to give special attention to the desirability of preserving or enhancing the character or appearance of that area.

**Legal Implications:** The preparation and adoption of the CAMP, which includes alterations to the extent of the Cullompton Conservation Area, will need to comply with the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) and the Council's Statement of Community Involvement. Advice is also given in the Historic England publication - *Conservation Area Appraisal, Designation and Management Second edition, Historic England Advice Note 1, 2019*.

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Section 69(2) places a duty on the Local Planning Authority (LPA) to, from time to time, review their conservation area and determine whether any parts or further parts of their area should be designated as conservation areas.

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) Section 71 places a duty on the LPA to, from time to time, to formulate and publish proposals for the preservation and enhancement of any parts of their area which are conservation areas. Proposals will need to be submitted to a public meeting in the area to which they relate and the LPA shall have regard to any views expressed by persons attending the meeting.

Under section 70(8) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in addition to notifying both the Secretary of State and Historic England, a local planning authority is required to publicise designation of a conservation area by a notice placed in the London Gazette and a local newspaper. The local authority must follow the same publicity procedures to vary or cancel a designation as required to designate.

The CAMP will not form part of the Development Plan for Mid Devon. It is not being prepared as a Supplementary Planning Document (SPD) since it will contain a suite of 'management plan principles' and is not intended to provide more detailed advice or guidance on land use policies than in the adopted Mid Devon Local Plan. However, once adopted, the CAMP will be capable of being a material consideration

in the determination of planning, listed building consent and advertisement consent applications relating to Cullompton Conservation Area.

**Risk Assessment:** Failure to review the conservation area and to formulate proposals for preservation and enhancement is part of the statutory duties placed on LPAs. The production of the CAMP is also to support regeneration of the Cullompton Town Centre as part of the High Street HAZ, and it is a key document in this respect. Failure to produce it may harm the High Street HAZ going forward. Overall there could be deterioration in commercial activity, a less vibrant centre, less coordinated development and uncertainty over essential infrastructure. Since the initiation of this project COVID-19 has introduced a significant risk to economic prosperity.

The CAMP is considered to be a key document by Historic England with regards to the High Street HAZ project. Its production is part of the agreement with Historic England and an in kind contribution by this Council to the HAZ programme. It is considered an important part of the overall programme, the commitment made by this Council and is part of our partnership approach with Historic England over the Cullompton's heritage via the HAZ scheme.

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

**Impact on Climate Change:** The CAMP is, by its nature, neutral on climate change. The CAMP should be considered part of a suite of documents produced by the Council such as the Cullompton Town Centre Masterplan SPD that is currently being prepared, where climate change is a core principle, and advice and guidance from Historic England on Climate Change and Heritage.

**Relationship to Corporate Plan:** The CAMP will include a suite of 28 principles to help guide management in the Cullompton Conservation Area. The 28 principles can help the following priority areas and actions identified in in the Council's Corporate Plan 2020-24:

- Homes: Promote the regeneration of our town centres by working with landlords and property developers to improve and increase the supply of quality housing;
- Economy: Identify strategic and tactical interventions to create economic and community confidence and pride in the places we live. This includes a continued focus on Town Centre Regeneration; and
- Community: Promote new, more integrated approaches to better health and living especially in the context of planned new developments.

## **1.0 Introduction: Background**

- 1.1 There is a statutory requirement for the Council as Local Planning Authority to review its conservation areas from time to time. Historic England advice is every 5 years. The Cullompton Conservation Area was last reviewed in 2009.

- 1.2 The Council has bid for schemes to bring investment to Cullompton and has been successful in securing a High Street Heritage Action Zone (HAZ) for Cullompton with Historic England.
- 1.3 A review of the Cullompton Conservation area assessment and management plan (referred to hereafter as the Cullompton 'CAMP') has been agreed as part of the in kind match funding for the High Street HAZ. Officers have been responsible for preparing a draft Cullompton CAMP.
- 1.4 The Cullompton CAMP will form a key document in a suite of documents for the regeneration of the town, along with the Master Plan, the Neighbourhood plan and the Local Plan, to help enhance the town's economic prospects and provide a clear strategy to ensure the town meets its full potential as an attractive and thriving town post COVID-19 and into the 21<sup>st</sup> century. It will provide the umbrella framework within which the Cullompton High Street HAZ works will be delivered.
- 1.5 The Cullompton CAMP defines and records the special architectural and historic interest of the Conservation Area and identifies opportunities for enhancement. This appraisal conforms to Historic England's guidance as set out in *Conservation Area Appraisal, Designation and Management Second edition, Historic England Advice Note 1, 2019*
- 1.6 Whilst there is only one statutory requirement with regard to public consultation on the Cullompton CAMP, which is one public meeting in the area, it is good practice to undertake more, and detailed consultation adds weight to the document when it may be used for decision-making. There will be one stage of consultation in accordance with the Council's Statement of Community Involvement. The Secretary of State and Historic England will be notified of the consultation on the proposed amendments to the extent of the conservation area

## **2.0 Content of the Draft Cullompton CAMP**

- 2.1 The Cullompton CAMP, once adopted will not in itself form part of the Development Plan for planning purposes, but will be capable of being a material consideration in the determination of planning and other applications. The draft Cullompton CAMP is attached as **Appendix 1** to this report.
- 2.2 There are two parts to the Cullompton CAMP and two appendices.
  - Part 1: Character Appraisal - to define the special interest of the conservation area and identify the issues which threaten the special qualities of the conservation area;
  - Part 2: Management Proposals – to provide guidelines to prevent harm and achieve enhancement
  - Appendix 1            Glossary of Architectural Terms

- Appendix 2 Bibliography

### *Part 1 – Character Appraisal*

#### 2.3 Part 1 Character Appraisal considers:

- The location and landscape setting of Cullompton, and includes the historic development of the settlement
- The historic urban character
- Key historic influences
- The setting of the conservation area
- General character and plan form
- Landmarks, special features, views and materials

#### 2.4 The Character Appraisal breaks the Conservation Area into 6 character areas:

Character Area 1- Parish Church of St Andrew and Environs

Character Area 2 – Character Area Boundaries

Character Area 3 – Exeter Hill

Character Area 4 – Fore Street

Character Area 5 – High Street / Higher Bullring

Character Area 6 – Higher Street and Station Road

These character areas are shown on the maps in the map section. The Character Appraisal provides the following information for each character area: a description; its special architectural and historic interests; scale, height and building line; significant buildings and groups; key unlisted buildings; trees and green spaces; local features; typical details; key colour characteristics; views; materials; and, key negatives.

#### 2.5 10 key negatives have been identified and are brought together as key issues. They are:

- Volume and Nature of Traffic
- Traffic Management
- Public Realm
- Uncoordinated and poor quality floor scape
- Public Alleys to Cullompton Community Association Fields and Shortlands Road
- New Cut, off Fore Street
- Area to South of seating area to south of Trotts Almhouses, at North end of High Street.
- Street Furniture, Trees and on Road Parking
- Raised Concrete Kerb along much of Fore Street
- Loss of original architectural details and building materials
- Poor quality of new developments, building alterations and extensions
- Lack of Routine Building Maintenance and Repair
- Unsightly Satellite Dishes

- Sub-division of properties
- Overhead power lines and telephone lines
- Negative sites and buildings
- Land adjacent to No 12, Gravel WalkC
- Cobbles at Pye Corner
- Hebron Evangelical Church, off Queen Square
- Hayridge Centre Car Park
- Land at No 19 High Street
- Clarks Court Off High Street
- Public Toilets and land adjacent to Station Road
- Police Station, Station Road
- Roundabout at Entrance to Supermarket on Station Road
- No 60 Higher Street

### *Part 2 – Management Proposals*

- 2.6 Part 2, “Management Proposals” includes a set of 28 proposed management principles to provide a series of issues and recommendations for improvement and change in response to the each of the key negatives identified through the Character Appraisal. These are principles, not policies, and are intended to guide and inform the management of the Conservation Area where proposals are made, and to bring together public agencies, private land owners and the public to work together in these enhancements to the conservation area.

## **3.0 Proposed alterations to the extent of the Cullompton Conservation Area**

- 3.1 The boundary for the Cullompton Conservation Area has previously been reviewed at the time of the Conservation Area Appraisal in 2003, and again in 2009. Historic England advises that resources permitting, a review of conservation areas every five years is ideal, but the review period will vary according to the development pressures in the local area. The adopted Local Plan makes clear that in the medium to long term, the market town of Cullompton will become the strategic focus of new development, reflecting its accessibility, economic potential and environmental capacity. Development will be targeted to:

- Provide sustainable urban extensions containing a mix of fit for purpose homes, businesses, local shopping and other services and sustainable transport links
- Provide enhancements to the town centre through additional investment, traffic and transport improvements and environmental enhancements to provide a significant boost to its vitality and viability, provide for a better range of retail and other uses and a significantly improved visitor environment
- Develop any remaining underused brownfield sites within the town



- Protect and enhance the key environmental assets including heritage, biodiversity and air quality

3.2 It is in the context of the Local Plan and preparation of the draft Cullompton CAMP that an appraisal of the Cullompton Conservation Area has been undertaken. This appraisal has found that a number of alterations are needed to the extent of the Cullompton Conservation Area, which are now proposed to be made through Section 69(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended). The proposed alterations to the extent of the Cullompton Conservation Area are listed in Section 10 of the draft Cullompton CAMP. Each proposed alteration includes a written explanation and is shown on Map 1 in the draft Cullompton CAMP. The list of proposed alterations to the extent of the Cullompton Conservation Area is reproduced from Section 10 of the draft CAMP below:

### **Proposed changes to the extent of the Cullompton Conservation Area:**

#### **Additions:**

1. Part of Leat to the north of the conservation area where it is visible from Station Road. Leat is a continuous important historic feature. Its age is uncertain but dates from at last 1633
2. The Cullompton Leat between Higher Mill and Middle Mill Lane. Its age is uncertain although it is shown on a map of 1633. Of historic interest.
3. The Cullompton Leat south to and including Lower Mill. Lower Mill is first shown on a map of 1633. Originally a corn mill it was converted to a woollen factory in the 19th century, although by the 1880s it was being used for grinding animal feed. The mill last worked in 1968. It has now been converted. The mill is an important unlisted mill building, and areas which are residual open space.
4. Tannery Building to east of Exeter Hill and wall: Important historic building at gateway to conservation area, and significant to the understanding of Cullompton and its industrial heritage.
5. Land rear of Nos 62 to 28 Fore Street. Conservation area currently drawn to rear of buildings and often cutting buildings. This area brings in the residual areas of discernable burgage plots and the rear ranges of buildings.
6. Open land to the west of Walronds and to the rear of numbers 12 and 18 Fore Street. This brings into the conservation area open land which is surviving and undeveloped burgage plots. Important historic remnants significant to the conservation area.
7. Fields to West of 54 and 60 Higher Street: Open land to the east of the Scheduled Ancient Monument of the Roman Fort and Camp on St Andrews Hill. Open area important and of significance both to the Roman site and to the conservation area.

#### **Deletions:**

1. 51 to 61 Station Road: At the last review the site adjoining was removed. Whilst there is some significance to these houses which are shown on

the First Edition OS as Station Cottages, their context and alteration made to them over time mean that the area no longer merits being in a conservation area.

2. Clarks Court off Forge Way: Early 21<sup>st</sup> Century building. Not of sufficient interest for area to remain in conservation area.
3. Land to south of Priory Cottage off Lower Mill Lane: Bungalow under construction not of sufficient merit to remain in conservation area.
4. Part of building to the rear of No 5 Way's Lane. To exclude the part of the supermarket building included in the conservation area. The building is not of sufficient interest for area to remain in conservation area.
5. House to east of 1b Tiverton Road. New house on plot bisected by conservation area. New house not of sufficient interest for area to remain in conservation area.
6. Part of building to east end of Old Scout Hut, Tiverton Road. Building not of sufficient interest to be in conservation area
7. Small part of garden to No 3 Stoneleigh Gardens. Correction in boundary. Land not of sufficient interest to be in conservation area

- 3.3 The proposed alterations to the extent of the Cullompton Conservation Area are considered appropriate in the context of the requirement within paragraph 186 of the National Planning Policy Framework (NPPF) which states:

*"When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest."*

- 3.4 Conservation area designation introduces some additional controls over the way owners can alter or develop their properties. However, owners of residential properties generally consider these controls to be beneficial because they also sustain, and/or enhance, the value of property within it. This has been confirmed by research by the London School of Economics; see G Ahlfeldt, N Holman and N Wendland, An Assessment of the effects of Conservation Areas on Value, London School of Economics, 2012.

- 3.5 These controls include:

- the requirement in legislation and national planning policies to preserve and/or enhance, as discussed further in the NPPF and the PPG
- local planning policies which pay special attention to the desirability of preserving or enhancing the character or appearance of the area
- control over demolition of unlisted buildings
- control over works to trees

- limitations on the types of advertisements which can be displayed with deemed consent
- restriction on the types of development which can be carried out without the need for planning permission (permitted development rights)
- support for the use of article 4 directions to remove permitted development rights where avoidable damage is occurring
- clarification of archaeological interest, thereby assisting its protection

#### **4.0 Planning Policy Advisory Group**

- 4.1 The Planning Policy Advisory Group (PPAG) considered the draft Cullompton CAMP at its meeting on the 18<sup>th</sup> March 2021. The draft CAMP has been updated in relation to queries raised about 'Important Unlisted Buildings'. The PPAG has noted there will be an opportunity to finalise the draft CAMP once it has been consulted on and responses taken into consideration. Subject to the revisions being made the PPAG was satisfied that the report can be considered at the Cabinet meeting.

#### **5.0 Next Steps**

##### *Public consultation*

- 5.1 The draft Cullompton CAMP including proposed alterations to the extent of the Cullompton Conservation Area will be published for public consultation for a period of 6 weeks in accordance with the Council's adopted Statement of Community Involvement.
- 5.2 It is intended that the public consultation on the draft Cullompton CAMP and proposed alterations to the extent of the Cullompton Conservation Area will take place starting in May 2021 at the same time as public consultation on a draft Cullompton Town Centre Masterplan, and a draft Mid Devon Shop Front Design Guide.
- 5.3 The Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a specific requirement for the Council to notify the Secretary of State and Historic England of the consultation on the proposed amendments to the extent of the conservation area. The Act also requires that proposals will need to be submitted to a public meeting in the area to which they relate and the Council shall have regard to any views expressed by persons attending the meeting. Due to current restrictions placed on travel and public gatherings because of the Covid-19 pandemic it is intended that a public meeting will take place on-line during the consultation period. There will be an opportunity for members of the public to express an interest to the Council in advance so that they are able to participate in the meeting. It is also intended to write to property owner/occupiers where properties are to be

either brought into or removed from the Conservation Area as a result of the proposed boundary changes.

- 5.5 Once the consultation has ended and officers have considered all of the comments received, the final version of the Cullompton CAMP and the proposed alterations to the extent of the Cullompton Conservation Area, including any amendments necessary to these, will be reported back to the Cabinet for formal adoption.
- 5.6 When the document has been formally adopted a notice will need to be placed in the London Gazette and a local newspaper informing of the decision.

#### *Timetable*

- 5.7 A provisional timetable for the next stages in the production of the Cullompton CAMP masterplan are set out as follows:

Action	Date
Public Consultation	May / June 2021
Adoption	July / August 2021

## **6.0 Conclusion**

- 6.1 The Cullompton CAMP will provide a framework that can be used to help guide development in a coordinated and comprehensive manner. Once adopted, it will be capable of being a material planning consideration to help guide the decisions made on planning applications. The production of an adopted CAMP for Cullompton is fundamental to the regeneration of Cullompton and moving the High Street HAZ forward.

**Contact for more information:** Greg Venn, Conservation Officer  
[gvenn@middevon.gov.uk](mailto:gvenn@middevon.gov.uk)

07816 362501 (Part time: Mon-Wed and every other Thurs.)

#### **Background Papers:**

The Adopted Mid Devon Local Plan (2013-2033):  
<https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan-and-policies-maps/>

The Cullompton Conservation Area Appraisal and Management Plan 2009:

[https://www.middevon.gov.uk/media/114976/cullompton\\_conservation\\_appraisal\\_revised\\_2009.pdf](https://www.middevon.gov.uk/media/114976/cullompton_conservation_appraisal_revised_2009.pdf)

<https://www.middevon.gov.uk/media/114977/cullompton-conservation-area-appraisal-2009-plans-1-8.pdf>

<https://www.middevon.gov.uk/media/114972/cullompton-conservation-area-management-plan-combined.pdf>

<https://www.middevon.gov.uk/media/114973/cullompton-conservation-area-management-plan-plans-1-4.pdf>

Referendum version of the Cullompton Neighbourhood Plan

<https://www.middevon.gov.uk/media/350767/cnp-final-referendum-version-26-aug-2020.pdf>

Planning (Listed Buildings and Conservation Areas) Act 1990

<https://www.legislation.gov.uk/ukpga/1990/9/content>  
[S](#)

National Planning Practice Guidance for the historic environment

<https://www.gov.uk/guidance/conserving-and-enhancing-the-historic-environment#decision-taking-historic-environment>

**Circulation of the Report:**

Cabinet, Ward Members

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# Part 1 Character Appraisal

## 1 Summary

### 1.1 Summary of Special interest

The character appraisal of the Cullompton Conservation Area concludes that the special interest of the area derives from the following key characteristics:

- A coherent and well preserved street pattern of at least mediaeval origins with a tight urban grain
- Interesting and important network of yards and passages, reflecting former burgrave plots, and historic functions
- Intimate and walkable character
- Traces of Cullompton's former industries including leather working, bell founding, paper making and woollen industry and three mills on the leat
- Weekly market, still taking place on the original livestock market site at the Higher Bullring
- Fine landscape setting with views of and from the surrounding countryside
- Some outstanding buildings especially the St Andrew's Parish Church and Merchants Houses, including The Walronds
- Landmark quality of St Andrew's Parish Church tower
- A rich and varied townscape, stemming from buildings of different periods and the gently meandering line of the main street
- Other listed buildings, and buildings of local interest, many of group value
- Number of surviving 19<sup>th</sup> and early 20<sup>th</sup> century shopfronts
- High number of independent retailers contributing to the town's distinctiveness

### 1.2 Key Issues

Based on the negative features identified in Section 9 - The Character Areas of the Conservation Area - a number of issues have been identified and are listed below. These form the basis for the Management Proposals in the part two of this document.

#### **1 Volume and Nature of traffic, and Highway Management.**

Given the nodal connection to the motorway, there is high volume of traffic in the main streets of Cullompton which is passing through on its way to and from the motorway. This includes heavy good vehicles passing through the historic core. The volume of traffic results in queuing at the principal junctions, and when deliveries are made along Fore Street. Along with the narrow pavement widths, this makes the experience of the historic core quite unpleasant, with the noise, fumes and dirt from the traffic, and at times a feeling of danger for those on foot and bicycle.

#### **2 Traffic Management**

There is clutter from signage, road markings and traffic islands, some of which relates to highways for direction or for restrictions such as parking.

### **3 Public Realm**

A number of negative impacts in the public realm have been identified within the conservation area appraisal. Some are site specific whilst others have an impact throughout the conservation area.

- Uncoordinated and poor quality floor scape: Paving and surface materials throughout the area are generally modern, uncoordinated and poor quality. In almost all cases they fail to enhance or re-inforce the historic identity of the conservation area. Patch repairs in the public highway, or where service trenches are cut, can lead to alternative lower quality and out of place materials being used
- The public accessible pathways to the leat, Forge Way car park, and to Shortlands Road are not legible or welcoming. It is not clear, other to those who know, that they are public paths and where they lead to. The path back to Forge Way car park is not marked
- The public path along New Cut accesses Shortlands lane. The former Methodist Chapel is accessed via this lane with an open area to the front and a derelict site to the rear of No 20 Fore Street. The Chapel is no longer in use for worship and is in private ownership and with planning permission for an alternative use. The run nature of this area is uninviting and harmful to the conservation area
- Trotts Almshouses are an attractive building listed as being of national importance. The seating area to the south gable is an attractive and well used area. To the south of this is an expanse of tarmac and tactile paving, signage and traffic control associated with the busy highway junction. This appears quite bland and out of character by reasons of the materials and the open nature of the site
- The street furniture, as distinct from traffic control, has grown organically. This has led to a cluttered and uncoordinated appearance
- The Higher Bullring is dominated by car parking, the volume and nature of traffic passing through it and associated traffic control measures, and street furniture which has been provided organically over time. The listed War Memorial is a key land mark building here. It is compromised by car parking, and uncoordinated street furniture
- The raised concrete double kerb along Fore Street works to divide the footpath from the carriageway and as a method of surface water control, the path and road being at the same level. It is an unusual, non-traditional, incongruous and unattractive feature in the conservation area which also harms the setting of highly graded listed buildings

### **4 Loss of original architectural details and inappropriate building materials.**

Many of the unlisted, and some of the listed, buildings in the conservation area have been adversely affected by the replacement of original timber sash windows, casement windows and doors with uPVC or aluminium, the replacement of natural roof slates with man-made slate or natural slate being turnerised. In the case of shopfronts there are a number of cases where the replacement or alteration of historic shop fronts and advertisements has spoiled the external appearance of a building and the local streetscape.

### **5 Poor quality of new developments, building alterations and extensions**

Some relatively modern developments are out of character with the conservation area by reason of their inappropriate design, scale or materials.

## **6 Lack of routine building maintenance and repair**

Buildings in the conservation area are generally in good condition but there are instances of the neglect through lack of routine maintenance and repair which results in unsightly buildings.

## **7 Unsightly satellite dishes**

Satellite dishes are a feature of modern living. Unfortunately, when located on the front of a historic building, a satellite dish can spoil the appearance of the building and the street scene. They have a particularly noticeable adverse effect when a black dish is sited on a light background, especially render. In certain circumstances, satellites dishes may have been installed without the need for planning permission and/or listed building consent.

## **8 Sub-division of properties into flats**

Sub-division of properties into flats or let for multiple occupancy can tend to erode external character through poorly maintained buildings, gardens and shared areas by absentee landlords. There can be a lack of external storage for bins etc. and multiple external wires for services.

## **9 Overhead power lines and telephone lines**

A number of streets retain above ground servicing by telephone and power cables radiating out from and between telegraph poles which adds clutter to the street scene. In many cases the telegraph poles are metal and have been poorly maintained.

## **10 Negative sites and buildings**

This appraisal has identified 'negative' buildings and areas i.e. buildings and areas which clearly detract from the character or appearance of the conservation area and could suitably be redeveloped or improved. In addition, there are is are vacant sites where some form of built development has the potential to improve the town-scape. The following sites and/or buildings, marked on the accompanying map 5, clearly detract from the character or appearance of the conservation area, and in some cases to the setting of listed buildings.

- Land adjacent to No 12, Gravel Walk
- Cobbles at Pye Corner
- Hebron Evangelical Church, off Queen Square
- Hayridge Centre Car Park
- Land at No 19 High Street
- Clarks Court Off High Street
- Public Toilets and land adjacent to Station Road
- Police Station, Station Road
- Roundabout at Entrance to Supermarket on Station Road
- No 60 Higher Street
- Trotts Almhouses, Higher Street

## **2 Introduction**

### **2.1 Statement of Objectives**

The purpose of this Character Statement is to provide a basic summary of the elements that together contribute to the special character and appearance of the conservation area. It is intended also to be supporting information for alterations to the conservation area boundary.

The intention is that the completed document will be adopted by Mid Devon District Council.

It is hoped that local residents, the Town Council, Devon County Council and others (such as utility companies) will also find the document useful.

The Conservation Area Appraisal has been compiled to analyse the Conservation Area. The Management Plan is to be read in conjunction with the Appraisal and puts forward proposals for its future, and how it will be managed.

The Conservation Area Appraisal will be considered by Mid Devon's Cabinet for formal adoption in the late spring/early summer of 2021.

### **2.2 Community Involvement and Consultation**

Prior to commencing preparation of this draft document, the Town Council, District and County Councillors and key stakeholders were consulted and asked if they had any views on the existing documents.

Staff in the Mid Devon planning office have been consulted on this draft document.

The next stages will be that the Planning Policy Advisory Group of Mid Devon Council considered the document on the 18th of March 2021 and agreed that the document, with some minor alterations, be forwarded to Mid Devon's Cabinet.

The document will be consulted on in accordance with the Council's Statement of Public Involvement. This will include consultation with all Key Stakeholders, and the owner/occupier of all properties where there is proposed to be a change to their property (being taken into or out of the conservation area) will be written to. It is anticipated that notices similar to those used to advertise planning applications will be positioned in the areas of greatest change with links to the Council's website where the document will be on display. During the 6 week consultation period there will be one public meeting held taking into account the Covid restrictions in place at that time.

This section of the document will be updated as the process moves forward.

### **2.3 The purpose of a Conservation Area Character Appraisal**

A conservation area is defined as 'an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance'. Section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) requires local planning authorities to

formulate and publish proposals for the preservation and enhancement of these conservation areas. In response to this statutory requirement, this appraisal document defines and records the special architectural and historic interest of the conservation area and identifies opportunities for enhancement. This appraisal conforms to Historic England's guidance as set out in Conservation Area Appraisal, Designation and Management Second edition, Historic England Advice Note 1, 2019. This document therefore seeks to:

- define the special interest of the conservation area and identify the issues which threaten the special qualities of the conservation area (in the form of Part 1: Character Appraisal);
- provide guidelines to prevent harm and achieve enhancement (in the form of the Part 2: Management Proposals)

## **2.4 The Planning Policy Context**

This appraisal provides a firm basis on which applications for development within the Conservation area can be assessed. It should be read in conjunction with the wider development plan policy framework produced by Mid Devon District Council. Any applications will also be considered in the wider statutory context and against the guidance in the National Planning Policy Framework (NPPF), the SPD produced by Mid Devon and any relevant guidance produced by Historic England.

### **Statute**

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) gives a general duty as respects conservation areas in exercise of planning functions. The Local Planning Authority is required, with respect to any buildings or other land in a conservation area, to give special attention to the desirability of preserving or enhancing the character or appearance of that area.

There are other statutory duties with regard to applications which relate to a listed building and or affect the setting of listed buildings where the Local Planning Authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (Section 16 and 66 of the above Act).

These provisions have been subject to case law in the Courts, and they must be given considerable importance and weight.

### **National Planning Policy Framework (NPPF)**

The NPPF should be read as a whole and is the main guidance from Government in relation to the determination of applications by the Local Planning Authority.

Chapter 16 - Conserving and Enhancing the Historic Environment, is the main part relative to heritage. This requires that great weight is given to a heritage assets conservation.

### **Local Plan**

Applications for development must be determined in accordance with the Development Plan unless material consideration indicate otherwise as required by section 38(6) of the Town and Country Planning Act 1990 (as amended).

The Mid Devon Local Plan 2013-2033 was adopted on July 29<sup>th</sup> 2020 following the publishing of the Inspectors Report which concluded that the Mid Devon Local Plan 2013-2033 provides an appropriate basis for the Planning of the District, provided that a number of main modifications (MMs), are made to it to make the Plan sound and capable of adoption.

The Mid Devon Local Plan Review 2013-2033 will guide development in the district over a 20 year period and aims to ensure that new homes, jobs and services needed by communities are located in the most sustainable places. It will also help deliver the infrastructure, facilities and other developments needed to make this possible. The spatial strategy of the Plan is to make the market town of Cullompton the strategic focus of new development which reflects its existing status as one of the larger settlements in the District as well as its accessibility, economic potential and environmental capacity.

Development will be targeted to:

- Provide sustainable urban extensions containing a mix of fit for purpose homes, businesses, local shopping and other services and sustainable transport links
- Provide enhancements to the town centre through additional investment, traffic and transport improvements and environmental enhancements to provide a significant boost to its vitality and viability, provide for a better range of retail and other uses and a significantly improved visitor environment
- Develop any remaining underused brownfield sites within the town
- Protect and enhance the key environmental assets including heritage, biodiversity and air quality.

In addition to District wide policies, a strategic policy is set out in the Local Plan for Cullompton. This sets out the strategic focus of Cullompton whilst recognising the closely related issues of air quality and traffic impact which affect the centre of the Conservation Area.

### **Policy S11 - Cullompton**

Cullompton will develop as a fast growing market town with a strategic role in the hierarchy of settlements in Mid Devon. The town will become the strategic focus of new development reflecting its accessibility, economic potential and environmental capacity. This strategy will improve access to housing through urban extensions and expanded employment opportunities. There will be significant improvements to the town's infrastructure and connectivity, including the reopening of the railway station, and improved services for its population and nearby rural areas. Proposals will provide for approximately 3,930 dwellings, of which 1,100 will be affordable, and 73,500 gross square metres of commercial floor space over the plan period.

### **The Council will guide high quality development and other investment to:**

- a) Make any necessary strategic mitigations to maintain highway capacity, safety, integrity, and sustainability including the M5 and local highway network in conjunction with current and relevant infrastructure plans;*



- b) Promote further public transport improvements within Cullompton and to other urban centres (particularly Tiverton and Exeter) and improved access to the rail network by the reopening of Cullompton Railway Station;*
- c) Continue measures to support the implementation of the Cullompton Air Quality Action Plan including the construction of new highway links to relieve the town centre and enhanced walking and cycling opportunities around the town;*
- d) Manage the town centre so that economic regeneration and heritage reinforce each other by promoting new homes, shops, leisure, offices and other key town centre uses which are well designed and contribute to vitality and viability;*
- e) Provide community infrastructure such as education and enhanced open space to support new development proposals;*
- f) Enhance the tourism and visitor role of the town and surrounding area; and*
- g) Support measures to reduce flood risk within Cullompton and make provision for green infrastructure.*

## **Other Advice and Guidance**

The District Council has produced the following advice

The Mid Devon Design Guide - which was adopted in 2020

Design Guide to Windows and Doors

Design Guide to Roofs and Chimneys

Design of Shopfronts and Associated Advertisements, which is Supplementary Planning Guidance in the course of preparation at the time of writing.

Historic England produce a wealth of advice and guidance on the historic environment. This can be found at <https://historicengland.org.uk/advice/find/a-z-publications/>

## **2.5 Wider Planning Context**

### **Cullompton Neighbourhood Plan Submission**

The Cullompton Neighbourhood Plan represents the community's vision and priorities for how they would like to see the Cullompton area develop and change in the coming years. The Cullompton Neighbourhood Plan has been subject to an independent examination, and with the examiner's recommended modifications can proceed to a referendum. This referendum is expected to take place in the spring 2021. Should the referendum be passed then the plan will be capable of being adopted by Mid Devon District Council as part of the statutory development plan for the area.

The Cullompton Neighbourhood

- Ensure all new developments contribute to the overall sustainability of Cullompton as a

town and a community

- Improve mobility, accessibility and reduce the overall use and impact of the motor vehicle
- Provide new dwellings to meet a wide range of needs and demands
- Respect and appreciate our natural environment
- Protect and enhance our historic built environment whilst broadening the appeal of the town and its cultural activities
- Make Cullompton more business friendly and commercially viable
- Provide first class local community facilities and develop community-based services that meet the growing demands of the community

Plans sets out a number of planning policies which seek to:

- Ensure all new developments contribute to the overall sustainability of Cullompton as a town and a community
- Improve mobility, accessibility and reduce the overall use and impact of the motor vehicle
- Provide new dwellings to meet a wide range of needs and demands
- Respect and appreciate our natural environment
- Protect and enhance our historic built environment whilst broadening the appeal of the town and its cultural activities
- Make Cullompton more business friendly and commercially viable
- Provide first class local community facilities and develop community-based services that meet the growing demands of the community

## **Culm Garden Village**

In January 2017, the Government identified an area to the east of Cullompton on the other side of the M5 as a 'Garden Village', with the potential to deliver up to 5,000 new homes alongside jobs, schools and community facilities. The Garden Village includes an area which is allocated for mixed use development in the Local Plan. A masterplan is being developed for the Garden Village which considers the strategic location of homes, neighbourhood centres, employment areas, community facilities, green infrastructure and connections, as well as principles for the development. The stage 1 draft of the Culm Garden Village masterplan was consulted on in January/February 2019.

## **Heritage Action Zone**

Following a successful bid, Cullompton has been selected for the High Streets Heritage Action Zones scheme and the District Council with its partners will work with Historic England to develop plans to revive the high street over a four-year programme. The fund will deliver physical improvements and cultural activities to regenerate Fore Street and restore local historic character. Through the programme, councils, businesses and community groups will be able to access expert advice and investment to bring historic buildings back to life.

## **Cullompton Town Centre Master Plan**

The Cullompton Town Centre Masterplan presents a vision and spatial framework to guide future development and investment in Cullompton Town Centre. It provides realistic principles and overarching guidance to bring together the design and future delivery of development, public realm improvements and transport projects in Cullompton. It provides an overarching framework within which the Heritage Action Zone will operate.

## **North-West Urban Extension**

The Local Plan allocates sites for development on the north-west edge of the town. A masterplan for the area was adopted as a Supplementary Planning Guidance in 2016. Since then, planning applications for the first 600 homes are in the process of being approved which will also deliver a new road, around the north of the town.

## **Relief Road**

Traffic in the town centre is having an adverse effect on air quality, living conditions, the heritage assets and their setting, and the overall attractiveness of the town. A key objective of the Local Plan has been to implement a relief road which diverts traffic away from the town centre and improves capacity. Following an option analysis and consultation, a preferred route option was approved by Devon County Council in March 2019. The route runs through the CCA fields alongside the rail line, joining Duke Street to the south and Station Road to the north. The planning application for the relief road was approved in January 2021 by Mid Devon District Council. The relief road is planned to be completed by 2023.

The Relief Road is being designed to minimise impact on the CCA fields, and presents an opportunity for the Masterplan to seek to improve the sense of arrival to the town at Millennium Way/Station Road.

## **Improvements to M5 Junction 28**

Devon County Council is presently pursuing funding for works intended to address capacity, environmental and safety concerns, whilst also providing a substantial improvement for pedestrian and cycle movements across the motorway.

## **Cullompton Rail Station**

The Local Plan sets the objective of reopening the rail station. This is currently being led by the District Council who are seeking funding opportunities.

# **3 Location and Landscape Setting**

*Note the following section is largely a reproduction of the Devon Historic Coastal and Market Towns Survey for Cullompton and full acknowledgement is given in that respect.*

## **3.1 Location and Activities**

Cullompton is located in Mid Devon. It lies within the Culm Valley, which extends from the Blackdown Hills to join the Exe on the outskirts of Exeter. Twelve miles north of Exeter, 20 miles south-west of Taunton and 4 miles south-east of Tiverton, the town is focused on the western valley side, on a spur of raised ground between tributary streams, with the River Culm meandering through its floodplain to the east. The valley bottom is also dissected by the mainline railway and M5 motorway, running parallel, along the eastern side of the town. This part of Mid Devon is an important transport corridor between Devon and Somerset, and, although it no longer has a railway

station (closed 1960s), Cullompton has its own motorway junction (and services, occupying part of the former station site). The B3181 (part of a much earlier route from Bristol to Exeter) passes north-south through the town centre, and historic roads from Honiton (A373) and Tiverton run in from the east and west, with several lesser roads and lanes radiating out to surrounding farms, hamlets and villages.

### **3.2 Geology and Topography**

The underlying geology is red marl, sandstone and conglomerate, which make up the Devon Redlands and give rise to distinctive hummocky hills, examples of which frame Cullompton – Paulsland Hill to the north-west, St Andrew's Hill to the west-north-west, Padbrook Hill to the south – and form an important aspect of its topographical setting. Viewed from these hills the town appears to be nestled down onto the Culm valley bottom, yet most parts are elevated above it. The historic core (and main thoroughfare) of the town lies between St Andrew's Hill and the River Culm, occupying a north-south strip of relatively level ground just above the valley floor. While it is backed against the hill on the west, the historic eastern limit of Cullompton is a sub-channel of the Culm, which was important as the town's mill leat and survives today as a prominent topographical feature. To the north and south, the older town limits are defined by the valleys of tributary streams running west-east to join the River Culm near the bottoms of Station Road and Duke Street.

Since the mediaeval period, Cullompton has expanded well beyond the spur of level ground bounded by these tributaries down into the two valleys, which provided water for post-mediaeval and later industry, and into meadows edging onto the main valley floor. Large-scale civic, retail and recreational activity is now focused here, and (particularly during the late 20<sup>th</sup> and early 21<sup>st</sup> centuries) there has been a large amount of mainly residential development to the north and west of the historic core, which has more than trebled Cullompton's size. St Andrew's Hill, previously an area of enclosed rough ground, is now part of the urban area and an extensive swathe of more gently undulating mediaeval farmland is covered by housing and a new network of associated roads.

Water continues to be an important element of Cullompton: in addition to the river/valley-side setting, there are streams, leats, culverted water supplies or the river itself, encroaching on or running through most parts of the town.

### **3.3 Historical Development**

The natural resources of this part of the Culm Valley were clearly exploited by hunter-gatherers and early farming communities. This included settlement of the elevated, valley-side plateau that later became the focus of the mediaeval town. Prehistoric settlement remains (ditches, gullies and pits) have been recorded at two locations within the study area in both cases on sites subsequently occupied during the Roman period east of Shortlands Lane and West of Willand Road. Further evidence of prehistoric activity has been recorded in the surrounding vicinity.

#### **3.3.1 Roman proto-urban military settlement:**

During the Roman period, as a result of its proximity to the legionary fortress and civitas capital at Exeter, and its position overlooking the River Culm, the location became strategically important and the focus of military and related activity. Most notable are the earthwork and below-ground remains of two (successive) Roman forts and camps on top of St Andrew's Hill, on

the north-western edge of the present town, and, on the plateau below a civilian settlement and cemetery. It may have extended as far north as the base of St Andrew's Hill, up to (and perhaps across) the line of Tiverton Road.

Present evidence suggests that alongside the continuation of pre-Roman farming communities, a proto-urban settlement developed on the western part of the site later occupied by the mediaeval town. Originating during the Iron Age or earlier prehistoric period, this may have evolved in response to the establishment of the fort on St Andrew's Hill during the mid-1<sup>st</sup> century AD, servicing the garrison with local produce and benefitting from the opportunity for increased foreign trade. The late 4th century date of the settlement's final occupation phase ties in with it having gone out of use as a result of the fort being abandoned and Roman occupation of Britain coming to an end.

### **3.3.2 'Columtune' – Saxon royal estate and minster.**

There is an hiatus of direct evidence in terms of the historical development of Cullompton during the 500 years from the end of the Roman period to the late 9<sup>th</sup> century AD, by which time a Saxon settlement was in existence.

The earliest documentary record is contained in the will (AD 872) of King Alfred the Great, in which he bequeathed 'Columtune' to his younger son, Ethelward, indicating that it was a royal holding. The place name is derived from the Celtic river name cwlwn ('looped' or 'winding' river) and -ton, suggesting an important early estate centre. In 1020 Cullompton passed to Gytha, the Danish princess who married Earl Godwin and mother of King Harold.

At Domesday (1086), Cullompton was not recorded as a separate manor and was probably included as part of the royal manor of Silverton. There is, however, a reference to a church at Cullompton, suggesting a pre-conquest minster. Emerging during the late 7<sup>th</sup> to 9<sup>th</sup> centuries and often located at royal centres, minsters housed groups of priests serving the pastoral needs of the population in their parochiae (large territories subsequently divided up into today's smaller local parishes).

The presence of a minster church, combined with the place-name evidence and advantageous location (on the banks of the Culm, within a fertile lowland plain), suggests that Cullompton may have been the centre of an early estate, the administrative centre of which later moved to Silverton. The Domesday Survey records, at 'Colump', a church with five prebends (manors which financially supported it) -Upton, Colebrook, Weaver (partly in Plymtree), Henland (in Kentisbeare) and unidentified 'Esse'. The fact that some of these are in neighbouring parishes may be evidence for Cullompton's previous wider influence.

Analysis of the present-day plan-form and topography, together with the location of St Andrew's Parish Church, indicates a geographical shift in settlement focus, from the Roman site on the west side of Fore Street (below St Andrew's Hill), south-east to the crest of the spur overlooking the River Culm. It is possible, however, that earlier (Roman) settlement occurred there as well.

The present church is set well back from (south-east of) Cullompton's main (mediaeval) street, within a sub-rectangular enclosure, formed by the churchyard and the lanes running around its west, south and part of its east side. This is the appearance of a precinct or close, and may

be a survival of the layout of a minster church surrounded by Canon's houses, with wide tenement plots behind.

At the death of William the Conqueror (1087), Cullompton church was given to Battle Abbey, along with its prebends. The annexation would have deprived the minster church of its income and although the 'college' of priests may have continued to exist for a while, the structure of the foundation would have been undermined, and with the transfer of the church and its endowments to St Nicholas's Priory in Exeter during the late 11<sup>th</sup>/early 12<sup>th</sup> century it probably ceased to be Collegiate. By the late 12<sup>th</sup> century there was only a single vicar and the church would have become indistinguishable from an ordinary parish church.

### **Mediaeval market town.**

During the mediaeval period (c1066-1540) Cullompton's diminishing religious status was replaced by its increasing role as a trading and manufacturing centre for the surrounding farming area. Benefitting from its location next to the River Culm, with water-powered mills at nearby Higher and Lower Kingsmill from at least the 13<sup>th</sup> century, it became a base for flour production and for the woollen cloth manufacture for which Devon was famous from the later mediaeval period.

Despite not being documented as a borough until 1640, when it is recorded as 'Burgus', the evidence indicates that Cullompton was a town long before then - a grant was made in 1278 for a market on Thursday and a 3-day fair at the festival of St John the Baptist; in 1317/18 a Tuesday market and fair at the feast of St George was granted. Moreover, the town has a plan-form that confirms it as a part organically evolved and part deliberately laid out mediaeval urban settlement.

### **The key phases/components of the mediaeval town are:**

- Minster /St Andrew's Parish Church - existing minster church, apparently dedicated to St Mary, was replaced by a new parish church during 15<sup>th</sup> century (re-dedication to St Andrew granted 1436); Lane Chapel erected 1526 by wool capitalist (decorated with symbols of the wool trade, including carved angels holding cloth shears); large tower added 1545-9; church restored and partly rebuilt in 19<sup>th</sup> century
- Initial urban development – likely to have been focused on the area (adjacent to the church/precinct) already settled during the Saxon period
- Initial market place - may have been a sub-triangular area formed by: the splayed area, known as Lower Bull Ring where Exeter Hill and Cockpit Hill merge at the south end of Fore Street; together with Queen Square (formerly a more open space); and the area now occupied by the buildings fronting the east side of Fore Street, at its south end, and the north side of Queen Square
- Initial streets, Church Street and Lower Church Street connecting the minster church precinct to the initial market place
- Fore Street - main axis of the mediaeval town: which runs north-south, along and taking advantage of the long axis of the plateau on which the town developed; together with the burgage plots either side of it, this street appears to be a deliberately laid out rectangular block of urban development
- Burgage plots - rectangular blocks of long, parallel strips now fossilised by property boundaries on both sides of Fore Street; on the west side burgage plots front the whole of Fore Street and the southern end of High Street; on the east side this northern



limit is defined by the line of a (still partly surviving) west-east leat, and the block of burgage plots extends as far south as the northern edge of the already established early mediaeval (minster) settlement.

- Tiverton Road – the straight, eastern end of this lane runs through the burgage plots and is part of the planned layout of the mediaeval town; it may originally have curved around the base of St Andrew's Hill, before being redirected to provide access into the mediaeval Fore Street, with which it forms a T-junction. Alternatively, the original route may have followed the approximate line of what (in the post-mediaeval period) became Shortlands Lane
- Town Leat and New Cut – a watercourse for domestic supply granted to the town by the Abbot of Buckland in 1356; water rising in the hills 2½ miles to the west flowed as a stream into a pond at Shortlands, from where it ran along several open channels into the centre of town (including along what is now New Cut), and then both ways along Fore Street and to other parts of the town; covered over since the 1960s, but line still detectable in places
- Later market place, Higher Bull Ring – wide lozenge-shaped area formed by the 'bowing' out of a street (High Street) used as a market area; this market place may date back to the late mediaeval period or be of early post-mediaeval origin
- Possible late mediaeval tenement plots – shorter parallel plots fronting both sides of Higher Bull Ring, to the north of the burgage plots; may be late mediaeval in origin or early post-mediaeval.

The remaining land within the present town extent would have been covered in strip fields and other agricultural enclosures, with two farmsteads, Padbrook and Padbrookhill, located on the south, and water meadows on the valley floor to the west providing rich summer pasture.

### **Post-mediaeval processing and trading centre**

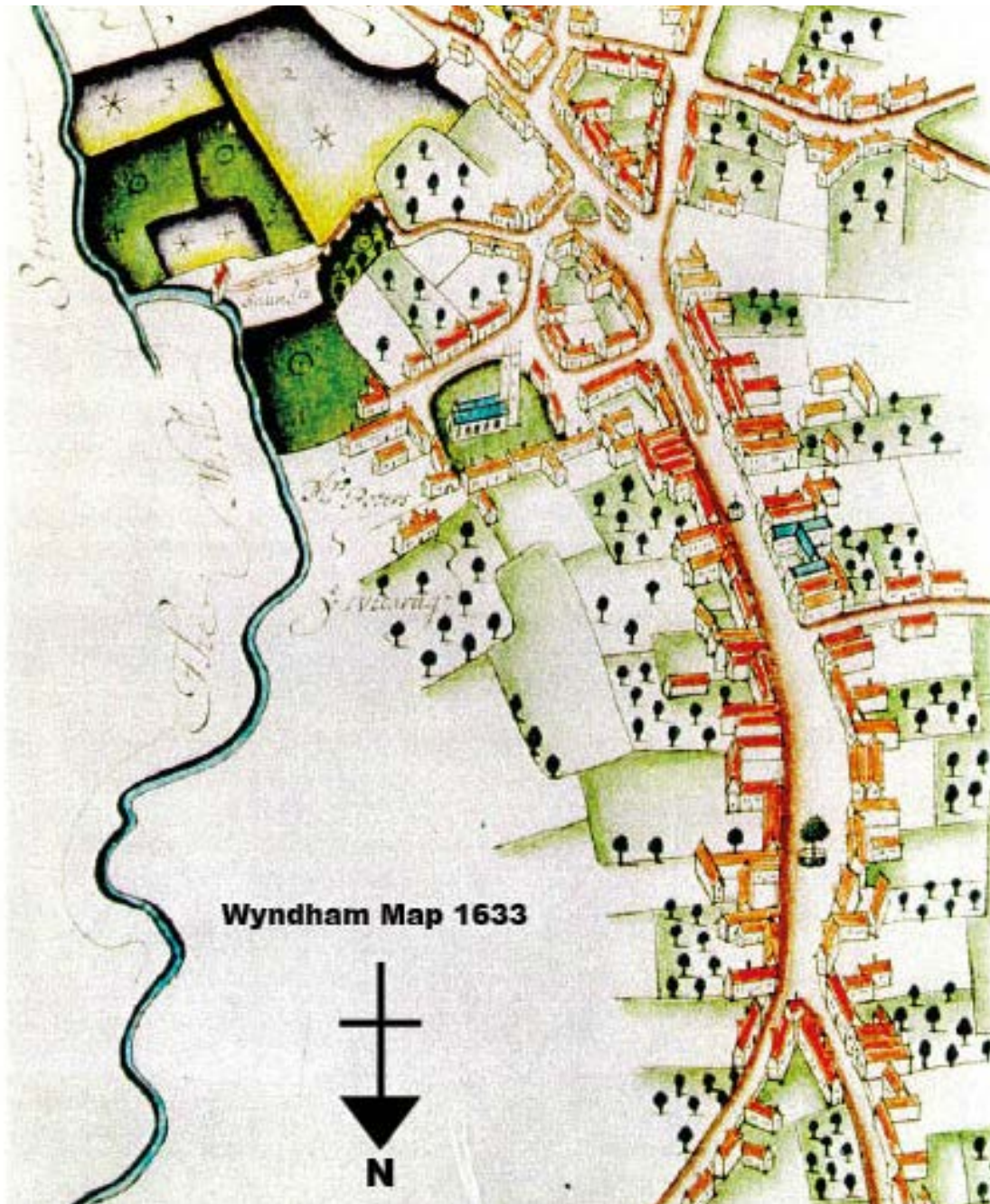
During the post-mediaeval period 'Culliton' continued to flourish as an important processing and trading centre for surrounding farms and villages. Woollen manufacturing increased, with Cullompton, like other Devon towns, manufacturing kersey for sale in London and abroad. Cloth produced was initially sent to Exeter for finishing, but by the early 17<sup>th</sup> century speciality kersey stockings were being produced in the town. Other industries were established – leather working, papermaking, bell founding – taking advantage of the ample water supply from the River Culm and numerous side streams. The town also benefitted from passing trade resulting from its location on the main Bristol to Exeter post road, along which it extended for '4 furlongs' according to Ogilby's 1675 atlas, no doubt being one of the places 'accommodated with fitting entertainment for travellers'.

From 1753 the road, which entered the town on the north via Higher Street and continued on to Exeter up Padbrook Hill, was improved and managed by the Exeter Turnpike Trust, with a tollhouse opposite the Bell Inn. Other routes also converged on Cullompton, including the road from Tiverton, maintained from 1767 by the Tiverton Turnpike Trust, with a toll chain/gate and house near North House, west of the post-mediaeval town, and the Honiton Road to the east, on which there was another tollhouse.

Much of the commercial core is depicted on the 1633 Wyndham Map, by which time development had expanded beyond the church area and Fore street into High Street, and buildings had started to extend out from the centre along the roads and lanes leading into the town – Higher Street and Lower Street (now Station Road) to the north, Tiverton Road to the west, Exeter

Hill, Cockpit Hill/Duke Street and Crow Green to the south (with the suggestion from the 1633 map that by that date Shortlands Lane was also in existence, running along the back of the mediaeval burgage plots, to the west of Fore Street).

At the southern end of the town, the extension of roadside frontage down back lanes (Church Street, Lower Church Street, Cockpit Hill, Way's Lane, Lower Mill Lane) and the widening of several junctions (Lower Bull Ring, Queen Square, Pound Square) created two distinctive, detached blocks of development - to the west of the church and at the triangular junction of Cockpit Hill with Exeter Hill.



Wyndham Map 1633 shows St Andrew's Parish Church, almshouses and merchants town houses

Over the next century, as Cullompton's economy grew, the density of development would undoubtedly have increased, but the only significant change to the plan form between 1633 and Donn's 1765 map was New Street. Laid out in a straight, diagonal line from the top of Exeter Hill to the lower part of Shortlands Lane, this was a planned single-phase development associated with the expanding woollen industry.



By the time of the c1802 OS surveyor's drawings, however, further accretive expansion had taken place around the older centre – to the north as far as Goblin Lane; on the west along Shortlands Lane; and, on the south, down Exeter Hill into the tributary valley, on the other side of which an additional settlement area was forming around the Bell Inn. To the east, the Mill Leat created a linear physical boundary (although the valley-slope between it and the back of Fore Street remained largely undeveloped), with the routes leading down to the Higher and Middle Mills adding two new lanes to the town plan.

The key physical changes/components of the post-mediaeval period are:

### **Commercial/mixed**

- The eastern side of the initial mediaeval market place was in-filled with buildings fronting onto the south end of Fore Street and rebuilding and back plot development took place along the rest of the street
- The commercial core of the town grew to encompass the whole of the area from the top of Lower Street (now Station Road) in the north to the top of Exeter Hill in the south, with three distinct market areas operating in conjunction with each other:
  1. Higher Bull Ring was a wide area for trading sheep and cattle driven in from the surrounding countryside
  2. Fore Street was where produce was made and sold: the street was lined with coaching inns and merchants houses (with back courts containing stables, woollen workshops and workers housing); most notable is the stretch of largely unaltered c1600s street frontage (of large wool merchants 'houses: The Walronds, and Manor House, at the north end of Fore Street, on its western side; a market cross is shown on the 1633 and 1802 mapping in the centre of the street, half way along its length; and the shambles (meat and corn market) is depicted as a long thin building running down the middle of the street towards its southern end
  3. Lower Bull Ring including Queen Square, appears to have been a secondary livestock market, with Pound Square providing an additional area for holding animals (for market) and the name Cockpit Hill suggesting a location for cock fights.

### **Industrial**

#### **Mills**

- Higher, Middle and Lower Mills (with an associated mill pond), known as Cullompton Mills, along with Higher Kingsmill (2 mills) and Lower Kingsmill to the west of the town; the six mills are mentioned in a mortgage deed of 1700
- Higher Mill, also called Town Mill, and Lower Mill were used for grinding corn; Middle Mill had two wheels, one for corn, and one for leather processing
- Cullompton Leat which takes its water from the Spratford Stream (a tributary of the River Culm), fed the three mills (Higher, Middle & Lower) on the western side of the town from at least the early 17<sup>th</sup> century (Lower Mill and part of leat shown on the 1633 Wyndham Map)
- Higher Kingsmill had two (woollen) tucking mills in 1608 and was used for making paper from c1729; Lower Kingsmill in 1674 included 'three water greist mills one

fullinge mill one paper mill' (the earliest reference to a paper mill on the Culm), with 'Lower and Higher Rackfield' (indicating areas of racks on which fulled cloth was stretched) recorded in 1792.

## Woollen industry

- Shortlands Woollen Mill - William Upcott's serge manufactory, constructed on the western edge of the town (late 1700s?)
- Possible woollen factory/workshops, north end of Higher Street, opposite Goblin Lane – line of small buildings on south side of lane to Court Farm (named as 'The College') also depicted on the 1802 OS drawings & Tithe Map, may represent an earlier part of the woollen factory north of lane on 1904 OS map.

## Bell founding

- Bell foundry – 1746 Thomas Bilbie established 'The West of England Church Bell-foundry' in Cullompton; over 400 bells hanging in Devonshire church towers were cast and founded there (including 8 of the 10 bells in St Andrew's Parish Church); 1815 business sold to William Pannell and was continued in the town, until moved to Exeter by his son in 1850; over the years various sites used by the foundry, including Almshouses building, Methodist Court, and Middle Mill.

## Civic

- Almshouses - on east side of Higher Street, north of Lower Street; founded 1522 for six poor men, by wealthy cloth merchant, John Trott
- Workhouse – appears to have stood in a back plot west of Fore Street, on south side of New Cut (on the site now occupied by the Royal British Legion hall); disused by 1839.

## Religious

From the late 17<sup>th</sup> century non-conformism grew in the town.

- Unitarian Chapel, Pound Square - 1698, rebuilt 1912
- Baptist chapel, High Street - 1743, rebuilt 1858. John Wesley first preaching in the town in 1748
- Wesleyan chapel, New Cut - 1764, replaced 1806, restored 1872 following a fire.

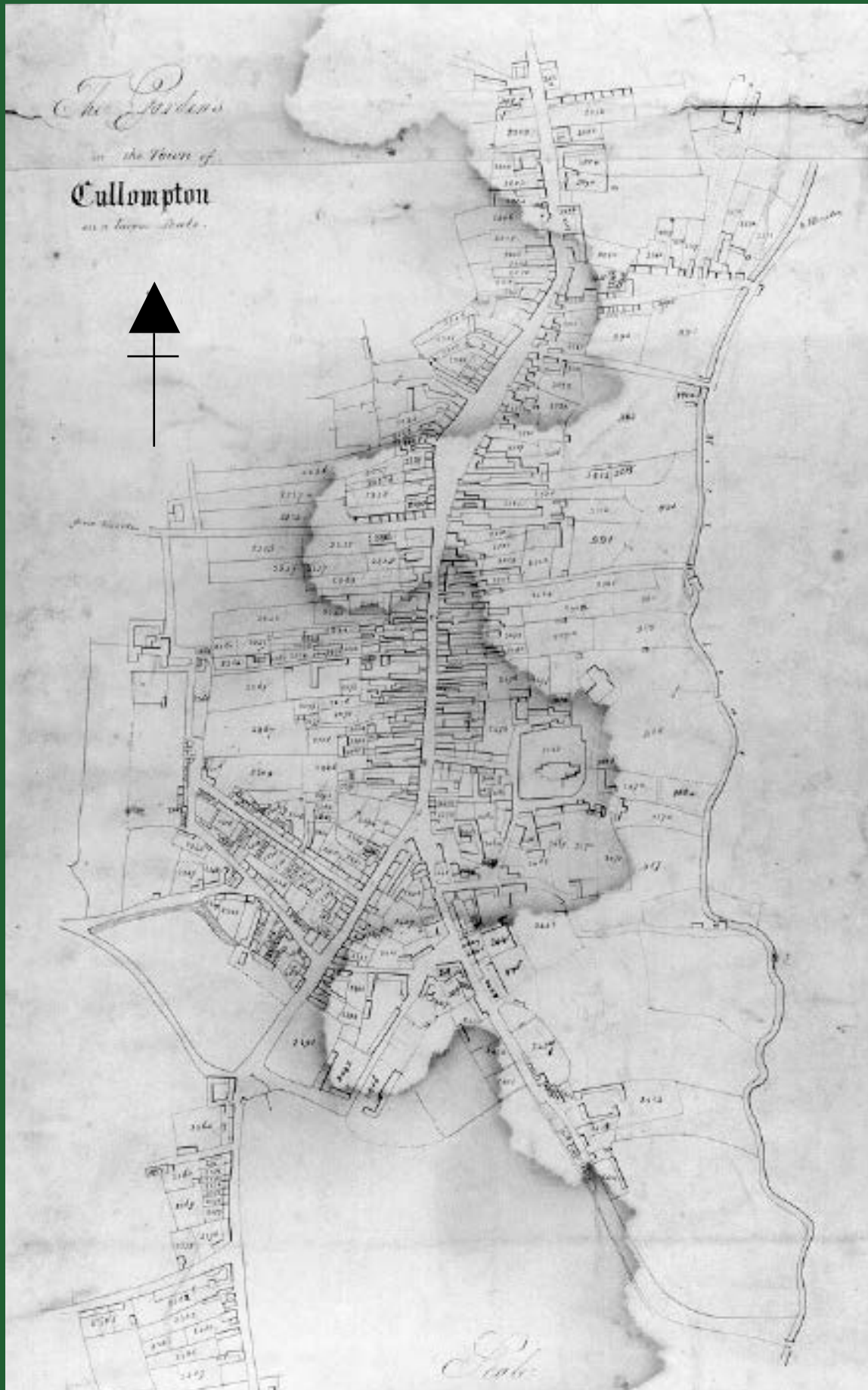


Unitarian Chapel, Pound Square Church

## **Residential/mixed**

- 17<sup>th</sup> century (1633 Wyndham Map) individual cottages and short rows lined the roads leading into the town centre (Exeter Hill, Crow Green, Duke Street, Tiverton Road, Higher and Lower Street (now Station Road))
- The area either side of Exeter Hill started to develop as a mixed residential and industrial area, with New Street being constructed in the early-mid 18<sup>th</sup> century to provide additional housing (with back yard work space) for those employed (by Upcott's) as home workers in the woollen industry
- A similar area of workers' housing and larger houses with (woollen and other) workshops behind started to develop at the north end of the town, along Higher Street and down into the top of Station Road (previously known as Lower Street)
- In contrast, the area immediately west and to the south of the parish church took on a village-like appearance, as it became transformed into a genteel residential enclave, away from commercial and industrial activity
- Vicarage - built north of church, with grounds occupying area of early mediaeval tenement plots, transforming it into landscaped garden; building depicted on 1633 Wyndham Map
- Other (later post-mediaeval) large detached houses, set in their own grounds – Court House, on the northern edge of the town; Brooke House on the south
- On the southern edge of the town, a linear settlement area along (mainly the west) side of Exeter Road had begun forming by at least the early 17<sup>th</sup> century (Wyndham Map 1633). With the Bell Inn forming its northern end point, it would probably have served as a resting place for travellers into the town, especially at market times and when the road into the town was blocked by floodwater from the adjacent tributary stream or the River Culm itself. During the 18<sup>th</sup> century, the location of a tollhouse here would have made this a natural stopping point
- Another edge of town settlement area was Waterloo, a farm and collection of cottages at the south-west end of Duke Street. In 1695 Celia Fiennes described 'Culimton' as 'a good little market Town'. By the end of the post-mediaeval period it had evolved into more of an industrial settlement. Yet it still retained its country-town feel, surrounded by farmland and (according to the 1802 mapping) with orchards occupying most back plots and gardens.

# Collompton Tithe Map 1835



## **19<sup>th</sup> century - decline and revival**

The limited expansion beyond the post-mediaeval town limits was mainly the result of industrial development on its northern and southern edges.

By the early 1800s the commercial centre of the town seems to have been in a state of decline, being described in 1809 as 'principally of one old street badly paved and the centre much disfigured and obstructed by some old shambles', with the lack of any sewer system and resulting pollution of water supplies leading to insanitary conditions and frequent outbreaks of typhoid and malaria.

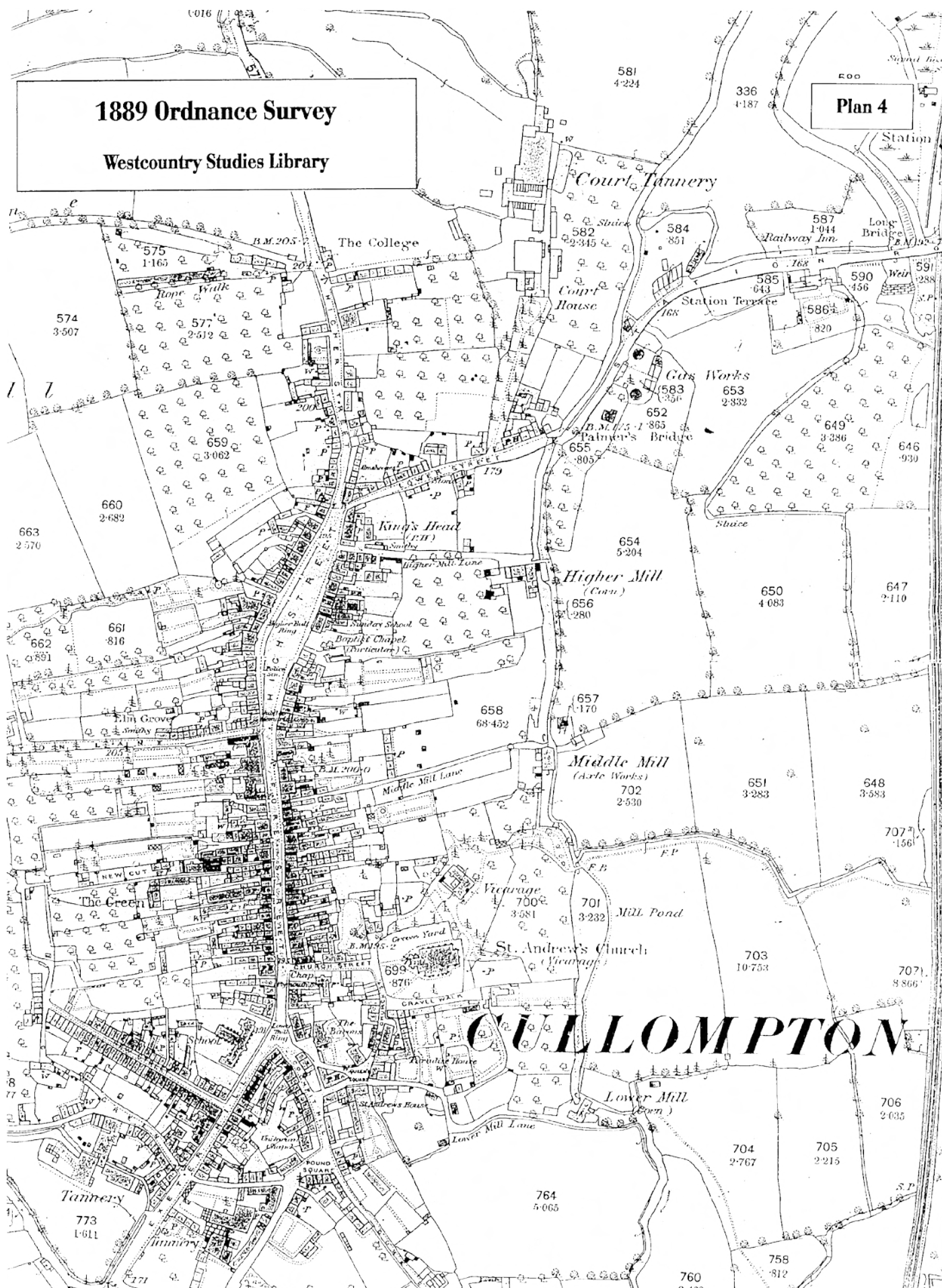
Woollen cloth manufacturing continued into the 19<sup>th</sup> century, with 60 weavers and many spinners being employed in 1816 at the Shortlands mill, which by the 1840s was the biggest employer in the town. In 1838 Cullompton still had 500 looms, now used to produce (poorer quality) serge cloth. Both Middle Mill and Lower Mill were adapted for woollen cloth production in the early 19<sup>th</sup> century. However, by the late 1800s one had become an axle works and the other was being used to grind animal feed, and in 1869 Shortlands closed, presumably as a result of the mechanisation of the weaving industry. Although woollen manufacture became a lesser part of Cullompton's economy, a (mechanised) branch factory was established by Fox Brothers in 1900, on the northern edge of the town, opposite Goblin Lane and around the same time there was a small-scale revival of the hand-weaving industry, in the stables of Heyford House, which evolved into the machine-knitting of garments.

Leather production gradually became the major industry in the town, helping to revive its fortunes. Large-scale tanneries were built on either side of the road at the bottom of Exeter Hill (Crow Green Tannery), north of Court House (Court Tannery), and (later) further to the east. Papermaking continued (at Kings Mill), changing from hand to machine-made in the 1890s, and a range of other industries also developed, such as: cabinet making, with Luxton's Furniture Factory occupying two sites in Duke Street: a twine works in Goblin Lane; East Culme Brick and Tile Works (off Knowle Lane). There were also two smithies in the town – one on Tiverton Road, the other on Higher Mill Lane.

The town also benefitted from significant improvements to the transport infrastructure. From 1813, the Cullompton Turnpike Trust established a new route to Exeter, replacing the earlier hilly Exeter Turnpike Trust route (up Padbrook Hill and via Bradninch and Killerton) with a more level one via Broad Clyst (now part of the B3181). In 1843-4 the Bristol and Exeter Railway, the southern extension of Brunel's Great Western Railway line from London to Bristol, was extended into Devon, passing just east of Cullompton, with a station being built north-east of the town. In addition to accommodating passengers, Cullompton Station became an important trading centre, with coal and goods yards, cattle trucks, a milk train and other local produce (such as bales of skins) exported by rail. As well as the development beginning to creep eastwards out from the town, along what was now Station Road, the Railway Inn was built west of the station.

The wealth, opportunity and status gained from revived industrial activity and improved transport links led to redevelopment of the commercial centre (High Street, Fore Street, top of Exeter Hill), with remodelling of older fronts and insertion of shop fronts, and the erection of some new buildings, such as a police station (1898) and several banks in Higher Bull Ring. The latter continued to be the location for sheep and cattle markets and for fairs, while the southern end of Fore Street





remained the focus for the sale of meat and other produce, with the Shambles being removed in 1811 and a replacement Market House established in the former Court House.

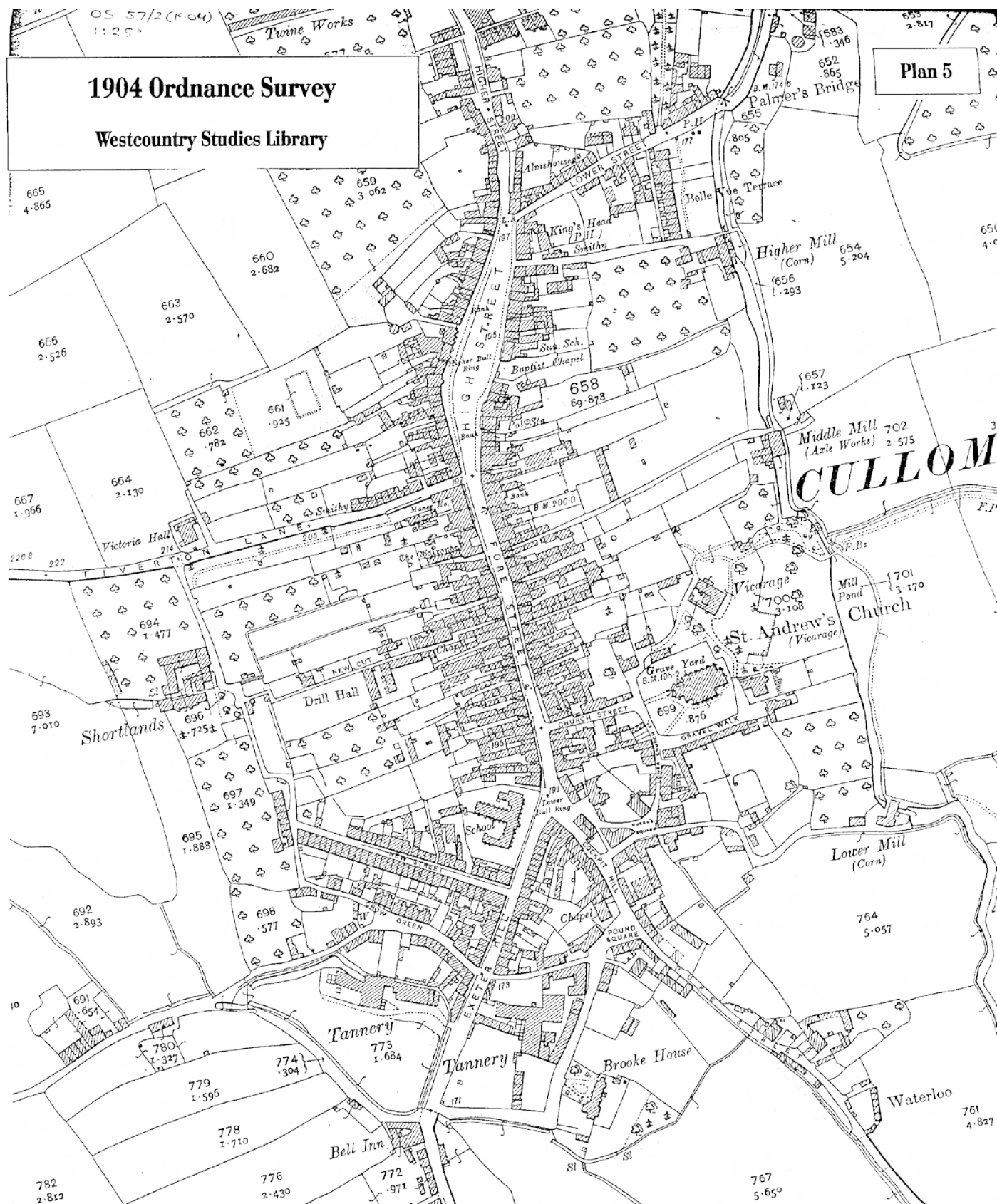
Other civic, religious and residential additions and improvements took place elsewhere in the town. Cullompton School was built c1870 at the top of Exeter Hill and in 1865 a town gas works in Station Road. A public cemetery, with two (Church of England & Non-conformist) mortuary chapels, was laid out on the western town edge, in Tiverton Road, the site also of an Independent chapel, erected in 1830 and later converted to assembly rooms. St Andrew's Parish Church was restored (1848-50), and the vicarage (1820), together with Church Street and houses to the east of the churchyard were all rebuilt in a grander style.

Lesser scaled, rows of industrial housing continued to be built adjacent to the edge-of-town factories and in connection with the building of the train station (Railway Terrace), and in 1839 a catastrophic fire led to the rebuilding of most of the worker's cottages in New Street and Crow Green, as well as many houses in Lower Bull Ring (thatched roofs and cob walls being replaced with slate and rendered stone and brick).

At the end of the century, more substantial terraces were constructed for the wealthier inhabitants of Cullompton, including Belle Vue Terrace on Station Road. Located just above the valley floor, at right angles to the road, with front gardens running down to the Mill Leat, this would have formed an attractive gateway into the town from the railway station. Beyond the town, along the approaching roads and lanes were wayside cottages, in places forming small hamlets, such as at St George's well, to the north.

The revival of Cullompton by the end of the 19<sup>th</sup> century is indicated by a 1910 account, which states that 'the houses for the most part are clean and smart in appearance, and the side streets and recently built terraces add considerably to the beauty of the town'.







## **20<sup>th</sup>/21<sup>st</sup> century service and commuter town.**

During the 20<sup>th</sup> century Cullompton expanded dramatically beyond its former limits.

From the early 1900s commercial and industrial development extended out across the valley bottom to the railway. This included the cattle market (relocated in 1918 from Higher Bull Ring to a field behind the Railway Inn), Culm Leather Dressing Works (established 1921 beside the station) and a sawmill on the east bank of the mill leat. Later in the century trading/industrial estates developed on the valley floor south of Station Road (an area now, in part, occupied by a large supermarket).

Smaller-scale commercial/industrial ventures sprung up elsewhere, including the 1930s Cullompton Hotel, at the southern entrance to the town. Further towards the town, Selwood's Tannery at Crow Green continued in operation until gutted by a fire in 1958, since when parts of the site have been occupied by a petrol station and supermarket. Some small-scale light industry still takes place in the northern part of the town, though the Woollen factory there closed in 1977 and Court Tannery is now a farm.

Twentieth century alterations to the regional/national rail and road infrastructure have had a great impact. While direct rail links were withdrawn by the closure of Cullompton Station in 1964, a road bypass completed in 1969 was upgraded in 1974 to part of the M5, with the town having its own motorway exit (and services on the former railway station site since 1999). As a result, Cullompton has become an important commuter town for Exeter, significantly increasing its population.

In addition, its role as a service centre for the wider Culm Valley area has grown and diversified over the century. During the 1930s a new primary school was built on the south-east side of St Andrew's Hill, with the 1960s seeing the opening of Cullompton Secondary School to the east of Exeter Road and Willow Bank Primary School on Crow Bridge Road. In addition to schools, the town's civic, recreational and social facilities now include a police station; fire station; large sports centre area of extensive playing fields, bordering on the mill leat, now a recreational walkway; modern community centre next to the church and a modern library and community learning hub (The Hayridge Centre) on a site formerly occupied by a magistrates court and health centre site: with the new Culm Valley Integrated Centre For Health, as well as a GP surgery and vets practice; and care homes – the old vicarage and the Court House. Post war housing estates were laid out on the slopes of St Andrew's Hill and in former orchards and farmland to the west of Cullompton, with linear roadside development and estate housing also occurring along Willand Road and at St George's Well on the northern edge of the town. Later 20<sup>th</sup> (and early 21<sup>st</sup>) century residential development has further increased the western town extent, created a spear-head of expansion to the north and wrapped around the town's southern and south-eastern edge. Within the historic core of the town, the backs of former burgage plots on both sides of Fore Street and Higher Street have also been progressively infilled with houses during the 20<sup>th</sup> century.

Twentieth/Twenty-first century religious additions include: the 1929 St Boniface Roman Catholic Church at the bottom of Shortlands Road; Hebron Evangelical Church in Queen's Square, originally 1962, rebuilt 1980s; modern place of worship at the west end of Tiverton Road. Adjacent to the latter is an electrical sub-station, with other utilities (sewage/water) located east of Millennium Way and on the town's southern edge. Several new roads – St Andrews Road, Shortlands Road, Swallow Way, Langeland's Road, Forcefield Road, Meadow Lane, Millennium Way – have been laid out to provide access to the expanded town, which now covers five times the area that it did at the end of the 19<sup>th</sup> century.

## 4.0 Historic Urban Character

Cullompton's natural topography, coupled with the imprint on its plan-form and fabric of previous land use and over a 1000 years of continuous development, have resulted in a varied historic urban character -part village, part market town, part industrial settlement, part service centre/commuter belt, played out across the modern settlement.

The village-like character of the area around St Andrew's, overlooking remnant meadow-land on the valley bottom below, belies the fact that is part of the urban environment.

Fore Street, Higher Bull Ring and their back plots, however, have the enclosed and tightly-developed appearance and varied architecture of a mediaeval town core that has undergone successive rebuilding (including in response to at least four disastrous fires that damaged the town during the 17<sup>th</sup> to 19<sup>th</sup> centuries)

In contrast is the more homogenous architecture of the areas of later post-mediaeval and 19<sup>th</sup> century industrial expansion to the south and north of the centre. The slither of Shortlands Lane on the west, despite 20<sup>th</sup> century rebuilding, still references Cullompton's earliest factory, while the more open-plan character of the land adjoining Station Road reflects the larger-scale industrial and commercial development encouraged by the routing of the mainline railway, and the M5 along the eastern side of the town.

20<sup>th</sup> and 21<sup>st</sup> century social and private estate housing, together with associated civic (educational, health, recreational) facilities, defines the character of most of the rest of the town. A large swathe wrapping around its north, west and south sides, although St Andrew's Hill is a prominent and still largely undeveloped element of the urban topography.

Flowing through these disparate parts is the network of water courses (river, tributaries, Mill Leat, other channels and culverts) fundamentally important to Cullompton's historic development, influencing its location, supplying water to its inhabitants and powering its industries. The significance of this integrated water system cannot be overestimated and surviving elements are best understood as part of the overall character of the town, rather than just within the individual character areas.

Another distinctive characteristic of Cullompton is that rather than having a well-defined civic and communal focal point, these functions have shifted through time and are spread throughout the historic core. This shifting pattern, together with the lack of a predominant building material or phase, makes it difficult to give an overall architectural summary for the town; this is best achieved through the individual character area descriptions.

## 5.0 Key Historic influences

- Strategically important Roman settlement and fort
- Saxon Royal Holding and high religious status
- Mediaeval trading and manufacturing centre making wool products and six mills within the Parish
- 18<sup>th</sup> century one of four cloth towns in Devon manufacturing serge but declined by the end of the century. Other manufacturing include leather tanning and goods and paper mill
- Meeting point for 4 Turnpike Trusts in Georgian period, - Exeter, Honiton, Tiverton and Cullompton. However, its success as a transport centre was stifled by several major fires. One of the worst was in 1839, resulting in large-scale rebuilding. Despite the loss of a great number of old buildings, the medieval street pattern survived
- The opening of the station in 1844 supported the town's development and by 1899, Cullompton was a small town with a population of around 3,000 people. The railway station closed to passenger traffic in 1964
- By 1968 there had been considerable growth to the west and north and industrial development at the site of the former Kings Mill works. The Cullompton bypass was under construction and Cummings nursery had opened at Stonyford Bridge. Around the old station were Longridge Meadow and Alexandria Trading Estates. The bypass extended in the 1970s to Exeter as part of the M5. Since then, there has been further development at Kings Mill (Saunders Way), the supermarket store on site of former industry, and a new library in the town centre.

## 6.0 Setting of the Conservation Area

The immediate landscape setting of the conservation area is defined by the hills to the west and north, the river to the east which continues it over the plateau which extends to the foot of the Blackdown Hills. The town is well defined to the east by the natural flood plain of the river, and has grown on the more gentle gradients to the west. To the north and south the older limits of the town are defined by the valley of the streams running west to east to join the River Culm near the east end of Station Road and Duke Street.

The conservation area is broadly linear in form along Fore Street and High Street following the planned mediaeval form, forming a Y to the north along Higher Street and Station Road. At the South end there is an inverse Y to Exeter Road and Cockpit Hill with a small accretion around the Parish Church. The hills to the west mentioned above define the setting, and there are good views to the town from various viewpoints above such as near Trinity, and to the north from St Andrew's Hill (the site of the Scheduled Ancient Monument)

The strong visual containment continues to the east where there is no high land for some distance to see down onto the town, and where the conservation area is visible, it is the Parish Church Tower which stands out over the trees of the historic vicarage garden.

In summary its side of valley position on a plateau above the river with little development the steeper valley to the flood plain makes the town quite intimate and self-contained within the landscape with the Parish Church being the principle indicator of development.

## 7.0 General Character and plan form

The historic core of the conservation area is essential linear in form along the North South axis of Fore Street and High Street, with a Y and inverted Y at both ends (or a stretched X) and takes form from the topography on the southern plateaux above the river valley and the historic road pattern, which is essentially an extended crossing of 4 routes.

The principle streets of Fore Street, High Street, Higher Street, Station Road, Exeter Hill and Cockpit Hill have building lines on the road frontage and streets are of varying widths giving a tight knit character to the urban area. This pattern of main streets define the character and form. There are few secondary streets, these are principally to the south of the Parish Church and includes the small and more intimate Queen Square and Pound Square.

## 8.0 Landmarks, Special Features, Views and Materials

### Landmarks:

Landmark buildings are dealt with in more detail in each of the character areas, but a sample would include

Parish Church of St Andrew and Church Yard with its tower is prominent from many locations

Trott's Almshouses and attached covered seating area

The War Memorial in the Higher Bullring

K6 Telephone box in the Higher Bullring

The Former Police Station (1898) and Town Hall. Both with public clocks.

Manor Court Hotel, The Walronds and Merchant House in Fore Street

The open spaces of Cockpit Hill, Higher Bullring, Lower Bullring and Queen Square are all notable landmarks.

### Special Features:

The strong sense of enclosure on the streets with buildings directly to the rear of the pavement. Where a building is set back, there is a boundary wall, often 2m and taller to continue the sense of enclosure.

The mill leat is an attractive and tranquil rural edge of settlement public way fare.

Cobbles appear as paths in a variety of patterns, particularly on the accesses through the covered ways into the courts for example adjacent to The White Hart public house. In addition they appear in gullies along roadsides for example along Church Street or in front of properties as at the north side of Station Road and at Pye Corner.

Black diamond patterned clay paviours are also a distinctive material used around the town for footways for example on the south side of Queen Square. This material has been used in enhancement schemes for example on High Street.

Traditional cast iron street signs can be seen throughout the conservation area.

## **Materials**

Buildings are constructed in a variety of materials, although red clay brick (in Flemish bond) and render (rough cast and smooth) predominate. Some of the moulded brickwork is of high quality with detailed patterning, and several properties display the use of contrasting coloured bricks. Cob is not an uncommon survivor beneath the render.

Roofs are mostly blue/grey slate including artificial slate; a few have red clay tiles and a couple have thatched roofs. Some slate has been turnerised (covered in fabric and pitch). Dormers are rare but where they appear they are usually small, narrow and gabled.

Another characteristic feature of buildings in the central part of the conservation area is the oriel window or canted bay windows to the upper floors.

Shopfronts are wooden and painted. Whilst surviving complete historic shopfronts are rare, elements of earlier shop fronts survive in others, which includes historic decorative elements, which can be hidden by later alteration.

Most street furniture is modern, much of it the result of enhancement schemes in the 1990s.

## **Views**

The views are considered in more detail in each character area.

The character of the conservation area is that views out of the conservation area to the countryside are rare and are glimpses only.

There are views down on to the town from the hills the west, north and south.

The Parish Church of Andrew is often the focal point of views. These are largely fortuitous, but unplanned views do not have a diminished importance. The principal views of the Church Tower are

- East along Church Street
- South East along Higher Street
- South along Forge Way
- South East from St Andrews Hill
- West from the CCA fields, the railway line and the Church
- From the mill leat north of Lower Mill
- North up Gravel Walk from Queen Square.

## 9.0 Character Analysis

Conservation Areas are designated for their special character, but within the area there will usually be zones that express character variations but contribute to the whole. The definition of these 'sub areas' and the elements making up their character aids a more detailed and nuanced description of the character of the conservation area.

When using this document it should be noted that there will often be a transitional area between defined character areas where the character may contain characteristics of both adjacent areas. Cullompton's historic core, the conservation area, has a reasonably cohesive character based upon its network of streets and their mostly close-set built frontages, a distinct palette of materials and consistencies of scale. The area can be subdivided into six areas to aid description, also shown on Map 2:-

- **Character Area 1 - Parish Church of St Andrew and Environs**
- **Character Area 2 - Character Area Boundaries**
- **Character Area 3 - Exeter Hill**
- **Character Area 4 - Fore Street**
- **Character Area 5 - High Street/Higher Bullring**
- **Character Area 6 - Higher Street and Station Road**

## **9.1 Area 1: Parish Church of St Andrew and Environs**

This area encompasses the projecting spur overlooking the River Culm that was the focus of Cullompton's early mediaeval settlement, occupying the level crest and extending down gently sloping land to the mill leat (which forms its eastern edge) and the modern development to the north of Lower Mill Lane (on the south).

The Saxon origins of this area of the town are partly preserved in its plan-form – the sub-rectangular churchyard and surrounding lanes (Lower Church Street, Gravel Walk) probably reflecting the precinct of the minster church, with the wide, parallel garden strips to the south likely to be remnants of the tenement plots (behind Canon's houses) that once surrounded the early mediaeval church. The spur is now crowned by the dominant presence of the 15<sup>th</sup> century St Andrew's Parish Church.

Set back from the mediaeval market area and away from post-mediaeval industry, the church environs evolved during the post-mediaeval period into a quiet residential enclave, including a vicarage (now converted) standing in extensive landscaped grounds. The area's genteel detachment was re-enforced by late 18<sup>th</sup> and 19<sup>th</sup> century rebuilding in the relatively polite and classically-influenced style of the vicarage, houses to the east of the churchyard and along the roads leading out to the Lower Bull Ring and Church Street. The latter was formed into an attractive formal approach from Fore Street, framing the view of the church tower. This character was reinforced by later 19<sup>th</sup> century Queen Anne and Arts and Crafts houses and extensions.

In general, this area has a small-village church-town feel, with narrow streets feeding into the central, open, churchyard area from the west and south-west, and the green and leafy grounds of the former vicarage (now a nursing home) and spacious gardens of other detached residences creating a rural appearance. Even the building of a large modern community centre along the northern side of the churchyard has not significantly diminished the village-green appearance of the latter. From within this area, its urban context is hinted at by glimpses of Fore Street, down Church Street.

To the west and north-west of the church, open areas of woodland and open grassed areas which are in the main historically the garden to the vicarage and slope down to the mill leat.

Historically, the northern part of this area, either side of Middle Mill Lane consisted of the backs of the mediaeval burgage plots which fronted onto Fore Street and the southern part of High Street. A leat running along the south side of Forge Way Car Park (north of area 1) marks their likely northern extent. The area to the north would probably have been mediaeval strip fields.

Although the parallel-strip pattern of this northern areas mediaeval origins has become blurred by modern subdivision and infill development, it is still detectable in the present plan-form. There are a considerable number of trees, good-sized gardens and a generally open feel to this area (increased by the watery presence of the mill leat and the views over the valley floor afforded by the sloping ground above), which provides a reminder of its earlier, semi-rural character.



### **Special architectural and historic interest:**

This area is the location of the Saxon minster from which the market town later developed, preserving evidence of these pre-urban origins in its plan-form and its set-apart, village-like character. This is focused around the mediaeval parish church, the size of which, together with the quality and richness of its 16th century tower and Lane Aisle makes it significant in its own right and as a reflection of the continuing wealth of the town during the post-mediaeval period. The surrounding buildings emphasise this high status and attendant good quality of design – confirming the area's intrinsic aesthetic values and its significance as an indicator of Cullompton's past wealth and success and continuing role as a centre for the surrounding countryside.

To the north it incorporates the backs of the eastern block of burgage plots and later mediaeval/early post-mediaeval tenements, which are part of the historic town core, with original plan-form and back-plot character still apparent, despite modern infill.

### **Scale, Height and Building line:**

Residential properties are two storey and historically on the back of the pavement with the exception of 2 Church Street and Nork House, No 15 Gravel Walk, which are set back behind contemporary low brick walls.

### **Significant Buildings and groups:**

St Andrew's Church: 15<sup>th</sup> century St Andrews Church with its Church yard and associated boundary walls, gates, railings and church yard monuments. It was built in 15<sup>th</sup> century with a large tower added in the 16th century. The Lane aisle was also added in the 16th century by wool merchant, John Lane. It is decorated with symbols of the wool trade.



St Andrew's Parish Church



St Patrick's, 1 Church Street: Detached two storey house with outbuildings, circa 1840. Symmetrical three window range, with later 19th century extension to left, single storey outbuilding to right.

4 and 5 Gravel Walk: Early 17th century house with later modifications and extensions, formerly a three-room and through passage plan house, now two properties.

The Retreat, 12 Gravel Walk: House forming part of a row to the south of the parish church. Circa 1660s with later alterations.

Church Cottage, Gravel Walk: House, forming part of a row to the south of the parish church. Seventeenth century, considerably remodeled in the 19th century.

Old Chimes, Gravel Walk: Detached house, mid-19th century, possibly the remodeling of an earlier house. Originally possibly a three-room cross-passage plan with later wings to front and rear.

15 Gravel Walk: Substantial detached red brick house occupying a prominent position to the east of the parish church, built 1888. Interior notable for the high quality of its craftsmanship.

The grade 2 listed The Retreat, Church Cottage, Old Chimes, Nork House, and Nos 1, 3, 4 and 5 Lower Church Street (Nos 1 and 3 not listed) which form the frame to the church as a group.

### **Key unlisted buildings:**

The Old Vicarage: Early 19th century vicarage, two storeys, L-shaped plan. Five window front with balcony in centre, and wood Doric porch in end wall. Much extended.

2 Church Street: Attractive and little altered terracotta and buff brick villa with interesting detailing. Also of interest is the low front brick wall and boundary wall.



2 Church Street.

The boundary walls to between Nos 4 Church Street and No 1 Lower Church Street, and the boundary wall

## **Trees and green spaces**

The Parish Church stands in an open church yard, giving the building space to be appreciated. Yew Tree in churchyard is an important visual feature standing in isolation.

The garden area to the front of No 2 Church Street is an important open space with its trees. To the north east and east of the church there is an area of grass, open land and trees which is a remarkable rural and quiet area which leads down to the leat. This is the remains of the extensive garden to the historic vicarage.

## **Local Features**

High walls fronting onto the road enclosing the raised church yard and private gardens. Some of the walls may be cob judging by their thickness.

### **Some cast iron railings to enclose front gardens.**

Cobbles: The cobbles remain on both side of Church Street in front of the houses and into Pye Corner where they lead to the Church Hall. There is evidence that they extended round into gravel walk in front of Nos 1, 3 and 4, but they have been covered in cement.



Cobbles at Pye Corner

Chimneys are red clay brick with plain terracotta pots. Chimneys are on the ridge, but there are some examples of smaller chimneys on the front roof slope.

## **Typical details**

The roofs are gabled, there are few hips and one half hip, but this is part of a roof which appears to have been historically thatched with a flush ridge.

Eaves details are largely traditional with small fascia boards close to the front of the building, or with overhanging rafter feet. There is little boxing in with a soffit, and where that does occur it is less than 100mm unless associated with the design of the house.

Rainwater goods traditionally cast metal half round with round down pipes and painted black on black fascia boards.

The typical orange-red brick is most often in Flemish bond.

Windows are both sliding sash and casements, and are painted. Casements are rebated and balanced. Windows have a vertical emphasis. Window surrounds are typically plain, but there are some period raised surrounds.

Doors (front doors and those to gardens) are painted.

There are very few historic dormers. Where they do appear they are usually small, narrow and gabled.

The boundaries of the burgage plots remain well defined. This includes to the rear of the properties which face onto the Church and to the rear of the White Hart Inn on Fore Street, where the modern house, Monk's Walk, has been inserted but the area to the east remains open and to grass. Outbuildings to the rear are subservient and at right angles to the road, the buildings lower in height away from the road frontage.

Boundary walls are 2m or more high and capped with brick or rounded or flat stone, or clay double roman roof tiles.

## **Key colour characteristics**

Render painted white and cream with black plinth. Brick is terracotta with buff or black detailing. Windows are painted white with one example of black.

Doors are painted panelled or boarded.

Roofs are dark, typical blue welsh slate or weathered clay.



## Views

The view to the Church along Church Street from Fore Street is exceptional with the entrance to the church yard and church tower at the west end framed by the houses in the street forming a strong vista.

There is also a strong view of the church north east from Lower Church Street when approaching north from Queen Square



St Andrew's Church from Queen Square



St Andrews Church east along Church Street

## Materials

Walls: Painted render. Render is roughcast and smooth. There may be some lost stucco work on the more formal dwellings

Red clay brick with stone detailing and the use of buff and dark bricks. Bricks in Flemish bond with high quality rubbed brick voussior and other details.

Roofs: Majority blue Welsh Slate with terracotta plain clay tiles, and one historic thatch roof.

Windows are historically timber painted, in the majority white, with one black example.

Boundary Walls to the road are stone, render, brick and painted brick, and typically are of the same material as the building they relate to.



Cobbles damaged by utilities on Church Street



Cobbles at Pye Corner showing damage.

### Key Negatives

Replacement timber and uPVC windows which do not respect the historic form or character of a property harming its character.

Poor maintenance and damage to the cobbles from in provision of utilities.

### Parking area off Gravel Walk



Double yellow lines in historic context

The area of open parking on the corner of Gravel Walk and Lower Church Street. There was historically a building on this land, but it was gone by the middle of the 20<sup>th</sup> century. This area is informal and allows this otherwise enclosed character to spill out and be dominated by parked cars.

Double yellow lines dominate streets Church Street, jarring with the historic cobble surfaces to the front of the houses.



## **9.2 Character Area 2: Mill leat and Mill buildings**

Cullompton's leat forms a distinctly peaceful area defining much of the eastern boundary of the conservation area. To the north it separates the garden areas serving Garden Terrace and Belle Vue Terrace from the Western Way Industrial Estate at the north end of the town. To the south it divides the large private gardens of properties east of the Parish Church from the public open space at the south. Whilst this southern section of the mill stream is rural in appearance, this otherwise tranquil backwater is subject to the background noise of the nearby M5 motorway.

The leat takes its water from the Spratford Stream (a tributary of the River Culm), and historically fed three mills (Higher, Middle & Lower) on the western side of the town from at least the early 17<sup>th</sup> century (Lower Mill and part of leat shown on the 1633 Wyndham Map).

The mills were variously used for grinding corn, working leather, making bells, manufacturing wool, as an engineering works and for producing animal feed. Higher Mill (also known as Town Mill) was converted to a house in the 1970s, while Middle Mill survives only as a ruin. Higher Mill, also called Town Mill, and Lower Mill were used for grinding corn; Middle Mill had two wheels, one for corn, and one for leather processing. Both Middle Mill and Lower Mill were adapted for woollen cloth production in the early 19<sup>th</sup> century. However, by the late 1800s one had become an axle works and the other was being used to grind animal feed

Combined with the wooded area to the east of the Parish Church and historic Vicarage, the millstream and millpond form the landscape setting for the eastern side of the conservation area. This green area with its public footpath link with other areas of open space such as the rear gardens of properties east of the church or the gardens at Belle Vue Terrace and Garden Terrace.

### **Special architectural and historic interest:**

This leat is known to have existed for the last 400 years and along with the historic road network and the few buildings known to be of this age, is one of the fixed historic features of the town.

It forms the eastern boundary of the town being on the edge of the water meadows associated with the River Culm, and has formed, and continues the form, the edge of development for a large part of the east of the town.

The leat is part of a network of water courses that together are fundamentally important to Cullompton's historic development, influencing its location, supplying water to its inhabitants and powering its industries. The significance of this water system cannot be overestimated.

### **Scale Height and building line:**

There are very few buildings in this area. Other than the mill buildings, all buildings are set back from the leat, with no building on the land to the east south of the supermarket site, which is itself well screened and not readily experienced when walking the path along the leat.

### **Significant Buildings and groups**

The earliest certain documentary evidence for Middle Mill appears to be a mortgage deed of 1700 which refers to 'six mills commonly called or known by the name of Cullompton Mills'. These are presumed to be Higher, Middle and Lower

Higher Mill and Mill House (also known as Town Roller Mills, Town Mill and Clarke's Mill): Higher Mill seems to have always been used for grinding corn. Possibly the mill depicted in a watercolour by Swete circa 1800. Advertised for sale in 1800 with two undershot waterwheels driving four pairs of millstones. A painting of circa 1848 shows the mill with a single, large, breast shot wheel. A turbine and roller plant were installed in 1893 to supplement waterwheel and millstones, the mill having been rebuilt about this time. Power was subsequently supplemented by an oil engine. The mill continued to work until 1974. Now house converted. The turbine is confirmed by the current owner to be in place in Spring of 2021



Higher Mill and Mill House

Middle Mill: The site of Middle Mill was used for several different purposes during its working life. In the 18th century there were two waterwheels, each serving a mill on opposite sides of the leat. In 1793 that on the town side was a grist mill, while on the other side was a leather mill, which later burnt down. The site is associated with Bilbies bell foundry between 1754 and 1813. By 1813 the grist mill had been converted for use as a woollen manufactory. The site is shown as an Axle Works on the 1889 Ordnance Survey map and in 1911 the site was occupied by the Middle Mills Engineering Company. Buildings fell into disuse from 1970s and were gradually demolished, although some remains can be found at the bridge over the leat. The millpond has now been filled in and the buildings largely demolished. The exact location of former 18th century buildings at Middle Mill is uncertain but likely that situated adjacent to documented structures.

Lower Mill: The mill has also been known as Luxton's or Hydon's Mills. In 1779, John Luxton insured his dwelling house and adjoining mill house with waterwheels and going gears there for £170. The buildings are described as being of stone, cob and thatch. A sale notice of 1795 refers to the mills having been lately repaired at considerable expense. In 1802 the mills contained four pairs of millstones and a bunting mill for



Lower Mill

making fine flour. At some point in the 19th century it appears to have been converted for use as a woollen mill. In the 1880s, however, it was being used for provender milling (animal feed). The present waterwheel was installed in 1926 which drove two pairs of stones through cast iron gearing. The machinery was altered in 1950 when a hammer mill was installed and also a generator. The mill last worked commercially in 1968. It has now been converted but the waterwheel and some of the gearing and millstones are reported to remain.

### **Key unlisted buildings**

Higher, Lower and Middle Mill and Mill House described above with their associated buildings and machinery.

Although outside the conservation area, the weir and any sluices that act as part of the water course to control water into the leat would be important unlisted buildings or structures related to the mill buildings and the leat.

### **Trees, green spaces and open spaces**

Once away from the elevated section to the north of Station Road, the leat provides an attractive and tranquil walk close to the town centre.

South of Station road it is enclosed on the east side and there is little experience of the large supermarket adjacent, and the gardens to Belle Vue Terrace open out to the pleasant aspect of the terrace of houses. The planting to the east of the leat adjacent to the car park is important as a screen.

Once beyond Middle Mill, the leat continues its tree lined course slightly elevated above the former water meadows, now open recreational land, to the east.

The gardens of the new vicarage and modern bungalows off Walter's Orchard back onto the leat, but do not erode the character.

### **Local Features**

The mill buildings referred to above, the course of the leat including filled in mill ponds, and the open, rural and tranquil nature close to the town centre.



View to St Andrew's Parish Church from mill leat just north of Lower Mill



## **Views**

The view back from the pathway just north of Lower Mill to the Parish Church is impressive giving a feeling of the height and prominence of the Church and religious primacy when it was built. The roof and intricate chimneys of No 15 Gravel Walk can also be appreciated.

There are views back to the Parish Church from various positions to the east beyond the conservation area, looking west, where the tower can be seen over the trees on the rising ground.



View West from CCA fields towards St Andrew's Parish Church

## **Key negatives:**

Replacement timber and uPVC windows which do not respect the historic form or character of the properties harming their character

Background noise and some movement from the motorway.

### **9.3 Character Area 3: Exeter Hill**

This sub area extends south-west down Exeter Hill, into the north end of Exeter Road, and to the east of that line (into the lower part of Cockpit Hill, Pound Square, Way's Lane and Brook Road) and westwards (into New Street and Crow Green). It occupies land which slopes relatively steeply down into and across the mouth of a tributary valley, just before it joins the flood plain of the River Culm. Previously mediaeval strip fields and water meadows, this area started to develop (south of Fore Street) as a mixed residential/industrial/commercial area from the early post-mediaeval period, with New Street (additional accommodation for woollen industry home workers) added in the early-mid 18th century. Rebuilt in stone after a disastrous fire in 1839 badly damaged this part of town, some earlier structures survive and the earlier cob walling is still detectable.

The built development is characterised by smaller-scaled rows and terraces of houses and (now largely disused) Victorian shop fronts, with back yards containing mews accommodation and workshops interspersed with larger-scale buildings, including the new library and learning hub (the Hayridge Centre) at the top of Exeter Hill, on the site previously occupied by the town's health centre and law courts, and, before that, the original Cullompton School (built c1870).

#### **Setting:**

In the late 18<sup>th</sup>/early 19th century the construction of a large tannery was constructed on either side of the road at the bottom of Exeter Hill. Despite a disastrous fire in 1958, which ended the tannery's life, both sites retain substantial original historic fabric. This, together with the large outdoor spaces typical of such industrial sites, still gives this part of the area an industrial feel, which is reinforced by the type, scale and spatial characteristics of the modern re-use and development (including a petrol station and supermarket).

#### **Special architectural and historic interest:**

Area 3 is an area of post-mediaeval (and later) industrial expansion with its original character largely reflected in the surviving historic fabric (which exhibits a degree of time depth) and the design and scale of modern development. Despite being of less obvious aesthetic value, the industrial buildings and their special relationships are significant survivors of small-town Devon industry and there is high group value in terms of the presence of associated workers' housing, as part of an integrated industrial quarter. An area which made Cullompton what it was during its later history.

#### **Scale Height and building line:**

Residential and industrial properties are two storey and historically on the back of the pavement. There is one three storey building of industrial origin. There are long runs of terraces, although there are no long runs of identical buildings, there is a uniformity of massing, form and detailing.

## **Significant Buildings and groups**

### **Buildings**

No 8 Duke Street: Detached two storey cob cottage, with a stone plinth and thatched roof, late 17th or early 18th century.

No 15 Pound square and detached outbuilding: Large 17th century house, three-room and through-passage plan with lower-end rear wing, extended in 19th century when converted to cottages. Now used as offices and workshops.

Unitarian Chapel, Pound Square - 1698, rebuilt 1912.

### **Groups**

The buildings grouped around Pound Square form an important piece with the open space of the square. There is a feeling of space as the narrow streets open out into the squares. None of these are formal designs but are fortuitous arrangements which are now quiet and tranquil areas in contrast to the main road.

New Street is an important group being a planned single-phase development associated with the expanding woollen industry. It was constructed in the early-mid 18<sup>th</sup> century to provide additional housing (with back yard work space) for those employed (by Upcott's) as home workers in the woollen industry. Rebuilt in stone after a disastrous fire in 1839.

The remains of the industrial buildings on the edge and just beyond the conservation area are significant survivors of small-town Devon industry and there is high group value in terms of the presence of associated workers' housing, as part of an integrated industrial quarter.

### **Key unlisted buildings**

Unitarian Chapel, Pound Square - 1698, rebuilt 1912, Site of oldest nonconformist congregation in Cullompton, Originally building "the Protestant Dissenters Meeting House" was built in 1698 and replaced by a much larger building in 1815 which was constructed of cob and in 1911 the congregation has to vacate the building when it collapsed. A new chapel was built and opened in 1913.

13 and 14 Pound Square: Two storey house, rubble and cob with hipped roof (thatched until at least late 1970s), probably 17th century. Originally part of a longer row.

37 New Street: Two storey house, two window front, round headed central door with panelled door case

50 to 54 (even) New Street: Row of cottages, two storey one window fronts, early 19th century. Examples of a type which once comprised the whole of New Street.

7 to 11 Exeter Hill. Good surviving historic shopfronts.

Brick Tannery Building and brick wall on east side of Exeter Road adjacent to the supermarket. One of the few remaining buildings from the tannery that was active on this site from the late 18<sup>th</sup> century. Forms a key entrance to the town.



Shopfronts on Exeter Hill



Tannery building and brick wall on east side of Exeter Hill



Large Brick Built Tannery building on west side of Exeter Hill



Adjacent to the conservation area: Large brick built tannery building: One of the few remaining buildings from the tannery that was active on this site from the late 18<sup>th</sup> century. Imposing large building visible from street.

## **Trees, green spaces and open spaces**

Pound Square is an important open space as it retains the historic pattern of the streets and has a historical relationship with the pound. As noted above the openness and tranquillity are notable against the narrow entrances and the noise and movement in the main street nearby.

There is some significance where there is no building set against the road where the car park is at the Hayridge centre, as the buildings historically were set back, but cars parked here do jar with the character of the conservation area, where historically there was a wall enclosing a school yard and a mid-Victorian School.



Hayridge Centre Car Park

## **Local Features**

Long runs of terrace housing backing onto the pavement.

There are a legacy shop fronts on Exeter Hill and Cockpit Hill where the building is no longer in commercial use but are important in significance terms as they part of the commercial story of the town and add character and variation to the street scene.

Small intimate gardens to the rear of housing.

A number of walkways and carriageways through the terraces to access the rear garden. These have or had a wooden door at the back of the pavement enforcing the sense of enclosure.

## **Typical details**

The roofs are gabled, there are there are few hips and no half hips.

Eaves details are largely traditional with small fascia boards close to the front of the building, or with overhanging rafter feet. There is little boxing in with a soffit, and where that does occur it is less than 100mm unless associated with the design of the house.

Rainwater goods traditionally cast metal half round with round down pipes and painted black on black fascia boards.

The typical orange-red brick is most often in Flemish bond.

Windows are both sliding sash and casements, and are painted. Casements are rebated and balanced. Windows have a vertical emphasis. Window surrounds are typically plain, but there are some period features. There are rare examples of oriel or cantilever windows at first floor.

Doors (front doors and those to gardens or though archways) are painted.

There are very few historic dormers. Where they do appear they are usually small, narrow and gabled.

The historic property boundaries defined to rear or the buildings.

Boundary walls are usually 1m but examples of 2m or more survive. Walls are capped with specialist clay brick manufactured for the purpose or rounded or flat stone, or clay double roman roof tiles.

Chimneys are red clay brick with plain terracotta pots. Chimneys are on the ridge. There are no examples of external chimneys.

## **Key colour characteristics**

Render painted white and cream with black plinth dominates. There are the odd light blue or dark pink property but there is no evidence that these colours are historic and representative of the conservation area.

Brick is clay terracotta with buff or black detailing.

Windows are painted white with one example of black.

Doors are painted panelled or boarded, with dominate colours being black and white, with some light green or very occasional dark blue.

Roofs are dark, typical blue welsh slate.

## Views

The key views within/through this area, are a combination of sweeping ones (such as down Exeter Hill and across the western tannery site) and more constricted lines of sight along the narrow side roads and lanes.

## Materials

Walls: Painted render. Render is majority roughcast with some smooth. There may be some lost stucco work on the more formal dwellings.

Red clay brick with stone detailing and the use of buff and dark bricks. Bricks in Flemish bond with high quality rubbed brick voussior and other details.

Roofs: Majority blue Welsh Slate and few terracotta plain clay tiles, and one historic thatch roof. Windows are historically timber painted white.

Boundary walls to the road are render and brick, and typically are of the same material as the building they relate to.

## Key negatives:

Volume and nature of traffic (heavy vehicles) passing along Exeter Hill to and from the motorway network.

Narrow pavements and proximity to heavy traffic as a pedestrian.

Replacement timber and uPVC windows which do not respect the historic form or character of a property harming its character.

Unauthorised satellite dishes at varying heights on the runs of terraces:

Inappropriate signage on shop fronts.

Lack of routine building maintenance and repair: Whilst many of the buildings in the area are generally in good condition but there are instances of the neglect of routine maintenance and repair.



Original and replacement windows side by side



Satellite dishes on terraces



Heavy and outdated overhead power lines in New Street.

Car park at Hayridge centre being at odds with the built development and character of the conservation area.

The Hayridge Centre which at the street is too dominant in the street scene by reason of the elevated eaves height and materials.

Overhead power and phone lines



Hayridge centre



## 9.4 Character Area 4: Fore Street

Area 4 consists of Fore Street, the historic commercial core of the town and its main axis since the mediaeval period, when it was laid out as a piece of planned urban development. It incorporates remnant burgage plots on either side, and at its southern end an earlier open market associated with the Minster church – a sub-triangular area formed by Lower Bull Ring, Queen's Square, and the area now occupied by buildings fronting the east of Fore Street, either side of the entrance into Church Street.

Developed and rebuilt over time in response to the town's economic fortunes and after fires, Fore Street's plan-form (and to a considerable degree its standing fabric) reflects the typical post-mediaeval sub-division of wider burgage plots into narrower tenements, with merchants' houses and coaching inns occupying the street front and long, thin back courts (containing workers' housing, workshops, stables and other ancillary buildings), accessed through covered alleyways.

There is an unusually well-surviving stretch of early 17th century street scape on the western side of the street's northern end - formed by the Manor Hotel, The Walronds and the Merchant's House – adjacent to the site of a (no longer existing) market cross. The fact that these buildings weren't significantly rebuilt in later centuries may relate to a shift in commercial focus.

Elsewhere, the street has undergone more successive remodelling and rebuilding, with a preponderance of Victorian (and later) shop fronts, though evidence of earlier phases can be detected in many of the buildings or their back courts. The overriding sense is of a street frontage containing more complexity and time depth than may at first appear.

Running north-south in a straight line along a plateau of level ground, this relatively narrow street has an almost unbroken frontage on both sides, with many three (and one four although this appears to be a modified three) storeyed buildings, creating a strong sense of enclosure. Views are largely along the length of the street, although towards its southern end Church Street provides a stunning view of St Andrew's Church and Middle Mill Lane, New Cut and shorter alleyways provide glimpses into back plots. At either end, views open out as Fore Street fans out into Higher Bull Ring to the north and splays open into the converging tops of Exeter Hill and Cockpit Hill to the south.

During the post-mediaeval period, the open market place at the southern end of Fore Street was reduced by encroachment and infill – the (no longer surviving) 'Shambles' market house was built in the centre of the street; Lower Bull Ring, with Queen Square, where there was an animal pound, appears to have functioned as a secondary livestock market; and Cockpit Hill became a location for cock fights. The pound was built over during the 19<sup>th</sup> century and an Evangelical Church added to the north side of Queen's Square in 1962, and although the still relatively open spaces hark back to the area's previous use, they are mainly fringed with houses; bustling market activity having been replaced by a more subdued residential character.

To the west of the built up frontage onto Fore Street the area is defined by the back of the mediaeval burgage plots. It lies on relatively level land below St Andrew's Hill (sloping very gently north-west to south-east towards the south end of Fore Street) although to the north of Tiverton Road (Area 5) the ground rises up more steeply at the base of the hill.

The long, parallel strips of the mediaeval burgage plots can still be detected in the present plan-form, despite 20th century infill development partly obscuring their pattern. Their dominance perhaps reflects the degree of remodelling associated with the deliberate creation of the new mediaeval town. The 1840 Tithe map shows a clear, north-south boundary line across the plots, which would have divided them into 'tofts' and 'crofts' (the front of the plot on which the house was built and the land behind used for pasture or arable), but this has now been almost completely removed, but still does survive in part to the north end on the west side.

The Tithe and early OS mapping shows that this area was largely undeveloped until the mid-1900s. Some of the courts behind Fore Street had been extended further back to create space for additional ancillary buildings and yards, and a Wesleyan (Methodist) Chapel had been built at the east end of New Cut (a mediaeval water channel, which became an alleyway). Otherwise, most of the area was comprised of undeveloped gardens and orchards, with a scatter of small sheds and greenhouses. The 1880 OS map names the area along the south side of New Cut as 'The Green', perhaps suggesting a communal recreational space; by 1904 it was associated with a drill hall. From the 1960s the back plots were increasingly built over, however, many of the long and high rubble stone walls that defined these plots still survive, in some cases with traces of former buildings.

Passage through is via Tiverton Road and New Cut running back from Fore Street - all historic routes running east-west, parallel with the burgage plots (eventually leading into Shortlands Lane). Otherwise, access and views across this area are restricted, owing to the enclosed nature of the original plots and their subsequent sub-division and infilling with modern development.



New cut showing leat to right hand side. Methodist Chapel on end on left

### **Special architectural and historic interest:**

The area encapsulates the planned mediaeval town, where its original plan-form can still be understood; the standing fabric reflects the function of this particular street as being the original commercial core, with continuity of use to the present day. It is the main axis connecting the dispersed elements of the rest of the historic town, and the range of building dates, and variety and quality of materials and detail reflects the intrinsic value of the standing fabric, as well as it providing evidence of the area's continuing primary function.

## Scale Height and building line:

All buildings back onto the pavement with the exception of The Walronds which has a small garden to the front which the building wraps around in a C shape.

Buildings are two, three and one four storey (from an adapted three storey) in Fore Street. The majority is two storey with three storey and two storey with dormers. There is no even building height, with variation in height within both two storey and three storey.



North along Fore Street

## Significant Buildings and groups:

The Manor Hotel, 2 Fore Street: Former merchant's house rebuilt in 1603 following a fire and renovated and extended in 1718. Of three storeys it has stone and cobb end walls with timber-framing in between, although the ground floor of the front elevation has been rebuilt in stone.

4 Fore Street: Mid-19<sup>th</sup> century two storey house, four window range with late 19th century oriel window over entrance porch at left end. Now part of Manor Hotel.

The Walronds, Fore Street: Completed in 1605 using local red sandstone and volcanic trap with Beerstone dressings. The front elevation is symmetrical, with the main range and two side wings enclosing a small cobbled courtyard. The interior retains many early features.

8 Fore Street: Half-timbered three storey house with cob and stone mix to side and rear. Important and intact survival of a 17th century Devon merchant's townhouse.



Page 223 Fore Street and The Walronds



10 Fore Street: House with shop, 17th century core with early 19th century refronting. Symmetrical three window range, three storeys with attic, 20th century shop front.

12 Fore Street: House, with shop below, forming part of a long row, early 19th century. This building probably represents the infilling of the tenement access to number 10.

14 and 16 Fore Street: Dwellings with shop below forming part of long row, 17th or 18th century. Remodeled in 19th century.

18 Fore Street: Dwelling with shop below forming part of long row. Early 19th century with late 19th or early 20th century shop front.

20 Fore Street: Three storey house with shop, 17th century with 19th century remodeling. Symmetrical two window range with central shop front and flanking doors.

22 Fore Street: House with shop below, mid-19th century but possibly with earlier core. Two storeys and attic with gabled dormers, 20th century shop front to left and carriageway through to right.

24 Fore Street: House with shop below, 17th century or earlier core, remodeled in 19th century with 20th century shop front.

26 Fore Street: Late 16th or 17th century building with 19th and 20th century alterations. Ridge line of slate roof considerably lower than neighbours.

30 Fore Street: House, circa 1830 but possibly with earlier core, originally one build with 32 Fore Street. Now apartments with late 20th century shop front below.

32 Fore Street: House with shop below, originally one build with 32 Fore Street. Possible 17th or 18th century core, refronted and altered circa 1830.

1 Fore Street: Early 19th century building, two storey, five window range, with central entrance, and carriageway under to left. Possibly on the site of the Half Moon Inn.

White Hart Inn: Early 19th century frontage but older fabric almost certainly survives behind. Almost symmetrical two storey, three-window range, with central porch.

21 Fore Street: Dwelling with shop below forming part of a long row, late 19th century with earlier work evident at rear. Sham timber framed frontage under slate roof with crested ridge tiles.

39 Fore Street: Two storey dwelling, early 19th century, but probably retaining earlier core. Edwardian shop front has large plate glass frames with curved corners and moulded cornice.

41 Fore Street: Shop, early 19th century, forming part of a long row. Two storey, three window range with carriageway through to right, double fronted shop window to left.

1 and 2 Lower Bull Ring: Pair of mid-19th century two storey houses that to the left altered circa 1900, with bay/oriel windows, some Art Nouveau glazing bars and coloured glass.

Paradise House, 1 Queen Square: Substantial 16th or 17th century house, probably originally a three-room and cross-passage plan, much disguised by late-18th century rebuilding. Brick, with cob rear wing.

4 Queen Square: House, possibly 17th century core, largely remodelled in 19th century. Main range possibly originally a three-room and cross-passage plan, with rear wing. Early 19th century features remain throughout.

## Key unlisted buildings

No 34-36 Fore Street. Former Post Office.

Nos 56 to 62 Fore Street – 3 storey rendered building. Three good historic shop fronts, oriel windows to first and second floor, top floor cantilevered. Windows all of one piece.

66 Fore Street: Three storey rendered building with date stone of 1706 in south gable.

No 5 Fore Street. Former Bank. Main range 3 storey with 2 storey southern extension. Brick with stone window surrounds and quoin. Tall imposing building in the street. Former Devon and Cornwall Bank.



No 63 Fore Street



No 5 Fore Street

Nos 59- 61 Fore Street – Decorative building bearing the date 1889.

No 63 Fore Street – Brick building, Oriel windows little altered with original windows. Now a post office started life as a Plymouth Brethren Chapel

The New Cut: The New Cut is an alleyway linking Shortlands Lane to the Fore Street. Despite its name, it may well date to the 14th century when the Abbot of Buckland granted a water supply to the town. One of the leats ran down The New Cut.

Methodist Chapel, New Cut. Wesleyan chapel. Originally built in 1764, replaced in 1806, and considerably restored in 1872 following a fire.

2 Queen Square: Two storey house, plain front with sash windows and a central door with fluted columns and a bracketed hood.

## Trees, green spaces and open spaces

There are no green spaces or Trees on Fore Street.

There is a small open space to the front of The Walronds, which is significant to that building and to the street scene.

To the west of the built up frontage, the burgage plots remain and in places are not developed. These survives best to the rear of The Walronds, and south of this to the rear of Nos 10 to 16 Fore Street. These areas are down to grass and have individual trees.

The area to the front of the Methodist Chapel on New Cut.

## **Local Features**

The unbroken frontage of building along Fore Street with the variation of heights and designs.

A number of walkways and carriageways through the frontage to access the rear garden. These have or had a wooden door at the back of the pavement.

Historic alleyways and paths through to the mill leat and to Shortlands Lane.

Groups of outbuildings and mews buildings and cottages to the rear of the frontage. Outbuildings are at right angles to the road and step down in ridge height.

There are occasional buildings which have a gable onto Fore Street.

## **Typical details**

The roofs are gabled, there are there are few hips and no half hips.

Eaves details are largely traditional with small fascia boards close to the front of the building, or with overhanging rafter feet. There is little boxing in with a soffit, and where that does occur it is less than 100mm unless associated with the design of the house. There are also parapets and cornices in evidence.

Rainwater goods traditionally cast metal half round with round down pipes and painted black on black fascia boards.

The typical orange-red brick is most often in Flemish bond.

Windows are both sliding sash and casements, and are painted in the majority white with the occasional black window. Casements are rebated and balanced. Windows have a vertical emphasis. Window surrounds are typically plain, but there are some period features. There are rare examples of oriel or cantilever windows at first floor.

Doors (front doors and those to gardens or through archways) are painted.

There are historic dormers. Some are larger and more dominate, but work within more classical order with regard to their size relative to the windows below. They are all gabled.

The historic property boundaries remain defined to rear of the buildings. There are few historic development which step across the burgage plot boundaries.

Boundary walls are usually 1m but examples of 2m or more survive. Walls are capped with specialist clay brick manufactured for the purpose or rounded or flat stone, or clay double roman roof tiles.

Chimneys are red clay brick with plain terracotta pots. Chimneys are on the ridge with the occasional chimney breaking the front roof plane. There are no examples of external chimneys.

Shopfronts are painted, and tend to be dark and restrained colours, and there is no typical historic pattern to where doors are positioned or if it is recessed.

### **Key colour characteristics**

Render painted white and cream or ochre with dominates. There are the odd light blue or dark pink property but there is no evidence that these colours are historic and representative of the conservation area.

Brick is clay terracotta with buff or black detailing.

Windows are painted white with two examples of black.

Doors are painted panelled or boarded, with dominate colours being black and white, with some light green or very occasional dark blue.

Roofs are dark, typical blue welsh slate or weathered clay. There is no clay roof onto Fore Street.

### **Views**

The view of the Church from Fore Street along Church Street is exceptional with the tower framed by the buildings in Church Street.

To the north end of Fore Street the boarding of the road into Higher Bullring is legible.



View of St Andrew's Parish Church from Fore Street



## Materials

Walls: Painted render. Render is majority roughcast with some smooth. There may be some lost stucco work on the more formal buildings.

Red clay brick with stone detailing and the use of buff and dark bricks. Bricks in Flemish bond with high quality rubbed brick voussior and other details, or in stone.

There is a small amount of painted brick.

Roofs: Majority blue Welsh Slate.

Windows are historically timber painted white.

Boundary walls to the road are render and brick, and typically are of the same material as the building they relate to. Brick bond is Flemish but there is some garden wall bound in the boundary wall to the rear of the Manor Court Hotel.

## Key negatives:

Volume and nature of traffic (heavy vehicles) passing along Fore Street to and from the motorway network.

Narrow pavements and proximity to heavy traffic as a pedestrian.

Raised kerbstone which is non historic and inappropriate.

The position of the zebra crossing immediately adjacent to the grade I listed The Walronds.



The Walronds with raised kerbs and pedestrian crossing in front



Modern Shop front and signage in Fore street

Replacement timber and uPVC windows which do not respect the historic form or character of a property harming its character.

Inappropriate and modern shopfronts and signage at odds with the historic character and street scene.





Blocked and overflowing downpipe



Unwelcoming and poorly designed signage



Poorly designed signage

Unauthorised satellite dishes at varying heights on the buildings.

Lack of routine building maintenance and repair: Whilst many of the buildings in the area are generally in good condition but there are instances of the neglect of routine maintenance and repair. A number of properties have been vacant long term and look particularly poor and uncared for.

A number of the public alleyways and paths are uninviting, and not clear to non-residents that they can be used. The new cut is an example where the former Methodist Chapel, vacant and in decline and uncared for, and the area to the front of it is not maintained and has a poor surface treatment.

Visual clutter including highway signage.

Evangelical Church: The Church building is mid to late 20th century building on an elevated site in the conservation area. The design does not respond well to the context in the dominant elevated position above Queen Square.



Evangelical Church from Queen Square

## 9.5 Character Area 5: High Street/Higher Bullring

This area is focused on High Street, 'bowed' out to form the wide, lozenge-shaped area known as Higher Bull Ring –a market place for trading sheep and cattle. High Street continues the line of Fore Street northwards, bending towards the north-east in order to keep taking advantage of the plateau of relatively level ground along the valley side.

The rectangular block of mediaeval burgage plots laid out along Fore Street appears to have extended into the southern end of High Street, although subsequent sub-division and infilling has blurred the plan-form here. It is difficult to be precise about the exact northern limit of the planned mediaeval market street. Tiverton Road runs parallel with the south side of these plots, before making a T-junction with Fore Street/High Street; to the north, the plots stop short of St Andrew's School, where the more steeply sloping land of St Andrew's Hill would have truncated their continuation.

The shorter parallel plots fronting both sides of High Street to the north of the burgage plots, appear to be later in date – representing late mediaeval or early post-mediaeval expansion, along with the Higher Bull Ring market place. The line of the (now covered) town water supply can be traced in the pavement on the west side of the street.



Higher Bullring with War Memorial

While this part of town continued to be the location for sheep and cattle markets and fairs until the early 20<sup>th</sup> century, during the 19<sup>th</sup> century it acquired additional financial and civic functions (including several banks and a police station), with additional notes of refinement and ceremony provided by the planting of ornamental trees along both sides of the street and the erection of the war memorial in 1920.

The defining character is the generous spaciousness of its streetscape and the architectural scale, variety and quality of the buildings that line it. Internal views are much more open than in Fore Street, with external lines of sight provided by Higher Mill Lane and St Andrew's Road (a 20<sup>th</sup> century widening of an earlier alleyway). At its northern end, Higher Bull Ring pinches in again, before meeting the junction with Higher Street and Station Road. Here, as in Tiverton Road, larger-scale higher-status buildings give way to rows of modest workers cottages.

As an extension of Cullompton's commercial centre, High Street/Higher Bull Ring has the same long back courts (used for stabling, manufacturing and subsidiary housing during the post-mediaeval and later periods) as Fore Street. The street frontage, however, has evolved differently, with substantial Georgian buildings (some with later shop fronts inserted), interspersed with earlier inns and houses and a Baptist chapel.

## **Special architectural and historic interest:**

Higher Bullring is a really good example of, and a good place to experience, the size and form of a late mediaeval/early post-mediaeval bowed market street and to see how with the buildings lining the street how this area was the focus of 18<sup>th</sup> century commercial expansion beyond the mediaeval Fore Street, to the point where it attracted 19<sup>th</sup> century and later financial and civic functions.

## **Scale Height and building line:**

All buildings back onto the pavement.

Buildings are two and three with the three storey tending to be on the west side and towards the central section. The three storey buildings with one exception separated by at least one two storey. There is no even building height, with variation in height between both two storey and three storey.

Tiverton Road on the north side consists of two terraces two storey properties.

## **Significant Buildings and groups**

No 44 High Street: Mid-19th century house forming part of row. Symmetrical three-window range, has central doorway with segmentally headed arch which retains its fanlight.

42 High Street: Mid-19th century house forming part of row. Symmetrical three-window range, has central doorway with elliptically headed arch with fanlight.

40 High Street (Conservative Club): Mid-19th century two storey house forming part of row. Asymmetrical three-window range. Upper hornless 16-pane sash windows; three horned sash windows to ground floor (one to left of entrance), now with one pane per sash. Semi-circular headed doorway.

38 High Street Mid-19th century house forming part of row. Two storeys, slightly asymmetrical three-window range, with sash windows each side of doorway with pediment.

28 High Street: Late 18th century house, brick with double hipped slate roof behind parapet. Symmetrical three bay front, the outer bays with bowed window bays extending from ground to parapet base/

20 High Street: Mid-19th century three storey house, now a restaurant with accommodation above. Symmetrical three-window range with central porch.

War Memorial: Constructed 1920 by Eastons of Exeter and paid for by public subscription. Rock-faced granite. Square plinth with large slightly tapered pedestal in two parts, surmounted by Celtic cross with tapered shaft. Bronze crossed rifles on the front of the plinth and bronze wreath on the back of the pedestal. Inscription on the front of the pedestal and names of the dead servicemen on the front and sides.

## **Key unlisted buildings**

33 High Street. Group of shop, public house and dwelling. All with historic windows and good shop surviving shop front.

Kings Head is 33-35 High Street, part of the pub was once the public library (33 High Street) Originally a coaching inn named after Charles II.

31 High Street: Good historic shop front.

Free Standing Pillar Box, to Front of No 31 High Street: The red post box is a landmark feature within the bow-shaped Higher Bull Ring.

22 and 24 High Street: A pair of early 19th century two storey houses. Each house has a panelled door case with hoods on scroll brackets to right, sash window to left, on ground floor; three sash windows to first floor.

Baptist Chapel, High Street: Baptist chapel built in 1743 and almost entirely renewed in 1858. During the 1870s the church decided to expand to cope with the growing Sunday School and a new schoolroom was completed in 1883. In 1904 a Manse was built on land next to the church, completed in 1906.

21-23 High Street: Market House Inn

9 High Street: Three storey house, probably early 19th century. Three window range with carriageway under two storey bay on right, shop front to centre and left.

Nos 3 to 7 (odd) High Street: Three storey building, divided into three shops. Four window range, No 3 to right has a first floor bay and a good late 19th century shop front.

Town Hall: Originally known as the Parish Rooms the Council decided to rename it in 1995 but it still looks very much as it did in the 1930s. It is built on land that was a coaching inn known, at one time as the Green Dragon, and later as the Half Moon. The Half Moon was a coaching inn that took in all the land from the Town Hall to Middle Mill Lane down to the Mill Leat. In 1870 part of the coaching inn was sold to the town to be used as a Town Hall. The building was later demolished and a new town hall was built. Before the second world war the fire-engine was housed in a section at the front of the building with access directly onto High Street. During the Second World War the Town Hall became a first-aid post.

Old Police Station: to clock dated 1898. Transformed about 1846-50 by public subscription into a Town Hall and included a lock-up. It was used for concerts, lectures etc. and as a police court. The clock was an afterthought placed there sometime after the building was converted. The town sold the building to Devon County Council in 1870 to be used fully as a police station and court room and the money raised was used to purchase some old premises a few doors away; these were part of a coaching inn known as the Half Moon where the judges stopped in coaching days on their way to the Assizes. Land on the north side was purchased from Mr Alfred Batten in 1914 for the erection of a yard and garage to accommodate the police patrol car.

10-26 Tiverton Road - Row of workers cottages



## Trees and green spaces

There is very limited green spaces, both public and private in this character area. The lime trees in the Higher Bull ring provide it with character, and are likely to be the same trees as are seen in the undated (early 20<sup>th</sup> Century) photograph below.



## Local Features

There is a substantial granite war memorial commemorating the dead of both world Wars standing in the Higher Bull Ring. Also within the Higher Bull Ring there is a traditional 'K6' red telephone box and free standing pillar box.

The trees mentioned above are a key feature of this open space, and one of the few areas of green in the historic core.

## Typical details

The roofs are gabled, there are there are very few hips and no half hips.

Eaves details are largely traditional with small fascia boards close to the front of the building, or with overhanging rafter feet. There is little boxing in with a soffit, and where that does occur it is less than 100mm unless associated with the design of the house. Some parapets are in evidence.

Rainwater goods traditionally cast metal half round with round down pipes and painted black on black fascia boards.

The typical orange-red brick is most often in Flemish bond.

Windows are both sliding sash and casements, and are painted in the majority white. Casements are rebated and balanced. Windows have a vertical emphasis. Window surrounds are typically

plain, but there are some period detailing. There is one oriel window and one bay window.

Doors (front doors and those to gardens or through archways) are painted.

There is one example of historic dormers. They are small, narrow and gabled.

The historic property boundaries to the west remain defined to the rear of the buildings. On the east side Forge Way has cut across the rear of the properties and modern houses have been built into the rear gardens of the properties to the front, but the burgage plots have been respected.

Chimneys are red clay brick with plain terracotta pots. Chimneys are on the ridge with the occasional chimney breaking the front roof plane. There are no examples of external chimneys.

Shopfronts are painted, and tend to be dark and restrained colours, and there is no typical historic pattern to where doors are positioned or if it is recessed.

### **Key colour characteristics**

Render painted white and cream or ochre with dominates. There are the odd light blue or dark earth property but there is no evidence that these colours are historic and representative of the conservation area.

Brick is clay terracotta with buff or black.

Windows are painted white.

Doors are painted panelled or boarded, with dominant colours being black and white, with some light green or very occasional dark blue.

Roofs are dark, typically blue Welsh slate.

### **Views**

There is a glimpse of the countryside to the east along Higher Mill Lane.

The vista north to the junction with Higher Street and Station Road is dominated by traffic control and signage.

### **Materials**

Walls: Painted render. Render is majority smooth with some roughcast. There may be some lost stucco work on the more formal dwellings

Red clay brick with stone detailing and the use of buff and dark bricks. Bricks in Flemish bond with high quality rubbed brick voussoirs and other details, or in stone.

Roofs: Blue Welsh Slate or similar.

Windows are historically timber painted white.

Boundary walls to the road are render and brick, and typically are of the same material as the building they relate to. Brick bond is Flemish.

### **Key negatives**

Volume and nature of traffic (heavy vehicles) passing along through to and from the motorway network. There are regular tailbacks at the junction with Higher Street/Station Road.

Narrow pavements and proximity to heavy traffic as a pedestrian on Tiverton Road.

The traffic light junction to High Street, Higher Street and Station Road: This is dominated by direction signage, lights and associated road marking.

Dominance of cars in the area within both the road and parking.



Car turning left from Tiverton Road

Visual clutter including highway signage. Some of the older street furniture is not well thought through. A bike rack in front of a bench.

Setting of war memorial is compromised by car parking and clutter.

Vacant plot at No 19 which was lost in a fire and subject to action regarding amenity by the Council. 3

Clarks Court – unrelated in scale or form to the conservation area.

On Tiverton Road, there are a number of poor box dormers on the terrace of houses closest to High Street.

Unauthorised satellite dishes at varying heights on the runs of terraces:

Inappropriate signage on shop fronts.

Lack of routine building maintenance and repair: Whilst many of the buildings in the area are generally in good condition but there are instances of the neglect of routine maintenance and repair.



Box dormers on houses in Tiverton Road

## 9.6 Character Area 6 - Higher Street and Station Road

Area 6 is comprised of Higher Street and the western part of Station Road (formerly known as Lower Street). Higher Street is a northern extension of High Street, along the level shelf of ground below St Andrew's Hill, while Station Road slopes relatively steeply, from its T-junction with the two roads down the main valley side to the mill leat, which forms the Eastern boundary of the conservation area.

Previously an area of mediaeval strip fields and open ground, in 1522 John Trott's Almshouses (refurbished) were built on what would then have been the northern edge of the town. During the post-mediaeval period the area developed as an area of rows and terraces of workers' housing and larger houses with woollen and other workshops behind. Its industrial focus increased during the 19<sup>th</sup> and early 20<sup>th</sup> century with the establishment of a leather tannery north of Court House and a woollen factory at the north end of Higher Street, opposite Goblin Lane (both outside the conservation area), where there was also a twine works on the site of a former ropewalk. In addition, there was a blacksmiths south of Station Road, adjacent to what is now Forge Way.

Nevertheless, at the time of the 1904 OS map, much of the south side of Station Road and most of the area behind the street frontages and around the factory sites was still undeveloped, with a predominance of large orchards. A flavour of this former openness is still provided by the drive and remaining grounds of Court House, a large 18<sup>th</sup> century residence associated with the tannery, and the lane leading to the latter from Higher Street.

Along with other pockets of modern infill/backfill, this development adds to the non-industrial residential aspect already created by the early 20<sup>th</sup> century terraces (Belle Vue Terrace and Garden Terrace) either side of Station Road - picturesquely-sited, with gardens sloping down to the mill leat, with its iron-railed walkway.

The views are narrow and linear along Higher Street and wider and more open down the less tightly lined streetscape of Station Road.

### **Special architectural and historic interest:**

This area reflects post-mediaeval (and later) industrial expansion to the north of the mediaeval town, with relatively good survival of historic buildings, which, despite being of less obvious aesthetic value, have significance as evidence of small-town Devon industry. This is an integrated industrial quarter similar to Exeter Hill to the south, although the character has become more diluted by subsequent (re)development.

### **Scale Height and building line:**

The majority of buildings back onto the pavement. There are a few exceptions with gardens to the front. Some buildings are side onto the road and present their gable to the road with gardens to the side. All front gardens are enclosed by a wall of at least 1m in places higher. All give a feeling of enclosure.



North west along Higher Street



Buildings are two storey and the majority are in terraces with occasional single houses of higher status or later infill.

There is no even building height, but the massing of the buildings is fairly consistent.

### **Significant Buildings and groups:**

Trotts Almshouses: Almshouses founded in 1522, restored 19th and 20th centuries. Six two storey units, one room per floor, entered from rear with main central entrance to front, now blocked. Erected in 1523. The row of local rubble stone houses was much altered in the 19th and 20th century refurbishments

25 Higher Street: Early 19th century house of cob on a stone plinth. Symmetrical three-window range, ground-floor has canted bay with tented roofs to either side of porch with tented canopy.

### **Key unlisted buildings**

The seat and area surrounding on the gable end of Trotts Almshouses. It is located at the junction of High Street, Higher Street and Station Road.

Court House, Station Road: Two storey house, 18th century, core may be earlier. Three window front with two modern bays to ground floor, and wood Doric portico with fanlight.

No 3 Station Road: Good Historic Shopfront

Belle Vue Terrace, Wishcroft Terrace and Pen-y-dur: Late 19<sup>th</sup> century constructed for the wealthier inhabitants of Cullompton.



Belle Vue Terrace

58 Higher Street

45 to 49 Station Road

37 Station Road

Outbuildings to the rear of No 21 Higher Street

## Trees and green spaces

The green wedge of the private garden forming a vista to Court House and Court House Cottages.

Given that most buildings are set directly on the back of the pavement the garden areas which abut the road are important green punctuations. These are to the front or side of

- Wishcroft Terrace
- No 23 Higher Street (and trees)
- Nos 1 to 8 Pen-y-dre, Higher Street
- No 13 and 15 Higher Street

The gardens to the east of Belle Vue Terrace (south of Station Road) and Garden Terrace (north of Station Road slope down to the leat). They are an important in front of the buildings and contribute to the open nature and appreciation of the leat and are significant to it. That at Belle Vue Terrace includes a large cedar Tree with a TPO.

To the east of the Roman Camp on St Andrew's Hill, there is an open area of undeveloped land. The Roman Camp is a scheduled ancient monument (SAM) and comprises two phases of fort, two annexes and a range of associated features are visible as a series of cropmark ditches, pits and earthwork banks in aerial photography. The open and undeveloped area to the east is important to the significance, understanding and appreciation of the SAM.



Area of land looking west from the track from Higher Street toward the Scheduled Ancient monument on the sky line

## Local Features

Unlike other character areas there are no carriageway access to the rear of the terraces. There are no historic dormers.

Seating Area to the south of Trotts Almshouses

## Typical details

The roofs are gabled, there are there are few hips.

Eaves details are largely traditional with small fascia boards close to the front of the building, or with overhanging rafter feet. There is little boxing in with a soffit, and where that does occur it is less than 100mm unless associated with the design of the house.

Rainwater goods traditionally cast metal half round with round down pipes and painted black on black fascia boards.

The typical orange-red brick is most often in Flemish bond.

Windows are both sliding sash and casements, and are painted in the white. Casements are rebated and balanced. Windows have a vertical emphasis. Window surrounds are typically plain, but there are some period detailing. There are three oriel window and two bay window. Except for the higher status buildings the detailing is quite plain.

Historic doors are timber and painted. There is a mix of boarded and panel doors which respond to the status of the building.

The extent of the historic property boundaries remains well defined.

Chimneys are red clay brick with plain terracotta pots. Chimneys are on the ridge with the occasional chimney breaking the front roof plane. There are no examples of external chimneys.

There is only one shopfront at the junction with Station Road.

### **Key colour characteristics**

Render painted white and cream or ochre with dominates.

Brick is clay terracotta with buff or black detailing.

Windows are painted white.

Doors are painted panelled or boarded, with dominate colours being black and white, with some light green or very occasional dark blue.

Roofs are dark, typical blue welsh slate.



## Views

The view south to the Parish Church south east along the southern part of Higher Street, frames the Tower and the eye is drawn along the road with a slight bend in it to the tower.



View south east along Higher Street

There is also a strongly framed view of the Parish Church along Forge Way.



View south along Forge Way from Station Road

## Materials

Walls: Painted render. Render is majority smooth with some roughcast. There may be some lost stucco work on the more formal dwellings

Red clay brick with stone detailing and the use of buff brick. Bricks in Flemish bond with high quality rubbed brick voussior and other details, or in stone.

Roofs: Blue Welsh Slate or similar, with the exception of clay tiles to the roof of the industrial building to the north of No 31 Higher Street.

Windows are historically timber painted white.

Boundary walls to the road are render and brick, and typically are of the same material as the building they relate to. Brick bond is Flemish. Boundary walls are at least 1m high and in some cases higher

## Key negatives

Volume and nature of traffic (heavy vehicles) passing along through to and from the motorway network.

The roundabout junction to the supermarket in Station Road is stark and utilitarian and does not complement the conservation area and gives a poor setting and approach to the conservation area.

The traffic light junction to High Street, Higher Street and Station Road: This is dominated by direction signage, lights and associated road marking. The widening of Station Road exposing the gable end and boundary wall of the buildings onto High Street, and poor handling of the area to the front Trotts Almshouses.

The police station: Poorly designed and positioned on its plot, inappropriate materials.

Unauthorised satellite dishes at varying heights on the runs of terraces.

Inappropriate signage on shop fronts.



Long term damage from poorly maintained rain water goods



Roundabout entrance to supermarket on Station Road



Traffic light junction to High Street (to right), Higher Street (to left) and Station Road (ahead)



West up Station Road. Police Station on left set back

Lack of routine building maintenance and repair: Whilst many of the buildings in the area are generally in good condition but there are instances of the neglect of routine maintenance and repair.

Public Toilets at junction of Forge Way: Poorly designed, and area around them handled poorly and positioned at a key gateway to the town.

The frontage to No 60 Higher Street is dominated by car parking.

Poor quality shop signage.

Replacement timber and uPVC windows which do not respect the historic form or character of the properties harming their character.

Condition of stonework to Trotts Almhouses – needs repointing.



View north east down Station Road from junction with Higher Street and High Street



Parking to front of No 60 Higher Street



Stonework in need of pointing



# 10. Proposed alterations to the extent of the Cullompton Conservation Area and Key Features

The conservation area boundary was reviewed at the time of the Cullompton Conservation Area Appraisal in 2003 and again in 2009. Historic England advise on a review period of 5 years and it was considered appropriate to look at the boundary and the key features within the conservation area to see if any alterations were required as part this new appraisal ConservationArea Management Plan.

These proposed amendments to the conservation area boundary are as a result of the assessment of the existing conservation area, which has taken into account changes on the ground since the last assessment and assessed whether other areas are of sufficient interest to remain in or be added to the conservation area.

*Please refer to maps at the end of this document for a visual representation.*

## Proposed changes to Cullompton Conservation Area:

### Additions:

1. Part of Leat to the north of the conservation area where it is visible from Station Road. Leat is a continuous important historic feature. Its age is uncertain but dates from at last 1633
2. The Cullompton Leat between Higher Mill and Middle Mill Lane. Its age is uncertain although it is shown on a map of 1633. Of historic interest
3. The Cullompton Leat south to and including Lower Mill. Lower Mill is first shown on a map of 1633. Originally a corn mill it was converted to a woollen factory in the 19th century, although by the 1880s in was being used for grinding animal feed. The mill last worked in 1968. It has now been converted. The mill is an important unlisted mill building, and areas which are residual open space
4. Tannery Building to east of Exeter Hill and wall: Important historic building at gateway to conservation area, and significant to the understanding of Cullompton and its industrial heritage
5. Land rear of Nos 62 to 28 Fore Street. Conservation area currently drawn to rear of buildings and often cutting buildings. This area brings in the residual areas of discernable burgage plots and the rear ranges of buildings
6. Open land to the south of Walronds and to the rear of numbers 12 and 18 Fore Street. This brings into the conservation area open land which is surviving and undeveloped burgage plots. Important historic remnants significant to the conservation area
7. Fields to West of 54 and 60 Willand Road: Open land to the east of the Scheduled Ancient Monument of the Roman Fort and Camp on St Andrews Hill. Open area important and of significance both to the Roman site and to the conservation area

## **Deletions:**

8. 51 to 61 Station Road: At the last review the site adjoining was removed. Whilst there is some significance to these houses which are shown on the First Edition OS as Station Cottages, their context and alteration made to them over time mean that the area no longer merits being in a conservation area
9. Clarks Court off Forge Way: Early 21st Century building. Not of sufficient interest for area to remain in conservation area
10. Land to south of Priory Cottage off Lower Mill Lane: Bungalow under construction not of sufficient merit to remain in conservation area
11. Part of building to the rear of No 5 Way's Lane. To exclude the part of the supermarket building included in the conservation area. The building is not of sufficient interest for area to remain in conservation area
12. House to east of 1b Tiverton Road. New house on plot bisected by conservation area. New house not of sufficient interest for area to remain in conservation area
13. Part of building to east end of Old Scout Hut, Tiverton Road. Building not of sufficient interest to be in conservation area
14. Small part of garden to No 3 Stoneleigh Gardens. Correction in boundary. Land not of sufficient interest to be in conservation area.

## **Proposed Changes to Visually Important Open Spaces (VIOS):**

### **Additions:**

1. Continue VIOS to front of Garden Terrace to include land to north east of No 49 Station Road: Land is part of the VIOS
2. Land to east of No 12 Middle Mill Lane. Important open space on edge of mill leat
3. Land south of Wavering on Middle Mill Lane, and to south of Monks Walk. Important open space. Residential open land within the burgage plots and not developed. Important continuation of land to the north and east of The Old Vicarage
4. Add pavement on east side of High Street/Higher Bull Ring. Pavement is part of VIOS
5. Queen Square: an important space in Cullompton as it retains the old street pattern which in other places has been lost
6. Gardens to the front of Nos 14 and 15 Gravel Walk: Important garden areas to the front of the buildings
7. Gardens to east of Nos 1 2 and 3 Lower Mill Lane rear gardens are residual open space with significance to the mill leat
8. Garden to the front of No 15 Willand Road. Adjacent to No 13 which is already designated. Part of coherent identification of VIOS on this road.

### **Deletions**

9. Area of land to west of Court House: Area has been built on. No longer open space
10. Priory Cottage, Gravel Walk grounds and land to the south. Area compromised by building of bungalow



## **Proposed Changes to Unlisted Important Buildings within the Conservation Area:**

### **Additions:**

1. Higher Mill, Higher Mill Lane: Higher Mill, also called Town Roller Mills or Town Mill, appears to have always been used for grinding corn. At the beginning of the 19th century it was powered by two waterwheels
2. Lower Mill, Lower Mill Lane is first shown on a map of 1633. Originally a corn mill it was converted to a woollen manufactory in the 19th century, although by the 1880s it was being used for grinding animal feed. The mill last worked in 1968. It has now been converted
3. Pound Square Unitarian Chapel. Brick built attractive building at junction, with brick boundary wall and railings
4. Tannery building on east side of Exeter Hill significant to the understanding of Cullompton and its industrial heritage.
5. No 3 Station Road: Good historic shop front
6. No 3 and 5 High Street. (7 already included) Nos 3 to 7 (odd) High Street: Three storey building, divided into three shops. Four window range, No 3 to right has a first floor bay and a good late 19th century shop front
7. 13 and 14 Pound Square: Two storey house, rubble and cob with hipped roof (thatched until at least late 1970s), probably 17th century. Originally part of a longer row.
8. 37 New Street: Two storey house, two window front, round headed central door with panelled door case
9. 50 to 54 (even) New Street: Row of cottages, two storey one window fronts, early 19th century. Examples of a type which once comprised the whole of New Street.
10. No 34-36 Fore Street. Former Post Office.
11. Nos 56 to 62 Fore Street – 3 storey rendered building. Three good historic shop fronts, oriel windows to first and second floor, top floor cantilevered. Windows all of one piece.
12. 66 Fore Street: Three storey rendered building with date stone of 1706 in south gable.
13. DeDevonand Cornwall Bank. all Bank
14. No 5 Fore Street. Former Bank. Main range 3 storey with 2 storey southern extension. Brick with stone window surrounds and quoin. Tall imposing building in the street. Former Devon and Cornwall Bank.
15. Nos 59- 61 Fore Street – Decorative building bearing the date 1889.
16. No 63 Fore Street – Brick building, Oriel windows little altered with original windows. Now a post office started life as a Plymouth Brethren Chapel
17. Methodist Chapel, New Cut. Wesleyan chapel. Originally built in 1764, replaced in 1806, and considerably restored in 1872 following a fire.
18. Baptist Chapel, High Street: Baptist chapel built in 1743 and almost entirely renewed in 1858. During the 1870s the church decided to expand to cope with the growing Sunday School and a new schoolroom was completed in 1883. In 1904 a Manse was built on land next to the church, completed in 1906.

### **Deletions**

19. Building on north side of Higher Mill Lane: Building redeveloped and altered. Due to partial demolition and alteration no longer of sufficient interest
20. No 19 High Street: Building lost to fire

21. Parish Hall to North of Parish Church. Building demolished through redevelopment
22. Delete the northern half of No 58 Willand Road. The area indicated is a garden not a building.

### **Proposed Changes to Unlisted Important Buildings adjacent to the Conservation Area:**

#### **Additions:**

1. Tannery Building, on site to west of Exeter Hill on boundary with conservation area. Of significant to the understanding of Cullompton and its industrial heritage.

#### **Deletions:**

None proposed.

# Part 2 Management Proposals

## 11 Introduction

### 11.1 Format of the Management Proposals

Part 1 of this document, the Character Appraisal, has identified the special positive qualities of The Cullompton Conservation Area which together make the conservation area unique. Part 2 of this document, the Management Proposals, builds upon the negative features which have also been identified, to provide a series of Issues and Recommendations for improvement and change.

Both the Conservation Area Character Appraisal and the Management Proposals will be subject to monitoring and reviews on a regular basis, as set out in Section 11.

### 11.2 Issues and recommended principles.

The issues and recommended principles for management in the conservation area are set out below.

### 11.3 Volume and Nature of traffic.

Given the nodal connection to the motorway, there is high volume of traffic in the main streets of Cullompton which is passing through on its way to and from the motorway. This includes heavy good vehicles passing through the historic core. The volume of traffic results in queuing at the principal junctions, and when deliveries are made along Fore Street. Along with the narrow pavement widths, this makes the experience of the historic core quite unpleasant, with the noise, fumes and dirt from the traffic, and where the pavement is narrow, a feeling of danger for those on foot and bicycle.

At the time of writing (and to be amended as this document moves forward up to adoption) an application for the 'Construction was granted by Mid Devon District Council in January 2021. The applicant indicated in their application that commencement is anticipated in the winter of 2021 This new road is designed to reduce the through traffic from the historic core.

This will give opportunities for change within the conservation area to direct traffic away from the historic core, and to reconsider traffic management within the town overall.

#### Recommendation:

***Management Plan Principle 1: The Council will engage with the Town Council, the Highway Authority, Highways England and other local interest groups to develop a strategy to implement and support a change to the local road hierarchy with a view to directing traffic onto the relief road. Any strategy or scheme which comes from it should adhere to the guidance in the Historic England publication – Streets for All: Advice for Highway and Public Realm Works in Historic Places***

## 11.4 Traffic Management

There is clutter from signage, road markings and traffic islands, some of which relates to highways for direction or for restrictions such as parking. There is an opportunity to both review the signage and highway markings, to ensure that it is all strictly necessary, and the need for on street parking, and that this evolves as the volume and nature of the traffic reduces as the relief road takes effect, and is part of the public benefit of the provision of the relief road. Redundant highway management measures should not be left to continue to harm the conservation area where they are not necessary.

This is conservation area wide matter, but a specific area of concern is the junction of High Street, Higher Street and Station Road.

One of the finest views in Cullompton is that of the Parish Church of St Andrew along Church Street. This is a splendid vista which is marred by the use of double yellow lines to prevent parking. There is a group of the most highly graded buildings, both grade I and 2\* listed buildings at the north end of Fore Street. The pedestrian crossing along with its lighting and road marking is immediately opposite the grade I listed The Walronds, and although in a town centre context, the pedestrian crossing could be sited in a position away from these buildings of noted exceptional importance. It should be considered for re-siting or removal as part of any scheme relating to traffic management in the core of Cullompton.

### Recommendation:

***Management Plan Principle 2: That the Council engage with Town Council, the Highway Authority and Local Interest groups to review the position of the pedestrian crossings, and all other traffic control including highway signage and road markings, including the method it is displayed (e.g. pole mounted or to a building), with a view to reducing that provided to the minimum necessary.***

## 11.5 Public Realm.

A number of negative impacts from in the public realm have been identified within the conservation area appraisal above. Some are site specific whilst others have an impact throughout the conservation area.

### 11.5.1 Uncoordinated and poor quality floor scape:

Paving and surface materials throughout the area are generally modern, uncoordinated and poor quality. In almost all cases they fail to enhance or re-inforce the historic identity of the conservation area.

Patch repairs in the public highway, or where service trenches are cut, can lead to alternative lower quality and out of place materials being used.

In contrast there are areas where historic surfaces survive or have been reused, for example in the Higher Bullring, as part of an enhancement scheme.

## **Recommendation:**

*Management Plan Principle 3: That the Council engage with the Town Council, the Highway Authority, Utility Companies, private developers and land owners with a view to encouraging that where a pavement, road or other historic surface is repaired or dug up for repairs or for the provision/repairs to utilities or drives etc., all making good or repairs will be done with matching materials to those removed or repaired, with reinstatement of historic surfacing materials encouraged where appropriate.*

### **11.5.2 Public Alleys to CCA Fields and Shortlands Road.**

The public accessible pathways to the leat and Forge Way car park, and to Shortlands Road are not legible or welcoming. It is not clear other to those who know that they are public paths and where they lead to. The path back from High Street to Forge Way Car Park is not marked.

There is a missed opportunity to exploit the historic town layout and promote walking and promote traffic free links to the CCA fields and to the supermarket, and in the future to link to the Garden Village.

## **Recommendation:**

*Management Plan Principle 4: That the Council engage with Town Council, the Highway Authority and Local Interest groups to more clearly identify the public pathways from Fore Street and High Street, to Shortlands Lane, the mill leat and to the Forge Way Public Car Park.*

### **11.5.3 New Cut, off Fore Street:**

The public path along New Cut accesses Shortlands lane. The Methodist Chapel is accessed via this lane with an open area to the front and a derelict site, with a recent planning permission, to the rear of No 20 Fore Street. The Chapel is no longer in use for worship and is in private ownership. The materials used to the area to the front of the Chapel are utilitarian. The run down nature of this area is uninviting and harmful to the conservation area.

## **Recommendation:**

*Management Plan Principle 5: That the Council engage with the land owners, the Town Council, the Highway Authority and Local Interest groups to develop a scheme to find a new and productive use for the chapel, to improve the open space to the front of it, to improve the appearance of the derelict site to the rear of No 20 Fore Street, and to generally make the public footpath more welcoming.*

#### **11.5.4 Area to South of seating area to south of Trotts Almhouses, at North end of High Street.**

Trotts Almhouses are an attractive building listed as being of national importance. The seating area to the south gable is an attractive and well used area. To the south of this is an expanse of tarmac and tactile paving, and signage and traffic control associated with the busy highway junction.

There is potential to increase the landscaping here, which in association with a review of the highway traffic management currently in place, would improve the setting of the listed Trotts Almhouses and the character of the conservation area at this prominent and busy position.

#### **Recommendation:**

*Management Plan Principle 6: That the Council engage with the land owners, the Town Council, the Highway Authority and Local Interest groups to develop a scheme which in association with the reduction in traffic, to improve the setting of the listed Trotts Almhouses and this public realm in a highly prominent and visible position.*

#### **11.5.5 Street Furniture, Trees and on Road Parking**

The street furniture, as distinct from traffic control, in the conservation area includes benches, planting, bus shelters, bike racks, utility cabinets, CCTV and bollards for the control of cars. It also includes road name signage.

The Higher Bullring is noted as an important open space both historically as it relates to the understanding of the evolution and function of the town, but is currently dominated by car parking, the volume and nature of traffic passing through it and associated traffic control measures, and street furniture which has been provided organically over time. It has the potential to be much more pleasant social and commercial space. The listed War Memorial is a key landmark building here. It is compromised by car parking, and uncoordinated street furniture.

In Church Street, bollards are provided which are of a poor design and are not maintained.

Historic road name signs have survived but some are in poor condition.



Power pole in poor decorative state





Bollard of poor design and lacking maintenance



Historic Road Sign

### **Recommendation:**

*Management Plan Principle 7: That the Council engage with Town Council, the Highway Authority and Local Interest groups with a view to developing a scheme to redesign and reinvigorate the visually important open space and setting of the war memorial in context with the conservation area and the history of the space, and should seek to reduce clutter, and dominance of the car. Any scheme should adhere to the guidance in the Historic England publication – Streets for All: Advice for Highway and Public Realm Works in Historic Places.*

*Management Plan Principle 8: That the Council engage with Town Council, the Highway Authority and Local Interest groups to survey and refurbish the historic street signage and furniture and identify inappropriate street furniture beyond the area to be enhanced as part of the Heritage Action Zone.*

### **11.5.6 Raised Concrete Kerb along much of Fore Street**

The raised concrete double kerb along Fore Street works to divide the footpath from the carriageway and as a method of surface water control, the path and road being at the same level. It is an unusual, non-traditional, incongruous and unattractive feature in the conservation area, and often retains water on the pavement side.

It is particularly prominent in the vicinity of the pedestrian crossing at the north end of Fore Street where it adversely affects the setting of the listed The Walronds (grade 1), The Merchants House and No 2 Fore Street (both 2\*).

**Management Plan Principle 9: That the Council engage with Town Council, the Highway Authority and Local Interest groups with a view to developing a scheme to replace the raised concrete kerbing whilst managing water runoff and highway safety in context with the conservation area and adjacent listed buildings. Any scheme should adhere to the guidance in the Historic England publication – Streets for All: Advice for Highway and Public Realm Works in Historic Places**

## **11.6 Loss of original architectural details and inappropriate building materials.**

Many of the unlisted, and some of the listed, buildings in the conservation area have been adversely affected by the replacement of original timber sash windows, casement windows and doors with inappropriate timber, uPVC or aluminium, and the replacement of natural roof slates with man-made slate or natural slate being turnerised.

In the case of shopfronts there are a number of cases where the replacement or alteration of historic shop fronts and advertisements has spoiled the external appearance of a building and the local streetscape.

Where single family dwellings are concerned, they can normally alter windows and doors, and undertaken other alterations without planning permission from the Council. Development of this kind is called “Permitted Development” (PD) and falls into various classes which are listed in the Town and Country Planning (General Permitted Development) Order 1995 (as amended). Powers exist for the Council, known as Article 4(1) directions, to withdraw some of these permitted development rights in the interest of preserving and enhancing the character and appearance of the conservation area.

Article 4(1) directions were implemented in certain parts of the conservation area in 2011 and were reviewed in 2015. They are restricted in their extent and do not cover the entire conservation area. The types of development covered are

2. Roof lights
3. Chimneys
4. Porches
5. Boundary Walls
6. Doors
7. Windows
8. Solar Panels.

Given that they were undertaken so recently it is considered there is no need to review them at this time. However, if the conservation area boundary is to be amended, it will be appropriate to consider whether the extended areas, or parts of them, should be added or the Direction may need to be amended where areas are removed from the conservation area.

Advertisements can similarly be changed or displayed without the need for a specific consent from the Local Planning Authority – Deemed Consent. There are two options to change Deemed Consent. One is to restrict deemed consent in a defined area, the other is to designate an area of special control. An area of special control order places additional restrictions on the display of advertisements. For example, some deemed consent classes are subject to reduced size limits if they are located in an area of special control.

It may be appropriate to designate an area of special control in locations where the local planning authority considers these additional restrictions are necessary, above and beyond its powers to restrict deemed consent and take discontinuance action, such as in rural areas or other areas which appear to the Secretary of State to require special protection on the grounds of amenity.



A local planning authority can only make an area of special control order after it has been approved by the Secretary of State. Before making an order and applying for approval from the Secretary of State, local planning authorities are expected to consult local trade and amenity organisations about the proposal.

### **Recommendation:**

***Management Plan Principle 10: The Council will seek to consider the need for the Article 4(1) Directions to be amended or new orders made in relation to any extension or deletion of the extent of the conservation area.***

***Management Plan Principle 11: The Council will consider the use of additional controls to prevent inappropriate advertisements being displayed that are harmful to the conservation area or setting of listed buildings.***

## **11.7 Poor quality of new developments, building alterations and extensions**

Some modern developments are out of character with the conservation area by reason of their inappropriate design, scale or materials. In the conservation area, where the quality of the general environment is already acknowledged by designation, the Council will encourage good quality schemes that respond positively to their historic setting.

The majority of the inappropriate shopfronts are not recent, but their effect of degrading the character of the conservation area is evident. Replacement with appropriately designed shop fronts and associated advertisements will improve the status and image of the shop that is behind it. In order to facilitate and guide the design of new shopfronts Supplementary Planning Guidance should be prepared.

The District Council has produced the following advice

- The Mid Devon Design Guide - which was adopted in 2020.
- Design Guide to Windows and Doors
- Design Guide to Roofs and Chimneys

In addition there is advice from Historic England such as the advice note on Traditional Windows: their care, repair and upgrading from 2017 which is on their website.

### **Recommendation:**

***Management Plan Principle 12: Applications will be required to adhere to policies in the Adopted Mid Devon Local Plan, especially with regard to Heritage and good design, the National Planning Policy Framework and the statutory duties within the Planning (Listed Building and Conservation Areas) Act 1990, unless material considerations indicate otherwise.***

***Management Plan Principle 13: The Council will prepare and adopt Supplementary Planning Document on The Design of Shopfronts and Associated Advertisements***

## **11.8 Lack of Routine Building Maintenance and Repair**

Buildings in the conservation area are generally in good condition but there are instances of the neglect of routine maintenance and repair. Modest amounts of inspection, maintenance and repair carried out on a regular basis can safe-guard the well-being and condition of a building, while failure to identify problems early enough can lead to major faults and damage, which may then be extremely expensive to put right.

### **Recommendation:**

***Management Plan Principle 14: The Council will seek to monitor the condition of all historic buildings, report findings and take action, as necessary. Where the condition of a building gives cause for concern, appropriate steps will be taken to secure the future of the building, including the use of statutory powers.***

***Management Plan Principle 15: The Council will, during the period of funding the Heritage Action Zone, seek to work with the Town Council and other interest groups to educate building owners and tenants on causes of common defects***

***and how to avoid expensive repairs in the long term, and otherwise signpost good practice in the historic environment.***

## **11.9 Unsightly Satellite Dishes**

Satellite dishes are a feature of modern living. Unfortunately, when located on the front of a historic building, a satellite dish and associate wiring can spoil the appearance of the building and the street scene. They have a particularly noticeable adverse effect when a black dish is sited on a light background, especially render. In certain circumstances, satellites dishes may have been installed without the need for planning permission and/or listed building consent.

### **Recommendation:**

***Management Plan Principle 16: The Council will prepare guidance for householders, landlords and tenants on the sensitive installation of satellite dishes and the requirement, or not, for planning permission.***

***Management Plan Principle 17: Enforcement action will be considered, where expedient, to remove any unauthorised dishes where the owner cannot be persuaded to re-site the dish without recourse to formal action.***

## 11.10 Sub-division of properties

Any subdivision of a building is likely to increase pressure for change on the outside of the building, its garden or land, and sometimes that extends beyond with regard to storage and bins.

Sub-division of properties into flats or let for multiple occupancy can tend to erode external character through poorly maintained buildings, gardens and shared areas by absentee landlords gardens or gardens destroyed in order to ease maintenance/parking or where there is external storage including bins, and multiple external wires for services. There are examples where large communal bins are left on the street which is harmful to the conservation area and the setting of listed buildings.

### Recommendation:

***Management Plan Principle 18: The Council will engage with applicants for planning permission for the subdivision of a property, to achieve satisfactory solutions for the provision of household amenities (such as bin storage, clothes drying, car parking, fire safety works, satellite dishes etc) so these do not adversely impact on the character and appearance of the conservation area.***

## 11.11 Overhead power lines and telephone lines, and on buildings

A number of streets retain above ground servicing by telephone and power cables radiating out from telegraph poles. New Street remains serviced by above ground electricity cables with wires along and between poles in the street and to individual properties which adds to the clutter along this street. Church Street is another example where telephone cables intervene into the view of the Parish Church.

Once the cabling meets the building, there are examples of haphazard and ill thought out routing of cables across the frontage of buildings and redundant cables left in place. This clutter is harmful to the character of the conservation area.



Six utility boxes on front of converted house



Bins left in front of entrance to the grade I listed Parish Church

## **Recommendation:**

***Management Plan Principle 19: That the Council engage with the utility companies, the Town Council, the Highway Authority and Local Interest groups to investigate the possibility of removing the above ground wiring and associated telegraph poles, and where new wiring is to be provided on buildings to carefully consider the routing and removal of redundant cabling***

### **11.12 Negative sites and buildings**

This appraisal has identified 'negative' buildings and areas i.e. buildings and areas which clearly detract from the character or appearance of the conservation area and could suitably be redeveloped or improved. Some of these areas which are public realm have been considered above. The following sites and/or buildings, marked on the accompanying map, clearly detract from the character or appearance of the conservation area:

#### **11.12.1 Land adjacent to No 12, Gravel Walk**

The area of open parking on the corner of Gravel Walk and Lower Church Street. There was historically a building on this land, but it was gone by the middle of the 20<sup>th</sup> century. This area is informal and allows this otherwise enclosed character to spill out and be dominated by parked cars. There is potential here to either redevelop the site, or retain the car parking but to enclose the site and to improve the setting of the adjacent listed buildings and the character of the conservation area.

## **Recommendation:**

***Management Plan Principle 20: That the Council engage with the land owner(s), the Town Council, the Highway Authority and Local Interest groups with a view to developing a scheme which is the optimum (least harmful) use of the land and to improve the appearance of the site in the context of the setting of the listed building and the conservation area.***

#### **11.12.2 Cobbles at Pye Corner:**

This is a large area of cobbles off Church Street, to the north of the entrance to the Parish Church yard. The condition of them is variable, with patches missing, but the area closest to, but outside, the Church wall has been removed, it would appear to provide for a utility trench. This is an unfortunate intervention with some loss of historic fabric and some loss to the setting of the Church.

It is unlikely that there will be a driver which will see the reinstatement of the cobbles which are not on the public highway. In line with the principle above regarding reinstatement of historic surfaces in the public realm, there should be resistance any further loss of historic surfaces in the conservation area, and should look for reinstatement where appropriate.

**Recommendation:**

*Management Plan Principle 3 applies equally with regard to reinstatement of historic surfaces.*

**11.12.3 Hebron Evangelical Church, off Queen Square.**

The Church building is mid to late 20<sup>th</sup> century building on an elevated site in the conservation area. The design does not respond well to the context in the dominant elevated position above Queen Square.

**Recommendation:**

*Management Plan Principle 21: That the Council engage with the land owners, the Town Council, the Highway Authority and Local Interest groups with a view to developing a scheme to which is the optimum (least harmful) use of the land and to improve the appearance of the site in the context of the setting of the listed building and the conservation area.*

**11.12.4 Hayridge Centre Car Park**

The character of the conservation area is one of tight enclosed streets with buildings or occasionally domestic gardens to the rear of the pavement. The car park at Hayridge centre is at odds with this built development and character of the conservation area. There is potential to visually enclose the parking, and to improve the setting of the memorial garden to the front.

**Recommendation:**

*Management Plan Principle 22: That the Council engage with the land owners, the Town Council and Local Interest groups to provide more visual enclosure and reduce the visual dominance of parked cars to improve the appearance of the site in the context of the character of the conservation area*

**11.12.5 Land at No 19 High Street.**

This plot of land is vacant due to a fire several years ago. The Council intervened at the time and took action to improve the amenity of the site, but this was only a short term measure and intended to be a holding position until the site was redeveloped.

There is clear potential to redevelop this site taking into account the setting the listed buildings nearby and the context within the conservation area. There is also the possibility of forming an additional pedestrian access through to Forge Way and the public car park, but also to Higher Mill Lane and the mill leat beyond.

## **Recommendation:**

*Management Plan Principle 23: That the Council engage with the land owners, the Town Council, the Highway Authority and Local Interest groups to seek to develop a scheme to find a new and productive use of the land in context with its position in the conservation area and the setting of listed buildings.*

### **11.12.6 Clarks Court Off High Street.**

This recent, within the last 10 years, redevelopment is not considered to be of sufficient interest to remain in the conservation area. It is proposed to redraw the conservation area boundary to exclude this site.

### **11.12.7 Public Toilets and land adjacent to Station Road**

The public toilet building is a utilitarian single storey building. It is currently in limited use. It is set on an area of open land against the gable and rear garden to No 35 High Street and outbuildings to The King's Head Public House.

This is a typical area where the road was widened at some time in the past and a building removed. Little remediation appears to have taken place at the time to deal with an area which is now open to public view but was not built to be so.

It is a prominent and key site at the gateway into the core of the conservation area.

A scheme to redevelop the site has come forward and at the time of writing (November 2020) is pending but likely to gain consent. It is prudent to include a management plan principle.

## **Recommendation:**

*Management Plan Principle 24: That the Council engage with the land owners, the Town Council, the Highway Authority and Local Interest groups to seek to develop a scheme to find a new and productive use of the land in context with its position in the conservation area and the setting of listed buildings, which includes the view of the Parish Church along Forge Way.*

### **11.12.8 Police Station, Station Road**

The police station whilst being of its time, is now considered poorly designed and positioned on its plot with the use of inappropriate materials. It is on a key road into the town centre and is in a prominent position.

This site has the potential to be redeveloped for housing which should be designed to better respond to the context. It is possible that any redevelopment could allow the Police use to be retained on the site depending on the nature of use that the Police have for the building and the amount of accommodation required.



## **Recommendation:**

*Management Plan Principle 25: That the Council engage with the land owner(s), the Town Council, the Highway Authority and Local Interest groups to seek to develop a scheme to find a new and productive use of the land in context with its position in the conservation area and the setting of listed buildings, which includes the view of the Parish Church along Forge Way.*

### **11.12.9 Roundabout at Entrance to Supermarket on Station Road:**

The roundabout junction to the supermarket in Station Road is stark and utilitarian and does not complement the conservation area and gives a poor setting and approach to the conservation area which is to one side. It is on a key road into the town centre and is in a prominent position. It is unlikely that there is to be any driver for change here, but a more conventional T junction would result in highway engineering being less dominant with a more traditional form of junction.

## **Recommendation:**

*Management Plan Principle 26: That the Council monitors any proposals for changes to this junction and if any come forward engage with the land owners, the Town Council, the Highway Authority and Local Interest groups to seek to develop a scheme which reduces the dominance of the highway infrastructure in the context of its position adjacent to, and at the gateway of, the conservation area.*

### **11.12.10 No 60 Higher Street.**

This building is in a commercial use. The frontage is majority car parking which comes to the low front wall. The character of the conservation area is with buildings hard onto the pavement or planted gardens to the front. The dominance of car parking to the front of this property is at odds with the character of the conservation area.

## **Recommendation:**

*Management Plan Principle 27: That the Council engage with the land owners with a view to encouraging them to consider hard and/or soft planting to reduce the dominance of the car parking to the front of the property.*

### **11.12.11 Trotts Almshouses, Higher Street.**

Trotts Almshouses is a listed building in a conservation area. The Higher Street elevation shows signs of needing to be repointed, and there are signs that the property has been previously repointed in a cement pointing. Cement mortars (as opposed to cement free lime based mortars) are harmful to a stone building as they prevent the passage of moisture through the building, and are usually harder than the stone that the wall is made from. This results in damage to the stonework and can create damp within the building and be harmful to the fabric of the building.

## **Recommendation:**

***Management Plan Principle 28: That the Council engage with the land owners with a view to encouraging them to repoint the building in a cement free lime based mortar of a suitable mix, colour and profile.***

## **12 Monitoring and Review**

As recommended by Historic England, this document should be reviewed every five years from the date of its formal adoption. It will need to be assessed in the light of any changes to any Local Plan review with regard to what stage it is at, and government policy generally.

A review should include the following:

- A survey of the conservation area boundary and designations within it to assess whether any changes are necessary;
- An assessment of whether the various recommendations detailed in this document have been acted upon, and how successful this has been;
- The identification of any new issues which need to be addressed, requiring further actions or enhancements;

It is possible that this review could be carried out by the local community under the guidance of a heritage consultant or the District Council. This would enable the local community to become more involved with the process and would raise public consciousness of the issues, including the problems associated with enforcement.



# Appendix 1:

## Glossary of Architectural Terms

**Architrave:** lintels and jambs surrounding a door or window

**Art Deco:** 1920s and 30s style with bold outlines and streamlining

**Ashlar:** best quality masonry with smooth face and narrow joints

**Bargeboard:** wooden protective strips in the angle of a gabled roof, often decorated

**Battered:** a sloping back (retaining) wall

**Burgage plot:** medieval division of land leased to a burgess

**Cambered arch:** arch of an almost flat curve

**Canted bay:** splayed or angled sides to projecting window

**Casement:** opening lights hinged at one side

**Cock-and-hen coping:** vertical, alternating long and short stones on top of a wall

**Coped gable:** angled capping, usually raised above height of adjoining roof

**Corbel:** a projecting block

**Cornice:** a moulded projection crowning a wall

**Cross passage:** house plan with corridor directly between front and rear doors

**Cupola:** small dome or turret

**Dentil:** a projecting block on a cornice

**Double pile:** house plan with two rooms' depth

**Dressed stone:** masonry worked to produce an even finish but not as precisely as ashlar

**Drip mould and label:** projecting horizontal moulding to throw off rain and the decorative end stops commonly seen in Tudor, C17 and Tudor revival buildings

**Eared surround:** an architrave or moulding that sweeps further out at the top or bottom of a window or door opening

**Expressed keystone:** the central arch stone that projects further from the wall face than its neighbours

**Fascia:** on a shop front, the horizontal name or sign board

**Flemish Bond:** brickwork with alternating headers and stretchers in every course

**Four-centred arch:** Tudor arch of flattened profile

**Gentry house:** a high status house

**Glazing bar:** usually wooden division of a window light Gothic

**Revival:** C19 rediscovery and development of the pointed arch architecture of the Middle Ages

**‘Gothic’:** a playful and archaeologically incorrect C18-early C19 version of medieval gothic

**Greek Key:** an incised pattern on stonework with repeated rectangular spirals

**Header:** end of a brick

**Hipped roof:** both roof slopes are angled back at corners

**Hollow chamfer:** side of stone window or door or mullion with a sunken profile

**Lintel (or lintel):** horizontal stone or wood former to top of door or window opening

**Lucam:** projecting structure on industrial buildings containing hoist & taking in doors

**Mullion:** vertical bar dividing window lights Neo-Tudor: revival of C16 architectural style

**Oriel:** a projecting first or second floor window

**Outshut:** lean-to at rear or side of a building Palladian

**Revival:** classical architecture based on a C18 rediscovery of the pure design principles of Andrea Palladio

**Pantile:** a clay roof tile of shaped or curved section

**Pediment:** the triangular or semi-circular hood or gable end on classical architecture

**Pilaster:** a flat, slightly projecting version of a column

**Plat band:** a flat horizontal feature that may sub-divide a building’s wall

**Polite:** architecture that accords with national fashions and techniques, usually fairly up-to-date

**Portico:** a range of columns forming a porch

**Ramps/ramped up:** changes of level in a wall managed, sometimes, by curved sections

**Romanesque:** architecture based upon the round arch

**Rubbed brick:** high quality details created by careful abrading of bricks

**Rubble random:** unworked and unshaped stone walling without any form of coursing

**Rustication:** the deliberate deepening of joints to create a strong appearance

**Sash:** wooden window with two separate lights that can be moved vertically by pulleys and weights

**Soffit:** the underside of a roof that projects beyond the wall surface

**Stone coped gable:** a raised banding of regular stones that finishes and protects a gabled roof

**String course:** a thin horizontal projection dividing a wall surface

**Stucco:** a smooth render, fashionable in the C18-19

**Swag:** a decorative festoon or flowery loop Swept roof: a lean-to roof that curves upwards with a concave profile

**Transom (e):** horizontal stone or wood bar dividing a window

**Tudor Revival:** C19-early C20 reuse of Tudor forms and details

**Venetian window:** a three unit classical opening where the central piece is usually higher and wider than the outside ones, and usually round arched

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# Maps

Map 1 - Current conservation area boundary  
and proposed additions and deletions

Map 2 - Character Area Boundaries

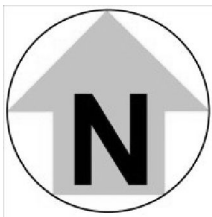
Map 3 - Listed buildings, important unlisted buildings\* and scheduled  
ancient monument

Map 4 - Important Features

Map 5 - Key negative areas

Map 6 - Building Materialss - Walls



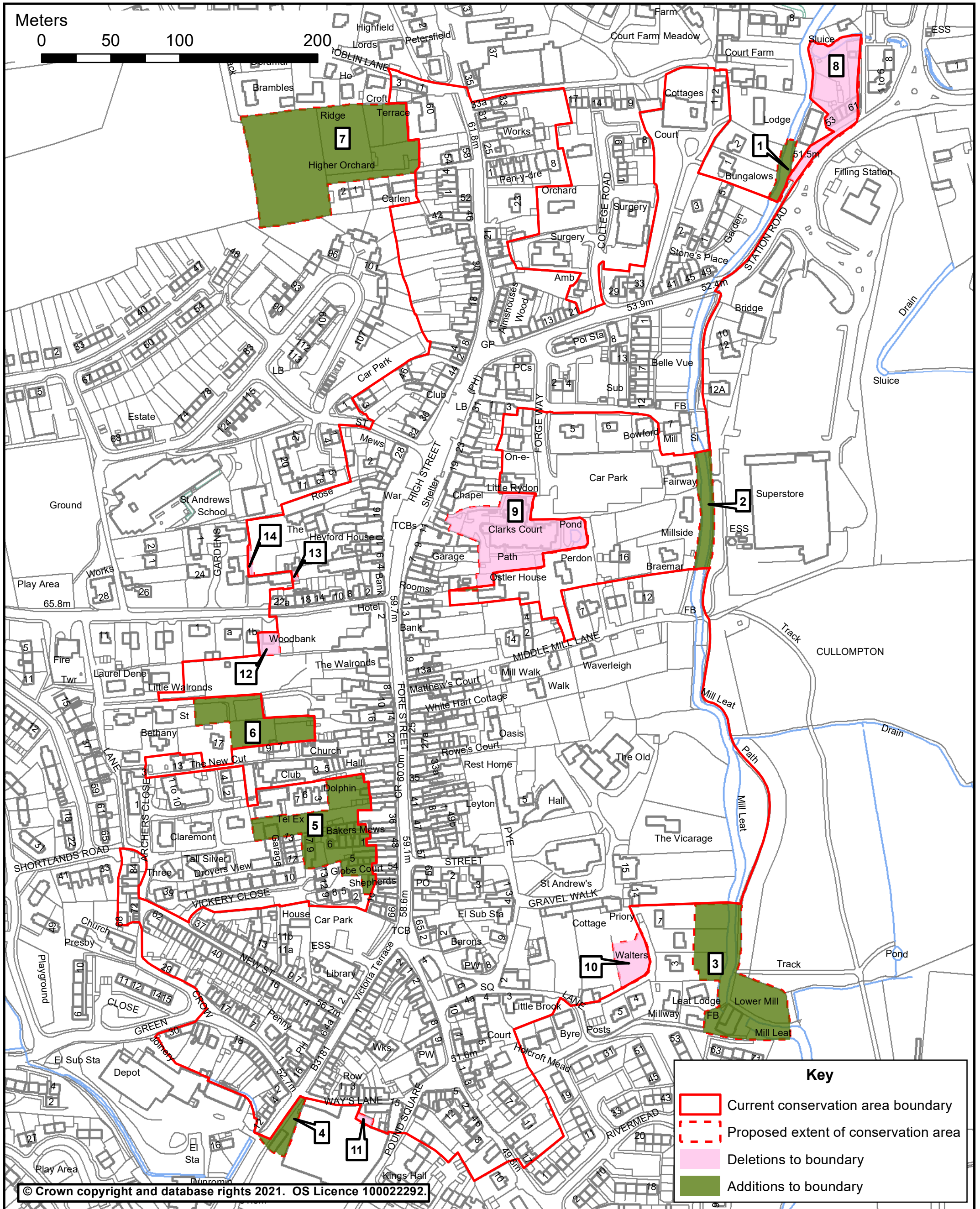


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Scale 1:2,500 @ A3

Drg. No. Map 1

Date 05 March 2021

Produced by GMS Unit

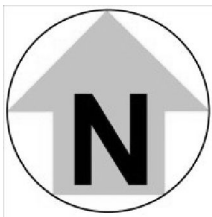
Page 265

Title

**Current conservation area boundary  
and proposed additions and deletions**

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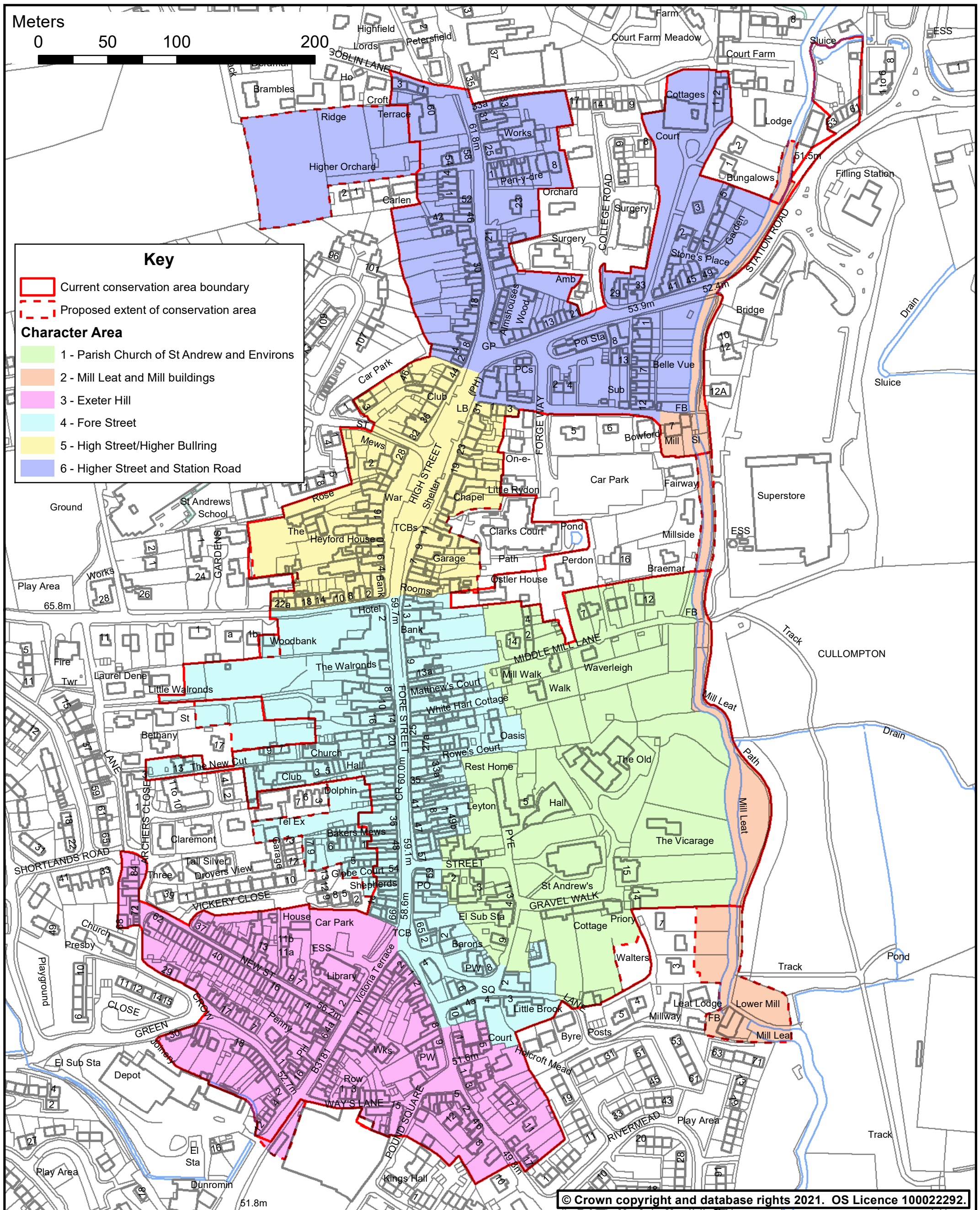


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Date 15 February 2021

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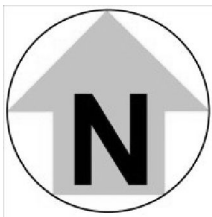
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Title

Character Area Boundaries

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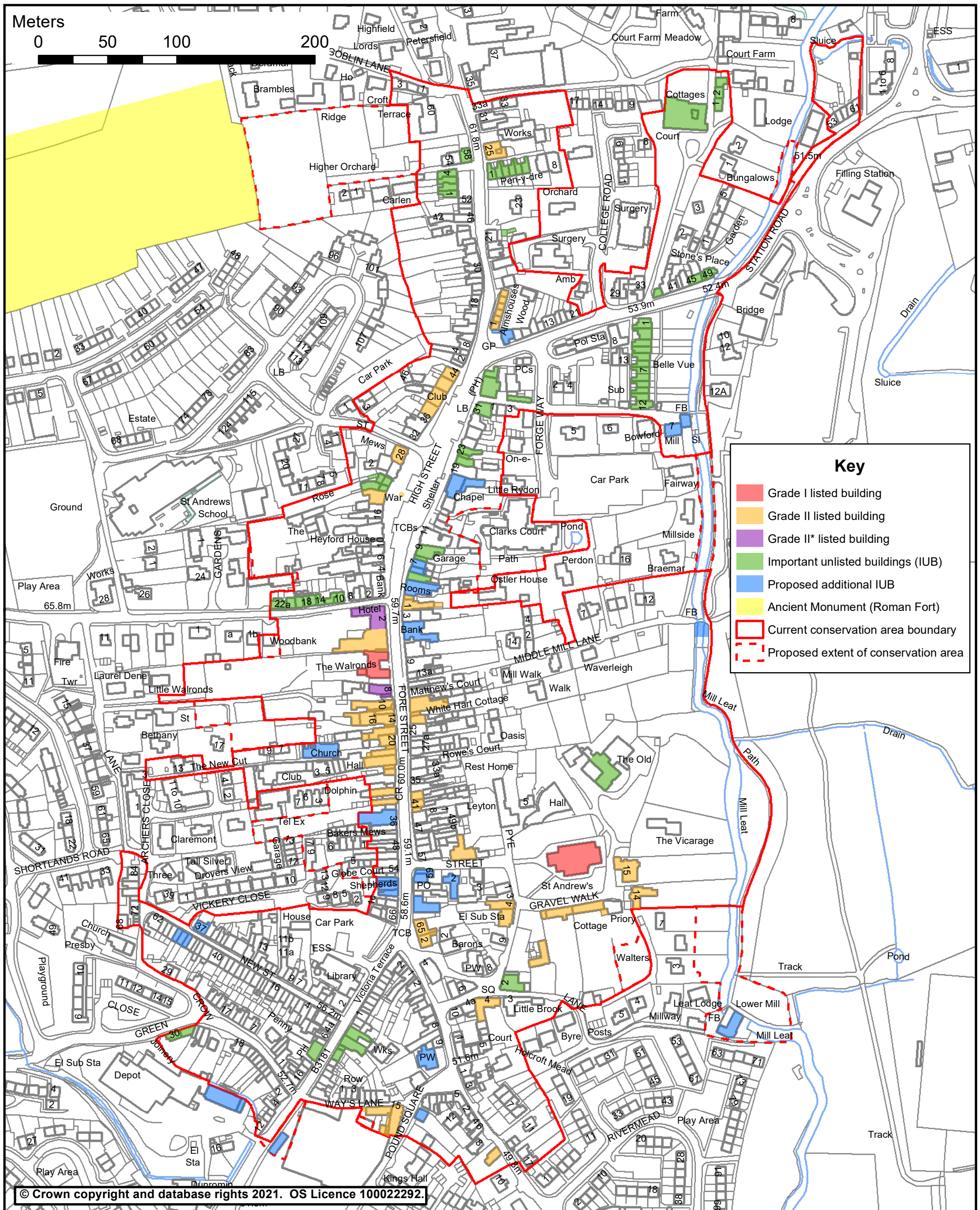


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Drg. No. Map 3

Date 15 March 2021

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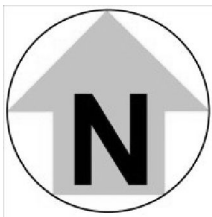
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Title Listed buildings, important unlisted buildings\* and scheduled ancient monument

\*Note: Deleted important unlisted buildings are not shown

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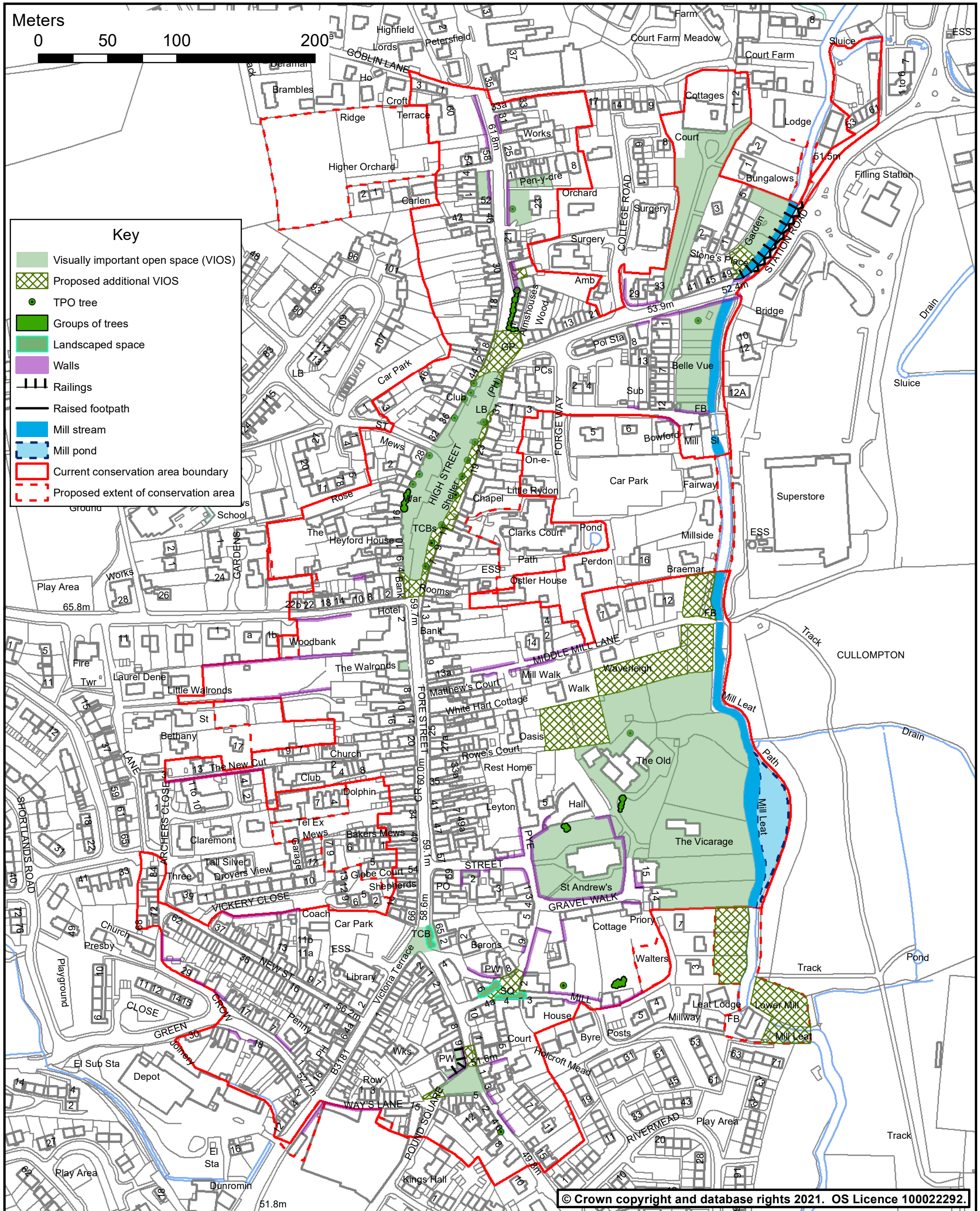


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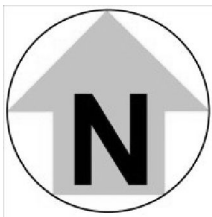
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Title

Important Features

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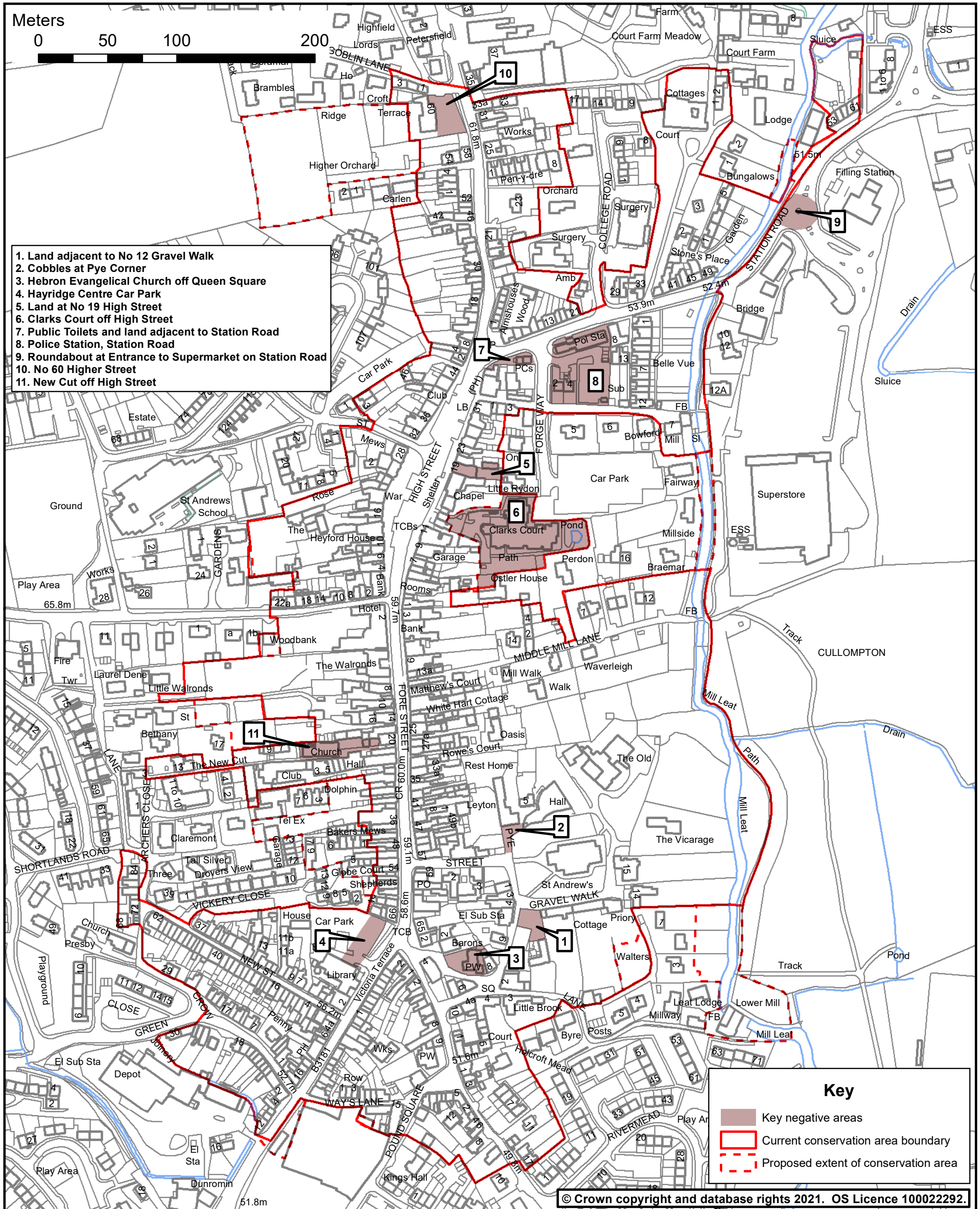


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Date 15 February 2021

Drg. No. Map 5

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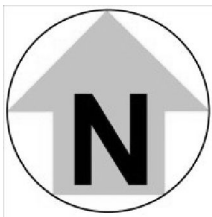
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Title

Key negative areas

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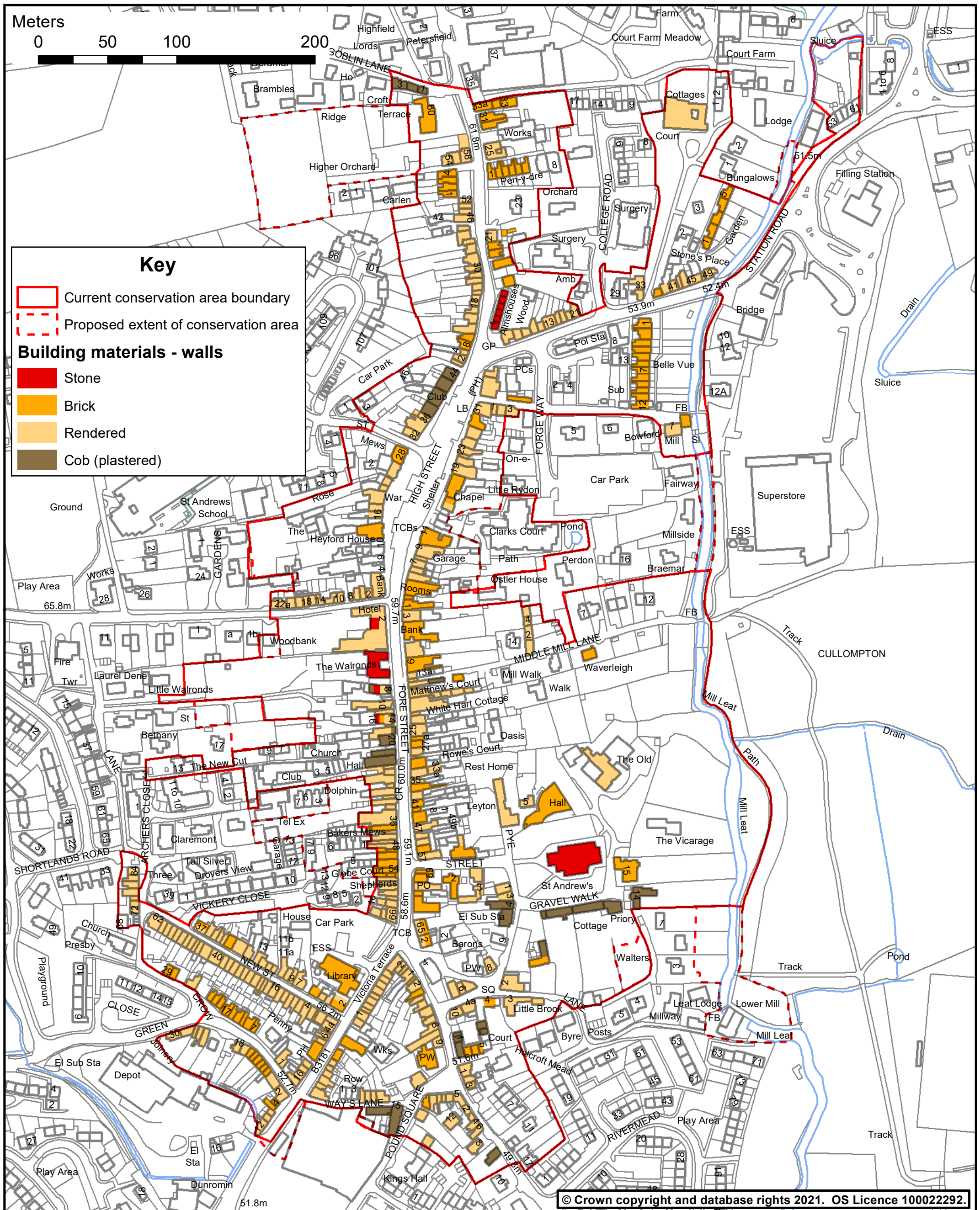


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Drg. No. Map 6

Date 17 February 2021

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Title

**Building materials - walls**

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## CABINET

8<sup>th</sup> April 2021

### REPORT OF THE HEAD OF PLANNING, ECONOMY AND REGENERATION

#### THE DESIGN OF SHOPFRONTS AND ASSOCIATED ADVERTISEMENTS SUPPLEMENTARY PLANNING DOCUMENT

**Cabinet Member:** Cllr Richard Chesterton, Cabinet Member for Planning and Economic Regeneration

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

**Reason for the Report:** To approve the draft Design of Shopfronts and Associated Advertisements Supplementary Planning Document to be published for public consultation.

#### RECOMMENDATIONS:

That Cabinet approves:

1. The draft Design of Shopfronts and Associated Advertisements Supplementary Planning Document (Appendix 1), the Strategic Environmental Assessment Screening Report (Appendix 2) and the Habitat Regulations Assessment Screening Report (Appendix 3) for public consultation.
2. That delegated authority be given to the Head of Planning, Economy and Regeneration in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise the material and arrangements for consultation.

**Financial Implications:** Cullompton has been awarded a High Street Heritage Action Zone (HAZ) by Historic England. This will bring money in the form of a grant from Historic England to be invested in a core area at the centre of the Conservation Area. This money will be invested in the form of grants and public realm work.

The Draft Design of Shopfronts and Associated Advertisements Supplementary Planning Document (SPD) is a District wide document, but the commitment to produce this guidance has been agreed as part of the part of the in kind match funding by Mid Devon District Council towards the Cullompton High Street HAZ agreement with Historic England.

**Budget and Policy Framework:** The preparation of the Draft Design of Shopfronts and Associated Advertisements SPD has been undertaken as part of match funding contributions from Mid Devon District Council for the Cullompton High Street HAZ.

The Policy Framework is referred to in Part 2 of the document includes Statute, The National Planning Policy Framework, and the adopted Mid Devon Local Plan.

Once adopted, the Design of Shopfronts and Associated Advertisements SPD will be capable of being a material consideration for planning decision making purposes.

**Legal Implications:** The process of preparing the Design of Shopfronts and Associated Advertisements SPD will need to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's adopted Statement of Community Involvement. Adoption of the Design of Shopfronts and Associated Advertisements SPD will help raise design standards in development proposals that are submitted to the Council for determination and help guide planning decisions made on these.

**Risk Assessment:** The Design of Shopfronts and Associated Advertisements SPD will provide guidance on design issues in Mid Devon and once adopted will be a material planning consideration. The document will reduce the risk of costs being awarded against the Council where decisions are based on its content. The production of the Design of Shopfronts and Associated Advertisements SPD, whilst being District wide, is also to support regeneration of the Cullompton Town Centre as part of the High Street HAZ, and it is a key document in this respect. Failure to produce it may harm the High Street HAZ going forward.

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

**Impact on Climate Change:** The Design of Shopfronts and Associated Advertisements SPD is, by its nature, neutral on climate change. The Design of Shopfronts and Associated Advertisements SPD should be considered part of a suite of documents produced by the District Council where climate change will be at the core.

**Relationship to Corporate Plan:** The Design of Shopfronts and Associated Advertisements SPD will provide guidance on the planning and delivery of development across the District. It will assist the following priority areas and actions identified in the Council's Corporate Plan 2020-24:

- Economy: Identify strategic and tactical interventions to create economic and community confidence and pride in the places we live. This includes a continued focus on Town Centre Regeneration; and
- Community: Promote new, more integrated approaches to promoting good health and healthier living especially in the context of planned new developments.

## **1.0 Background**

### *National and local planning policy*

- 1.1 The Government published the National Design Guide in October 2019. This provides a common overarching framework for design based on ten characteristics reflecting the Government's priorities for design. It also

highlights the importance of local Design Guides in setting out and understanding the local context and analysis of local character and identity.

- 1.2 The Mid Devon Design Guide Supplementary Planning Document was adopted on 29 October 2020. It provides detailed guidance on urban, village and rural design issues in Mid Devon and complements the National Design Guide through setting out a comprehensive understanding of the local context and analysis of local character and identity.

- 1.3 A Design of Shopfronts and Associated Advertisements supplementary planning document (SPD) is proposed to supplement the National Design Guide, the Mid Devon Design Guide, and also relevant policies of the adopted Mid Devon Local Plan to help raise design standards in development affecting shop fronts in Mid Devon. The relevant Local Plan policies include (amongst potential others such as site allocations):

- S1 Sustainable development priorities
- S7 Town centres
- S9 Environment
- S10 Tiverton
- S11 Cullompton
- S12 Crediton
- DM1 High Quality Design
- DM14 Town centre development
- DM16 Fronts of shops and business premises
- DM17 Rural Shopping
- DM25 Development affecting heritage assets

- 1.4 The Design of Shopfronts and Associated Advertisements SPD will be prepared in accordance with Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. The Design Guide will be adopted by the Council as a Supplementary Planning Document (SPD), once it has been consulted on and finalised. The SPD will not be part of the development plan and does not introduce new planning policies into the Local Plan (development plan). However, it will be capable of being a material consideration in determining planning applications submitted to the Council for determination and help guide planning decisions made on these.

- 1.5 In addition, the Design of Shopfronts and Associated Advertisements SPD will support the achievement of Core Principle 2 set out in the Mid Devon Design Guide. This seeks to identify and facilitate local distinctiveness, including conservation and enhancement of the historic environment, heritage assets, their settings and wider historic landscapes and/or townscapes as part of an integrated approach to design.

*Cullompton High Street Heritage Action Zone (HAZ) and supporting the regeneration of shopping areas*

- 1.6 The Council has bid for schemes to bring investment to Cullompton and has been successful in securing a High Street Heritage Action Zone (HAZ) for Cullompton with Historic England.
- 1.7 As part of the match funding for the High Street HAZ, the Council has agreed with Historic England that it will prepare the SPD for the Design of Shopfronts and Associated Advertisements.
- 1.8 The Design of Shopfronts and Associated Advertisements SPD will form part of a suite of documents (also including the Cullompton Town Centre Masterplan, the Cullompton Neighbourhood Plan and the Mid Devon Design Guide) that can be used to help guide the regeneration of Cullompton's town centre. It can be used across the district to help enhance other shopping areas and in doing so can help improve their economic prospects. It will provide a part of the advice framework within which the Cullompton HAZ works will be delivered.
- 1.9 There will be one stage of consultation in accordance with the Council's adopted Statement of Community Involvement.
- 2.0 Content of the Design of Shopfronts and Associated Advertisements SPD**
- 2.1 The Draft Design of Shopfronts and Associated Advertisements SPD is attached as **Appendix 1** to this report.
- 2.2 The principles set out in this SPD apply throughout the district but it is not intended that they should be treated as blueprints. The advice offered in this guidance is to help towards achieving successful designs and each proposal will be judged on its own merits. Good contemporary designs which are appropriate and relate well to their surroundings are as likely to be supported as traditional designs.
- 2.3 This document is set out in two parts. The first is a guide to a successful refurbishment or alteration to an existing shopfront, or complete replacement of a shopfront, or a brand new shopfront. The second sets out the permissions/consents that may be required and the context in which those decisions are made.
- 2.4 Shopfronts and their associated signs and advertisements play a very important part in the appearance of the commercial areas of our towns. Most of the buildings in these areas contain a shopfront on the ground floor which is the principal focus of attention and falls in the direct line of sight for people in the street. A shopfront is designed to attract attention but its effectiveness depends on the quality of its design and the display within its windows.
- 2.5 The surrounds to the shop windows containing a display act as a visual frame and set off the display in a similar way a picture frame enhances a picture. Just as an unframed picture often has less impact than a framed one, the impact of sale display can be enhanced by its setting with an attractive shopfront. Poor quality badly proportioned and discordant design shopfronts

will let down the display and project a poor image for the shop, and erode the character and interest of the street and area.

### **3.0 Habitats Regulation Assessment Screening / Strategic Environmental Assessment**

- 3.1 The Draft Design of Shopfronts and Associated Advertisements SPD has been 'screened' to establish whether it requires a Strategic Environmental Assessment (SEA). The SEA Screening Report (**Appendix 2** to this report) has concluded that the Design of Shopfronts and Associated Advertisements SPD is unlikely to have significant effects on the environment. The SEA Screening has also found that there is no requirement for the Design of Shopfronts and Associated Advertisements to be subject to a full SEA.
- 3.2 The Draft Design of Shopfronts and Associated Advertisements SPD has been 'screened' for the purpose of the Habitat Regulations Assessment (HRA) to assess whether it may affect the protected features of a European 'habitats site' identified under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended). The HRA Screening Report (see **Appendix 3** to this report) has identified that the Design of Shopfronts and Associated Advertisements SPD is unlikely to have significant effects on the integrity of Habitat Sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.

### **4.0 Planning Policy Advisory Group**

- 4.1 The Planning Policy Advisory Group (PPAG) considered the draft Design of Shopfronts and Associated Advertisements SPD at its meeting on the 18<sup>th</sup> March 2021. Members of PPAG were content for the draft SPD to be considered by Cabinet without amendment. No concerns were raised over its contents.

### **5.0 Next Steps**

- 5.1 The draft Design of Shopfronts and Associated Advertisements SPD, and the Habitats Regulation Assessment Screening and Strategic Environmental Assessment Screening reports will be published for public consultation for a statutory minimum period of 6 weeks in accordance with the Council's adopted Statement of Community Involvement. Once the consultation has ended and officers have considered the responses, the final version of the Design of Shopfronts and Associated Advertisements SPD including any amendments necessary, will be reported back to the Cabinet for formal adoption, together with a statement of public participation.
- 5.2 A provisional timetable for the next stages in the production of the masterplan are set out as follows:

Action	Date
Public Consultation	May / June 2021

Adoption	July / August 2021
----------	--------------------

## 6.0 Conclusion

- 6.1 The Design of Shopfronts and Associated Advertisements SPD will provide a framework that can be used to help guide development in a coordinated and comprehensive manner. Once adopted, it will be capable of being a material planning consideration in the decision making process. The production of an adopted Design of Shopfronts and Associated Advertisements SPD is an important component of the regeneration of Cullompton and successfully delivering the Cullompton High Street HAZ project.

**Contact for more information:** Greg Venn,  
Conservation Officer  
[gvenn@middevon.gov.uk](mailto:gvenn@middevon.gov.uk)

07816 362501 (Part time: Mon-Wed and every other Thurs.)

### Background Papers:

The Adopted Mid Devon Local Plan (2013-2033):  
<https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan-and-policies-maps/>

Referendum version of the Cullompton Neighbourhood Plan  
<https://www.middevon.gov.uk/media/350767/cnp-final-referendum-version-26-aug-2020.pdf>

### Circulation of the Report:

Cabinet

# The Design of Shopfronts and Associated Advertisements





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Acknowledge is given to South Somerset District Council for their agreement to use the illustration reproduced in this document.

## **SUMMARY:**

This design guidance has been prepared to support the policy contained in the adopted Mid Devon Local Plan and, having been subject to consultation, carries the status of the supplementary planning guidance (SPD). It should be read in conjunction with the wider development plan policy framework produced by Mid Devon District Council.

The principles set out in this booklet apply throughout the district but it is not intended that they should be treated as blueprints. The advice offered in this guidance is to help towards achieving successful designs and each proposal will be judged on its own merits. Good contemporary designs which are appropriate and relate well to their surroundings are as likely to be supported as traditional designs.

All applications for planning permission, listed building consent and advertisement consent will be judged in the context of statutory duties, National Planning Guidance and the Adopted Local Plan.

This document is set out in two parts. The first is a guide to a successful refurbishment or alteration to an existing shopfront, or complete replacement of a shopfront, or a brand new shopfront. The second sets out the permissions/consents that may be required and the context in which those decisions are made.

## **INTRODUCTION :**

Shopfronts and their associated signs and advertisements play a very important part in the appearance of the commercial areas of our towns. Most of the buildings in these areas contain a shopfront on the ground floor which is the principal focus of attention and falls in the direct line of sight for people in the street. A shopfront is designed to attract attention but its effectiveness depends on the quality of its design and the display within its windows.

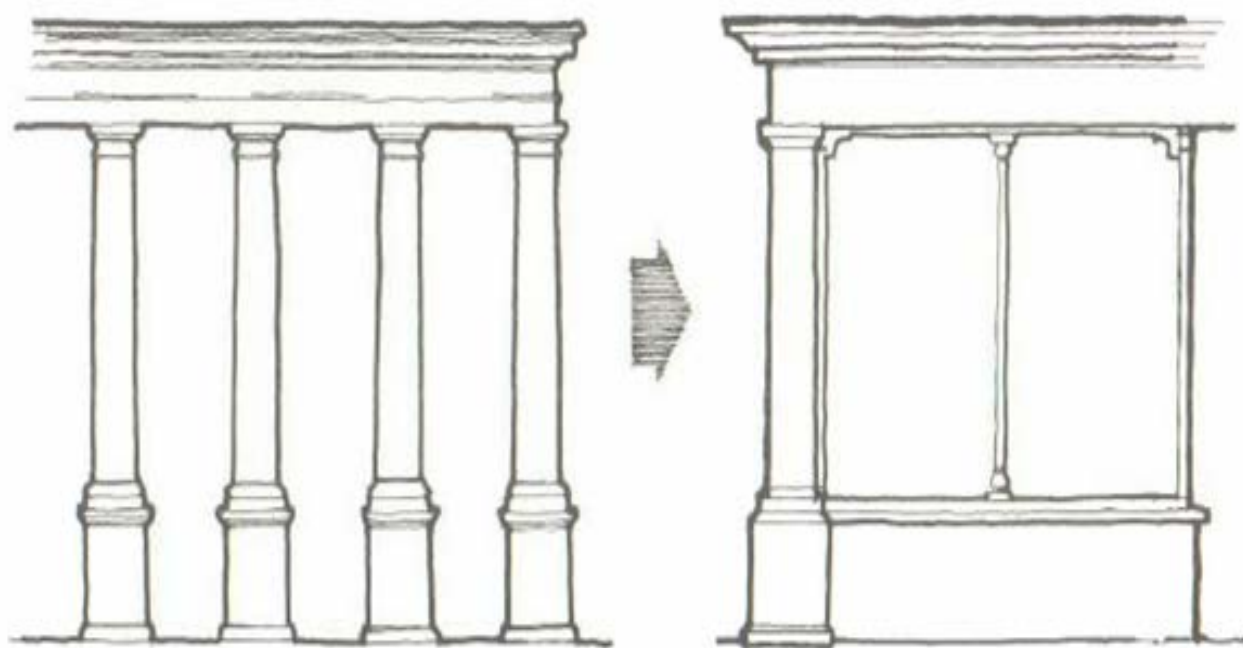
The surrounds to the shop windows containing a display act as a visual frame and set off the display in a similar way a picture frame enhances a picture. Just as an unframed picture often has less impact than a framed one, the impact of sale to the display can be enhanced by its setting with an attractive shopfront. Poor quality badly proportioned and discordant design shopfronts will let down the display and project a poor image for the shop.

# PART 1: GUIDANCE ON NEW, REFURBISHED AND ALTERATIONS SHOPFRONTS AND THEIR ADVERTISEMENTS

## HISTORIC PRINCIPLES

The concept of the shopfront as we know it today evolved in the 18<sup>th</sup> century using classical architecture principles in fashion at the time. This proved to be successful in achieving a satisfactory relationship between the shopfront of the building as a whole. The various classical elements were used in a variety of ways to convey a frame for the window display and to emphasise the entrance to the shop. Since that time the same ideas proportion and balance based on classical orders have been used in countless adaptations and continue to inspire designers today. Whilst this may not be the only way to design the shopfront, many successful contemporary designs have their origin in the same principles.

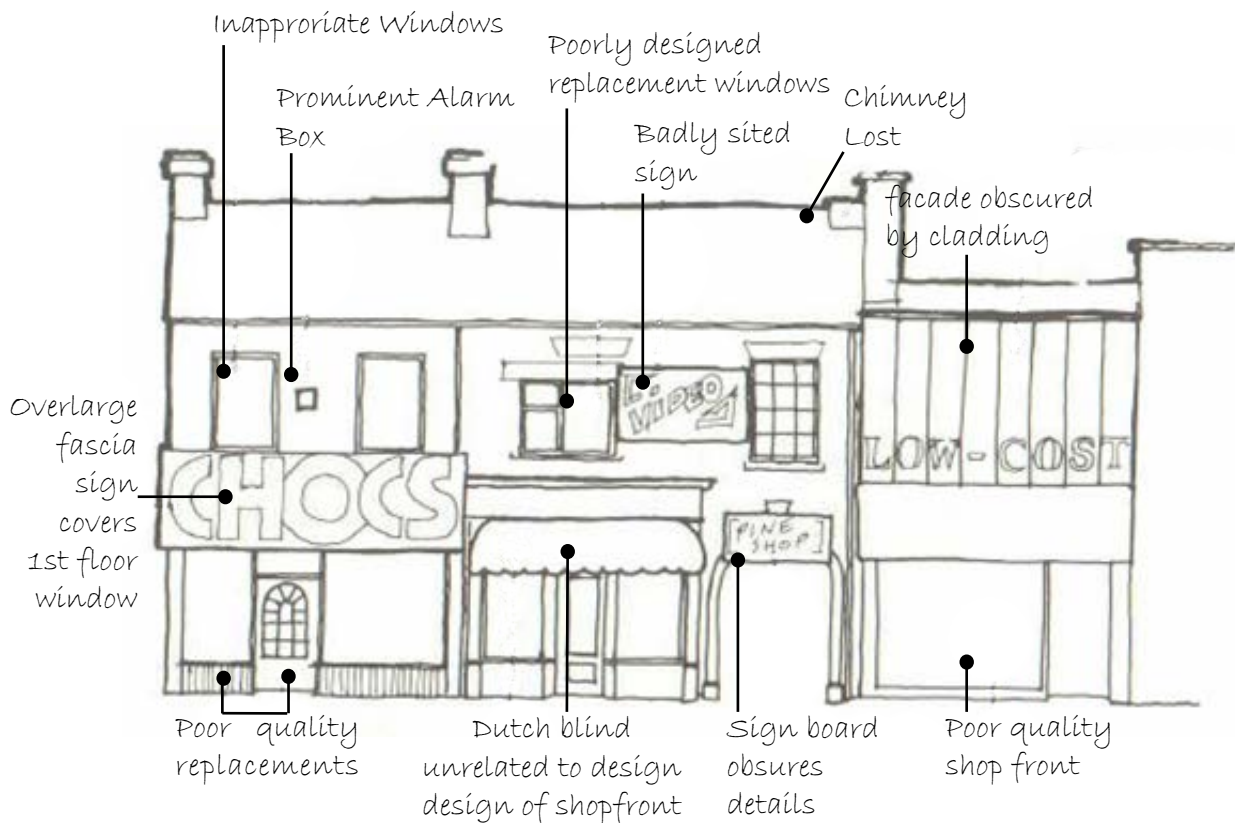
*Classical Principles Adapted To Shopfront Design*



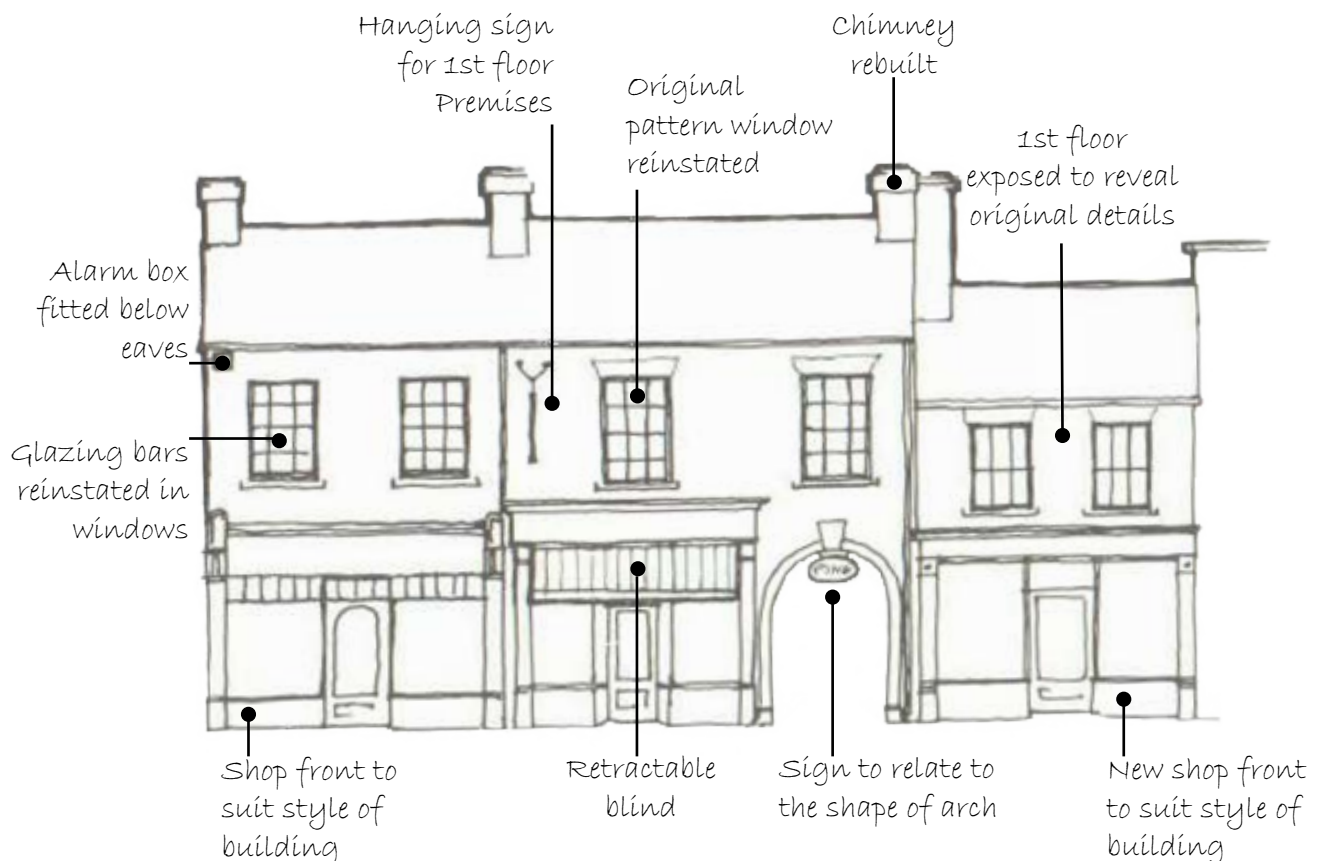
*Distinctive 20th century designs should be retained:  
They add to the diversity and interest of a street...*

The principle of providing a visual frame is also important architecturally for the appearance of the whole building frontage. The upper part of the building needs to appear to be supported at ground level. The shopfront 'frame' where appropriately designed acts to do this.

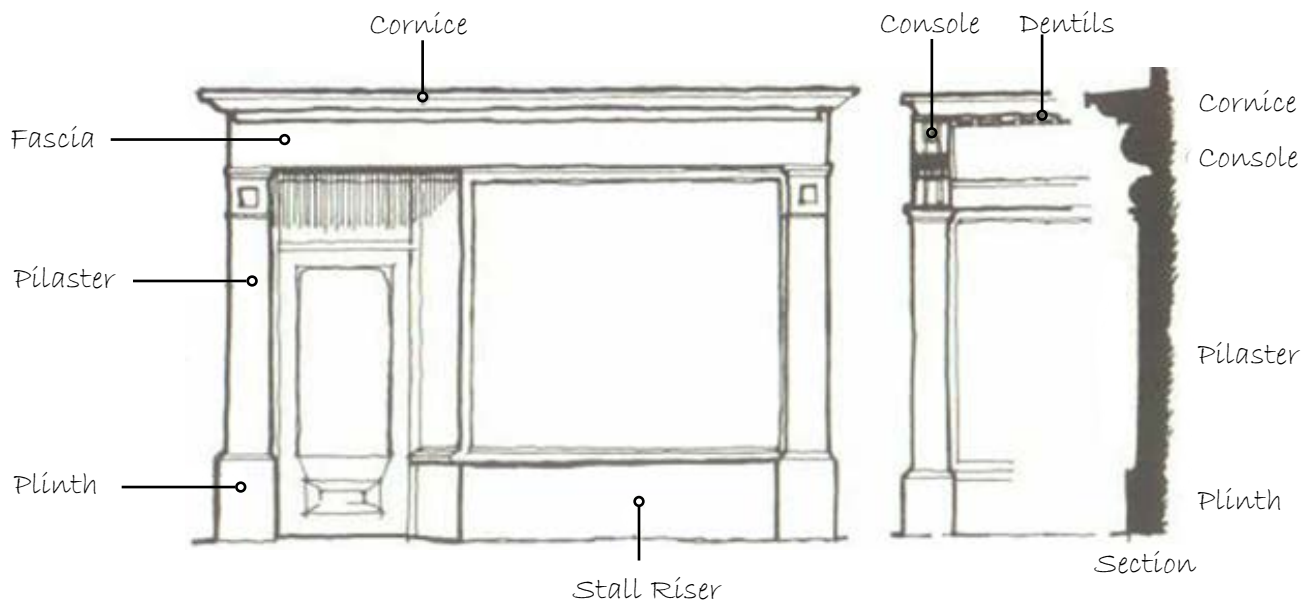
Many Streets are made up of well-proportioned older buildings whose character has been eroded by badly-designed alterations



Good design and careful attention to detail can improve appearance and add to a shopping streets sense of quality.



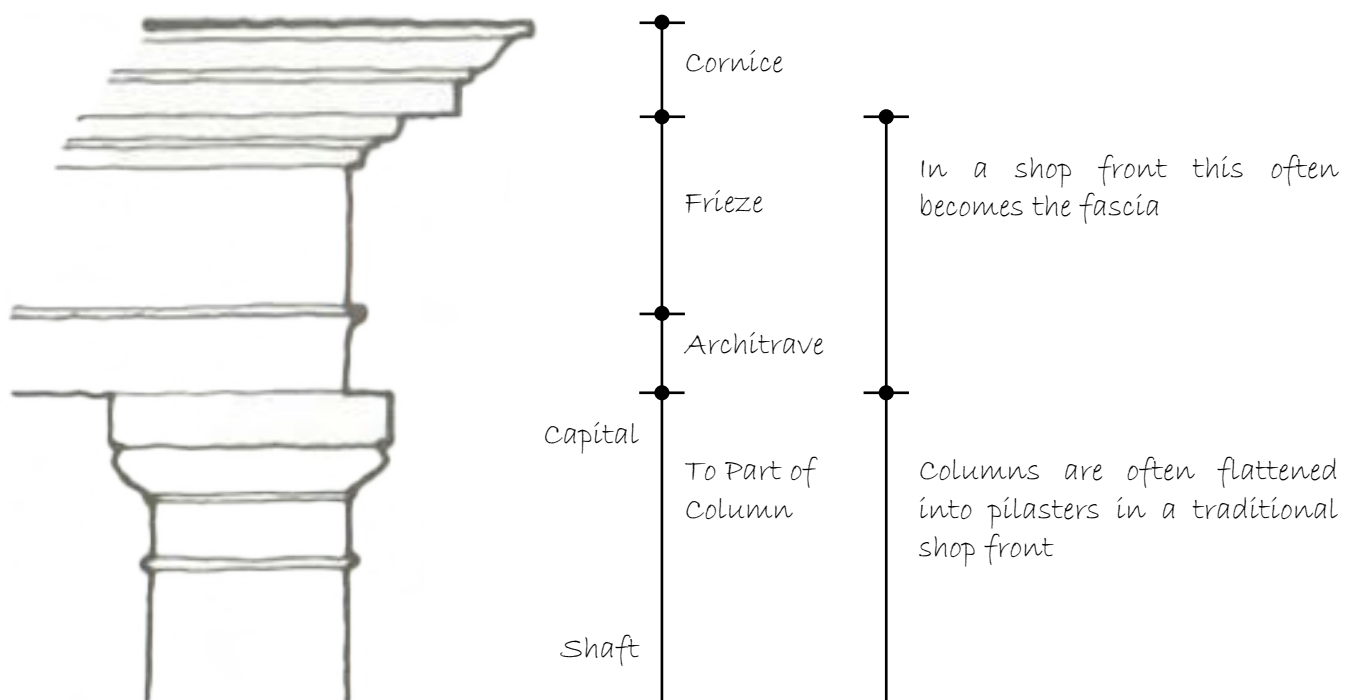
## ELEMENTS OF A SHOPFRONT DESIGN



The visual frame traditionally consists of a **fascia** providing a space for advertising protected from the weather by overhanging **cornice** above and acting visually as the horizontal beam which supports the building above.

The sides of the frame which suggest support for the fascia and cornice are often finished to represent columns either as true freestanding columns or more commonly flat faced **pilasters** whose design is based upon the classical column. Pilasters are used in the design to visually express the structure, to mark the separation of one building from the next and sometimes to emphasize the shop entrance.

The frame is completed by the **stall riser** which provides physical protection at ground level and gives visual weight on to the base of the composition.



## DESIGN OF NEW AND REPLACEMENT SHOPFRONTS

The historic principles can be used today either for the reproduction of a traditional style shopfront for a historic setting or, by creative interpretation, as the basis for a shopfront in a contemporary building.

In all circumstances, a design which demonstrates an understanding of appropriate details and the application of the principles of the portion will be more likely to achieve a satisfactory result.

Remember that the shopfront is subject to close inspection by the public and its detailed appearance is a piece of quality construction needs to be designed with as much care as its general proportions. Carefully considered details and mouldings do not necessarily add much to the cost but can add considerably to an impression of quality.

## EXISTING SHOPFRONTS

A good quality existing shopfront which contributes positively to the character of the building should be retained wherever possible. This is not only applies to older styles; there are good examples of more recent shopfronts which are a familiar part of the local scene and add to richness and variety. Bear in mind it is often cheaper to repair an existing quality shopfront than to replace it. Many shops retain interesting early features of good quality beneath later additions. These may be capable of reuse and form the basis for the refurbishment of an older shopfront.

## THE BUILDING AND ITS SETTING:

The complete frontage represents the public face of the building and forms part of the street scene in its wider context. The design of a shopfront should normally relate to the architectural design of the building into which it is to fit. Its design would seek to unify the whole frontage of that building and avoid a shopfront at ground floor that does not relate to the remainder of the building. In order to avoid incongruous clashes of scale, form or colour the features of the adjacent buildings should normally be taken into account.

## ADVICE ON THE DESIGN OF A NEW SHOPFRONT OR ALTERATION OF AN SHOPFRONT EXISTING



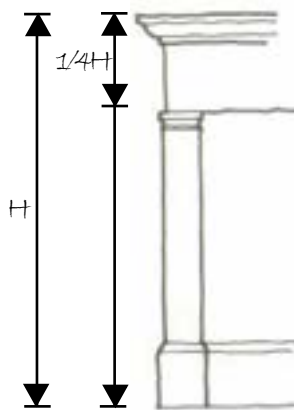
*Avoid fascia signs which are too large for the building...The whole shopfront must relate to the scale and design of the building.*



## Fascias

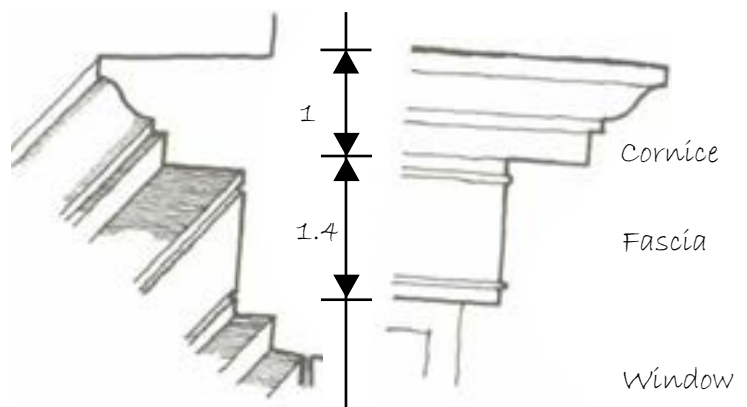
Of all the parts of the shopfront the fascia probably has the greatest effect on the street scene. The fascia functions as part of the frame for the display and to provide a place to advertise the name of the shop. Fascia designs should suit the character of the building as a whole and be in proportion to it.

- New shopfront designs will normally be expected to incorporate a fascia. Unless a high quality unified design for a particular situation can be shown not to require one.
- The boxed out appearance which results from new fascias being applied over existing ones is unsightly, can often appear a clear add on and is undesirable.
- The top of the fascia or cornice should look to be lower than the first floor windowsills and not obstruct other significant elements of the building.
- Traditional fascias are usually no more than 380mm deep. As a guide, the fascia and cornice element of the shopfront should be kept to less than one quarter of the height of the whole shopfront.
- The fascia usually requires a visual 'cap' in the form of a projecting cornice. This will also serve to protect the fascia and the shopfront from weather.
- Avoid the use of sponsored fascia signs advertising other products in addition to the name of the trade or trader.
- Wherever possible avoid use of projecting box fascias, whether internally illuminated or not, particularly in conservation areas and on listed buildings as they are undesirable.
- It is recommended that the individuality of each building be respected by treating each frontage separately, even if internally they are all part of one shop. It is undesirable to carry a fascia across more than one building in an attempt to increase the visual impact of a shop.



The depth of the fascia and cornice should be no more than  $\frac{1}{4}$  the height of the shop front

Typical cornice detail for a small shop front



## Lettering



Avoid loss of identity of individual buildings in a street by amalgamation

Always retain identity of separate elements of a building...

... And the individuality of each separate building...

Fascia lettering is a key component of a design and needs designing and executing carefully as an integrated part of the whole shopfront.

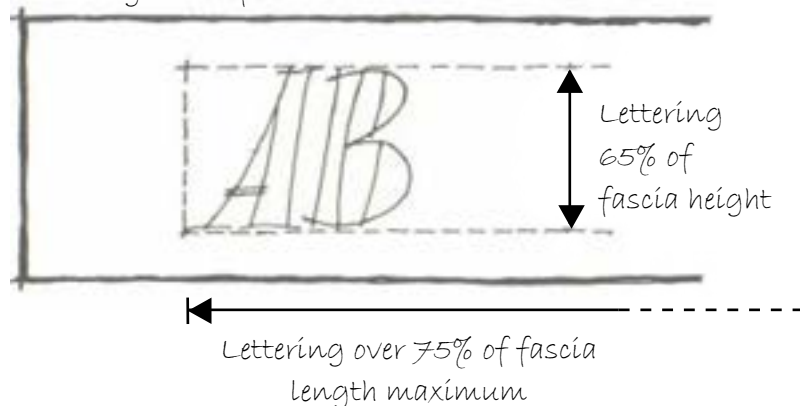
The style of lettering should be selected to suit the nature of the building, content of the wording, the shop itself and its setting.

Lettering should normally be confined to the shop fascia and identify the name of the shop only. Too much lettering and information crowded onto a fascia sign greatly reduces its effectiveness and results in clutter.

Keep lettering in proportion to the length and depth of the fascia. A sufficient margin above and below the actual letters and space on either side are necessary to ensure the visual effectiveness of the sign.

To have visual impact lettering does not need to be enormous. Over large lettering and signs can easily give a shop a poor image and appear overpowering in the street scene.

Lettering on the fascia



Take account of the distance in which the sign will be read. There is no point in large lettering if the street is narrow. In practice, normally 150mm high lettering can easily be read at an adequate distance in an average street. Remember, projecting lettering is hard to read at oblique angles and so may not be effective in narrow streets.

Where a shopfront has no fascia the application of individual letters to the wall between ground and first floor level may be appropriate, but will need to take account of any architectural detailing on the building. Lettering or fixing signs above the usual shop fascia level is undesirable, except in the case of some hanging signs.

Where a business is located on an upper floor, traditionally lettering is applied directly to windows, with a simple small sign at the ground floor entrance. Such window lettering is a simply design and would not overcrowd the window area. When designing it is recommended to start with individual letters of 100 mm in height.

## **Letter Techniques**

Hand-painted sign writing on timber fascia is the traditional method of lettering a shopfront, and remains one of the most adaptable and effective. The range of styles is almost unlimited and images of great decorative interest and character can easily be achieved by a competent sign writer.

An alternative, which give a finish very close to hand painting, is the use of applied vinyl lettering. These are so thin that they appear to have been painted onto the fascia.

Gold or light coloured letters on a dark background are effective in all light conditions and particularly suit traditional shopfronts . An image of quality can also be created with profiled wooden or cast brass letters.

Flat plastic cut out letters usually look cheap and undignified and their plain reflective surfaces are not always appropriate.

In conservation areas where the building is listed painted signwriting or applied vinyl lettering will usually be the best solution.

## **House Style and Corporate Image**

Where the context or form and character of an individual building would be otherwise compromised, companies with multiple retail outlets will be asked to adopt a flexible approach to the design of the shopfront and signs.

Imposition of standardised solutions which disregard the context, form and character of the individual building and its setting has resulted in many poor outcome. Almost all house styles can be adapted to suit a particular situation without serious loss of a familiar identity. The general principles for design set out here will provide adequate opportunity for multiples to express their identity while still respecting the design and setting of their shop.

Premises which do not usually require formal window displays such as banks, building societies and betting shops need to be very carefully designed to provide a front with a character that is not blank and hostile. In general, this is best achieved by reducing the glass area and increasing the area of solid framing around it to. The framing will require careful detailing, possibly with paneling or embellishment, if it is to avoid appearing crude and bulky. It is undesirable to simply blank off an existing large area of glass and or apply solid panels behind the glass.

Automatic cash dispensers are to be carefully integrated into the design of the whole front in a discrete and functional way. Prominent surrounds in bright acrylic or with prominent advertising should be avoided.

## Stall Risers

Stall risers are generally incorporated in traditional designs and function both to protect the base of the shopfront and give it visual weight and strength. The use of a stall riser is also an advantage from the point of view of security and physically strengthening the shopfront and reducing the size of the glazed opening.

It is generally recommended that stall risers are incorporated into design of new shop fronts.

The stall riser can be reinforced as a safeguard against ram-raiding.

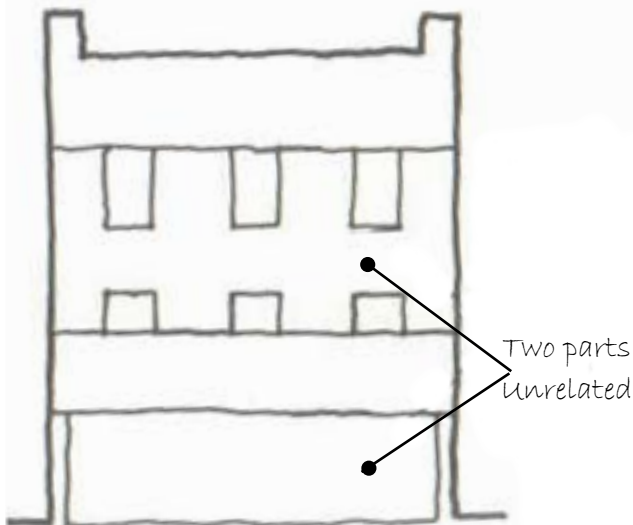
Suitable finish materials are:

- Timber paneling painted
- Ashlar Stone
- Render
- Brick in some situations.

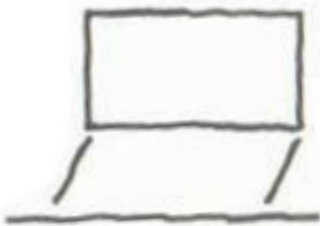
Generally avoid:

- Rubble stone
- Polished stone
- Marbles, granite and other nonlocal stones
- Mosaics, ceramic tiles, acrylic sheet, composite or tongue and groove boards.

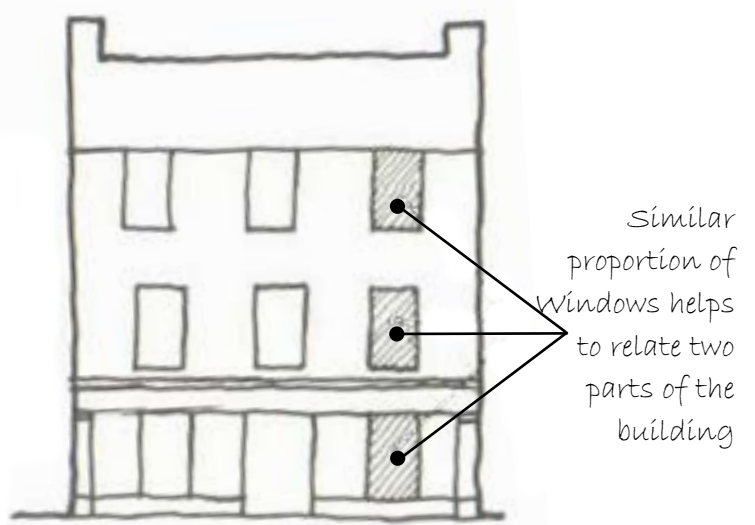
Design shop fronts with the whole building in mind...



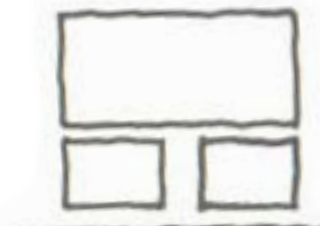
Visually weak...



...Lacks appearance of support and stability...shop front uprights too slender



Visually strong...and balanced



Appearance of support provided by weight of detail at ground level

## **Windows and Doors**

Very large areas of glass are best avoided in favour of subdivided areas. Subdivision helps the creation of human scale to the frontage and can be a means of helping the design reflect the rest of the building, give a stronger visual appearance and aid security.

## **MATERIALS FOR SHOPFRONTS**

The selection for materials for the shopfront is to take account the style and design of the proposed front, the building which is to be fitted and its setting.

- Do not use too many different materials in the design.
- It is generally preferable to use non-reflective finishes. Wherever possible avoid the use of plastics, mosaics, polished stone, ceramic tiles, smoked or mirror glass .

### **Timber.**

The traditional material for shopfront. The most versatile and appropriate material for all situations, whether a historic setting, a conservation area, listed building or for contemporary design. Infinite choice available in colour and design.

Should be finished with paint as a general rule. Varnish or stain may be suitable but generally this is not traditional in a conservation areas or for listed building.

Avoid tropical hardwood and all timber from non-sustainable resources.

Timber can normally be inexpensively altered and easily repainted for a fresh look.

### **Stone**

There is very little use of stone for shopfronts in Mid Devon. Where it is used it should be in the form of a smooth ashlar faced stone, not random or rough rubble finishes, unless that suits the context. Only local stone types should be used for preference.

For listed buildings and conservation areas full details of the stone coursing, bedding, jointing, pointing and mortar mix will be required.

### **Brick**

May look out of place unless the building itself is constructed of brick. The type, colour of the bricks and the pointing and bonding of the new brickwork should ideally match the existing.

### **Render**

Only suitable for stall rises or, if executed to the highest possible standard to emulate Ashlar stone. Consider using appropriate self-coloured mix than rather relying on painting with its long-term maintenance commitment .

## **Aluminium**

Much used for modern shopfronts but avoid the use of self-coloured and anodized aluminium wherever possible. Powder coated finishes have a much better appearance and available in a wide range of colours .

Aluminium is not normally suitable for a listed building .

## **Steel**

### **Chrome plate stainless steel and other polished metal .**

Usually too hard and shiny in appearance but can be suited to very specific design solution.

## **Plastics**

Much used for modern signs, fascias and lettering. Care is needed in design selection to avoid thin, harsh, shiny appearance. The detailing of the finish at the end where the sheets may be exposed needs to be considered.

Not usually appropriate in conservation areas or for listed buildings.

## **COLOUR**

Shopfront colour should have regard for the colour qualities of the building as a whole and that of the neighbouring buildings and their setting, in order to avoid clashing contrasts. In a conservation area the characteristic of that conservation area should to be considered.

The local distinctiveness of a place is partly determined by its colours; the colours of the surrounding landscape, the colour of local materials and to local traditions of paint colour, all contribute to a sense of place which can be strengthened by continuity of use. Shopfronts can add to this, perhaps by the use of locally distinctive colour or variation of it. In some situations, particularly on a listed building or within a conservation area, some colours may not be appropriate. Corporate colour styles may need to be modified to take this into account. Listed building consent may be needed for repainting of a listed building. Please seek advice.

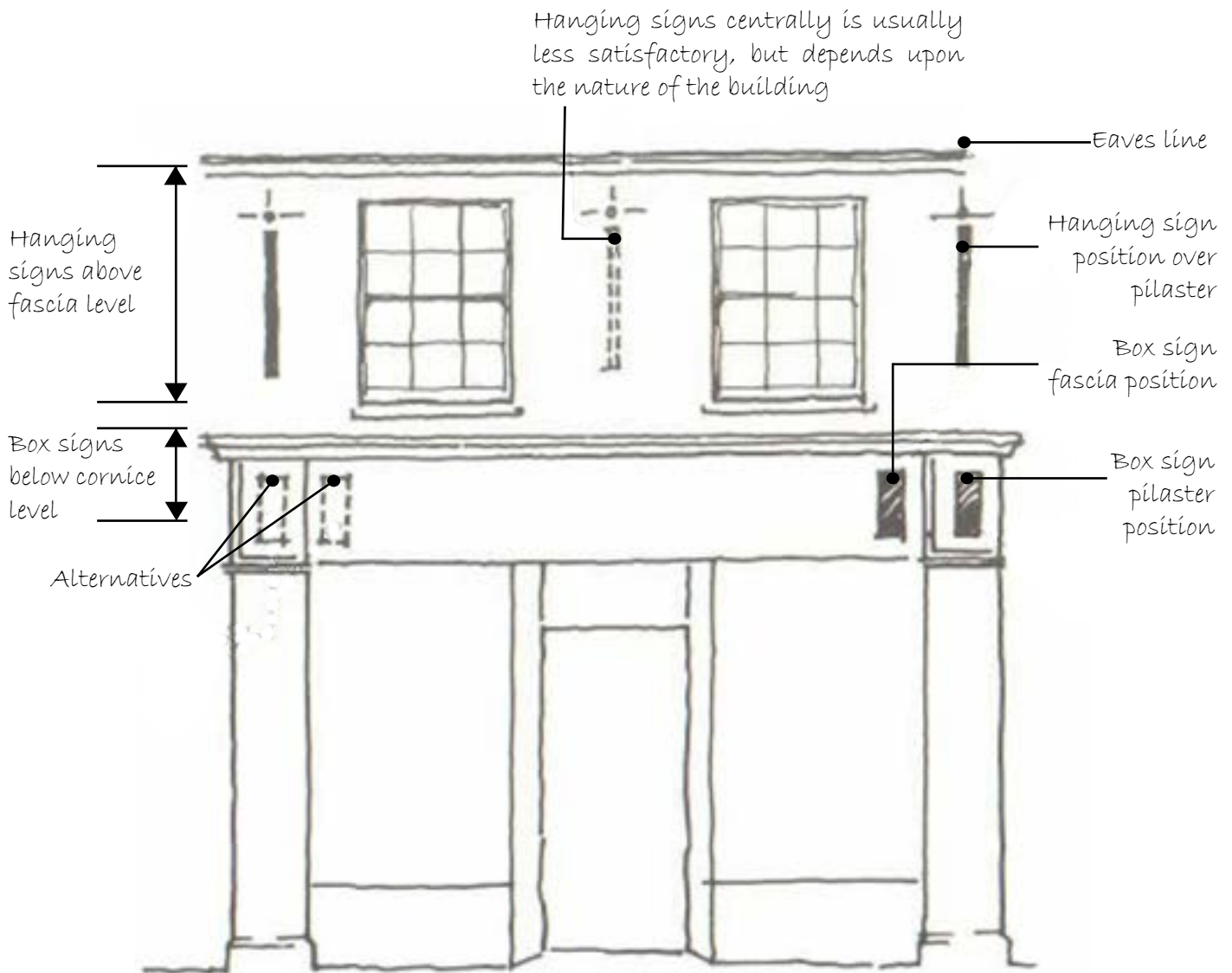
Selecting colour requires skill and judgement. This is particularly so for strong colours which will selected may add vitality and interest with street, or appear to strident and intrusive if chosen without care.

Dark coloured shopfronts often help to highlight the display area especially if well lit. Fluorescent colours will be out of place almost anywhere.



## PROJECTING SIGNS, CANOPIES AND BLINDS

### Traditional Hanging Signs



The design of the sign, and of the bracket must must both be of a high quality. The shape of the sign will usually have a vertical emphasis but the use of a symbol rather than a board to note the trade may be appropriate in some cases. They will normally be painted timber with a raised frame to the border, mounted in the form or a free swinging board hanging from a projecting bracket.

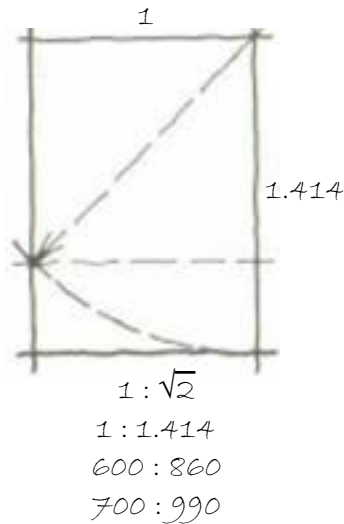
Normally only one sign for building will be permitted otherwise the building can become cluttered.

Given the classical rules of proportion and what is pleasing to the eye it is recommended that a starting point for these type of signs is to limit the size to

- 600 mm wide by 860 mm high for two story buildings;
- 700 mm wide by 990 mm height for three story buildings.

its situation, not to be too intrusive or too small to be effective.





Many buildings are designed using one of the rules of proportion evolved to produce harmonious proportions - useful in the design of signs to achieve a satisfying shape.

This is the construction of a rectangle in the proportion  $1:\sqrt{2}$  (A root 2 rectangle) which will produce a well-balanced shape for a sign with a vertical emphasis.

Hanging signs are usually best located to hang above and clear the fascia and cornice, with the bracket mounted between the first floor and ceiling level.

Positions on or near to party walls are usually better than central positions but the nature of the building and its surroundings will be the final determinant.

Internally illuminated hanging signs are not usually acceptable but external illumination may be included provided that it is carefully designed as part of the whole sign. In conservation areas and on listed buildings illumination may not be appropriate at all.

External lights must be arranged to avoid danger of dazzling passers-by and drivers of vehicles and shining into neighbours windows.

### Projecting Box Signs

As signs are judged on context and given the policy and statutory position outlined later it is unlikely that projecting box signs will be permitted in conservation areas or on listed buildings whether internally illuminated or not. Hanging signs are the preference in this context.

In order to sit properly with the shop front in context, projecting box signs should normally be located no higher than the top of the cornice or fascia and it is recommended that a starting point for these type of signs is to limit the size to

- 900 mm projection by 300 mm deep
- 750 mm projection by 375 mm deep or
- A size between these dimensions.

### Canopies and Blinds

Canopies and blinds act to provide shelter and protect the shop display from damage by sunshine. This is their main function and it is undesirable to introduce a blind as a form of advertising space. Ideally they should always be functional and retractable.

Premises which face north or are situated in very narrow streets normally have no need for blinds. Occasionally a canopy may be required to offer a shelter to goods displayed on a private forecourt, but it should also be retractable.

Design for the housing for the retractable blind traditionally forms an integrated part of the shopfront fascia. This way the blind will relate to the form of the shopfront, and does not look like an add on and out of place. Dutch blinds are rarely appropriate since their form when open and the shape of the housing is unlikely to relate well to an existing shopfront.

It is recommended that materials for blinds should be non reflective. Wet look material, shiny plastics, garish or fluorescent colours are unsuitable as additions to almost any shopfront.

## **HIGHWAY SAFETY**

Signs and canopies which extend of the public highway will be subject to the Traffic Signs Regulations and General Directions 2016

This states in section 1 that where signs are erected above footways and cycle tracks, adequate clearance must be allowed for pedestrians, cyclists and equestrians. Interim Advice Note 195/16 'Cycle Traffic and the Strategic Road Network' requires a minimum height for such structures of 2300 mm for pedestrians and 2400 mm for cyclists. However, to minimise the environmental impact of signs, particularly large directional signs, consideration should be given to adopting lower mounting heights. A minimum clearance of 2100 mm should be maintained over footways, 2300 mm over cycle tracks or shared-use facilities and 2700 mm over equestrian routes.

## **ILLUMINATION**

Generally it is preferable to illuminate the display rather than the shopfront itself but it is accepted the illumination of signs and fascias will be appropriate in some situations.

In conservation areas and for listed buildings, illuminated signs will usually only be considered for premises which open during the evenings. Lighting must be carefully and unobtrusively designed to respect the building and be appropriate to the area.

Internally illuminated fascia signs can be visually overpowering in the street scene and project a poor image. They should only be used if strictly limited to the fascia located as an integral part of the actual shopfront. It is highly undesirable to spread it across the whole frontage of the building in an uncontained manner. Careful attention to the edges of these signs is essential to avoid the sign projecting in a bulky manner and that the ends of the sign are finished properly to avoid a cheap and crude appearance.

Internally illuminated facsias will not be normally be permitted in conservation areas or on listed building.

Individual letters, halo illuminated or internally lit, are often be a better design solution for internal illumination but can be bulky brash and difficult to read from the side. A flat fascia sign is often easier to read and, well designed can give a better image.

## ACCESS

New shopfronts should always accommodate the needs of disabled people. Wherever possible steps should be avoided and doors arranged to be both wide enough, and capable of, being opened by people in wheelchairs.

Ramps should not be steeper than 1:12. Small changes in level may be possible within the footway outside the shop. Consult the Highway Authority for the area. Doors should provide a clear opening width of 850mm and door handles should be located to suit people in wheelchairs.

Glass doors with extensive areas of glazing can cause difficulty for the partially sighted. The inclusion of stall rises to the shopfront, glazing bars and subdivision can make the shopfront more legible.

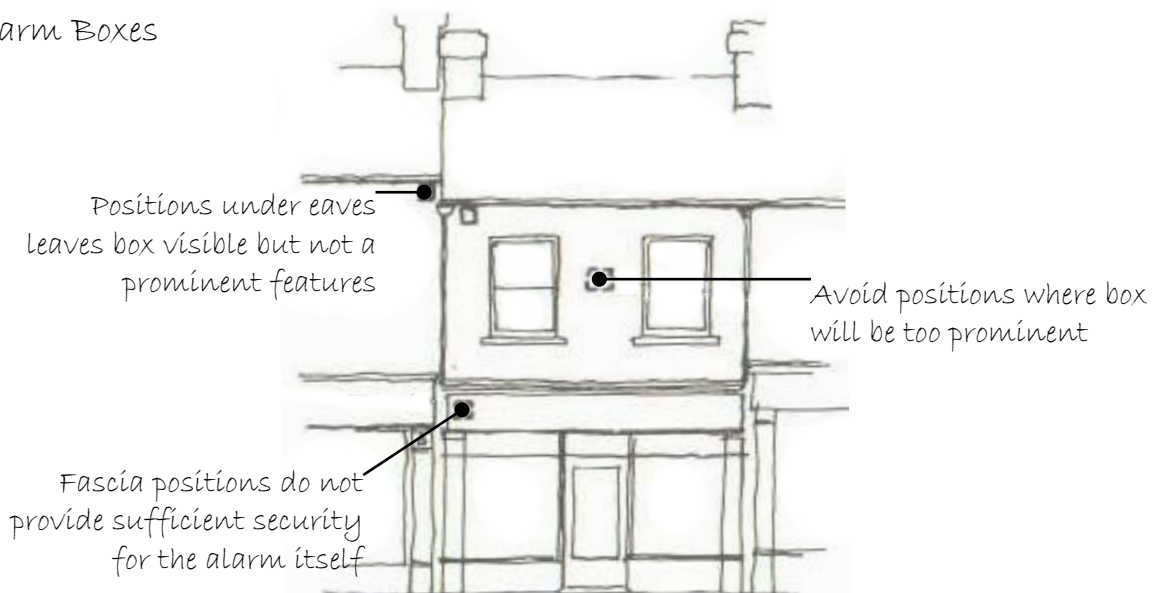
## SECURITY

Security measures should always be appropriate to the likely risk. Before deciding upon any one measure it is advisable to consider the security of the building as a whole taking advice from the police and insurance company. In many instances break-ins take place at the rear of the premises where the fronts are more often at risk from casual vandalism.

Visible and illuminated shop window displays contribute significantly to the general attractiveness of the street and the after hours window shopping. Maintaining internally illuminated displays both in the windows and within the shop will add to light levels in the street after dark acting as an additional measure of security as well as enabling police supervision of the interior of the premises. Therefore measures which do not obscure the window displays are preferred

The character and appearance of existing shopfronts can be radically altered by the addition of external shutters, box housings, guide tracks, locking devices, security cameras etc. Such alterations can have a detrimental effect upon the character of a whole street or area especially when several shopfronts situated close together are affected. Out of shopping hours, a close shuttered shopping street will present a drab, lifeless and even hostile atmosphere which, whilst offering a degree of security to the individual shop premises, is not in the best interest of the areas image. There is a need for balance between the provision of adequate security and the maintenance of the quality of the environment of shopping areas.

### *Siting Alarm Boxes*



All proposals will be considered on merit taking into account the need for security, the likely effect upon the shopfront and the building itself, the adjacent buildings and the locality or street scene

Planning permission or listed building consent may be granted on a personal or temporary basis in order to avoid certain security measures which may be needed for a particular business being retained when no longer required.

## **PART 2: NEED FOR PERMISSION AND POLICY/STATUTORY CONTEXT**

### **IS AN APPLICATION FOR PLANNING PERMISSION/LISTED BUILDING CONSENT NECESSARY?**

The installation of a new shopfront or the alteration of an existing shopfront is development which requires planning permission under the Town and Country Planning Act 1990

In addition other permissions may be required:

- Advertisements and signs are controlled by the Control of Advertisements Regulations. Not all new signs need a specific consent. Please obtain advice on the need for consent from the planning office before proceeding. See <https://www.middevon.gov.uk/residents/planning/duty-planning-services/>
- Listed Building consent will usually be needed to alter a shopfront or change the signage, and in some cases to change the colour if the building is listed. Please obtain advice on the need for consent from the conservation officer before proceeding. See <https://www.middevon.gov.uk/residents/planning/conservation/conservation-services/>

### **PRE-APPLICATION DISCUSSION**

Mid Devon Council welcomes and encourages discussions at an early stage before you make your planning and/or listed building application. There is a cost for this service.

Spending time and effort in preparing a proposal is more likely to result in a good quality and acceptable development and also helps us process your application more quickly. Experience has shown that pre-application advice can save time, costs and frustration and optimise the potential of a site

Advice on the Council's planning pre-application advice service can be found on the mid Devon Council website or by following these links

<https://www.middevon.gov.uk/residents/planning/apply-for-permission/pre-application-advice/>

### **APPLICATIONS FOR PERMISSION/CONSENT**

What information will be required?

Planning applications for new shopfront or advertisement consent for signage should ideally include:

- Fully detailed plans and for elevational drawings of the whole building frontage, showing the new shopfront to a recognized metric scale ideally no smaller than 1:50.
- Full details of all materials proposed.

In conservation areas or where the building is listed, this information should ideally be supplemented by:

- Elevational drawings showing the complete neighbouring buildings in relation to the proposal no smaller than a scale of 1:50.

- A detailed elevation of proposed shopfront to a scale of no smaller than 1:20.
- Full coverage of details including sections of cornices, fascia, blind boxes, window frames and glazing bars, stall riser, doors and pilasters at a scale 1:20 but ideally at 1:5 or 1:10.
- Full details of all materials and colours proposed.

*Further advice can be found at*

<https://www.middevon.gov.uk/residents/planning/apply-for-permission/>

## **CONTEXT FOR DECISION MAKING**

### **LOCAL PLAN**

Applications for development must be determined in accordance with the Development Plan unless material consideration indicate otherwise as required by section 38(6) of the Town and Country Planning Act 1990 (as amended)

The Mid Devon Local Plan 2013-2033 was adopted on July 29<sup>th</sup> 2020 following the publishing of the Inspectors Report which concluded that the Mid Devon Local Plan 2013-2033 provides an appropriate basis for the Planning of the District, provided that a number of main modifications (MMs), are made to it to make the Plan sound and capable of adoption.

The Mid Devon Local Plan 2013-2033 will guide development in the district over a 20 year period and aims to ensure that new homes, jobs and services needed by communities are located in the most sustainable places. It will also help deliver the infrastructure, facilities and other developments needed to make this possible.

Policies within the Adopted Local Plan that are relevant to this SPD are

- DM1 – High Quality Design
- DM16 - Fronts of shops and business premises
- DM17 - Rural shopping
- DM25 - Development affecting heritage assets

These policies can be found in full on the Council's website in the section that relates to the Local Plan.

## **CONSERVATION AREAS AND LISTED BUILDINGS**

A conservation area is an area of special architectural or historic interest whose character should be preserved or enhanced. There are over 50 conservation areas in Mid Devon and many contain shopfronts including legacy shopfronts no longer in commercial use or an entire shopping area.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives a general duty as respects conservation areas in exercise of planning functions. The Local Planning Authority is required, with respect to any buildings or other land in a conservation area, to give special attention to the desirability of preserving or enhancing the character or appearance of that area.

A listed building is a building which is included in the statutory list of buildings of architectural or historic interest. Specific consent known as listed building consent is required for any work of alteration or demolition. It is in a criminal offence to carry out such works without consent. There are over 2500 Listed Buildings in Mid Devon including many shops and commercial premises.

There are statutory duties with regard to applications where the building is listed or where the proposal affects the setting of a listed building, where the Local Planning Authority must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. This relates both to works to the listed building itself and to works that affect the setting of a listed building. This is contained in Sections 16 and 66 of the above Act.

These provisions have been subject to case law in the High Court and Court of Appeal, and they must be given considerable importance and weight.

When the building is listed or located in a conservation area the highest standards of design and construction will be expected and special requirements may apply. The retention and repair of good quality shopfront, even if not original, will usually be expected. In some circumstances there may be a case for the replacement of poor quality or badly designed shop front with appropriate new installations, provided it can be shown that the result will be an enhancement of the building and its setting.

### **NATIONAL PLANNING POLICY FRAMEWORK (NPPF)**

The NPPF should be read as a whole and is the main guidance from Government in relation to the determination of applications by the Local Planning Authority.

Chapter 16 - Conserving and enhancing the historic environment, is the main part relative to heritage. This requires that great weight is given to a heritage assets conservation.

The NPPF 2019 says that the LPA should require an applicant to describe the significance of any heritage asset affected including any contribution made to their setting. This should be sufficient to understand the potential impact of the proposal on its significance. As a minimum the Heritage Environment Record should be consulted and the building assessed using appropriate expertise where necessary (para 189).

When considering the impact of development, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. (para 193). Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification (para 194). Where the proposal will lead to less than substantial harm, the harm should be judged against the public benefit, of the proposal including, where appropriate, securing its optimum viable use (para 196)

The NPPF (para 192) also requires that in determining applications, local planning authorities should take account of:

- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) The desirability of new development making a positive contribution to local character and distinctiveness.





**Draft Mid Devon The Design of Shopfronts and  
Associated Advertisements  
Supplementary Planning Document (SPD)**

**Strategic Environmental Assessment Screening  
Report**

**February 2021**

## **1.0 Mid Devon The Design of Shopfronts and Associated Advertisements SPD**

### *Purpose, scope and content*

- 1.1 The advice offered in this guidance is to help towards achieving successful designs where shop fronts are proposed either as new build or as replacements. It will set out the relationship between Mid Devon District Council (MDDC) planning policy and guidance whilst identifying its purpose as bridging the gap between high level policy aspirations and delivery on the ground. This is to ensure that future change integrates well into the existing context.
- 1.2 The document is set out in two parts. The first is a guide to a successful refurbishment or alteration to an existing shopfront, or complete replacement of a shopfront, or a brand new shopfront. The second sets out the permissions/consents that may be required and the context in which those decisions are made.

### *Relationship with the National Planning Policy*

- 1.6 The National Planning Policy Framework (2019), in Chapter 7 ‘Ensuring the vitality of town centres’ sets out that “*Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation*” (paragraph 85, NPPF). Chapter 16 ‘Conserving and enhancing the historic environment’, is the main part relative to heritage. This requires that great weight is given to a heritage assets conservation.

### *Relationship with the Mid Devon Local Plan*

- 1.8 The Mid Devon Local Plan 2013-2033 was adopted July 2020.
- 1.9 Applications for development must be determined in accordance with the Development Plan unless material consideration indicate otherwise as required by section 38(6) of the Town and Country Planning Act 1990 (as amended)
- 1.10 Policies with the Adopted Local plan that are relevant to this SPD are:
- DM1 – High Quality Design
  - DM16 - Fronts of shops and business premises
  - DM17 - Rural shopping
  - DM25 - Development affecting heritage assets
- 1.11 The Adopted Mid Devon Local Plan 2013 – 2033 has been subject to a Sustainability Appraisal (SA), which has incorporated a Strategic Environmental Assessment (SEA). The Local Plan Review has also been subject to a Habitat Regulations Assessment.
- 1.12 The Design of Shopfronts and Associated Advertisements SPD will be adopted by the Council as a Supplementary Planning Document. The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. It will, however, be capable of being a material consideration in determining planning applications.

## **2.0 SEA and SEA Screening**

### *Strategic Environmental Assessment*

- 2.1 The requirement for a Strategic Environmental Assessment (SEA) arises from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on

the environment” (hereafter referred to as the SEA Directive). This has been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the ‘SEA Regulations’). This legislation places an obligation on local authorities to undertake SEA on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects.

#### *Screening*

- 2.2 The 2008 Planning Act has removed the requirement to undertake a Sustainability Appraisal (SA) for an SPD. However, this has not replaced the requirement to establish whether an SPD requires Strategic Environmental Assessment (SEA). SEA is required in some limited situations where a Supplementary Planning Document (SPD) could have significant environmental effects.
- 2.3 In order to establish whether SEA is required the fundamental consideration is whether the document is likely to have ‘significant environmental effects’. This is done through a screening assessment. If the screening assessment indicates that there could be significant effects, an SEA is needed.



# **Draft Mid Devon The Design of Shopfronts and Associated Advertisements Supplementary Planning Document (SPD)**

## **Strategic Environmental Assessment Screening Report**

**February 2021**

2.4 A Practical Guide to the SEA Directive was published by the Department of the Environment, Office of the Deputy Prime Minister (2005). This sets out practical guidance on applying the SEA Directive on the assessment of the effects of certain plans and programmes

on the environment. The practical guidance includes a flow chart (figure 2) which illustrates the process for screening a planning document to establish whether a full SEA is needed.

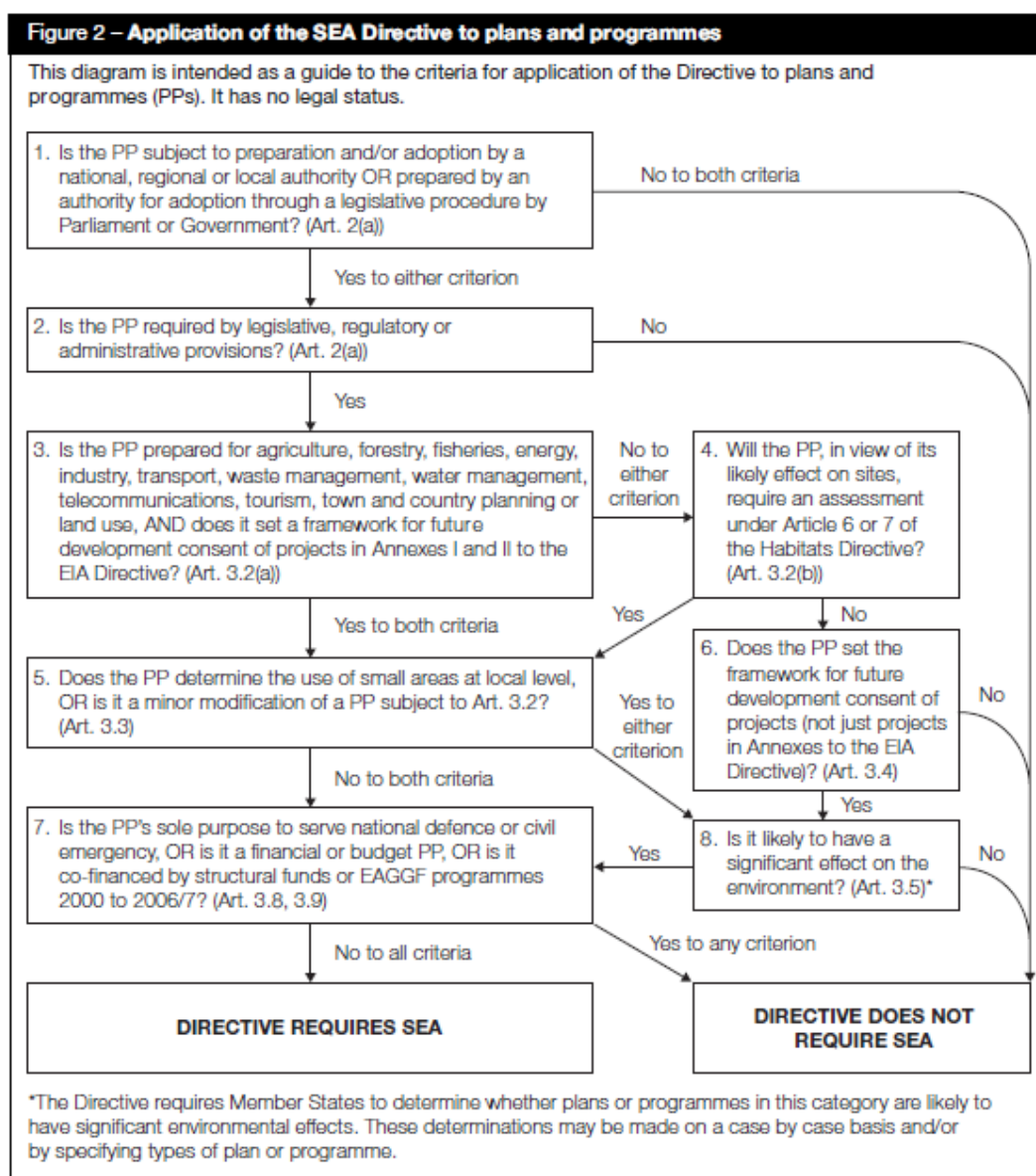


Diagram 1: Application of the SEA Directive to plans and programmes (Figure 2 extracted from 'A practical guide to the Strategic Environmental Assessment Directive')

- 2.5 Table 1 below sets out the Council's response to the above questions in order to clearly assess the whether there is a requirement for the Mid Devon Eastern Urban Extension Area B SPD to be subject a full SEA.
- 2.6 Table 2 provides the Council's assessment of likely significant effects of the Mid Devon Eastern Urban Extension Area B SPD on the environment, in accordance with the screening report process in Table 1.

**Table 1: Screening of the Mid Devon The Design of Shopfronts and Associated Advertisements SPD**

Stage	Y/N	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative procedure by Parliament or Government? (Art.2(a))	Y	The preparation and adoption of the SPD is allowed under the Town and Country Planning Act 1990. The process in preparing the SPD is in accordance with the Town and Country Planning (Local Planning) Regulations 2012.  <b>Go to STAGE 2</b>
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	Although the SPD is not a requirement under the provisions of the Town and Country Planning Act 1990, if adopted it will add further detail to the policies in the Local Plan and will be a material consideration in planning decisions. It is therefore important that the screening process is precautionary and considers whether it is likely to have significant environment effects and hence whether SEA is required under the Directive.  <b>Go to STAGE 3.</b>
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	N	The SPD has been prepared for the purposes of town and country planning. It supplements policies in the Mid Devon Local Plan Review (2013-2033) by providing detailed guidance as to how these policies are interpreted in relation to The Design of Shopfronts and Associated Advertisements.  It would relate to all premises with an existing shopfront or where a new one is proposed.  It does not set a Framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))  <b>Go to STAGE 4</b>
4. Will the SPD, in view of this likely effect on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))	N	The SPD has been subject to a separate Habitat Regulations Assessment screening which has concluded the SPD is not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.  <b>Go to STAGE 6</b>
5. Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan or	<b>Not applicable</b>	

programme subject to Art 3.2? (Art.3.3)		
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	<b>Y</b>	'The SPD will be material consideration in planning applications for specific development and advertisement consents. It provides detailed guidance to adopted Local Plan policy (minor modification).'  <b>Go to STAGE 8</b>
7. Is the SPD's sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF programmes 2000 to 2006/7? (Art. 3.8, 3.9)	<b>Not applicable</b>	
8. Is it likely to have a significant effect on the environment? (Art. 3.4)	<b>N</b>	See Part 2, assessment of the likely significant effects on the environment. This concludes that the SPD is unlikely to have a significant effect on the Environment.  <b>DIRECTIVE DOES NOT REQUIRE SEA of the SPD</b>

**Table 2: Determining the likely significance of effects of the Mid Devon The Design of Shopfronts and Associated Advertisements SPD on the environment**

Criteria specified schedule 1 SEA Regulations	Likely significant environmental effect (Y/N)	Reason
1. The characteristics of plans and programmes, having regard, in particular, to -		
a) The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	<b>N</b>	The SPD, if adopted will help guide development in relation to new and replacement shopfronts and associated advertisements in accordance with the policies of the Local Plan and therefore contribute to the framework for future development consent. The Local Plan has been subject to Sustainability Appraisal (SA) and therefore SEA.
b) The degree to which the SPD influences other plans and programmes including those in a hierarchy;	<b>N</b>	The SPD is in conformity with the National Planning Policy Framework and Mid Devon Local Plan Review 2013-2033 policies. The SPD will not significantly influence other plans and programmes, it supplements the Local Plan which has been subject to SA and therefore SEA.
c) The relevance of the SPD for the integration of environmental considerations in particular with	<b>N</b>	The SPD will help the integration of design and heritage considerations with a view to promoting sustainable



a view to promoting sustainable development;		development as part of the development proposals.
d) Environmental problems relevant to the SPD; and	N	There are no or very limited environmental problems which arise from the nature of the SPD which relates only to the design of shopfronts and associated adverts. Planning policy in relation to any slight environmental problems is principally established through the National Planning Policy Framework and the Mid Devon Local Plan Review.
e) The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	N	The SPD is not directly relevant to the implementation of European legislation including the Water Framework Directive.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -		
a) The probability, duration, frequency and reversibility of the effects;	N	The SPD gives guidance on shopfronts and associated advertisements and has as part of an ambition for an attractive and shopping areas. This will ensure the development has positive social and environmental impacts. Long-term significant adverse effects are not anticipated.
b) The cumulative nature of the effects;	N	The SPD is in conformity with the strategic policies in Local Plan Review 2013-2033 and it is intended that the effects will have a positive cumulative effect by driving up the standard of design in shopfronts and associated advertisements and sense of well-being for future residents.
c) The transboundary nature of the effects	N	There are not expected to be any significant trans-boundary effects. The SPD seeks to provide advice and good practice in the design of shopfronts and associated advertisements
d) The risks to human health or the environment (for example, due to accidents);	N	The SPD is likely to have a positive impact on human health by encouraging high quality development. There are no significant risks to human health.
e) The magnitude and spatial	N	The SPD is limited only those

extent of the effects (geographical area and size of the population likely to be affected);		buildings with shop fronts which are a very low proportion of the built development in Mid Devon. The population affected will relate to those who visit any building with a shopfront where there has been change, which itself is anticipated to be a low number of the overall stock of buildings with shop fronts.
f) The value and vulnerability of the area likely to be affected due to – (i) Special nature characteristics or cultural heritage; (ii) Exceeded environmental quality standards or limit values; or (iii) Intensive land-use	N	There are a number of Listed Buildings, conservation areas and other heritage assets that could be either directly affected by or in proximity to a building with a shop front where change is proposed. The SPD seeks a positive approach to maintain, or improve proposals that affect all heritage asserts and their setting. The SPD seeks to guide development in keeping with the principles of national, regional and local strategic policy and seek to prevent poor or ill considered proposals.
g) The effects on areas or landscapes which have a recognised natural, Community or international protection status.	N	The SPD only relates to changes to existing or new shopfronts and their associated advertisements. It would not impact of any of these designations.

### 3.0 Conclusions

- 3.1 This SEA screening has identified that the draft Mid Devon The Design of Shopfronts and Associated Advertisements SPD is unlikely to have significant effects on the environment.
- 3.2 The SEA screening has also found that there is no requirement for the Mid Devon The Design of Shopfronts and Associated Advertisements SPD to be subject to a full SEA.

### 4.0 Next steps

- 4.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.
- 4.2 The screening opinion will be published alongside The Design of Shopfronts and Associated Advertisements SPD and will also be subject to public consultation.

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**Draft Mid Devon The Design of Shopfronts and  
Associated Advertisements  
Supplementary Planning Document (SPD)**

**Habitat Regulations Assessment Screening  
Report**

**February 2021**

## **1.0 Mid Devon The Design of Shopfronts and Associated Advertisements SPD**

### *Purpose, scope and content*

- 1.1 The advice offered in this guidance is to help towards achieving successful designs where shop fronts are proposed either as new build or as replacements. It will set out the relationship between Mid Devon District Council (MDDC) planning policy and guidance whilst identifying its purpose as bridging the gap between high level policy aspirations and delivery on the ground. This is to ensure that future change integrates well into the existing context.
- 1.2 The document is set out in two parts. The first is a guide to a successful refurbishment or alteration to an existing shopfront, or complete replacement of a shopfront, or a brand new shopfront. The second sets out the permissions/consents that may be required and the context in which those decisions are made.

### *Relationship with the National Planning Policy*

- 1.6 The National Planning Policy Framework (2019), in Chapter 7 ‘Ensuring the vitality of town centres’ sets out that “*Planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation*” (paragraph 85, NPPF). Chapter 16 ‘Conserving and enhancing the historic environment’, is the main part relative to heritage. This requires that great weight is given to a heritage assets conservation.

### *Relationship with the Mid Devon Local Plan*

- 1.8 The Mid Devon Local Plan 2013-2033 was adopted July 2020.
- 1.9 Applications for development must be determined in accordance with the Development Plan unless material consideration indicate otherwise as required by section 38(6) of the Town and Country Planning Act 1990 (as amended)
- 1.10 Policies with the Adopted Local plan that are relevant to this SPD are:
- DM1 – High Quality Design
  - DM16 - Fronts of shops and business premises
  - DM17 - Rural shopping
  - DM25 - Development affecting heritage assets
- 1.11 The Adopted Mid Devon Local Plan 2013 – 2033 has been subject to a Sustainability Appraisal (SA), which has incorporated a Strategic Environmental Assessment (SEA). The Local Plan Review has also been subject to a Habitat Regulations Assessment.

### *Status of Mid Devon The Design of Shopfronts and Associated Advertisements (The Design of Shopfronts and*

- 1.12 The Design of Shopfronts and Associated Advertisements SPD will be adopted by the Council as a Supplementary Planning Document. The SPD will not be part of the development plan

and does not introduce new planning policies into the development plan. It will, however, be capable of being a material consideration in determining planning applications.

## **2.0 Habitat Regulations Assessment**

### *Habitat Regulations Assessment*

- 2.1 A Habitat Regulations Assessment (HRA) refers to one of the several distinct stages of Assessment. These must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended) to determine whether a plan or project may affect the protected features of a European site ('habitats site') identified under these regulations before deciding whether to undertake, permit or authorise it.

### *Screening*

- 2.2 All plans and projects which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. This consideration is typically referred to as the 'Habitats Regulations Assessment screening' and should take into account the potential effects both of the plan/project itself and in combination with other plans or projects.
- 2.3 Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the plan or project for that site, in view of the site's conservation objectives must be undertaken. A plan or project may be agreed but only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of over-riding public interest and if the necessary compensatory measures can be secured.
- 2.4 In April 2018, the Court of Justice of the European Union delivered its judgement in Case C-323/17 People Over Wind & Peter Sweetman v Coillte Teoranta ('People over Wind'). The judgment clarified that making screening decisions as part of the HRA and for the purposes of deciding whether an appropriate assessment is required, mitigation measures cannot be taken into account. Mitigation measures intended to avoid or reduce the harmful effects of a plan or project, can only be taken into account at the appropriate assessment stage.
- 2.5 The Design of Shopfronts and Associated Advertisements SPD has been 'screened' for the purposes of the Habitat Regulations Assessment (HRA) to assess whether it may affect the protected features of a 'habitats site' identified under the Conservation of Habitats and Species Regulations 2017 as amended and the Conservation of Offshore Marine Habitats and Species Regulations 2017 (as amended).

## **3.0 Habitats site**

- 3.1 A Habitats site refers to any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community

Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.

- 3.2 There are no Habitats sites within Mid Devon although there are 11 such sites within 10km (Table 1); the closest being the Culm Grasslands SAC which lies immediately adjacent to the north western boundary of Mid Devon District.

Table 1: Habitats Sites within 10km of Mid Devon District		
Special Areas of Conservation (SACs)	Special Protection Areas (SPAs)	Ramsar Sites
<ul style="list-style-type: none"> <li>• East Devon Pebblebed Heaths</li> <li>• Culm Grasslands</li> <li>• South Dartmoor Woods</li> <li>• Holme Moor and Clean Moore</li> <li>• Dartmoor</li> <li>• Exmoor Heaths</li> <li>• Quants</li> <li>• Exmoor and Quantock Oakwoods</li> </ul>	<ul style="list-style-type: none"> <li>• Exe Estuary</li> <li>• East Devon Heaths</li> </ul>	<ul style="list-style-type: none"> <li>• Exe Estuary</li> </ul>

#### *Potential Impacts on Habitats Site*

- 3.3 There are a number of categories that can affect Habitats Sites which include:

- Physical Loss
- Physical Damage
- Non-physical disturbance
- Water table/availability
- Toxic contamination
- Non-toxic contamination
- Biological disturbance

#### **4.0 Mid Devon Local Plan Review 2013 – 2033 HRA**

4.1 As the competent authority under The Conservation of Habitats and Species Regulations (2010) (now 2017 as amended) Mid Devon District Council has been required to assess its Local Plan Review 2013-2033 as part of the HRA process.

4.2 A full HRA Report for the Mid Devon Local Plan Review 2013-2033 was undertaken March 2015 and related to the Publication Draft version of the Local Plan Review. This concluded that adverse effects on the integrity of European sites (referred to in this report as Habitats sites) around Mid Devon from policy and site options in the new Local Plan, either alone or in combination with other plans, will not occur.



- 4.3 Two HRA Addenda were prepared in 2016. The first (dated August 2016) was prepared in order to update the findings of the March 2015 HRA Report in light of changes to the supply of housing and employment land that were made in the Submission version of the Local Plan Review. The HRA Addendum screened the changes to policies in the Local Plan Review and concluded that, for each change, the screening conclusions of the March 2015 HRA Report would have been the same and the same Appropriate Assessment work would therefore have been undertaken. The second HRA Addendum (December 2016) presented Appropriate Assessment work that was undertaken in relation to potential air pollution impacts on the Culm Grasslands SAC that could result from development at Junction 27 and the associated additional housing required.
- 4.4 A third HRA Addendum was prepared in October 2019 which presented an assessment of the proposed Main Modifications raised by the Planning Inspector appointed by the Secretary of State to undertake the independent examination of the Mid Devon Local Plan Review (2013-2033). This concluded that the HRA for the Mid Devon Local Plan Review remain that the Local Plan Review (taking into account the Proposed Main Modifications) is not likely to have adverse effects on the integrity of European sites (referred to in this report as Habitats sites), either alone or in-combination with other plans or projects. These proposed Main Modifications include the proposed Main Modifications to Mid Devon Local Plan Review Policy DM25: Development Affecting Heritage Assets. The third HRA addendum found that the proposed Main Modifications to Policy DM25 did not change the HRA findings previously reported.

## **5.0 The Design of Shopfronts and Associated Advertisements SPD HRA Screening**

- 5.1 The Design of Shopfronts and Associated Advertisement SPD expands upon policies within the Adopted Mid Devon Local Plan 2013-2033. The SPD does not introduce new policies or proposals outside the scope of the Adopted Local Plan. The SPD does not result in development itself but seeks to guide very specific and limited development, and limited building and advertisement consent in the form of shopfronts and associated advertisements in existing building and as part of new build. The Mid Devon Local Plan Review 2013-2033 HRA Screening, for the policies relevant to this SPD, DM1 – High Quality Design; DM16 - Fronts of shops and business premises; DM17 - Rural shopping; and, DM25 - Development affecting heritage assets, concluded that these policies are unlikely to have significant effects on European sites (referred to in this report as Habitats sites), either alone or in-combination with other plans or projects. As such it can be concluded that the Design of Shopfronts and Associated Advertisements SPD is unlikely to have significant adverse effects on the integrity of Habitats sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.

## **6.0 Conclusion**

- 6.1 This screening report has identified that the Design of Shopfronts and Associated Advertisements SPD is unlikely to have significant effects on the integrity of Habitats Sites, either alone or in-combination with other plans or projects and further Appropriate Assessment is not required.

## **7.0 Next steps**

- 7.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency. The screening opinion will be publishing alongside the draft Design of Shopfronts and Associated Advertisements SPD as endorsed by the MDDC Statement of Community Involvement.



## **CABINET 8 APRIL 2021**

### **Vinyl Flooring Renewal Contract 2021-2024, Award**

**Cabinet Member:** Cllr Bob Evans, Cabinet Member for Housing & Property  
**Responsible Officer:** Mike Lowman Repairs Manager

**Reason for Report and Recommendations:** To advise Members on the results for the tendering of the Vinyl Flooring Renewal Contract 2021-2024 and confirm the award of the contract.

**RECOMMENDATION:** It is recommended that the new three year Vinyl Flooring Renewal Contract is awarded to Contractor 2

**Financial Implications:** The budget for the works is £200,000.00 per annum. The funding will come from the individual budgets to which the works apply. The contract will be administered on a call off basis, and only those works required will be carried out as per the schedule of rate prices within the tender.

**Legal Implications:** We have a legal duty to maintain our housing stock and meet the Decent Homes Standard. The contract is a JCT Measured Term Contract 2016, combined with the specific contractual requirements.

**Risk Assessment:** The principal risk is failing to limit costs due to additional works. The performance of the contract shall be monitored monthly; corrective action will be taken where performance falls below Key Performance Indicator Targets. These include: 1) Customer satisfaction; 2) Variations and extras; 3) Number of defects; 4) Managing Health and Safety.

**Equality Impact Assessment:** All staff have received Equality and Diversity awareness training. MDDC discuss equality and diversity at the progress meetings and encourage the contractor to carry out awareness training.

**Relationship to Corporate Plan:** To contribute towards meeting the Decent and Affordable Homes target by making best use of the existing stock.

**Impact on Climate Change:** The contractor is part of a recycling scheme for the existing vinyl sheet flooring that is removed, so reducing the amount of waste taken to landfill.

## **1.0 Introduction**

1.1 The contract will deliver the renewal of vinyl sheet flooring to Council properties, supporting the Responsive Repairs Works, the Disabled Facilities Grant works and the Void process within Mid Devon during the financial years from 2021-2024.

1.2 The term of this contract is three years, with the option to terminate the contract at the end of each year, subject to performance.

- 1.3 Due to the nature and value of this procurement, the appropriate procedure was an open tender process. This means that anyone who expressed an interest in the contract would be invited to tender.
- 1.4 To ensure quality of contractors, a number of minimum requirements were set out within the ITT. Any contractor failing to meet these would be disqualified.

## 2.0 Procurement Process

2.1 Expressions of interest were invited via a notice in the Supplying the South West Procurement Portal published on the 11 December 2020, with a closing date set at the 15 January 2021, but because we only received one submission by the original closing date, the contract was advertised again and the closing date extended to the 19 February 2021.

2.2 We received 16 Expressions of Interest, 1 contractor opted out due to a lack of resource, 12 did not respond and 3 submitted a tender.

2.3 Evaluation criteria set out in the ITT:

2.4

<b>Quality</b>	<b>60%</b>
Mobilisation of the works	20%
Diversity, challenges and complaints	20%
Product life expectancy and guarantees	10%
Membership of trade organisations	5%
Works to void properties	

<b>Price</b>	<b>40%</b>
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2.5 Evaluations were carried out during February and March 2021, by representatives from Mid Devon District Council's Building Service.

2.6 The price was based a schedule of rates within the tender. The lowest priced tender was awarded 40% and the higher priced tenders were awarded the percentage difference.

2.7 The outcome of the evaluation is shown below:

CONTRACTOR	SCORE		TOTAL
	PRICE	QUALITY	
Contractor 1	40.00%	16.00%	56.00%
Contractor 2	39.70%	46.00%	85.70%
Contractor 3	22.85%	26.00%	48.85%

### **3.0 Conclusion**

- 3.1 The outcome of the tender process shows Contractor 2 as the winning bidder.
- 3.2 Approval is required from Cabinet for this contract to be formally awarded.
- 3.3 Following the decision, there will be a compulsory 10 day standstill period after which the contract will be awarded.
- 3.4 The contract will not commence until 21 April 2021

**Contact for more Information:** Christopher Davey, Procurement Manager (01884) 234228 / [cdavey@middevon.gov.uk](mailto:cdavey@middevon.gov.uk)

**Circulation of the Report:** Leadership Team, Cllr Bob Evans, Cabinet

**List of Background Papers: PART II - Confidential**

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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**CABINET**  
**8 APRIL 2021:**

**AGENDA ITEM:**

## **PERFORMANCE AND RISK REPORT**

**Cabinet Member** Cllr Bob Deed  
**Responsible Officer** Catherine Yandle, Operations Manager for Performance, Governance and Health & Safety

**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 Cabinet reviews the Performance Indicators and Risks that are outlined in this report and feeds back any areas of concern.

**The Cabinet approves the targets proposed for 2021/22 against the Corporate Plan Performance framework. (Appendix 8)**

**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:** Produced in accordance with the Risk and Opportunity Management Strategy.

**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 Appendices 1-5 provide Members with details of performance against the Corporate Plan and local service targets for the 2020-21 financial year.
- 1.2 Appendix 6 shows the higher impact risks from the Corporate Risk Register. See 3.0 below.
- 1.3 Appendix 7 shows the risk matrix for the Council.

- 1.4 All appendices are produced from the Corporate Service Performance And Risk Management system (SPAR).
- 1.5 When benchmarking information is available it is included.

## 2.0 Performance

**Please note that for all areas of the Council the results since March 2020 will have been understandably impacted by the effects of the Covid 19 pandemic. There are specific comments on the attached appendices reflecting this.**

### Environment Appendix 1A

- 2.1 Regarding the Corporate Plan Aim: Increase recycling and reduce the amount of waste; Covid 19 had an impact on the amount of waste created by households particularly for Q1. The recycling rate is slightly below target and residual waste rate is slightly above target. The other waste and recycling measures are all better than target.

### Climate Change Appendix 1B

- 2.2 The latest lockdown has unsurprisingly once again affected electric car charger usage which is now slightly below target for the year to date after 3 good months when things were open. The retro fitting measures are all showing favourable results for the year to date.
- 2.3 The Council has secured more than £300,000 of funding to help its quest to become carbon neutral by 2030. Following on from previous investment in the Council's three leisure sites MDDC's property team has successfully secured £310,821 towards reducing our carbon emissions across the three leisure sites even further.
- 2.4 The funding will allow energy efficiency measures, including the installation of an air source heat pump for reducing gas consumption, as well as both external and internal LED lighting, to be installed. The measures will mean that over the life of the assets CO2 emissions will be cut by 520 tonnes with an annual reduction of around £40,000- £50,000 in electricity charges, as well as the additional benefit of reduced maintenance costs.

### Homes Portfolio - Appendix 2

- 2.5 Regarding the Corporate Plan Aim: Deliver Housing: The targets for annual housing completions of most types have been updated to reflect the Local Plan targets. These are reported quarterly or annually so no change from the last report.
- 2.6 Regarding the Corporate Plan Aim: Private Sector Housing: Bringing Empty homes into use is well above target, funding may not continue beyond 21/22.

- 2.7 Regarding the Corporate Plan Aim: Council Housing: all measures are either at or just below target. In terms of gas servicing compliance this has been affected by Covid 29 and we currently have 13 properties with expired LGSR's. First Time access is less than 55 %
- 2.8 Regarding the Corporate Plan Aim: Support and grow active tenancy engagement: The tenant census had a good response. Work has commenced on analysing the results with a view to developing an action plan in 21/22.
- 2.9 Mid Devon District Council is launching a Call for Sites process to inform a new Local Plan for Mid Devon. The development potential of sites put forward during the Call will be assessed by local authority officers and a panel of representatives from the housing and economic development industries. The conclusions will be published in a 'Housing and Economic Land Availability Assessment' (HELAA). The HELAA will form part of the evidence base for a new Local Plan for Mid Devon.

#### Economy Portfolio - Appendix 3

- 2.10 Regarding the Corporate Plan Aim: Identify strategic and tactical interventions to create economic and community confidence and pride in the places we live. This includes a continued focus on Town Centre Regeneration: Empty shops; we are now giving data on retail units owned by MDDC, occupancy rates are reasonable.
- 2.11 There has been positive movement on the number of Business rate accounts and empty NNDR properties.

#### Community Portfolio - Appendix 4

- 2.12 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.
- 2.13 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.
- 2.14 Regarding support through the Covid pandemic the council has paid grants totalling 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.

## Corporate - Appendix 5

- 2.15 Working days lost due to sickness is better than expected for the first 3 quarters of 2020 despite the Covid 19 pandemic, it has been suggested that this is due in part to the number of members of staff working from home.
- 2.16 The Response to FOI requests have been 100% on time since April 2019.
- 2.17 The Planning performance KPIs are all at or above target.
- 2.18 The % total Council Tax collected and % total NNDR collected are both slightly below target. This has deteriorated due to the pandemic. Staff concentrated on processing small business grants and the council tax relief hardship fund for the first 6 months of the year.

## Targets – Appendix 8

- 2.19 The targets for the next financial year against the Corporate Plan Performance framework have been recommended for approval by the 4 PDGs and Audit Committee. The proposals are attached as appendix 8 comments from the PDGs have been reflected on the documents.

## **3.0 Risk**

**Some risk scores have increased due to the Covid 19 pandemic especially as regards financing, homelessness and the economic outlook.**

- 3.1 The Corporate risk register is regularly reviewed by Group Managers and Leadership Team and updated as required.
- 3.2 Risk reports to committees include strategic risks with a current score of 10 or more in accordance with the Risk and Opportunity Management Strategy. (Appendix 6)
- 3.3 Appendix 7 shows the risk matrix for MDDC for this quarter. If risks are not scored they are included in the matrix at their inherent score which will be higher than their current score would be.
- 3.4 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.

## **4.0 Conclusion and Recommendation**

- 4.1 That the Cabinet reviews the performance indicators and risks that are outlined in this report and feeds back any areas of concern.
- 4.2 The Cabinet approves the targets proposed for 2021/22 against the Corporate Plan Performance framework. (Appendix 8)

**Contact for more Information:** Catherine Yandle Operations Manager for Performance, Governance and Health & Safety [cyandle@middevon.gov.uk](mailto:cyandle@middevon.gov.uk)

**Circulation of the Report:** Leadership Team and Cabinet Member

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## Corporate Plan PI Report Environment

Monthly report for 2020-2021  
 Arranged by Aims  
 Filtered by Aim: Priorities Environment  
 For MDDC - Services

### Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\*  
 indicates that an entity is linked to the Aim by its parent Service

## Corporate Plan PI Report Environment

### Priorities: Environment

### Aims: Increase recycling and reduce the amount of waste

### Performance Indicators

Title	Prev Year (Period)	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>Residual household waste per household (measured in Kilograms) (figures have to be verified by DCC)</u>	297.99 (10/12)	362.0	34.3	63.0	93.8	126.5	154.7	184.4	216.6	248.3	276.3	314.8			Darren Beer	(April - January) A 5.64% increase year to date compared to previous year; The lockdown period has contributed to this rise

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## Corporate Plan PI Report Environment

### Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	Prev Year (Period)	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
																due to residents creating more residual waste to be disposed of from home. This increase is likely to be a trend continuing for the remainder of the year. (LD)
<b><u>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</u></b>	13 (10/12)	No Target	0	0	4	4	4	5	10	10	10	10			Darren Beer	(January) Lockdown restrictions during January have reduced the occurrence of offences (LD)

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## Corporate Plan PI Report Environment

### Priorities: Environment

### Aims: Increase recycling and reduce the amount of waste

### Performance Indicators

Title	Prev Year (Period)	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 Household Waste Reused, Recycled and Composted (figures have to be verified by DCC)</u>	53.92% (10/12)	54.5%	52.6%	53.7%	54.3%	54.3%	54.3%	55.4%	54.8%	54.6%	54.0%	53.6%			Darren Beer	(January) The recycling rate for the year to date is slightly lower to date than previous year. 661 more tonnes of recycling materials have been collected however the proportion of waste arisings attributed to household residual waste offsets this in the overall

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## Corporate Plan PI Report Environment

### Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	Prev Year (Period)	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
																recycling rate. (LD)
<b>Number of Households on Chargeable Garden Waste</b>	10,184 (10/12)	11,100	10,007	10,837	10,928	11,088	11,154	11,245	11,251	11,176	11,232	11,315			Darren Beer	(January) An increase of 1,131 customers compared to same period in previous year (LD)
<b>% of missed collections reported (refuse and organic waste)</b>	0.02% (10/12)	0.03%	0.01%	0.02%	0.02%	0.01%	0.01%	0.02%	0.02%	0.02%	0.02%	0.02%			Darren Beer	(January) Remaining on target for the year (LD)
<b>% of Missed Collections logged (recycling)</b>	0.02% (10/12)	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.03%	0.02%			Darren Beer	(January) Remaining on target for the year (LD)

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## Corporate Plan PI Report Climate Change

Monthly report for 2020-2021  
 Arranged by Aims  
 Filtered by Aim: Priorities Climate Change  
 For MDDC - Services

### Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\*

indicates that an entity is linked to the Aim by its parent Service

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## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

### Aims: Green Sources of Energy

#### 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>Electric Car Charger Units</u>	n/a	n/a	8	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a		None	(Quarter 3) Five sites shortlisted for electric car charging points in our pay and display car parks that will be subject to the outcome of the tender exercise that MDDC

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## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

### Aims: Green Sources of Energy

#### 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
																	are part of with other neighbouring Councils, including analysis on the financial return. (CY)
<b><u>New Solar Initiatives</u></b>	n/a	n/a	250	n/a	n/a		n/a	n/a	211	n/a	n/a	251	n/a	n/a		Andrew Busby	(Quarter 3) 37 customers have now been accepted for solar panel installations and 8 for retrofit batteries (CY)
<b><u>Electric Car Charger usage</u></b>	n/a	n/a	2,000	11	58	139	399	762	994	1,248	1,342	1,513	1,603			Andrew Busby	(June) Usage seriously affected by Covid in first 3 months of the year (CY)

### Aims: Biodiversity

#### 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

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## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

### Aims: Biodiversity

### 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
<b><u>Corporate Tree Planting Scheme</u></b>	n/a	n/a	Develop corporate tree planting scheme by end 20/21	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Andrew Busby	(2020 - 2021) Post the national restrictions volunteers have now met again on the allocated area of land adjacent to Morrison's in Tiverton with a date on planting expected to be early in the New Year and Property Services also met Sustainable Crediton who are looking to plant trees at the end of January 2021 Cllr Slade has allocated Tiverton Tree Team £500 from his Mayor's Community Fund (CY)
<b><u>Community climate and biodiversity grants</u></b>	n/a	n/a	Funding agreed is first stage	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Andrew Busby	(2020 - 2021) Following a meeting with Mid Devon District Council, members of the St Lawrence Community Group and Sustainable Crediton have joined forces to take over

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## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

#### Aims: Biodiversity

#### 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
																	planting up the flower beds on St Lawrence Green with pollinator friendly varieties. (CY)

#### Aims: Retro-fitting measures

#### 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>Corporate Renewable Energy Projects</u>	n/a	n/a	1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1	Andrew Busby	(2020 - 2021) Carlu Close solar PV project has been completed and the hydro project is a live planning application at present with a report going to committee early in the new year. (CY)
<u>ECO Flex</u>	n/a	n/a	600					424	550	637	744	818				Simon Newcombe	

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## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

#### Aims: Retro-fitting measures

#### 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>Housing Assistance Policy</u>	n/a	n/a	5	1	1	1	1	1	1	2	2	4	5			Simon Newcombe	
<u>Home Improvement Loans</u>	n/a	n/a	5	n/a	n/a	0	n/a	n/a	1	n/a	n/a	5	n/a	n/a		Simon Newcombe	(Quarter 3) Figures supplied by Lendology quarterly (CY)

#### Aims: Other

#### 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>Community Schemes</u>	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Andrew Busby	
<u>Council Carbon Footprint</u>	n/a	n/a	19,000	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a	19,439	Andrew Busby	(Quarter 3) Progress will be reported in Q4 (CY)

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## Corporate Plan PI Report Homes

Monthly report for 2020-2021  
 Arranged by Aims  
 Filtered by Aim: Priorities Homes  
 For MDDC - Services

### Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\* indicates that an entity is linked to the Aim by its parent Service

## Corporate Plan PI Report Homes

### Priorities: Homes

### Aims: Deliver Housing

### 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>Net additional homes provided</u>	n/a	n/a	393	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Jenny Clifford, Simon Newcombe	
<u>Self Build Plots</u>	n/a	n/a	5	n/a	n/a	1	n/a	n/a	1	n/a	n/a	2	n/a	n/a		Jenny Clifford	
<u>Gypsy &amp; Traveller Pitches</u>	n/a	n/a	2	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a		Jenny Clifford	
<u>Number of affordable homes delivered (gross)</u>		133	94	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Jenny Clifford	
<u>Build Council Houses</u>	26 (9/12)	26		n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a		Andrew Busby,	(Quarter 4) We have bought back 1 RTB property (CY)

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## Corporate Plan PI Report Homes

### Priorities: Homes

#### Aims: Deliver Housing

#### 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
																Simon Newcombe	
<u>Number of Homelessness Approaches</u>	n/a	n/a	721 for 2019/20	n/a	n/a	125	n/a	n/a	289	n/a	n/a	433	n/a	n/a		Simon Newcombe	

#### Aims: Community Land Trusts

#### 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>Community Land Trusts Assisted</u>	n/a	n/a	2	n/a	n/a		n/a	n/a	1	n/a	n/a	2	n/a	n/a		Jenny Clifford	(Quarter 3) Initial advice provided to Wessex Group for the Sampford Peverell Community Land Trust (TP)

#### Aims: Private Sector Housing

#### 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>Deliver homes by bringing Empty Houses into use</u>	120 (10/12)	138	72	1	9	26	31	34	44	59	60	71	78			Simon Newcombe	
<u>Houses in Multiple Occupation</u>	n/a	n/a	100%						100%	100%	100%	100%	98%			Simon Newcombe	(September) Covid meant inspections did not recommence until July. Therefore no data for

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## Corporate Plan PI Report Homes

## Priorities: Homes

## Aims: Private Sector Housing

## 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>(HMOs)</u> <u>investigations</u>																	April - June. However have caught back with backlog by end of September so currently 100% for year to date (SN)
<u>Landlord</u> <u>engagement and</u> <u>Support</u>	n/a	n/a	9	n/a	n/a	4	n/a	n/a	8	n/a	n/a	12	n/a	n/a		Simon Newcombe	(Quarter 3) x3 pin point x1 webinar (TW)

## Aims: Council Housing

## 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>%</u> <u>Complaints</u> <u>Responded</u> <u>to On Time</u>	100.0% (9/12)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%				Simon Newcombe	
<u>Tenant</u> <u>Census</u>	n/a	n/a	34%	n/a	n/a	34%	n/a	n/a	34%	n/a	n/a	34%	n/a	n/a		Simon Newcombe	
<u>%</u> <u>Emergency</u> <u>Repairs</u> <u>Completed</u> <u>on Time</u>	100.0% (9/12)	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%				Simon Newcombe	
<u>%</u> <u>Urgent</u> <u>Repairs</u> <u>Completed</u> <u>on Time</u>	100.0% (9/12)	100.0%	95.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%				Simon Newcombe	

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## Corporate Plan PI Report Homes

Priorities: Homes

Aims: Council Housing

### 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>% Routine Repairs Completed on Time</u>	100.0% (9/12)	99.3%	95.0%	100.0%	100.0%	100.0%	100.0%	98.4%	99.8%	100.0%	100.0%	99.5%				Simon Newcombe	
<u>% Repair Jobs Where an Appointment Was Kept</u>	99.8% (9/12)	98.9%	95.0%	100.0%	100.0%	99.8%	100.0%	99.0%	99.7%	100.0%	100.0%	99.3%				Simon Newcombe	
<u>% Properties With a Valid Gas Safety Certificate</u>	99.78% (9/12)	99.82%	100.0%	99.6%	99.4%	98.9%	98.9%	99.2%	99.4%	99.5%	99.5%	99.5%				Simon Newcombe	

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## Corporate Plan PI Report Economy

Monthly report for 2020-2021  
 Arranged by Aims  
 Filtered by Aim: Priorities Economy  
 For MDDC - Services

### Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\* indicates that an entity is linked to the Aim by its parent Service

## Corporate Plan PI Report Economy

### Priorities: Economy

### Aims: Incubator and start-up space

#### Performance Indicators

Title	Prev Year (Period)	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>Incubator and Start-up space</u>	n/a	Target not yet set as initial work required													Jenny Clifford	(February) Scoping exercise to understand requirements has been affected by staff redeployment into COVID-19 response work and will not now take place until later in 2021. (JC)
<u>Sites for Commercial Development</u>	n/a	2							0	0	0	0			Andrew Busby	(October) New target no movement to report yet (CY)

### Aims: Improve and regenerate our town centres

## Corporate Plan PI Report Economy

### Priorities: Economy

### Aims: Improve and regenerate our town centres

### Performance Indicators

Title	Prev Year (Period)	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
<b>Number of business rate accounts</b>	3,205 (9/12)	3,250						3,339	3,340	3,349	3,347				Dean Emery	
<b>Business Rates RV</b>	n/a							£45,519,079	£45,519,379	£45,564,477	£45,584,367				Dean Emery	
<b>Empty Business Properties</b>	n/a							267	258	304			250		Dean Emery	
<b>Tiverton Town Centre Masterplan</b>	n/a		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Jenny Clifford, Adrian Welsh	(2020 - 2021) Engagement meetings over draft masterplan are currently being held. Draft masterplan likely to be considered at April 21 Cabinet to allow for these meetings to take place and subsequent feedback. Further phase of public consultation to follow shortly

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## Corporate Plan PI Report Economy

### Priorities: Economy

### Aims: Improve and regenerate our town centres

### Performance Indicators

Title	Prev Year (Period)	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
																thereafter. (JC)
<u><b>Cullompton Town Centre Masterplan</b></u>	n/a		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Jenny Clifford, Adrian Welsh	(2020 - 2021) February Cabinet date to consider the draft of the masterplan is now scheduled for April 2021 in order to allow the meeting to also consider the Cullompton Conservation Area Management Plan on a comprehensive basis (JC)
<u><b>Pannier Market Regular Traders</b></u>	n/a	Varies from 75 to 80% depending on the day							77.7%		77.0%				Adrian Welsh	(December) Social distancing limitations and pandemic had an impact on the number of traders over this period. (AW)

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## Corporate Plan PI Report Economy

### Priorities: Economy

#### Aims: Improve and regenerate our town centres

#### Performance Indicators

Title	Prev Year (Period)	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>West Exe North and South</u>	n/a		n/a	n/a	13	n/a	n/a	13	n/a	n/a	13	n/a	n/a		Andrew Busby	(Quarter 3) 92% 1 vacant unit (CY)
<u>Fore St Tiverton</u>	n/a		n/a	n/a	4	n/a	n/a	4	n/a	n/a	4	n/a	n/a		Andrew Busby	(Quarter 3) 80% 1 vacant unit, some interest (CY)
<u>Market Walk Tiverton</u>	n/a		n/a	n/a	13	n/a	n/a	13	n/a	n/a	14	n/a	n/a		Andrew Busby	(Quarter 3) 93% 1 vacant unit, Sustainable Tiverton may occupy this S-T (CY)

### Aims: Community Land Trusts

#### Performance Indicators

Title	Prev Year (Period)	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>Community Land Trusts Assisted</u>	n/a	2	n/a	n/a		n/a	n/a	1	n/a	n/a	2	n/a	n/a		Jenny Clifford	(Quarter 3) Initial advice provided to Wessex Group for the Sampford Peverell Community Land Trust (TP)

### Aims: Digital Connectivity

Corporate Plan PI Report Economy																
Priorities: Economy																
Aims: Digital Connectivity																
Performance Indicators																
Title	Prev Year (Period)	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>Digital connectivity</u>	n/a	>24 Mbps	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 2) Town centre wifi projects are proposed to be delivered in 2021. (CY)

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## 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	

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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)

## Corporate Plan PI Report Corporate

Monthly report for 2020-2021

Arranged by Aims

Filtered by Aim: Priorities Delivering a Well-Managed Council

For MDDC - Services

Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\* Indicates that an entity is linked to the Aim by its parent Service

## Corporate Plan PI Report Corporate

## Priorities: Delivering a Well-Managed Council

## Aims: South West Mutual Bank

## 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>South West Mutual Bank</u>	n/a	n/a		n/a	n/a	n/a	n/a	n/a		n/a	n/a	n/a	n/a	n/a		Andrew Jarrett	(October - March) A meeting was held in December 2020 by the Dep CE and the Cabinet Member for Finance with SW Mutual Bank's Director to receive an update on progress. Clearly, the prevailing Covid19 challenges have slowed down previously identified actions and delayed key milestones, however, at the conclusion of the meeting it was agreed that a quarterly progress update report would be provided in the future. (CY)

## Aims: Commercial Opportunities

## 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>Tiverton Other</u>	n/a	n/a		n/a	n/a	8	n/a	n/a	8	n/a	n/a	8	n/a	n/a		Andrew Busby	(Quarter 3) 100% (CY)
<u>Industrial Units Cullompton</u>	n/a	n/a		n/a	n/a	15	n/a	n/a	14	n/a	n/a	14	n/a	n/a		Andrew Busby	(Quarter 3) 93% 1 vacant unit (CY)

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## Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Commercial Opportunities

## Aims: Other

## 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>Sickness absence %</u>	3.04% (9/12)	3.27%	2.78%	n/a	n/a	2.17%	n/a	n/a	1.99%	n/a	n/a	1.89%	n/a	n/a		Matthew Page	(Quarter 2) Short term sickness has considerably reduced due to a combination of the new sickness policy but also the impact of COVID-19 and WFH (as well as the need for staff to self isolate) (CY)
<u>Appraisals completed</u>	0% (1/2)	75%	100%	n/a	n/a	n/a	n/a	n/a	0%	n/a	n/a	n/a	n/a	n/a		Matthew Page	(October - March) Deadline has been moved to the 31 March 2021 due to the new online Appraisal/PDR system coming in and the need to train/upskill line managers and employees on how to use the system. (CY)
<u>New Performance Planning</u>	99% (3/4)	100%	100%	n/a	n/a	100%	n/a	n/a	100%	n/a	n/a	100%	n/a	n/a		Jenny Clifford, Eileen	(Quarter 1) COVID-19 (RP)

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## Corporate Plan PI Report Corporate

## Priorities: Delivering a Well-Managed Council

## Aims: Other

## 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>Guarantee determine within 26 weeks</u>																Paterson	
<u>Major applications overturned at appeal (over last 2 years)</u>	2% (3/4)	2%	10%	n/a	n/a	4%	n/a	n/a	5%	n/a	n/a	4%	n/a	n/a		Jenny Clifford, Eileen Paterson	
<u>Major applications overturned at appeal % of appeals</u>	13.33% (3/4)	10.00%		n/a	n/a	0%	n/a	n/a	0%	n/a	n/a	0%	n/a	n/a		Jenny Clifford, Eileen Paterson	
<u>Minor applications overturned at appeal (over last 2 years)</u>	0% (3/4)	0%	10%	n/a	n/a	0%	n/a	n/a	0%	n/a	n/a	2%	n/a	n/a		Jenny Clifford, Eileen Paterson	
<u>Minor applications overturned at appeal % of appeals</u>	17% (3/4)	13%		n/a	n/a	0.25%	n/a	n/a	0.25%	n/a	n/a	1.73%	n/a	n/a		Jenny Clifford, Eileen Paterson	
<u>Response to FOI Requests (within 20 working days)</u>	100% (10/12)	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%		Catherine Yandle	
<u>Working Days Lost Due to</u>	5.59days (9/12)	8.12days	7.00days	n/a	n/a	1.41days	n/a	n/a	2.61days	n/a	n/a	4.18days	n/a	n/a		Matthew Page	

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## Corporate Plan PI Report Corporate

## Priorities: Delivering a Well-Managed Council

## Aims: Other

## 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>Sickness Absence</u>																	
<u>Staff Turnover</u>	n/a	n/a	14.0%	n/a	n/a		n/a	n/a		n/a	n/a	12.7%	n/a	n/a		Matthew Page	(Quarter 3) Turnover in the first six months of this financial year was unusually high, 66 employees left the Council. (CY)
<u>% total Council tax collected - monthly</u>	92.93% (10/12)	98.50%	98.50%	10.72%	19.37%	28.02%	36.82%	45.54%	54.55%	64.10%	73.26%	80.75%	91.27%	94.34%		Dean Emery	
<u>% total NNDR collected - monthly</u>	89.39% (10/12)	99.20%	99.20%	10.09%	16.52%	31.01%	38.88%	47.90%	55.45%	62.86%	70.21%	77.03%	84.56%	90.94%		Dean Emery	(August) COVID effect and no formal recovery. Better to compare actuals in prev yr and work out the value down c £104,190 (DE)

## Corporate Risk Management Report - Appendix 6

Report for 2020-2021

Filtered by Prefix: Exclude Risk Prefix: OP, PR, EV

Filtered by Flag: Include: \* Corporate Risk Register

For MDDC - Services

Filtered by Performance Status: Exclude Risk Status: Low

Not Including Risk Child Projects records, Including Mitigating Action records

### Key to Performance Status:

Mitigating Action:	<b>Milestone Missed</b>	<b>Behind schedule</b>	<b>In progress</b>	<b>Completed and evaluated</b>	<b>No Data available</b>
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Risks:	<b>No Data (0+)</b>	<b>High (15+)</b>	<b>Medium (6+)</b>	<b>Low (1+)</b>
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## Corporate Risk Management Report - Appendix 6

**Risk: Climate Change Declaration** The implications to the Council's strategic, budget and medium term financial plans are not yet fully explored and understood. This introduces an increased level of uncertainty. Impact of climate change on the financial viability of the Council.

**Service: Climate Change**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Cabinet Member for Climate Change	Was appointed in January 2020 with specific responsibility for the climate change agenda.	Catherine Yandle	17/02/2020	13/01/2021	Fully effective (1)
In progress	Climate Change Strategy and Action Plan	Was approved by Cabinet on 1 October 2020. The Handbook needs completing and publishing	Catherine Yandle	09/12/2020	13/01/2021	In progress (2)
Completed and evaluated	Consideration by the Environment PDG	This PDG has been tasked with considering the Council's own policy response (s) to the Climate Change Declaration made at Full Council on 26 June 2019.	Catherine Yandle	19/07/2019	13/01/2021	Fully effective (1)
Completed and evaluated	Devon Climate Emergency – Tactical Group	MDDC are part of the tactical group for the climate emergency that has strategic	Catherine Yandle	18/05/2020	13/01/2021	Fully effective (1)

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Corporate Risk Management Report - Appendix 6						
Mitigating Action records						
Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		links to our own plans.				
In progress	Net Zero Advisory Group	This was approved by Cabinet on 23 April terms of reference to be progressed for the group, membership confirmed and first meeting held remotely.	Catherine Yandle	18/05/2020	13/01/2021	In progress (2)
Current Status: High (20)		Current Risk Severity: 5 - Very High		Current Risk Likelihood: 4 - High		
Service Manager: Catherine Yandle						
Review Note: The recruitment of a climate and sustainability specialist has been completed, the postholder has started.						

## Corporate Risk Management Report - Appendix 6

**Risk: Commercial Land supply** Insufficient diversity in commercial land provided to meet changing business needs

**Service: Planning**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Business and landowner engagement	Continued brokering of sites and identification of creative opportunities to meet business demands can be very effective in addressing this risk	Adrian Welsh	10/06/2019	10/12/2020	In progress (2)
In progress	Incubator/Flexible workspace project	This project should help identify opportunities to help the delivery of new flexible workspace	Adrian Welsh	10/06/2019	10/12/2020	In progress (2)
In progress	Plan for recovery	Develop a recovery plan/ strategy in conjunction with partners	Jenny Clifford	12/05/2020	10/12/2020	In progress (2)
Current Status: Medium (10)		Current Risk Severity: 5 - Very High			Current Risk Likelihood: 2 - Low	
Service Manager: Jenny Clifford						
Review Note: Position has not changed since last review. Local Plan adoption provides allocated employment sites						

## Corporate Risk Management Report - Appendix 6

**Risk: Coronavirus Pandemic** The 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	In progress (2)
In progress	Financial and Economic effects monitoring	To ensure that local authorities 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.	Catherine Yandle	13/05/2020	07/01/2021	In progress (2)

**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

## Corporate Risk Management Report - Appendix 6

**Risk: Culm Garden Village** Possible discontinuance of Government funding support

**Service: Planning**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Funding opportunities	Lobby for the creation of further funding opportunities and for further rounds of the garden communities capacity funding	Jenny Clifford	03/02/2021	03/02/2021	In progress (2)
In progress	Further bids for capacity funding	To continue to secure external funding to support the project	Jenny Clifford	29/03/2019	03/02/2021	In progress (2)
Current Status: Medium (12)		Current Risk Severity: 4 - High		Current Risk Likelihood: 3 - Medium		
Service Manager: Jenny Clifford, Adrian Welsh						
Review Note: Further round of capacity funding (20/21) announced by Government. Bid submitted and currently still awaiting outcome.						

## Corporate Risk Management Report - Appendix 6

**Risk: Cyber Security** Inadequate Cyber Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service. If the Council fails to have an effective ICT security strategy in place.

Risk of monetary penalties and fines, and legal action by affected parties

**Service: I C T**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Email and Protective DNS	ICT have applied the all levels of the government secure email policy, which ensures secure email exchange with government agencies operating at OFFICIAL. PSN DNS has been configured at the Internet gateway, which ensures the validity of websites and blocks known sites.	Lisa Lewis	06/06/2019	11/01/2021	Fully effective (1)
Completed and evaluated	Information Security Policy in place, with update training	Information Security Policy reviewed. LMS (online policy system) included in induction.	Catherine Yandle	22/10/2015	11/01/2021	In progress (2)
In progress	Regular user awareness training	Staff and Member updates help to reduce the risk	Catherine Yandle	03/01/2019	11/01/2021	In progress (2)
Completed and evaluated	Technical controls in place	Required to maintain Public Sector Network certification	Lisa Lewis	03/01/2019	11/01/2021	Fully effective (1)

**Current Status: High (20)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 4 - High**

**Service Manager: Lisa Lewis**

**Review Note:** Policy reviewed awaiting signoff by portfolio holder.

Appropriate controls in place and annual pen' testing scheduled for February - final mitigation actions currently in progress.

Notification/emails to staff/members about phishing and other risks regular basis.

Email and Protective DNS - conforming with government secure email policy.

Staff training via LGA grant on Cyber Security Autumn 2020.

## Corporate Risk Management Report - Appendix 6

**Risk: Economic Development Service** The macro economic position might necessitate a reactive response, impacting on the Council's resourcing and reducing its ability to deploy resources as planned.

### Service: Growth, Economy and Development

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Distribution and processing of Gov business support funding.	To assist businesses during the Covid19 pandemic and to help sustain them during this time of national restrictions.	Adrian Welsh	12/05/2020	03/02/2021	In progress (2)
In progress	Hardship funding	To support individuals/households but also crucial for self employed and furloughed staff as a result of the pandemic.	Adrian Welsh	12/05/2020	03/02/2021	In progress (2)
In progress	Recovery plans	Work underway in partnership with other Devon and regional partners to develop economic recovery plans to assist positive outcomes on local economy.	Adrian Welsh	12/05/2020	03/02/2021	In progress (2)
<b>Current Status: High (25)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 5 - Very High</b>		

#### Service Manager: Adrian Welsh

**Review Note:** The latest national lockdown has had a critical impact on the local, national and global economy. Officer resource has been prioritised to issuing business grant support. Whilst recovery planning work takes place with our partners, our ability to contribute is less than we would want as a result of the grant work prioritisation.



## Corporate Risk Management Report - Appendix 6

**Risk: Economic Strategy** Failure to deliver projects/outcomes in Economic Strategy

**Service: Growth, Economy and Development**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Continue to seek out existing and new funding opportunities	To assist in ensuring adequate funding for delivery of COVID19 economic recovery work.	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
In progress	partnership working	Continue to work closely with delivery partners to gain advance warning of difficulties so as to seek to mitigate and also to develop joint responses to COVID economic recovery	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
In progress	Project Management	Continue rigorous project management, monitoring and reporting of economic development projects	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
In progress	Recovery Plans	Recovery Plans will be put in place to aid recovery.	Adrian Welsh	12/05/2020	03/02/2021	In progress (2)
In progress	Review and reprioritisation	Part of review of projects for Year 2 actions and a review of the likely impacts on the economy of the pandemic. This will consider maximising investment through external funding and prioritising officer time.	Adrian Welsh	31/01/2020	03/02/2021	In progress (2)

**Current Status: High (20)**

**Current Risk Severity: 4 - High**

**Current Risk Likelihood: 5 - Very High**

**Service Manager: Adrian Welsh**

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## Corporate Risk Management Report - Appendix 6

**Review Note:** Although a review of the strategy was programmed for Q1 2021, this has had to be moved back following the further period of national lockdown and resultant business support requirements. The review will be informed by emerging 'Team Devon recovery work'. This work will also be informed by national economic predictions and forecasts once a better idea of the implications to the economy of the emerging vaccination programme are known. Recovery strategy approach to be considered at May Economy PDG.

**Risk: Funding** Insufficient resources (including funding) to deliver growth aspirations of Corporate Plan.

**Service: Growth, Economy and Development**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Actively pursue funding opportunities through Levelling Up Agenda/Shared Prosperity Fund	Work currently being undertaken to be in a state of readiness as opportunities become available	Adrian Welsh	03/02/2021	03/02/2021	In progress (2)
In progress	Lobbying	Officers will continue to review funding opportunities and seek opportunities to work closely with local partners and the HotSWLEP to seek additional funding support for key infrastructure.	Adrian Welsh	12/05/2020	03/02/2021	In progress (2)
In progress	Officers have reprioritised work programmes to explore new funding opportunities	End of European funding sources	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
<b>Current Status: High (16)</b>		<b>Current Risk Severity: 4 - High</b>		<b>Current Risk Likelihood: 4 - High</b>		

**Service Manager: Adrian Welsh**

**Review Note:** Given ongoing constraints on resource particularly during this latest lockdown and the scale of the challenges to the GED team at this time there has been need to carefully prioritise project delivery.

## Corporate Risk Management Report - Appendix 6

**Risk: GDPR compliance** That the Council cannot demonstrate that we are compliant with GDPR requirements.

**Service: Governance**

**Mitigating Action records**

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	IDOX Records Handling Plan	To utilize IDOX bulk data handling tool across the Council services using Uniform	Catherine Yandle	01/03/2019	10/01/2021	In progress (2)
In progress	Records Management Action Plan	To improve identified issues with records management	Catherine Yandle	15/06/2018	10/01/2021	In progress (2)

**Current Status: Medium (10)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 2 - Low**

**Service Manager: Catherine Yandle**

**Review Note:** Monitoring of data breaches and document retention continues to identify any weaknesses. Awareness of need for DPIAs and DSAs is improved. Privacy notices in place. Information audits will need to take place as soon as practicable.

## Corporate Risk Management Report - Appendix 6

**Risk: Health and Safety** Inadequate Health and Safety Policies or Risk Assessments and decision-making could lead to Mid Devon failing to mitigate serious health and safety issues

**Service: Governance**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Risk Assessments	Review risk assessments and procedures to ensure that we have robust arrangements in place. Risk training sessions in place.	Catherine Yandle	28/05/2013	10/01/2021	In progress (2)
In progress	Risk assessments	Group Managers receive monthly automated reminders to update any outstanding risk reviews	Catherine Yandle	20/09/2019	10/01/2021	In progress (2)
<b>Current Status: Medium (10)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 2 - Low</b>		

**Service Manager: Catherine Yandle**

**Review Note:** Covid Secure RAs have been updated in the light of latest national lockdown and mitigations re new variants of the virus. Guidance updated.

## Corporate Risk Management Report - Appendix 6

**Risk: Homelessness** Insufficient resources to support an increased homeless population could result in failure to meet statutory duty to provide advice and assistance to anyone who is homeless.

### Service: Housing Services

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Multi-skilled Staff	Due to an increase in homelessness approaches more applicants with complex needs are coming through the system that require far greater staff attention than normal. In order to mitigate this, staff are expanding their training around mental health, drug and alcohol awareness, and safeguarding, in order to create a more multi-skilled and adaptable workforce. This may require a greater allocation of resources as homelessness increases.	Claire Fry	21/12/2020	30/12/2020	In progress (2)
Completed and evaluated	RSI funding	The number of homeless approaches and the number of rough sleepers in the District are both likely to increase as a result of the economic instability and the current outbreak of Covid19. Our	Claire Fry	21/12/2020	30/12/2020	Fully effective(1)

Corporate Risk Management Report - Appendix 6						
Mitigating Action records						
Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		success in obtaining up to £6,400 in RSI funding to deliver services during the cold weather means that we can adapt to this increased caseload and better carry out early intervention and prevention options to aid rough sleepers and prevent returning to the streets.				
Completed and evaluated	Staff Support	Officers are trained and knowledgeable and the structure of Housing Options team reviewed to build resilience.	Claire Fry	22/06/2017	30/12/2020	Fully effective(1)
In progress	Temporary Accommodation	With the rise in homelessness applicants, the overall cost of homelessness provisions will increase and therefore there is a need to make use of existing stock as temporary accommodation, as opposed to more costly alternatives such as bed and breakfast.	Claire Fry	21/12/2020	30/12/2020	In progress (2)
Current Status: High (16)		Current Risk Severity: 4 - High		Current Risk Likelihood: 4 - High		
Service Manager: Claire Fry						
Review Note: The score for this risk remains the same, as a result of the pandemic there is a need						
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## Corporate Risk Management Report - Appendix 6

to safe-guard rough sleepers as much as possible. The economic impact of the pandemic is likely to result in increased approaches from people who may be homeless or at risk of becoming homeless. In addition, there could be a reduction in the number of homes available in the private rented sector.

**Risk: Information Security** Inadequate data protection could lead to breaches of confidential information and ultimately enforcement action by the ICO.

### Service: Governance

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Awareness and Training	Attend team meetings and other meetings such as Tenants Together to provide training and answer questions on request. Articles in the Link on an ad hoc basis. Annual Information Security training is mandatory for all network computer users	Catherine Yandle	09/08/2019	14/01/2021	In progress(2)
In progress	Breach notification	Security breaches are logged via the helpdesk and monitored for developing trends. Training and advice is offered in response to items logged.	Catherine Yandle	09/08/2019	14/01/2021	In progress(2)
<b>Current Status: Medium (10)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 2 - Low</b>		

**Service Manager: Catherine Yandle**

**Review Note:** Compliance with mandatory training is good and network access is not granted initially until the induction training is complete.

## Corporate Risk Management Report - Appendix 6

**Risk: Infrastructure delivery** Inability to deliver, or delay in delivering, key transport infrastructure to unlock planned growth

**Service: Growth, Economy and Development**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Close working with Devon Country Council (delivery partner) over the HIF schemes	DCC is the delivery partner for the Council's HIF highway infrastructure project. Close working is taking place in order to ensure risks of project delay or cost escalation are reduced. DCC is undertaking robust project management of the projects. These actions seek to ensure the projects remain on track and any problems are raised at an early stage allowing for corrective action.	Jenny Clifford	13/01/2021	03/02/2021	In progress (2)
In progress	Close working with Homes England over the HIF schemes	Grant fund agreements over the HIF funding to deliver 2 highway infrastructure schemes. These include a range of requirements and project milestones. Close liaison with Homes England is taking place via monthly project update meetings and quarterly monitoring returns. This ensures Homes England is updated on both projects, is aware of issues as they arise and any corrective actions can be taken- for	Jenny Clifford	13/01/2021	03/02/2021	In progress (2)



Corporate Risk Management Report - Appendix 6						
Mitigating Action records						
Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		example seeking the revision of project milestones to reflect the latest project programme.				
In progress	Partnership working	Close working with delivery partners to attempt to mitigate risks.	Adrian Welsh	12/05/2020	03/02/2021	In progress (2)
In progress	Partnership working with infrastructure providers and statutory bodies	Reduce risk of delays and communication.	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
In progress	target funding opportunities	To seek to bring forward delivery	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
Current Status: High (16)		Current Risk Severity: 4 - High		Current Risk Likelihood: 4 - High		
Service Manager: Adrian Welsh						
Review Note: We are working closely with Homes England on both HIF scheme and looking to mitigate project risks as and when they occur. The Cullompton Relief Road has now been granted planning permission. The SOBC for Cullompton Railway Station has been submitted to the DfT.						

## Corporate Risk Management Report - Appendix 6

**Risk: Overall Funding Availability** Changes to Revenue Support Grant, Business Rates, New Homes Bonus and other funding streams in order to finance ongoing expenditure needs.

**Service: Financial Services**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Engaging in commercial activities	To provide additional revenue streams	Ian Chilver	28/09/2017	13/01/2021	In progress (2)
Completed and evaluated	Medium term planning	Due to Cabinet in December 2020. Gap in excess of £5M A range of options are being considered but Covid, business rates and uncertainty over fair funding review make the situation extremely challenging	Ian Chilver	28/09/2017	13/01/2021	Fully effective (1)
In progress	We continue to work with managers to reduce costs and explore new income streams	To close the budget gap and maintain services	Ian Chilver	07/02/2019	13/01/2021	In progress (2)
<b>Current Status: High (20)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 4 - High</b>		

**Service Manager: Paul Deal**

**Review Note:** S151 and Cabinet Member for Finance are actively lobbying local MP and government (via LGA).

S151 has responded to government consultation on the level of funding post December announcement.

## Corporate Risk Management Report - Appendix 6

**Risk: Reduced Funding - Budget Cuts** We are subject to continuing budget reductions. If we concentrate on short term cost savings, it may increase long term impact of decisions

**Service: Financial Services**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Business Plans	Service Business Plans are reviewed each financial year with suggestions for revised performance targets based on budget to be agreed by Cabinet Member and PDG.	Andrew Jarrett	28/05/2013	10/01/2021	In progress (2)
In progress	Identify Efficiencies	Taking proactive steps to increase income and reduce expenditure through efficiencies, vacancies that arise and delivering services in a different way.	Andrew Jarrett	28/05/2013	10/01/2021	In progress (2)
In progress	Reserves	Cabinet have taken the decision to recommend a minimum general reserve balance of 25% of Net annual budget.	Andrew Jarrett	28/05/2013	10/01/2021	In progress (2)
Completed and evaluated	Set Budget	Each year as part of the budget setting process, members are consulted via PDGs in time to evaluate savings proposals, ahead of the November draft budget.	Andrew Jarrett	28/05/2013	10/01/2021	Fully effective (1)
Current Status: Medium (12)		Current Risk Severity: 4 - High		Current Risk Likelihood: 3 - Medium		
Service Manager: Paul Deal						
Review Note: The 21/22 budget has now been approved. Work continues on the MTFP going forward						

## Corporate Risk Management Report - Appendix 6

**Risk: Reputational damage - social media** impact of reputational damage through social media is a significant risk that warrants inclusion on the Authority's risk register.

**Service: Communications**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Monitoring social media	Two members of the communications team monitor the main corporate social media accounts on a rota basis. Alerts are also set up so the team receives notification of comments and can respond as appropriate. This is monitored in office hours only and the team does not provide 24 hour monitoring or a call out function. The Comms Team also works with other local authorities and takes part in social media training with other local authorities as the opportunities arise budgets permitting.	Jane Lewis	05/06/2019	18/05/2020	In progress (2)

**Current Status: Medium (10)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 2 - Low**

**Service Manager: Jane Lewis**

**Review Note:** Risk remains as per last year. There will always be this risk as we do not provide a 24 hour cover but there are staff and alerts to reduce this risk.

## Corporate Risk Management Report - Appendix 6

**Risk: Right to Buy - Re-investing Receipts in New Affordable Rented Homes** : Failure to deliver an appropriate housing programme to provide new social rent Council housing may result in existing housing stock not being replaced at an adequate rate to offset RTB sales. This may also result in payment of interest to MHCLG on any unspent, ring-fenced 1-4-1 RTB receipts and have longer term impact on the overall financial health of the HRA over a 30-year plan period.

**Service: Housing Services**

**Mitigating Action records**

No Mitigating Action records found.

**Current Status: Medium (12)**

**Current Risk Severity: 4 - High**

**Current Risk Likelihood: 3 - Medium**

**Service Manager: None**

**Review Note:** We have submitted to MHCLG a detailed programme for delivering additional social rent homes over 21/22. The final scope of this programme will depend on on-going negotiations with MHCLG on potential extension to RTB receipts due to be spent in 20/21 (due to Covid etc) as well as 21/22 receipts already assigned in the programme. Going forward, the plan will be informed by a new Housing Strategy. The desired outcome being shaped is to have in place rolling 3-year RTB receipt/housing stock programme set at a minimum 100% stock replacement rate (based on average rates of RTB sales, reviewed annually). This will allow for receipts to be allocated to an identified and approved future development/redevelopment scheme or buy-back opportunity at date of receipt for utilisation over the required 3-year utilisation period, thereby mitigating the risks.

## Corporate Risk Management Report - Appendix 6

**Risk: S106 Agreement** Inability of the legacy systems to provide a full overview of the 'trigger points' for all of the s106 agreements

**Service: Planning**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	S106 improvement project	A S106 improvement project is taking place to build a new system that will be able to effectively manage the process and provide better visibility over the information on S106 agreements and monies held/spent/expected.	Jenny Clifford	04/10/2019	10/12/2020	In progress (2)

**Current Status: High (15)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 3 - Medium**

**Service Manager: Jenny Clifford, Eileen Paterson**

**Review Note:** Review of processes around S106 agreements continues to advance, but slower than initially intended due to resource availability and impact of COVID-19.

Governance arrangements have been agreed.

The enquiries part of project management system is now live, monies reconciled against the financial system and data migration has been taking place in batches. By the end of December 20 reporting on funds by Parish and catchment for public open space and air quality funds will be available. Further stages of the project will be completed through to late 2021

The Infrastructure Funding Statement to be published by the end of December 20 will report on S106 monies collected and spent for 19/20 and will be updated annually for the previous financial year. It will also identify and prioritise the infrastructure the Council intends to fund through S106 agreement/ Community Infrastructure Levy (report to Cabinet 3rd December 2020).

## Corporate Risk Management Report - Appendix 6

**Risk: SPV - 3 Rivers - Failure of the Company** This will depend on Economic factors and the Company's success in the marketplace commercially.

For MDDC the impacts will be:

3 Rivers are unable to service and repay the loan from MDDC

Not receiving the forecast additional income

Not supporting corporate objectives.

### Service: Financial Services

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Cabinet	Monthly meetings with Cabinet ambassadors and monthly update to Cabinet on progress with the recommendations action plan and projects.	Catherine Yandle	09/11/2020	13/01/2021	In progress (2)
In progress	Regular monitoring	The Board of 3 Rivers deliver a half yearly report to the Cabinet which provides an update on their delivery against their business plan. We charge interest to them at a commercial rate in order to maintain an "arms-length" relationship and the interest provides some mitigation to the outstanding principal.	Andrew Jarrett	30/05/2019	13/01/2021	In progress (2)

**Current Status: High (15)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 3 - Medium**

**Service Manager: Paul Deal**

**Review Note:** Two experienced directors have been recently recruited as required by the action plan.

The company is also exploring the possibility of providing social housing to the Council (Teckel permitting)

## Corporate Risk Management Report - Appendix 6

**Risk: SPV 3 Rivers Reputational Impact** That 3 Rivers' reputation is damaged by the actions of the council, threatening the long-term success of the company and potentially threatening the operational activity of the company through increased costs, reduced revenues, staff retention, or future claims against the council.

### Service: Governance

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Work with Members	Sustained work with elected members to ensure that the necessary balance is struck between constructive challenge and debate, without bringing the company or its activity into disrepute. Awareness raising relating to the roles of the council's scrutiny committee in assuring governance outcomes, the audit committee providing assurance on risk and mitigation, and the cabinet in its decision-making as shareholder. Use of external advice when necessary to provided added assurance.	Stephen Walford	11/11/2020	15/01/2021	In progress (2)

**Current Status: High (15)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 3 - Medium**

#### Service Manager: Stephen Walford

**Review Note:** Work continues with elected members to ensure that the necessary balance is struck between constructive challenge and debate, without bringing the company or its activity into disrepute. Monthly update reports are currently being tabled at Cabinet to ensure maximum transparency and opportunity for questions. There is a concerted effort being made to hold all debates in public, with only commercially-sensitive or contractual details in restricted session. In addition, members are being briefed on structural and governance issues relating to the relationship with 3RDL to increase awareness of the potential damage that can be done by to the company (and council) reputation arising from inaccurate commentary. Member ownership of 3RDL reputational matters has increased with the appointment of two cabinet member ambassadors, and this is improving trust and confidence amongst the wider membership.



## Corporate Risk Management Report - Appendix 6

**Risk: SPV Governance Arrangements - 3 Rivers** Not being able to demonstrate robust challenge and decision-making.

**Service: Governance**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	External Review	Several recommendations have been recommended. All have been approved between Cabinet, Audit and Scrutiny. Action Plan is in place and progress is steady.	Catherine Yandle	06/07/2020	03/02/2021	In progress (2)
In progress	Included on AGS	This issue has been included on the Annual Governance Statement Action Plan so we do not lose sight of the issue throughout the year.	Catherine Yandle	15/07/2019	03/02/2021	In progress (2)
In progress	Openness and Transparency	Regular reports to Cabinet in open session where possible.  Need to balance commercial interests with Nolan principles.	Catherine Yandle	20/05/2019	03/02/2021	In progress (2)
<b>Current Status: Medium (10)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 2 - Low</b>		

**Service Manager: Catherine Yandle**

**Review Note:** 28 from 33 actions completed at the last update

## Corporate Risk Management Report - Appendix 6

**Risk: Tiverton Pannier Market** Failure to maximise the economic potential of Tiverton Pannier Market

**Service: Growth, Economy and Development**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Continue to retain and prioritise market budget	To ensure most efficient use of resources	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
In progress	continue to work with traders on promotion	To increase footfall.	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
In progress	Implement and review market strategy	Implementation of strategy will increase market's financial success and help fulfill its function as a key driver for the town.	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
In progress	Masterplan Implementation	To realise benefits from the Masterplan to increase visibility of market and increase footfall.	Adrian Welsh	10/06/2019	03/02/2021	In progress (2)
<b>Current Status: High (16)</b>		<b>Current Risk Severity: 4 - High</b>		<b>Current Risk Likelihood: 4 - High</b>		

**Service Manager: Adrian Welsh**

**Review Note:** At time of current risk review yet another further period of national covid restrictions are in place inhibiting the market from being able to function normally. Plans to maximise economic potential of the pannier market are being reviewed to reflect the current challenges and future opportunities arising from changing retail habits as a result of the pandemic.

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# Risk Matrix

## Report

Filtered by Prefix: Exclude Risk Prefix: OP, EV  
For MDDC - Services  
Current settings

<b>Risk Likelihood</b>	<b>5 - Very High</b>	<b>No Risks</b>	<b>No Risks</b>	<b>No Risks</b>	<b>1 Risk</b>	<b>3 Risks</b>
	<b>4 - High</b>	<b>No Risks</b>	<b>No Risks</b>	<b>No Risks</b>	<b>7 Risks</b>	<b>3 Risks</b>
	<b>3 - Medium</b>	<b>1 Risk</b>	<b>1 Risk</b>	<b>8 Risks</b>	<b>6 Risks</b>	<b>3 Risks</b>
	<b>2 - Low</b>	<b>No Risks</b>	<b>1 Risk</b>	<b>16 Risks</b>	<b>12 Risks</b>	<b>6 Risks</b>
	<b>1 - Very Low</b>	<b>3 Risks</b>	<b>1 Risk</b>	<b>No Risks</b>	<b>7 Risks</b>	<b>2 Risks</b>
		<b>1 - Very Low</b>	<b>2 - Low</b>	<b>3 - Medium</b>	<b>4 - High</b>	<b>5 - Very High</b>
<b>Risk Severity</b>						

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KPI	Agreed 2020/21 target	Proposed 2021/2022 target	Rationale
Residual Waste per Household	362 kg	362 kg	Covid has led to being below target in the current year, targets can be revised with information gleaned from the 3 weekly pilot scheme as appropriate later in the year.
% Waste Reused, Recycled & Composted	54.50%	54.50%	
Number of FPNS Issued	None	None	Responsive, numbers reported only
Missed collections waste	0.03%	0.03%	Very low numbers missed, leave as is
Missed collections recycle	0.03%	0.03%	
Garden Waste Customers	11,100	11,200	Stay at home guidance has led to achieving better than increased target but this is unlikely to be sustained.
Council Carbon Footprint	19,000 CO2t	18,250 CO2t	Refer to Adopted Climate Change Action Plan
New Solar Initiatives	250	0	Sign-ups now closed, we could report resultant solar panel and retrofit battery installations
Corporate Renewable Energy Projects	1	4	Leisure x3, Green tariff, Hydromills start only, to continue into 2023
Electric Car Charger usage	2,000	2,300	Post Covid improvement
Electric Car Charger units	8	8	2 per main town and 2 more
Eco Flex sign ups	600	300	May cease after 21/22
Home Improvement Loans Lendology CIC scheme	5	10	Subject to ongoing capital injections via surplus Better Care Funding
Housing Assistance Policy	5	5	Vulnerable persons only
Corporate Tree Planting Scheme	Yes/No	500	Numbers to be reported in future target 500-1000 Tree planting will be increased through voluntary groups
Community Climate & Biodiversity Grants	Yes/No	Yes/No	Funding for a scheme needs to be agreed before any numbers can be reported
Community Schemes	4	4	Covid has caused difficulties getting schemes started

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KPI	Agreed 2020/21 target	Proposed 2021/2022 target	Rationale
Tiverton Town Centre Masterplan	Yes/No	Y/N	Adopt Masterplan
Cullompton Town Centre Masterplan	Yes/No	Y/N	Adopt Masterplan
Crediton Town Centre Masterplan	N/A	Y/N	Consultants appointed and stage 1 issues consultation complete.
Incubator/Start-up Space planning applications	N/A	2 sites	Approx. one a year in previous years. Sites may come forward through a range of models including privately.
Sites for Commercial Development	2 acres	2 acres	0.75 hectare/ 1.8 acres of usable space. 6 units @ Simmons Place and 11 @ Kings Mill.
Business Rates Accounts	3,250	3,350	Post Covid business failures likely
Rateable Value NNDR	None	None	Actual value reported
Empty Properties (EPR)	None	None	Actual number reported, 388 being monitored
Pannier Market Regular traders	Actual reported	85%	Baseline 3 year rolling average 2017/2020 (2020/21 figures excluded due to lockdown) Tuesdays 78%, Friday 89%, Saturday 80%
Community Land Trusts assisted	1	1	There are a low number of CLTs in existence to assist.
Corporate Retail Units Occupancy rates	None	90%	% actual occupancy reported, 5.5% ROI



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KPI	Agreed 2020/21 target	Proposed 2021/2022 target	Rationale
Net Additional Homes delivered	393	393	Link to Housing Delivery Test and monitoring of Local Plan delivery
Affordable Homes delivered	94	94	Target derived from Local Plan
Build Council Houses for social rent	None	20	11 infill etc. Pods may increase if additional funding is available
Self build plots delivered	5	5	Target derived from Local Plan
Gypsy & traveller pitches delivered	2	2	Target derived from Local Plan
Empty Homes brought back into use	72	72	Subject to Housing strategy and further funding being agreed. 388 properties being monitored
HMOs investigations	100%	100%	All potential HMOs informed of investigated
Landlord Engagement	9	9	Increased emphasis post Covid
Homeless Approaches	None	None	Responsive, actual reported
Tenant Census	34%	Develop Action Plan	Census complete now analysing results
% Properties With a Valid Gas Safety Certificate	100%	100%	Statutory Target
Complaints responded to on time	100%	100%	Housing Ombudsman Service Complaints Handling Code
Emergency Repairs	100%	100%	Other Councils >95%
Urgent Repairs	95%	95%	Other Councils >95%
Routine repairs	95%	95%	Other Councils >95%
Repairs appointments kept	95%	95%	Other Councils >95%

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KPI	Agreed 2020/21 target	Proposed 2021/2020 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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KPI	Agreed 2020/21 target	Proposed 2021/2022 target	Rationale
South West Mutual Bank	None	None	DCE to provide 1/4trly updates on progress during 21/22
Corporate Commercial Units Occupancy rates	None	90%	% actual occupancy reported, 5.5% ROI
Working days Sick	7 days	7 days	National Average public sector
Sickness Absence	2.78%	2.78%	SW Councils
Staff Turnover	14%	15%	SW Councils
Appraisals completed	100%	100%	
Council Tax Collection rate	98.50%	96%	Rate used in Taxbase calculation
NNDR Collection rate	99.20%	97%	Projected rate post Covid
FOI on time	100%	100%	Additional information has been requested by Audit Committee
Major applications overturned at Appeal	<10%	<10%	National Target
Major Appeals	None	none	Actual reported
Non-major applications overturned at Appeal	<10%	<10%	National Target
Non-major Appeals	None	none	Actual reported
Cost of Appeals	None	none	Actual reported
Performance Planning Guarantee	100%	100%	Statutory Target

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# MID DEVON DISTRICT COUNCIL – REVISED SCHEDULE OF MEETINGS – 2021/22

Ratified by Council on .....

MEETING	Normal day and Time	1	2	3	4	5 2022	6	Extra
<b>Planning Committee</b> <i>(first meeting of cycle)</i>	Wednesday	19 May	14 July	8 Sept	3 Nov	5 January	2 March	
<b>Planning Committee</b> <i>(second meeting of cycle)</i>	Wednesday	16 June	11 August	6 October	1 Dec	2 February	30 March	20 April
<b>CABINET – 10am</b> <i>(first meeting of cycle)</i>	Tuesday from June	Thursday - 13 May	6 July	31 August	26 October	4 January	8 March	
<b>CABINET – 10am</b> <i>(second meeting cycle)</i>	Tuesday from June	8 June	3 August	28 Sept	30 Nov	1 February	5 April	
<b>Environment PDG</b>	Tuesday	18 May	13 July	7 Sept	2 Nov	11 January	8 March	
<b>Homes PDG</b>	Tuesday	25 May	20 July	14 Sept	9 Nov	18 January	15 March	
<b>Economy PDG</b>	Thursday	20 May	15 July	9 Sept	4 Nov	13 January	17 March	
<b>Community PDG</b>	Tuesday	1 June	27 July	21 Sept	16 Nov	25 January	22 March	
<b>Scrutiny</b> <i>(first meeting of cycle)</i>	Monday	24 May	19 July	13 Sept	8 Nov	17 January	21 March	
<b>Scrutiny</b> <i>(second meeting cycle)</i>	Monday	21 June	16 August	11 October	13 Dec	14 Feb	**Tuesday 19 April	
<b>Audit Committee</b>	Tuesday	1 June	27 July	21 Sept	16 Nov	25 January	22 March	
<b>Standards Committee</b>	Wednesday	2 June		13 October		9 February		
<b>Licensing Committee</b>	Friday	11 June			10 Dec			
<b>Regulatory Committee</b>	Friday	11 June			10 Dec			
<b>Away Days</b>	Fri 9.30am			10 Sept				
<b>COUNCIL</b>	Wed 6.00pm	30 June	25 August	27 October	22 Dec	23 Feb	27 April	11 May 2022

Notes: (i) \* **Annual Meeting in 2021 is on 12 May** (although an alternative date of 26 May is available if meetings have to go ahead in person).

(ii) \*\* Scrutiny Committee moved on one day because of Easter Monday.



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# MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

May 2021

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

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<b>Public Spaces Protection Order</b> To consider the outcome of the public consultation and any recommendations.	Environment Policy Development Group  Cabinet	13 Apr 2021  13 May 2021	Darren Beer, Operations Manager for Street Scene	Cabinet Member for the Environment (Councillor Colin Slade)	Open
<b>Options for Accelerating Affordable Housing Delivery in the District</b> To consider additional governance arrangements for housing delivery	Scrutiny Committee  Cabinet	19 Apr 2021  13 May 2021	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
<b>Cullompton Heritage Action Zone</b> To consider a report seeking to establish decision making authority for the award of grants under the project	Cabinet	13 May 2021	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Crediton NHS Hub Phase 2</b> To consider a funding request.	Cabinet	13 May 2021	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Part exempt
<b>Options for the Procurement of Electric Car Charging Units</b> To consider options for the procurement of electric car charging units.	Cabinet	13 May 2021	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for the Environment (Councillor Colin Slade)	Open
<b>Appointment of Consultants to produce a Culm Garden Village Strategic Flood Risk Assessment and Drainage Strategy.</b> To consider the appointment of consultants	Cabinet	13 May 2021	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Cullompton Town Centre Masterplan</b> To consider a report with regard to the stage 2 public consultation.	Cabinet	13 May 2021	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Tiverton Town Centre Masterplan</b> To consider a draft masterplan for public consultation	Cabinet	13 May 2021	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Levelling Up Fund Submission</b> To consider a report setting out options and proposals for Mid Devon's submissions to the national 'levelling up' fund as announced in the March 2021 budget.	Cabinet	13 May 2021	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Tree Policy</b> 5 yearly review	Environment Policy Development Group  Cabinet	18 May 2021  10 Jun 2021	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for the Environment (Councillor Colin Slade)	Open
<b>Draft MDDC Litter Strategy</b> To receive the MDDC Litter Strategy	Environment Policy Development Group	18 May 2021	Darren Beer, Operations Manager for Street Scene	Cabinet Member for the Environment (Councillor Colin Slade)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
	Cabinet	10 Jun 2021			
<b>Devon and Torbay Waste Strategy Management Plan</b> To receive a report which outlines the new draft Resource and Waste Management Strategy for Devon and Torbay following public consultation.	Environment Policy Development Group  Cabinet	18 May 2021  10 Jun 2021	Darren Beer, Operations Manager for Street Scene	Cabinet Member for the Environment (Councillor Colin Slade)	Open
<b>HOD Economic Development Strategy</b> To consider a review strategy	Economy Policy Development Group  Cabinet	20 May 2021  10 Jun 2021	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Fees and Charges - Private Sector Housing</b>	Homes Policy Development Group  Cabinet	25 May 2021  10 Jun 2021	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
<b>Town and Parish Charter</b> To receive the 3 yearly review of the Town and	Community Policy Development		Jill May, Director of Business Improvement and	Cabinet Member for Community Well Being	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
Parish Charter	Group Cabinet	1 Jun 2021 10 Jun 2021	Operations Tel: 01884 234381	(Councillor Dennis Knowles)	
<b>Information with regard to the possible creation of a Teckal compliant company</b> To consider advice surrounding the possibility of creating a new Teckal-compliant company entity.	Scrutiny Committee Cabinet	24 May 2021 10 Jun 2021	Stephen Walford, Chief Executive Tel: 01884 234201	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
<b>Exiverton Town Centre CCTV Options for future use</b> To consider the options for the town centre CCTV	Cabinet	10 Jun 2021	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Cullompton Neighbourhood Plan Adoption</b> To consider the adoption of the Neighbourhood Plan following the result of the referendum.	Cabinet Council	10 Jun 2021 30 Jun 2021	Jenny Clifford, Head of Planning, Economy and Regeneration Tel: 01884 234346	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Joint Strategy for strategic planning</b> To consider a report on the proposed joint strategy for	Cabinet	10 Jun 2021	Jenny Clifford, Head of Planning, Economy and Regeneration Tel:	Cabinet Member for Planning and Economic Regeneration	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
strategic planning matters with East Devon, Exeter City and Teignbridge Councils.			01884 234346	(Councillor Richard Chesterton)	
<b>Outturn report 2020/21</b> To receive the outturn for the financial year 2020/21	Cabinet	10 Jun 2021	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Annual Treasury Management Report</b> To consider the annual report	Cabinet	10 Jun 2021	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Contracted Out Enforcement Duties</b> To receive a report on the options to engage an external contractor for additional littering and dog fouling enforcement duties in the district.	Environment Policy Development Group  Cabinet	13 Jul 2021  5 Aug 2021	Darren Beer, Operations Manager for Street Scene	Cabinet Member for the Environment (Councillor Colin Slade)	Open
<b>Housing Strategy (first draft) with formal consultation plan</b> To consider a draft strategy	Homes Policy Development Group  Cabinet	20 Jul 2021  5 Aug 2021	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Housing Strategy (final version for approval)</b> To consider the housing strategy	Homes Policy Development Group  Cabinet	14 Sep 2021  30 Sep 2021	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
<b>Customer Care Policy</b> To receive the 3 yearly review of the Customer Care Policy	Community Policy Development Group  Cabinet	21 Sep 2021  30 Sep 2021	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open



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## **CABINET** **8 APRIL 2021**

### **3 Rivers Developments Limited - Performance Update**

**Cabinet Members:** Councillor Bob Evans – Deputy Leader and Cabinet Member for Housing & Property/Councillor Andrew Moore – Cabinet Member for Finance

**Responsible Officers:** Deputy Chief Executive – Andrew Jarrett

**Reason for Report:** To provide Cabinet with an update on current project performance and any key risks.

**RECOMMENDATION:** That Cabinet note the update report on current performance and key risks.

**Relationship to Corporate Plan:** 3 Rivers Developments Limited's (3Rivers) primary objective is to generate future returns in order to grow the business and to recycle monies made back to the Council to mitigate some of the cuts in Government funding.

**Financial Implications:** The Council has a duty to obtain value for money. All financial interactions between the Council and 3Rivers are carried out at commercially evidenced rates and subject to individual loan agreements.

**Legal Implications:** None to this report. However this report is prepared in accordance with the Shareholder Agreement, Company's Memorandum and Articles of Association and currently Approved Business Plan.

**Risk Assessment:** Detailed within the report.

**Equality impact assessment:** No equality issues identified for this report.

**Impact on climate change:** 3Rivers is a commercial organisation and where deliverable sustainable options are available they are utilised; however, as a commercial organisation it is acknowledged that where there is a significant cost differential and what the market will sustain that this plays heavily in the choices made.

## **1.0 Introduction**

- 1.1 This is now the 7th in a series of monthly updates on the progress of 3 Rivers since the recommendations made by the Cabinet at its meeting on the 13 July 2020. This report continues to provide the Council with a regular update on company performance, including associated risks and also gives a progress update on the recommendations made at the aforementioned Cabinet meeting.

## **2.0 Company Update**

- 2.1 Attached to this report is the commercial company update provided by the Directors of 3Rivers Developments Limited for Cabinet's consideration. In order to provide members and the public more insight into the company's operations this report continues with the process of including an overarching part 1 summary of activities and a detailed part 2 report from the company.
- 2.2 Below shows a brief overview of project progress and any associated issues as at the end of February 2021, which is the last full financial month of company accounting information.

### Current Projects

- 2.3 The Orchard, Halberton – 4 semi-detached market houses and a barn conversion - the four semis are complete and three have now been sold and monies received. Viewings on the fourth property continue. Work is well under way on the new barn and will be promoted for sale in April 2021.
- 2.4 St Georges Court, Tiverton – 39 market flats/houses – work on site is currently on hold. An update will be provided at the meeting.
- 2.5 Bampton – pre-construction work is being progressed.

### Rental properties

- 2.6 Banksia Close/Cemetery Lodge, Tiverton – all rental payments up to date.

### Future Schemes

- 2.7 The company is currently considering a medium sized development which is likely to be a mixed unit site.

### Financial Overview

- 2.8 Monies now received from the sale of three properties at The Orchard, Halberton (Business Plan forecast was for sale of two properties). The remaining property and the barn to be sold in due course.

### Project and Company Risk Analysis

- 2.9 This information is provided within the company report and reflects on changing markets, land availability, changes to the prevailing economic position, etc.

### **3.0 Progress on Cabinet Recommendations**

3.1 Since the last Cabinet report the following actions have been progressed:

- The two Cabinet members who liaise with the company continue to attend detailed monthly progress meetings on all aspects of company activities.
- Work on the revised Shareholder Agreement is still progressing.
- Regular meetings are now held with the 3R Finance Director and the Deputy Chief Executive/S151.

### **4.0 Conclusion**

4.1 The approval by the Cabinet of the company's Business Plan for a range of mixed projects should see increased delivery of housing units, which in turn will result in further financial benefit to the Council during 2021/22 and onwards.

Contact for more information: Andrew Jarrett, Deputy Chief Executive  
([ajarrett@midddevon.gov.uk](mailto:ajarrett@midddevon.gov.uk))

Circulation of the report: Leadership Team and Cabinet

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