

Public Document Pack

Mid Devon District Council

Cabinet

Tuesday, 8 March 2022 at 10.00 am
Phoenix Chamber, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 5 April 2022 at 10.00 am

PLEASE NOTE: - this meeting will take place at Phoenix House and members of the Public and Press are encouraged to attend via Zoom wherever possible. The Protocol for Hybrid Meetings explains how this will work. Please do not attend Phoenix House without contacting the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

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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. **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
3. **Declarations of Interest under the Code of Conduct**
To record any interests on agenda matters.
4. **Minutes of the Previous Meeting** *(Pages 5 - 16)*
To consider whether to approve the minutes as a correct record of the meeting held on 1 February 2022.
5. **Regulation of Investigatory Powers** *(Pages 17 - 18)*
Arising from a report of the District Solicitor and Monitoring Officer the Community Policy Development Group have made the following recommendation that: that the Council's RIPA Policy be amended as outlined in section 3 of the report.
6. **Review of discretionary planning fees in relation to the monitoring of Section 106 Agreements and responding to enquires concerning compliance with planning obligations** *(Pages 19 - 24)*
To receive a report of the Corporate Manager for Income, Benefits, Recovery and Planning with regard to discretionary fees.
7. **Cullompton Railway Station** *(Pages 25 - 28)*
To receive a report of the Director of Place presenting an update in relation to the Cullompton Railway Station project.
8. **Residents Survey** *(Pages 29 - 36)*
To receive a report of the Deputy Chief Executive providing Cabinet with an update of the results of the Mid Devon residents' survey which was undertaken in November 2021 and included questions in relation to statutory consultation on the budget.
9. **Financial Monitoring** *(Pages 37 - 58)*
To receive a report of the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure so far in the year.
10. **Modernisation of Council Homes Contract 2022 - 2026** *(Pages 59 - 64)*
To receive a report of Corporate Manager for Public Health, Regulation and Housing advising Members on the results for the tendering of the

Modernisation of Council Homes Contract 2022–2026 and requesting confirmation of the award of the contract.

11. **Gas and Renewable Servicing Contract** (Pages 65 - 70)
Following a report of the Corporate Manager for Public Health, Regulation and Housing advising Members of the procurement of a combined gas and renewables servicing delivery partner (2022-2028) and requesting confirmation of the award of the contract.
12. **Notification of Key Decisions** (Pages 71 - 82)
To note the contents of the Forward Plan.
13. **Appointment of Finance Director to 3 Rivers Developments Limited** (Pages 83 - 90)
To receive a report with regard to the appointment of a new Finance Director to 3 Rivers Developments Ltd.

Stephen Walford
Chief Executive
Monday, 28 February 2022

Covid-19 and meetings

From 7 May 2021, the law requires all councils to hold formal meetings in person. However, the Council is also required to follow government guidance about safety during the pandemic. The Council will enable all people to continue to participate in meetings via Zoom.

You are strongly encouraged to participate via Zoom to keep everyone safe - there is limited capacity in meeting rooms if safety requirements are to be met. There are restrictions and conditions which apply to those in the building and the use of the building. You must not attend a meeting at Phoenix House without complying with the requirements in the new protocol for meetings. You must follow any directions you are given.

Please read the new meeting protocol which is available here: <https://democracy.middevon.gov.uk/documents/s23135/MeetingProtocolUpdateOct2021nextreviewFeb2022.pdf>

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

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

E-Mail: sgabriel@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

1.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 1 February 2022 at 10.00 am

Present

Councillors

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

Apologies

Councillor(s)

D J Knowles

Also Present

Councillor(s)

G Barnell, S J Clist, R J Dolley, Mrs E J Lloyd, R L Stanley,
L D Taylor and B G J Warren

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Jill May (Director of Business Improvement and Operations), Richard Marsh (Director of Place), Karen Trickey (District Solicitor and Monitoring Officer), 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), Matthew Page (Corporate Manager for People, Governance and Waste), Darren Beer (Operations Manager for Street Scene), Mike Lowman (Building Services Operations Manager), Catherine Yandle (Operations Manager for Performance, Governance and Health & Safety), Fiona Wilkinson (Operations Manager for Revenues Benefits & Recovery), Jason Ball (Climate and Sustainability Specialist), Jessica Watts (Member Services Apprentice) and Sally Gabriel (Member Services Manager)

129. APOLOGIES (00-03-59)

Apologies were received from Cllr D J Knowles.

130. PUBLIC QUESTION TIME (00-04-10)

The Leader read a set of questions on behalf of Mr Quinn who was present remotely, referring to Item 23 (3 Rivers Developments Limited) on the agenda: with reference to paragraph 2.8 of the report where it stated that in 2021/22 the Company had borrowed an additional £3.268M and paid the Council £1.209M from sales receipts and paid the Council £414,000 to cover interest payments etc.

1. Are the borrowing figures shown, merely agreed limits or actual amounts which are covered by signed loan agreements?
2. Are the sales receipts payment figures shown, actually loan repayments?
3. Are the sales receipts payment figures shown, just estimates or real amounts that have been banked by the Council?
4. Are the interest payment figures shown, just estimates or real amounts that have been banked by the Council?
5. Up to what date are each of these figures applicable?

The Chairman indicated that answers would be provided when the item was discussed.

131. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-06-58)

Members were reminded of the need to make declarations of interest if and when necessary.

132. MINUTES OF THE PREVIOUS MEETING (00-07-12)

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

133. BUDGET OPTIONS FOR CLIMATE INVESTMENT (00-07-48)

Following a *report of the Climate and Sustainability Specialist, the Environment Policy Development Group had made the following recommendation: that the potential additional budget requirements linked to the climate investment opportunities as set out in Annex 1 and 2 of the report be considered.

The Cabinet Member for the Environment and Climate Change outlined the contents of the report highlighting the work of the Net Zero Advisory Group and the aspirations that had come forward from the Policy Development Group which would all be considered as part of the climate change road map

Consideration was given to:

- Schemes that were contained within the Capital Programme in the Medium Term Financial Plan and the possibility of further schemes as highlighted within the report, some of which were set out in the 2022/23 capital programme and the need to continue to bid for funding opportunities; and
- Whether the budget was being used effectively to support the Council's ambitions for carbon neutrality.

RESOLVED that the Environment PDG be thanked for providing a prioritised listing of climate investment opportunities which would be utilised when allocating any additional internal resources or when considering successful external funding bids that may be secured during 2022/23 and in future years.

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

Reason for the decision – The list of aspirations was felt to be useful in providing a roadmap for future schemes that could be delivered when funding was available.

Note *Report previously circulated, copy attached to minutes.

134. **BEREAVEMENT SERVICES FEES AND CHARGES (00-16-46)**

Following a *report of the Corporate Manager for Property, Leisure and Climate Change, the Environment Policy Development Group had made the following recommendation: that the proposed charges for 2022-2023 as set out in Table A of the report be approved.

The Cabinet Member for the Environment and Climate Change outlined the contents of the report stating that the Council provided an essential service for which a charge was made, the revised charges had been benchmarked against other authorities and seemed to be fair.

RESOLVED that the proposed charges for 2022-2023 as set out in Table A of the report be approved.

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

Reason for the decision – the Council continues to ensure that re-investment is made for various maintenance works across the Council's two cemeteries and also continues to provide services as set out in the legislation.

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

135. **WASTE AND RECYCLING OPTIONS (00-18-14)**

Following a *report of the Operations Manager for Street Scene and Open Spaces, the Environment Policy Development Group had made the following recommendation: that Option 2 be approved subject to Cabinet considering alternative solutions for residual waste for properties where wheeled bins might not be an option.

The Cabinet Member for the Environment and Climate Change outlined the contents of the report highlighting the Waste Strategy, the need for change and the pilot scheme that had taken place for 3 weekly waste collections over a three month period across varied locations in the district. The proposal was not just about saving money but reducing residual waste and increasing recycling. He referred to the issue raised at the Policy Development Group with regard to wheeled bins not being an option and other alternatives that could be considered

Consideration was given to:

- How residents would manage in built up areas to keep residual waste for three weeks
- If dry recycling was increased whether this would impact on the capacity of the current fleet

- Whether the trial results had improved recycling rates and whether the authority was losing income if residents used supermarket recycling skips or the recycling centres
- Whether the authority were considering the recycling of soft plastics
- Capacity issues and the provision of additional bins
- Option 2 would bring the authority in line with the super aligned option documents in the Devon and Torbay Waste Strategy which would create opportunities for joint working in the future
- The lack of detail in the Equality Impact Assessment and the need to consider the disposal of offensive waste
- The various options available and whether a weekly recycling scheme could improve recycling rates
- Officers would consider alternative solutions for properties where wheeled bins were not an option as part of the operational matters to be discussed in the action plan leading up to the implementation of the scheme
- Project details could be presented to members via a briefing session

RESOLVED that Option 2 be approved subject to officers considering alternative solutions for residual waste for properties where wheeled bins may not be an option, subject to a specific requirement to see a detailed plan to address the issues raised before full implementation.

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

Reason for the decision – As there was a need to consider that the current regime would ultimately incur additional costs to the Council, there was a need to consider options available to reduce costs and increase recycling rates.

Notes:

- i) Cllrs R J Chesterton and Mrs N Woollatt requested that their abstention from voting be recorded;
- ii) *Report previously circulated, copy attached to minutes.

136. **MDDC LITTER STRATEGY (1-03-23)**

Following consideration of a *report of the Operations Manager for Street Scene and Open Spaces, the Environment Policy Development Group had made the following recommendation: that the Mid Devon District Council Litter Strategy in Appendix 1 of the report be adopted.

The Cabinet Member for the Environment and Climate Change outlined the contents of the report highlighting the work that had taken place by the Environment Policy Development Group to present the strategy to the Cabinet for approval. He explained that litter was a problem caused by the minority and that there was a need for continued education.

Consideration was given to:

- The education programme proposed, the use of various social media platforms to promote the strategy and the need for a national plan of education

- Fly-tipping and the issues that this raises

RESOLVED that the Mid Devon District Council Litter Strategy be adopted.

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

Reason for the decision - there is a need for a strategy to set out how the Council would undertake its powers and duties in line with the legislation.

Note *Report previously circulated, copy attached to minutes.

137. **THE TENANT INVOLVEMENT AND EMPOWERMENT STANDARD POLICY (1-11-42)**

Following a *report of the Operations Manager for Housing Services, the Homes Policy Development Group had made the following recommendation: that the draft Tenant Involvement and Empowerment Standard policy be approved.

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that the role of social landlord was very important and that there was a need to encourage engagement and empower tenants within the district.

Consideration was given to repairs and the timescales for attention.

RESOLVED that the draft Tenant Involvement and Empowerment Standard Policy be approved.

(Proposed by Cllr R B Evans and seconded by Cllr R J Chesterton)

Reason for the decision - Agreed housing policy provides a framework for decision-making which ensures that customer-facing teams deliver consistency in the discharge of duties to support good housing management. This ensures that both properties and tenancies are managed effectively and reduces reputational risk.

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

138. **CULLOMPTON TOWN CENTRE RELIEF ROAD PROJECT (1-14-38)**

The Cabinet had before it a *report of the Director of Place presenting a recommendation to utilise a further tranche of the Housing Infrastructure Fund (HIF) monies to facilitate the progression of technical work relating to the Cullompton Town Centre Relief Road over the next 12 months. This would support ongoing work and discussions to identify and secure funding to enable the delivery of the relief road and minimise the overall impact on programme (slippage) to the project.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the proposed funding would allow the progression of technical work, putting the authority in a more advanced position for when further funding opportunities were available. Officers had been able to agree that this further draw down would not be at risk of clawback from Homes England. He highlighted the time risk as set out in the report associated with the current spend deadline for

the HIF funding set at 31 March 2023 and the hope that this would be reviewed nearer the time.

He also updated the meeting with regard to feedback from the previous Levelling Up Fund bid which had been encouraging and he hoped that an improved bid could be produced for further funding rounds.

Discussion took place regarding:

- Concerns with regard to the deadline for spending the HIF funding and the possible need to renegotiate the deadline
- The implications for the cricket and rugby clubs in the town with regard to any delay to the scheme
- Concerns with regard to specific development taking place prior to the establishment of the relief road and the impact on the town
- Whether the Highway Authority would update its advice with regard to the number of dwellings that could be built prior to the relief road being in place
- The money set out in the capital programme for the 2022/23 financial year, whether any decision regarding the utilisation of funding from the PWLB to finish the relief road had been made or costed and whether any further funding opportunities existed

RESOLVED that the drawdown and expenditure of a further tranche of the Housing Infrastructure Fund (HIF) funding, totalling £560k be approved, to enable the progression of further feasibility and technical work relating to the Cullompton Town Centre Relief Road.

(Proposed by Cllr R J Chesterton and seconded by Cllr Mrs N Woollatt)

Reason for the decision – there is a need for the scheme to progress with the use of the funding being made available.

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

139. **MEETING MANAGEMENT (1-37-00)**

The Chairman indicated that he proposed to take Item 20 on the agenda as the next item of business.

140. **PERFORMANCE AND RISK (1-37-10)**

The Leader informed the Cabinet that this would be the last meeting that Catherine Yandle, Operations Manager for Performance, Governance and Health & Safety would be attending having taken up a new post elsewhere. He thanked her for her service to the Council for 12 years and wished her well for the future.

The Cabinet had before it and noted a *report of the Operations Manager for Performance, Governance and Health & Safety providing Members with an update on the performance against the Corporate Plan and local service targets.

Reference was made to the 'Deliver Housing' priority for new social rented council houses and the increased GP referrals to the leisure centres.

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

141. **NATIONAL NON DOMESTIC RATES (1-41-56)**

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 2022/23 from business rates).

The Cabinet Member for Finance outlined the contents of the report stating that this was a technical report to calculate the NNDR and allow for the distribution of funds.

RECOMMENDED to Council:

1. That the calculation of the NNDR1 net yield of £14,398,686 from 3,436 Business Rated properties is noted and approved for 2022/23;
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 various reliefs.

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

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

142. **FINANCIAL MONITORING (1-45-32)**

The Deputy Chief Executive (S151) provided a verbal update with regard to the financial position to date in respect of income and expenditure, stating that the budget position remained stable, the income protection scheme claims were being audited and that the main income streams were beginning to recover which included: the sale of the Harlequin Valet, income from leisure had increased and Business Rate income had also increased following the establishment of a new supermarket in Tiverton and an industrial estate on the outskirts of Cullompton.

143. **CAPITAL STRATEGY (1-47-00)**

The Cabinet had before it a *report of the Deputy Chief Executive (S151) proposing the Capital Strategy for 2022/23.

The Cabinet Member for Finance outlined the contents of the report stating that the strategy set out the use of capital for the priorities outlined within the Corporate Plan to include investment in local infrastructure, green issues, 3 Rivers Developments Limited and local housing schemes.

Discussion took place with regard to a strategy for town centre regeneration and the need to seek further funding opportunities to progress the work.

RECOMMENDED to Council that the proposed Capital Strategy for 2022/23 be approved.

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

Note: *Report previously circulated, copy attached to minutes

144. TREASURY MANAGEMENT STRATEGY 2022/23 (1-51-51)

The Cabinet had before it a *report of the Deputy Chief Executive (S151) outlining the proposed Treasury Management Strategy and Annual Investment Strategy for 2022/23.

The Cabinet Member for Finance outlined the contents of the report stating that the strategy sought to match funding to specific corporate priorities and to allow for the availability of adequate funds for when they were required. He reported that the finances were healthy and that the management of the treasury was controlled through legislation.

RECOMMENDED to Council that the proposed Treasury Management Strategy and Annual Investment Strategy for 2022/23, including the prudential indicators for the next 3 years and the Minimum Revenue Provision Statement (Appendix 1), be approved.

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

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

145. CAPITAL PROGRAMME (1-53-35)

The Cabinet had before it a *report of the Deputy Chief Executive (S151) seeking approval of the 2022/23 Capital Programme and noting the draft 2023/24, 2024/25, 2025/26 and 2026/27 programmes.

The Cabinet Member for Finance outlined the contents of the report stating that the capital investment was set against the priorities within the Corporate Plan. The programme had been increased from the previous year due to the significant plan to increase investments into improving energy efficiency of the property estate, increasing the HRA housing stock and plans to fund housing developments through 3 Rivers.

Consideration was given to the increase in the Capital Programme and who sets the limits for the capital funding requirement.

RECOMMENDED to Council that:

1. The detailed Capital Programme for 2022/23 of £34,303k be approved and the indicative Capital Programmes across the four remaining years of this Medium Term Financial Plan covering 2023/24 to 2026/27 be noted.

2. That investment in the Council Housing Development schemes can start straight away (prior to 01/04/2022), following Full Council approval, to allow the design stage to commence and enable the prompt delivery of these projects.

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

Note *Report previously circulated, copy attached to minutes.

146. **BUDGET (1-57-50)**

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 2022/23 and recommending the Band D Council Tax charge for 2022/23.

The Cabinet Member for Finance outlined the contents of the report stating that the shortfall had reduced from a significant level in the autumn of 2021 to a shortfall of £145k which was proposed to be temporarily transferred from the New Homes Bonus EMR to balance the budget. He highlighted the work of the finance officers and the involvement of the Policy Development Groups who had been actively engaged in discussions with regard to the budget.

Consideration was given to:

- Whether the budget would be used to reduce carbon neutrality, the aspirations within the Climate Change Action Plan, the funding bids that had been progressed, the proposed engagement with the public through the State of the District Debate, the work of officers that was taking place with regard to the climate issues and the training that was being progressed
- The strategic priorities that were being financed
- The ambitions for social housing through the HRA, the work taking place within the estate to address decarbonisation issues and the funding opportunities available which were being utilised
- Whether it was prudent to increase borrowing levels for 3 Rivers Developments Limited

RECOMMENDED to Council that:

1. A Council Tax Requirement of £6,523,930, calculated using a Council Tax of £218.84 for a Band D property, an increase of £5 or 2.34% from 2021/22 and a Tax Base of 29,811.41, in accordance with the Local Authorities (Calculation of Tax Base) Regulation 1992, as amended, after the relevant adjustments in respect of the Council tax support scheme approved by Cabinet on 4 January 2022;
2. The overall budgeted Cost of Services within the General Fund budget of £14,785,295 for 2022/23 is approved as detailed across appendices 1 – 3;
3. The 2022/23 budget requires no transfer from the General Fund Balance;
4. A further temporary transfer of £144,879 from the New Homes Bonus EMR to balance the General Fund Budget in addition to the £258,808 already included within previous budget assumptions;

5. HRA budget for 2022/23 be approved as set out in appendix 4;
6. HRA fees/charges are approved based on the attached appendix 5a - b;
7. Work on strategic planning for delivering a balanced budget for 2023/24 is commenced in the Spring.

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

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

147. **POLICY FRAMEWORK (2-15-10)**

The Cabinet had before it a * report of the Chief Executive with regard to the Policy Framework.

RECOMMENDED to Council that the Policy Framework be adopted.

Proposed by the Chairman and seconded by Cllr B A Moore)

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

148. **PAY POLICY (2-16-09)**

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.

The Leader outlined the contents of the report.

Discussion took place with regard to the table on page 254 and it was confirmed that this would be corrected prior to consideration by Council

RECOMMENDED to Council that the Pay Policy be approved for publishing on the Council's website subject to the table on page 254 being corrected.

(Proposed by the Chairman and seconded by Cllr Mrs N Woollatt)

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

149. **ESTABLISHMENT (2-19-00)**

The Cabinet had before it a *report of the Corporate Manager for People, Governance and Waste providing Members with an update on both the establishment of the Council together with its performance.

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report stating that this was the annual overview of the performance of the Establishment and explaining how this had been affected by the Covid 19

pandemic. She informed the meeting that charts had been added to aid understanding.

RECOMMENDED to Council that the Establishment be approved.

(Proposed by the Chairman and seconded by Cllr Mrs N Woollatt)

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

150. UPDATE FROM THE CABINET MEMBER FOR CONTINUOUS IMPROVEMENT (2-20-34)

The Cabinet Member for Continuous Improvement informed the meeting that 20 complaints were being monitored within the remit of the Director of Place, 10 within the remit of the Director of Business Improvement and Operations and 4 within the remit of the Deputy Chief Executive. Work was also taking place with regard to enforcement issues.

151. NOTIFICATION OF KEY DECISIONS (2-22-05)

The Cabinet had before it and noted it's *rolling plan for March 2022 containing future key decisions.

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

152. 3 RIVERS DEVELOPMENT LIMITED - UPDATE (2-22-51)

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 provided the following response to a question raised with regard to whether it was prudent to increase borrowing levels for 3 Rivers Developments Limited. He stated that the proposed £20m was just a proposal, any business proposals presented to the shareholder would be considered in a prudent way and would be dependent on each individual business case for development.

Addressing the questions raised in public question time, the Deputy Chief Executive stated that: the borrowing figures were actual and agreed in line with the loan agreements; the sales receipts payments were actual loan repayments; the sales receipt payments shown were real amounts banked; the interest figures shown were actual amounts and the figures were up until 31 December 2021 as outlined within paragraph 2.2 of the report.

It was then agreed that any further discussion with regard to the report should take place in private session and it was therefore:

RESOLVED that under Section 100A(4) of the Local Government Act 1972 the public be excluded 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) and Part 5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

(Proposed by the Chairman)

Returning to open session it was agreed that the report be noted.

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

(The meeting ended at 12.50 pm)

CHAIRMAN

COMMUNITY POLICY DEVELOPMENT GROUP 25 JANUARY 2022

ANNUAL REVIEW: REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) POLICY

Cabinet Member(s): Cllr D Knowles, Cabinet Member (Community Wellbeing)
Responsible Officer: Karen Trickey, District Solicitor and Monitoring Officer
Reason for Report: An annual review of the Council's Policy on the Use of Covert Investigation Techniques¹ (otherwise known as "the RIPA Policy")

RECOMMENDATION: It be recommended to Cabinet that the Council's RIPA Policy² be amended as outlined in Section 3 of this report.

Financial Implications: None directly arising from this report

Legal Implications: None beyond those set out in the RIPA policy and this report

Risk Assessment: There are no risks directly arising from this report

Equality Impact Assessment: Not directly applicable

Relationship to Corporate Plan: No direct relationship

Impact on Climate Change: None

1.0 Background

1.1 Members may recall from previous annual reports that RIPA sets out the statutory requirements regarding the use of certain covert surveillance powers available to the Council. For example, in the case of offences which attract sentences of six months or more, there is a need to obtain magistrates' approval to undertake covert surveillance. In practice, local authorities have limited need to undertake covert surveillance, sufficient mechanisms being available to conduct the vast majority of its enforcement work effectively using open surveillance. In this regard, the Council is no exception, having not had cause to invoke RIPA requirements since 2014.

2.0 IPCO Inspection

2.1 All authorities which are governed by RIPA are subject to periodic inspections by the national Investigatory Powers Commissioner's Office (IPCO). The purpose of such inspections is to ensure that relevant authorities remain familiar with the requirements regarding covert surveillance and are acting appropriately when conducting surveillance. Importantly, the IPCO also provides practical support and guidance on policy changes.

2.2 In October 2021 the IPCO conducted its routine three yearly inspection of the Council. The inspection was positive. The Council was informed that it had relevant structures and processes in place to manage any activity should the need arise for covert activity.

2.3 As many RIPA errors occur because of a lack of knowledge / understanding of the law, in the course of the inspection it was noted that as previous

¹ <https://democracy.middevon.gov.uk/documents/s21548/RIPA%20Policy%202021.pdf>

² See above policy link

Council training had been targeted at senior officers, it would be appropriate to ensure that front line officers undertook relevant training. Given that arrangements for such training were being put in place immediately prior to the inspection particularly regarding the Council's use of social media and the internet for surveillance, the advised training has since been completed.

- 2.4 In the interests of accuracy and to reflect good practice, the inspection helpfully identified some, albeit relatively minor, amendments needed to the Council's RIPA policy. These are addressed below.

3.0 **Proposed Changes to the Council's RIPA Policy**

- 3.1 The current policy does not accurately reflect the requirements regarding covert surveillance using communications data. Paragraph 4.2 should be updated to cover the authorised procedure for use of covert communications data via application to the National Anti-Fraud Network of which the Council is an established member. Following consideration of the changes which would be appropriate to this paragraph, it is now recommended that the policy is amended as follows (additions being shown in italics and deletions shown as marked):

*"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 (CD) as this engages an entirely separate procedure ~~involving Judicial Commissioners at the Investigatory Powers Commissioner's Office (IPCO)~~ under *The Investigatory Powers Act 2016* which governs how law enforcement agencies use the investigatory powers available to them in relation to the lawful acquisition of CD. Independent authorisation for the acquisition of CD is through the Office for Communications Data Authorisations (OCDA). All applications for CD must be made via an Accredited Officer known as a Single Point of Contact (SPoC) who has passed a Home Office approved course. For the Council this is the National Anti-Fraud Network (NAFN). Consequently, any Council applications to access CD will need to be made through NAFN via their online application service. The introduction of OCDA means the acquisition of CD by Council officers does not require separate judicial approval. Guidance must be sought from Legal Services before any decision is taken to seek authority for the acquisition of CD."*

- 3.2 Similarly the current policy is not up to date regarding the use of juvenile covert human surveillance. Para 8.10 of the policy should be updated as follows:

*"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 *four months* ~~one month~~. Oral authorisations will, unless renewed, last 72 hours."*

Contact for more Information: District Solicitor: ktrickey@middevon.gov.uk
List of Background Papers: IPCO letter 11 October 2022

CABINET 8TH MARCH 2022

REVIEW OF DISCRETIONARY PLANNING FEES IN RELATION TO THE MONITORING OF SECTION 106 AGREEMENTS AND RESPONDING TO ENQUIRIES CONCERNING COMPLIANCE WITH PLANNING OBLIGATIONS

Cabinet Member(s): Councillor Andrew Moore; Cabinet Member for Finance
Responsible Officer: Dean Emery; Corporate Manager for Income, Benefits, Recovery and Planning

Reason for Report: A review of discretionary planning fees associated with Section 106 Agreements is long-overdue and should be completed prior to the end of the fiscal year.

Recommendation: That Cabinet:

- 1) approves the introduction of a £100 fee for basic Section 106 compliance enquiries, with a further charge of £50 per additional clause, applicable from 1st April 2022;**
- 2) approves the reviewing and setting of these fees, with a further review being undertaken after 12 months;**
- 3) approves that monitoring fees contained within Section 106 Agreements be delegated to the Corporate Manager for Income, Benefits, Recovery and Planning in conjunction with the Section 151 Officer and the Cabinet Member for Finance.**

Financial Implications: The charging of relevant fees in line with increasing costs will generate valuable revenue to assist in covering the costs associated with providing this service.

Legal Implications: Providing Section 106 compliance information is a non-statutory function of the Council. Requests are predominantly associated with conveyancing transactions and are usually quite demanding. This has the potential to adversely impact on other statutory work undertaken by the Planning Obligations Monitoring Officer.

Risk Assessment: Ensuring discretionary fees associated with the monitoring of Section 106 Agreements are kept up-to-date mitigates against the cost of development being borne by the tax-payer

Equality Impact Assessment: No issues identified for this report.

Relationship to Corporate Plan: The Planning Service is a statutory service, the effective operation of which is central to the delivery of Corporate Plan priorities of community, housing, economy and environment. The effective monitoring of planning obligations will ensure that legally binding requirements are adhered to.

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

1.0 Introduction

- 1.1 Section 106 Agreements are formal Deeds made pursuant to Section 106 of the Town and Country Planning Act 1990 (“the Act”) to secure planning obligations which are required in order to make a proposed development acceptable in planning terms. The idea is that the planning obligations mitigate the impact of a proposed development.
- 1.2 Section 106 of the Act states that a planning obligation can:
- Restrict development and/or use of land;
 - Require specified activities or operations to be carried out on or over land;
 - Require land to be used in a specific way; or
 - Require a sum(s) to be paid to the local authority
- 1.3 The legal Agreement contains specific trigger points as to when the each obligation needs to be fulfilled.
- 1.4 A record of planning obligations to the District Council and their status is maintained by Planning Obligations Monitoring Officer (POMO).

2.0 **The cost to the Council of monitoring and administering planning obligations and responding to enquiries regarding the status of planning obligations (compliance enquiries)**

2.1 **Monitoring Fees**

- 2.1.1 On 9th June 2016 a report was submitted to the Cabinet regarding the charging of a monitoring fee within future Section 106 (S106) Agreements with a resolution as follows.

- 2.1.2 Extract of the **MINUTES** of a **MEETING** of the **CABINET** held on 9th June 2016;

The Cabinet had before it a report of the Chief Executive requesting consideration of the introduction of a monitoring fee within future legal agreements made pursuant to S106 of the Town and Country Planning Act 1990.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that a lot of time was spent monitoring Section 106 agreements and that there was a need to incorporate an administration fee into the S106 agreements to recover the cost of monitoring the provisions of planning agreements from applicants.

Consideration was given to:

- *The types of planning obligations*
- *The monitoring activity that took place*
- *How the Planning Obligations Monitoring Officer was fed information*
- *The fact that the charge could not exceed the cost of the provision of the service*

RESOLVED that the introduction of a planning obligation monitoring fee be approved and that delegated authority be given to the Head of Planning and Regeneration in conjunction with the Cabinet Member for Planning and Economic Regeneration to set the fees and any future review of fees.

(Proposed by Cllr R J Chesterton and seconded by Cllr R L Stanley)

2.1.3 In 2018 the post of POMO was revised and increased from part-time to full-time hours. There was no corresponding increase applied to the monitoring fees to assist in recovering the additional expenditure on salary and on-costs. The charging structure introduced in 2016 is still in use and a review of the monitoring fees charged is long-overdue.

2.1.4 In 2021 the post of POMO was transferred to the Corporate Recovery Team. In light of the deletion of the post of Head of Planning and Regeneration, it is proposed that the Cabinet agrees to the reviewing and setting of these fees, now and in the future, be delegated to the Corporate Manager for Income, Benefits, Recovery and Planning in conjunction with the Section 151 Officer and the Cabinet Member for Finance.

2.2 Introduction of a fee for providing responses to compliance enquiries

2.2.1 In conjunction with the reviewing of monitoring fees, it is considered that a review of other non-statutory planning fees is necessary in order to align us with other neighbouring authorities in the South-West.

2.3 Background

2.3.1 Compliance enquiries, usually submitted by Solicitors when undertaking conveyancing transactions, are those enquiries received by the Council asking us to confirm in writing that the planning obligations (or clauses) contained within a Section 106 Agreement have been complied with and/or that no responsibility for fulfilling an obligation will pass to the new property owner. These requests usually follow on from Local Authority searches where the Section 106 Agreement is revealed as a land charge.

2.3.2 Providing Section 106 compliance information is a non-statutory service. Compliance checks can be time consuming and there is often pressure to meet a tight deadline associated with a house sale or purchase. It is common practice that authorities charge a fee for this service. Mid Devon presently provides this service free-of-charge. The introduction of a fee would generate valuable revenue to assist in covering the costs associated in providing this service.

2.4 Appropriate fee level

2.4.1 Officers have undertaken a benchmarking exercise to compare similar fees across other authorities in the South-West. The results are shown in the table below. In the interest of treating our customers fairly we have arrived at a proposed fee schedule that is just below the regional average and closely

aligned with neighbouring authorities, East Devon District Council and North Devon District Council.

Authority	Compliance Search Fee £	Additional Clauses Charge £
Cornwall Council	156.00	78.00
East Devon District Council	90.00	30.00
Mendip District Council	40.00	-
North Devon Council	120.00	70.00
Plymouth City Council	46.00	30.00
Somerset West and Taunton	116.00	-
South Hams District Council	160.00	
Teignbridge District Council	116.00	-
AVERAGE CHARGED	105.50	52.00

2.4.2 Based on the above average values above it is proposed to introduce a charge as follows:

- £100 for the first request per development site
- £50 per additional clause to the District Council for the same development site, requested at the same time

2.4.3 Each search request is unique and most requests are for blanket confirmation that all the obligations contained within the Section 106 Agreement(s) have been complied with. Therefore the major sites with a large number of planning obligations will attract a greater fee.

2.4.4 The following table shows a number of development sites across Mid Devon where compliance information has been provided within the last twelve months. The final column provides examples of the fees that could have been accrued. The average fee, based on a random selection of 5 enquiries, is £250. This is the potential average based on a limited number of sites and this amount is for indicative purposes only.

Development Site	S106 Agreement(s) Dated	Obligations to MDDC	Potential Fee £
Belmont Hospital Tiverton	23 April 2009	Public open space contribution	100.00
	5 Sept 2012	Public open space on-site provision	50.00
	24 March 2014	Affordable housing provision	50.00
	13 May 2014	Hill Crest parking area	50.00
	16 Feb 2016		
		Total potential fee	250.00
Hawkins Way Crediton	16 April 2019	Air quality contribution	100.00
		Public open space contribution	50.00
		Total potential fee	150.00
Cummings Nursery Cullompton	9 Oct 2014	Air quality contribution	100.00
	23 Feb 2016	Recycling contribution	50.00
	16 July 2018	Public open space contribution	50.00
	5 May 2021	Affordable housing provision	50.00
		Public open space on-site provision	50.00
		Footpath contribution	50.00
		Total potential fee	350.00
Farleigh Meadows Tiverton	17 Dec 2013	Affordable housing provision	100.00
	17 Dec 2013	Public open space on-site provision	50.00
	20 Jan 2015	Recycling contribution	50.00
	29 Oct 2015	Air quality scheme	50.00
	29 Oct 2015	Boundary fencing	50.00
	17 May 2017	Feasibility study contribution	50.00
		Affordable housing contribution	50.00
		Total potential fee	400.00

Development Site	S106 Agreement(s) Dated	Obligations to MDDC	Potential Fee £
Old Butterleigh Road Silverton	24 Oct 2018 9 Jan 2020	Public open space contribution	100.00
		Total potential fee	100.00
		Average potential fee	250.00

2.4.5 Over the previous 2-year period, when no fee has been charged, the Council has received approximately 120 compliance enquiries. It is anticipated that the number of enquiries received will decrease with the introduction of a fee, however even an **estimated** 45 queries per annum generating an average fee (see above) of £250.00 each has the potential to generate income of up to £11,250.00 towards the costs of providing this service.

2.4.6 In addition, it is proposed that the Cabinet agrees that the future reviewing and setting of these fees be delegated to the Corporate Manager for Income, Benefits, Recovery and Planning in conjunction with the Section 151 Officer and the Cabinet Member for Finance.

2.4.7 If introduced, the proposed charging structure will be applicable from 1st April 2022.

Contact for more Information: Fiona Wilkinson; Principal Officer for Revenues & Benefits: FWilkinson@middevon.gov.uk

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

CABINET 8 MARCH 2022

CULLOMPTON RAILWAY STATION

Cabinet Member(s): Cllr Richard Chesterton, Cabinet Member for Planning and Economic Regeneration
Responsible Officer: Richard Marsh, Director of Place.

Reason for Report and Recommendations: The report presents an update in relation to the Cullompton Railway station project.

RECOMMENDATIONS FOR CABINET: To note the progress in relation to the Cullompton Railway station project.

Financial Implications: No financial implications arise from this report. Funding for developing the project from this point onwards is being received by Network Rail from the Department for Transport (DfT), from the Restoring Your Railways Fund.

Budget and Policy Framework: The Mid Devon Local Plan (2013-2033) confirms the Council's ambition to seek to re-open the Cullompton railway station.

The re-opening of Cullompton and Wellington stations is wholly consistent with the overall Devon Metro approach – this initiative seeking to build upon exceptional rail patronage figures within the region (pre-covid), and subsequent strong recovery in rail usage, and deliver a more accessible and comprehensive rail-based transport offer.

Legal Implications: No legal implications are identified at this stage.

Risk Assessment: The report references amendments to governance arrangements to be made to support the effective and timely progression of the Cullompton railway station project. These amendments involve transferring the 'project lead' role from the District Councils (MDDC and SWTC) to Network Rail – with the District Councils continuing oversight as scheme promoters and involved in all levels of governance.

These revised arrangements are considered to lessen the risk to the Councils as Network Rail take on responsibility for the day to day project management of the projects and become responsible for ensuring the effective and timely completion of project deliverables, these deliverables being required to meet obligations set by the DfT through their grant of funding.

Equality Impact Assessment: There are no issues arising directly from this report.

Relationship to Corporate Plan: The proposed re-opening of the Cullompton railway station contributes to all four of the Council's corporate priorities: economy, homes, community and environment. Successful delivery would also support the Council in realising wider corporate aims and objectives.

Impact on Climate Change: The re-opening of the Cullompton railway station is considered to be positive in terms of its impact on climate change: the project offers the scope to encourage a transition ('modal shift') towards rail-travel, which is more sustainable when compared to the use of, and reliance upon, private cars.

Furthermore, given proposals for the garden community at Culm, the re-opening of the railway station should allow the promotion of development which is less reliant upon private car ownership and therefore also more sustainable and accessible.

1.0 INTRODUCTION/BACKGROUND

- 1.1 The Council has a stated ambition to see the re-opening of Cullompton station and this is supported through policy. To that end, the Council has been working in a close and productive partnership with key partners' including Somerset West and Taunton Council (SWTC), the Department for Transport (DfT) and Network Rail (NR).
- 1.2 Further to the last Cabinet report (7th January 2021), significant work has been undertaken in relation to the Cullompton and Wellington stations and the projects have progressed well. Work included the development and submission, in January 2021, of a Strategic Outline Business Case (SOBC) – this SOBC seeking to demonstrate the strong business case associated with the proposed reopening of the stations. The SOBC successfully demonstrated a compelling business case for re-opening and a strong value for money case. Councillors will be aware that this culminated in the confirmation, via the Autumn budget statement, that the Councils had been successful in securing a further £5m of funding (shared between the projects) to progress the Cullompton and Wellington railway station projects. The funding comes from the Restoring Your Railway, Rail Network Enhancements fund.
- 1.3 The further funding will allow the projects to progress at speed, developing a Final Business Case (FBC) and completing PACE 1, 2 and some elements of enabling deliverables. PACE stands for 'Project Acceleration in a Controlled Environment' and is replacing the formerly used 'GRIP' process. PACE seeks to deliver rail projects more quickly, at lower cost and at a higher quality than traditional rail-delivery methodologies.
- 1.4 Clearly, given the partners' desire to expedite the delivery of both Cullompton and Wellington stations, the adoption of the PACE methodology is well suited to the projects.
- 1.5 Given the ambitions that exist around speed of delivery, the complexity and technical knowledge required to deliver rail-based infrastructure projects and the specific technical deliverables to be achieved through next phase of work, the partners agreed that it was timely to review the existing governance arrangements to ensure they are both fit for purpose and maximise efficiency, moving forwards.
- 1.6 Discussions have led to a shared view that some revisions to the current governance arrangements would be desirable and that it is appropriate, given the stage of the project and the future technical work required to be delivered

at speed, to transfer the project 'lead' role from the District Councils (MDDC and SWTC) to Network Rail (with support from their alliance partner, Great Western Railway (GWR)). Endorsement of this approach will be sought at the next Devon and Somerset Metro Board meeting in March.

- 1.7 The governance amendments are deemed desirable as Network Rail is well placed to lead the project given the intricate level of rail-specific knowledge and expertise required, as well as an understanding of procedures and processes through which to secure required and timely approvals and decisions in order to meet DfT requirements and key gateways.
- 1.8 In contrast, the Councils do not have the level of rail expertise required and are unfamiliar with the intricacies of rail-infrastructure project and programme management. Retention of the 'lead' role by the Districts would therefore be likely to add delay, cost and risk to delivery. It is for these reasons that the changes to the governance are deemed desirable as the project progresses in to the next stage of development.
- 1.9 Network Rail has committed to continuing to work collaboratively and proactively with the promoters (MDDC and SWTC) and to ensuring that wider land-use, access, masterplanning and community issues are looked at holistically as the projects develop.
- 1.10 Agreement has also been reached to ensure that the partners (MDDC and SSW&T) also retain active involvement in all levels of project governance. This will involve representation through the working group (meeting bi-weekly), the steering group (meeting monthly) and the senior stakeholder forum, the 'Metro Board' (meeting quarterly.)
- 1.11 Network Rail is now actively progressing work to continue the design development for the railway stations and is procuring further technical work to support the advancement of the projects'. Further update reports will be provided as work progresses towards key milestones.

2.0 RECOMMENDATIONS AND CONCLUSION

- 2.1 Note progress in relation to the progression of the Cullompton railway station project.

Contact for more Information: Richard Marsh, Director of Place (rmarsh@middevon.gov.uk)

Circulation of the Report: Cllr Richard Chesterton, Cabinet, Leadership Team

Background Papers – Cabinet Report: 7th January 2021; "Cullompton and Wellington New Railway Station project update."

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CABINET 8 MARCH 2022

Mid Devon Residents' Survey 2021

Cabinet Members: Councillor Bob Deed – Leader

Responsible Officers: Deputy Chief Executive (S151) – Andrew Jarrett

Reason for Report: To provide Cabinet with an update of the results of the Mid Devon residents' survey which was undertaken in November 2021 and included questions in relation to statutory consultation on the budget.

RECOMMENDATION: That Cabinet note the survey results.

Relationship to Corporate Plan: Gaining insight from our residents enables the Council to understand how our residents value and prioritise the services that we provide.

Financial Implications: There are no direct financial implications.

Legal Implications: Under the Local Government Finance Act 1992, the Council has a statutory duty to consult ratepayer representatives on its annual spending proposals, ahead of setting its budget.

Risk Assessment: There are no direct risk issues emanating from this report.

Equality impact assessment: No equality issues identified from this report.

Impact on climate change: Residents' comments on climate change are included in the report.

1.0 Introduction

1.1 The Council conducted a combined residents' and budget setting survey in November 2021. The survey ran for one month. Whilst it was an online survey, paper copies were also available and this was publicised. Customer Services staff were also able to assist anyone who was unable to complete the form, but wanted to have their say.

1.1.1 We would like to thank all of the residents who took the time to engage with our survey.

1.2 The survey was shared as far as possible using in-house communication team resources. This included sending posters, social media graphics and the survey link to:

- All parish clerks
- All Members
- MDDC staff

- All primary schools
- The local press
- Social media - including local Facebook groups such as Positive Cullompton, Crediton Community Noticeboard, What's on Tiverton, etc.
- Our 10k news bulletin subscribers
- Posters at the Market Walk vaccination site, Tiverton Pannier Market and the three Mid Devon Leisure centres

1.3 1,682 people clicked on the survey link, with 1,161 answering the questions (66% completion rate).

1.4 Many of the questions used were from surveys carried about by the LGA in order to have a level of benchmarking. Where a % figure is shown in brackets this shows results from the Local Government Association resident satisfaction telephone survey, conducted in October 2021.

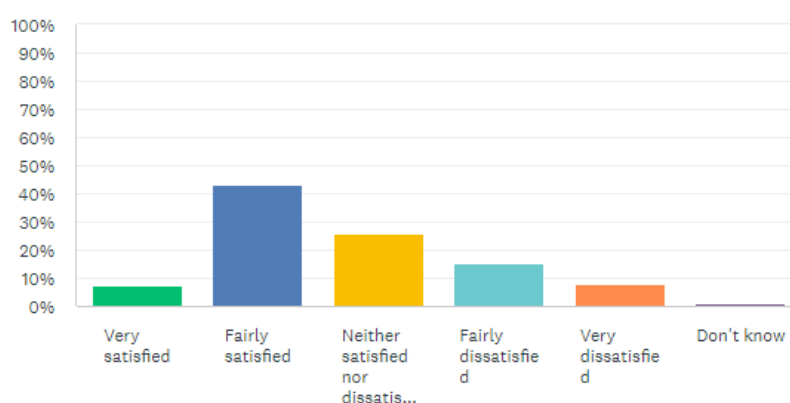
2.0 Summary responses

2.1 81% of residents are very or fairly satisfied with their local area as a place to live. (78% LG Inform).

2.2 51% of residents are very or fairly satisfied with the way MDDC runs things (56% LG Inform), 23% are fairly or very dissatisfied.

Overall, how satisfied or dissatisfied are you with the way Mid Devon District Council runs things?

Answered: 1,162 Skipped: 521



2.3 41% strongly agree or tend to agree MDDC provides value for money. (43% LG Inform), 29% neither agree nor disagree, while 27% tend to or strongly disagree. 38% feel the Council acts on concerns of residents (52% LG Inform) while 49% think the Council does not.

NB – for 2022/23 the annual Council Tax on a Band D property is £218.84 which equates to £4.21 per week.

- 2.4 45% feel very or fairly well informed, (57% LG Inform) while 52% don't. 48% trust MDDC a fair amount or a great deal, 32% indicate not much trust, while 12% don't trust MDDC at all.

NB – The Council uses a number of channels to keep members of the public informed. These include a free online newsletter subscription service which currently has 11,000 subscribers. We also post council news stories on social media platforms including Facebook, Twitter, LinkedIn and Nextdoor. These news stories are also sent to local news organisations such as Radio Devon, Mid Devon Gazette, Crediton Courier and Tiverton Community Radio, as well as to all of the parishes in our communities.

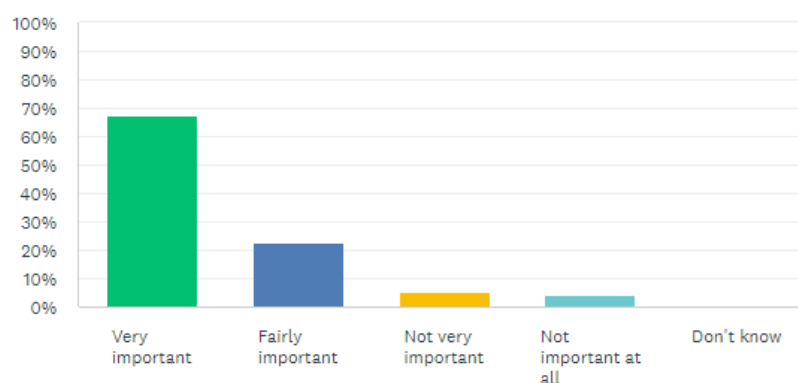
- 2.5 50% trusted their local council to make decisions about local services, compared to 3% trust for the Government.
- 2.6 57% trusted their local councillor to make decisions for their local area, but 38% didn't trust any of their councillors, MPs or government ministers.
- 2.7 8% think the media has viewed local councils positively in the last few months. (25% LG Inform) 55% think it's neither positive nor negative.

3.0 Specific services

- 3.1 90% felt it fairly or very important for MDDC to tackle climate change.

How important or not do you think it is for your Council to undertake activities to tackle climate change?

Answered: 1,162 Skipped: 521



- 3.2 81% were fairly or very satisfied with MDDC's waste collection service (75% LG Inform).
- 3.3 47% were fairly or very satisfied with MDDC's street cleaning service (65% LG Inform).

- 3.4 39% were fairly or very satisfied with MDDC leisure services (58% LG Inform) and 57% were fairly or very satisfied with MDDC provision of parks and green spaces (75% LG Inform).
- 3.5 61% felt fairly or very safe after dark (71% LG Inform).
- 3.6 88% felt fairly or very safe in the day (92% LG Inform).
- 3.7 In areas where we have scored below the LG Inform data we will look to review these services in order to establish, why and importantly how we can improve.

4.0 Pandemic recovery

- 4.1 The table below is in response to the question: 'As the country recovers from the pandemic, which, if any of the following do you think it is important for the Council to do?'

	VERY IMPORTANT	FAIRLY IMPORTANT	NOT VERY IMPORTANT	NOT IMPORTANT AT ALL	DON'T KNOW	TOTAL
Delivering housing for local people	59.01% 681	31.54% 364	6.33% 73	2.17% 25	0.95% 11	1,154
Supporting local businesses and high streets	62.36% 719	31.83% 367	4.08% 47	0.95% 11	0.78% 9	1,153
Introducing measures to encourage more walking and cycling	41.72% 479	36.59% 420	14.90% 171	5.49% 63	1.31% 15	1,148
Supporting people who still have to self isolate	41.43% 476	42.47% 488	11.66% 134	2.96% 34	1.48% 17	1,149
Supporting people who lose their jobs	41.72% 479	44.25% 508	9.58% 110	2.61% 30	1.83% 21	1,148
Supporting parks and open spaces	46.09% 530	43.91% 505	7.91% 91	1.39% 16	0.70% 8	1,150
Promoting activities that improve the public's health	47.22% 543	37.30% 429	11.04% 127	2.96% 34	1.48% 17	1,150

5.0 Spending and budget setting

5.1 When asked about what was the most important priority when making spending decisions 38% said providing basic statutory services, 21% tackling climate change, 19% said providing affordable housing.

5.2 46% said when making spending plans the Council should protect services even if it means it will need to increase council tax and fees and charges. 29% said the Council should share services with other organisations.

NB – the Council currently operates its Building Control Service in partnership with North Devon District Council and has a shared procurement arrangement with Devon County Council.

5.3 52% think the Council should seek to generate additional income from commercial investments while 49% think this should come from planning and building control.

NB – the Council has budgeted to earn gross income of £1.1m in 2022/23 from its commercial investments in: 3Rivers, Market Walk and Fore Street, Tiverton and from our industrial estates.

5.4 Of the discretionary services provided by MDDC there was a fairly even balance about which services should be protected. 67% favoured parks and open spaces, 63% public toilets, 52% town centre regeneration.

5.5 Of our statutory services 93% felt waste and recycling service was the most important service, followed by food and water sampling with 68%, and homelessness at 60%.

6.0 General comment questions

6.1 We asked four open ended questions. The comments were wide ranging but a summary of these are below, categorised by common themes.

6.2 897 comments were received in response to the question:
What is the single most important thing the council could do to improve quality of life in your community?

6.3 Recurring themes and some examples were:

6.3.1 Leisure:

- Improve accessibility
- Review pricing policy for lower income families
- Consider a swimming pool in Cullompton
- More sports facilities and cycle paths

6.3.2 **Housing:**

- More affordable housing for local people
- Set higher standards for new build developments (houses with more outside space, electric vehicle charging points, solar panels, heat exchange heating systems)

6.3.3 **Climate:**

- Continue to address the issues of climate change
- Make it compulsory that all new builds must have solar panels, heat exchange systems, grey water systems and enough car parking for each house.

6.3.4 **Street Scene and Recycling:**

- Simplify the waste collection service
- Change the way waste and recycling is stored in homes and collected

6.3.5 **Planning:**

- Need to revert to pre-covid opening hours or they need to get the IT Infrastructure in place so you can phone planners/individuals.
- Review your planning process.

6.3.6 **Members:**

- Ask councillors to be more involved with the residents they 'represent'.
- I would like to see my local representative out and about in the community more. And all councillors having to state their aims and objectives for the coming year to the public. This may encourage members of the public to become more engaged in what is happening in the town.
- It would be good to have written updates from our local District Councillor in our local village magazine. This would reach many people who do not look at online material.

6.3.7 **Non MDDC remit:**

- Slow the traffic down on the A377
- Mend potholes and pick up rubbish along roads
- Put back streetlights
- Social care, more buses, more police
- Improve schools
- Implement measures to reduce speeding vehicles in rural lanes

6.3.8 So what are we doing to address some of these issues? Here is just a flavour of what the Council is or will be doing over the next couple of years.

Leisure – we continue to invest significant sums in order to continually improve our 3 leisure centres and ensure our pricing strategy delivers value for money.

Housing – we have recently agreed a new Housing Strategy that will look to deliver a minimum of 500 new Council Houses over the next 5 years and it also includes a major decarbonisation investment programme across our 3,000 unit housing stock.

Climate – we have already included significant revenue and capital investment across our corporate building estate for 2022/23 and have been successful in obtaining a number of Government grants to help deliver an enhanced decarbonisation programme. In addition, we have just ordered our first batch of electric vehicles.

Street Scene – we are planning to roll out a 3 weekly waste collection service in September in order to meet challenging Government recycling targets, reduce our carbon footprint and to improve the cleanliness of our District.

General comments – we will of course consider all of this feedback and ensure where we can make more improvement to the services we provide, this is embedded wherever practicable.

6.4 612 comments were received in response to the question:

Are there any particular services areas you feel should not reduce their expenditure?

6.5 The majority of these comments were focused on waste and recycling services but also many answers focussed on suggesting social care expenditure should not be cut, which is a county council function.

6.6 404 comments were received in response to the question:
Is there anything else you think the Council should consider a priority when setting the budget?

6.7 The key themes for these responses were - climate change, council value for money/efficiency and again a focus on functions which are provided by either Devon County Council or the Police (e.g. social care, pot holes, street lighting, greater police presence, etc.).

6.8 230 comments were received in response to the question:
If you have any specific issues not covered in this survey, please comment.

6.9 Many of these comments were repetitions of comments to the previous open ended responses and again included; roads, pot holes, broadband, parking, anti-social behaviour and how Council meetings/processes could be more inclusive.

7.0 Budget setting

- 7.1 All of the budget feedback that we received, which is summarised in paragraph 5, was utilised in the Council's 2022/23 budget setting process. Our 4 Policy Development Groups and the Cabinet all made their decisions with regard to how residents had prioritised our services and decisions around the associated level of Council Tax.

8.0 Next steps

- 8.1 Resident and customer feedback is a powerful source of information that will enable us to ensure that we are directing our resources to the areas of highest priority and take remedial action in areas that our public are voicing concerns over.
- 8.2 Having this overarching resident feedback enables the Council to focus on the key concerns/messages, whilst also providing an important baseline which we can utilise in order to measure feedback against in future years and assess our direction of travel.

Contact for more information: Andrew Jarrett, Deputy Chief Executive (S151)
(ajarrett@middevon.gov.uk)

Circulation of the report: Cabinet and Leadership Team

CABINET
8 March 2022

FINANCIAL UPDATE FOR THE NINE MONTHS TO 31 DECEMBER 2021

Cabinet Member Cllr Andrew Moore, Cabinet Member for Finance

Responsible Officer Andrew Jarrett – Deputy Chief Executive (S151)

Reason for Report: To present a financial update in respect of the income and expenditure so far in the year.

RECOMMENDATION(S):

1. The Cabinet note:

- a) **The financial monitoring information for the income and expenditure for the nine months to 31 December 2021 and the projected outturn position;**
- b) **The use of Waivers for the Procurement of goods and services as included in Section 8;**

Relationship to the Corporate Plan: The financial resources of the Council impact directly on its ability to deliver the Corporate Plan; prioritising the use of available resources brought forward and any future spending will be closely linked to key Council pledges from the updated Corporate Plan.

Financial Implications: Good financial management and administration underpins the entire document. A surplus or deficit on the Revenue Budget will impact on the Council's General Fund balances. The Council's financial position is constantly reviewed to ensure its continued financial health.

Legal Implications: There are no direct implications from the content of this report.

Risk Assessment: Regular financial monitoring information mitigates the risk of unforeseen over or underspends at year end and allows the Council to direct its resources to key corporate priorities. Members will be aware that the Council continues to face a financially difficult and uncertain future. As such, the Strategic Risk Register (monitored by Audit Committee) includes a specific risk relating to this issue.

Equality Impact Assessment: There are no direct impacts from the content of this report.

Impact on Climate Change: There are no direct impacts from the content of this report.

1.0 Introduction

- 1.1 The Council agreed the 2021/22 Annual Budget at its meeting on 4 February. The aim is to keep a tight control on spending on services within a flexible budget management framework, allowing budget holders to manage savings

within controllable budgets to help mitigate budget pressures and thus contain or minimise a budget deficit for the Council as a whole.

- 1.2 The purpose of this report is to highlight to Cabinet our current financial status and the likely reserve balances at 31 March 2022. It encompasses both revenue, in respect of the General Fund, the Housing Revenue Account (HRA), and Capital Programme. The detail underpinning these projections is included within the body of report in the following sections / appendices:
- The projected General Fund outturn position for 2021/22 (**Section 3 + Appendices A to D**);
 - The projected HRA Outturn position for 2021/22 (**Section 4 + Appendices E and F**);
 - The projected Capital Outturn position for 2021/22 (**Section 5 + Appendix G**);
 - The projected Reserves Outturn position for 2021/22 (**Section 6**);
 - Summary Treasury Management position (**Section 7**);
 - The Procurement Waivers utilised during the quarter (**Section 8**).
- 1.3 Favourable variances generating either increased income or cost savings are expressed as credits (negative numbers), whilst unfavourable overspends or incomes below budget are debits (positive numbers). Any variance against the agreed budget will impact on the Council's reserves.
- 1.4 The Council's financial position will be constantly reviewed to ensure its continued financial health and delivery of excellent Value for Money.
- 1.5 This report also includes Section 8 which updates Members on the use of Procurement Waivers during 2021/22. A procurement waiver is where contract procedure regulations have not been applied due to exceptional circumstances, such as urgency of the goods/services being required, or the specialist nature of the goods/services where there is no effective competition to provide it.

2.0 Executive Summary of 2021/22

- 2.1 The report indicates a projected General Fund outturn variance of £30k under spend and a HRA outturn variance of £73k under spend. In respect of the Capital Programme, there is a forecast under spend of £624k and slippage of £29,671k into future years. These forecasts will continue to be refined during the year.
- 2.2 Within staffing budgets the Council continues to struggle with recruitment and retention. Key services, particularly Waste, have higher usage of agency staff than planned although this is partially offset by underspends on the staffing establishment. Additional agency costs incurred within Planning were forecast and an Earmarked Reserve was created to offset these costs if necessary.
- 2.3 Income remains lower than normal as services continue to recover from the Covid-19 losses with some services recovering quicker than others. In particular, Leisure and Car Parks income remains well below normal levels. However, other services such as Planning continue to see strong demand.

Increased prices per tonne for recycled materials have also provided greater than forecast income.

3.0 The General Fund

- 3.1 The forecast General fund over spend for the current year is £30k after transfers to and from Earmarked Reserves as shown at **Appendix A**. This is an improvement of £264k since the month 6 report. **Appendix B** provides the significant service variances and those above £20k.
- 3.2 The current incomes from our major fee income streams are shown in **Appendix C**. It shows that Income is £286k below budget in the quarter and the full year forecast indicates an under achievement of £256k. This is largely due to Leisure income being £475k below forecast, along with Car Parking income £108k lower. Increased Planning, Building Control, Waste and Licensing income of £317k above budget offsets this to a degree. Other Service income streams remain relatively close to expectations.
- 3.3 A consequence of the improved income is that the Council has not been able to claim as much through the Government's Income Compensation Scheme, therefore the Government support for Covid-19 is showing as £207k below the budgeted forecast. However, during the reconciliation process, the Council has been able to enter an additional claim for a further £109k. This is currently being assessed by DLUHC, and so has not been included within the forecasts.
- 3.4 The current employee costs are shown at **Appendix D**. It shows a full year forecast under spend of £630k. The main variances are within Planning, Property, Public Health and Waste due to staff shortages. Generally, the remaining services are forecasting smaller underspends, with the exception of Corporate Management and Revenue and Benefits showing a small over spend. Within the Corporate Management year-to-date variance is the forecast £200k included to allow for a possible pay award in the region of 1.75%. Once the pay award is agreed this variance will be apportioned across all services.
- 3.5 Agency Spend however is showing a forecast overspend of £646k, almost exclusively across Planning and Waste, although the former is largely offset by the planned use of Earmarked Reserves. Given the agency costs exceed savings against the staffing establishment, the generic £150k vacancy saving included within Corporate Management is not achieved.

4.0 Housing Revenue Account (HRA)

- 4.1 This is a ring-fenced account in respect of the Council's social housing function. The forecast position of £73k under spend is included within **Appendix E**. This is an improvement of £34k since the month 6 report. Key variances and those above £20k are highlighted at **Appendix F**.
- 4.2 The main income variance continues to be within Voids where there is a forecast negative variance of £129k. This remains consistent with the month 6 reported position. This is more than offset by a positive variance forecast in

Tenancy Services. The same allowance for the possible 1.75% pay award is included.

- 4.3 It is anticipated that the forecast variance will increase the budgeted transfer to the Housing Maintenance Fund and so the HRA reserve balance will remain at £2m.

5.0 Capital Programme

- 5.1 The approved overall Capital Programme amounts to £43,941k. This includes the approved 2021/22 Budget of £17,705k and £26,214k slippage rolled forward from 2020/21, together with subsequent 2021/22 minor adjustments. The status of this year's capital programme is shown at **Appendix G**.
- 5.2 Capital projects, by their very nature, often overlap financial years. Further work has been undertaken with Managers who have given their best estimate of what is 'deliverable' for 2021/22 based on known information at this point in the year. The committed and actual expenditure will be monitored against this revised 'deliverable' budget for the remainder of the year. This amounts to £13,646k, with the remainder of the overall Capital Programme expected to be spent in future years. This is a reduction of £12,517k since the month 6 report, mainly due to slippage against the Cullumpton HIF and 3 Rivers projects.
- 5.3 The Deliverable Budget against the General Fund has reduced by £11,406k to £9,258k; this mainly relates to 3 Rivers Future projects amounting to (£1,700k), the Post Hill Development (£4,075k), the Cullumpton Housing Infrastructure Project (HIF) (£3,739k) and Market Walk Unit 17 re-modelling Project (£495k). These projects are now expected to slip into 2022/23. The deliverable budget in respect of HRA schemes has also been reduced by £1,111k to £4,388k; the main reason for this is the Modular Housing Project at Shapland Place, Tiverton of (£1,065k) that is expected to slip into 2022/23.
- 5.4 Committed and Actual expenditure is currently £8,565k leaving a variance of £5,081k expected to be spent within the financial year. Additional work has been undertaken to establish forecast slippage into 2022/23; this currently amounts to £29,671k, with General Fund projects amounting to £22,711k and £6,960k in respect of the HRA. The main contributing projects in the General Fund are £10,364k in respect of 3 Rivers developments, £4,835k in respect of other development projects, £3,739k related to the Cullumpton Housing Infrastructure Project (HIF), £1,000k in respect of land acquisition and £800k relating to the Hydromills Scheme. The £6,960k referring to the HRA is mainly made up of £3,217k in respect of the development at Post Hill, Tiverton, £1,500 for Round Hill, Tiverton and £1,065k in respect of the Modular Development at Shapland Place, Tiverton; please refer to **Appendix G** for further detail.
- 5.5 The forecast net underspend amounts to £624k. This comprises £474k for various General Fund projects and £150k in relation to HRA projects; again please refer to **Appendix G** for further detail.

6.0 Reserves

- 6.1 The table below shows the opening position of key operational balances of the Council, the forecast in year movements and final predicted position at 31 March 2022:

Usable Reserves	31/03/2021	Forecast In Year Movement	31/03/2022
REVENUE	£000's	£000's	£000's
General Fund (See Section 3)	(2,186)	(30)	(2,216)
Earmarked Reserves	(20,247)	1,205	(19,042)
Housing Revenue Account (See Section 4)	(2,000)	0	(2,000)
CAPITAL	£000's	£000's	£000's
Capital Receipts Reserve	(5,498)	560	(4,938)
Revenue Contribution To Capital Earmarked Reserve	(255)	132	(123)

- 6.2 The General Fund is the major revenue reserve of the Council. It is increased or decreased by the surplus or deficit generated on the General Fund in the year. This reserve held a balance of £2,186k as at 31/03/21 and as shown above is currently forecast to increase to £2,216k due to the forecast £30k underspend.
- 6.3 The most significant implication for Earmarked Reserves is the new proposed transfer of the new additional S31 Grant received as a result of the additional Retail and Nursery Business Rate reliefs. This will smooth the associated deficit this will cause on the Collection Fund that will unwind next financial year.
- 6.4 The other main variance from the budgeted use of Earmarked Reserves is the additional drawdowns of the reserves created at Outturn to support additional staffing and activities within Planning and Regeneration.
- 6.5 The forecast reserve balance for the Revenue Contribution to Capital Reserve and the Capital Receipts Reserve includes the associated funding of the 2021/22 Capital Programme, as these monies are committed. In reality, much of this will slip to 2022/23. It is also important to note that these balances need to be almost fully utilised in order to balance the Capital Medium Term Financial Strategy.
- 6.6 Unapplied useable capital receipts are used to part fund the Capital Programme, the forecast movement on this account for the year to date is given below:

Item	£000's
Unapplied Useable Capital Receipts At 1 April 2021	(5,498)
Net Forecast Receipts To Q3 (Inc. 26 "Right To Buy" Council House Sales)	(1,850)
Current Balance	(7,348)
Forecast Further Capital Receipts In Year	(112)
Forecast Capital Receipts Supporting 2021/22 Capital Programme	2,522

7.0 Treasury Management

7.1 The interest position so far this financial year can be summarised as follows:

Details	Annual Budget £000's	Forecast Outturn £000's	Forecast Variance £000's
Investment Income Payable	140	91	(50)
Investment Income Received	(633)	(773)	(140)
Interest From HRA Funding	(46)	(46)	0
Total Interest Receivable	(539)	(728)	(190)

7.2 The interest payable saving arises from a reduced expected requirement to take out external borrowing (PWLb) due to slippage in the Capital Programme. The additional interest generated is from additional temporary investments but a decrease in 3 Rivers interest due to slippage in new loan requests.

7.3 Further information on the mid-year Treasury Management position can be found in the separate report on this agenda.

8.0 Procurement Waivers

8.1 In exceptional circumstances, there are sometimes justifiable reasons to act outside the contract procedure regulations. These include the following reasons:

- I. The work, goods or materials are urgently required, and loss would be entailed by delay arising from advertising;
- II. The work, goods or materials required are of such special nature that no advantage would accrue by inviting competitive tenders;
- III. There is no effective competition for the goods or materials required by reason of the fixing of prices under statutory authority or that such goods or materials are patented or proprietary articles or materials;
- IV. Transactions, which, because of special circumstances, may (either individually or as a class) be excepted from time to time by the Cabinet of the Council.

8.2 In such circumstances, prior written approval of the Deputy Chief Executive (S151) is required and Cabinet will be informed. Below is a list of the Procurement Waivers utilised during the third quarter of this financial year:

REF	SUBJECT OF THE WAIVER	REASON CODE
1	Housing Options – Agency staffing due to staff shortages	I
2	Housing Infrastructure Fund – extension of project monitoring following the departure of the Head of Planning, Economy and Regeneration	I and II
3	MAT Electricals - Electrical Installation Condition Report carried out on our communal flats	I

4	Planning – Agency staffing to cover national shortage of qualified planning professionals	II
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9.0 Summary

- 9.1 Members are asked to note the Revenue and Capital forecasts for the financial year, the use of procurement waivers during the year and the feedback from the MTFP discussions at the various Policy Development Group meetings.
- 9.2 We continue to closely monitor the financial position and amend our expectations accordingly. The budget process for 2022/23 is now complete and Managers are working hard to develop proposals to mitigate the future year's forecast shortfalls.

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**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 31 DECEMBER
2021**

General Fund Summary	Appendix B Note Ref	2021/22 Annual Budget	2021/22 Full Year Forecast	2021/22 Full Year Variance (0 = On budget)		%
		£	£	£		
Cllr Bob Deed						
Corporate Management	A	1,434,470	1,844,300	409,830		28.6%
Cllr Colin Slade						
Grounds Maintenance	B	555,436	497,436	(58,000)		-10.4%
Cemeteries & Bereavement Services	C1	(62,630)	(62,630)	0		0.0%
Waste Services	D	1,700,899	1,830,399	129,500		7.6%
Cllr Dennis Knowles						
Community Development	E	138,500	138,500	0		0.0%
Enforcement and CCTV	C1	181,600	156,600	(25,000)		-13.8%
IT Services	F	1,038,930	1,038,430	(500)		0.0%
Land charges	G	(16,970)	(24,970)	(8,000)		47.1%
Public Health incl. Licensing	C	661,550	376,167	(285,383)		-43.1%
Open Spaces	H	200,854	241,797	40,943		20.4%
Recreation & Sport	I	906,999	1,379,799	472,800		52.1%
Cllr Andrew Moore						
Financial Services	J	832,210	796,810	(35,400)		-4.3%
Revenues & Benefits	K	600,080	401,080	(199,000)		-33.2%
Car Parks	L	(529,250)	(411,480)	117,770		22.3%
Cllr Bob Evans						
Private Sector Housing	C	(3,630)	(3,630)	0		0.0%
General Fund Housing	M	396,640	278,889	(117,751)		-29.7%
Property Services	N	1,130,620	824,590	(306,030)		-27.1%
Cllr Richard Chesterton						
Community Development: Markets	E	79,420	79,420	0		0.0%
Planning & Regeneration	G	2,042,443	1,026,112	(1,016,331)		-49.8%
Cllr Mrs Nikki Woollett						
Customer Services	O	774,360	719,090	(55,270)		-7.1%
Human Resources	P	501,100	501,100	0		0.0%
Legal & Democratic Services	Q	1,103,783	1,109,783	6,000		0.5%
All General Fund Services		13,667,414	12,737,592	(929,822)		-6.8%
Net recharge to HRA		(1,501,410)	(1,501,410)	0		0.0%
Statutory Adjustments (Capital charges)		731,720	677,780	(53,940)		-7.4%
Net Cost of Services		12,897,724	11,913,962	(983,762)		-7.6%
Finance Lease Interest Payable		159,410	159,410	0		0.0%
Interest from Funding provided for HRA		(46,400)	(46,400)	0		0.0%
Interest Payable on Other Activities		140,520	90,520	(50,000)		-35.6%
Interest Receivable on Investments		(633,170)	(773,170)	(140,000)		22.1%
Transfers into Earmarked Reserves		2,361,372	3,658,046	1,296,674		54.9%
Transfer into NNDR Smoothing Reserve		0	1,677,639	1,677,639		0.0%
Transfers from Earmarked Reserves		(5,446,321)	(5,815,464)	(369,143)		6.8%
Net Contribution to/(from) New Homes Bonus Reserve		(849,521)	(725,521)	124,000		-14.6%
Total Budgeted Expenditure		8,583,614	10,139,022	1,555,408		37.8%
FUNDED BY:						
Business Rates						
Retained Business Rates		(3,150,000)	(1,773,891)	1,376,109		-43.7%
S31 Grant associated with COVID-19 Reliefs		0	(3,022,597)	(3,022,597)		0.0%
Business Rates (Surplus)/Deficit (2020-21)		3,171,340	3,171,340	0		0.0%
Business Rates Benefit from Devon Pool		0	(145,453)	(145,453)		0.0%
Council Tax						
Council Tax		(6,114,620)	(6,114,620)	0		0.0%
Council Tax (Surplus)/Deficit (2020-21)		115,109	115,109	0		0.0%
Un-Ringfenced Grants						
New Homes Bonus Grant		(958,750)	(958,750)	0		0.0%
Lower Tier Services Grant		(179,252)	(179,252)	0		0.0%
Rural Services Delivery Grant		(489,742)	(489,742)	0		0.0%
Other Non-Ringfenced Gov. Grants		0	0	0		0.0%
Covid-19 Related Funding						
Covid-19 Non Ringfenced Grant		(407,699)	(407,699)	0		0.0%
Covid-19 Income Compensation Scheme		(570,000)	(363,224)	206,776		-36.3%
Total Budgeted Funding		(8,583,614)	(10,168,779)	(1,585,165)		18.5%
Forecast in year (Surplus) / Deficit		0	(29,757)	(29,757)		
General Fund Reserve 31/03/21				(2,186,051)		
Forecast General Fund Balance 31/03/2022				(2,215,808)		

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GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 31 DECEMBER 2021

Note	Description of Major Movements	2021/22 Full year variance (net of transfer to EMR) £	PDG
A	Corporate Management		
	Estimated cost of new director post (inclusive of recruitment spend)	59,830	Cabinet
	Provision for 2021/22 Pay Award	200,000	Cabinet
	Under achievement of Vacancy Factor	150,000	Cabinet
		409,830	
B	Grounds Maintenance		
	Salaries - savings due vacant posts. Savings to be offset against additional costs in Waste	(59,000)	Environment
		(59,000)	
C	Public Health (combined)		
	Control of Pollution - S106 Air Quality - net income & expenditure - funded by transfers to and from EMRs	(193,883)	Community
	Increased Licensing income - recovery post Covid better than expected	(28,500)	Community
	Loss in private water sampling income - due to increased workload within Public Health and staff shortages to carry out this work	20,000	Community
	Salary underspend in Public health due to off-setting against one-off income	(83,000)	Community
		(285,383)	
C1	Enforcement, CCTV & Cemeteries & Bereavement Services		
	CCTV Grant income received, if not spent in year will be moved to an EMR for future spend	(25,000)	Economy
		(25,000)	
D	Waste Services		
	Salaries - savings due to a delay in recruiting posts	(76,800)	Environment
	Agency Costs - reliance on agency to cover holiday and sick time including self isolation. Partially offset by salary savings. Additional salary/agency savings for 3 weekly trial not realised this year	260,300	Environment
	Recycling materials - increased price per tonne for aluminium and cardboard. Recovery post Covid better than expected.	(320,000)	Environment
	Plant responsive maintenance - baler repairs	30,000	Environment
	Trade Waste - increased recycling income - includes internal trade waste charges	(64,800)	Environment
	Additional fuel costs due to price increase and fuel saving for 3 weekly trial not realised this year	38,000	Environment
	DCC Shared Savings Scheme - income for 2020-21 actual £177,850. Estimated at £300k based on previous years. Estimate for 2021-22 now using 2020-21 figure	250,000	Environment
	Fleet Management - shared Transport Manager with Exeter City Council. MDDC and ECC require full time posts due to contract management	20,000	Environment
		136,700	
F	I.T. Services		
	IT600 Salary underspend due to vacancies	(56,000)	Cabinet
	IT600 Consultancy to provide support to cover vacant posts	58,000	Cabinet
	IT900 Salary underspend due to vacancies	(11,000)	Cabinet
	IT900 Recruitment costs	8,500	Cabinet
		(500)	
G	Planning & Regeneration		
	Building Control - overachievement on income	(57,000)	Cabinet
	Enforcement - staffing, agency support for project work tackling backlogged cases - being funded from EMR release	40,000	Community
	Development Management - staffing, agency for interim replacements and cover staff to clear backlogs, partially covered from vacancies and EMR release	52,900	Community
	Development Management - National Design Model Testing - being funded by EMR release	50,000	Community
	Development Management - overachievement on income	(196,000)	Community
	Development Management - S106, net income & expenditure - funded by transfers to and from EMRs	(460,251)	Community
	Development Management - recovered costs on Harlequin Valet	(85,500)	Community
	Business Development - Love Your Town Centre Grants - being funded by EMR release	19,825	Community
	Delayed spend on Crediton Masterplan	(60,000)	Community
	Statutory Plan savings, from cost savings, delayed spend, delivering from existing resource or from new grant receipts	(196,000)	Cabinet
	Greater Exeter Strategic Partnership - saving on costs following withdrawal from partnership	(37,500)	Cabinet
	Cullompton HAZ Scheme - slippage of spend to future years of the project	(106,000)	Community
	Landcharges - Small o/spend on salaries offset by underspend for DCC land searches and various other smaller u/spends on supplies and services	(8,000)	Community
		(1,043,526)	
H	Open Spaces		
	Play Areas - S106, net income & expenditure - funded by transfers to and from EMRs	40,943	Community
		40,943	
I	Recreation & Sport		
	Shortfall in income across all three leisure centres due to Covid-19	430,000	Community
	Salary savings due to vacancies and reduction in certain activities during pandemic	(30,000)	Community
	EVLC - SWW dispute settled, funded by EMR	27,800	Community
	Estimated shortfall in dual use income at CVSC due to delays in agreeing new terms with DCC	45,000	Community
		472,800	
J	Financial Services		
	Salary saving due to vacant Procurement Manager post	(47,000)	Cabinet
	Devon County Council Procurement partnership & computer software overspend	30,600	Cabinet
	E-fin software upgrade has come in underspent but will be EMR'd for future upgrades	(19,000)	Cabinet
		(35,400)	

GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 31 DECEMBER 2021

Note	Description of Major Movements	2021/22 Full year variance (net of transfer to EMR) £	PDG
K	Revenues & Benefits		
	Housing Benefit Overpayment recovery better than budgeted	(45,000)	Cabinet
	Discretionary Housing Payment grant less than budgeted	31,000	Cabinet
	Various New Burdens grants from DWP in respect of Housing Benefits initiatives delivered within existing resource	(75,000)	Cabinet
	New Burdens Grant Funding 4 Restart & Additional Restrictions Covid-19 and 5 Post Payment Assurance, Reconciliation and Debt Recovery	(90,000)	Cabinet
	Staffing - Job evaluation awards, overtime and agency staff to support Covid-19 grant administration work - partially funded by EMR	58,000	Cabinet
	Forecast increased recovery of Court Costs for Council Tax	(50,000)	Cabinet
	Refund of overcharged magistrate court fees paid for council tax liability orders 2014-2019	(28,000)	Cabinet
		(199,000)	
L	Car Parks		
	P&D Income has slightly reduced again – Increased the expected income loss back up to £108k	107,770	Economy
		107,770	
M	General Fund Housing		
	Estimated salary underspend due to vacant post	(16,000)	Homes
	Rising B&B costs for temporary accommodation to be off-set by Flexible Homelessness support grant	65,000	Homes
	Flexible Homelessness support grant received will off overspend within Homelessness and remaining will be put into an EMR	(197,431)	Homes
	Community Alarms service will underspend on forecast new equipment requirements, this will be net of Income forecast for the year being below budget	30,680	Homes
		(117,751)	
N	Property Services		
	Property Services & Caretaking Services salary savings due to vacant posts	(111,800)	Homes
	Rental income down on Flats/Shops in Fore Street due to vacant lets, along with additional works to Flats to be able to let	20,000	Economy
	Works to vacant Market Walk unit to enable letting (funded from EMR)	23,000	Economy
	Replacement windows to Flats in Market Walk (funded from EMR)	40,000	Economy
	Rent reviews, backdated rental refunds & bad debt write off's have resulted in loss in income for Market Walk (funded from EMR)	87,540	Economy
	Increased rent payable on Carlu Depot	33,500	Economy
	Underspends to date across Property Services for specific project maintenance which will be moved into an EMR at year-end	(400,000)	Economy
		(307,760)	
O	Customer Services		
	Customer Services - Apprentice post will not be filled in this financial year. Additional salary savings due to vacant posts and one part-timed post relinquished.	(27,870)	Community
	Customer Services and Communications - u/spends in supplies and services, and computer software costs.	(27,400)	Community
		(55,270)	
Q	Legal & Democratic Services		
	Unfunded election costs relating to District, Parish, County and Police & Crime Commissioner elections	35,000	Cabinet
	Savings against Members' allowances and mileage due to vacant seats for part of the year and reduced travel during the pandemic	(21,000)	Cabinet
	Legal Services - increased income S106 Fees	(14,000)	Cabinet
	Overspend on committee services salaries following the addition of an apprentice	9,500	Cabinet
	Legal Services - overspend on salaries	5,000	Cabinet
	Legal Services - underspend on computer software - new legal case system not yet implemented	(8,500)	Cabinet
		0	
FORECAST (SURPLUS)/DEFICIT AS AT 31/03/2022		(960,547)	

Cabinet	(109,570)
Community	(560,741)
Homes	(215,551)
Environment	59,230
Economy	(103,190)
	(929,822)

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 31 DECEMBER
2021**

Fees and Charges	2021/22 Annual Budget £	2021/22 P9 Profiled Budget £	2021/22 P9 Actual £	2021/22 P9 Variance £	2021/22 Full Year Forecast Variation £	%
Building Control Fees	(201,000)	(150,750)	(196,767)	(46,017)	(57,000)	28%
Planning Fees	(637,200)	(477,900)	(641,951)	(164,051)	(196,000)	31%
Land Search Fees	(118,500)	(87,750)	(100,352)	(12,602)	0	0%
Car Parking Fees - See Below	(812,570)	(601,520)	(519,536)	81,984	107,770	-13%
Leisure Fees & Charges	(2,524,330)	(1,739,659)	(1,240,384)	499,274	475,000	-19%
Trade Waste Income	(783,000)	(780,594)	(817,136)	(36,542)	(35,000)	4%
Garden Waste	(517,100)	(450,585)	(445,044)	5,541	0	0%
Licensing	(107,590)	(83,450)	(118,590)	(35,140)	(28,500)	26%
Market Income	(69,560)	(54,318)	(60,881)	(6,563)	(9,900)	14%
	(5,770,850)	(4,426,526)	(4,140,642)	285,884	256,370	-4.4%

Car Parking Fees	2021/22 Annual Budget £	2021/22 P9 Profiled Budget £	2021/22 P9 Actual £	2021/22 P9 Variance £	Spaces	2021/22 Budgeted Income pa per space £
Beck Square, Tiverton	(80,840)	(61,900)	(44,085)	17,814	40	(2,021)
William Street, Tiverton	(26,630)	(19,936)	(18,797)	1,140	45	(592)
Westex South, Tiverton	(53,170)	(41,473)	(34,759)	6,714	51	(1,043)
Wellbrook Street, Tiverton	(15,190)	(10,937)	(10,708)	229	27	(563)
Market Street, Crediton	(38,010)	(29,487)	(25,580)	3,907	39	(975)
High Street, Crediton	(78,470)	(58,853)	(50,298)	8,554	190	(413)
Station Road, Cullompton	(34,170)	(23,887)	(27,138)	(3,251)	112	(305)
Multistorey, Tiverton	(159,470)	(111,629)	(115,081)	(3,452)	631	(253)
Market Car Park, Tiverton	(227,910)	(173,212)	(115,880)	57,332	122	(1,868)
Phoenix House, Tiverton	(5,630)	(3,644)	(1,715)	1,929	15	(375)
P&D Shorts & Overs	0	0	20	20	-	0
Total Pay and Display	(719,490)	(534,957)	(444,022)	90,935	1,272	(8,407)
Day Permits	(17,500)	(13,162)	(24,839)	(11,677)		
Allocated Space Permits	(56,550)	(39,922)	(27,012)	12,909		
Overnight Permits	(200)	(148)	(684)	(536)		
Day & Night Permits	(11,200)	(6,210)	(15,486)	(9,276)		
Other Income	(7,630)	(7,123)	(7,493)	(370)		
Total Permits	(93,080)	(66,564)	(75,514)	(8,951)		
Total Car Parking	(812,570)	(601,520)	(519,536)	81,984		
Standard Charge Notices (Off Street)	(43,200)	(31,104)	(38,971)	(7,867)	0	0%

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GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 31 DECEMBER 2021

Employee Costs	2021/22 Annual Budget £	2021/22 P1 - P9 Profiled Budget £	2021/22 P1 - P9 Actual £	2021/22 P1 - P9 Variance £	2021/22 Full Year Forecast Variation £	%
General Fund						
Community Development	80,930	60,698	56,367	(4,331)	(4,300)	-5.3%
Corporate Management	1,238,930	929,198	1,128,683	199,485	59,830	4.8%
Customer Services	703,290	527,468	496,875	(30,593)	(28,000)	-4.0%
Public Health	867,584	650,688	678,221	27,533	(83,000)	-9.6%
Financial Services	596,050	447,038	423,284	(23,754)	(47,000)	-7.9%
General Fund Housing	360,670	270,503	238,711	(31,792)	(16,000)	-4.4%
Grounds Maintenance	472,830	354,623	295,505	(59,118)	(59,000)	-12.5%
Human Resources	414,800	311,100	314,052	2,952	0	0.0%
I.T. Services	592,380	444,285	378,808	(65,477)	(67,000)	-11.3%
Legal & Democratic Services	576,300	432,225	413,104	(19,121)	(21,000)	-3.6%
Planning & Regeneration	1,924,180	1,443,135	1,250,226	(192,909)	(196,000)	-10.2%
Property Services	686,050	514,538	404,400	(110,138)	(111,800)	-16.3%
Recreation & Sport	2,041,156	1,530,867	1,466,789	(64,078)	0	0.0%
Revenues & Benefits	690,600	517,950	533,540	15,590	20,000	2.9%
Waste Services	2,558,603	1,918,952	1,863,344	(55,608)	(76,800)	-3.0%
Total General Fund	13,804,353	10,353,268	9,941,907	(411,361)	(630,070)	-4.6%
Housing Revenue Account						
BHO09 Repairs & Maintenance	899,420	674,565	622,488	(52,077)	(106,000)	-11.8%
BHO10 Supervision & Management	1,834,360	1,375,770	1,175,794	(199,976)	(191,000)	-10.4%
BHO11 Special Services	0	0	0	0	0	0.0%
Total Housing Revenue Account	2,733,780	2,050,335	1,798,282	(252,053)	(297,000)	-10.9%
Total Employee Costs	16,538,133	12,403,603	11,740,189	(663,414)	(927,070)	-5.6%

Agency Staff (within Employee costs)	2021/22 Annual Budget £	2021/22 P1 - P9 Profiled Budget £	2021/22 P1 - P9 Actual £	2021/22 P1 - P9 Variance £	2021/22 Full Year Forecast Variation £	%
General Fund						
Car Parks	0	0	0	0	0	0.0%
Community Development	0	0	0	0	0	0.0%
Corporate Management	0	0	0	0	0	0.0%
Customer Services	0	0	1,200	1,200	0	0.0%
Public Health	0	0	12,160	12,160	17,000	0.0%
Financial Services	0	0	0	0	0	0.0%
General Fund Housing	0	0	3,026	3,026	0	0.0%
Grounds Maintenance	26,240	19,680	20,740	1,060	0	0.0%
Human Resources	0	0	0	0	0	0.0%
I.T. Services	0	0	0	0	0	0.0%
Legal & Democratic Services	0	0	24,473	24,473	39,500	0.0%
Planning & Regeneration	0	0	169,844	169,844	310,000	0.0%
Property Services	0	0	15,810	15,810	19,000	0.0%
Recreation & Sport	0	0	0	0	0	0.0%
Revenues & Benefits	0	0	9,895	9,895	36,500	0.0%
Waste Services	98,560	73,920	248,379	174,459	224,000	227.3%
Total General Fund	124,800	93,600	505,526	411,926	646,000	517.6%
Housing Revenue Account						
BHO09 Repairs & Maintenance	0	0	0	0	0	0.0%
BHO10 Supervision & Management	0	0	0	0	0	0.0%
BHO11 Special Services	0	0	0	0	0	0.0%
Total Housing Revenue Account	0	0	0	0	0	0.0%
Total Agency Costs	124,800	93,600	505,526	411,926	646,000	517.6%

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**HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM
01 APRIL TO 31 DECEMBER 2021**

Housing Revenue Account (HRA)	Appendix F Note	2021/22 Annual Budget £	2021/22 Full Year Forecast £	Variance %
Income				
SHO01 Dwelling Rents Income	A	(12,450,680)	129,000	-1%
SHO04 Non Dwelling Rents Income	B	(559,830)	36,000	-6%
SHO07 Leaseholders' Service Charges	D	(23,810)	0	0%
SHO08 Contributions Towards Expenditure	E	(29,220)	0	0%
SHO10 H.R.A. Investment Income	G	(10,000)	(15,500)	155%
SHO11 Miscellaneous Income	H	(7,350)	0	0%
Services				
SHO13A Repairs & Maintenance	I	3,516,850	(12,000)	0%
SHO17A Housing & Tenancy Services	J	1,709,900	(210,000)	-12%
Accounting entries 'below the line'				
SHO29 Bad Debt Provision Movement	L	150,000	0	0%
SHO30 Share Of Corporate And Democratic	M	168,040	0	0%
SHO32 H.R.A. Interest Payable	N	1,026,430	0	0%
SHO34 H.R.A. Transfers between earmarked reserves	O	1,899,100	0	0%
SHO37 Capital Receipts Reserve Adjustment	Q	(19,500)	0	0%
SHO38 Major Repairs Allowance	R	2,260,000	0	0%
SHO45 Renewable Energy Transactions	S	(105,000)	0	0%
		(2,475,070)	(72,500)	(0)

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**HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO
31 DECEMBER 2021**

Note	Description of Major Movements	Corrective Action	2021/22 Full Year Forecast Variance £
A	Dwelling Rents a consequence of Covid has been an impact on Void levels-that is how quickly the properties can be worked on and re-let. The impact at present is likely to be circa £150k for the year (this is net of a buffer that was factored into the initial budget). There is a small surplus forecast on Affordable rental income of (£21k).		129,000
B	Garage rentals have continued at similar levels to 2020/21 where new lets were reduced due to Covid and the impact of void times on lets.		36,000
H	Investment Income forecast return above budget		(15,500)
I	Repairs forecast underspend due to the following: - Staffing -there has been a reasonable turnover in staff, savings occur due to delays to filling these posts, additionally new posts added to the establishment not filled at the start of the year. Depending on when filled the forecast variance may move, this will be reviewed each quarter. Net variance (£223k) - Maintenance, materials and contractor spend for the full year has increased between Q2 and Q3: External Contractor spend is estimated to be £95k, Waste Charges £54k, this is offset by a forecast underspend on materials (£60K) - DLO revenue from Private Sector DFG works will be below budget, this is a continual knock on from Covid, £210k however this has been tempered by the DLO undertaking additional works, forecast (£150k) - Vehicle spend forecast to be slightly over, due to insurance costs and minor repairs £12k - Provision 21/22 Pay Award £36k - Other minor variances £14k	N/A	(12,000)
J	Tenancy Services underspend due to the following: - Staffing the Housing White Paper initiated a restructure which included creating a number of new posts. This has afforded opportunities for existing staff to take on different challenges. The consequence is replacing existing posts where there can be a delay due to the recruitment process (£126k) - Utilities spend-refund on overpayments (£27k) - General over heads - Software costs estimated to be under budget (£35k), budget provision for ad-hoc items such as consultants forecast to be underspent (£45k) - Provision 21/22 Pay Award £16k - Other minor variances £7k	N/A	(210,000)
	Other variances -less than £20k		
TOTAL			(72,500)

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CAPITAL PROGRAMME MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 31 DECEMBER 2021

Code	Scheme	Total Budgeted Capital Programme 2021/22	Total Deliverable Programme 2021/22	Actual Expenditure 2021/22	Committed Expenditure 2021/22	Total Actual & Committed Expenditure 2021/22	Variance to Deliverable Capital Programme	Forecast spend for remainder of 2021/22	Forecast (Underspend) / Overspend	Forecast Slippage to 2022/23	Notes
		£	£	£	£	£	£	£	£	£	
General Fund Projects											
Leisure											
CA642	Reception infrastructure review - All sites	120,000	0	-	-	-	0	0		120,000	Projected project completion Q3 2022/23
CA643	All Leisure Etarmis - Security Swipe - (linked to security project)	30,000	0	-	-	-	0	0		30,000	Subject to feasibility. If feasible projected project completion Q2 2022/23. Highly likely this cost will be revenue in nature if project does commence
CA644	Evlc - Boilers and CHP	30,000	0	-	-	-	0	0		30,000	This project will slip - linked to Phase 3 Heating Decarbonisation Fund - Gas boilers would be removed. Projected project completion Q3 2022/23
CA645	Evlc - Fitness Studio renewal of equipment	153,000	0	-	-	-	0	0		153,000	Forecast project completion Q3 2022/23.
CA646	Cvsc - Remodelling of Ground Floor	204,000	15,000	-	-	-	(15,000)	15,000		189,000	Subject to feasibility & outcome of dual use agreement discussions. Projected project completion Q3 2022/23
Phoenix House											
CA487	Etarmis - Security Swipe - (linked to security project)	50,000	0	-	-	-	0	0		50,000	Forecast project completion Q3 2022/23 - subject to final design. Highly likely cost will be revenue in nature
Play Areas											
CA472	Open Space Infrastructure (incl Play Areas)	40,000	20,000	-	-	-	(20,000)	20,000		20,000	Forecast project completion Q1 2022/23
CA632	Play area refurbishment - Amory Park Tiverton	74,000	0	-	-	-	0	0		74,000	Forecast project completion Q1 2022/23
CA648	Play Area Chestnut Drive Willand	25,000	25,000	-	-	-	(25,000)	25,000			Forecast project completion Q4 2021/22
MDDC Shops & Industrial Units											
CA584	Market Walk Unit 17 - remodelling options	510,000	15,000	-	-	-	(15,000)	15,000		495,000	This site is now being used as a vaccination centre. Design work happening in parallel for long-term solution. Forecast project completion Q4 2022/23
CA583	Market Walk - Flat roof replacement	30,000	0	-	-	-	0	0	(30,000)		This work as been completed under diminimis & therefore charged to Revenue
Other Projects											
CA491	Fire Dampeners - Corporate sites	80,000	80,000	-	-	-	(80,000)	80,000			Forecast project completion Q4 2021/22
CA485	GP Practice NHS Hub Building	2,175,000	2,175,000	2,175,000	-	2,175,000	0	0			Project Complete
CA490	West Exe South - Remodelling - additional parking spaces	90,000	30,000	-	-	-	(30,000)	30,000		60,000	Forecast project completion Q1 2022/23
CA473	Land drainage flood defence schemes - St Marys Hemyock	50,000	0	-	-	-	0	0		50,000	Discussions required with EA & other funding partners to discuss appropriate delivery of this project
CA420	Land drainage flood defence schemes - Ashleigh Park Bampton	87,000	0	-	-	-	0	0		87,000	Discussions required with EA & other funding partners to discuss appropriate delivery of this project
CA574	Fore Street Flats refurbishment	47,000	0	-	-	-	0	0		47,000	Scheme subject to acceptable business case & approval of future Capital funding in the MTFP. Forecast Project completion in 2023/24
CA576	Tiverton Town Centre improvements	140,000	0	-	-	-	0	0		140,000	It is anticipated that this project will be completed in Q2 2022/23
CA832	Land acquisition for operational needs	1,000,000	0	-	-	-	0	0		1,000,000	Subject to securing an appropriate site
CA489	Multi Storey Car Park Phase 2	-	31,317	27,070	4,247	31,317	(0)	0	31,317		CCTV equipment costs to be funded by an EMR
CA834	Recycling Lorry DG63FYS		22,500	22,500	-	22,500	0	0	22,500		Recycling vehicle over Capital diminimis level to be funded from an EMR
HIF Schemes											
CA719	Cullompton Town Centre Relief Road (HIF bid)	4,009,000	270,000	35,730	-	35,730	(234,270)	234,270		3,739,000	Revised Projects costs/funding have been incorporated in the MTFP. Revised total project costs circa £24.9m. 'Levelling Up' funding bid of £13.6m has been unsuccessful at round 1 stage. Currently considering other funding options & potential round 2 submission during 2022. Therefore a substantial amount of slippage will roll into 2022/23 as currently the project is working on 'minimal costs' until further clarity on funding is available.
CA720	Tiverton EUE A361 Junction Phase 2 (HIF bid)	223,000	223,000	3,157	10,524	13,680	(209,320)	209,320			Per Cabinet report 03/08/21. Tendering process required for this project and revised report to be brought back to Cabinet regarding delivery contract and associated funding - at this stage forecast additional costs of Circa £1.9m.
Economic Development Schemes											
CA582	Hydromills Electricity generation Project - Tiverton Weir	800,000	0	-	-	-	0	0		800,000	Subject to achieving Planning Permission and acceptable business case.
* All Economic Development schemes are subject to acceptable Business Case											
ICT Projects											
CA425	Server farm expansion/upgrades	74,000	0	-	-	-	0	0		74,000	Forecast project completion Q3 2022/23
CA433	Additional Unified Communications budget	96,000	30,000	-	-	-	(30,000)	30,000		66,000	Forecast project completion Q1 2022/23. This Project will be cloud based and will be charged to Revenue.
CA496	Hardware replacement of Network Core Switch	80,000	112,000	-	-	-	(112,000)	112,000	32,000		Forecast project completion Q4 2021/22, this is in relation to Phoenix House
CA492	Final phase of Desktop estate replacement/refresh	48,000	48,000	40,815	-	40,815	(7,185)	7,185			Forecast project completion Q4 2021/22
CA456	CRM replacement	175,000	0	-	-	-	0	0		175,000	Forecast project completion Q4 2022/23. This Project will be cloud based and will be charged to Revenue.
CA437	Digital Transformation	33,000	0	(0)	-	(0)	(0)	0		33,000	Forecast project completion Q3 2022/23. This project will be used for consultancy & will be charged to Revenue
CA480	Lalpac Licensing System replacement	80,000	0	-	-	-	0	0		80,000	Project to be completed in 2022/23 & has dependency on the CRM Project (CA456).This Project will be cloud based and will be charged to Revenue.

Code	Scheme	Total Budgeted Capital Programme 2021/22	Total Deliverable Programme 2021/22	Actual Expenditure 2021/22	Committed Expenditure 2021/22	Total Actual & Committed Expenditure 2021/22	Variance to Deliverable Capital Programme	Forecast spend for remainder of 2021/22	Forecast (Underspend) / Overspend	Forecast Slippage to 2022/23	Notes
		£	£	£	£	£	£	£	£	£	
Other General Fund Development Projects											
CA493	3 Rivers Scheme - Bampton	2,631,000	2,671,000	724,671	-	724,671	(1,946,329)	1,946,329	40,000		Forecast project completion 2022/23
CA462	3 Rivers Scheme - Riverside Development (rear of Town Hall) Tiverton	3,035,000	2,110,000	1,742,885	-	1,742,885	(367,115)	367,115		925,000	Forecast project completion Q1 2022/23.
CA486	* 3 Rivers scheme - Knowle Lane, Cullompton	8,002,000	263,000	44,804	-	44,804	(218,196)	218,196		7,739,000	Forecast project completion 2023/24
CA484	3 Rivers Scheme - Orchard House Halberton	495,000	102,000	102,000	-	102,000	0	0	(393,000)		Project completed. Underspend as sale proceeds used to fund some of the build costs
CA495	* 3 Rivers Schemes - Future Projects	1,700,000	0	-	-	-	0	0		1,700,000	Assumed slippage until potential site identified
CA581	Post Hill Tiverton	4,575,000	500,000	-	115,370	115,370	(384,630)	384,630		4,075,000	Subject to scheduling of delivery provider. Planning application to be submitted Q4 2021/22
CA494	Park Road (Delivery of this project is yet to be determined until conclusion of marketing exercise & therefore maybe a Capital Receipt)	875,000	115,000	-	-	-	(115,000)	115,000		760,000	This site is sold subject to contract - expected completion of land sale during Q4 2021/22
* These schemes require signed loan agreements before they can be progressed further											
Private Sector Housing Grants											
CG201	Disabled Facilities Grants-P/Sector	577,000	400,000	265,634	-	265,634	(134,366)	134,366	(177,000)		Any underspend here will remain in the EMR
Total General Fund Projects		32,443,000	9,257,817	5,184,265	130,140	5,314,405	(3,943,412)	3,943,412	(474,183)	22,711,000	
HRA Projects - Existing Housing Stock											
CA100	Major Repairs to Housing Stock	2,770,000	2,427,000	1,693,095	683,626	2,376,720	(50,280)	50,280		343,000	COVID 19 / Brexit has impacted on contract delivery, it is anticipated that this will slip into 2022/23 & is mainly in relation to the modernisation contract.
CA111	Renewable Energy Fund	250,000	100,000	26,896	6,000	32,896	(67,104)	67,104	(150,000)		Forecast £100k spend on this project in 2021/22 and remaining balance will remain in the Renewable Energy EMR
CG200	Home Adaptations - Disabled Facilities	300,000	300,000	280,596	-	280,596	(19,404)	19,404			
Housing Development Schemes											
CA151	Garages Block - Redevelopment	408,000	0	-	-	-	0	0		408,000	This project will be completed in 2022/23 (Q2) (additional £92k flagged in MTFP Total project cost circa £500k)
CA147	Affordable Housing/ Purchase of ex RTB	500,000	10,086	-	-	-	(10,086)	10,086			3 RTB Buybacks so date (please see lines below). Potentially any further re-purchases these would be funded by a combination of 1-4-1 Receipts & HMF EMR
CA148	RTB Buyback 16 Somerville Park, Willand	-	190,648	190,648	-	190,648	0	0			Please see budget on line CA147 (above)
CA156	RTB Buyback 32 Spruce Park, Crediton	-	181,451	181,451	-	181,451	0	0			Please see budget on line CA147 (above)
CA157	RTB Buyback Flat 3, Butler Close, Tiverton	-	117,815	117,815	-	117,815	0	0			Please see budget on line CA147 (above)
CA152	Post Hill, Tiverton	3,217,000	0	-	-	-	0	0		3,217,000	This project will cross a number of years & is also reflected in the MTFP
CA124	Queensway (Beech Road) Tiverton (3 units)	528,000	126,000	132	9,499	9,631	(116,369)	116,369		402,000	An additional £222k approved per Cabinet Report 04/03/21. A further £22k approved per Cabinet Report 26/10/21. Forecast project completion Q3 2022/23
CA141	Round Hill Tiverton- Site	1,500,000	0	-	-	-	0	0		1,500,000	This project will commence during 2023/24 and has been included in the Capital MTFP
CA146	HRA Regeneration Scheme 1	2,000,000	0	-	-	-	0	0			This project will be used to deliver modular housing across 2 sites. Shapland Place Tiverton, & St Andrews Estate Cullompton - please see lines below CA154 & CA155
CA154	Modular Housing - Shapland Place, Tiverton	-	60,000	45,908	-	45,908	(14,092)	14,092		1,065,000	Planning application timetabled for March Committee, therefore this project will slip into 2022/23. Note total forecast project cost is estimated at £1.2m, the additional £75k will be funded by a combination of 1-4-1 receipts & HMF EMR.
CA155	Modular Housing - St Andrews, Cullompton	-	875,000	14,915	-	14,915	(860,085)	860,085			Planning application timetabled for Feb Committee, at this stage it is envisaged this project will be completed by 31/03/21, although timescales are very tight
HRA Other Projects											
CA126	Sewerage Treatment Works - Washfield	25,000	0	-	-	-	0	0		25,000	Forecast project completion Q1 2022/23
Total HRA Projects		11,498,000	4,388,000	2,551,455	699,125	3,250,580	(1,137,420)	1,137,420	(150,000)	6,960,000	
CAPITAL PROGRAMME GRAND TOTAL		43,941,000	13,645,817	7,735,720	829,265	8,564,985	(5,080,832)	5,080,832	(624,183)	29,671,000	

CABINET

8 MARCH 2022

AWARD OF MODERNISATION OF COUNCIL HOMES CONTRACT 2022–2026

Cabinet Member: Cllr Bob Evans, Deputy Leader and Cabinet Member for Housing and Property Services
Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report: To advise Members on the results for the tendering of the Modernisation of Council Homes Contract 2022–2026 and confirm the award of the contract.

RECOMMENDATION: That Cabinet approve the following

- 1. The new four-year (2+1+1) Modernisation of Council Homes Contract is awarded to Contractor 1 with a forecast annual cost £400,000.00.**
- 2. Delegated authority be granted to the S151 Officer (in consultation with the Deputy Leader and Cabinet Member for Housing and Property Services) to complete the associated modernisation contract.**

Contracted Works: The contract will deliver the supply and installation of kitchen and bathrooms to Mid Devon District Council housing stock.

Relationship to Corporate Plan: To contribute towards meeting the Decent and Affordable Homes target by making best use of the existing stock.

Financial Implications: The budget for the works is £400,000.00 per annum. Capital investment in the MDDC stock will result in a lower revenue cost in the coming years, which will enable Mid Devon Housing and its repairs service to operate more effectively and manage future maintenance costs.

Legal Implications: We have a legal duty to maintain the stock and meet the Decent Homes Standard. The conditions of engagement are based on a JCT Measured Term Contract (MTC) 2016, combined with the contractual requirements. This provides a robust framework for managing and controlling the performance of the contractor to meet our legal obligations.

Risk Assessment: The principal risk is failing to limit costs due to additional works and delivery of the programme. 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) Delivery of programme; 4) Number of defects; 5) Availability of funding

Impact on Climate Change: Maintaining homes to the Devon Homes Standard has an indirect, beneficial impact on reducing carbon emissions within the Mid Devon Housing Service and therefore as a Council.

1 Introduction

- 1.1 The term of this contract is 2 years with two possible 1 year extensions subject to budgets, performance and the approval of the Portfolio Holder for Housing.
- 1.2 The procurement procedure was a mini competition carried out using the Capital Works Dynamic Purchasing System via the PFH (Procurement for Housing) Framework.

2 Framework Benefits

- 2.1 The Procurement for Housing (PFH) Framework is Contracting Authority who develop frameworks in England, Scotland and Wales. Members currently include Registered Providers of Social Housing, Local Authorities, TMO's, ALMOs, Health Authorities, Police and Fire Services.
- 2.2 Shared procurement expertise and resource with end to end contract support.
- 2.3 Keep the flexibility and ownership of managing the contract and specification as you choose.
- 2.4 The requirement has been advertised and capable suppliers have been identified through competitive procurement.
- 2.5 All suppliers have been fully assessed for their experience, technical and professional ability.
- 2.6 Compliant with the Public Contracts Regulation 2015

3 Procurement Process

- 3.1 Expressions of interest were sent to 15 contractors supplying the South West on the PFH Capital Works Dynamic Purchasing System. 3 contractors returned interest, a mini competition between the 3 suppliers was then carried out by the Procurement Service of Mid Devon District Council. 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.
- 3.2 Invitation to Tender documentation was distributed to the 3 suppliers on the 14th January 2022.
- 3.3 Evaluation criteria set out in the ITT:

Quality	60%
Planning and Programming	20%
Resident Liaison	20%
Client/Customer Satisfaction	20%
Price	40%

- 3.4 Responses were required by midday on 11th February 2022.

- 3.5 A total of 2 suppliers submitted their tenders on time, one opted out.
- 3.6 Evaluations were carried out between 14th February 2022 and 17th February 2022, by representatives from Mid Devon District Council's Planned Maintenance and Procurement service.
- 3.7 The outcome of the evaluation is shown below:

CONTRACTOR	SCORE		TOTAL
	PRICE	QUALITY	
Contractor 1	40%	39%	79%
Contractor 2	37%	40%	77%

4 Conclusion

- 4.1 The outcome of the evaluation of the suppliers via the PFH Framework and our own Service Level Criteria shows Contractor 1 as the highest ranked supplier that could meet our specific needs.
- 4.2 Approval is required from Cabinet for contract award. The recommendation is made based upon the contract being awarded to the contractor with the highest combined price/quality score with 40% of the total score based on price and 60% on quality
- 4.3 Following the decision, there will be a compulsory 10 day standstill period after which the contract will be awarded.
- 4.4 Mobilisation will take 1 month, but the contract will not commence on site until 22nd April 2022.

Contact for more Information: Stephen Bennett, Senior Surveyor (01884) 233036 sbennett@middevon.gov.uk or Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing – snewcombe@middevon.gov.uk

Circulation of the Report:

Deputy Leader and Cabinet Member for Housing and Property Services
 Leadership Team
 Corporate Management Team
 Operational Leads including Legal Services

List of Background Papers:

- **ANNEX A: PART II - Confidential**

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CABINET

8 MARCH 2022

AWARD OF GAS & RENEWABLES SERVICE CONTRACT 2022 – 2028

Cabinet Member: Cllr Bob Evans, Deputy Leader and Cabinet Member for Housing and Property Services
Responsible Officer: Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Reason for Report: To advise Members of the procurement of a combined gas and renewables servicing delivery partner (2022-2028) and confirm the award of the contract.

RECOMMENDATION: That Cabinet approve the following

- 1. The new 6-year (4+1+1) Combined Heating Services Contract is awarded to Contractor 2 with a forecast annual cost £385,000.00.**
- 2. Delegated authority be granted to the S151 Officer (in consultation with the Deputy Leader and Cabinet Member for Housing and Property Services) to complete the associated service contract.**

Contracted Works: The contract will deliver the statutory annual landlord gas safety inspection, along with servicing and reactive repairs for both MDDC owned gas appliances and renewable measures in our housing stock.

Relationship to Corporate Plan: To ensure the council maintains its statutory duty as a Registered Social Landlord (RSL) to maintain compliance for gas safety and demonstrate this by the production of a Landlord Gas Safety Record (LGSR) for each tenanted property as determined by the Gas Safety (Installation and Use) Regulations 1998 and The Gas Safety (Installation and Use) (Amendment) Regulations 2018.

Financial Implications: The budget for the works is £385,000.00 per annum. This is an aggregated figure across the various installed measures. There is an expectation of higher costs associated with the delivery of servicing of the Renewables measures during year 1.

Legal Implications: We have a legal duty to maintain safety compliance standards within our homes. The conditions and specifications within the contract will provide a robust framework for maintaining quality of delivery by the successful contractor.

Risk Assessment: The principal risk is failing to maintain ongoing compliance and place the Council at risk of penalty: legally, financially and with regard to its reputation. The performance of the contract shall be monitored continually. Monthly reporting will be employed to monitor Key Performance Indicators but the contractor is required to maintain LGSR compliance at all times.

Impact on Climate Change: Beyond safety considerations, the efficient running of gas heating appliances and our renewable equipment and measures in place in our

housing stock is critical in terms of minimising and reducing our carbon emissions within the Mid Devon Housing Service and therefore as a Council.

1 Introduction

- 1.1 The term of this contract is 4 years with two possible 1 year extensions subject to budgets, performance and the approval of the Portfolio Holder for Housing.
- 1.2 The procurement procedure was a compliant mini competition award process via the ProcurePublic Framework Agreement Heating & Electrical Services (Award Notice 2020/S 251 – 634326)
<https://www.procurepublic.co.uk/framework/heating-framework/>

2 Framework Benefits

- 2.1 Shared procurement expertise and resource.
- 2.2 The terms & conditions for delivery have already been established but are flexible enough to accommodate local changes / preferences
- 2.3 The pre-tendered framework is already fully compliant with PCR Regulations to deliver speedy procurement outcomes.
- 2.4 The requirement has been advertised and capable suppliers have been identified through competitive procurement.
- 2.5 All suppliers have been fully assessed for their experience, technical and professional ability.

3 Procurement Process

- 3.1 The framework tender was first advertised as a PIN (Prior Information Notice) on the 4th September 2020. (2020/S 173-419262). This is designed to let the market know that a tender is coming. 35 companies expressed an interest at this point. The Contract Notice (2020/S 224-551996) was released on the 11th November 2020. 58 bidders downloaded the tender documents. 23 Tender responses were received. The Award Decision Notice was (2020/S 251-634326) whereby 10 bidders were awarded places onto the framework.
- 3.2 A PIN/EOI was issued to Framework members on w/c 22/11/2021. 8 suppliers expressed an interest in bidding as part of a mini-competition to deliver gas and renewables servicing of MDDC households.
- 3.3 The mini-competition documents were distributed to bidders on: 14/01/2022. 2 Suppliers submitted final bids by the 31/01/2022 deadline.
- 3.4 Evaluation criteria set out in the original ITT and maintained as part of the mini-competition:

Quality	60%
Price	40%

- 3.5 There were slight changes to the original specification, hence the need to run a mini-competition. These included: tenant engagement and adhering to the MOT (Reg 36A) form of gas safety inspection.
- 3.6 Evaluations were carried out during early February 2022, by representatives from Mid Devon District Council's Planned Maintenance and the ProcurePublic Framework Manager.
- 3.7 The outcome of the evaluation is shown below:

CONTRACTOR	SCORE		TOTAL (OF A POSSIBLE 100%)
	PRICE (MAX.40%)	QUALITY (MAX.60%)	
Contractor 1	39.08%	36.00%	75.08%
Contractor 2	36.91%	48.00%	84.91%

4 Conclusion

- 4.1 The outcome of the evaluation of the suppliers via the Procure Public Framework and our own Service Level Criteria shows Contractor 2 as the highest ranked supplier that could meet our specific needs.
- 4.2 Approval is required from Cabinet for contract award. The recommendation is made based upon the contract being awarded to the contractor with the highest combined price/quality score with 40% of the total score based on price and 60% on quality.
- 4.3 Following the decision, there will be a compulsory 10 day standstill period after which the contract will be awarded.
- 4.4 The contract will commence on 1st April 2022.

Contact for more Information: Stephen Bennett, Senior Surveyor (01884) 233036 sbennett@middevon.gov.uk or Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing – snewcombe@middevon.gov.uk

Circulation of the Report:

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MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

April 2022

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)
Junction 27 & 28 report To receive an update with regard to proposals.	Economy Policy Development Group Cabinet	17 Mar 2022 5 Apr 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Recommendations from the Motion 564 Spotlight Review To receive the final report and recommendations from the Motion 564 Spotlight Review.	Scrutiny Committee Cabinet	21 Mar 2022 5 Apr 2022	Clare Robathan, Policy and Research Officer		Open
3RDL Business Case for New Site To consider a business case	Scrutiny Committee Cabinet	21 Mar 2022 5 Apr 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Part exempt

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Council Tax Reduction Scheme & Exceptional Hardship Policy To receive the Council Tax Reduction Scheme and the updated Exceptional Hardship Policy.	Community Policy Development Group Cabinet	22 Mar 2022 5 Apr 2022	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Finance (Councillor Andrew Moore)	Open
Single Equalities Policy and Equality Objective To receive the annual review of the Single Equalities Policy and Equality Objective	Community Policy Development Group Cabinet	22 Mar 2022 5 Apr 2022	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
Safeguarding Childrens and Adults at Risk Policy and Procedures To receive the annual review of Safeguarding Childrens and Adults at Risk Policy and Procedures	Community Policy Development Group Cabinet	22 Mar 2022 7 Apr 2022	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
Devolution and the 'County Deal' To consider a report of the Chief Executive outlining the intended approach to the 'county deal' devolution	Cabinet	5 Apr 2022	Chief Executive	Leader of the Council (Councillor Bob Deed)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
conversation as initiated by Devon, Plymouth and Torbay's inclusion in the Levelling Up white paper. To note the intended timeline and process for negotiations with government and to set out future decision points for the council.					
Playing Pitch Strategy - Post Consultation To consider the strategy for approval following the public consultation.	Cabinet	5 Apr 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
North West Cullompton Masterplan To consider a revised masterplan for North West Cullompton	Cabinet	5 Apr 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Culm - Garden Village To consider a masterplan for consultation.	Cabinet	5 Apr 2022	Tina Maryan, Area Planning Officer	Cabinet Member for Planning and Economic Regeneration	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
				(Councillor Richard Chesterton)	
Progress against the Corporate Plan To consider the progress made against Corporate Plans aims and agree actions for the remaining life of the plan.	Cabinet	5 Apr 2022	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Bob Deed)	Open
3 Rivers Developments Limited - Directors Remuneration Review To consider a remuneration review for Directors of the company	Cabinet	5 Apr 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Part exempt
Tiverton A361 Junction HIF Scheme To consider the outcome of the tender process.	Cabinet	17 May 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Part exempt
Cullompton HSHAZ Public Realm Project - Consultation	Cabinet	17 May 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic	Open

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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)
For consideration prior to consultation.				Regeneration (Councillor Richard Chesterton)	
Cullompton - Town Centre Public Realm Enhancement To consider the Town Centre Public Realm Enhancement	Cabinet	17 May 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Cullompton Town Centre Relief Road - update To receive (as required) an update with regard to the project.	Cabinet	17 May 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Air Quality Supplementary Planning Document To consider an Air Quality SPD	Cabinet	17 May 2022	Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

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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)
Economic Recovery Plan To receive the draft Local Economic Recovery Plan	Economy Policy Development Group Cabinet	26 May 2022 14 Jun 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Meeting Housing Needs SPD To recommend a draft for consultation to the Cabinet	Homes Policy Development Group Cabinet	31 May 2022 14 Jun 2022	Richard Marsh, Director of Place	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
Private Sector Housing Fees and Charges To consider revised fees and charges.	Homes Policy Development Group Cabinet	31 May 2022 14 Jun 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
Housing Assistance Policy To consider a revised policy.	Homes Policy Development Group Cabinet	31 May 2022 14 Jun 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Unauthorised Encampment Policy To receive the 3 yearly review of the Unauthorised Encampment Policy	Community Policy Development Group Cabinet	7 Jun 2022 12 Jul 2022	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
Town and Parish Charter To receive the 3 yearly review of the Town and Parish Charter	Community Policy Development Group Cabinet	7 Jun 2022 12 Jul 2022	Sally Gabriel, Member Services Manager Tel: 01884 234229/0785511492 1	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
Cullompton Town Centre Masterplan and Delivery Plan SPD To consider the masterplan	Cabinet Council	14 Jun 2022 6 Jul 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Custom and Self Build Supplementary Planning Document To consider a draft SPD for consultation	Cabinet	14 Jun 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Tiverton EUE Area B Masterplan To consider the outcome of the playing pitch and sports provision review	Cabinet	14 Jun 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Non Statutory Interim Policy Statement on Planning for Climate Change To consider the policy statement	Cabinet	14 Jun 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Crediton NHS Hub Phase 2 To consider a funding request.	Cabinet	14 Jun 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Part exempt
Financial Outturn To receive the outturn for the 2021-22 financial year	Cabinet	14 Jun 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Play Area Safety Inspection Policy To receive the 3 yearly review of the Play Area Safety Inspection Policy	Environment Policy Development Group Cabinet	19 Jul 2022 9 Aug 2022	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for the Environment and Climate Change (Councillor Colin Slade)	Open
Shopfront Enhancement Scheme To receive a report regarding the Shopfront Enhancement Scheme	Economy Policy Development Group Cabinet	21 Jul 2022 9 Aug 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Market Environmental Strategy To receive a report regarding the Market Environmental Strategy	Economy Policy Development Group Cabinet	21 Jul 2022 9 Aug 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Neighbourhood & Community Standard Policy To consider a revised policy.	Homes Policy Development Group Cabinet	26 Jul 2022 9 Aug 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
HRA Fees and Charges To consider fees and charges.	Homes Policy Development Group Cabinet	26 Jul 2022 9 Aug 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
Tiverton Town Centre Masterplan To agree the draft masterplan for public consultation.	Cabinet	Not before 6th Sep 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Review of Development Management - Discretionary Fees To consider a review of discretionary fees	Cabinet	6 Sep 2022	Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
Asbestos Management Plan To consider a revised plan.	Homes Policy Development Group Cabinet	20 Sep 2022 4 Oct 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Channel Access Policy To consider a revised Policy	Cabinet	4 Oct 2022	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
Strategic Allocations Policy & Strategic Tenancy Strategy To consider a revised strategy.	Homes Policy Development Group Cabinet	15 Nov 2022 29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
Empty Homes Plan To consider a revised plan.	Homes Policy Development Group Cabinet	15 Nov 2022 29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
Housing Strategy update and annual review – to consider a review	Homes Policy Development Group Cabinet	15 Nov 2022 29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open

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CABINET 8 MARCH 2022

Appointment of Finance Director to 3 Rivers Developments Ltd.

Cabinet Member(s): Cllrs Bob Evans, Deputy Leader and Cabinet Member for Housing & Property Services and Cllr Andrew Moore, Cabinet Member for Finance

Responsible Officer: Andrew Jarrett, Deputy Chief Executive

Reason for Report: To comply with the current governance arrangements under schedule 2 of the Shareholder Reserved Matters, the appointment or removal of a Director is a reserved matter for the Shareholder, this is currently a Cabinet decision.

RECOMMENDATION(S): That the Cabinet agree to the recommendation as proposed.

Relationship to Corporate Plan: There are none.

Financial Implications: With the exception of the additional recruitment costs there are no additional budgetary implications from this decision.

Budget and Policy Framework: The budget for this post is already included within current approved levels.

Legal Implications: There could be significant issues arising from not having competent Directors in place.

Risk Assessment: This post is critical to understanding and thereby reducing the level of financial risk to the company.

Equality Impact Assessment: There are no direct implications of this decision.

Impact on Climate Change: This appointment has no direct impact on climate change.

1.0 Introduction/Background

- 1.1 In late November 2021 3 Rivers Developments Ltd. (3RDL) received the resignation of its current Finance Director who had been in post for approximately 12 months. The resignation led to a standard recruitment process, which is explained in more detail in the attached part 2 paper received from the company.
- 1.2 Specialist recruitment consultants were appointed and a short-list of three candidates for the post were selected and interviews set for the 16 February 2022.
- 1.3 The interview panel consisted of the Deputy Chief Executive (S151) and the Managing Director of 3RDL. A specialist from the recruitment agency was also involved in the interviews to give advice.

- 1.4 A series of standard questions were agreed in advance by the MD of 3RDL in consultation with the other current Directors of the Company and the 3RDL Cabinet 'champions'.
- 1.5 A more detailed overview of the process has been supplied by 3RDL and is attached as an annex to this report.

2.0 Recommendation

- 2.1 Following comprehensive interviews of both candidates (one withdrew the day before the interviews) it is recommended by the company that the following post be offered:
- 2.2 Financial Director – Paul Neilson
- 2.3 Cabinet are asked to endorse this appointment. Further details in relation to start dates, etc., will be shared in due course.

Contact for more Information: Andrew Jarrett, Deputy Chief Executive (S151) (ajarrett@middevon.gov.uk) or Nick Sanderson, Managing Director 3RDL.

Circulation of the Report: Cabinet and Leadership Team

THREE RIVERS DEVELOPMENTS LIMITED

FINANCE DIRECTOR APPOINTMENT

FINAL PROJECT TIMETABLE

Date	Milestone
Friday 10 th December	Finalise recruitment campaign
Friday 24 th December	Advertisements placed
Monday 24 th January	Deadline
Thursday 27 th January	HAYS complete review of applications and send longlist recommendations to panel
Friday 28 th January	Longlist meeting (Teams call)
Week commencing 31 st January	Preliminary Interviews conducted by HAYS (via Teams)
Friday 4 th February	Interview reports and recommendation sent to panel.
Tuesday 8 th February	Agree shortlist (Teams call). HAYS send out invitations to final panel interviewees
Week commencing 14 th February	Final interviews and offers of employment
8 th March	Appointment ratified at Cabinet

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