

# Public Document Pack

## Mid Devon District Council

### Cabinet

**Tuesday, 30 November 2021 at 10.00 am**  
**Phoenix Chamber, Phoenix House, Tiverton**

**Next ordinary meeting**  
**Tuesday, 4 January 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.

Join Zoom Meeting

<https://zoom.us/j/95009389895?pwd=YjVOTFJXd0NrUHNwN2hDc0xEa3djUT09>

Meeting ID: 950 0938 9895

Passcode: 082982

One tap mobile

08002605801,,95009389895#,,,,\*082982# United Kingdom Toll-free

08003582817,,95009389895#,,,,\*082982# United Kingdom Toll-free

Dial by your location

0 800 260 5801 United Kingdom Toll-free

0 800 358 2817 United Kingdom Toll-free

0 800 031 5717 United Kingdom Toll-free

Meeting ID: 950 0938 9895

Passcode: 082982

## 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

1. **Apologies**  
To receive any apologies for absence.
2. **Public Question Time**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
3. **Declarations of Interest under the Code of Conduct**  
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
4. **Minutes of the Previous Meeting** (*Pages 7 - 12*)  
Members to consider whether to approve the minutes as a correct record of the meeting held on 26 October 2021.
5. **Air Quality Action Plan** (*Pages 13 - 94*)  
Following a report of the Corporate Manager for Public Health, Regulation and Housing, the Community Policy Development Group have made the following recommendations:
  1. That the updated Air Quality Actions Plan attached in Annex 1 be adopted;
  2. That the details and timelines for the adoption of the updated Air Quality Supplementary Planning Document via the Planning Policy Development Group as set out in section 5.3 of the report be noted.
6. **Recommendations from Scrutiny Committee (Planning Enforcement Working Group).** (*Pages 95 - 116*)  
To consider the recommendations from the Scrutiny Committee following receipt of the report of the Planning Enforcement Working Group and a review of those recommendations
7. **Public Space Protection Order - Dogs** (*Pages 117 - 136*)  
To consider a report of the Operations Manager for Street Scene and Open Spaces considering whether to make a proposed variation to the Mid Devon (Public Spaces Protection) (Dog Control) Order 2021(the 'PSPO'), for which further consultation and consideration of responses will be required before the Order is made, to add two locations to the list of areas in the PSPO where dogs are only allowed, add one location to the list of areas in the PSPO where dogs are excluded; and correct a plan within the existing PSPO which shows the wrong area of land.
8. **Staff Recognition and Wellbeing Appreciation** (*Pages 137 - 142*)  
To receive a report of the Chief Executive considering how best to address the current workforce issues and recognise the work done by all

staff throughout the pandemic and to show the council's appreciation for their efforts.

9. **Phase 3 Public Sector Decarbonisation Bid and Delegation of Authority** *(Pages 143 - 160)*

To receive a report of the Corporate Manager for Property, Leisure and Climate Change outlining the latest opportunity presented by the Public Sector Decarbonisation Scheme and the Council's ambition to seek substantial funding from Phase 3 of the scheme. The Council was successful in obtaining £348,821 under Phase 2 of the same scheme. Approval is being sought now, subject to a successful bid, to receive and expend circa £3m funding from Salix Finance, a Non-Departmental Public Body (NDPB). This project will undertake low carbon retrofit projects on Exe Valley (Evlc) and Lords Meadow (Lmlc) Leisure Centres. Grant Funding Awards will be announced during January 2022, with a delivery timeframe of 12 months.

10. **Disposal of Crediton Town Square** *(Pages 161 - 166)*

To receive a report of the Corporate Manager for Property, Leisure and Climate Change seeking approval for the lease of the Town Square Crediton to Crediton Town Council.

11. **Infrastructure Funding Statement - Infrastructure List** *(Pages 167 - 186)*

To receive a report of the Director of Place requesting approval of the list of Infrastructure items, including affordable housing to be included in the Council's Infrastructure Funding Statement, which is required to be published on the Council's website by 31 December 2021.

12. **Cullompton Town Centre Relief Road (CTCRR) Project** *(Pages 187 - 190)*

To receive a report of the Director of Place provided in relation to the LUF (Levelling-up Fund) application and requesting approval of the recommendations in order to allow officers to continue to examine potential opportunities to secure the additional funding required to support the delivery of the Cullompton town centre relief road.

13. **Devon Procurement Partnership** *(Pages 191 - 200)*

To consider a report of the Deputy Chief Executive (S151) seeking approval to enter into a long term partnership with Devon County Council to provide procurement advice and support to the Council.

14. **Mid Year - Treasury Management Update** *(Pages 201 - 210)*

To consider a report of the Deputy Chief Executive (S151) informing the Cabinet of the treasury performance during the first six months of 2021/22, to agree the ongoing deposit strategy for the remainder of 2021/22 and a review of compliance with Treasury and Prudential Limits for 2021/22.

15. **Financial Monitoring** (Pages 211 - 236)  
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.
16. **Performance and Risk** (Pages 237 - 290)  
To consider 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.
17. **Schedule of Meetings for 2022/23** (Pages 291 - 292)  
To consider the Schedule of Meetings for 2022/23 and make recommendation to Council
18. **Notification of Key Decisions** (Pages 293 - 306)  
To note the contents of the Forward Plan.
19. **3 Rivers Development Ltd Business Plan** (Pages 307 - 336)  
During discussion of this item it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The committee will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

To consider passing the following resolution so that exempt information may be discussed.

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

To consider a report of the Deputy Chief Executive (S151) requesting Cabinet to consider the 5 year Business Plan

Both the Scrutiny and Audit Committees have considered the Business Plan and have made the following comments:

Scrutiny Committee – 8 November 2021

*Members had raised questions with regard to the availability of certain sites for development, the need for the report on the possible creation of a Teckal company to be considered and noted that the financial risk of the company would be considered by the Audit Committee*



## Audit Committee – 16 November 2021

*Having considered the Business Plan, the Committee made the following recommendations to the Cabinet:*

- a. That the language used within the Business Plan be written in such a way as to be as understandable as possible and that all acronyms used to be explained by way of a Glossary of Terms;*
- b. That an external audit firm be appointed by the company to audit the company's financial statements;*
- c. That the Cabinet continue to closely monitor the progress of the company's Business Plan reporting any areas of concern, particularly relating to lending, back to Council.*

**Stephen Walford**

Chief Executive

Monday, 22 November 2021

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

If you 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](mailto:sgabriel@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.

This page is intentionally left blank

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **CABINET** held on 26 October 2021 at 10.00 am

### **Present**

#### **Councillors**

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

### **Apologies**

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

R J Chesterton

### **Also Present**

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

G Barnell, S J Clist, L J Cruwys, B Holdman, B G J Warren  
and A Wilce

### **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), Lisa Lewis (Corporate Manager for Business Transformation and Customer Engagement), Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing), Tristan Peat (Forward Planning Team Leader), Sarah Lees (Member Services Officer) and Sally Gabriel (Member Services Manager)

## **81. APOLOGIES**

Apologies were received from Cllr R J Chesterton.

## **82. PUBLIC QUESTION TIME (00-03-50)**

There were no questions from members of the public present.

## **83. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-03-56)**

Members were reminded to make any declarations of interest when necessary.

## **84. MINUTES OF THE PREVIOUS MEETING (00-04-20)**

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

## **85. HOUSING STRATEGY (00-04-49)**

The Cabinet had before it a \* report of the Corporate Manager for Public Health, Regulation and Housing providing Members of the Cabinet with an opportunity to

adopt the proposed revised corporate Housing Strategy (Annex 1) following the recent completion of external and public consultation. Details of the consultation were set out within the report. The consultation responses and outcomes were set out in Annex 2.

The Cabinet Member for Housing and Property Services outlined the contents of the report initially thanking officers for their work in creating such a comprehensive document which would provide a strategy for housing for four years. The strategy had been considered by the Homes Policy Development Group and the Scrutiny Committee.

Consideration was given to:

- The consultation process, the lack of responses and the various platforms used for the consultation
- Whether the strategy was ambitious enough with regard to affordable and social rented housing
- A mechanism to monitor housing numbers and the need for an integrated approach to performance management, how the delivery of the strategy would be reported via the Homes Policy Development Group and that there was a commitment to review the strategy on an annual basis.
- The need to identify the village communities, specifically community housing schemes, the meeting was informed with regard to a housing needs survey which had been sent to parishes.
- Funding for projects, affordability and possible grant funding
- Objective 26 – climate change and existing Council housing stock and affordability

**RESOLVED** that the Housing Strategy for 2021-25 be approved.

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

Reason for the Decision – there is a need to ensure that an updated strategy is formally adopted allowing for the delivery against the strategic priorities and objectives over the strategy period of 4 years.

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

#### 86. **SOUTH WEST BANK UPDATE (00-30-36)**

The Cabinet had before it and **NOTED** a \*report of the Deputy Chief Executive (S151) providing an update on the formation of South West Mutual.

The Cabinet Member for Finance outlined the contents of the report stating that the update was provided to give visibility to the project, although progress had been slow due to the economic climate, the pandemic and the challenge of setting up a bank due to regulatory hurdles; the Council would continue to monitor and support the project.

Consideration was given to:

- How realistic was the project given the amount of money it would take to make it operational and whether such a bank could succeed – the lack of big banks in the community and the hope that the project would succeed
- Whether the Council's contribution to the project could be returned if the project failed seeing that there was a need for the Council to make savings across the board.
- The fact that such a bank would benefit residents
- The risk of the Council's investment and the amount of percentage on return if the project succeeded. It was reported that the initial investment would not be refundable but if the project was successful then the dividends/returns would be of value.

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

#### 87. **MEDIUM TERM FINANCIAL PLAN - 2022/23 - 2026/7 (00-47-08)**

The Cabinet had before it a \*report of the Deputy Chief Executive (S151) presenting to Member's the updated Medium Term Financial Plan (MTFP) which covered the period 2022/23 to 2026/27 and took account of the Council's key strategies (i.e. the Corporate Plan, Business Plans, Treasury Management Plan, Asset Management Plan, Work Force Plan and Capital Strategy) and demonstrated it had the financial resources to deliver the Corporate Plan.

The Cabinet Member for Finance outlined the contents of the report stating that the MTFP was based on assumptions, it was not a plan or a budget but the best prediction that could be made at the current time and showed how the Council would strategically manage its finances in order to support the delivery of the priorities detailed in the Corporate Plan. He highlighted appendix 2 which considered the shortfall in the General Fund for the next financial year and following years, the budget options to address the budget gap, the detail within the Capital Programme highlighted within Appendix 5 and the borrowing requirements.

Consideration was given to:

- The HIF projects and the possible shortfall and whether that would be recouped via planning obligations
- The gap in the General Fund had been discussed as early as the beginning of the year and strategic discussions were promised but had not taken place with Members
- There was a need for a clear strategy to fund the gap in the budget
- The Cabinet Member for Finance and the S151 officer were willing to meet with members to hear their ideas
- It was felt that this was a problem for the Cabinet and that members wished to see clear proposals and plans
- The borrowing set out within the Capital Programme and the funding of 3 Rivers Developments Limited which would increase the debt – the meeting was informed that the social housing programme would be supported through borrowing and possible grant funding via Homes England
- Whether there was any provision in the MTFP for the Council to be Carbon neutral and the cost of retro fitting the current housing stock
- Possible 3 Rivers impairments

- The bid for the Levelling Up Fund and why was it assumed that only the Cullompton Relief Road bid would be successful and not the Tiverton Urban Extension – the meeting was informed that the Council was only allowed to identify one project and that a decision was expected in December
- The multi million pound loan to 3 Rivers was not mentioned specifically as an ongoing risk – surely it was a significant risk as identified by the Auditors – the meeting was informed that all investments were a risk, but the investments had been approved as part of the Business Plans; with regard to the Audit, controls were in place and the risk was being managed

It was **AGREED** that:

- a) The updated MTFP's for the General Fund and Housing Revenue Account and the updated Capital Programme all covering the five years 2022/23 to 2026/27 be noted.
- b) The proposals outlined in paragraph 9.2 as the approach to balancing the General Fund Revenue Budget be endorsed.

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

#### 88. **BEECH ROAD, TIVERTON - PROJECT DELIVERY (1-21-49)**

The Cabinet had before it a \* report of the Corporate Manager for Property, Leisure and Climate Change. Following the withdrawal of the original Contractor number 2, there was a need for Cabinet to award the contract for the construction of three Council properties, using a JCT Design & Build 2016 Contract (as amended) to Contractor number 1.

The Cabinet Member for Housing and Property Services outlined the contents of the report informing the meeting that the original contractor had pulled out which had stalled the project and alternatives to the proposal had been considered i.e. the use of modular housing, however this was a site that would be funded by one to one returns and needed to be completed by next March. He identified the sustainable construction methods that would be used and the need to utilise the funding available within the dedicated timescales.

Members of the Cabinet welcomed the specifications and were pleased to support the scheme.

**RESOLVED** that: The Deputy Chief Executive (S151) and the Deputy Leader and Cabinet Member for Housing and Property Services be given delegated authority to award the contract for works required to provide three social rented houses at Beech Road in Tiverton.

- (i) To Contractor 1 under a JCT Design and Build Contract 2016 (as amended).
- (ii) To approve a £22k increase be approved for project contingency as detailed in paragraph 5.9 of the report.

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

**Reason for the decision** – there is a need for the tender to be approved to allow the housing project to be progressed.

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

89. **ANNUAL REPORT OF COMPLAINTS AND COMPLIMENTS (1-30-28)**

The Cabinet had before it and **NOTED** a report of the Corporate Manager for Digital Transformation and Customer Engagement providing information with regard to compliments, comments and complaints.

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report explaining the reasons for the increase in complaints, compliments and comments received throughout the pandemic.

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

90. **UPDATE FROM THE CABINET MEMBER FOR CONTINUOUS IMPROVEMENT (1-32-00)**

The Cabinet Member for Continuous Improvement informed the meeting that she had agreed to hold surgeries with members prior to scheduled meetings in Phoenix House.

She had dealt with 31 cases during the month, 1 of which was closed, 24 had been actioned and continued to be monitored and the remaining 17 were with the directors. She was also reviewing housing voids, working closely with the Corporate Manager.

She thanked the Policy Research Officer for her work.

Consideration was given to the good work that was taking place and whether the Cabinet Member would be looking into the complaints that had been received highlighted within the previous item. It was agreed that she would address those issues in time.

91. **NOTIFICATION OF KEY DECISIONS (1-38-25)**

The Cabinet had before it and **NOTED** it's \*rolling plan for November/December 2021 containing future key decisions.

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

92. **3 RIVERS DEVELOPMENTS LIMITED UPDATE REPORT (1-39-25)**

The Cabinet had before it an update \*report from the Deputy Chief Executive (S151).

The Cabinet Member for Housing and Property Services outlined the contents of the report stating that the Company were compiling the business plan which would be considered at the Scrutiny and Audit Committees in November and that the St Georges site would be marketed in January



Consideration was given to whether the business plan and the forthcoming Teckal report would consider key issues with regard to continued development and how such development would be sustained and maintained.

Note: \*Report previously circulated.

(The meeting ended at 11.44 am)

**CHAIRMAN**

## COMMUNITY PDG

16 NOVEMBER 2021

## AIR QUALITY ACTION PLAN

**Cabinet Member(s):** Cllr Dennis Knowles

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

**Reason for Report and Recommendation:** To provide Members of the Policy Development Group (PDG) with an opportunity to review and recommend adoption of the revised corporate Air Quality Action Plan (Annex 1) following the recent completion of external and public consultation. Details of the consultation are set out within the report. The consultation responses and outcomes are set out in Annex 2.

The report also provides Members of the PDG with an update on progress with the development of a revised Air Quality Supplementary Planning Document (SPD) together with details and timeline to secure the legal adoption of the document. This is important to the delivery of aspects of the updated Air Quality Action Plan (AQAP), notably in relation to managing the impact of new development and securing planning obligations.

### RECOMMENDATIONS:

1. That the PDG recommends to Cabinet that the updated Air Quality Action Plan attached in Annex 1 of this report is adopted
2. That the PDG note the details and timeline for the adoption of the updated Air Quality Supplementary via the Planning Policy Development Group and Cabinet as set out in Section 5.3 of the report

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

**Financial and Policy Implications:** The current and future updated plan encompass measures ranging from small-scale initiatives through to major infrastructure projects such as the Cullompton Town Centre relief road. As such, the plan will be delivered through a variety of different mechanisms including the Local Plan Review and planning obligations such as s106 in addition to Government infrastructure funds and the Devon

County Local Transport Plan (LTP 3). There may also be opportunities to bid for future Air Quality Grant funding nationally though this is not certain.

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

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

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

One of the key measures within the proposed Action Plan is an updated to the formal Air Quality Supplementary Planning Document (SPD). The existing SPD has been in place since 2008 and is due for review in line with the revised Action Plan alongside updated methodology to assess the local air quality impact of new development and allow for mitigation including potential s106 contributions to measures within the AQAP. More on the SPD is set out within Section 5.0 of the report.

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

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

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

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

Given the inherent requirement to have planning obligation measures in place in order to deliver major parts of the plan then the successful implementation of the Air Quality Action Plan should be considered against the requirement to update the SPD on Air Quality.

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

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

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

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

- 1.1 Poor air quality is the largest environmental risk to public health in the UK, as long-term exposure to air pollution can cause chronic conditions such as cardiovascular and respiratory diseases as well as lung cancer, leading to reduced life expectancy. It is the fourth greatest threat to public health after cancer, heart disease and obesity.
- 1.2 Nationally, the health cost of poor air quality is estimated at £8-20 billion each year and Public Health England assess that long-term exposure to man-made pollution has an annual effect equivalent to 28-36,000 deaths (Committee on the Medical Effects of Air Pollutants). A recent European survey (European Heart Journal) has put forward an even higher UK figure of 64,000, meaning the impact is now similar to that of smoking.
- 1.3 Furthermore, for the first time in the UK (possibly the world) air pollution has been recognised as a cause of a person's death. In December 2020, Southwark Coroner's Court in London found that air pollution "made a material contribution" to the death of nine-year-old Ella Adoo-Kissi-Debrah.
- 1.4 Ella had a rare type of acute asthma; she was particularly susceptible to the toxic gases and particles in air pollution. In his verdict, the coroner said the cause was "...multi-factorial. It was down to both genes, and the environment". From a legal perspective, although this decision does not have any binding impact on other courts, it is still important as the first formal legal recognition of air pollution as contributing to the death of a particular individual.
- 1.5 In accordance with our legal duties, Mid Devon has declared Air Quality Management Areas in Crediton and Cullompton due to exceedances of air quality standards leading to the adoption and implementation of an Air Quality Action Plan. For context, Ella had lived near the South Circular Road in Lewisham and died in 2013, following an asthma attack. Pollution at this location also exceeded statutory air quality objectives, but at an order of magnitude higher than any levels recorded in Mid Devon.

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

- 2.1 As previously reported to members in March 2021 (Community PDG), there are twenty-one measures identified in the current Air Quality Action Plan. The

measures range from small-scale projects such as car clubs, to large infrastructure projects such as the Cullompton Town Centre Relief Road.

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

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

- Review and redesign of our air quality monitoring network
- Commissioning 4 no. 'AQ Mesh' air quality monitoring devices. These are highly mobile, solar/battery powered lamp-post mounted instruments capable of real-time monitoring 24/7/365 for nitrogen oxides and particulate matter. They provide a cost-effective but significant strengthening of our monitoring capabilities and will be used flexibly to support our development of Action Plan measures in each air quality management area and assessment work in relation to new major development proposals
- Crediton Traffic and Urban Realm Feasibility Study
- A comprehensive Low Emission Strategy for Cullompton – this will link to the assessment work on the town centre relief road and provide a wider plan for further improvements in the town

### 3.0 **Action Plan update 2021**

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

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

- 3.3 In summary, the Air Quality project funding enabled the delivery of three interconnected projects or work-streams as follows:
- Project 1 – Air Quality Action Plan (AQAP) Update
  - Project 2 - Update to the Supplementary Planning Document on Air Quality and Development
  - Project 3 – Mid Devon Air Quality Sensor (monitoring) Data and Public Reporting
- 3.4 Due to the specialist nature of this work and the need for independent technical and quality assurance to meet Defra requirements, Ricardo Energy and Environment were commissioned to complete this work, supported extensively by officers as required.
- 3.5 Ricardo have in-depth experience in preparing AQAPs and SPDs for local authorities throughout the UK, including AQAPs recognised as examples of good practice by Defra and the Devolved Administrations. The Ricardo project delivery team comprised several specialists, all of whom have worked on the previous LAQM work packages for MDDC, and have extensive experience in supporting other local authorities across the UK in the development of AQAPs and associated LAQM work.
- 3.6 In early 2021, Ricardo completed a review and working draft of the AQAP report which included an updated source apportionment analysis (detailed breakdown of pollutant sources for action planning purposes), review of existing policies and preparation of a provisional (long) list of measures.
- 3.7 As set out to members of the PDG in March (see update report), the next steps were to confirm the provisional list of measures and hold the core steering group meeting to assess which measures are taken forward in the AQAP process.
- 3.8 The specific make-up of the core steering group was discussed in March and include officers from relevant internal services, a member representative of this PDG and external bodies:
- Corporate Manager for Public Health, Regulation and Housing
  - Public Health – air quality management and licensing representatives
  - Forward Planning – Principal Planning Officer
  - Carbon and climate change lead officer
  - Cllr John Downes – CPDG representative
  - Cllr Dennis Knowles – Cabinet lead



- Crediton Town Council – nominated representative
- Cullompton Town Council – nominated representative
- Devon County Council – Senior Highways representative
- Ricardo Energy and Environment - consultants

#### **4.0 Air Quality Action Plan workshop and consultation**

- 4.1 Prior to meeting in June, the workshop group engaged in a remote survey to review the initial long-list of measures and enable any additional, proposed measures to be identified. Full details of this process and the feedback from stakeholders is set out in Appendix A of the AQAP.
- 4.2 In June, the workshop group then met to review and refine the long-list of measures and reduce these to a confirmed shortlist. This subsequently formed the basis of a draft, updated AQAP which was further consulted upon with the workshop stakeholder group over the summer period.
- 4.3 Following completion of the work of the group and further development of the plan by Ricardo, a wider public consultation on the draft, updated AQAP was completed by MDDC in September – October 2021
- 4.4 The external and public consultation commenced on the 20 September 2021 and was completed via a dedicated web-site page which can currently still be viewed at <https://www.middevon.gov.uk/your-council/consultation-involvement/current-consultations/>

This page set out a summary of the AQAP and invited comment and response via a web link. This was contextualised against three broad priorities and nine topics within the plan:

- **Priority 1 – Tackling NO<sub>2</sub> hotspots**
- **Priority 2 – Improving the overall air quality across Mid Devon**
- **Priority 3 – Managing PM<sub>2.5</sub> (ultra-fine particulates) exposure**

Topics:

- Alternatives to private vehicle use
- Freight and delivery management
- Policy guidance and development control
- Promoting low emission transport
- Promoting travel alternatives
- Public information

- Transport planning and infrastructure
- Traffic management
- Vehicle fleet efficiency

A link to the full AQAP and more about how to respond in writing if preferred was included on the page. This page was accompanied by a media press release that was also circulated to all members internally and to all town and parish councils.

- 4.5 In addition to the above, a targeted email was sent to those external organisational contacts involved in the workshop as well as neighbouring Local Authorities and Public Health England in order to meet Defra consultation requirements.
- 4.6 The consultation through all channels closed on the 11 October 2021.
- 4.7 Despite a three-week consultation period and a tailored, but extensive, consultation exercise only one response was received. This may be indicative of the positive, early stakeholder engagement in the plan development. It may also reflect a general, wide support for the AQAP and its proposals (comments are typically provided if people object rather than approve of change). Another, less positive factor, may also be the relative breadth and technical nature of the document, containing several themes with a detailed air pollution source apportionment and some 25 specific measures. The document must also be structured within a prescribed Defra template which is designed to present information as required to Government as opposed to being a bespoke, public-facing document.
- 4.8 The single respondent was a member of the public and their full response is set out in Annex 2 of this report with all comments provided in full/verbatim as received but with any personal data removed. A response by the lead officer (Corporate Manager) is also set out in the Annex.
- 4.9 As a result of the final consultation exercise there have been no further technical amendments to the proposed updated AQAP as attached.
- 5.0 **Supplementary Planning Document (SPD)**
- 5.1 The SPD is an important, added document that sits alongside our adopted AQAP, specifically in relation to the management of potential air quality impacts arising from new development across the district including the two district AQMAs at Crediton and Cullompton.

5.2 Following internal review with both the Public Health and Forward Planning Teams including Development Management colleagues, a draft, updated Air Quality SPD has been prepared by Ricardo in October 2021.

5.3 In summary, the purpose of the SPD document is to:

1. Provide guidance on the relevant policies adopted in the Mid Devon Local Plan 2013 – 2033 in relation to air quality
2. Assist developers in determining when an air quality assessment is required for a new development
3. Provide guidance through the emissions and air quality assessment procedures
4. Identify suitable mitigation measures to be included at the planning stage and set out the relationship with the adopted AQAP

5.4 The following timeline has been agreed with the Forward Planning team in order to move forward with the formal SPD consultation and adoption requirements

- By end of year 2021, draft HRA (Habitats Regulations Assessment) and SEA (Strategic Environmental Assessment) as required to accompany the SPD (Forward Planning with some input from Ricardo)
- Agree consultation materials with Comms team. Once agreed Forward Planning to discuss regulatory requirements
- January 2022 PPAG (Planning Policy Advisory Group) and Cabinet – Corporate Manager to lead with Forward Planning support
- February 2022 (potentially into March 2022) – minimum 4-week consultation with allowance for 6-weeks if members require this
- March/April 2022 – process representations. Summary of key points provided to Ricardo. Ricardo update SPD where relevant
- April/May 2022 – PPAG and Cabinet for Adoption (Corporate Manager lead)
- May/June 2022 – Place adoption materials on website and notify stakeholders

## 6.0 Recommendations

6.1 That the PDG recommends to Cabinet that the updated Air Quality Action Plan attached in Annex 1 of this report is adopted.

6.2 That the PDG note the details and timeline for the adoption of the updated Air Quality Supplementary via the Planning Policy Development Group and Cabinet as set out in Section 5.3 of the report.

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

**Circulation of the Report:**

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

**List of Background Papers:**

*MDDC and Crediton Town Council:*

Mid Devon Air Quality Action Plan 2017-21  
(<https://www.middevon.gov.uk/media/345645/aqap-mid-devon-district-council-2017.pdf>)

Cabinet 31st January 2019, 30th May 2019 - Housing Infrastructure Fund  
Community PDG 23<sup>rd</sup> March 2021– Air Quality Action Plan update

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

*National legislation, Strategy and Guidance:*

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

Local Air Quality Management Statutory Policy Guidance  
(<https://www.gov.uk/government/publications/local-air-quality-management-policy-guidance-pg09>)  
National Clean Air Strategy 2019 (DEFRA)  
(<https://assets.publishing.service.gov.uk/./clean-air-strategy-2019.pdf>)

*Air quality and public health:*

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

([https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/734799/COMEAP\\_NO2\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/734799/COMEAP_NO2_Report.pdf))

European Heart Journal report on Cardiovascular Disease and Air Pollution 2019

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

**Annex 1 – Updated Air Quality Action Plan (v1.2 August 2021 – attached separately)**

## Annex 2 - Summary of the final Air Quality Action Plan consultation responses and outcomes

### Responses (verbatim)

No.	Consultee type	Open field	Comments and outcomes
1	Member of the Public	<p><i>Good evening,</i></p> <p><i>I read the Action Plan with interest and was surprised that air quality associated with the storage, spreading and transport of cattle slurry, chicken waste and pig manure was not included. As a resident of a village which is experiencing ever increasing levels of air pollution due to the smell caused by intensive farming I would like this issue to be part of the consultation.</i></p> <p><i>Please could you confirm that this would be possible.</i></p>	<p>The dominant and key emissions associated with animal livestock production and animal waste storage are essentially greenhouse gases (GHGs - methane and nitrous oxide) alongside ammonia. Whilst impactful in terms of climate change they are not specific pollutants included within the scope of the Part IV of the Environment Act 1995 for Local Air Quality Management (LAQM regime). As a result the Council's statutory AQAP cannot include measure to tackle non-LAQM pollutants.</p> <p>The AQAP must focus on those sources set out in the AQAP source apportionment relevant to local air quality pollutants of concern within our district Air Quality Management Areas – therefore Nitrogen dioxide and particulate matter largely associated with road transport sources.</p> <p>The Government's Clear Air Strategy and other climate change policies do seek to separately address emissions of GHGs from agricultural sources.</p> <p>Furthermore, odour is a potential statutory nuisance under the Environmental Protection Act 1990 and as such the Council has existing powers to assess specific concerns if relevant under this legislation.</p>



## Mid Devon District Council Air Quality Action Plan

In fulfilment of Part IV of the  
Environment Act 1995  
Local Air Quality Management

August 2021



Local Authority Officer	Simon Newcombe
Department	Public Health and Housing Options /Corporate Management Team
Address	Mid Devon District Council Phoenix House Phoenix Lane Tiverton EX16 6PP
Telephone	01884 255255
E-mail	<a href="mailto:snewcombe@middevon.gov.uk">snewcombe@middevon.gov.uk</a>
Report Reference number	MDDC AQAP 2021 ConsultDraft v1.1
Date	August 2021

## Executive Summary

This Air Quality Action Plan (AQAP) has been produced as part of our statutory duties required by the Local Air Quality Management framework. It outlines the actions we will take to improve air quality in Mid Devon between 2021 – 2025.

This AQAP replaces the previous Plan which ran from 2017 – 2021. Projects delivered through the past AQAP include:

- Implementation of taxi licensing conditions
- Air quality assessment of Crediton traffic management schemes
- Development of a Low Emission Strategy for Cullompton
- Completion of a Cullompton / Wellington rail link feasibility study
- Review of the current monitoring in the region
- Review of MDDC planning policies
- Exploration of alternative parking and traffic flow measures

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. The impact of poor air quality on less affluent areas is also a concern as studies have shown these communities can be disproportionately impacted by pollution emissions.<sup>1,2</sup>

The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion.<sup>3</sup> Mid Devon District Council is committed to reducing the exposure of people in Mid Devon to poor air quality in order to improve health.

We have developed actions that can be considered under nine broad topics:

- Alternatives to private vehicle use
- Freight and delivery management
- Policy guidance and development control
- Promoting low emission transport

<sup>1</sup> Environmental equity, air quality, socioeconomic status and respiratory health, 2010

<sup>2</sup> Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

<sup>3</sup> Defra. Abatement cost guidance for valuing changes in air quality, May 2013

- Promoting travel alternatives
- Public information
- Transport planning and infrastructure
- Traffic management
- Vehicle fleet efficiency

Our priorities are to protect our citizens from the harmful impacts of poor air quality by reducing concentrations of NO<sub>2</sub> to within legal limits and beyond, in all areas of the district where the population is at risk to exposure. Alongside this objective, MDDC are also committing to reducing levels of all pollutants in ambient air, with a focus on PM<sub>2.5</sub>.

In this AQAP we outline how we plan to effectively tackle air quality issues within our control. However, we recognise that there are a large number of air quality policy areas that are outside of our influence (such as vehicle emissions standards agreed in Europe), but for which we may have useful evidence, and so we will continue to work with regional and central government on policies and issues beyond Mid Devon District Council's direct influence.

### Responsibilities and Commitment

This AQAP was prepared by the Environmental Protection Department of Mid Devon District Council with the support and agreement of the following officers and departments:

- Simon Newcombe (Corporate Manager for Public Health, Regulatory Services and Housing, MDDC)
- Cllr Dennis Knowles (Cabinet Member for Community Wellbeing, MDDC)
- Joy Norris (Town Clerk, Cullompton Town Council)
- Poie-Yee Li (Principal Forward Planning Officer, MDDC)
- Rachel Avery (Town Clerk, Crediton Town Council)
- Stuart Jarvis (Principal Transport Planning Officer, Devon County Council)
- Tanya Wenham (Operations Manager Public Health, MDDC)
- Tom Keating (Lead Licensing Officer, MDDC)

## Mid Devon District Council AQAP

- Cllr John Downes (Crediton Town Council, Environment Policy Development Group, Waste Management Efficiency Committee, Planning Committee, MDDC)
- Jason Ball (Climate and Sustainability Specialist, MDDC)

This AQAP has been approved by: (Date of Cabinet meeting to be inserted)

The final version of this plan will be reviewed by the MDDC Community Policy Development Group for subsequent recommendation for formal adoption by the MDDC Cabinet'

This may also include support from relevant senior officers within the transport and public health functions of Devon County Council.

This AQAP will be subject to an annual review, appraisal of progress and reporting to the MDDC Community Policy Development Group. Progress each year will be formally reported in the Annual Status Reports (ASRs) produced by Mid Devon District Council, as part of our statutory Local Air Quality Management duties, provided to Defra for appraisal.

If you have any comments on this AQAP please send them to Tanya Wenham at:

Public Health

Mid Devon District Council

Phoenix House

Phoenix Lane

Tiverton

EX16 6PP

01884 255255

[health@middevon.gov.uk](mailto:health@middevon.gov.uk)

# Table of Contents

<b>Executive Summary .....</b>	<b>i</b>
Responsibilities and Commitment .....	ii
<b>Introduction.....</b>	<b>1</b>
Summary of Current Air Quality in Mid Devon.....	2
Mid Devon District Council's Air Quality Priorities .....	5
Public Health Context .....	5
Planning and Policy Context .....	6
Regional planning and policy context.....	6
<i>Devon Climate Emergency</i> .....	6
Local planning and policy context .....	7
Source Apportionment .....	15
Required Reduction in Emissions .....	16
Key Priorities .....	26
<b>Development and Implementation of Mid Devon District Council's AQAP .....</b>	<b>28</b>
Consultation and Stakeholder Engagement .....	28
Steering Group .....	28
<b>AQAP Measures.....</b>	<b>29</b>
<b>Appendix A: Response to Consultation .....</b>	<b>37</b>
<b>Appendix B: MDDC Local Plan Key Policies.....</b>	<b>46</b>
<b>Appendix C: Source Apportionment.....</b>	<b>50</b>
<b>Appendix D: Longlist of actions.....</b>	<b>53</b>
<b>Glossary of Terms .....</b>	<b>61</b>

## List of Tables

Table 1 – National Air Quality Objectives (NAQO) for NO <sub>2</sub> , PM <sub>10</sub> and PM <sub>2.5</sub> .....	2
Table 2 – Nitrogen dioxide concentrations measured at locations with exceedances and the required reduction in NO <sub>x</sub> emissions from road traffic to achieve compliance .....	17
Table 3 – Nitrogen dioxide concentrations measured at locations with exceedances and the required reduction in NO <sub>x</sub> emissions from road traffic to achieve 10% below compliance .....	17
Table 4 – NO <sub>x</sub> concentrations for major vehicle types, calculated using measured road NO <sub>x</sub> concentrations (derived from NO <sub>x</sub> to NO <sub>2</sub> calculator).....	18
Table 5 – Contribution of PM <sub>10</sub> concentrations from major vehicle types, calculated using measured road PM <sub>10</sub> concentrations.....	19
Table 6 – NO <sub>x</sub> source apportionment by background and vehicle type (road transport emissions from major roads) at monitoring locations within MDDC (µg.m <sup>-3</sup> ) for the baseline fleet, 2019 (NO <sub>2</sub> concentrations derived from the NO <sub>x</sub> to NO <sub>2</sub> calculator) .....	21

Table 7 – PM <sub>10</sub> source apportionment by background and vehicle type (road transport emissions from major roads) at monitoring locations within MDDC (µg.m <sup>-3</sup> ) for the baseline fleet, 2019 .....	23
Table 8 – PM <sub>2.5</sub> source apportionment by background and vehicle type (road transport emissions from major roads) at all monitoring locations within MDDC (µg.m <sup>-3</sup> ) for the baseline fleet, 2019 .....	25
Table 9 – Consultation Undertaken .....	28
Table 10 – Air Quality Action Plan Measures .....	30
Table A. 1 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Develop a priority matrix of low emission vehicle options for MDDC’s vehicle fleet.....	37
Table A. 2 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Upgrade MDDC’s vehicle fleet.....	38
Table A. 3 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: MDDC staff travel strategy .....	38
Table A. 4 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Low emission taxi programme .....	39
Table A. 5 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Upgrade / retrofit buses .....	40
Table A. 6 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Electric vehicle strategy including development of EV charging network.....	40
Table A. 7 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Fleet recognition scheme .....	41
Table A. 8 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Clean air campaign .....	42
Table A. 9 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Solid fuel burning public information campaign.....	43
Table A. 10 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Anti-idling campaign.....	44
Table A. 11 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Promote data captured from the AQ monitoring network .....	44
Table A. 12 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Promotion of Car Share Devon scheme .....	45
Table B. 1 – Strategic policies .....	46
Table B. 2 – Site allocation policies .....	47
Table B. 3 – Sustainable development principles .....	49
Table C. 1 – NO <sub>x</sub> source apportionment for all road transport and background at all monitoring locations within MDDC (%) for the baseline fleet, 2019 .....	50
Table C. 2 – PM <sub>10</sub> source apportionment for all road transport and background at all monitoring locations within MDDC (%) for the baseline fleet, 2019 .....	51
Table C. 3 – PM <sub>2.5</sub> source apportionment for all road transport and background at all monitoring locations within MDDC (%) for the baseline fleet, 2019 .....	52

## List of Figures

Figure 1 – Monitoring locations across MDDC, including the Crediton and Cullompton AQMAs .....	15
--	----

Figure 2 – Stacked bar chart showing NO <sub>x</sub> source apportionment for all road transport and background for monitoring locations within MDDC (%), for the baseline fleet, 2019.....	20
Figure 3 – Stacked bar chart showing PM <sub>10</sub> source apportionment by background and vehicle type (road transport emissions from major roads) for monitoring locations within MDDC (%), for the baseline fleet, 2019 .....	22
Figure 4 – Stacked bar chart showing PM <sub>2.5</sub> source apportionment by background and vehicle type (road transport emissions from major roads) for each monitoring location within MDDC (%), for the baseline fleet, 2019 .....	24

DRAFT



## Introduction

This report outlines the actions that Mid Devon District Council (MDDC) will deliver between 2021 – 2025 in order to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the Mid Devon area.

It has been developed in recognition of the legal requirement on the local authority to work towards Air Quality Strategy (AQS) objectives under Part IV of the Environment Act 1995 and relevant regulations made under that part and to meet the requirements of the Local Air Quality Management (LAQM) statutory process.

This Plan will be reviewed every five years at the latest and progress on measures set out within this Plan will be reported on annually within Mid Devon's air quality ASR.

DRAFT

## Summary of Current Air Quality in Mid Devon

Air pollution is associated with a number of adverse health impacts. It is recognised as a contributing factor in the onset of heart disease and cancer. Additionally, air pollution particularly affects the most vulnerable in society: children and older people, and those with heart and lung conditions. The impact of poor air quality on less affluent areas is also a concern as studies have shown these communities can be disproportionately impacted by pollution emissions<sup>4,5</sup>.

The annual health cost to society of the impacts of particulate matter alone in the UK is estimated to be around £16 billion<sup>6</sup>. Mid Devon District Council (MDDC) is committed to reducing the exposure of people in Mid Devon to poor air quality in order to improve health.

Mid Devon has undertaken regular reviews of ambient air quality, fulfilling its obligations set by Part IV of the Environment Act (1995). The act sets out the Local Air Quality Management (LAQM) process; which requires authorities to regularly review and assess ambient air quality and work towards a target limit value for concentrations of six pollutants in areas where the population is regularly exposed<sup>7</sup>. Following the enactment of the Environment Act, MDDC began a monitoring campaign to identify areas within the city that are in exceedance of the NAQS target limit values.

Table 1 provides details of the current National Air Quality Objectives (NAQO) for Nitrogen Dioxide (NO<sub>2</sub>) and Particulate Matter (PM<sub>10</sub> & PM<sub>2.5</sub>).

**Table 1 – National Air Quality Objectives (NAQO) for NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>**

Pollutant	Concentration	Objective
<b>Nitrogen Dioxide (NO<sub>2</sub>)</b>	200 µg.m <sup>-3</sup> not to be exceeded more than 18 times a year	1 hour mean
	40 µg.m <sup>-3</sup>	Annual mean
<b>Particulate matter, ≤ 10 µm (PM<sub>10</sub>)</b>	50 µg.m <sup>-3</sup> not to be exceeded more than 35 times a year	24 hour mean
	40 µg.m <sup>-3</sup>	Annual mean
<b>Particulate matter, ≤ 2.5 µm</b>	25 µg.m <sup>-3</sup>	Annual mean

<sup>4</sup> Environmental equity, air quality, socioeconomic status and respiratory health, 2010

<sup>5</sup> Air quality and social deprivation in the UK: an environmental inequalities analysis, 2006

<sup>6</sup> Defra. Abatement cost guidance for valuing changes in air quality, May 2013

<sup>7</sup> <https://uk-air.defra.gov.uk/air-pollution/uk-eu-limits>

Pollutant	Concentration	Objective
(PM <sub>2.5</sub> )	Target of 15% reduction in concentrations in urban background areas	

The main source of air pollution in Mid Devon is road traffic emissions from major roads, notably the M5, A373, A361, A377, A396 and A3126. Traffic emissions are a major source of nitrogen dioxide (NO<sub>2</sub>) and particulate matter of different size fractions (PM<sub>10</sub> and PM<sub>2.5</sub>). Other pollution sources, such as commercial, industrial and domestic, also contribute to pollutant concentrations.

In accordance with the LAQM process, MDDC declared two Air Quality Management Areas (AQMAs) as a result of areas where the population is exposed to concentrations of pollutants in exceedance of NAQOs. The two AQMAs are described in the declaration as the following<sup>8</sup>:

- **Cullompton AQMA** – An area encompassing the entire built-up area of the town of Cullompton was declared in December 2006. This AQMA is the result of exceedances of the annual mean NO<sub>2</sub> concentration NAQO.
- **Crediton AQMA** – An AQMA encompassing the majority of the built-up area of Crediton was declared in November 2004. This AQMA is the result of exceedances of the annual mean NO<sub>2</sub> concentration NAQO, as well as exceedances of the 24 hour mean PM<sub>10</sub> NAQO. However, Crediton AQMQ has had no exceedances of the 24 hour mean PM<sub>10</sub> NAQO in the five years prior to 2018, leading to the Council planning on revoking the AQMA for PM<sub>10</sub> and have decommissioned the automatic monitoring site.

In place of automatic monitoring sites, MDDC installed four indicative monitoring stations (AQMesh) in September/October 2019 for the purpose of highlighting any potential pollution hotspots. Two of these sites are located in Cullompton, and a further two in Crediton. Each monitoring site measures NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub>.

The most recent AQAP (2017) set out a number of actions which aimed to tackle air quality issues across Mid Devon, including those within the Council's control, and those beyond the direct influence of MDDC. Actions in the most recent Plan include:

- Alternatives to private vehicle use

<sup>8</sup>Mapped location and further details can be found from: [Local Authority Details - Defra, UK](#)

- Freight and delivery management
- Policy guidance and development control
- Promoting low emission transport
- Promoting travel alternatives
- Transport planning and infrastructure
- Traffic management
- Vehicle fleet efficiency

This AQAP builds on Ricardo's previous work in reviewing the current MDDC Air Quality Action Plan.<sup>9</sup> It details Mid Devon's new plan to reduce NO<sub>2</sub> concentrations in the two AQMA's and across the city, and also details further measures to reduce the level of PM<sub>2.5</sub>.

DRAFT

---

<sup>9</sup> Review of Mid Devon District Council Air Quality Action Plan, Ricardo Energy & Environment, June 2020

## Mid Devon District Council's Air Quality Priorities

### Public Health Context

There is increasing scientific evidence demonstrating the impact of poor ambient air quality on human health. In 2016, the Royal College of Physicians reported that exposure to poor air quality contributed to the equivalent of 40,000 deaths per year.<sup>10</sup> In 2018, the Committee on the Medical Effects of Air Pollutants (COMEAP) provided an updated report on the association between long-term exposure to increased levels of NO<sub>2</sub> and mortality, which estimated that between 28,000 and 36,000 premature deaths in the UK could be linked to air pollution every year<sup>11</sup>. The impact on the economy is estimated to be approximately £20 billion every year, through healthcare related costs and the loss of workplace productivity.

There are several air pollutants that may contribute to poorer health. In Mid Devon the primary pollutant of concern is NO<sub>2</sub>. Although there have been no exceedances reported in the 2020 Annual Status Report,<sup>12</sup> it does however highlight two diffusion tubes within 10% of the objective in Crediton (DT20) and Cullompton (DT12) AQMAs. At present, ambient concentrations of particulate matter in Mid Devon comply with air quality standards, hence the plans for the Crediton PM<sub>10</sub> AQMA to be revoked. However, this Plan will still consider measures to reduce exposure to PM.

The UK Government has responded to the latest research on the effects of PM<sub>2.5</sub>, which indicates there is no real safe threshold for the pollutant, by outlining aims to reduce concentrations below the World Health Organisation's (WHO) recommended limit values by 2030. At present, Mid Devon is under no statutory obligation to monitor PM<sub>2.5</sub> concentrations but is required to consider options for addressing emissions of PM<sub>2.5</sub> at a local level. Many of the measures implemented within this action plan, designed to target reductions in NO<sub>2</sub>, will also have co-benefits for reducing concentrations of particulate matter.

<sup>10</sup> <https://www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution>

<sup>11</sup> <https://www.gov.uk/government/publications/nitrogen-dioxide-effects-on-mortality>

<sup>12</sup> Mid Devon District Council 2020 Annual Status Report: [https://www.middevon.gov.uk/media/351850/mid-devon\\_asr\\_2020\\_final\\_i1.pdf](https://www.middevon.gov.uk/media/351850/mid-devon_asr_2020_final_i1.pdf)

## Planning and Policy Context

### Regional planning and policy context

#### *Devon and Torbay Local Transport Plan 3*

The Devon and Torbay Local Transport Plan 3 (LTP3)<sup>13</sup> is a 15-year plan, covering the period 2011 – 2026. The plan aims to deliver a transport system that can meet economic, environmental and social challenges. The five key objectives of the plan, which aim to develop a low carbon transport system that offers choice and encourages sustainable travel behaviour, are:

- Deliver and support new development and economic growth.
- Make best use of the transport network and protect the existing transport asset by prioritising maintenance.
- Work with communities to provide safe, sustainable and low carbon transport choices.
- Strengthen and improve the public transport network.
- Make Devon the ‘place to be naturally active’.

The Strategic Connections Strategy aims to:

1. Manage maintenance of the transport network.
2. Proactively address congestion and increased demand.
3. Support low carbon measures.
4. Promote sustainable communities.

#### *Devon Climate Emergency*

On 26<sup>th</sup> June 2019 our elected Members voted unanimously to support the ambitious cut in carbon emissions by signing the Devon Climate Declaration. The declaration acknowledges our need to understand the near-term and future risks for Mid Devon and beyond, and sets out the joint ambition with our partners to plan for how our infrastructure, public services and communities will have to adapt to a 1.5°C rise in global average temperature.

<sup>13</sup> Devon and Torbay Local Transport Plan 5, 2011 – 2026. Available from: <https://www.devon.gov.uk/roadsandtransport/traffic-information/transport-planning/devon-and-torbay-local-transport-plan-3-2011-2026/>

It was agreed that the Policy Development Group (PDG) for Environment would act as the initial owner of policy activity regarding Climate Change Emergency within the Council.<sup>14</sup>

## Local planning and policy context

### *Current MDDC AQAP*

The current MDDC AQAP<sup>15</sup> outlines the actions that the Council will take to improve air quality in Mid Devon 2017 – 2021. This plan aims to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the Mid Devon District area. Some AQAP priorities to be considered in the planning of future developments are:

- To work with Devon County Council and the key bus service providers to maximise patronage and link the bus routes more effectively.
- To improve the Electric Vehicle Charging Network through the installation of units at Council Parks or other appropriate locations and within design specifications for future housing developments (home charging).
- To support alternative forms of transport such as local car sharing schemes, e-bikes, cycles and local bus services that minimise personal car use.
- To adopt Local Plan Policies (Low emission strategies) and monitor their implementation in all future development applications.
- To expand and improve the local network of foot and cycle paths to facilitate a move towards walking or cycling as an alternative to car use for short to medium length journeys.
- To pro-actively engage all stakeholders with responsibility and or/interest in the development of roads, transport and infrastructure to ensure air quality is central to planning and delivery.
- To acknowledge that the car will remain the only alternative for some rural locations and to take this into consideration when making policy or undertaking measures that may directly or indirectly affect rural communities.

<sup>14</sup> Devon Climate Emergency. Available from: <https://www.middevon.gov.uk/residents/devon-climate-emergency/>

<sup>15</sup> Mid Devon District Council Air Quality Action Plan (2017). Available from: <https://www.middevon.gov.uk/media/345645/aqap-mid-devon-district-council-2017.pdf>

- To continue to monitor Mid Devon's two AQMAs and carry out mitigation strategies that will result in their removal from the register.

### **Mid Devon Local Plan 2013 – 2033**

The Mid Devon Local Plan 2013 – 2033<sup>16</sup> which was adopted in July 2020 supersedes the previous Local Plan which was adopted in three parts: The Core Strategy 2026 (Local Plan Part 1) adopted in 2007, the Allocations and Infrastructure Development Plan Document (AIDPD) (Local Plan Part 2) adopted in 2010 and the Local Plan Part 3: Development Management Policies, adopted in 2013.

As part of the spatial strategy, developments will be targeted to *“Protect and enhance the key environmental assets including heritage, biodiversity and air quality”* within Cullompton and other market towns.

A number of key strategies have been updated since the previous Local Plan, the following list provides information on the original policy and the more recently adopted policy. Where a policy has been replaced this document will explore the details of that specific policy.

- **AL/TIV/5** Eastern Urban Extension Carbon Reduction & Air Quality, deleted as covered by Development Management policies on renewable energy, air quality and transport and pollution (2013).
- **AL/CU/5** North West Cullompton Carbon Reduction & Air Quality, replaced by CU5 North West Cullompton Carbon Reduction and Air Quality.
- **AL/CU/15** Cullompton Air Quality, replaced in part by S11 Cullompton; also, each site allocation within Cullompton is required in their policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts.
- **AL/CRE/8** Crediton Air Quality, replaced in part by S12 Crediton CRE11 Crediton Infrastructure.
- **DM6** (LP part 3) Transport and Air Quality, replaced by DM3 Transport and air quality.

<sup>16</sup> MDDC Adopted Local Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan/>



The new Local Plan includes key policies which are related to air quality. An exhaustive list of the key policies can be found in Appendix B: MDDC Local Plan Key Policies. A summary of the key policies addressed in Appendix C can be found below. The policies identified within the Local Plan explore the relationship between the Local Plan and air quality impacts and mitigation. The policies can be split up into strategic policies, specific site allocation policies and sustainable development principles.

### **Strategic policies**

There are five strategic policies within the MDDC Local Plan which relate to air quality. They are the S1 Sustainable Development Priorities, S2 Amount and Distribution of Development, S8 Infrastructure, S11 Cullompton and S12 Crediton. The key message from this set of policies is to prevent and improve air quality issues within the area, specifically at Crediton and Cullompton. This is planned to be achieved by including new road linkages to relieve traffic congestion in town centres, improve infrastructure for new developments, to offer co-benefits for air quality and other planning objectives, and to implement monitoring to assess if pollutants have been reduced to a level where AQMAs can be withdrawn.

### **Site allocation policies**

There are three areas within Mid Devon which have been identified to include site allocation policies referencing air quality, they are Cullompton, Crediton and Tiverton. All three areas highlight policies to implement proposed developments accounting for the effects they will have on traffic congestion and subsequently air quality impacts. The developments include policies relating to transport provisions, such as a travel plans and non-traditional transport measures. Developments will also include carbon reduction and air quality impact assessments to help minimise the impacts of the development on the environment. As Cullompton and Crediton both have AQMAs there is a policy for both areas relating to infrastructure to help deliver air quality improvements within and adjacent to the AQMAs.

### **Sustainable development principles**

There are two sustainable development principles which relate to air quality in the Local Plan; DM3 Transport and Air Quality and DM4 Pollution. DM3 encompasses

developments which give rise to vehicular movement. If this is the case, the following documents are required to be submitted: Integrated Transport Assessment, Travel Plan, Traffic Pollution Assessment, and a Low Emissions Assessment. DM4 stipulates that any proposals that may negatively impact the environment must be accompanied by a Pollution Impact Assessment and implement mitigation schemes where necessary.

### ***Mid Devon Supplementary Planning Document on Air Quality and Development***

Mid Devon Supplementary Planning Document (SPD)<sup>17</sup> was developed using the following key local policies:

- Policy **AQ1**: Outlines the criteria for when an AQ Assessment will be required
- Policy **AQ2**: States that the effect of development upon air quality is a material consideration – impacts on AQ will help determine if development is approved
- Policy **AQ3**: Specific to Crediton (AQMA)
- Policy **AQ4**: Specific to Cullompton (AQMA)
- Policy **AQ5**: Covers any new AQMAs that may be declared in Mid Devon – new development in these areas must conform to the same rules as in Policy AQ1 and AQ2

The SPD sets out the policy framework for air quality management, highlights the importance of including air quality as a material planning consideration, sets out when an air quality assessment will be required and outlines the process for completing these assessments, outlines the Council's approach to using planning conditions and S106 agreements for air quality and sets out location specific measures.

The criteria for when an AQ assessment would be required in support of a proposed development takes account of the following characteristics:

- The development type (i.e. retail, office, industry, residential);
- The site area (ha);
- The gross floor area (m<sup>2</sup>) or number of units;
- Whether the facility would require an environmental permit;

<sup>17</sup> Supplementary Planning Document on Air Quality and Development (2008), Mid Devon District Council. Available from: [https://laqm.defra.gov.uk/documents/Mid\\_Devon\\_SPD.pdf](https://laqm.defra.gov.uk/documents/Mid_Devon_SPD.pdf)

- The requirement for an increase in the number of parking places;
- Whether the proposal would significantly alter the composition of traffic, increase congestion or lower vehicle speeds;
- Whether the proposed development is in an area of exceedance / AQMA, or if members of the public are likely to be exposed for long periods; and
- If a development is likely to impact upon the measures set out in the AQAP.

The SPD also provides a detailed checklist of what elements would be expected in an AQIA and describes MDDC's expectations regarding consultation with the Council throughout the application process. Regarding the assessment of significance of air quality impacts, the SPD refers to guidance provided by the NSCA (Development Control: Planning for Air Quality 2006) and presents a decision tree used by the Council. This decision tree identifies four potential outcomes when assessing significance: 'AQ an overriding consideration'; 'AQ a high priority consideration'; 'AQ a medium priority consideration'; and 'AQ a low priority consideration'. These outcomes will influence the likelihood of a proposal being refused and indicate the mitigation measures to be applied.

Policy AQ3 requires "New development in or adjoining Crediton and other settlements identified in policy COR 17 of the LDF Core Strategy that would lead to an increase in traffic that will have a worsening effect on air quality will be required to provide for mitigation through contribution to implement the Air Quality Action Plan". The SPD goes on to present the recommended contributions to the AQAP, depending on the nature of the development, which should be adjusted according to inflation.

The SPD demonstrates a good example of the types of guidance that should be made available to developers to ensure air quality impacts are managed appropriately. The SPD also adopts a strategic approach to encourage the adoption of mitigation measures, on the basis of the scale and type of development. However, many of the reference documents have been superseded, and several authorities have released examples of SPD since its publication in 2009. Potential improvements

to MDDC's air quality developer guidance were identified in the review of MDDC's Air Quality Planning Policies conducted by Ricardo Energy & Environment in 2019.<sup>18</sup>

### ***Crediton Traffic Management Schemes***

The primary source of air pollution in Crediton is vehicles using the A377, for this reason an AQMA was designated. There were concerns that new development in the region would lead to further air quality issues in the High Street area. In response to this, a study was commissioned by Crediton Town Council to define traffic management improvements for key roads in this area along with wider public realm improvements. Air quality modelling was conducted for annual and hourly NO<sub>2</sub> means for a 2019 baseline and a future scenario to assess the impacts of the proposed improvements. There were two key outcomes from this exercise:

1. The annual mean model results showed a significant decrease in NO<sub>2</sub> concentrations along the High Street.
2. All hourly mean NO<sub>2</sub> concentrations were well below the one hour mean NO<sub>2</sub> AQO of 200 µg.m<sup>-3</sup>, not to be exceeded more than 18 times a year.

### ***Cullompton Low Emission Strategy***

A significant new development has been proposed for Cullompton, including an extension to the north and west of the town and a completely new 'Garden City' to the east of the M5. This new development has the potential to increase the risk of further air quality exceedance issues in and around the town, which is already designated as an AQMA for NO<sub>2</sub>. MDDC wished to explore the potential impact of these new developments on air quality in Cullompton and assess potential mitigation measures.

The LES presented a package of measures designed to achieve a long-term, sustainable transition to a low emission future for the District, reflecting the priority emission sources and key sensitivities, resulting in benefits for air quality and climate change. These strategies were designed to focus on transport related emissions, although also incorporate broader policy areas.

In summary, the LES found:

---

<sup>18</sup> Review of Mid Devon District Council's Air Quality Planning Policies, Ricardo Energy & Environment, June 2020

- The largest reductions in annual NO<sub>x</sub> emissions across all the measures resulted from the upgrade of the Council's vehicle fleet across the Low, Medium and High scenarios.
- A freight recognition scheme and an electric vehicle strategy resulted in the smallest NO<sub>x</sub> reductions.
- Economic analysis eluded to all five measures demonstrating net present values (NPVs) when emissions assessments was included.
- The most positive NPVs were seen for the Council fleet improvements and low emission taxi scheme.
- The most promising scenario for the LES was the Medium scenario for the measure "Improvements to the Council fleet and Staff Travel Strategy". The upgrades to the Council fleet under the Medium scenario would be relatively ambitious to complete in a short timescale, but doable as the vehicles identified are all due for replacement by the year 2022. In addition, the emissions savings for this measure were the greatest compared to the other measures.
- The ECO Stars® scheme was also considered to be a promising measure despite the emissions savings being relatively small compared to the other measures. This measure is projected to result in a decrease in NO<sub>2</sub> concentrations at diffusion tube locations in Cullompton.
- The low emission taxi programme would provide a chance for the Council to regulate taxis, but also to encourage transition to lower emission alternatives with incentives. This measure was projected to result in the second greatest reduction in emissions of NO<sub>x</sub>, after the upgrade of the Council fleet.
- The electric vehicle strategy showed relatively low reductions in emissions of all pollutants, despite the High scenario being very ambitious. Despite a seemingly low reduction in emissions of NO<sub>x</sub>, the associated impact on air quality was very positive; projected to achieve a reduction in NO<sub>2</sub> concentrations of approximately 5% at diffusion tubes in Cullompton under the Medium scenario.
- Finally, the clean air campaign was considered to be implementable under the Low scenario for Cullompton alone, although as a county-wide campaign could achieve greater levels of funding. Even under the Low scenario, the

reduction in NO<sub>x</sub> emissions is greater than for most other measures. This measure is likely to complement a number of the other proposed actions, for example the EV strategy and ECO Stars® scheme. Therefore, the clean air campaign should also be a priority for the Council.

DRAFT

## Source Apportionment

Source apportionment allows us to gain a better understanding of the different sources of emissions in Mid Devon. Source apportionment calculations have been completed for 2019 using a combination of local modelling outputs and Defra background concentration maps at 15 monitoring locations across Crediton and Cullompton. For the nine monitoring locations (DT1, DT2, DT3, DT4, DT5, DT6, DT15, DT16 and DT17) where local modelling data was not available, a simplified source apportionment was performed based solely on the Defra background maps. The following sections cover in detail, any locations where either modelled or measured pollutant concentrations either exceed or fall within +/- 10% of the national objective. Figure 1 shows the locations where the detailed (local modelling and background map) and simple (background map) source apportionment was completed; these include the locations of the four AQMesh monitors deployed in the Crediton and Cullompton AQMAs.

**Figure 1 – Monitoring locations across MDDC, including the Crediton and Cullompton AQMAs**



## Required Reduction in Emissions

The source apportionment identified three locations where the NO<sub>2</sub> national objective was either exceeded or at risk of being exceeded, these locations were DT12 (8 Fore Street, Cullompton), DT20 (Duke of York, High Street, Crediton) and the AQMesh Little Bakery site in Cullompton.

The measured NO<sub>2</sub> concentration reported in the 2020 ASR (37.8 µg.m<sup>-3</sup>) was within 10% of the NAQO at DT12. NO<sub>2</sub> concentrations at DT20 were also within 10% of the NO<sub>2</sub> objective for both the modelled (38.2 µg.m<sup>-3</sup>) and measured (37.9 µg.m<sup>-3</sup>) data.

The AQMesh Little Bakery site has been chosen due to a measured period mean NO<sub>2</sub> concentration of 65.7 µg.m<sup>-3</sup>. In the case of the Little Bakery site, it is important to note that the period mean is representative of October 2019 and March 2020 and not a full year. This is because the AQMesh monitoring sites were installed in October 2019 and the national lockdown caused by the COVID-19 pandemic resulted in an abnormal reduction in travel from March 2020.

It is important to note that the uncertainties of air quality measurements using sensor technology is not to the same standard as conventional measurement systems. At this moment, there are no accepted standard methods or technical specifications to quantify the performance or measurement uncertainty of these sensor systems. Ricardo Energy & Environment was commissioned to install these monitors. Ricardo is heavily involved in the development of these standards in a European Working Group and uses the agreed best practices from the Group in the operation of its sensor systems in the UK. With these quality control procedures in place, we estimate measurement uncertainty to be in the region of ±30% for NO<sub>2</sub> and PM. Limits of detection are in the region of 10 ppbv for NO<sub>2</sub> and 10 µg.m<sup>-3</sup> for PM.

All three locations have been used to determine the required NO<sub>x</sub> emissions reductions from road transport. The reductions in NO<sub>x</sub> concentrations required to meet the NO<sub>2</sub> objective of 40 µg.m<sup>-3</sup> have been calculated using monitoring data from the three locations, in accordance with Section 7.86 (and Box 7.6) of the Technical Guidance LAQM (TG16). The required NO<sub>x</sub> reductions from road traffic to achieve compliance at these three locations are presented in Table 2. Table 3 presents the required NO<sub>x</sub> reductions from road traffic to achieve 10% below compliance at the same locations.



The same methodology has been applied as a result of the PM<sub>10</sub> national objective being exceeded at the AQMesh Church site in Crediton. Again, this is representative of a precautionary approach as monitoring data was restricted to between October 2019 and March 2020.

**Table 2 – Nitrogen dioxide concentrations measured at locations with exceedances and the required reduction in NO<sub>x</sub> emissions from road traffic to achieve compliance**

Site name	NO <sub>2</sub> measured at sampling site, 2019, $\mu\text{g.m}^{-3}$	NO <sub>x</sub> background, $\mu\text{g.m}^{-3}$	Roadside NO <sub>x</sub> from NO <sub>2</sub> calculator, $\mu\text{g.m}^{-3}$	Road NO <sub>x</sub> to achieve compliance, $\mu\text{g.m}^{-3}$	Road NO <sub>x</sub> reduction required, $\mu\text{g.m}^{-3}$	Percentage road NO <sub>x</sub> reduction, %
DT12	37.8	6.1	66.5	71.6	N/A	N/A
DT20	37.9	6.0	66.9	71.8	N/A	N/A
AQMesh Little Bakery	65.7	6.3	138.9	71.4	67.5	48.6

**Table 3 – Nitrogen dioxide concentrations measured at locations with exceedances and the required reduction in NO<sub>x</sub> emissions from road traffic to achieve 10% below compliance**

Site name	NO <sub>2</sub> measured at sampling site, 2019, $\mu\text{g.m}^{-3}$	NO <sub>x</sub> background, $\mu\text{g.m}^{-3}$	Roadside NO <sub>x</sub> from NO <sub>2</sub> calculator, $\mu\text{g.m}^{-3}$	Road NO <sub>x</sub> to achieve 10% below compliance, $\mu\text{g.m}^{-3}$	Road NO <sub>x</sub> reduction required, $\mu\text{g.m}^{-3}$	Percentage road NO <sub>x</sub> reduction, %
DT12	37.8	6.1	66.5	62.4	4.1	6.2
DT20	37.9	6.0	66.9	62.5	4.4	6.6
AQMesh Little Bakery	65.7	6.3	138.9	62.1	76.8	55.3

Table C. 1, Table C. 2 and Table C. 3 in Appendix C: Source Apportionment present the source apportionment in terms of percentage contribution of the major vehicle types to the total NO<sub>x</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> emissions respectively. These tables can be visualised in Figure 2 to 4. Similarly, Table 6, Table 7 and Table 8 show the source apportionment in terms of the absolute modelled concentrations (in  $\mu\text{g.m}^{-3}$ ) originating from these sources. It is important to note that there are expected differences between the road NO<sub>x</sub> absolute concentrations calculated through modelling and the road NO<sub>x</sub> absolute values calculated using the monitored values and the NO<sub>x</sub> to NO<sub>2</sub> calculator in Table 2 and Table 3. In order to determine the absolute NO<sub>x</sub> concentration values based on the measured data Table 4 applies the

percentage breakdown of major vehicle types given in Appendix C to the measured road NO<sub>x</sub>.

**Table 4 – NO<sub>x</sub> concentrations for major vehicle types, calculated using measured road NO<sub>x</sub> concentrations (derived from NO<sub>x</sub> to NO<sub>2</sub> calculator)**

Site name	Roadside NO <sub>x</sub> from NO <sub>2</sub> calculator	Petrol car	Diesel car	Buses	LGVs	Rigid HGVs	Artic HGVs	Motorcycles
DT12	66.5	3.5	29.5	4.4	18.6	7.5	2.9	0.1
DT20	66.9	2.4	32.4	8.3	17.3	4.9	1.5	0.1
AQMesh Little Bakery	138.9	7.4	61.6	9.1	38.9	15.6	6.3	0.2

At the road adjacent to AQMesh Little Bakery, diesel cars and LGVs represent the largest contribution of NO<sub>x</sub> emissions representing 39.4% and 24.9% of all NO<sub>x</sub> emissions respectively. Applying these percentages to the measured road NO<sub>x</sub> concentrations, these two vehicle types would account for 100.5 µg.m<sup>-3</sup> of NO<sub>x</sub> emissions. In order for NO<sub>2</sub> concentrations to be reduced to be in line with the national objective, a 67.5 µg.m<sup>-3</sup> reduction in road NO<sub>x</sub> is needed. Implementing a blend of measures which focus on a reduction of emissions in these two vehicle types will lead to the national objectives being met. Similarly, to reduce NO<sub>2</sub> concentrations to be 10% below the national objective a reduction of 76.8 µg.m<sup>-3</sup> road NO<sub>x</sub> would be needed, again this can be achieved by reducing emissions in these two vehicle categories.

The road adjacent to DT12 contributes 66.5 µg.m<sup>-3</sup> of road NO<sub>x</sub>, 44.4% of this is assigned to diesel cars, whilst a further 30.0% comes from LGVs. Applying these percentages to the measured NO<sub>x</sub> concentrations, these two vehicle types account for 29.5 µg.m<sup>-3</sup> and 18.6 µg.m<sup>-3</sup>. Since the NO<sub>2</sub> concentrations at DT12 are below the NO<sub>2</sub> national objective, we have calculated the reduction needed to be below the national objective by more than 10% (> 36 µg.m<sup>-3</sup>). In this case a reduction of 4.1 µg.m<sup>-3</sup> of road NO<sub>x</sub> concentrations would be needed and both Diesel and LGV vehicle types provide ample opportunity to reduce the necessary NO<sub>x</sub> concentrations.

Finally, the NO<sub>2</sub> concentration at DT20 is below the NO<sub>2</sub> national objective and therefore the necessary reduction in road NO<sub>x</sub> to achieve a NO<sub>2</sub> concentration below 36 µg.m<sup>-3</sup> will be identified. Similar to DT12, the largest contribution to road NO<sub>x</sub> was

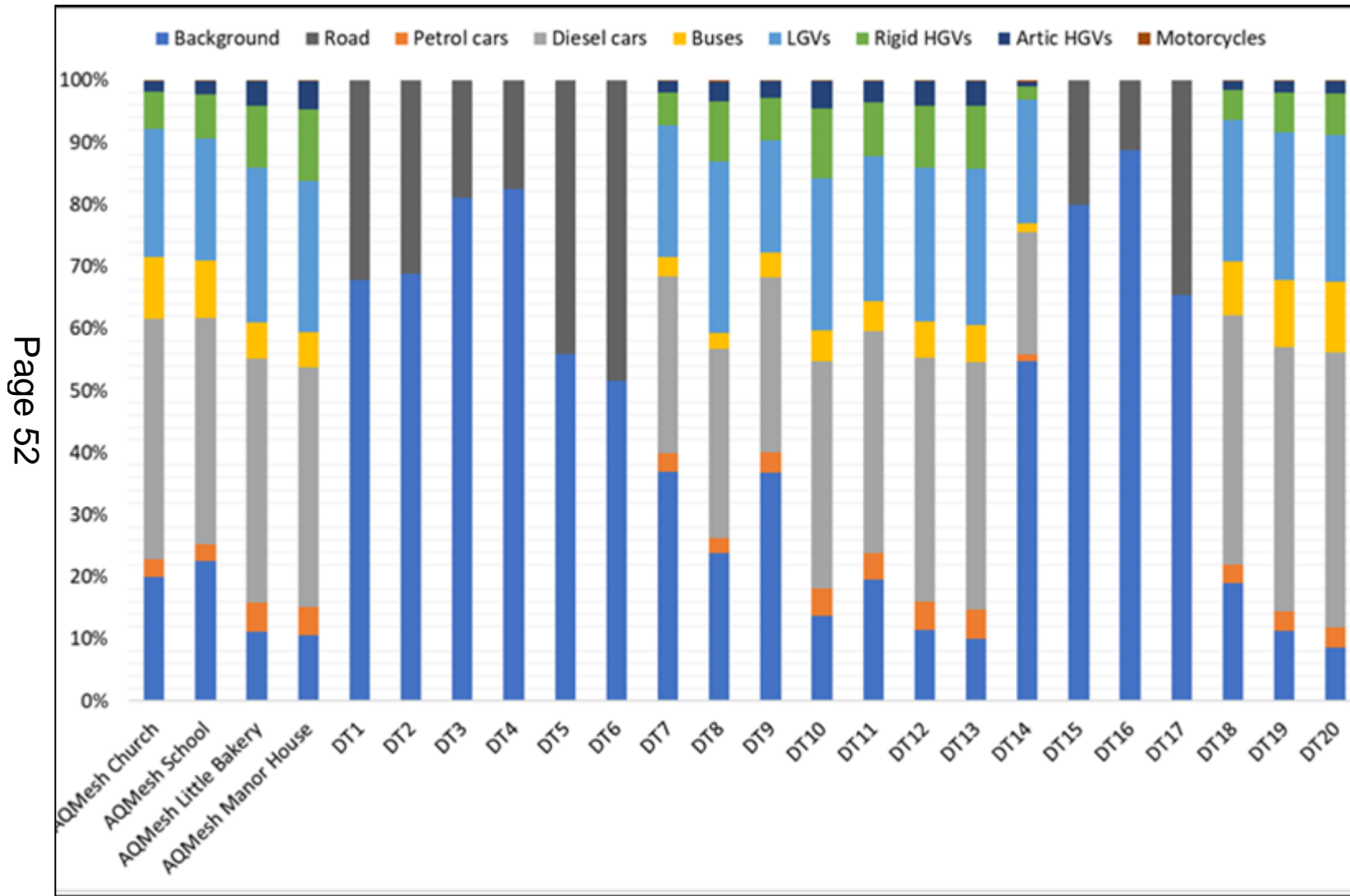
assigned as diesel cars and LGVs, contributing 48.4% and 25.8% respectively. Through application of these percentage contributions to the measured road NO<sub>x</sub>, an absolute NO<sub>x</sub> concentration value of 32.4 µg.m<sup>-3</sup> for diesel cars and 17.3 µg.m<sup>-3</sup> for LGVs was calculated. Therefore, a reduction in road NO<sub>x</sub> of 4.4 µg.m<sup>-3</sup> is required to achieve the required reduction to bring NO<sub>2</sub> concentrations below the national objective. As diesel cars represent almost 50% of the road NO<sub>x</sub> contributions, this vehicle type provides the best opportunity to reduce concentrations at this receptor.

Table 5 presents the measured PM<sub>10</sub> concentrations apportioned into the major road transport types using the percentage breakdown of these road transport types in Table C. 2. To achieve concentrations that comply with the PM<sub>10</sub> national objective, a reduction of 3.2 µg.m<sup>-3</sup> would be required. The largest PM<sub>10</sub> road contributions come from diesel cars (32.2%), petrol cars (24.9%) and LGVs (21.5%), representing PM<sub>10</sub> concentrations of 2.9 µg.m<sup>-3</sup> and 2.2 µg.m<sup>-3</sup> and 1.9 µg.m<sup>-3</sup> respectively. Measures for reducing PM<sub>10</sub> concentrations should therefore be focused on these three categories. To achieve PM<sub>10</sub> concentrations which fall below 10% of the national objective a reduction of 7.2 µg.m<sup>-3</sup> is required. In this case measures may also have to be extended to include buses.

**Table 5 – Contribution of PM<sub>10</sub> concentrations from major vehicle types, calculated using measured road PM<sub>10</sub> concentrations**

Site name	Measured roadside PM <sub>10</sub> (µg.m <sup>-3</sup> )	Contribution to measured roadside PM <sub>10</sub> (µg.m <sup>-3</sup> )						
		Petrol car	Diesel car	Buses	LGVs	rHGVs	aHGVs	Motorcycles
<b>AQMesh Church</b>	43.2	2.2	2.9	0.9	1.9	0.6	0.3	< 0.1

Figure 2 – Stacked bar chart showing NOx source apportionment for all road transport and background for monitoring locations within MDDC (%), for the baseline fleet, 2019



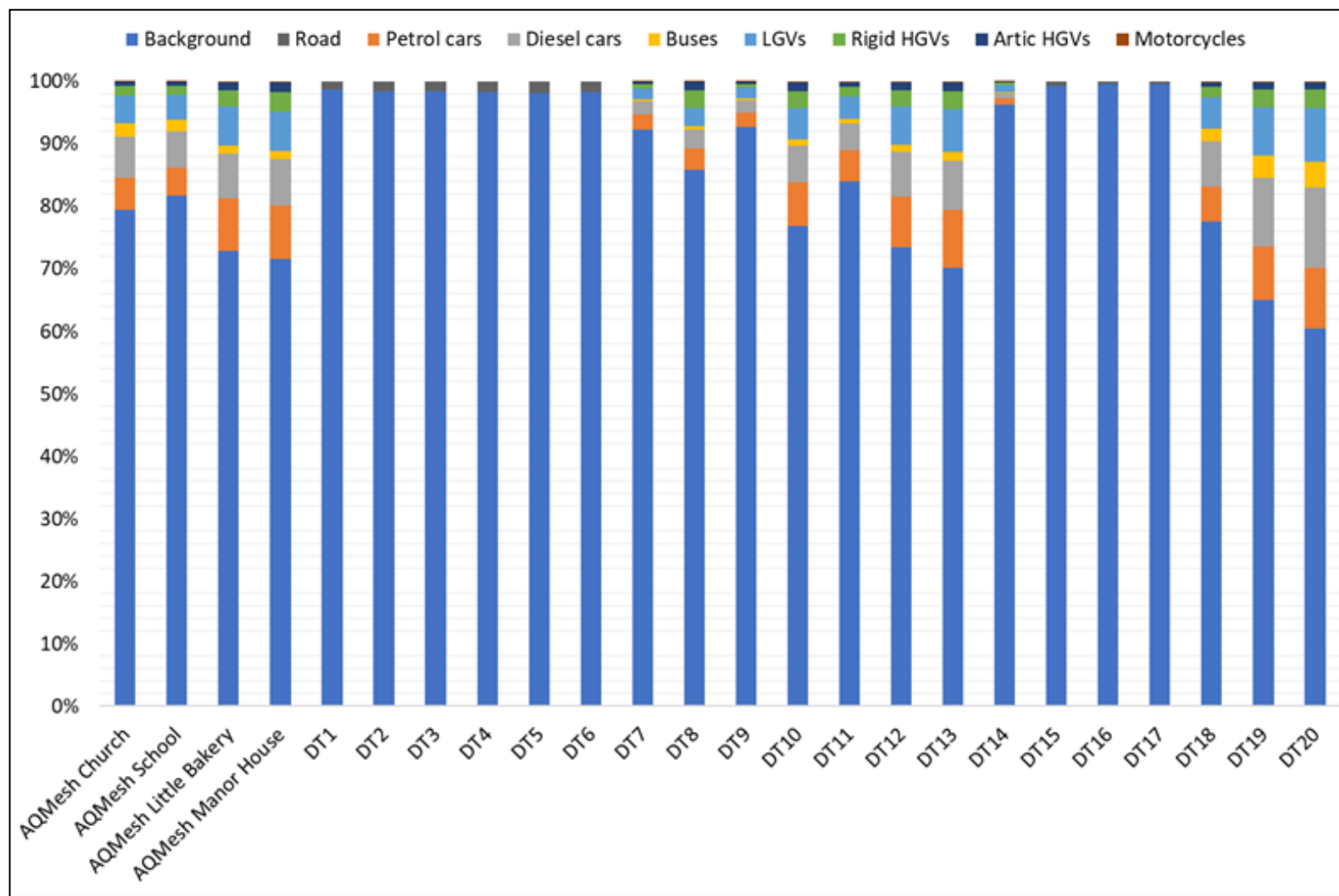
**Table 6 – NOx source apportionment by background and vehicle type (road transport emissions from major roads) at monitoring locations within MDDC ( $\mu\text{g.m}^{-3}$ ) for the baseline fleet, 2019 (NO<sub>2</sub> concentrations derived from the NOx to NO<sub>2</sub> calculator)**

Site name	Modelled background NOx concentration ( $\mu\text{g.m}^{-3}$ )	Modelled road transport NOx concentration ( $\mu\text{g.m}^{-3}$ ) broken down by vehicle type							Total modelled NOx concentration ( $\mu\text{g.m}^{-3}$ )	Total modelled NO <sub>2</sub> concentration ( $\mu\text{g.m}^{-3}$ )	Total measured NO <sub>2</sub> concentration ( $\mu\text{g.m}^{-3}$ )
		Petrol cars	Diesel cars	Buses	LGVs	Rigid HGVs	Artic HGVs	Motorcycles			
AQMesh Church <sup>19</sup>	6.6	0.9	12.7	3.3	6.8	1.9	0.6	< 0.1	32.9	19.2	35.3
AQMesh School	6.8	0.8	11.0	2.8	6.0	2.1	0.7	< 0.1	30.3	17.9	24.7
AQMesh Little Bakery	6.0	2.5	21.2	3.1	13.4	5.4	2.1	0.1	53.8	31.21	<b>65.7</b>
AQMesh Manor House	6.1	2.6	22.3	3.3	14.1	6.7	2.6	0.1	57.8	29.37	34.3
DT1	5.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	8.4	N/A	9.9
DT2	6.9	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10	N/A	8.7
DT3	7.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	9.5	N/A	17.2
DT4	11.1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	13.5	N/A	27.0
DT5	8.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	15.2	N/A	22.6
DT6	6.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12.8	N/A	20.3
DT7	5.7	0.5	4.4	0.5	3.3	0.8	0.3	< 0.1	15.4	9.91	12.9
DT8	6.3	0.6	8.0	0.7	7.3	2.5	0.8	0.1	26.3	15.77	15.6
DT9	6.1	0.6	4.7	0.7	3.0	1.1	0.4	< 0.1	16.6	10.56	9.9
DT10	6.3	2.0	16.7	2.2	11.2	5.1	2.0	0.1	45.5	25.46	24.8
DT11	6.1	1.3	11.1	1.5	7.3	2.7	1.0	< 0.1	31.0	18.23	32.4
DT12	6.1	2.5	20.9	3.1	13.2	5.3	2.1	0.1	53.2	29.08	<b>37.8</b>
DT13	6.0	2.9	24.1	3.6	15.2	6.1	2.4	0.1	60.4	32.42	33.9
DT14	5.6	0.1	2.0	0.2	2.0	0.2	0.1	< 0.1	10.3	7.1	15.9
DT15	5.1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6.4	N/A	28.9
DT16	5.6	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6.3	N/A	34.8
DT17	6.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	9.9	N/A	32.7
DT18	6.7	1.0	14.1	3.0	8.0	1.7	0.5	< 0.1	35.1	20.3	27.7
DT19	6.9	1.9	25.9	6.6	14.5	3.9	1.2	0.1	61.0	32.7	33.1
DT20	6.3	2.4	32.5	8.4	17.3	4.9	1.5	0.1	73.4	<b>38.2</b>	<b>37.9</b>

<sup>19</sup> Total measured NO<sub>2</sub> for both the AQMesh sites are based on the average from October 2019 to March 2020. This is because the AQMesh sites were only installed in October 2019 and the COVID-19 pandemic starting in March causing travel to be restricted to atypical levels.

**Figure 3 – Stacked bar chart showing PM<sub>10</sub> source apportionment by background and vehicle type (road transport emissions from major roads) for monitoring locations within MDDC (%), for the baseline fleet, 2019**

Page 54



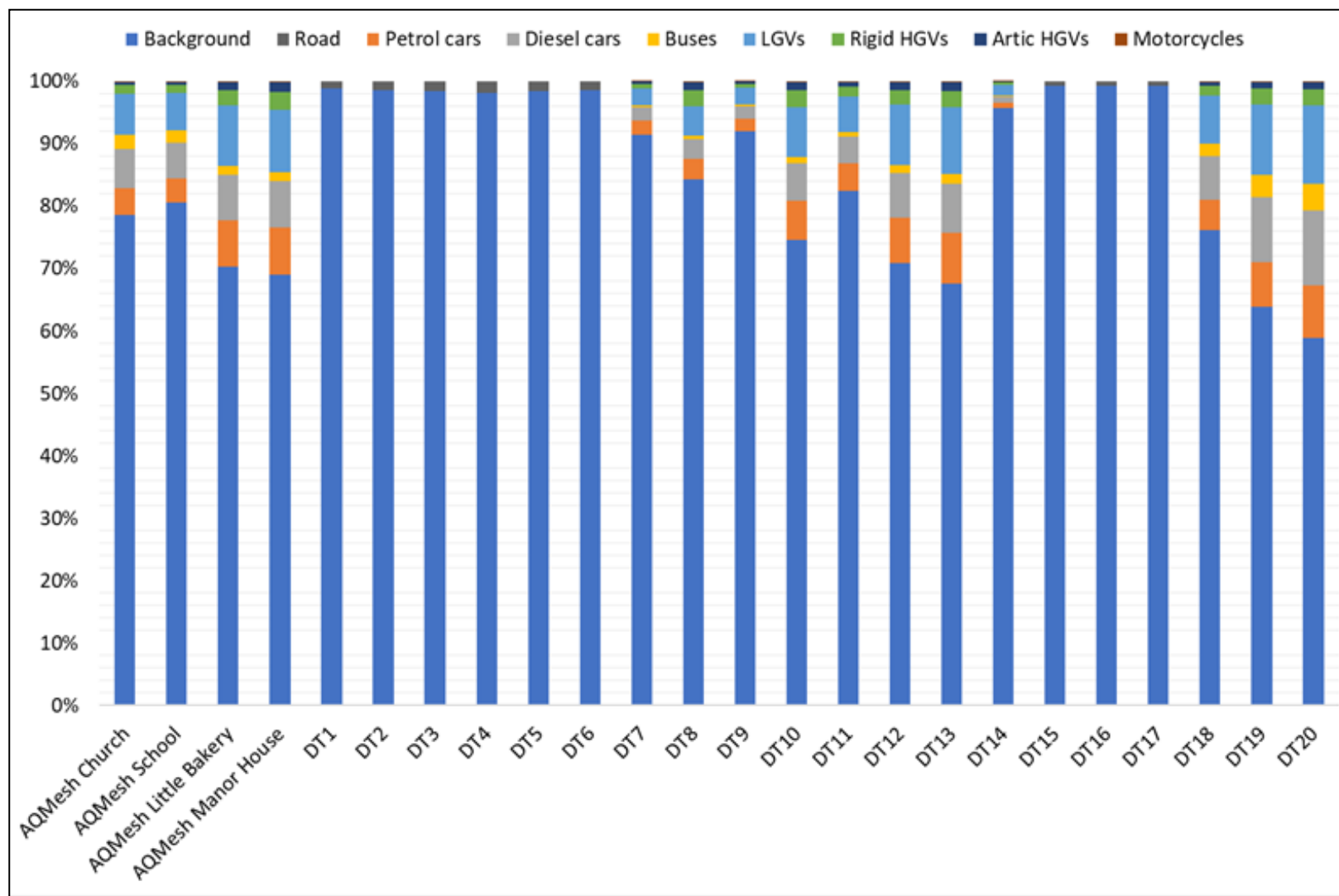
**Table 7 – PM<sub>10</sub> source apportionment by background and vehicle type (road transport emissions from major roads) at monitoring locations within MDDC (µg.m<sup>-3</sup>) for the baseline fleet, 2019**

Site name	Modelled background PM <sub>10</sub> concentration (µg.m <sup>-3</sup> )	Modelled road transport PM <sub>10</sub> concentration (µg.m <sup>-3</sup> ) broken down by vehicle type							Total modelled PM <sub>10</sub> concentration (µg.m <sup>-3</sup> )	Total measured PM <sub>10</sub> <sup>20</sup> concentration (µg.m <sup>-3</sup> )
		Petrol cars	Diesel cars	Buses	LGVs	Rigid HGVs	Artic HGVs	Motorcycles		
AQMesh Church <sup>21</sup>	9.9	0.6	0.8	0.3	0.6	0.2	0.1	< 0.1	12.5	<b>43.2</b>
AQMesh School	9.9	0.5	0.7	0.2	0.5	0.2	0.1	< 0.1	12.1	24.2
AQMesh Little Bakery	12.1	1.4	1.2	0.2	1.0	0.4	0.2	< 0.1	16.6	26.3
AQMesh Manor House	12.2	1.5	1.3	0.2	1.1	0.5	0.3	< 0.1	17.1	29.0
DT1	10.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10.3	N/A
DT2	10.4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10.5	N/A
DT3	10.3	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10.5	N/A
DT4	10.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10.9	N/A
DT5	12.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12.5	N/A
DT6	11.8	N/A	N/A	N/A	N/A	N/A	N/A	N/A	12.1	N/A
DT7	12.0	0.3	0.3	< 0.1	0.2	0.1	< 0.1	< 0.1	13.0	N/A
DT8	11.4	0.5	0.4	0.1	0.4	0.4	0.2	< 0.1	13.3	N/A
DT9	11.2	0.3	0.2	< 0.1	0.2	0.1	< 0.1	< 0.1	12.0	N/A
DT10	12.6	1.2	1.0	0.2	0.8	0.5	0.2	< 0.1	16.4	N/A
DT11	12.3	0.7	0.6	0.1	0.5	0.2	0.1	< 0.1	14.6	N/A
DT12	12.2	1.4	1.2	0.2	1.0	0.4	0.2	< 0.1	16.6	N/A
DT13	12.1	1.6	1.4	0.2	1.2	0.5	0.2	< 0.1	17.2	N/A
DT14	11.6	0.1	0.1	< 0.1	0.1	< 0.1	< 0.1	< 0.1	12.1	N/A
DT15	9.9	N/A	N/A	N/A	N/A	N/A	N/A	N/A	9.9	N/A
DT16	9.4	N/A	N/A	N/A	N/A	N/A	N/A	N/A	9.5	N/A
DT17	10.1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	10.2	N/A
DT18	9.9	0.7	0.9	0.3	0.6	0.2	0.1	< 0.1	12.7	N/A
DT19	9.9	1.3	1.7	0.5	1.2	0.4	0.2	< 0.1	15.3	N/A
DT20	9.9	1.6	2.1	0.7	1.4	0.5	0.2	< 0.1	16.4	N/A

<sup>20</sup> Only the AQMesh sites monitor PM

<sup>21</sup> Total measured NO<sub>2</sub> for both the AQMesh sites are based on the average from October 2019 to March 2020. This is because the AQMesh sites were only installed in October 2019 and the Covid-19 pandemic starting in March meant travel was restricted to non-normal levels.

Figure 4 – Stacked bar chart showing PM<sub>2.5</sub> source apportionment by background and vehicle type (road transport emissions from major roads) for each monitoring location within MDDC (%), for the baseline fleet, 2019





**Table 8 – PM<sub>2.5</sub> source apportionment by background and vehicle type (road transport emissions from major roads) at all monitoring locations within MDDC (µg.m<sup>-3</sup>) for the baseline fleet, 2019**

Site name	Modelled background PM <sub>2.5</sub> concentration (µg.m <sup>-3</sup> )	Modelled road transport PM <sub>2.5</sub> concentration (µg.m <sup>-3</sup> ) broken down by vehicle type							Total modelled PM <sub>2.5</sub> concentration (µg.m <sup>-3</sup> )	Total measured PM <sub>2.5</sub> <sup>22</sup> concentration (µg.m <sup>-3</sup> )
		Petrol cars	Diesel cars	Buses	LGVs	Rigid HGVs	Artic HGVs	Motorcycles		
AQMesh Church <sup>23</sup>	6.2	0.3	0.5	0.2	0.5	0.1	< 0.1	< 0.1	7.9	7.2
AQMesh School	6.2	0.3	0.4	0.1	0.5	0.1	< 0.1	< 0.1	7.6	5.7
AQMesh Little Bakery	7.1	0.7	0.7	0.1	1.0	0.2	0.1	< 0.1	10.1	8.6
AQMesh Manor House	7.1	0.8	0.8	0.1	1.0	0.3	0.2	< 0.1	10.3	10.4
DT1	6.2	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6.3	N/A
DT2	6.5	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6.5	N/A
DT3	6.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	6.8	N/A
DT4	7.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	7.1	N/A
DT7	7.0	0.2	0.2	< 0.1	0.2	0.1	< 0.1	< 0.1	7.7	N/A
DT8	6.7	0.3	0.3	< 0.1	0.4	0.2	0.1	< 0.1	8.0	N/A
DT9	6.6	0.1	0.1	< 0.1	0.2	< 0.1	< 0.1	< 0.1	7.2	N/A
DT10	7.3	0.6	0.6	0.1	0.8	0.3	0.1	< 0.1	9.8	N/A
DT11	7.2	0.4	0.4	0.1	0.5	0.1	0.1	< 0.1	8.7	N/A
DT12	7.1	0.7	0.7	0.1	1.0	0.2	0.1	< 0.1	10.1	N/A
DT13	7.1	0.8	0.8	0.2	1.1	0.3	0.1	< 0.1	10.5	N/A
DT14	6.8	0.1	0.1	< 0.1	0.1	< 0.1	< 0.1	< 0.1	7.1	N/A
DT15	5.7	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5.8	N/A
DT16	5.9	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5.9	N/A
DT17	5.9	N/A	N/A	N/A	N/A	N/A	N/A	N/A	5.9	N/A
DT18	6.1	0.4	0.6	0.2	0.6	0.1	0.1	< 0.1	8.0	N/A
DT19	6.3	0.7	1.0	0.4	1.1	0.2	0.1	< 0.1	<b>9.8</b>	N/A
DT20	6.2	0.9	1.3	0.4	1.3	0.3	0.1	< 0.1	10.5	N/A

<sup>22</sup> Only the AQMesh sites monitor PM

<sup>23</sup> Total measured NO<sub>2</sub> for both the AQMesh sites are based on the average from October 2019 to March 2020. This is because the AQMesh sites were only installed in October 2019 and the Covid-19 pandemic starting in March meant travel was restricted to non-normal levels.

## Key Priorities

MDDC's key priority is to protect its citizens from the harmful impacts of poor air quality and the Council is therefore committed to reducing concentrations of NO<sub>2</sub> to within legal limits and beyond, in all areas of the district where the population is at risk to exposure. Alongside this objective, MDDC are also committing to reducing levels of all pollutants in ambient air, with a particular focus on PM<sub>2.5</sub>.

As discussed in the Source Apportionment section, the primary cause of air pollution in the city is vehicle emissions. A closer look at the vehicle mix tells us that diesel cars and LGVs are responsible for the greatest proportion of emissions along most roads where exceedances of the air quality objective are occurring, or are likely to occur. MDDC have shown progress in developing measures to tackle these sources. The Crediton Traffic Management Schemes aims to define traffic management improvements for key roads within Crediton. Whilst the Cullompton Low Emission Strategy presents a study of the potential impacts of a new development and possible mitigation measures to reduce the air quality impact.

Despite compliance in all NO<sub>2</sub> diffusion tube monitoring locations, it is imperative that MDDC continue to address air pollution within the city to ensure that locations within 10% of compliance do not exceed in the following years. Continued progress throughout MDDC is recommended alongside the following key priorities for the AQAP:

- **Priority 1 – Tackling NO<sub>2</sub> hotspots**

The measures under Priority 1 have been designed to address specific areas of NO<sub>2</sub> exceedance across Mid Devon. The modelling conducted along with the measured monitoring data confirms the presence of NO<sub>2</sub> hotspots within MDDC. Source apportionment modelling shows the cause of this is road transport, specifically diesel cars and LGVs.

- **Priority 2 – Improving the overall air quality across Mid Devon**

MDDC recognise that the AQAP needs to both introduce measures that reduce pollution levels in specific areas to ensure national objectives are met and provide a broader strategy which aims to achieve continued improvement in air quality beyond the objectives. Priority 2 will introduce a broader range of measures designed to achieve emission reductions across the region, which both

supplement the measures under Priority 1 and widen the coverage of the air quality benefits.

- **Priority 3 – Managing PM<sub>2.5</sub> exposure**

Recent scientific research has shown that prolonged exposure to particulate matter smaller than 2.5 µm in diameter can lead to cardiopulmonary related diseases. The World Health Organisation (WHO) has recommended that national governments work towards achieving concentrations of 10 µg.m<sup>-3</sup> for PM<sub>2.5</sub> in ambient air. The UK government has stated in its recent Clean Air Strategy that it intends to “*examine what action will be needed to meet this limit*” and halve the number of UK residents currently exposed to levels above this threshold by 2025.

MDDC has made it a priority to be proactive in its role to protect its citizens from the effects of poor air quality and recognises the long-term cost-benefits of taking action now. MDDC are therefore looking at steps that can reduce levels of PM<sub>2.5</sub> and will consider revising both the cities wood burning and urban planning policy to reduce the contribution of major PM<sub>2.5</sub> pollutant sources.

## Development and Implementation of Mid Devon District Council's AQAP

### Consultation and Stakeholder Engagement

In developing/updating this AQAP, we have worked with other local authorities, agencies, businesses and the local community to improve local air quality. Schedule 11 of the Environment Act 1995 requires local authorities to consult the bodies listed in Table 9.

On 2<sup>nd</sup> June 2021, a Stakeholder Engagement Workshop was held to discuss the measures included in the draft AQAP, online via Microsoft Teams. Prior to the workshop, participants were asked to complete a multi-criteria analysis (MCA) exercise – the findings of which are presented in Appendix A.

**Table 9 – Consultation Undertaken**

Yes/No	Consultee
Yes	the Secretary of State
Yes	the Environment Agency
Yes	the highways authority
Yes	all neighbouring local authorities
Yes	other public authorities as appropriate, such as Public Health officials
Yes	bodies representing local business interests and other organisations as appropriate

### Steering Group

An Action Plan Steering Group was established in early 2021 (chaired by Simon Newcombe, Corporate Manager for Public Health and Regulatory Services). Members of the Steering Group included:

- Cllr Dennis Knowles (Cabinet Member for Community Wellbeing, Tiverton)
- Joy Norris (Town Clerk, Cullompton Town Council)
- Poie Li (Principal Forward Planning Officer, MDDC)
- Rachel Avery (Town Clerk, Crediton Town Council)
- Stuart Jarvis (Principal Transport Planning Officer, Devon County Council)
- Tanya Wenham (Operations Manager, MDDC)

- Tom Keating (Lead Licensing Officer, MDDC)
- Cllr John Downes (Crediton Town Council, Environment Policy Development Group, Waste Management Efficiency Committee, Planning Committee, MDDC)
- Jason Ball (Climate and Sustainability Specialist, MDDC)

### AQAP Measures

**Error! Reference source not found.** provides a detailed description of each potential measure to be included in the AQAP. These measures were discussed at the Stakeholder Consultation Workshop, before being refined based on the steering group's feedback.

Table 10 shows the Mid Devon District Council's AQAP measures, which were agreed through consultation with the Steering Group. A preliminary longlist of measures was developed for discussion with the Steering Group, as presented in Appendix D. A prioritised list of actions was identified through a process of Multi-Criteria Analysis (MCA), which considered the impact on emissions, the potential for wider benefits, the burden on residents and local businesses, and the costs and risks associated with implementation.

The finalised list of actions is presented below, and contains:

- a list of the actions that form part of the plan
- the responsible individual and departments/organisations who will deliver this action
- estimated cost of implementing each action (overall cost and cost to the local authority)
- expected benefit in terms of pollutant emission and/or concentration reduction
- the timescale for implementation
- how progress will be monitored

Updates on the implementation and progress of these measures will be presented in Mid Devon's Annual Status Reports.

Table 10 – Air Quality Action Plan Measures

Measure no.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMAs	Progress to Date	Estimated Completion Date	Comments
1	Mid Devon Clean Air Campaign	Public Information, Promoting Travel Alternatives, Vehicle Fleet Efficiency, Traffic Management, Alternatives to private vehicle use	Via other mechanisms, Intensive active travel campaign & infrastructure, Promotion of cycling, Promotion of walking, School Travel Plans, Driver training and ECO driving aids, Fleet efficiency and recognition schemes, Anti-idling enforcement, Car & lift sharing schemes	MDDC	2021/2022	1-5 years	Uptake in community action and air quality awareness. Possibility of using surveys to measure awareness and knowledge base.	Medium	A number of themes were identified during stakeholder consultation for the AQAP that would fit well into an overarching clean air campaign for Mid Devon.	Will be an ongoing campaign.	Clean air campaign to cover themes including: <ul style="list-style-type: none"> <li>Local air quality data</li> <li>Open burning – domestic, solid fuel &amp; bonfires</li> <li>Electric vehicles and other low emission vehicles</li> <li>Active travel – cycling facilities, footpath network, cycle routes, green travel routes</li> <li>Fleet management / recognition schemes – for businesses and especially freight businesses</li> <li>Anti-idling – targeting areas including schools, health centres and hospitals</li> <li>Mode shift – car sharing, public transport, active travel</li> <li>School engagement – school streets, air quality projects and data</li> </ul>
2	Develop a priority matrix of low emission vehicle options for MDDC's vehicle fleet	Promoting Low Emission Transport	Company Vehicle Procurement - Prioritising uptake of low emission vehicles, Public Vehicle Procurement - Prioritising	MDDC	2021/22	2021/22	Completion of matrix.	Low	An example matrix was prepared in order to complete modelling for the Cullompton LES.	2021/22, but will be updated as fleet is upgraded.	The example matrix used for air quality and emissions modelling as part of the Cullompton LES could be used as a basis for this measure.

## Mid Devon District Council AQAP

Measure no.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMAs	Progress to Date	Estimated Completion Date	Comments
			uptake of low emission vehicles								
3	Upgrade MDDC vehicle fleet	Promoting Low Emission Transport	Company Vehicle Procurement - Prioritising uptake of low emission vehicles, Public Vehicle Procurement - Prioritising uptake of low emission vehicles	MDDC	2021/22	1-5 years	Replacement of vehicles in MDDC fleet.	Medium	The oldest / most polluting vehicles were identified during modelling for the Cullompton LES.	2027, but ongoing as the fleet is upgraded.	
4	MDDC Environmental Workplace & Travel Strategy	Promoting Travel Alternatives	Encourage / Facilitate home-working, Workplace travel planning	MDDC	2021/22	2021/22	Change in staff journeys made by private vehicle – this could be assessed via surveys.	Medium	Work has begun on a revised workplace strategy.	2021/22, but ongoing.	Environmental Workplace & Travel Strategy to reflect the change in working patterns post-Covid, and link in to MDDC Climate Strategy <sup>24</sup> / carbon neutral target. Could include, for example: <ul style="list-style-type: none"> <li>• Smart offices</li> <li>• Hybrid working</li> <li>• E-bikes</li> <li>• EV charging</li> <li>• Travel vouchers / discounts</li> <li>• Staff car share scheme</li> </ul>
5	Low Emission Taxi Programme	Promoting Low Emission Transport	Taxi emission incentives	MDDC	2021/22	1-5 years	Number / proportion of EV vehicles in taxi fleet.	Medium		2021/22, but ongoing.	Incentives for low emission taxis might include: <ul style="list-style-type: none"> <li>• Tax incentives</li> <li>• Support to upgrade vehicles</li> <li>• Priority taxi ranks</li> </ul>

<sup>24</sup> Mid Devon District Council's Climate strategy & handbook 2020-2024, MDDC, 2020

## Mid Devon District Council AQAP

Measure no.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMAs	Progress to Date	Estimated Completion Date	Comments
											<ul style="list-style-type: none"> <li>Discounted / free EV charging</li> </ul>
6	Upgrade / retrofit buses	Vehicle Fleet Efficiency	Vehicle Retrofitting programmes	MDDC to partner with bus companies	2021/22	1-5 years	Number / proportion of upgraded / retrofitted vehicles in bus fleet.	Medium		2025	
7	Develop a domestic solid fuel policy	Policy Guidance and Development Control	Other policy	MDDC	2021/22	2021/22	Publication of the policy. Enforcement of the policy.	Medium		2021/22	
8	Develop a bonfire policy	Policy Guidance and Development Control	Other policy	MDDC	2021/22	2021/22	Publication of the policy. Enforcement of the policy. Reduction in nuisance reports.	Medium		2021/22	
9	Electric Vehicle Strategy	Promoting Low Emission Transport, Traffic Management	Priority parking for LEV's, Procuring alternative Refuelling infrastructure to promote Low Emission Vehicles, EV recharging, Gas fuel recharging, Emission based parking or permit charges, Strategic highway improvements, Re-prioritising road space away from cars, inc Access	MDDC & DCC	2021/22	1-5 years	Number of new EV charging points installed across the district.	High	Options for the procurement of electric car charging units have been identified in a report, including approx. 15 locations, and three types of chargers.	2025	It is important to continue to work with neighbouring authorities to facilitate additional electric car charging points across the District. A delegated authority may be set up to enable capital funding opportunities to be secured.



## Mid Devon District Council AQAP

Measure no.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMAs	Progress to Date	Estimated Completion Date	Comments
			management, Selective vehicle priority, bus priority, high vehicle occupancy lane								
10	Consider implementation of smoke control areas	Policy Guidance and Development Control	Other Policy	MDDC	2021/22	2022/23	Implementation of smoke control area(s)	High	Feasibility is under consideration.	2022/23	Needs careful consideration, as SCAs are managed at a national government level.
11	Real time sensor AQ monitoring at new locations in Crediton & Cullompton	Public information	Via other mechanisms	MDDC	2018/19	2019/20	Installation of real time AQ monitoring	Low	Four real-time air quality (AQMesh) sensors were installed by Ricardo at locations across the district.	Completed	The sensor outputs are: NO <sub>2</sub> (hourly mean), PM <sub>10</sub> (24 Hour mean), PM <sub>2.5</sub> (24 Hour mean), NO (hourly mean) and NO <sub>x</sub> as NO <sub>2</sub> (hourly mean). Data is available to download from Air Quality England (AQE).
12	Updating the Supplementary Planning Document (SPD) on Air Quality and Development	Policy guidance and development control	Air Quality Planning and Policy Guidance	MDDC	2019/20	2021	Publication of an updated SPD	Low	The update to the SPD is underway and is expected to be completed by Summer 2020.	2021	The SPD on Air Quality and Development was extensively reviewed as part of the Ricardo report "Review of Mid Devon District Council's Air Quality Planning Policies" and a number of improvements were suggested.
13	Planning conditions on Tiverton Eastern Urban extension	Policy guidance and development control	Air Quality Planning and Policy Guidance	MDDC	2017/2018		Air Quality Noise Emissions	NA	Update requested from Area Planning officer.	Ongoing	Masterplan for a large urban development was accepted in June 2018. MDC now needs to ensure that all phased planning applications are considered with respect to the Mid Devon Core Strategy and SPDs.

# Mid Devon District Council AQAP

Measure no.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMAs	Progress to Date	Estimated Completion Date	Comments
14	Eastern Relief Road Cullompton and additional M5 junction	Traffic Management	Strategic highway improvements	MDDC / DCC / Highways	2017/2018		% reduction in traffic flows through Cullompton Reduction in congestion on minor roads	High	Local Plan submission. Land allocated, and preliminary design work undertaken. Major infrastructure funding required.	Pending funding and adoption of Local Plan	Major infrastructure funding required
15	Kings Mill Industrial site traffic management Cullompton Junction 28	Traffic Management	Anti-idling enforcement and illegal parking	MDDC / DCC / Highways	2017/2018		Improved traffic flows to/from industrial site	Low	Local Plan submission proposes a number of solutions	Ongoing	The new Local Plan proposes upgrades to the existing road network to support growth of industrial estate and reduce congestion. As the site will increase in size, thus increasing volumes trying to leave/enter the M5, a range of initiatives are proposed to deal with the problem.
16	Culm Valley Garden Village development and major infrastructure projects	Policy guidance and development control	Air Quality Planning and Policy Guidance	MDDC / DCC / Highways	2017-21		Public Health considerations incorporated in Master planning cycle	High	Culm Village funding awarded by Central Government Steering group formed. Site and land secured.	Ongoing	The 500 home 'garden village' aims to support housing demand in the region with high quality design. This includes planning policies which support improvements to local air quality levels including technical guidance on emissions assessment work and low emission strategies.
17	Secure cycle parking facilities in town Centres	Promoting Travel Alternatives	Promotion of cycling	MDDC, Network Rail, DCC	2018/2019		Initial facility installed in Crediton	Low	s106 allocated for Crediton	Pending release of s106 funds	Locations and s106 funding have been identified in Crediton, and Cullompton. Locations in Tiverton are

## Mid Devon District Council AQAP

Measure no.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMAs	Progress to Date	Estimated Completion Date	Comments
	and at key transport hubs								railway station and Town centre. Included in Cullompton Master planning.		under consideration to join the town centre with Tiverton parkway railway station.
18	Bus stop infrastructure	Transport Planning and Infrastructure	Vehicle	MDDC / DCC	2017/2018		Change to mode of transport Increase in patronage	Medium	S105a and S106 contribution allocated.	Pending full release of funds	Plans are already in place to use S105a contributions to improve bus stop infrastructure. S106 allocations are in place for Copplestone bus infrastructure improvements that affect Crediton AQMA.
19	Review of bus stop locations and routes	Transport Planning and Infrastructure	Public transport improvements- interchanges stations and services	MDDC / DCC	2017/2018	2020/21	Improved traffic flow through centre of towns	Low	Town Council consultation. Pending agreement with DCC and Bus operators.	2021	Pending agreement with DCC and Bus operators District wide. Review of Cullompton and Crediton services will include frequency, location of bus stops, routes.
20	Improving footpath and cycling paths in major towns	Transport Planning and Infrastructure	Cycle and walking network	Town Councils / MDDC / DCC	2017/2018		Connected pathway network Improved accessibility Reduction in short car journeys	Low	Initial network improvements identified in Neighbourhood plans and s106 projects.	Ongoing	Some areas that have been identified are: improved footpath and cycleway links between Cullompton town centre and Kingsmill Industrial Estate, and Cromwells Meadow to Leisure centre in Crediton.
21	Road resurfacing	Transport Planning and Infrastructure	Other	DCC / Highways	2018/2019		Areas of existing or new road network resurfaced	Low	Review phase.	Ongoing	Consideration given to lower polluting road surfacing within AQMA areas as opportunities arise. There is potential for this to be managed on a contract by contract basis.

## Mid Devon District Council AQAP

Measure no.	Measure	EU Category	EU Classification	Lead Authority	Planning Phase	Implementation Phase	Key Performance Indicator	Target Pollution Reduction in the AQMAs	Progress to Date	Estimated Completion Date	Comments
22	Community car sharing schemes	Alternatives to private vehicle use	Car and lift sharing schemes	MDDC	2017/2018		Number of car share schemes delivered in new developments Usage rate	Low	s106 contribution allocated and included in new housing travel plans.	Pending full release of funds and commencement of development	Lengthy Timescale
23	Taxi Licensing conditions	Promoting Low Emission Transport	Taxi Licensing conditions	MDDC	2017/2018	1-5 years	Policy review undertaken to develop ULEV taxi fleet and infrastructure	Low	Current policy updated 2017.	Ongoing	
24	Explore alternative parking and traffic flow measures	Traffic Management	Congestion management	MDDC / DCC	2017/2018	1-5 years	Improved traffic flows Decrease in main street parking Increase use of Mid Devon car parks	Medium	Measures identified by Town Councils and MDDC. Introduces resident car parking rates which is often unfavourable.	Ongoing	Introduces resident car parking rates which is often unfavourable
25	Cullompton/Wellington Rail link feasibility study	Traffic Management	Congestion management	MDDC and Somerset West and Taunton	2017/2018	1-5 years	Feasibility study completed	Medium	Joint project, £100K committed to study. Local Plan submission.	Ongoing	

## Appendix A: Response to Consultation

On 2<sup>nd</sup> June 2021, a Stakeholder Engagement Workshop was held to discuss the measures included in the draft AQAP. Prior to the workshop, participants were asked to complete an MCA exercise. The findings of the MCA were discussed during the workshop, including the scores and comments. The MCA comments and key points from the workshop discussion are summarised in the tables below.

**Table A. 1 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Develop a priority matrix of low emission vehicle options for MDDC’s vehicle fleet**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>• Good to know which are the worst performing vehicles.</li> <li>• Would have a good public facing message.</li> <li>• Simple solution with immediate but small benefits.</li> <li>• Removes some of the worst offending vehicles from the road.</li> <li>• It's important the Council are seen to be 'leading' the way and this kind of matrix is a step in the right direction.</li> <li>• Positive impact for noise (early mornings).</li> <li>• Lower energy use and costs for MDDC.</li> <li>• All costs are for the council, so no financial impact on residents or businesses.</li> <li>• Funding available in MDDC budget.</li> <li>• Relatively easy to roll out, low risk, effective where there are lots of vehicles.</li> </ul>	<ul style="list-style-type: none"> <li>• MDDC's vehicle fleet is not that large – approx. 100 vehicles, so limited scope.</li> <li>• MDDC's vehicle fleet contributes small amounts in comparison to wider vehicle use in District.</li> <li>• Expensive to convert or purchase new vehicles.</li> <li>• The worst polluting vehicles cost the most to replace.</li> <li>• Upfront costs potentially high with newest models likely to provide best reduction in emissions.</li> </ul>	<ul style="list-style-type: none"> <li>• Uncertain if the cost of more expensive vehicles would pass to the households through council tax or other charges.</li> <li>• Relatively simple in terms of procurement but long term maintenance of fleet needs to be accounted for battery life etc.</li> </ul>

**Table A. 2 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Upgrade MDDC’s vehicle fleet**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>Removes some of the worst offending vehicles from the road.</li> <li>Good for the council to set the right example.</li> <li>Positive impact for noise (early mornings).</li> <li>Lower energy use and costs for MDDC.</li> <li>All costs are for the council, so no financial impact on residents or businesses.</li> <li>Very important in terms of community leadership.</li> <li>Less early morning noise.</li> <li>Excellent although localised benefits.</li> <li>Already in budget.</li> <li>Assume simple through procurement.</li> </ul>	<ul style="list-style-type: none"> <li>MDDC’s vehicle fleet is not that large – approx. 100 vehicles, so limited scope.</li> <li>MDDC’s vehicle fleet contributes small amounts in comparison to wider vehicle use in District.</li> <li>Expensive to convert or purchase new vehicles.</li> <li>The worst polluting vehicles cost the most to replace.</li> <li>Upfront costs potentially high with newest models likely to provide best reduction in emissions.</li> </ul>	<ul style="list-style-type: none"> <li>Larger vehicles, especially when idle, cause higher emissions. Bigger impact on emissions with these types.</li> <li>Unknown how costs could transfer to households and/or businesses – would council tax increase?</li> <li>Unknowns on long term efficiency of the vehicles.</li> </ul>

**Table A. 3 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: MDDC staff travel strategy**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>If staff return to the office, this will be high impact.</li> <li>Co-benefits for staff health and wellbeing.</li> <li>Massive opportunity to change our climate (pollution) impact as an organisation, and our community influence.</li> <li>Massive opportunity for community influence. Scope of influence much wider than just fleet.</li> <li>No requirement to increase tax burden to implement.</li> <li>This should lower costs, or have a minimal</li> </ul>	<ul style="list-style-type: none"> <li>Limited take up for those living within and around Tiverton.</li> <li>Needs careful management to succeed.</li> <li>Simple but take up will be limited. Greater barriers to be resolved e.g. times and frequency of public transport.</li> <li>Depends on how far the plan goes. Simple commitment to ‘car share’ easy to implement but not very effective.</li> </ul>	<ul style="list-style-type: none"> <li>Would be important to understand how many staff will be returning as before Covid.</li> <li>A better approach would be to look at the need for travel at all, e.g. working from home more.</li> <li>Adjusting working and travel practices should not have an impact on households or businesses, but may impact on staff available to make visits.</li> <li>Management will be difficult to start with, but should normalise rapidly, enabled by</li> </ul>

## Mid Devon District Council AQAP

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>change to costs – within remit of council already.</li> <li>Low risk.</li> </ul>		<ul style="list-style-type: none"> <li>e.g. shared technology and apps.</li> <li>Communication and consultation with staff integral.</li> <li>Take it back a step further, consider how MDDC want to work post-Covid and have a wider workplace strategy.</li> <li>Revised workplace strategy to include smart offices, hybrid working, join in the travel strategy alongside that. Link with other strategies – e.g. low-carbon and the target to become carbon neutral by 2030.</li> </ul>

**Table A. 4 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Low emission taxi programme**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>Visible and sets a positive example.</li> <li>Taxis typically travel further in a day than most other types of vehicle, including private vehicles.</li> <li>Impact of vehicles – they will spend 99% of their time in mid Devon, there will be an impact on local emissions.</li> <li>Impact is disproportionate compared to other vehicle types.</li> </ul>	<ul style="list-style-type: none"> <li>No taxi rank in Crediton.</li> <li>Taxis make up small amount of vehicles in district.</li> <li>Doesn't address the number of cars on the roads.</li> <li>Potential for costs to be passed on to residents through taxi fares.</li> <li>Vehicles can be expensive and the timeline for implementation is important.</li> <li>Investment in charging points depending on numbers required could be high cost.</li> </ul>	<ul style="list-style-type: none"> <li>Unnecessary infrastructure for taxis only, should be for all use.</li> <li>Limited scope, but important to address the journey types that taxis serve.</li> <li>Benefit if taxis are shared, and private taxis usually aren't.</li> <li>The infrastructure is vital, and we are a rural district with relatively small ranks etc.</li> <li>Uncertain of risk due to need to identify suitable locations, number etc and encouraging taxis to be involved.</li> <li>Taxi licensing is something MDDC can control more.</li> </ul>

**Table A. 5 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Upgrade / retrofit buses**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>Public perception.</li> <li>Effect on health.</li> <li>Noise reduction and lower carbon emissions especially on High Street.</li> <li>Encourage travel on public transport, reduces number of private vehicles.</li> <li>Costs should be low as companies privately owned; buses don't fall within District responsibilities.</li> <li>Low risk, bus companies should be on board.</li> </ul>	<ul style="list-style-type: none"> <li>Buses make up a small number of vehicles in Mid Devon.</li> <li>MDDC don't seem to have as much influence on the buses as e.g. in other parts of the country.</li> </ul>	<ul style="list-style-type: none"> <li>Retrofit depends on properly-informed and well-funded decisions.</li> <li>Upgrade to EV is lower risk.</li> <li>Unknown how easy to change buses, also would need cross border collaboration as many buses.</li> </ul>

**Table A. 6 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Electric vehicle strategy including development of EV charging network**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>Health benefits.</li> <li>Reduction in noise pollution.</li> <li>National level funding.</li> <li>Private and community investment opportunities.</li> <li>Simple to install, likely increased take up in general population with Govt aspirations.</li> <li>Existing S106 funding within the council.</li> <li>Plenty of scope to build on this measure.</li> <li>Lots of appetite / enthusiasm for these sorts of measures.</li> <li>With new builds it might be easier to put something into planning documents to require charging points. There is a policy requiring EV charging points for residential and non-residential new builds in Tiverton, Cullompton and Crediton.</li> </ul>	<ul style="list-style-type: none"> <li>Limited scope; but demand is growing.</li> <li>Does not remove all emissions (tailpipe only = localised impact).</li> <li>Does not reduce road traffic.</li> <li>High costs to households for the vehicles.</li> <li>Poorly understood implications of demand and contract agreements. Depends on clear objectives and a continued good funding terms.</li> <li>Risk of costs to put network in but not used.</li> <li>Pressure on the grid to cope with additional EV charging points.</li> <li>Concerns about residents parking, encouraging residents to take on EVs, and business parking.</li> <li>Concerns about where to have public EV parking due to cables etc.</li> </ul>	<ul style="list-style-type: none"> <li>Given Government aspiration to move to electric vehicles long term take up of electric could increase over time.</li> <li>If it is easier for people to make a low emission choice then the impact could be high.</li> <li>Should be lower costs if high roll out.</li> <li>Uncertain if costs of providing the network is passed on e.g. Council tax.</li> <li>Low cost but with some risk of hidden costs.</li> <li>Over time, reduced risk as more people purchase EV cars.</li> <li>Need to carefully choose locations and have prioritisation about where to install first.</li> <li>Need to consider: EV chargers on</li> </ul>



## Mid Devon District Council AQAP

Strengths	Weaknesses	Other comments
		<p>council-owned land, business and commercial land, policies with respect to new builds. Have mainly been considering on-street parking but domestic off-street is important too.</p> <ul style="list-style-type: none"> <li>Need to consider types of charging and ensuring the charging is appropriate for the location (e.g. not slow chargers for somewhere people park for a short period of time, like a shopping centre).</li> </ul>

**Table A. 7 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Fleet recognition scheme**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>Low costs for all involved.</li> </ul>	<ul style="list-style-type: none"> <li>Low impact on emissions, high on perception.</li> <li>Probably needs cross boundary approach to work.</li> <li>High cost per tCO<sub>2</sub>e if hardly any businesses volunteer to join a local scheme.</li> <li>Bigger companies likely to look to a national scheme as things like ECOSTars aren't large enough for them.</li> <li>Schemes like this often fizzle out after a while.</li> </ul>	<ul style="list-style-type: none"> <li>Steer businesses to a national scheme.</li> <li>Local taxation would be better financially.</li> <li>Does not seem to fit the role of MDDC.</li> <li>Think MDDC was the first local authority to broaden out ECOSTars outside of the original scheme.</li> <li>Overarching communications strategy should be considered. A lot of these measures could be put together as a communications strategy.</li> <li>Fleet Operator Recognition Scheme seems to be more focused on safety and legislation, but maybe move more onto air quality going forward.</li> </ul>

Table A. 8 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Clean air campaign

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>• Huge benefit to health, noise and congestion (especially on High Street).</li> <li>• Potential for massive change.</li> <li>• Can reach general population which will have a greater effect than anything only done for our individual organisation.</li> <li>• Community engagement and partnership can be highly efficient.</li> <li>• Possibility to link to Clean Air Day.</li> <li>• Momentum from a lot of temporary measures during Covid (e.g. school streets, temporary bicycle lanes, etc.).</li> <li>• Potential to link to active travel – options through S106 to improve walking and cycling links.</li> <li>• There's a real desire for people to have more and better access to non-traffic areas where they can move about in town centres.</li> </ul>	<ul style="list-style-type: none"> <li>• Could have direct effects on some businesses e.g. cycle store or indirect through events.</li> <li>• Risk of showing AQ means that people may not want to wait at bus stops or even visit our High Street.</li> </ul>	<ul style="list-style-type: none"> <li>• Reduction in emissions depends how coherently we enable change. Bad example: create cycle lanes but fail to reduce vehicle density or exclude polluters.</li> <li>• Will require some marketing expertise and strategy to measure effectiveness and impact.</li> <li>• Impact depends on how engaged the public are in the campaign.</li> <li>• Need to ensure the messages resonate with different audiences to have an impact and encourage personal change that may have a cost.</li> <li>• Depends on coherence of support (e.g. broadband) vs limitations (e.g. lack of safe cycle routes, lack of AQ enforcement).</li> <li>• Would need ongoing costs, one event won't provide message - will need to be continual.</li> <li>• Cost will vary based on how sophisticated the campaign is.</li> <li>• Risks depend on scheme, could be successful but could also be unsuccessful. Depends on promotion material and events etc.</li> <li>• Low risk approach if the campaign is basic but more sophisticated could lead to greater rewards.</li> <li>• School streets should be considered (making it more difficult to drop off at school by cars).</li> </ul>

**Table A. 9 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Solid fuel burning public information campaign**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>• Good educational opportunity.</li> <li>• Could have a localised impact on air quality of e.g. neighbours.</li> <li>• Likely to reduce complaints about bonfires/smoke.</li> </ul>	<ul style="list-style-type: none"> <li>• Highly rural district. Majority of fuel use is not solid fuel.</li> <li>• Use of solid fuels is likely to be limited or not easily changed for those using them.</li> <li>• High costs to residents / businesses if paying to dispose of items which may have been burned.</li> <li>• Risk of if people don't take notice, dumping waste in countryside.</li> <li>• Could get push back from those undertaking this currently.</li> <li>• Legislation can be difficult to enforce.</li> </ul>	<ul style="list-style-type: none"> <li>• Broader education campaign preferred, especially relating to bonfires. Information on alternative means of disposal.</li> <li>• Encourage green waste collections, more trips to the tip having to source alternative fuels.</li> <li>• Policy introduction limited cost. Campaign some cost.</li> <li>• Opportunity here to do joint campaign and communications with trading standards. Sharing intelligence, sharing information between organisations. Link with air quality nuisances and understanding the impact beyond the immediate nuisance.</li> <li>• Overarching communications strategy should be considered. A lot of these measures could be put together as a communications strategy. Lots of different audiences, so could be a good idea to join them up. People might take notice of one subject and then find info on another.</li> </ul>

**Table A. 10 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Anti-idling campaign**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>Idle vehicles in the High Street create high emissions – impact here could be high.</li> <li>Could have a wide reach and simple to do.</li> <li>Reduction in emissions, especially in areas with high pedestrian footfall with children / toddlers etc.</li> <li>Costs shouldn't be too high – education / signage base.</li> </ul>	<ul style="list-style-type: none"> <li>Limited powers of MDDC.</li> </ul>	<ul style="list-style-type: none"> <li>New cars stop engine. Simpler to impose Clean Air zones e.g. ban fossil fuel vehicles in town centres.</li> <li>MDDC limited powers on highways? Best for County level action?</li> <li>Costs and campaign should be continual.</li> </ul>

**Table A. 11 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Promote data captured from the AQ monitoring network**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>Relatively low cost – administration and accumulating information.</li> <li>There is always an appetite to see the air quality data.</li> <li>One of the real time sensors recently installed is near a school in Crediton – potential to link to data promotion in schools.</li> </ul>	<ul style="list-style-type: none"> <li>Telling people what the air quality is in their area won't necessarily change what they will do, it needs to be coupled to education about what they can do.</li> <li>Easily neglected or underfunded after an initial supportive launch.</li> <li>On its own won't make much difference. If coupled with other options could be part of wider messaging.</li> </ul>	<ul style="list-style-type: none"> <li>Public information is important.</li> <li>Can we automate it all to minimise costs?</li> <li>Impact will depend on how data is communicated.</li> <li>Data needs to be accessible to everyone.</li> </ul>

**Table A. 12 – Summary of Responses to Stakeholder Engagement on the ‘New Thinking’ AQAP measures: Promotion of Car Share Devon scheme**

Strengths	Weaknesses	Other comments
<ul style="list-style-type: none"> <li>• This is one of the few ways we have to influence car use.</li> <li>• Reduces emissions.</li> <li>• Element of wellbeing, meeting new people.</li> <li>• Broad scope, legacy effect.</li> <li>• Lifestyle changes.</li> <li>• Greener tourism influence.</li> <li>• Greener travel planning.</li> <li>• Benefit of reduced car running costs for households. Reduced need to buy and maintain private cars.</li> <li>• Opportunity for partnerships, community support, funding and scheme revenue.</li> </ul>	<ul style="list-style-type: none"> <li>• Difficult to organise through communities, better suited within workplaces.</li> <li>• Car sharing only works if everything lines up between 2 or more people.</li> <li>• With Covid-19 people are more cautious in doing this.</li> <li>• Uptake is likely to be small.</li> <li>• Safeguarding, safety concerns.</li> </ul>	<ul style="list-style-type: none"> <li>• Impact depends on clear objectives, well-informed commercial venture decisions, coherent long-term investment commitments.</li> </ul>

## Appendix B: MDDC Local Plan Key Policies

**Table B. 1 – Strategic policies**

Policy	Description
<b>S1</b> Sustainable development priorities	<ul style="list-style-type: none"> <li>Preventing significant harm to air, in particular air quality as a local issue at Crediton and Cullompton.</li> </ul>
<b>S2</b> Amount and distribution of development	<ul style="list-style-type: none"> <li>New road linkages to relieve traffic congestion in town centres, and investment in infrastructure to address long-standing air quality issues.</li> <li>Air quality expected to improve following opening of Crediton Link Road to draw a proportion of HGV and other traffic away from Exeter Road.</li> </ul>
<b>S8</b> Infrastructure	<ul style="list-style-type: none"> <li>It is expected that new development will utilise infrastructure which will co-benefit wider planning objectives such as air quality improvements.</li> <li>Developments which are likely to generate significant levels of traffic must be supported by a robust transport evidence base.</li> </ul>
<b>S11</b> Cullompton	<ul style="list-style-type: none"> <li>Measures to support implementation of Cullompton AQAP through inclusion of construction of new highway links to relieve town centre and to enhance walking and cycling routes across the town.</li> <li>The concurrent development of the North West Cullompton Urban Extension will act to relieve traffic congestion in the town centre.</li> <li>A new relief road towards the east of the town centre will further improve air quality by diverting north and south-bound traffic away from Fore Street.</li> <li>Investment in infrastructure can address long-standing air quality issues associated with the significant growth in Cullompton.</li> </ul>
<b>S12</b> Crediton	<ul style="list-style-type: none"> <li>Measures to support implementation of Crediton AQAP through inclusion of construction of new highway links to relieve town centre and to enhance walking and cycling routes across the town.</li> <li>A key action from the AQAP has been provided through the Crediton Link Road which is expected to have a significant impact on improving local air quality. It will act to reduce the proportion of HGVs and other traffic entering the town centre.</li> <li>Air quality monitoring to be conducted to determine if pollutants have reduced significantly for the AQMA to be withdrawn</li> </ul>

Table B. 2 – Site allocation policies

Policy	Description
<b>CU1</b> North West Cullompton	<ul style="list-style-type: none"> <li>100 ha site to the North West of Cullompton is allocated for mixed used development subject to carbon reduction and air quality improvements.</li> <li>Cullompton High Street is subject to severe traffic congestion due to its junction with Tiverton Road which has led to adverse effects on local air quality. Development will require a new road link between Tiverton Road and Willand Road to divert traffic from the new development.</li> <li>Introduction of traffic management measures on Tiverton and Willand Road.</li> <li>Implementation of Cullompton Town Centre Relief Road to mitigate morning congestion at junction 28 on the M5 motorway.</li> </ul>
<b>CU2</b> North West Cullompton Transport Provision	<ul style="list-style-type: none"> <li>Transport infrastructure will be provided and funded by all new developments within the North West Cullompton site. This will be done through Implementation of travel plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts.</li> </ul>
<b>CU5</b> North West Cullompton Carbon Reduction and Air Quality	<ul style="list-style-type: none"> <li>Implement measures to ensure that impacts of the site on air quality are acceptable.</li> <li>An assessment of the air quality impact of the potential development proposed in the Local Plan was undertaken in 2014, it found no significant cumulative air quality effects are anticipated.</li> </ul>
<b>CU7</b> East Cullompton	<ul style="list-style-type: none"> <li>A 160 ha site to the East of Cullompton is allocated for mixed use development which is subject to carbon reduction and air quality improvements.</li> <li>It is accepted that development within Cullompton is constrained by the limited capacity of junction 28 of the motorway, as well as traffic congestion and poor air quality in the town centre.</li> <li>It is believed that this development along with the urban extension towards the northwest of Cullompton will help relieve town centre traffic problems, hence improve air quality.</li> </ul>
<b>CU8</b> East Cullompton Transport Provision	<ul style="list-style-type: none"> <li>Part of the East Cullompton development requires contributions towards the delivery of implementing travel plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts</li> </ul>
<b>CU11</b> East Cullompton Carbon Reduction and Air Quality	<ul style="list-style-type: none"> <li>Implement measures to ensure that impacts of the site on air quality are acceptable.</li> <li>During the 2014 assessment of air quality impacts it was found that the development of East Cullompton would not have a significant effect on the Cullompton AQMA.</li> <li>During the masterplan design of the new development the potential for air quality effects should be considered. Particular consideration should be taken with the distances between residential properties and the M5.</li> </ul>
<b>CU13</b> Knowle Lane	<ul style="list-style-type: none"> <li>A 9.8 ha site at Knowle Lane is allocated for residential development which is subject to implementation of a Travel Plan and other measures to minimise carbon footprint and air quality impacts</li> </ul>
<b>CU14</b> Ware Park and Footlands	<ul style="list-style-type: none"> <li>A 2.1 ha site at Ware Park and Footlands is allocate for residential developments which requires in the policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts.</li> </ul>

Policy	Description
	<ul style="list-style-type: none"> <li>It has been acknowledged that development within this location will impact the Cullompton AQMA and will require mitigation.</li> </ul>
<b>CU15</b> Land at Exeter Road	<ul style="list-style-type: none"> <li>A 1.4 ha site at Exeter road is allocated for residential development which requires in the policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts.</li> </ul>
<b>CU16</b> Cummings Nursery	<ul style="list-style-type: none"> <li>A 2.78 ha site at Exeter road is allocated for residential development which requires in the policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts.</li> </ul>
<b>CU17</b> Cummings Nursery	<ul style="list-style-type: none"> <li>A 10.7 ha site at Cummings Nursery is allocated for employment development which requires in the policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts.</li> </ul>
<b>CU18</b> Venn Farm	<ul style="list-style-type: none"> <li>A 4.4 ha site at Venn Farm is allocated for employment development which requires in the policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts.</li> </ul>
<b>CU19</b> Town Centre Relief Road	<ul style="list-style-type: none"> <li>A relief road, providing traffic relief to the town centre. Previously the relief road was known as the Eastern Relief Road. Evidence suggests that a further road to the east of the town centre is paramount to achieve the objectives of traffic relief and air quality improvements to be met.</li> </ul>
<b>CU20</b> Cullompton Infrastructure	<ul style="list-style-type: none"> <li>Implementation of CU19 and other measures in the Cullompton AQAP.</li> </ul>
<b>CU21</b> Land at Cole Brook	<ul style="list-style-type: none"> <li>A 4.8 ha site at Cole Brook is allocated for residential development which requires in the policy to have a transport assessment and implement a travel plan to minimise the carbon footprint and air quality impacts</li> </ul>
<b>CRE4</b> Woods Group, Exeter Road	<ul style="list-style-type: none"> <li>A 0.17 ha site at Venn Farm is allocated for employment development.</li> <li>Mitigation for potential onsite air quality issues with specific design to prevent worsening of air quality on Exeter Road and to avoid potential air quality issues for occupants.</li> </ul>
<b>CRE11</b> Crediton Infrastructure	<ul style="list-style-type: none"> <li>The council will use the Community Infrastructure Levy and planning obligations to deliver air quality improvements for Crediton.</li> </ul>
<b>TIV2</b> Eastern Urban Extension Transport Provision	<ul style="list-style-type: none"> <li>Implement Travel Plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts.</li> </ul>
<b>TIV6</b> Farleigh Meadows	<ul style="list-style-type: none"> <li>A site of 11.2 ha has been allocated for residential development which is subject to measures to mitigate air quality impacts at Leat Street.</li> <li>Poor air quality exists at Leat Street and is expected to worsen as traffic generation increases. Any significant changes to the already consented scheme will require updated studies of potential impacts along with funded measures to mitigate any air quality impacts.</li> </ul>
<b>TIV16</b> Blundell's School	<ul style="list-style-type: none"> <li>A site of 14 ha north of Blundell's School is allocated for residential development.</li> <li>Implement Travel Plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts.</li> </ul>



Policy	Description
	<ul style="list-style-type: none"> <li>Western end of Blundell's Road has been within 15% of the NAQO's, additional road traffic is likely to bring this above NAQO limits.</li> <li>In light of the above site access will be located at Heathcoat Way via a new junction which in the future may form part of the access to the Eastern Urban Extension.</li> <li>Air quality assessments will be required with any applications.</li> </ul>

Table B. 3 – Sustainable development principles

Policy	Description
<b>DM3</b> Transport and air quality	<ul style="list-style-type: none"> <li>Development proposals which give rise to vehicular movement require the following documents to be accompanied: <ul style="list-style-type: none"> <li>Integrated Transport Assessment – must identify the boundaries for the Low Emissions Assessment</li> <li>Travel Plan</li> <li>Traffic Pollution Assessment – must assess impact of traffic-generate nitrogen oxides on environmental assets</li> <li>Low Emissions Assessment evaluates the effect of the development on local air quality. It must assess impacts on existing AQMAs, or an impact likely to result in the declaration of an additional AQMA. They should also include onsite mitigation measures to reduce negative impacts on local air quality. Air quality exposure modelling should be undertaken at specified residential properties and other sensitive properties within or adjoining an AQMA.</li> </ul> </li> <li>Tiverton is at risk of being designated an AQMA</li> <li>Annex 2 contains Low Emissions Assessment Procedural Guidance</li> </ul>
<b>DM4</b> Pollution	<ul style="list-style-type: none"> <li>Development proposals that negatively risk impacting the quality of the environment must be accompanied by a Pollution Impact Assessment and mitigation schemes where necessary.</li> <li>A development will only be permitted where the cumulative effects of pollution will not have a detrimental effect on health and the natural environment.</li> </ul>

## Appendix C: Source Apportionment

**Table C. 1 – NOx source apportionment for all road transport and background at all monitoring locations within MDDC (%) for the baseline fleet, 2019**

Site name	% contribution to total modelled NOx (background + road transport = 100%)								Total road transport
	Background	Petrol cars	Diesel cars	Buses	LGVs	Rigid HGVs	Artic HGVs	Motorcycles	
AQMesh Church	<b>19.9</b>	2.9	38.7	10.0	20.7	5.9	1.8	0.1	<b>80.1</b>
AQMesh School	<b>22.5</b>	2.7	36.5	9.2	19.8	7.1	2.2	0.1	<b>77.5</b>
AQMesh Little Bakery	<b>11.2</b>	4.7	39.4	5.8	24.9	10.0	4.0	0.1	<b>88.8</b>
AQMesh Manor House	<b>10.5</b>	4.6	38.6	5.7	24.4	11.5	4.6	0.1	<b>89.5</b>
DT1	<b>67.8</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>32.2</b>
DT2	<b>68.7</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>31.3</b>
DT3	<b>81.0</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>19.0</b>
DT4	<b>82.5</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>17.5</b>
DT5	<b>55.9</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>44.1</b>
DT6	<b>51.5</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>48.5</b>
DT7	<b>36.8</b>	3.1	28.4	3.1	21.2	5.3	1.9	0.2	<b>63.2</b>
DT8	<b>23.9</b>	2.4	30.5	2.5	27.7	9.7	3.0	0.4	<b>76.1</b>
DT9	<b>36.7</b>	3.3	28.1	4.0	18.1	6.9	2.7	0.1	<b>63.3</b>
DT10	<b>13.8</b>	4.3	36.7	4.9	24.5	11.3	4.4	0.2	<b>86.2</b>
DT11	<b>19.6</b>	4.2	35.7	4.8	23.4	8.7	3.4	0.1	<b>80.4</b>
DT12	<b>11.4</b>	4.7	39.3	5.8	24.8	10.0	3.9	0.1	<b>88.6</b>
DT13	<b>9.9</b>	4.7	39.9	5.9	25.2	10.1	4.0	0.2	<b>90.1</b>
DT14	<b>54.7</b>	1.2	19.6	1.5	19.9	2.2	0.7	0.3	<b>45.3</b>
DT15 <sup>25</sup>	<b>79.9</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>20.1</b>
DT16 <sup>25</sup>	<b>88.7</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>11.3</b>
DT17 <sup>25</sup>	<b>65.4</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>34.6</b>
DT18	<b>19.0</b>	3.0	40.1	8.7	22.8	4.9	1.4	0.1	<b>81.0</b>
DT19	<b>11.3</b>	3.2	42.5	10.9	23.7	6.4	1.9	0.1	<b>88.7</b>
DT20	<b>8.6</b>	3.3	44.2	11.4	23.6	6.7	2.0	0.1	<b>91.4</b>

<sup>25</sup> DT15, DT16 and DT17 do not have any modelled roads nearby so source apportionment has only been completed using background maps.

**Table C. 2 – PM<sub>10</sub> source apportionment for all road transport and background at all monitoring locations within MDDC (%) for the baseline fleet, 2019**

Site name	% contribution to total modelled PM <sub>10</sub> (background + road transport = 100%)								Total road transport
	Background	Petrol cars	Diesel cars	Buses	LGVs	Rigid HGVs	Artic HGVs	Motorcycles	
AQMesh Church	<b>79.5</b>	5.1	6.6	2.1	4.4	1.5	0.6	0.1	<b>20.5</b>
AQMesh School	<b>81.6</b>	4.5	5.9	1.9	4.0	1.5	0.6	0.1	<b>18.4</b>
AQMesh Little Bakery	<b>72.8</b>	8.4	7.2	1.2	6.3	2.6	1.3	0.1	<b>27.2</b>
AQMesh Manor House	<b>71.6</b>	8.6	7.3	1.3	6.4	3.1	1.6	0.2	<b>28.4</b>
DT1	<b>98.7</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.3</b>
DT2	<b>98.4</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.6</b>
DT3	<b>98.5</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.5</b>
DT4	<b>98.3</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.7</b>
DT5	<b>98.2</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.8</b>
DT6	<b>98.2</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.8</b>
DT7	<b>92.3</b>	2.5	2.0	0.3	1.7	0.7	0.4	< 0.1	<b>7.7</b>
DT8	<b>85.8</b>	3.5	3.0	0.5	3.0	2.8	1.4	0.1	<b>14.2</b>
DT9	<b>92.8</b>	2.3	1.9	0.3	1.7	0.7	0.4	< 0.1	<b>7.2</b>
DT10	<b>76.8</b>	7.0	5.9	1.0	5.0	2.8	1.4	0.1	<b>23.2</b>
DT11	<b>84.1</b>	5.0	4.2	0.7	3.6	1.6	0.8	0.1	<b>15.9</b>
DT12	<b>73.4</b>	8.3	7.0	1.2	6.2	2.5	1.3	0.1	<b>26.6</b>
DT13	<b>70.2</b>	9.2	7.9	1.3	6.9	2.8	1.4	0.2	<b>29.8</b>
DT14	<b>96.2</b>	1.0	0.9	0.2	1.1	0.4	0.2	< 0.1	<b>3.8</b>
DT15 <sup>26</sup>	<b>99.3</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>0.7</b>
DT16 <sup>26</sup>	<b>99.5</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>0.5</b>
DT17 <sup>26</sup>	<b>99.5</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>0.5</b>
DT18	<b>77.6</b>	5.5	7.2	2.0	5.1	1.7	0.7	0.1	<b>22.4</b>
DT19	<b>65.1</b>	8.5	11.1	3.6	7.7	2.9	1.2	0.1	<b>34.9</b>
DT20	<b>60.4</b>	9.8	12.8	4.1	8.6	3.0	1.2	0.2	<b>39.6</b>

<sup>26</sup> DT15, DT16 and DT17 do not have any modelled roads nearby so source apportionment has only been completed using background maps.

**Table C. 3 – PM<sub>2.5</sub> source apportionment for all road transport and background at all monitoring locations within MDDC (%) for the baseline fleet, 2019**

Site name	% contribution to total modelled PM <sub>2.5</sub> (background + road transport = 100%)								Total road transport
	Background	Petrol cars	Diesel cars	Buses	LGVs	Rigid HGVs	Artic HGVs	Motorcycles	
AQMesh Church	<b>78.6</b>	4.3	6.3	2.2	6.6	1.3	0.5	0.1	<b>21.4</b>
AQMesh School	<b>80.6</b>	3.9	5.7	2.0	6.0	1.3	0.5	0.1	<b>19.4</b>
AQMesh Little Bakery	<b>70.3</b>	7.4	7.2	1.4	9.8	2.4	1.2	0.2	<b>29.7</b>
AQMesh Manor House	<b>69.0</b>	7.6	7.4	1.4	10	2.9	1.5	0.2	<b>31.0</b>
DT1	<b>98.9</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.1</b>
DT2	<b>98.6</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.4</b>
DT3	<b>98.4</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.6</b>
DT4	<b>98.1</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.9</b>
DT5	<b>98.5</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.5</b>
DT6	<b>98.5</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>1.5</b>
DT7	<b>91.5</b>	2.2	2.1	0.3	2.8	0.7	0.4	0.1	<b>8.5</b>
DT8	<b>84.3</b>	3.3	3.2	0.5	4.7	2.6	1.3	0.1	<b>15.7</b>
DT9	<b>92.0</b>	2.0	2.0	0.4	2.6	0.7	0.3	< 0.1	<b>8.0</b>
DT10	<b>74.6</b>	6.3	6.0	1.1	8.0	2.6	1.3	0.1	<b>25.4</b>
DT11	<b>82.4</b>	4.5	4.3	0.8	5.7	1.5	0.8	0.1	<b>17.6</b>
DT12	<b>70.9</b>	7.3	7.1	1.4	9.6	2.4	1.2	0.2	<b>29.1</b>
DT13	<b>67.6</b>	8.1	7.9	1.5	10.7	2.6	1.4	0.2	<b>32.4</b>
DT14	<b>95.6</b>	1.0	1.0	0.2	1.7	0.4	0.2	< 0.1	<b>4.4</b>
DT15 <sup>27</sup>	<b>99.3</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>0.7</b>
DT16 <sup>27</sup>	<b>99.3</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>0.7</b>
DT17 <sup>27</sup>	<b>99.3</b>	N/A	N/A	N/A	N/A	N/A	N/A	N/A	<b>0.7</b>
DT18	<b>76.2</b>	4.8	6.9	2.1	7.6	1.6	0.6	0.1	<b>23.8</b>
DT19	<b>63.9</b>	7.1	10.4	3.7	11.3	2.5	1.0	0.2	<b>36.1</b>
DT20	<b>58.9</b>	8.3	12.1	4.2	12.7	2.6	1.0	0.2	<b>41.1</b>

<sup>27</sup> DT15, DT16 and DT17 do not have any modelled roads nearby so source apportionment has only been completed using background maps.

## Appendix D: Longlist of actions

**Table D. 4 – Longlist of actions considered for AQAP**

Theme	Ref.	Action	Description	Status
Improving technologies	AQAP1	Develop a priority matrix of low emission vehicle options for MDDC's vehicle fleet	This could take the form of a simple Excel-based model, to provide an assessment of the current performance of fleet vehicles, in comparison with the latest available models and retrofit technologies. Assessment criteria to include emissions performance, and fuel, maintenance and capital costs. Fleet to be reviewed on an annual basis, to ensure continuing improvement.	New thinking
	AQAP2	Upgrade MDDC vehicle fleet	This measure will involve improvements to MDDC's fleet, including HGVs and LGVs, with a focus on replacing vehicles with ULEV alternatives. The Council's vehicle fleet incorporates a large number of diesel vehicles, and although improvements are continuously being considered and applied, there may be opportunities to fast-track this process to improve air quality. Consideration will be given to the existing procurement agreement and how this will affect potential vehicle upgrades. The direct impact of changes to the Council's own activities will be relatively small in terms of air quality and emissions overall, but as a figurehead and major employer in the district, their actions will set an example for others to follow.	New thinking
Mode shift	AQAP3	MDDC staff travel strategy	The preparation of an MDDC Environmental Travel Strategy might include incentives for public transport use and bicycle schemes, preferential parking, car share etc.	New thinking
Monitoring and data	AQAP4	Real time sensor AQ monitoring at new locations in Crediton & Cullompton	Four real-time air quality (AQMesh) sensors were installed by Ricardo at locations across the district. Two were deployed along the each of the main routes through the Crediton and Cullompton AQMAs, the A377 and B3181 respectively. The sensor outputs are: NO <sub>2</sub> (hourly mean), PM <sub>10</sub> (24 Hour mean), PM <sub>2.5</sub> (24 Hour mean), NO (hourly mean) and NO <sub>x</sub> as NO <sub>2</sub> (hourly mean). Data is available to download from Air Quality England (AQE).	Under implementation

## Mid Devon District Council AQAP

Theme	Ref.	Action	Description	Status
	AQAP5	Review of current monitoring in region	<p>MDDC commissioned a comprehensive review of the Council's air quality monitoring, reporting, assessments and planning documents to ensure that all current monitoring requirements are identified. Feedback from Defra on the council's 2018 Annual Status Report noted the requirement to review current monitoring locations given the extent of new infrastructure developments proposed. The review, completed in 2019, proposed the following recommendations:</p> <ul style="list-style-type: none"> <li>• Revoking the Crediton AQMA based on particulates. Particulate sensors may offer an alternative measurement methodology and provide better value for particulate measurements going forward.</li> <li>• Retention of the AQMA declarations for annual mean NO<sub>2</sub> concentrations at Cullompton and Crediton.</li> <li>• The establishment of a low-cost monitoring network using AQ Mesh Sensors across the district.</li> </ul>	Operational
	AQAP6	Air quality assessment of Crediton traffic management schemes	<p>Crediton Town Council commissioned a study to define traffic management improvements for key roads in the town. The scheme was developed in response to the further development planned in Crediton (as well as other edge of settlement land uses) and its implications for potential air quality issues in the High Street area. MDDC commissioned an Air Quality Impact Assessment (AQIA) to analyse the air quality impacts of the proposed scheme. The AQIA was performed in conjunction with the installation of the deployment of two real-time sensors at locations along the A377. The study aimed to determine the impact of proposed traffic management improvements on the air quality within the Crediton AQMA. Modelled concentrations of NO<sub>2</sub> annual and hourly means were presented for the current 2019 Baseline and a 2019 Proposed scenario and used to assess the impact of the proposed traffic management schemes.</p> <p>The findings of the assessment, which was completed during 2020, were as follows:</p> <ul style="list-style-type: none"> <li>• Analysis of the change in annual concentration at roadside modelled receptor points showed the largest changes in NO<sub>2</sub> annual mean concentrations around the High Street area, where the current air quality issues have been identified.</li> <li>• The traffic management measures were predicted to decrease the annual mean NO<sub>2</sub> concentration at the monitoring site that currently shows an exceedance on Crediton High Street to 37.54 µg.m<sup>-3</sup>.</li> <li>• All modelled hourly mean NO<sub>2</sub> concentrations were well below the one hour mean NO<sub>2</sub> AQO of 200 µg.m<sup>-3</sup> not to be exceeded more than 18 times a year.</li> <li>• Some receptors towards the Eastern Gateway showed an increase in the</li> </ul>	Operational

## Mid Devon District Council AQAP

Theme	Ref.	Action	Description	Status
			NO <sub>2</sub> annual mean of between 0.25 and 2.10 µg.m <sup>-3</sup> and resulted in one new exceedance of the AQO which increased from 39.91 µg.m <sup>-3</sup> to 40.89 µg.m <sup>-3</sup> .	
Public transport and taxis	AQAP7	Low emission taxi programme	Like the Council fleet, taxis will not have a major impact across the whole district, but they have a greater impact per vehicle than other cars due to the way they are operated and could be a highly visible part of the district's transport system. It is therefore important that they work towards being a clean and efficient fleet. Investment in taxi charging hubs and related infrastructure, or priority taxi ranks could be potential options to encourage change.	New thinking
	AQAP8	Upgrade / retrofit buses	Buses are a key alternative to car traffic and making sure these are clean and efficient will be an important part of their role in improving air quality in the district.	New thinking
	AQAP9	Taxi licensing conditions	Including environmental considerations in the requirements for taxi permits will lead to a reduction of air pollution from the use of Taxis. The taxi licensing policy was updated most recently in 2018, and became effective on 1 <sup>st</sup> January 2019. <sup>28</sup>	Operational
Plans and policies	AQAP10	Develop a domestic solid fuel policy	The Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020 are to be enforced by the relevant Local Authority. How these regulations are enforced at a Local Authority level needs to be considered. A domestic solid fuel policy for Mid Devon could make enforcement of these Regulations easier. Guidance will be made available for local authorities so that their enforcement officers have a clear understanding of the certification schemes and their ability to enforce the legislation.	New thinking

<sup>28</sup> Mid Devon District Council Hackney Carriage & Private Hire Licensing Policy, 2018, <https://www.middevon.gov.uk/media/346606/final-hackney-carriage-and-private-hire-policy.pdf>

Theme	Ref.	Action	Description	Status
	AQAP11	Develop a bonfire policy	<p>There are laws about burning certain types of waste and to prevent bonfires causing a nuisance. The Council has a responsibility to investigate complaints of smoke and fumes that could be classed as a 'statutory nuisance'. A bonfire policy could enable residents to make better decisions around when, where, and how to have their bonfires, by providing guidance. It could also inform residents about the human and environmental health impacts of bonfires, and reduce the occurrence of bonfires. Options for greater restrictions on open burning and bonfires must be considered. Examples in other local authorities largely relate to guidelines and public information as there are legal limitations in place, particularly regarding domestic bonfires. Guidelines - <a href="https://www.threerivers.gov.uk/download?id=46788">https://www.threerivers.gov.uk/download?id=46788</a> , <a href="https://www.lewes-eastbourne.gov.uk/environmental-problems/bonfires/">https://www.lewes-eastbourne.gov.uk/environmental-problems/bonfires/</a> Public information leaflet - <a href="https://www.adur-worthing.gov.uk/media/Media,96840,smxx.pdf">https://www.adur-worthing.gov.uk/media/Media,96840,smxx.pdf</a></p>	New thinking
	AQAP12	Electric vehicle strategy including development of EV charging network	<p>Policy DM8 of the Local Plan Part 3 identifies a minimum standard for the provision of EV infrastructure as recommended by the Low Emissions Strategic Partnership for 3-phase or accelerated electricity supply. Individual properties within new housing developments will have their own charging points. Currently there are s106 allocations for improving the EV charging network in Crediton (£100K) and Cullompton (£150K).</p> <p>This measure will aim to promote the development of a broader electric vehicle strategy across Mid Devon, with the objective of creating long-term infrastructure which supports the use of low emission vehicles for local residents and businesses. The strategy will underpin several of the other measures, including improvements to the Council's vehicles and the Low Emission Taxi Programme. This will look to mirror other similar strategies adopted by local authorities across the UK. Specific actions may include (subject to successful funding bids):</p> <ul style="list-style-type: none"> <li>• Additional electric vehicle charging facilities at main traffic generator sites (including employment sites, shopping centres and leisure facilities);</li> <li>• Preferential parking policies to reduce costs for electric vehicles (also in association with EV chargers &amp; associated costs); and</li> <li>• Priority traffic management measures for ULEV's (e.g. bus lane use).</li> </ul> <p>The strategy will promote the use of EVs and likely to reduce travel times if EVs are not having to wait for the use of a charging station.</p>	New thinking



## Mid Devon District Council AQAP

Theme	Ref.	Action	Description	Status
	AQAP13	Updating the Supplementary Planning Document (SPD) on Air Quality and Development	The SPD on Air Quality and Development was extensively reviewed as part of the Ricardo report "Review of Mid Devon District Council's Air Quality Planning Policies" and a number of improvements were suggested. The update to the SPD is underway and is expected to be completed by Summer 2020.	Under implementation
	AQAP14	Planning conditions on Tiverton Eastern Urban extension	Masterplan for a large urban development was accepted in June 2018. MDC now needs to ensure that all phased planning applications are considered with respect to the Mid Devon Core Strategy (2007) and supplementary planning documents (2008). This major extension to the east of Tiverton requires detailed Low Emission Strategies from developers.	Under implementation
	AQAP15	Review of planning policies	A significant amount of development, which has the potential to impact ambient air quality, has been proposed for Mid Devon. In recognition of this, MDDC commissioned a review of how air quality is being considered in its planning policies and guidance and how this can be strengthened. The review was conducted in 2019. The outcome of this provided a review of current MDDC planning policies and guidance, and other LA guidance and approaches, and offers recommendations on potential areas of improvement, including: <ul style="list-style-type: none"> <li>Ensuring all relevant plans and policies developed by MDDC reflect the importance of addressing air quality issues in the district.</li> <li>Introducing a new system for classifying developments, which offers a user-friendly resource for developers and ensures risks to air quality are appropriately addressed.</li> <li>Ensuring developers are required to apply the latest technical guidance for air quality assessments.</li> <li>The development of a new emissions mitigation assessment based on the latest IGCB Air Quality Damage Costs and Emission Factor Toolkit.</li> <li>Ensuring a consistent approach to the determination of significance of air quality impacts, that requires the application of professional judgement in the interpretation air quality assessments</li> </ul>	Operational
	AQAP16	Development of a Low Emission Strategy (LES) for Cullompton	Emissions and economic assessments were completed in 2019 and report has been submitted by Ricardo.	Operational

## Mid Devon District Council AQAP

Theme	Ref.	Action	Description	Status
Targeting particulates	AQAP17	Consider implementation of smoke control areas	Under the Clean Air Act, a Local Authority may declare the whole or part of the district of the authority to be a smoke control area (SCA). It is an offence to emit smoke from a chimney of a building, from a furnace or from any fixed boiler if located in a designated SCA. It is an offence to acquire an unauthorised fuel for use within a SCA unless it is used in an "exempt" appliance ("exempted" from the controls which generally apply in the SCA). The current maximum level of fine is £1,000 for each offence. Defra has published the rules for SCAs, available here: <a href="https://uk-air.defra.gov.uk/assets/documents/reports/cat07/1901291328_Smoke_Control_Web.pdf">https://uk-air.defra.gov.uk/assets/documents/reports/cat07/1901291328_Smoke_Control_Web.pdf</a>	New thinking
Infrastructure	AQAP18	Eastern Relief Road Cullompton and additional M5 junction	This is an existing project that intends to support the predicted population growth of Cullompton. Major infrastructure will be required to mitigate current high levels in the town centre and accommodate the increased traffic volumes arising from Cullompton's proposed growth. Consideration could be given to pedestrianizing the High Street.	Under implementation
	AQAP19	Kings Mill Industrial site traffic management Cullompton Junction 28	The new Local Plan proposes upgrades to the existing road network to support growth of industrial estate and reduce congestion. As the site will increase in size, thus increasing volumes trying to leave/enter the M5, a range of initiatives are proposed to deal with the problem.	Under implementation
	AQAP20	Culm Valley Garden Village development and major infrastructure projects	The 500 home 'garden village' aims to support housing demand in the region with high quality design. This includes planning policies which support improvements to local air quality levels including technical guidance on emissions assessment work and low emission strategies.	Under implementation
	AQAP21	Secure cycle parking facilities in town centres and at key transport hubs	Secure and reliable locations to park bikes and other alternatives transport equipment to private vehicles are vital to help citizens overcome any concerns in the up-take of an active travel option. Locations and s106 funding have been identified in Crediton (£8K), and Cullompton (£30K). Locations in Tiverton are under consideration to join the town centre with Tiverton parkway railway station.	Under implementation
	AQAP22	Bus stop infrastructure	Plans are already in place to use S105a contributions to improve bus stop infrastructure. This should lead to an increase in bus service use. S106 allocations are in place for Copplestone bus infrastructure improvements that affect Crediton AQMA (£177K).	Under implementation
	AQAP23	Review of bus stop locations and routes	Regular review of the bus routes, capacity and service usage should be undertaken to ensure that each service is as efficient as possible without impacting those most reliant on it. Review of Cullompton and Crediton services will include frequency, location of bus stops, routes.	Under implementation

## Mid Devon District Council AQAP

Theme	Ref.	Action	Description	Status
	AQAP24	Improving footpath and cycling paths in major towns	Improvement of public infrastructure (safety, number of routes, location of routes and capacity) will help to dissuade citizens from the use of a private vehicle. Some areas that have been identified are: improved footpath and cycleway links between Cullompton town centre and Kingsmill Industrial Estate, and Cromwells Meadow to Leisure centre in CREDITON.	Under implementation
	AQAP25	Road resurfacing	Ensure that road surfaces are maintained to an acceptable standard so that vehicles are able to run efficiently and therefore reduce unnecessary air pollution. Smooth road conditions also encourage cyclists. This measure comprises design considerations for relevant road links within both the Cullompton and CREDITON AQMAs. There is potential for this to be managed on a contract by contract basis.	Under implementation
	AQAP26	Explore alternative parking and traffic flow measures	Consultation with Town councils has identified a number of smaller measures that could alleviate congestion at Both CREDITON and Cullompton. Further consultation with DCC/Highways will be required to look at feasibility.	Operational
	AQAP27	Cullompton / Wellington rail link feasibility study	Land has been identified that will accommodate this infrastructure. A 'bus' hub built next to the Rail Station that links with new developments is proposed.	Operational
<b>Freight</b>	AQAP28	Fleet recognition scheme	As well as ECO Stars, other fleet recognition schemes such as the Fleet Operator Recognition Scheme (FORS) exist, or the Council may wish to undertake actions to recognise and promote clean vehicle fleets themselves. Such examples could include tying fleet recognition to preferential parking or other benefits.	New thinking
	AQAP29	ECO Stars fleet management and recognition scheme	This free scheme aims to assist haulage and bus operators reduce their operations impact on the environment whilst also saving money in the process. The scheme is ongoing and is therefore retained in the new AQAP. The program has good membership in Mid Devon, but does require further expansion to all the districts within Devon.	Operational
<b>Engagement and public awareness</b>	AQAP30	Clean air campaign	This measure combines the encouragement of active travel through marketing campaigns and the provision of cycle infrastructure and incentive schemes. Specific actions could include (subject to successful funding bids): <ul style="list-style-type: none"> <li>• Mid Devon cycling strategy;</li> <li>• Events and promotions (e.g. Clean Air Day, or European Mobility Week);</li> <li>• Live air quality data from the low cost sensor network at bus stops.</li> </ul>	New thinking

## Mid Devon District Council AQAP

Theme	Ref.	Action	Description	Status
	AQAP31	Solid fuel burning public information campaign	<p>The challenge with solid fuels is how to regulate them, as it is difficult to know which stoves and/or fuels are used, and unless there is a smoke control area or a nuisance issue, the actions that can be taken by a local authority are limited. A LA that we collaborated with recently were planning to introduce a policy on open burning and bonfires, so this could be an option. Another option would be a broader education campaign on solid fuels and air quality.</p> <p>There was a presentation on solid fuel burning at the recent IAPSC conference which included some recommendations for the types of measures LAs could introduce:</p> <p><a href="http://www.iapsc.org.uk/assets/document/1220_Session5_IAPSC_Clare_Beattie.pdf">http://www.iapsc.org.uk/assets/document/1220_Session5_IAPSC_Clare_Beattie.pdf</a></p> <p>Defra have also produced a practical guide to 'Open fires and wood-burning stoves':</p> <p><a href="https://uk-air.defra.gov.uk/assets/documents/reports/cat09/1901291307_Ready_to_Burn_Web.pdf">https://uk-air.defra.gov.uk/assets/documents/reports/cat09/1901291307_Ready_to_Burn_Web.pdf</a></p> <p>Brighton &amp; Hove City Council also have some information available online:</p> <p><a href="https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/downloads/airquality/Using_Solid_Fuels_Safely_and_Legally_(pdf_0.2_mb).pdf">https://www.brighton-hove.gov.uk/sites/default/files/migrated/article/inline/downloads/airquality/Using_Solid_Fuels_Safely_and_Legally_(pdf_0.2_mb).pdf</a></p>	New thinking
	AQAP32	Anti-idling campaign	This will protect and raise awareness of the unnecessary risk to vulnerable people's health caused by idling. Buses, school and hospital vehicles could be prioritised as they are normally operating in locations where the most vulnerable are (i.e. children, the elderly, and people needing medical care).	New thinking
	AQAP33	Promote data captured from the AQ monitoring network	Promotion and public understanding of the data captured might help the public to become consciously aware of their own impact on local AQ. This may lead to change in routine behaviour, leading to improved local AQ. Evidence of public interest may also help to secure future funding for additional monitoring stations.	New thinking
	AQAP34	Promotion of car share Devon scheme	<p>Local Plan Part 3; Development management Policies – Policy DM6 identifies car club and car sharing schemes as a mitigation measure. Locations and s106 funds have been identified: Crediton (£30K), Cullompton (£30K).</p> <p>This will help residents recognise opportunities to share travel costs and reduce the number of vehicles on the road. Promotion of the scheme will help to reduce the reliance of private vehicles. Current information is available at:</p> <p><a href="https://liftshare.com/uk/community/devon">https://liftshare.com/uk/community/devon</a></p>	New thinking
	AQAP35	Review and continued support of Community Car sharing schemes	It is important that MDDC continue to review the success of the scheme, and support the scheme to overcome any existing or future challenges.	Under implementation

## Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
AQS	Air Quality Strategy
ASR	Air quality Annual Status Report
CO <sub>2</sub>	Carbon Dioxide
DCC	Devon County Council
Defra	Department for Environment, Food and Rural Affairs
EU	European Union
LAQM	Local Air Quality Management
MDDC	Mid Devon District Council
NO <sub>2</sub>	Nitrogen Dioxide
NO <sub>x</sub>	Nitrogen Oxides
PM <sub>10</sub>	Airborne particulate matter with an aerodynamic diameter of 10µm (micrometres or microns) or less
PM <sub>2.5</sub>	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less

This page is intentionally left blank

## Scrutiny Report: Planning Enforcement Officer Review of Recommendations

No.	Recommendation	Comments	Position
1	That the Council recruit further resource for planning enforcement so the team includes either: a Principal Planning Enforcement Officer, two Planning Enforcement Officers and trained dedicated admin support; or a Principal Planning Enforcement Officer and three Planning Enforcement Officers.	<p>Scrutiny recommendations did not consider any revised budgetary context, therefore while this level of resourcing might be what is considered 'ideal' by a working group considering this service in isolation, this has to be balanced with what the council can actually afford via its budgeting process.</p> <p>Initial estimates indicate that such a proposal would add around £110k into the council's base salary costs; a level that cannot be met under the budget agreed by full council in 2021 – which notably included a vacancy (staff) saving figure of £150k on the existing staffing structure.</p> <p>The Development Management service is undergoing a period of change and stabilisation since May 2021. Consideration of resource allocation will be looked at via a planned restructure, however it is likely that some compromise will be needed between what is affordable and what might be aspired to by way of resourcing in this particular area of service due to the need to balance expenditure priorities across the department and indeed the entire council.</p> <p>The budget-setting process for 2022 concludes in February 2022; members of scrutiny (alongside all other members) are reminded that this process will be their opportunity to allocate more resources to this area if other areas of work are sufficiently deprioritised to achieve a balanced position – which is required by law.</p>	Noted. Service restructure may see some marginal additions in the medium-term, but the long-term position will be determined by members as part of the 2022 budget round.
2	That the Council establish a dedicated Solicitor with planning experience to act as a direct point of reference for the Planning Department, this could potentially be a shared service with another Local Authority	<p>The same issues as above are pertinent. Recommendations of adding to the staffing base are useful in terms of clarifying scrutiny's advice. However, this needs to be tabled as a proposal for additional investment through the budget process.</p> <p>By way of context, the Legal team has recently employed a locum to help provide additional advice on matters of planning and enforcement and to tackle immediate pressures. As a short-term measure, a fixed term post for 12 months (3 days per week) has been advertised to see if such a resource can be recruited to allow for an analysis of value in improving the effectiveness of work in this area.</p>	In-progress
3	That the Planning Department establish a process to enable proactive monitoring of planning conditions. That a proposal for how this will be achieved is brought to the Scrutiny Committee by the Chief Executive within a month of adoption of recommendation by Council.	Processes and triggers are under review and discussions have started between managers and the wider team on how this could be achieved. Such monitoring will also be dependent on resource and levels of work, therefore the deliberations on service restructure/redesign are giving additional weight to how this could be achieved within the current financial envelope.	In-progress
4	That Enforcement Officers are provided with tablets with mobile telephone connection, linked to	All relevant officers have been issued iPads suitable to undertake onsite work (they already have mobile phones); the rollout started in May 2021, therefore the working group may not have been aware of this at the time they held their conversations.	Completed

	MDDC systems, to assist on site visits so that information can be retrieved on site and allow immediate contact and consultation with management if required.		
<u>5</u>	That internal procedures be put in place so that discretionary powers be delegated down to appropriate levels to allow enforcement officers to make relevant decisions on site	The 'appropriateness' of the current Scheme of Delegation is a matter for the Planning Committee. However, in general there is a very good reason why legal notices issued by officers are checked by the council's solicitors prior to issue. It minimises risk, since while enforcement officers are able to make judgements onsite, the nature of enforcement means it is very case-specific in terms of the balance of exercising such power. Notices are already created by Enforcement Officers and simply sent to legal for checking prior to issue.	Noted.
<u>6</u>	That a Subgroup of the Planning Committee be established to monitor issues within Planning Enforcement. This standing Enforcement Advisory or Working Group would review performance, deadlines and outstanding cases, and report back to the Planning Committee.	Whether the Planning Committee wishes to create any sub group, for any purpose, is entirely within the remit of the Planning Committee.  The committee already has the opportunity to receive information on performance and can request further such information as it sees fit. However, one area of concern is around the extent to which any such group of members might get drawn into operational matters, where decisions are necessarily made by qualified officers. The line between policy-setting and operational management is an important one, and any such group that members wish to create would need to be clear on its terms of reference.  In addition, linked to recommendation number 10, there would be a limit on what could be put into the public domain while cases were at the early stages of enforcement, or during the building of any case. In effect, the operational activity only becomes publicly reportable once it's happening. See item 10 for further comment.	Noted.
<u>7</u>	That the free planning advice line and/or the contact telephone number be reinstated with immediate effect (as outlined by the Customer Service Working Group).	Providing non-statutory free advice is a commercial decision for the council. At the moment, the council seeks to balance its aspiration for high quality development by providing some limited 'free' access to a planner for generic queries via the 'duty planner' system, with the opportunity to pay for more tailored advice as part of a 'pre-app' service which is discretionary.  The system of charging for statutory planning services is a nationally-mandated one and means that the council has no control over planning fees. To this end, the activity of the planning department (including enforcement) is in effect subsidised by local taxpayers. While lobbying continues to allow for local councils to set their own planning fees to cover the entire costs of providing related services, a move to provide further 'free' advice to those undertaking development would mean a greater subsidy in a non-statutory area of service.	Noted.
<u>8</u>	That the Local Enforcement Plan be rewritten to consider the views and recommendations of this report and to take into account more enhanced versions from other Local Authorities,	The council's policy was due a review in its 3 <sup>rd</sup> year (being 2021). A review of the Local Enforcement Plan is being undertaken to include observations and recommendations from the scrutiny report. As recommended, this will include reference to other local authorities' plans, specifically the East Devon Policy as considered by the working group.	In-progress



	notably the East Devon model. That the new Enforcement Plan be submitted to the Scrutiny Committee for consideration prior to submission for adoption by Planning Committee.	This review is currently being considered by the DM and legal services and, while nothing is formally scheduled at this point, it is expected that this will come to scrutiny and cabinet early in the New Year.	
9	That a Tree Officer is recruited as a matter of urgency, this could potentially be a shared service with another Local Authority.	Tree Officer is now in post. The need was understood prior to scrutiny recommendation, however the issue has been one of availability and recruitment challenge, which meant relying on consultant support for longer than ideal.	Completed
10	That the Chief Executive bring forward a proposal for making information on enforcement action more publicly available.	There are strict rules around data protection with regards to enforcement activity. In all instances there is a balance to be struck between attempting to build a case for legal prosecution and giving confidence as to action being taken. As noted above (6), operational activity can only be put into the public domain once it is happening, or has happened, to avoid undermining its effectiveness – and even then, it is likely that a large part of the detail relating to personal matters would need to be redacted/excluded.  The council's data protection officer and senior information risk owner (SIRO) advises on matters of data release, management or protection.	Noted.
11	That the Development Management Manager establish a process for case management to ensure cases are monitored and followed up, so that cases are not lost within or between Departments.	This will be considered alongside the service restructure and any changes members make to the Local Enforcement Plan (see links with 1,2 & 8 above).	In-progress
12	That an implementation plan is drawn up to cost the recommendations made in this report, and passed to Cabinet for consideration.	This report forms the supporting narrative on each of the specific recommendations as set out by the working group. Some of these recommendations have already been completed, some are in progress and some have been noted. However, as set out specifically under items 1 and 2, the question of budget allocation is a matter for cabinet recommendation and, ultimately, full council decision in February 2022.	Noted.

### Summary

<u>Progress Description</u>	<u>Count</u>
Completed	<u>2</u>
In-progress	4
Comments to be noted by Cabinet	6
<b>Total</b>	<b>12</b>

This page is intentionally left blank

# **Planning Enforcement in Mid Devon District Council**

**September 2021**

A review by a Working Group of the Mid Devon District Council  
Scrutiny Committee

## Contents

Introduction .....	3
Rationale.....	3
Methodology and approach.....	3
Recommendations .....	4
Rationale for recommendations .....	5
Planning Enforcement in Mid Devon District Council .....	10
The Planning Enforcement Team .....	10
Enforcement caseload .....	10
Meetings.....	12
Discussion with Planning Enforcement Officers.....	12
Discussion with administration staff .....	13
Discussion with Area Team Leaders.....	13
Discussion with Development Manager .....	14
Discussion with Head of Legal (Monitoring Officer) .....	15
Discussion with Head of Planning and Regeneration .....	16
Discussion with East Devon District Council .....	16
Case Studies.....	17

## **Introduction**

Planning enforcement investigates possible breaches of planning control and aims to resolve these. Effective enforcement is important to maintain public confidence in the planning system. Mid Devon District Council (MDDC), as the Local Planning Authority, has responsibility for taking whatever enforcement action may be necessary, in the public interest. Formal enforcement action may take a variety of forms with a wide range of legal tools available.

Members of the Scrutiny Committee had expressed concern about the timeliness of some enforcement action, particularly in respect of breaches of planning control and failure to comply with planning conditions. This report looks at the operation and utilisation of enforcement powers and planning conditions, and aims to identify issues to inform service improvement.

## **Rationale**

Members had concerns, and had been contacted by residents on occasions, with regards to planning enforcement issues in their Wards. Residents reported delays and concerns around progress on enforcement issues. This had led to concern that the planning enforcement service is under resourced and may be, occasionally, risk averse to taking formal enforcement action.

Unauthorised development can be detrimental to the local environment and a source of community tension. Failure to investigate and enforce planning conditions or address unauthorised development can reduce the effectiveness of a Local Planning Authority and undermine public confidence in the planning system.

This review aims to ensure:

- Improvements in planning enforcement response times and outcomes;
- Clear deadlines for compliance and enforcement action; and
- Improved public and Elected Members perceptions of the service and confidence in it.

## **Methodology and approach**

The Chairman of the Working Group was Cllr B Warren, other Members of the group included: Cllr G Barnell; Cllr W Burke; Cllr L Cruwys; and Cllr R Stanley. The first meeting of the Working Group was held on 11 March 2021 and the group agreed to meet at least monthly. The Group held meetings with relevant Officers to understand how planning enforcement currently operates in the Council. Members spoke to a variety of Officers, including:

- The two Planning Enforcement Officers (11 March 2021);
- The Planning Department Administration Staff (15 April 2021);
- The two Area Team Leaders (17 May 2021), and a second meeting with the Area Team Leader responsible for Enforcement (25 June 2021);
- The Development Manager (17 May 2021);
- The Head of Legal and Monitoring Officer (7 June 2021); and
- The Head of Planning and Regeneration (8 July 2021).

Members also had a written submission from the Administration and Performance Manager on the level of administration resource dedicated to Planning Enforcement within the Administration team.

In order to understand how Planning Enforcement works in other Local Authorities, Members of the Group also spoke to the Development Manager at East Devon District Council.

In addition, the Group reviewed a large number of relevant documents including: the Mid Devon Local Enforcement Plan; the National Planning Policy Framework; Mid Devon Local Plan; the Planning Practice Guide; and other Local Authorities Enforcement Plans.

The Group reviewed data provided in relation to all planning enforcement cases since the start of 2019. This data review looked at the issues over that time, including: case load; resolution time; the number of open cases and numbers in each priority category.

In order to fully understand the processes and areas of delay, Members looked at 15 randomly selected Planning Enforcement cases in detail. For each case a Member talked through the file with the relevant Officer to understand why certain decisions had been taken and the timelines involved.

Members are very grateful to the Officers that took time to speak to them and for their honest and informative answers and ideas. Members would also like to thank Sally Gabriel, Member Services Manager and Clare Robathan, Scrutiny Officer for their assistance with this review.

### **Recommendations**

1. That the Council recruit further resource for planning enforcement so the team includes either: a Principal Planning Enforcement Officer, two Planning Enforcement Officers and trained dedicated admin support; or a Principal Planning Enforcement Officer and three Planning Enforcement Officers.
2. That the Council establish a dedicated Solicitor with planning experience to act as a direct point of reference for the Planning Department, this could potentially be a shared service with another Local Authority.
3. That the Planning Department establish a process to enable proactive monitoring of planning conditions. That a proposal for how this will be achieved is brought to the Scrutiny Committee by the Chief Executive within a month of adoption of recommendation by Council.
4. That Enforcement Officers are provided with tablets with mobile telephone connection, linked to MDDC systems, to assist on site visits so that information can be retrieved on site and allow immediate contact and consultation with management if required.

5. That internal procedures be put in place so that discretionary powers be delegated down to appropriate levels to allow enforcement officers to make relevant decisions on site.
6. That a Subgroup of the Planning Committee be established to monitor issues within Planning Enforcement. This standing Enforcement Advisory or Working Group would review performance, deadlines and outstanding cases, and report back to the Planning Committee.
7. That the free planning advice line and/or the contact telephone number be reinstated with immediate effect (as outlined by the Customer Service Working Group).
8. That the Local Enforcement Plan be rewritten to consider the views and recommendations of this report and to take into account more enhanced versions from other Local Authorities, notably the East Devon model. That the new Enforcement Plan be submitted to the Scrutiny Committee for consideration prior to submission for adoption by Planning Committee.
9. That a Tree Officer is recruited as a matter of urgency, this could potentially be a shared service with another Local Authority.
10. That the Chief Executive bring forward a proposal for making information on enforcement action more publicly available.
11. That the Development Management Manager establish a process for case management to ensure cases are monitored and followed up, so that cases are not lost within or between Departments.
12. That an implementation plan is drawn up to cost the recommendations made in this report, and passed to Cabinet for consideration.

### **Rationale for recommendations**

From this review it is clear that Planning Enforcement Officers are experienced, professional and adept at investigating and handling complex enforcement cases. Delegated decision making has enabled decisions to be made away from Committee and this has helped speed up the process. Officers work well together as a team – using each other’s knowledge to help move cases forward and also to ensure safety on site visits where necessary. The team also works well across the Council with other teams and Departments.

Despite this, delays are still occurring and the level of resourcing is a concern. Public and Member expectations are not being met and this is causing reputational damage to the Council.

#### Recommendation 1

*That the Council recruit further resource for planning enforcement so the team includes either: a Principal Planning Enforcement Officer, two Planning Enforcement*

*Officers and trained dedicated admin support; or a Principal Planning Enforcement Officer and three Planning Enforcement Officers.*

The current level of resourcing in the Planning Enforcement Team is not meeting the levels of public and Member expectation with regards to investigation and turn around. In terms of caseload, 66% of cases since 2019 have been resolved within the first 90 days – 90 days is the target for cases as stated in the Mid Devon Local Enforcement Plan. Members recognise that there will be times where formal enforcement action is required, such as the issue of an enforcement notice, and that the timescales involved will not always make this target possible. Members believe, however, that there is on occasion significant delay and a number of cases are taking too long to resolve.

The Enforcement team would benefit from extra resource, particularly given that the Enforcement Officers currently carry out the majority of administration work and this is adding to the delay. Members heard from Officers that in order to ensure the service functioned effectively, a Principal Planning Enforcement Officer plus three Enforcement Officers, or a Principal Planning Enforcement Officer, plus two Enforcement Officers and dedicated administration support, is required.

#### Recommendation 2

*That the Council establish a dedicated Solicitor with planning experience to act as a direct point of reference for the Planning Department, this could potentially be a shared service with another Local Authority.*

Members heard from Officers (inside and outside the Council) that Local Authorities like Mid Devon generally have a dedicated planning Solicitor. The relationship between planning and legal plays a vital part in the Council's ability to take meaningful enforcement action. A planning solicitor would provide a dedicated point of contact and enable conversations to take place before any enforcement process commenced. This could help speed up the length of time taken to give notices.

Members were cautioned by the Head of Legal with regards to how difficult it is to recruit a Solicitor with planning experience. The Head of Legal did, however, think that effort should be made to work across Districts to share legal services with other local authorities. The use of a shared service would provide access to specialist lawyers and provide greater capacity and skills, not just in planning.

#### Recommendation 3

*That the Planning Department establish a process to enable proactive monitoring of planning conditions. That a proposal for how this will be achieved is brought to the Scrutiny Committee by the Chief Executive within a month of adoption of recommendation by Council.*

Members are aware that sometimes conditions are attached to planning applications that are not subsequently complied with. Enforcement Officers currently rely on information about such conditions being passed to them by Members of the Public or Town/Parish Councils. There is currently no agreed process in the Council for the proactive monitoring of conditions. Whilst Members are mindful that it would be impossible to monitor all conditions, the Group heard from East Devon that their Enforcement Officers had the 'proactive' monitoring of conditions within their role. This



not only helps act as a deterrent, but also helps Officers understand the success of negotiation and application of conditions. Some Authorities have a dedicated Officer to monitor compliance with conditions by carrying out spot checks on sites, particularly where it is known a developer has a record of non-compliance. This is particularly relevant in Mid Devon where we have a number of Anaerobic Digester plants and associated infrastructure where monitoring compliance with conditions is time consuming.

#### Recommendation 4

*That Enforcement Officers are provided with tablets with mobile telephone connection, linked to MDDC systems, to assist on site visits so that information can be retrieved on site and allow immediate contact and consultation with management if required.*

Discussions regarding technology showed that Officers would welcome the introduction of iPads or tablets. Such technology, if linked to MDDC systems, connected to the telephone system and with access to emails, could significantly improve efficiency. Officers had used them within previous Authorities and had seen first-hand how they promote effective use of time. East Devon District Council also stressed that since Enforcement Officers had an iPad, efficiency had improved significantly. Their Officers are able to show maps/plans on site, take photos and log things on the system immediately, or call a colleague for advice (and share photos with that colleague on site) to resolve issues immediately.

Whilst Members recognise that there is a cost involved with the introduction of tablets, and that it may be complicated to link to the system, the benefits of such technology could significantly improve MDDC's enforcement service. The costs could be balanced against more productivity and improvements in time management.

When Members met the Head of Planning, Economy and Regeneration, she confirmed that Enforcement Officers are in the process of being provided with tablets and that the mobile telephone connection project was a high priority for the Communications team and was currently underway.

#### Recommendation 5

*That internal procedures be put in place so that discretionary powers be delegated down to appropriate levels to allow enforcement officers to make relevant decisions on site.*

Currently a full written report has to be prepared before legal action is taken, which goes to the Development Manager to give the go ahead for the serving of a notice. This can cause delays as in most cases there is also Legal involvement. Members heard from Enforcement Officers that, in order to save time, their professional judgement, on relatively simple cases or on issues regarding temporary stop notices, should be enough to act immediately. The Head of Legal also said that it would be possible to give Enforcement Officers the power to serve temporary stop notices – although they would still require advice from legal.

Whilst Members recognise the importance of record keeping, particularly in relation to legal action, Members believe that a review of decision making powers of Officers on the ground should take place. This could mean, that in clear cut cases, if a breach of

planning control has clearly taken place, the owner/occupier/person responsible will be informed straight away (if they are present).

#### Recommendation 6

*That a Subgroup of the Planning Committee be established to monitor issues within Planning Enforcement. This standing Enforcement Advisory or Working Group would review performance, deadlines and outstanding cases, and report back to the Planning Committee.*

In order to ensure continued monitoring of activity and performance within Planning Enforcement, a standing Subgroup of the Planning Committee should be established. This Group would: monitor case load; open and closed cases; review reasons given for closing cases and/or taking action or no further action in individual cases; types of enforcement notices issued; resolution time; trends; performance data and any outstanding cases. It would also consider ways of working in other Local Authorities, and report back to the Planning Committee.

#### Recommendation 7

*That the free planning advice line and/or the contact telephone number be reinstated with immediate effect (as outlined by the Customer Service Working Group).*

Members heard from the Planning Enforcement Officers that there had been a significant knock on effect resulting from the ending of the free planning advice, which has been replaced by a paid for advice service. Enforcement Officers spend time directing people to the right resource in the Council, which is taking time away from investigations. The reintroduction of this free service would enable Officers to focus on investigatory work.

The report by the Scrutiny Customer Experience Working Group in July 2020, recommended that the Planning Department consider re-establishing the dedicated phone answering system. That review found that the lack of a dedicated phone line was taking time away from officers who were being interrupted during other work to answer calls. The recommendation has not been actioned.

#### Recommendation 8

*That the Local Enforcement Plan be rewritten to consider the views and recommendations of this report and to take into account more enhanced versions from other Local Authorities, notably the East Devon model. That the new Enforcement Plan be submitted to the Scrutiny Committee for consideration prior to submission for adoption by Planning Committee.*

In reviewing the Mid Devon Enforcement Plan, alongside other Local Authorities enforcement plans, Members agreed that it would be useful to include further information when the review of the Enforcement Plan takes place this year. Members particularly admired the East Devon Local Enforcement Plan which includes detail into what action will be taken in different types of cases, and detail on types of enforcement powers available. It also has detail on listed buildings, advertisements and a specific section on trees. By providing this detail in the Mid Devon Local Enforcement Plan, members of the public would better understand the planning enforcement process and in turn may reduce work for the Officers. A section on trees may help members of the

public in understanding what issues require consent or what trees need to be protected.

#### Recommendation 9

*That a Tree Officer is recruited as a matter of urgency, this could potentially be a shared service with another Local Authority.*

Members heard how the lack of a Tree Officer was having a knock on effect on the Planning Enforcement Officers as it often fell to them to pick up this work. This not only added to the caseload of the Officers, but also meant that these cases were not being handled by a specialist.

Members are aware that the post of Tree Officer has been re-evaluated and is now at a higher grade and will now be advertised as Arboricultural Officer. Members hope that the regrading will attract suitable candidates allowing the role to be filled.

#### Recommendation 10

*That the Chief Executive bring forward a proposal for making information on enforcement action more publicly available.*

Members are aware of the confidentiality issues with putting enforcement information on the Planning Portal. A review of what is made available, how information could be made available and how quickly would be useful so that Members of the public are aware of action being taken. This in turn may help reduce customer enquiries.

#### Recommendation 11

*That the Development Management Manager establish a process for case management to ensure cases are monitored and followed up, so that cases are not lost within or between Departments.*

When looking at cases in detail, it became apparent that there are times when cases can sit within a Department for a long period of time or appear to get lost between teams. This appears to happen when a case has been sent by an Enforcement Officer to another team or Department for further action. The enforcement service would benefit from clear case management and a process by which to monitor and follow up cases.

#### Recommendation 12

*That an implementation plan is drawn up to cost the recommendations made in this report, and passed to Cabinet for consideration.*

In order to fully understand the financial implications, Members would like Officers to draft an implementation plan so that Cabinet can fully consider the impact of these recommendations.

## **Planning Enforcement in Mid Devon District Council**

### **The Planning Enforcement Team**

The current planning enforcement team at MDDC comprises two full time officers who each cover an area of the District (East and West). Administration support is provided by three planning support officers who provide administration support to the whole Planning Department and have enforcement as one part of their wider role. We heard from these officers that they currently provide about 21 hours per week (in total) for enforcement administration. The team is managed by an Area Team Leader who is also responsible for another planning team within the Department.

Previously within the Council there were two and a half (FTE) enforcement officers. This was reduced to two officers, with the part time officer moving to a different role. To assist with the subsequent backlog, an administration post was established, this role took on the majority of the enforcement administration work which freed up the Enforcement Officers to investigate issues.

This administration post lasted 12 months, but when the officer left the Council it was decided that rather than recruit a new Officer, the three planning support officers would instead support the enforcement officers alongside their other responsibilities.

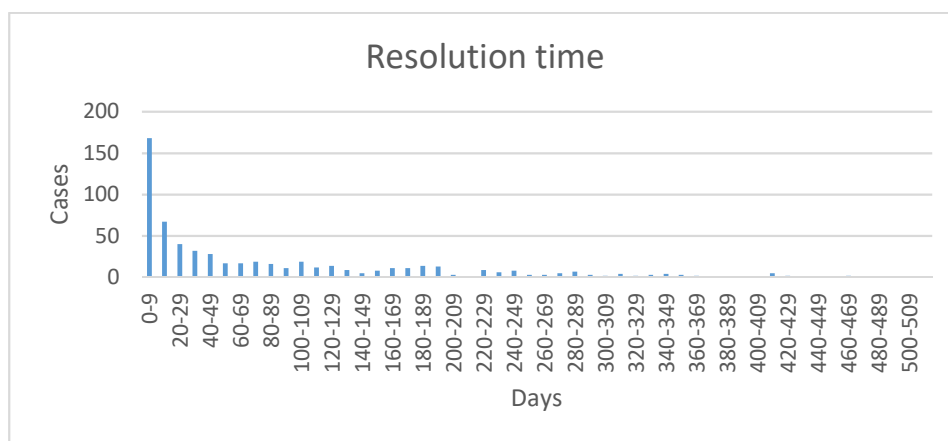
### **Enforcement caseload**

Members reviewed data on cases since the start of 2019 to 22 March 2021, this review showed that:

- 796 cases have been received since 2019, of those:
  - 459 cases were received in 2019.
  - 278 cases were received in 2020 (during the pandemic).
  - 60 cases had been received to that date in 2021.

Of the 796 cases since 2019, 615 had been 'resolved', 181 cases were still open. Of the 615 cases resolved on the spreadsheet, resolution time ranged from 0 days to 515 days.

The chart below shows the range of resolution times per 10 days:

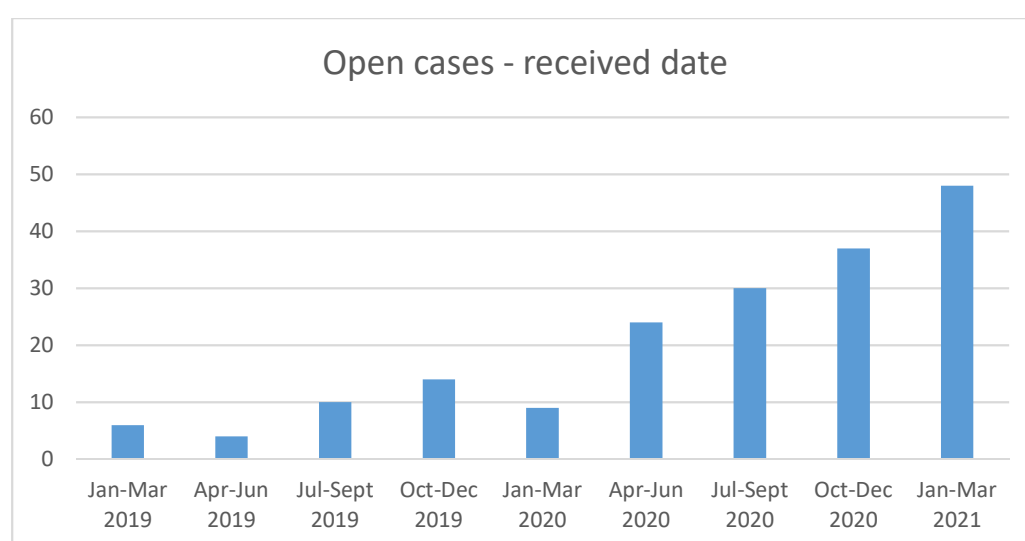


27% of cases (168) were marked resolved within the first 10 days (0-9 days). Of the 168 cases resolved within the first 10 days, 164 were marked as having taken 'no action'.

66% were marked resolved within the first 90 days (0-89 days). (The Local Enforcement Plan says that the Enforcement Service will endeavour to resolve enquiries within three months of their receipt. There will be, however, times where formal enforcement action is required, such as the issue of an enforcement notice, and the timescales involved will not make this possible).

Of the 615 cases resolved, 17 (2.7%) took longer than one year. Of the 181 open cases, 34 had been open since 2019.

They were received:



Of the open cases, 8 are classified as 'highest' or 'high' priority, with the oldest in the 'highest' category open since October 2020 and in the 'high' category open since July 2020.

Of the 795 cases received since 2019

- 13 were categorised as highest priority
- 24 were categorised as high priority
- 69 were categorised as medium priority
- 689 were categorised as low priority (87%)

Of the 795 cases received, 603 (76%) were recommended for 'no action'.

21 cases had a notice served since 2019:

- 1 Enforcement Notice
- 2 Enforcement Notices – Change of Use
- 3 Enforcement Notices – Operational Development
- 12 PCNs
- 1 Section 215
- 2 Temporary Stop Notices

## **Meetings**

### **Discussion with Planning Enforcement Officers**

Members met with the two (then) Planning Enforcement Officers on 11 March 2021 (one of the Officers has since moved to a different role in the Council). Officers were asked about their workload and experience, as well as the processes by which cases came into the Council and the procedure for an enforcement case getting logged onto the system.

Officers discussed the current makeup of the team (two Officers supported by an administration team), as well as the iterations that had previously existed (two and a half FTE enforcement officers, followed by a team of two Officers with a dedicated administration support officer). In the current situation, the administration team only log cases and correspondence onto the system, therefore Enforcement Officers are carrying out the majority of the administration work. Members heard how this is taking time away from investigating cases.

Officers said that the support provided by the administration team could sometimes cause issues, as by the time cases arrived on the Planning Enforcement Officers desk, they were already late as day 'one' was when the complaint arrived in the Council (see the Mid Devon Local Enforcement Plan for target timelines within the Council).

Members also heard that the removal of the free planning advice service (which has been replaced by a paid for advice service and the lack of a Tree Officer were both causing issues. Enforcement Officers were having to pick up the fallout from these issues, either spending time directing people to the right resource in the Council, or often having to pick up the 'tree' work that would otherwise be picked up by a Tree Officer. The same is true with listed buildings if a Conservation Officer was not available. Officers stressed that they are not experts in those fields and that it should be the specialists carrying out that work.

The Officers talked about the decision making process following a site visit, and how some decisions would involve discussions with a Planning Officer or the Area Team Leader. The Development Manager and Legal may also become involved if there was any formal enforcement process. Officers suggested that delays could occur with regards to serving notices, which could be with the legal team for several months after the notice had been drafted.

Members also heard how a full written report has to be prepared before legal action is taken, which went to the Development Manager to give the go ahead for the serving of a notice. This could also cause delays if the Development Manager was unavailable. Previously, this process was less burdensome as an email notification or a verbal agreement was all that was required. Officers were also asked about temporary stop notices and whether they should have authority to deal with this immediately, Officers suggested that sometimes their professional, experienced judgement should be enough.

Members asked Officers about the use of technology and whether tablets were used on site. Officers stated that they do not use technology, but that such technology would assist them do their role if they linked to the Uniform system. One Officer had used

them in a previous Local Authority, and from experience believed they would promote more effective use of time.

Members took time to understand the processes for various investigating techniques and options available like Planning Contravention Notices (PCNs) and the numbers issued by Officers, as well as the time spent on mediation.

With regards to conditions, Officers suggested that it would be better if pre decision negotiation was improved as there was a lack of resource to monitor conditions and that conditions were being relied upon too heavily. This can cause a lot of extra work for the Enforcement team.

### **Discussion with administration staff**

Members met with the three Planning Administration Support staff on 15 April 2021. Officers were asked about their experience and training received, as well as the role they carried out with regards to enforcement.

The Officers said that the only training they had received was a few hours on how to use the UNIFORM system. The Officers were clear that they did a limited amount for enforcement, only logging cases, filing ongoing correspondence and setting up new cases. An Enforcement Officer would inform them how to deal with an issue and what priority category to put it into.

The Officers were also asked about any delay in logging cases or if there was a backlog. Officers replied that for correspondence that needed logging onto the system they were about a week behind and that for new cases there was no backlog.

Officers said that they would normally have four members in their team, but that position is currently vacant. This means that the hours provided to enforcement are currently approximately 21 hours per week. They had previously had support from a colleague in Leisure Services who had been redeployed during lockdown, but that person had gone back to their job. Members suggested that the team was doing well seeing the amount of work that was before them and that the email traffic had increased during lockdown.

### **Discussion with Area Team Leaders**

Members met with two Area Team Leaders, one of which is responsible for enforcement, on 17 May 2021, and again with the Area Team Leader responsible for enforcement on 25 May 2021. Officers outlined their experience and roles. The Area Team Leader responsible for enforcement is also responsible for another planning team within the Department, and described each as a full time role.

The Area Team Leader responsible for enforcement said that when she took on the role five months ago and she became aware of the build-up of enforcement cases, the backlog of site visits and that only high priority cases were being progressed. The Area Team Leader suggested that without dedicated admin support, the Enforcement Officers were doing a lot of administration tasks that could then lead to delay. Other pinch points had appeared throughout the pandemic, particularly due to a period of

time when site visits could not take place due to lockdown. It was hoped that the arrival of the new Enforcement Officer and the agency worker would make a real difference to the backlog of cases.

Members asked about the scale of prioritisation for enforcement cases and how cases are categorised. The Officer stated that this is set out in the Local Enforcement Plan, and that Officers were adept at managing those. With regards to retrospective applications, the Officer said that these are considered if it was felt that it was able to rectify the situation through the planning process.

Members asked about planning conditions and Officers agreed that conditions should only be proposed that were necessary, particularly as monitoring of conditions was difficult. It was suggested that one option could be to have an Enforcement Monitoring Officer which could allow the Enforcement Officers to focus on enforcement.

When further asked about her views on the staffing structure, the Officer said that she felt that she could do the role she is doing if there was a Principal Enforcement Officer, alongside three other Enforcement Officers and possibly an Enforcement Monitoring Officer. Or alternatively, a team could comprise of: a Principal Enforcement Officer, with at least two Enforcement Officers with a Monitoring Officer and dedicated support who would deal with all the administration. The Officer also suggested a dedicated legal solicitor was needed.

With regards to technology, it was agreed that tablets that would allow Officers on site to take photographs and make notes which would feed straight into the system would be useful – as long as the systems linked up. She did raise that there may also be issues with black spots in rural areas.

### **Discussion with Development Manager**

In discussions, the Officer stated that the relationship between planning and legal was vital and that this was the first authority that she had worked for which had no dedicated planning solicitor. Despite the current relationship between planning and legal working well, a planning solicitor would provide a dedicated point of contact that would enable conversations to take place before any enforcement process commenced. Currently, the legal department were often very busy and could not always get to the planning work requested.

Members heard that Enforcement Officers regularly used their discretion, particularly around less complex issues, or in inviting retrospective planning applications. Only a small percentage of cases are brought before the Development Manager, as many were discussed instead with the Area Team Leader.

When asked about risk, and whether the risk of appeal was a consideration when considering stop notices, the Officer stressed work would take place with legal to ensure that an enforcement notice was watertight. The report to legal would have all the necessary details and it was hoped that all the details of the breach of planning control were identified; appeals did occur but that was not a reason not to use an enforcement notice.



Asked why enforcement cases did not appear on 'Public Access', the Officer responded stating that they were confidential until an outcome had been achieved, there was a need to protect staff and some issues could be very volatile.

To conclude, the Officer stated that enforcement was always a complex area and that expectations were huge. She felt that the enforcement team worked well, but in order to meet expectation and ensure an efficient service there was a need for a Principal Enforcement Officer with at least three other officers and some dedicated administration support.

### **Discussion with Head of Legal (Monitoring Officer)**

When asked if a planning specialist in the legal department would benefit the Council, the Officer said that there was always a need for more staff, but there was also a need to balance the resource, control workload and plan work. She stressed that the reality is that in the public sector there are very few planning solicitors and they are notoriously hard to recruit. Whilst she approved of the notion, she stressed that Members may be disappointed and that the authority may benefit more from training our own.

Asked about the possibility of sharing legal services with other local authorities, the Officer stated that there had been conversations with other authorities, with no interest. The use of a shared service, however, would provide access to specialist lawyers and she believed this should be pursued and that her replacement should take this forward. Members felt that this matter was worth exploring as this would provide greater capacity and skills.

The Officer stressed how hard it was to plan work, as issues could arise that would become a priority and the team could not control what they had to deal with – this is the case across all authorities. A focus on the quality and timing of instructions, however, from other Officers could help, along with checking that legal were available to deal with the work. She felt that knowledge management across the authority was inadequate as legal were being used as the first resort for advice, rather than learning from other Officers/previous cases. She suggested teams could have a repository of knowledge which could be referred to before referring to legal.

The subject of risk aversion was raised and whether it was perceived as easier/safer to send issues to legal rather than teams considering how to progress themselves. With regards to enforcement, the Officer responded the legal service have a good relationship. In some instances, across the Council, legal would like to see a full assessment of the case by an Officer before it came to them. Training could help with this.

Asked about Stop Notices and whether these could be issued quickly by enforcement officers, the Officer stated that there were many ways of dealing with these. Enforcement Officers could send the notices, but they would still need legal advice.

## **Discussion with Head of Planning, Economy and Regeneration**

Members met with the Head of Planning, Economy and Regeneration to discuss the proposed recommendations of the Working Group. Discussion took place on the level of resource previously recommended by Officers, and the level seen in neighbouring Districts. With regards to the recommendation on a dedicated planning solicitor, the Officer felt that dedicated resource would be beneficial, but that a broad range of speciality was still required and a separate 'planning' solicitor may not be necessary.

In discussions, the Officer stressed the need for record keeping with what action had been taken and why, particularly if formal legal action is taken. She also informed Members that, with regards to a Tree Officer, a shared service had previously been explored in depth but that this had not panned out.

## **Discussion with East Devon District Council**

Members met with the Development Manager at East Devon District Council (EDDC) to hear how enforcement operates. Members are particularly grateful for the Development Manager's time and helpful insights.

East Devon has a dedicated planning specialist in legal and Members heard how important that was for the enforcement team. In terms of resource, East Devon has three enforcement officers (their population in 2019 was 146,284, in Mid Devon it was 82,311). They have a planning admin team who support the Enforcement Officers by logging cases on the system. The enforcement officers will then do all other administration tasks. They receive approximately 700 cases a year, and an enforcement officer will have between 80-100 open cases each at any one time.

In terms of conditions, Enforcement Officers at East Devon will proactively monitor some conditions by choosing certain sites to monitor – this could be, for example, a site with a developer who is known to have breached conditions before or a particularly large project.

Each Enforcement Officer at East Devon has an iPad which is connected to the telephone network and has access to emails. The iPad is also connected to their systems (Uniform and IDocs). This has significantly improved efficiency - officers are able to show maps/plans on site, take photos and log things on the system immediately. They will also call a colleague for advice (and share photos with that colleague on site) to resolve issues immediately in person.

The enforcement officers have powers to make some decisions on the ground – they use their judgement and may immediately close a case on site. They may recommend that building is stopped and follow up once in the office. They cannot take any formal action on site, but may caution someone on site. They may also take a photo, call their Manager and agree course of action and relay that decision on immediately site.

Enforcement Officers at East Devon have to write a full case before going to legal. In terms of timescales, if it was a stop notice or a temporary stop notice, legal would action it that day or the next day. Any other enforcement notice would take about a week.

When asked what information East Devon put on the planning portal, Members heard that East Devon used to put basic information up on an enforcement case, but following concerns related to Data Protection, now only make publically available details where formal enforcement notices have been served. The Development Manager stressed that some Local Authorities had been in trouble for putting too much information and as a result many are now reigning back what they put in the public domain.

In terms of trees, East Devon have three tree officers that they share with the countryside team.

When asked about how important it is in terms of deterrence to issue notices, the Officer said they would not want to serve enforcement notices that get quashed. It is, however, important to be seen to be doing something even if it is just forcing retrospective planning applications.

### **Case Studies**

The Chairman of the Working Group met Planning Enforcement Officers on 24 June to discuss Enforcement cases in detail. In total 15 cases, selected at random, were reviewed, both open and closed cases since 2018. For each case, the Chairman looked at the date the case was reported, the date of the site visit, the action taken subsequently and the length of time taken for each step of the case. Cases ranged from removal of protected trees, unauthorised developments, untidy land, buildings without approval to conditions not being complied with. The review looked at enforcement actions including: temporary stop notices; tree replacement notices; other enforcement notices; and retrospective applications.

During the case review, it appeared that there are times when cases can sit within a Department, waiting for action, for a long period of time. For example, one case was sent to the Legal Department in May 2019, and there was no further action until June 2020. Another case was raised by Enforcement Officers in October 2018 and it took until August 2019 for a retrospective application to be submitted. The file then seemed to be lost in the system until determined in November 2020. This was followed by an enforcement notice which has been appealed and the case is still not resolved. This led Members to question how cases are monitored and followed up, and whether there is a process within teams for following up, particularly if cases have been sent to another Department for action.

Additionally during the course of the review, it became apparent that on a number of occasions it had taken a long time to progress an application received (following enforcement work) to being heard at Committee or resolved by delegated authority. One case took seven months to go from a retrospective application to being determined at Committee. There are also instances of actions being decided but then not followed through by the agreed action being taken.

This page is intentionally left blank

## **CABINET 30 NOVEMBER 2021**

### **PUBLIC SPACES PROTECTION ORDER - DOGS**

**Cabinet Member(s):** Cllr Colin Slade, Cabinet Member for the Environment and Climate Change  
**Responsible Officer:** Darren Beer, Operations Manager - Street Scene and Open Spaces

**Reason for Report and Recommendations:** To consider whether to make a proposed variation to the Mid Devon (Public Spaces Protection) (Dog Control) Order 2021 (the 'PSPO'), for which further consultation and consideration of responses will be required before the Order is made, to add two locations to the list of areas in the PSPO where dogs are only allowed, add one location to the list of areas in the PSPO where dogs are excluded; and correct a plan within the existing PSPO which shows the wrong area of land.

### **RECOMMENDATION FOR CABINET:**

- 1. On being satisfied that the statutory grounds for varying the Mid Devon (Public Spaces Protection) (Dog Control) Order 2021 are met as detailed in the Report, commence public consultation on the proposed variation order (Appendix A) which will:**
  - (a) designate the Locations in Hemyock, as shown on the plans attached to this report at Appendix B and Appendix C, as areas where dogs are only allowed if on leads,**
  - (b) designate the Location in Kentisbeare, as shown on the plan attached to this report at Appendix D, as an area where dogs are excluded, and**
  - (c) amend Plan 82 of the PSPO to show the play area at Siskin Chase, Cullompton.**
- 2. In the event that there are no material objections to the variation order as determined by the Operations Manager for Street Scene and Open Spaces in consultation with the Cabinet Member for the Environment and Climate Change to grant delegated authority to the Operations Manager for Legal and Monitoring to make the Variation Order (subject to any minor variations as he/she considers appropriate).**
- 3. In the event that the above delegation is not exercised, the matter be reported back to Cabinet for consideration.**

**Financial Implications:** Whilst a consequence of enforcement may be an increase in Fixed Penalty Notices (FPN), income generation is not the reason for introducing a new PSPO. New signage has already been procured.

**Budget and Policy Framework:** Mid Devon District Council (the 'Council') has a PSPO already in place, which deals with anti-social behaviour caused by dog owners. The Locations to be designated as dogs on lead and dogs excluded are unlikely to significantly increase costs

**Legal Implications:** The PSPO is designed to curb anti-social behaviour arising from dog fouling and other matters which is set out in the PSPO. The PSPO is in force for a period of no more than 3 years from 7 October 2021. Any variation of the PSPO must be carried out in accordance with the statutory requirements in the Anti-social Behaviour, Crime and Policing Act 2014.

**Risk Assessment:** The Locations that have been identified by Hemyock Parish Council and Kentisbeare Parish Council are areas which currently have dog-related anti-social behaviour, failure to add these areas will have a negative impact on the individuals within the parish. Not amending Plan 82 to show the correct area at Siskin Chase, Cullompton would prevent the Council from enforcing the provisions of the PSPO in relation to that area.

**Equality Impact Assessment:** An Equality impact assessment is not needed at this stage as the issue to be considered is only whether the proposed variation goes out to consultation.

**Relationship to Corporate Plan:** The Street Scene Enforcement Service is a frontline service which works throughout the District ensuring cleanliness and attractiveness of our public realm through both education and enforcement.

**Impact on Climate Change:** A PSPO requires or prohibits certain activities from taking place in certain places (restricted areas) in order to prevent or reduce any detrimental effect caused by those activities to local surroundings and people. Further, reduced levels of dog related anti-social behaviour improve the desirability of our open spaces.

## **1.0 INTRODUCTION/BACKGROUND**

- 1.1 Clause 6.2 of the PSPO provides that dogs must be on leads in those public parks which are listed in Schedule C to the PSPO. Clause 70 of the PSPO provides that dogs should be excluded from the enclosed play areas listed in Schedule D to the PSPO.
- 1.2 Both Hemyock and Kentisbeare Parish Councils asked, prior to the making of the PSPO, that the locations be included in the PSPO as areas where dogs must be on leads and excluded, respectively. Unfortunately the requests were overlooked when the draft of the PSPO went out for statutory consultation. It was discovered after the consultation that the Locations had been missed. It was felt that it would be wrong to include the Locations in the PSPO when they had not been consulted on as the Council could be legally challenged for

not following due process. This report gives consideration as to whether the PSPO should be varied to include the Locations.

- 1.3 A PSPO may be varied by applying to a new area of public space to which it previously did not apply only if certain conditions are met as regards activities in that new area.
- 1.4 The first condition is that—
  - (a) activities carried on in the new area have had a detrimental effect on the quality of life of those in the locality, or
  - (b) it is likely that activities will be carried on in the new area and that they will have such an effect.
- 1.5 The second condition is that the effect, or likely effect, of the activities—
  - (a) is, or is likely to be, of a persistent or continuing nature,
  - (b) is, or is likely to be, such as to make the activities unreasonable, and
  - (c) justifies the restrictions imposed by the notice.
- 1.6 If the Council wishes to vary the PSPO by including the Locations in the dogs on lead areas and the dogs excluded areas then it will have to be satisfied that the above conditions are met before making such a variation order.
- 1.7 Between 1 April 2019 and 31 March 2020 the Council received 70 correctly completed reports of antisocial behaviour relating to dogs:
  - 51 dog fouling reports
  - 18 dog on dog/person reports
  - 1 nuisance behaviour report
- 1.8 Responsible dog ownership enforcement via the PSPO aids the reduction of risk to the general public of diseases such as toxocariasis from dog faeces; freedom from potential animal attacks and safeguarding the public and wildlife via the 'dogs on a lead' element.
- 1.9 Any requirements or prohibitions that are to be imposed must be both reasonable to impose and aimed at preventing or reducing the risk of the detrimental effect from continuing, occurring or recurring.
- 1.10 In relation to changing Plan 82 to show the correct area in Siskin Chase, Cullompton, it is submitted that the conditions had been considered met when the Cabinet authorised the making of the PSPO in August 2021. Amending the Plan to show the correct area is to ensure that the Council can properly enforce the PSPO in that area.
- 1.11 One of the advantages to having a PSPO in place is that if there is an offence of failing to comply with a requirement or prohibition then the offender may be given a FPN; if the FPN is not paid then the offender may be prosecuted.
- 1.12 It should be noted at present the number of public park areas in the District subject to the requirement of dogs on leads in the PSPO is only 14. It should also be noted however that dogs are excluded by the PSPO from a number of children's play areas in the District.

- 1.13 There are many localities available in the District for dogs to be exercised freely. These areas do not exclude dogs and do not require dogs to be on leads unless requested by an authorised officer or a police constable where reasonably necessary to prevent a nuisance or behaviour by the dog likely to cause alarm, distress or disturbance to any other person or animal or bird on the land.
- 1.14 The problem the variation order seeks to address is that of dogs, not under the control of their owners, interfering with members of the public using the Locations. It is a fact of life that a small minority of dog owners do not have control of their dogs when off the lead causing problems to other members of the public. Small children when running and playing freely are at risk from such dogs.
- 1.15 The Council has to strike a balance when considering which areas should be subject to the restriction of dogs on leads. The balance is between ensuring there are areas available where dogs can run off their lead and areas where dogs must be on a lead thereby ensuring members of the public can use the open space without interference from dogs.
- 1.16 In relation to dogs being excluded, the Council has to balance the similar risks in relation to dogs on leads and allowing the public to enjoy the open space and in addition, the risk to health of the public, especially children, in enclosed play areas from disease as a result of irresponsible dog fouling.
- 1.17 It is considered that including the two Hemyock Locations as part of the areas subject to the PSPO restriction of dogs on leads is acceptable given the reasons below and considering that there are other acceptable areas available where dogs can exercised off lead.
- 1.18 Both Hemyock Locations have unenclosed playing pitches, and Longmead has an unenclosed BMX track and some football goal posts. It is considered that some dogs if they are off lead will not be under sufficient control of their owners and could interfere with users of the playing pitches and BMX track.

Hemyock Parish Council have reported that they have erected signs in both Locations requesting that dogs should be kept off the playing pitches but these signs are being ignored and there is a problem of dog mess being left on the pitches. It is considered that this is unacceptable and supports the need for a variation to the PSPO to include the Locations.

- 1.19 It is considered that including the Kentisbeare enclosed play area as part of the areas subject to the PSPO restriction of excluding dogs is also acceptable given the reasons below and considering that there are other acceptable areas available where dogs can exercised off lead.
- 1.20 The Kentisbeare play area is enclosed with play equipment, a concrete baseball pad and a football goal to one side. Further, Kentisbeare Parish Council have applied for planning permission to include a cycle track within the enclosed area. It is considered that users of the play area, including



children, are exposed to toxocariasis from dog faeces left in the area and from dogs that are not kept under control in the area.

1. 21 At the Environment PDG on 2 November 2021 the PDG was appraised of the Hemyock Locations that had been overlooked. However, the omitted Kentisbeare play area and the incorrect Plan 82 have only come to light after that meeting.
- 1.22 As the recommendation from the Environment PDG was to authorise a consultation on the variation of the PSPO and there was insufficient time to call a special PDG meeting it was felt that all 3 variations should be put to Cabinet, and if agreed, should go out to consultation at the same time. This will reduce the cost of having to hold a separate public consultation in the future and prevent further delay in enforcing the PSPO in the Locations and the enclosed play area at Siskin Chase, Cullompton.
- 1.23 All Environment PDG members have been informed of the additional issues and sent a draft copy of this report and the appendices. They have been reminded of the opportunity to attend Cabinet.

## **2.0 CONSULTATION**

- 2.1 The variation of the PSPO will require a consultation, and it is proposed that the following will be consulted:
  - Hemyock Parish Council
  - Kentisbeare Parish Council
  - Chief Constable of Devon & Cornwall Police
  - The Police & Crime Commissioner
  - Animal Welfare Groups
  - The Kennel Club
  - All Councillors
  - Members of the public
  - Devon County Council
  - The Owners and occupiers of the Locations.
- 2.2 The consultation, which will be open for four weeks, will state the opening and closing dates of when consultees could respond to the consultee, via:
  - Letter
  - Mid Devon District Council's website
  - Email

For those who cannot access the internet, other options will be advertised, such as the option to send a letter. Officers will also undertake direct consultation in the Locations during the consultation period to ensure views from users were captured by providing a QR code to enable direct access to the consultation page on the Council website and a phone number for the customer services call centre. A hard copy of the existing PSPO with the draft variation order and plans will also be available at the front desk of Phoenix House which could be viewed by appointment.

- 2.3 The purpose of the consultation is to seek views on the Council's intention to implement a variation of the PSPO in relation to dog controls within the Hemyock and Kentisbeare areas at the three Locations and to amend Plan 82.
- 2.4 The variation of the PSPO is centred on improving and protecting the local area for people residing, working, trading and visiting the Locations. The Council values public opinion on action which seeks to strengthen communities and partnerships to improve our environment, reduce crime and to develop a sense of pride and safety for where people live and work.

### **3.0 HUMAN RIGHTS**

- 3.1 In deciding whether to make a variation to the PSPO, the Anti-social Behaviour, Crime and Policing Act 2014 says councils must have particular regard to the rights of freedom of expression and freedom of assembly set out in Articles 10 and 11 of the European Convention on Human Rights. The need to "have particular regard" to Articles 10 and 11 suggests that Parliament, in passing the Act, has sought to give these rights an elevated status in relation to deciding whether to make a PSPO.
- 3.2 PSPOs are a powerful remedy because they affect the behaviour of every person within a specified area rather than being targeted at individuals. For this reason the Council will need to take care to ensure that they balance the need to tackle anti-social behaviour, crime and disorder against the desire and entitlement of the public to use a public space.

#### *Article 10: freedom of expression*

1. *Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.*
2. *The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary*

#### *Article 11: freedom of assembly and association*

1. *Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.*

*2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State*

3.3 Officers submit that making the variation to the PSPO will not unnecessarily interfere with what would otherwise be legitimate and lawful activity and that the varied PSPO does balance the need to tackle anti-social behaviour associated with dogs against the desire and entitlement of the public to use a public space.

#### **4.0 CONCLUSION**

4.1 If the variation to the PSPO is made, it will introduce a range of reasonable and proportionate prohibitions and requirements on the use of the publicly accessible land in the Locations that would better control the activities of irresponsible dog owners whilst enabling responsible dog owners to continue to exercise their dogs without undue restrictions.

4.2 Further, it would allow the Council to properly enforce the PSPO in the enclosed play area at Siskin Chase, Cullompton.

Contact for more Information: Darren Beer, Operations Manager – Street Scene and Open Spaces (01884 244635; dbeer@middevon.gov.uk)

**Circulation of the Report:** Cllr Colin Slade, Cabinet, Leadership Team

**Appendix A** – The draft Mid Devon (Public Spaces Protection) (Dog Control) Order 2021 (Variation 1)

**Appendix B** – Plan of Open space at Millhayes, Hemyock

**Appendix C** – Plan of Recreation Ground Longmead, Hemyock

**Appendix D** – Plan of the Enclosed Play Area at Kentisbeare

**Appendix E** – Plan of the Enclosed Play Area at Siskin Chase, Cullompton

#### **List of relevant documents:**

Anti-social Behaviour, Crime and Policing Act 2014

<https://www.legislation.gov.uk/ukpga/2014/12/contents/enacted>

Anti-social Behaviour, Crime and Policing Act 2014 (Publication of Public Spaces Protection Orders) Regulations 2014

<https://www.legislation.gov.uk/uksi/2014/2591/contents/made>

NHS information on Toxocariasis

<https://www.nhs.uk/conditions/toxocariasis/>

Keep Britain Tidy information on Dog Fouling Issues

[https://www.keepbritaintidy.org/sites/default/files/resource/Keep%20Britain%20Tidy%20Policy%20Position\\_Dog%20Fouling.pdf](https://www.keepbritaintidy.org/sites/default/files/resource/Keep%20Britain%20Tidy%20Policy%20Position_Dog%20Fouling.pdf)

Local Government Association - Public Spaces Protection Orders – Guidance for Councils

[https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance\\_06\\_1.pdf](https://www.local.gov.uk/sites/default/files/documents/10.21%20PSPO%20guidance_06_1.pdf)

DEFRA Dealing with irresponsible dog ownership Practitioner's manual (Oct 2014)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/373429/dog-ownership-practitioners-manual-201411.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/373429/dog-ownership-practitioners-manual-201411.pdf)

**The Mid Devon (Public Spaces Protection)  
(Dog Control) Order 2021 (Variation 1)**

**Section 61 of the Anti-Social Behaviour, Crime  
and Policing Act 2014**

## **Introduction**

Mid Devon District Council (in this Order called “the Council”), in exercise of its powers under Section 61 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”) and of all other enabling powers, after consultation carried out in accordance with the Act, and being satisfied that uncontrolled and irresponsible dog walking at the following public spaces

- A recreation ground situated at Longmead Hemyock,
- An area of open space situated at Millhayes Hemyock,
- An enclosed play area situated at Kentisbeare, and
- An enclosed play area situated at Siskin Chase Cullompton

has a detrimental effect on the quality of life of the local community and that the conditions set out in Section 59 of the Act are met, hereby makes the following Order.

### **1. Definitions and Interpretation**

- 1.1 In the following provisions of this Order, the following terms shall have the meanings hereby respectively ascribed to them:-

“2021 Order” means the Mid Devon (Public Spaces Protection) (Dog Control) Order 2021

“Hemyock Plans” means the two plans attached to this Order marked “Plan 36A” and “Plan 36B” respectively

“Kentisbeare Plan” means the plan attached to this Order marked “Plan 138”

“Siskin Chase Plan” means the plan attached to this Order marked “Plan 82”

“Plan 36” means the plan marked “Plan 36” attached to the 2021 Order

“Plan 82” means the plan marked “Plan 82” attached to the 2021 Order.

“Plan 137” means the plan marked “Plan 137” attached to the 2021 Order.

- 1.2 Except when the context otherwise requires, the singular includes the plural and vice-versa; and the masculine includes the feminine and vice-versa.
- 1.3 Reference to an Act of Parliament, statutory provision or statutory instrument includes a reference to that Act of Parliament, statutory provision or statutory instrument as amended, extended or re-enacted from time to time and to any regulations made under it.

### **2. Scope**

This Order varies the 2021 Order.

### **3. Duration**

This Order shall come into effect on [       ] 2022

### **4. Title**

This Order may be cited as “The Mid Devon (Public Spaces Protection) (Dog Control) Order 2021 (Variation 1)”

## **5. Variation**

5.1 The 2021 Order shall be amended as follows:-

a) by attaching to the 2021 Order the Hemyock Plans which shall be inserted immediately after Plan 36

b) by adding to Schedule C to the 2021 Order starting on a new line after the words “Plan 36 - Victoria Close Willand” the following words:-

“Plan 36A - Recreation Ground Longmead Hemyock

Plan 36B - Open Space at Millhayes Hemyock”

c) by removing Plan 82 and replacing with it with the Siskin Chase Plan

d) by adding to Schedule D to the 2021 Order starting on a new line after the words “Plan 137 - Play Area Worcester Crescent, Willand” the following words:-

“Plan 138 – Play Area Kentisbeare”

e) by attaching to the 2021 Order the Kentisbeare Plan which shall be inserted immediately after Plan 137

5.2 In all other respects the 2021 Order (as varied by this Order) shall remain in full force and effect.

## **11. Appeal**

Any interested person (defined as an individual who lives in the restricted area or who regularly works in or visits that area) may question the validity of this Order, pursuant to Section 66 of the Act, on application made to the High Court within 6 weeks from the date of this Order.

## **12. Validity (Severance)**

If any provision of this Order is held invalid or unenforceable for any reason by a court of competent jurisdiction, such provision shall be severed and the remainder of the provisions of this Order shall continue in full force and effect as if this Order had been executed with the invalid, illegal or unenforceable provision eliminated.

THE COMMON SEAL OF Mid Devon District Council

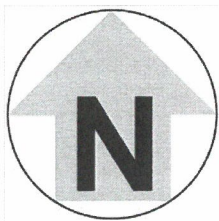
was hereunto affixed

in the presence of:-

Authorised Signatory



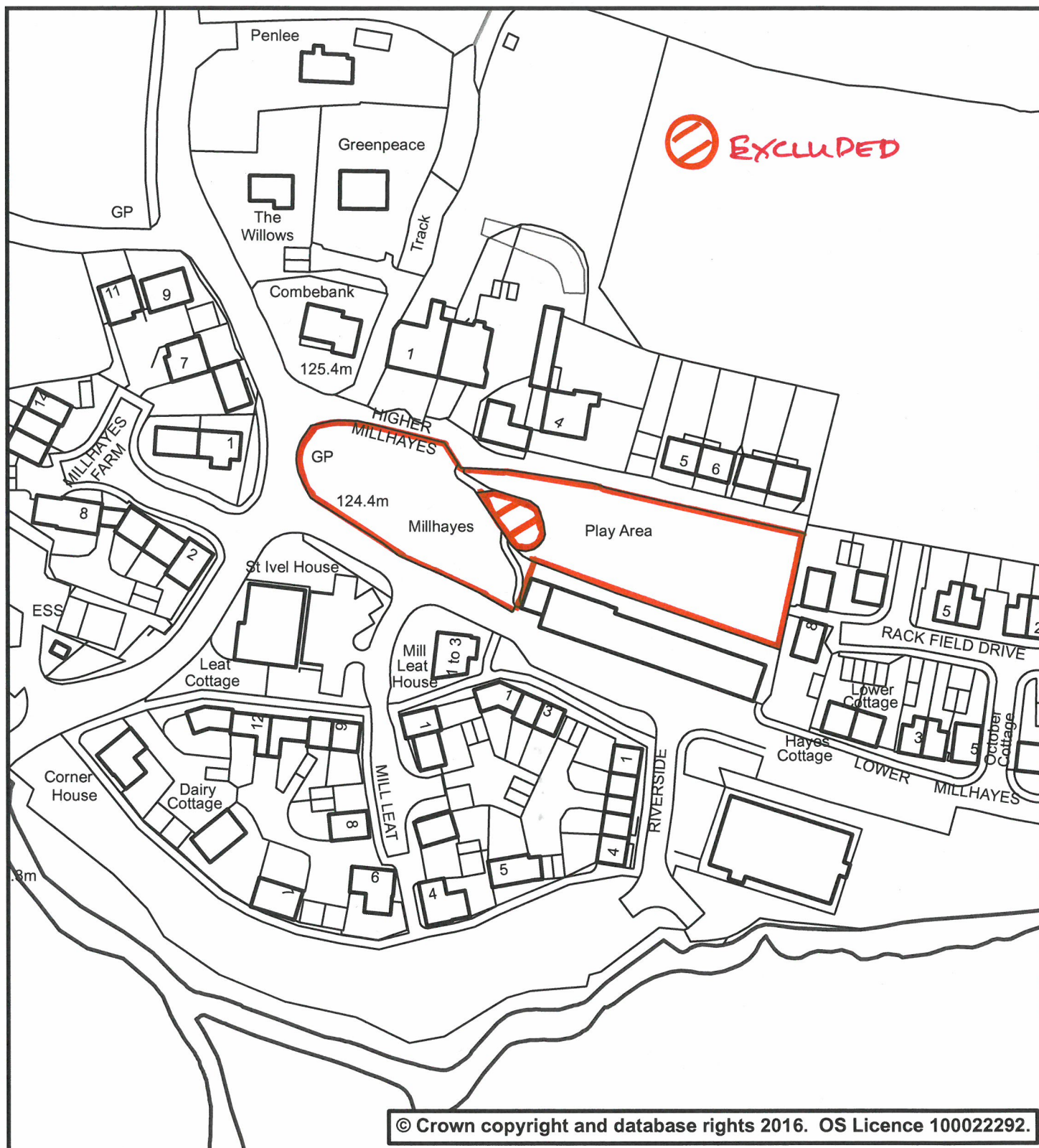




## Appendix B

Phoenix House  
Phoenix Lane, Tiverton EX16 6PP

Tel: 01884 255255 Website: [www.middevon.gov.uk](http://www.middevon.gov.uk)



### Open Space - Millhayes Hemyock

Scale: 1:1,250

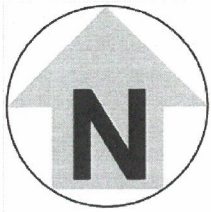
Date: 26/02/2021

Drg. No: Not Set

Page 128 of 128  
Prepared by: sdensham

This page is intentionally left blank

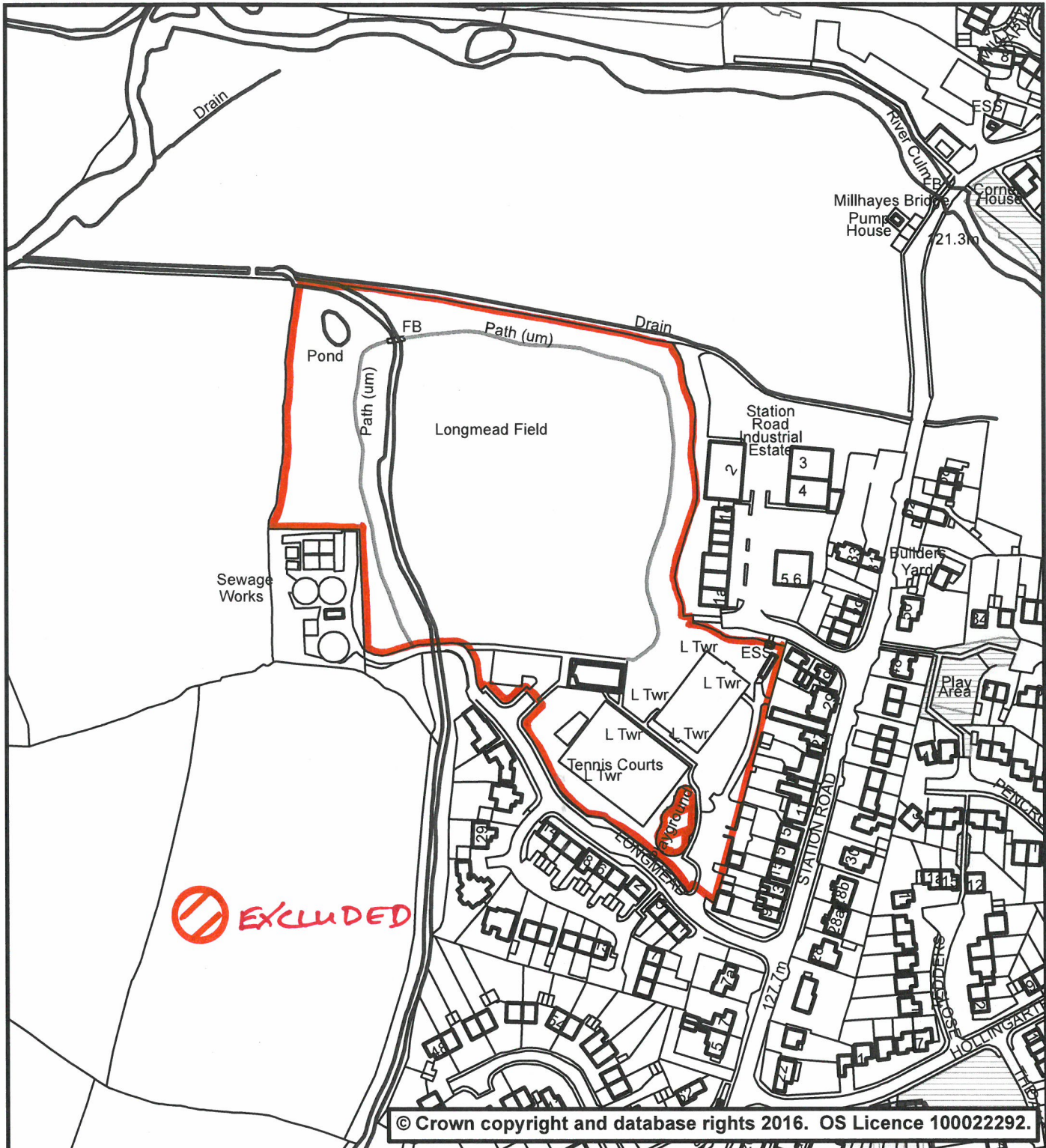




## Appendix C

Phoenix House  
Phoenix Lane, Tiverton EX16 6PP

Tel: 01884 255255 Website: [www.middevon.gov.uk](http://www.middevon.gov.uk)



### Recreation Ground - Longmead Hemyock

Scale: 1:2,500

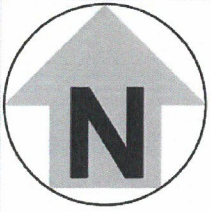
Date: 11/02/2021

Drg. No: Not Set

User Name: sdenham

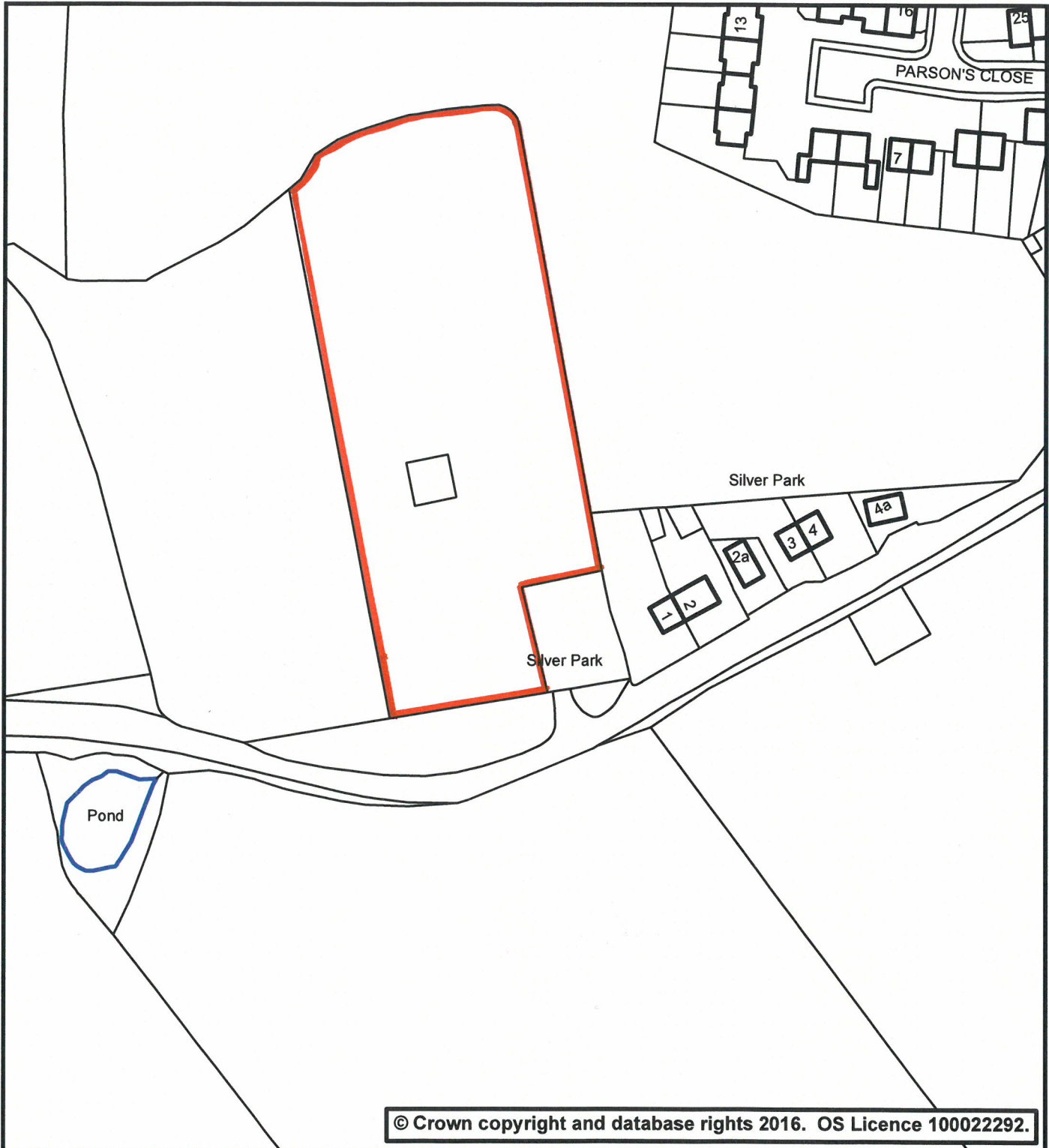
This page is intentionally left blank

## Appendix D



Phoenix House  
Phoenix Lane, Tiverton EX16 6PP

Tel: 01884 255255 Website: [www.middevon.gov.uk](http://www.middevon.gov.uk)



Play Area - Kentisbeare	
Scale: 1:1,250	Date: 18/01/2021
Drg. No: Not Set	User Name: sdenham

This page is intentionally left blank

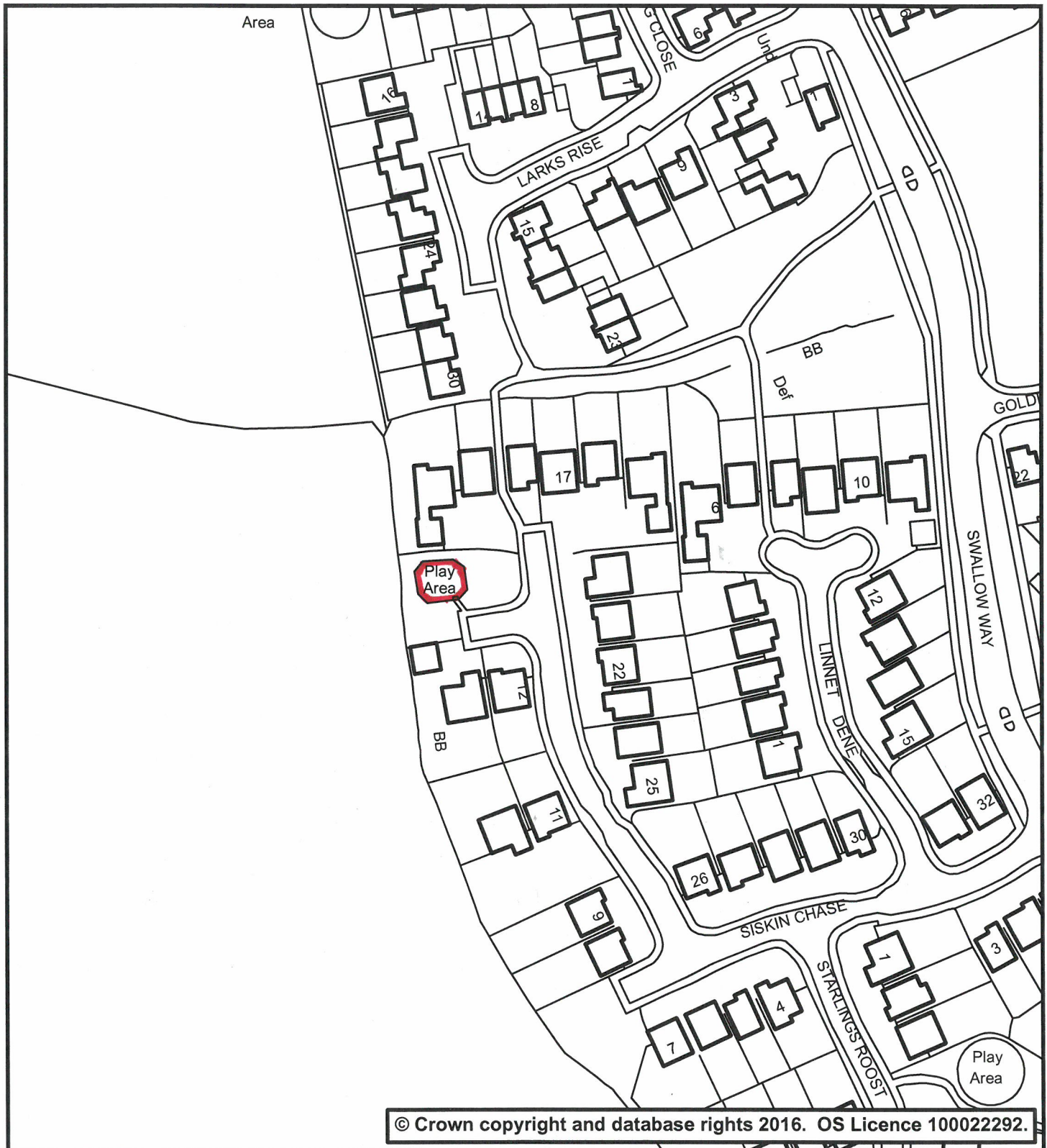
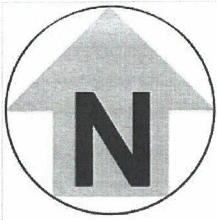


# Appendix E

## Plan 82

Phoenix House  
Phoenix Lane, Tiverton EX16 6PP

Tel: 01884 255255 Website: [www.middevon.gov.uk](http://www.middevon.gov.uk)



### Play Area - Siskin Chase Cullompton

Scale: 1:1,250

Date: 04/11/2021

Drg. No: Not Set

Author Name: sdensham

This page is intentionally left blank



## CABINET 30 NOVEMBER 2021

### WORKFORCE MATTERS; STAFF RECOGNITION AND WELLBEING APPRECIATION

**Cabinet Member:** Cllr Nikki Woollatt, Working Environment and Support Services

**Responsible Officer:** Stephen Walford, Chief Executive

**Reason for Report:** To consider how best to address the current workforce issues and recognise the work done by all staff throughout the pandemic and to show the council's appreciation for their efforts.

#### RECOMMENDATION(S):

1. That Cabinet recommends to Council that the efforts of all council staff are publicly recognised.
2. That Cabinet approves the measures set out within this report being taken to address current workforce issues.

**Relationship to Corporate Plan:** Virtually all corporate plan objectives are reliant upon officers directly or indirectly working on behalf of the council to secure outcomes.

**Financial Implications:** It is estimated that the measures contained in this report will have direct costs of £106k in-year that can be managed within existing budgets and indirect costs next year of circa £60k. It is anticipated that much of these costs can be effectively offset against abortive costs elsewhere (see report text). In addition, the expansion of the apprenticeship scheme will increase costs in this area, but the organisation has flexibility to increase or decrease apprenticeship intake on a yearly basis as required. However, ultimately this is a matter of judgment on costs balanced against value. The council's record of recruiting quality apprentices into permanent roles suggests that this is an effective way to build a strong pipeline of talent; maximising development opportunities for (typically) local people and building skills and expertise that creates value for the council.

**Legal Implications:** None

**Risk Assessment:** It is considered that taking action as outlined in this report is helping to mitigate risk to the organisation – particularly staffing, recruitment and retention risks where a chronic regional shortage of available workforce is placing pressure on existing services to the point where services may need to be scaled back to accord with the ability to provide these in a safe way.

**Equality Impact Assessment:** All reward measures proposed will apply to all staff, and the proposal of a flat payment means that those at the lower end of the payscale benefit significantly more in proportional terms. The recent significant increase to the council's apprenticeship pay rate should help attract a broader range of applicants and this report outlines the intent to expand the apprenticeship schemes run by the council. We will proactively liaise with both education providers and local DWP contacts to encourage applications from those who might not have previously considered the council as an employer (or as a career option). This is part of our efforts to increase recruitment diversity and will strengthen our organisational links with the communities we serve.

**Climate / Carbon Impact Assessment:** Minimal – providing an extra day's leave potentially reduces commuting impact slightly. However, in the context of the organisation's corporate emissions the changes arising from this report are negligible.

## 1.0 Introduction

- 1.1 Cabinet and scrutiny committees receive a regular workforce update outlining matters such as sickness levels, turnover and vacancy rate. Over the last 18 months scrutiny has chosen to review this every 6 months due to the impact the pandemic is having on workforce.
- 1.2 These reports have told a story of exceptional resilience during the pandemic and repeated lockdowns and a significantly reduced sickness rate. However, it also describes an increasingly tired and drained workforce, with 90% of staff being unable to use their full annual leave allowance in 2020/21 (75% having to carry over more than the typical 3 days). Exceptional provision was made to ensure that this could be carried forward without staff 'losing' their leave, however the demand on officers is showing little sign of abating. In fact, with increasing employee turnover, one of the tightest labour markets in the country and overt competition for skills in many areas, the pressure is starting to impact on service delivery and provision. In many ways we are experiencing significantly greater challenges now than earlier in the pandemic cycle.
- 1.3 The issue of being and feeling valued is also of critical importance. The last staff survey prior to the pandemic showed individual employee job satisfaction and satisfaction with the employer were both at 3-year highs. The most recent staff survey, completed in October 2021, has shown a dramatic change. From satisfaction being very high at 90%, the level of positive engagement is now around 70% (people feeling 'valued' at 58%). And while this was to be expected, the scale of the change is significant.
- 1.4 Added to this is the very real sense of a change in perception over the last year; from the highs of being seen as 'public service heroes' who kept key services going through the lockdowns of the pandemic, to a far more 'normal' level of appreciation (customer complaints are back at pre-pandemic levels for example). While, perhaps, this was to be expected (and our swifter-than-anticipated economic recovery is certainly to be welcomed), it nevertheless manifests as a fall in esteem at a sectoral and institutional level and invariably is felt personally by many individuals for whom the adrenaline and adulation of the pandemic period has faded, but the demands and expectations have remained or increased.
- 1.5 Much of this is of course outside of the council's direct control. Members will be aware of the national challenges on worker shortages and the similar drift from appreciation to criticism in other parts of the public sector; the valuing of our public services starts in the narrative from government and in wider public discourse. And yet, this change is now our challenge; as an organisation, as a council, as a provider of services to and for our communities.
- 1.6 The remainder of this report focuses on the practical steps being taken, or recommended, to help reassure and stabilise a pressured workforce in the short term while building resilience in the medium term.

## 2.0 Valuing the Workforce - Appreciation

- 2.1 It is vitally important that staff feel valued and appreciated. Feeling appreciated and valued goes to the heart of general wellbeing, satisfaction and morale of the workforce, and a strong statement of appreciation from elected members as community leaders is an important message to convey to all staff. Therefore it is recommended that cabinet recommend to council a suitable statement of appreciation recognising the extraordinary efforts and lengths that staff have gone to over the past 20 months.
- 2.2 While a public statement and recognition is both meaningful and valued, it is important to recognise that the build-up of pressure can lead to stress and damaging outcomes at an individual level and for the organisation as a whole. A number of councils across the country have made decisions to give an additional days' leave to staff as a way of saying thank you and it is recommended that staff are allocated an additional 'wellbeing' day to their leave allowances for the coming year to prioritise their own physical and mental health and wellbeing. This would be an indirect cost of around £60k.

### 3.0 **Valuing the Workforce - Retention**

- 3.1 Retention of the skilled workforce is the first tool in the toolbox to address vacancy and turnover issues. The level of employee turnover is increasing and there is currently a very competitive labour market in this part of the country. This is increasing the risk of service impact due to insufficient staff resources. While there is little that can be done to address the fact that national (local gov sector) pay award discussions remain outstanding, there is a need to take proactive measures to recognise and reward employees not just for their efforts throughout the pandemic but also for their loyalty throughout this challenging period. We cannot compete with the private sector on pay or inducements, and there is an expectation that some of these wider pressures may be time-limited linked to seasonality, but the balance of structural (employee) pay and agency costs within the organisation is shifting to the point where costs incurred on retention measures are likely to be better value than having to pay emergency contract rates across a range of service areas.
- 3.2 In recognition of the outstanding work done over the last 20 months it is recommended that all staff receive a one-off, non-pensionable, award of £250 per full-time equivalent (fte) in January's pay. This will be a flat rate amount which will mean that it is worth proportionately more to those at the lower end of the pay range, and it will be paid to all employees on the payroll at 1<sup>st</sup> January 2022 irrespective of any other factors.
- 3.3 The cost of this provision, based on the headcount of approximately 425 fte, will be circa £106k. To put this cost in context, our agency spend has recently exceeded this in a single month and our baseline staffing budget is underspending by considerably more than this proposed amount due to the inability to recruit and retain quality employees. Not only is it likely to be appreciated by employees as a valuable reward acknowledging their contribution, it is also likely to be better value for the organisation (and hence taxpayers) if we can lower turnover and vacancy rates even a small amount.
- 3.4 The above proposal builds on our significant investment in people development that continued throughout the pandemic. Not only did we maintain our emphasis

on training and development wherever possible, a number of staff managed to successfully complete courses or training, allowing them to continue their own professional development or, in the case of a number of our apprentices, secure permanent roles with the organisation. Our record of developing and promoting internal talent has served us well, and we will continue to champion the opportunities to learn and develop within the organisation.

#### **4.0 Valuing the Workforce - Recruitment**

- 4.1 As mentioned earlier in this report, we cannot compete with the introductory bonuses or other inducements offered by the private sector. This becomes all the more evident during times of economic stress when market forces dictate a price increase triggered by scarcity. However, local government has a greater appeal as an employer willing to invest in and develop people over the longer-term in a more secure (and often more local) setting.
- 4.2 One of the features of the pandemic has been the fact that while training programmes and our apprenticeship schemes continued, when these intakes reached the end of their cycle they have not been replaced. Managers have been asked to review and reinitiate these schemes wherever possible, and to ensure that working arrangements are suitable to support new inductees and those who will benefit from greater support as part of their professional learning and development. In short, the organisation is committed to significantly expanding our apprenticeship schemes working with local FE providers to ensure that parallel educational provision is available; this will provide more local employment opportunities for local people, as well as helping to build a pipeline of talent for the organisation.
- 4.3 In addition, the headline rate of apprenticeship pay applied by the organisation has historically been at the statutory minimum level. This was proving an increasing hindrance to recruiting apprentices and a decision was made recently to significantly increase this from 1<sup>st</sup> December 2021 to ensure that the rate of pay better reflected local benchmarking as well as being more closely linked to the pay associated with the entry point of the NJC payscales.
- 4.4 A further step taken to address recruitment issues is a revised approach to fixed term appointments where the risk of not attracting people (or losing them before the end of the contract) is now a greater risk than the risk of on-boarding in a permanent capacity when the post may be linked to time-limited funding sources. The nature of a number of government funding pots means annual decisions are made on funding, translating into the creation of a variety of fixed-term roles across the organisation. Considerations will be made on a case by case basis to assess whether a permanent post would be more likely to attract quality candidates – effectively transferring the risk to the employer rather than the employee.
- 4.5 Finally, we will also be conducting a market review of salaries for key posts where recruitment challenges are most acute. This will be carried out with support from SW Councils and will ensure that the organisation has remained competitive when benchmarking with similar posts in other areas.

#### **5.0 Summary**

- 5.1 In summary, it is clear that both the executive and scrutiny branches of the council are interested in, and mindful of, workforce matters as they relate to service delivery as well as the satisfaction and wellbeing of staff. This report sets out the current challenges being faced and includes a range of measures that the organisation, through the Chief Executive as Head of Paid Service, has taken or is taking to address these.
- 5.2 This report also makes specific recommendations for members' consideration where these fall outside the financial threshold delegations to senior officers as per the council's scheme of delegation.

**Contact for more Information:** Stephen Walford, Chief Executive

**Circulation of the Report:** Cabinet Members, Leadership Team

This page is intentionally left blank

## **CABINET 30 NOVEMBER 2021**

### **PHASE 3 PUBLIC SECTOR DECARBONISATION BID AND DELEGATION OF AUTHORITY**

**Cabinet Member(s):** Cllr Bob Evans, Deputy Leader and Cabinet Member for Housing and Property Services, Cllr Colin Slade Cabinet Member for the Environment and Climate Change

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

**Reason for Report:** To outline the latest opportunity presented by the Public Sector Decarbonisation Scheme and the Council's ambition to seek substantial funding from Phase 3 of the scheme. The Council was successful in obtaining £348,821 under Phase 2 of the same scheme. Approval is being sought now, subject to a successful bid, to receive and expend circa £3m funding from Salix Finance, a Non-Departmental Public Body (NDPB). This project will undertake low carbon retrofit projects on Exe Valley (Evlc) and Lords Meadow (Lmlc) Leisure Centres. Grant Funding Awards will be announced during January 2022, with a delivery timeframe of 12 months.

#### **Recommendation:**

#### **Recommendation to Council that:**

- (i) The Deputy Chief Executive (S151) and the Deputy Leader and Cabinet Member for Housing and Property Services are delegated authority to take all necessary actions to accept the £3,079,032 Public Sector Decarbonisation Scheme (Phase 3) 2021, including any contract variations on the existing Energy Saving Performance Contract and approval of any necessary design changes.**
- (ii) The Deputy Chief Executive (S151) and the Deputy Leader and Cabinet Member for Housing and Property Services are delegated authority to award the necessary contract(s) for the delivery of the works for the Public Sector Decarbonisation Scheme (Phase 3) 2021 up to the value of £3m.**
- (iii) To approve the financial contribution required to meet the conditions of the grant of £276,602 as set out in para 5.5, reducing the grant to £2,802,430.**

**Financial Implications:** These are detailed within the report on Section 5.

**Budget and Policy Framework:** The cost for replacing end of life assets have been identified within the capital and revenue budgets within the 30-year maintenance programme for corporate property. This project is not 100% funded by Salix and a financial contribution from the Council is required that would be discounted at grant source.

Pursuant to section 31(4) of the Local Government Act 2003, the Minister of State determines that the grant will be paid subject to the conditions stated within the Salix agreements.

**Legal Implications:** The decarbonisation project will be carried out in accordance with the terms and conditions of the Grant agreement and its relevant schedules.

The baseline consumption data under the current Energy Saving Performance Contract (ESPC), which expires on 31 March 2025, and the energy baseline figure would formally need to be adjusted and agreed with AESL for both properties.

A procurement exercise would need to be conducted to comply with the Council's policy and legal obligations, specifically in compliance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015, and supported by relevant officers. All contracts will be reviewed by the Legal Service prior to the engagement of any contractor.

**Risk Assessment:** The risks in relation to the delivering the project within the allocated timeframe. Attached to this report as Annex B & C includes supporting documentation on the risks associated with this project and that Property Services would work through to address.

**Equality Impact Assessment:** This report does not specifically highlight any equality implications, however Officers will continue to comply with the public sector equality duty as set out in Section 149 of the Equality Act 2010.

**Relationship to Corporate Plan:** Environment, to encourage retrofitting of measures to reduce energy use in buildings.

**Impact on Climate Change:** The projects will deliver significant savings on carbon emissions. Successful delivery of the project not only signals the Council's commitment to its climate emergency declaration in action, this will also demonstrate to Salix and central government that the Council can continue to deliver projects to reduce carbon emissions within the District. The recommendations of the report are environmentally positive and will reduce the Council's carbon footprint by circa 572 carbon tonnes per annum.

## **1.0 Introduction**

- 1.1 As part of the Summer Fiscal stimulus of 2020, Government announced an initial £1bn funding for the Public Sector Decarbonisation Scheme (PSDS). This funding was released as 100% grants, via Salix Finance, between October 2020 and January 2021. The Council was successful in obtaining £348,821, during Phase 2 of the scheme. Phase 3 has now been released for applications on the basis that a formal funding allocation will be announced in early 2022.
- 1.2 The PSDS fund aims to halve carbon emissions from the Public Estate by 2032, through the deployment of energy efficiency and heating measures, excluding gas powered boilers, Combined Heat, and Power. All buildings, where the end beneficiary is confirmed as being a public body, are eligible for



this scheme including Local Authority estate, including Leisure sites (if the savings can be recouped by the LA). Social housing is excluded from this scheme and will be addressed under a separate funding scheme.

- 1.3 The Phase 3 funding window opened on 6 October 2021 and closed again on 6 November 2021. This funding phase is very focused on energy used to produce heat and no longer provides 100% grant funding, requiring match equivalent to the replacement costs of a proposed 'like for like' heating systems.
- 1.4 A further financial contribution for works at Evlc of £100k is also required to meet the criteria of the scheme that considers the amount of carbon reduction versus expenditure. Within the 20/21, Capital programme there is £30k identified for control works to the existing boilers at Evlc and this expenditure would not be required, should the Council be successful and therefore reducing this element of the contribution to £70k.
- 1.5 The boilers at Phoenix House and Culm Valley Sports Centre are not end of life and were replaced during the last 6-7 years; therefore, these buildings were not eligible for Phase 3. The boilers at Evlc are the original boilers installed during 2003 and the boilers at Lmlc were installed as part of the swimming pool extension during 1996. There are two boilers at each site that are well maintained and do not have operational problems.

The woodchip Biomass boiler at Lmlc was installed during 2012, is currently planned to remain as part of the equipment to heat the hot water, and is part of the Renewable Heating Initiative scheme (RHI), where payments are received by Ofgem for generating heat under the ESPC. Upon that contract ending on 31<sup>st</sup> March 2025, those RHI payments of circa £20-25k per annum will be made to the Council rather than to the Energy Performance Contractor for a further 9-10 years.

- 1.6 Applicants have the option to apply for funding to complete projects over either 1 year or 3-year delivery periods. However, 85% of any awarded funding from BEIS to Salix will focus on delivery over the first 12 months of the programme.
- 1.7 The application process required completion of a Salix compliance toolkit, in-line with the current Salix Finance application routes, for each building. To complete the toolkit calculations, Officers/Contractors utilised knowledge gained from Phase 2 delivery, alongside whole building assessments and our Heat Decarbonisation Plan that was funded via Phase 2 of the scheme at £18k.
- 1.8 There will be service disruption to complete the change over from gas to electricity, the closure of both sites will be completed out of hours where possible and advertised well in advance with regular communication with the Centres, Members and the Public.
- 1.9 Both Evlc and Lmlc are included within the existing ESPC the Council has with AESSL, which is in year 9 and expires on 31 March 2025. The energy

baseline consumption data under the current contract for both properties would formally need to be adjusted and agreed with AESL.

## **2.0 Project Scope**

- 2.1 The submitted bid was for heat decarbonisation works at two of our leisure centres at Exe Valley in Tiverton and Lords Meadow in Crediton. The bid for works at both sites consists of the introduction of large commercial heat pumps to be able to come off gas completely and onto a renewable energy source (electricity). The work also includes the installation of external low energy lighting, LED (light emitting diode) lighting, where this is not being installed as part of the Phase 2 work and an increased Solar PV provision and utilising carport framework within our car parks to house additional solar panels.
- 2.2 Should the Council be successful with their bid, the method of procurement will be considered in detail with the Council's experienced Employer's Agent
- 2.3 The delivery timetable means that decision-making is crucial to the project running to time. Cabinet are being asked to delegate authority to take all necessary actions to deliver the projects, including any contract variations.
- 2.4 The timeframe for delivery is 12 months.

## **3.0 Impact on Carbon Footprint**

- 3.1 This project would reduce our carbon footprint by 572 tonnes per annum. The external oversight of Salix adds an independent audit that the project is cost effective in terms of both carbon emissions and expenditure, that is based on £325 for each carbon tonne saved over the life of the assets.
- 3.2 The funding will allow energy efficiency measures, including the installation of large air source heat pump for removing gas consumption, external LED lighting and additional solar PV panels located on carports within the car parks.

## **4.0 Procurement**

- 4.1 The project work items for consultancy and the project support will be procured via the appropriate framework or a full tender process.
- 4.2 Once the relevant design work has been completed and an Invitation to Tender (ITT) produced, it will ask questions under a number of headings that will have either a pass/fail or a weighted score and sent to the interested contractors. The weighting for the evaluation process will be split 40% on cost and 60% on quality.
- 4.3 Levels of insurance will also required and contractors needed to confirm their ability to provide such levels of insurances.

- 4.4 The evaluation of returned submissions will be undertaken by the Corporate Projects Officer and an independent Employers Agent. The scores from the evaluators will then be averaged and reported to the delegated authority.

## **5.0 Financial Analysis- Annex A**

- 5.1 Phase 3 does not provide 100% of the funding required to complete the works and requires the match equivalent for the replacement costs of a proposed 'like for like' heating systems. A financial contribution is also required for the works at EVLC of £100k to meet the criteria of the scheme. Within the 20/21 Capital programme there is a £30k project for works to the existing boilers at Evlc that would not be required should the Council be successful with the Phase 3 bid and therefore reducing this element of the contribution to £70k within the current financial year. The financial contribution is made at grant source that is based on the estimated cost for delivering the works.

- 5.2 Referring to Annex A, a provision of £2.25m for this carbon reduction work has been identified over the next five years with the Capital Medium Term Financial Plan, should the Council be successful with the bid, this grant would negate the requirement for that expenditure. This includes the project referred to in para 5.1.

- 5.3 Other relevant budget provisions taken from the 30-year corporate revenue maintenance forecast, for expenditure within the next five years for replacing end of life assets will save circa £209k.

- 5.4 The costs for these projects were to be funded from prudential borrowing and therefore reliant on the production of business cases demonstrating the affordability of the projects and a suitable return. There is a total of £2.45m saving on future carbon reduction projects, identified on the Capital Medium Term Financial Plan.

- 5.5 A summary of the Council contributions are shown below:

- The estimated cost of what it would be to replace the boilers at Evlc: £101,452
- The estimated cost of what it would be to replace the boilers at Lmlc: £75,150
- A financial contribution towards the Evlc project, at £100k

Total £276,602

- 5.6 The Net benefit of accepting the total grant value of £3,079,032 will be £2,802,430 once the above contributions have been accounted for. These figures exclude the forecast savings set out on Annex A. There will be service disruption to completing such a major change the infrastructure and therefore closures at both centres will be necessary at times during the project, this will be kept to a minimum and will be well communicated with all users of the buildings. It is estimated that the loss of revenue would be circa £22k for both leisure centres.

- 5.7 The design process would be investigated further following the Council

being awarded the funding, including the revised annual running cost for electricity at each property and the cost of woodchip for the Biomass boiler at Lmlc.

## **6.0 Opportunities/risks**

### **6.1 The key opportunities include:**

- The timescale for delivery of the commission, if the bid is successful, is short however, we believe the local supply chain has capacity to deliver based on lessons learnt from PSDS Phase 2
- Utilisation of existing OJEU procured frameworks to support mobilisation
- Opportunity to support and integrate local apprenticeships and employment initiatives
- The use of recent building data compiled over the last 12 months to identify project portfolios, including our Heat Decarbonisation Plan
- BEIS/Salix are likely to favour programmes that have shown a track record of impact and delivery at scale.
- For two of our leisure centre buildings to become Net Zero – we plan to have 100% of our electricity supplied via a renewable energy and there will be no gas consumption on either site post the works

### **6.2 The key risks that have also been received by an independent party (Annex B & C), which is required by Salix, include items below and Property Services have complete their own risk analysis, that include:**

- Failure for Phase 3 to secure any significant funding as part of the Spending Review
- Funding allocation is so minimal the Phase 3 application process and competition become heavily oversubscribed
- Having sufficient capacity to manage and support deliverability of the scheme
- Increased running costs of electricity
- The Electricity District Network Operator (DNO) does not have the capacity on their network to support the works
- Failure to secure contractor(s) to complete the work
- Existing Biomass boiler at Lmlc interfacing with the new air source heat pumps and continues to provide enough heat for the RHI
- Implications on the existing ESPC

- Unable to secure planning permission for the car ports required to house the solar PV panels
- Works to make the change from Gas to Electricity result in closure during business hours longer than anticipated

## 7.0 Conclusion and Recommendations

- 7.1 To secure the funding opportunity for circa £3m of PSDS funding from Salix and subject to a successful bid, approve the receipt and agree defrayment of these funds via the delegated authority.
- 7.2 The equalities impact from this proposal will be managed utilising delivery companies with robust equality policies. The environmental outcome is to substantially reduce the carbon emissions from two Council buildings.
- 7.3 The decarbonisation projects will assist the Council with their aim to be Net Zero by 2030 by reducing our carbon footprint by up to 572 tonnes of carbon per annum. This project would result in two Council Buildings coming off gas. The Council are also planning to source their electricity from a renewable source the two leisure centre buildings will therefore become Net Zero.
- 7.4 The decarbonisation project will reduce the cost pressure on our capital and revenue budgets, for replacing end of life assets by £2.45 m over the next five years.

**Contact for more Information:** Andrew Busby Corporate Manager for Property, Leisure & Climate Change – [abusby@middevon.gov.uk](mailto:abusby@middevon.gov.uk) (01884 234948).

**Circulation of the Report:** Deputy Leader and Cabinet Member for Housing and Property Services, Cabinet Member for the Environment and Climate Change and Leadership Team.

### List of Background Papers:

Environment PDG 6 August 2019 – Update on Climate Emergency Declaration  
[https://democracy.middevon.gov.uk/documents/s14878/20190424-Climate\\_Change\\_Updatev2%20AB.pdf](https://democracy.middevon.gov.uk/documents/s14878/20190424-Climate_Change_Updatev2%20AB.pdf)

Cabinet 19 December 2019 – Carbon Base-Line reporting (information on ESPC)  
<https://democracy.middevon.gov.uk/documents/g1108/Public%20reports%20pack%2019th-Dec-2019%2018.00%20Cabinet.pdf?T=10>

Cabinet 4 March 2021 –Options for Procurement of Energy  
<https://democracy.middevon.gov.uk/documents/s21285/Cabinet%20-%20Options%20for%20Procurement%20of%20Energy%20040321%20v2.pdf>

Cabinet 6 July 2021 –Contract Award for Decarbonisation Project (Phase 2)  
<https://democracy.middevon.gov.uk/documents/s22162/Cabinet%20-Decarbonisation%20Contract%20Award%20060721%20v3.pdf>

This page is intentionally left blank

**Evlc/Lmlc - Electricity, Gas and Woodchip costs**
**Annex A**

	19/20 Actuals			22/23 Proposed budget		
	Elec	Gas	Woodchip	Elec		Gas
EVLC	£ 109,548.53	£ 52,625.81		£ 86,320.00		£ 50,000.00
LMLC	£ 55,533.81	£ 21,502.76	£9,500	£ 54,270.00		£ 20,140.00
<b>Total</b>	<b>£ 165,082.34</b>	<b>£ 74,128.57</b>	<b>£ 9,500.00</b>	<b>£ 140,590.00</b>	<b>£ -</b>	<b>£ 70,140.00</b>

**Five Year -forecast saving on end of life assets -revenue maintenance**

Leisure Centre Project	21/22	22/23	23/24	24/25	25/26	26/27	Totals
EVLC - External Lighting ATP, Tennis court		£ -	£ 40,000	£ 40,000	£ -	£ -	£ 80,000
LMLC - ATP Lighting		£ -	£ 85,000	£ -	£ -	£ -	£ 85,000
LMLC - Tennis Court Lighting	£ -	£ -	£ -	£ -	£ 44,000	£ -	£ 44,000
<b>Totals</b>	<b>£ -</b>	<b>£ -</b>	<b>£ 125,000</b>	<b>£ 40,000</b>	<b>£ 44,000</b>	<b>£ -</b>	<b>£ 209,000</b>

**Five year -forecast savings - Capital Medium Term Financial Plan**

Leisure Centre Project	21/22	22/23	23/24	24/25	25/26	26/27	Totals
EVLC - Boiler & CHP	£ 30,000	£ -	£ -	£ -	£ -	£ 80,000	£ 110,000
EVLC - Air Source Heat Pumps	£ -	£ -	£ -	£ -	£ 420,000	£ -	£ 420,000
EVLC - Solar Car Park Cover	£ -	£ -	£ -	£ -	£ -	£ 390,000	£ 390,000
EVLC - Ground Source Heat Pumps	£ -	£ -	£ -	£ -	£ -	£ 520,000	£ 520,000
LMLC - Solar Car Park Cover	£ -	£ -	£ 640,000	£ -	£ -	£ -	£ 640,000
LMLC - Ground Source Heat Pump (whole site)	£ -	£ -	£ -	£ -	£ 170,000	£ -	£ 170,000
<b>Totals</b>	<b>£ 30,000</b>	<b>£ -</b>	<b>£ 640,000</b>	<b>£ -</b>	<b>£ 590,000</b>	<b>£ 990,000</b>	<b>£ 2,250,000</b>

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

## **CABINET 30 NOVEMBER 2021**

### **DISPOSAL OF CREDITON TOWN SQUARE**

**Cabinet Member(s):** Cllr Bob Evans- Deputy Leader and Cabinet Member for Housing and Property Services  
**Responsible Officer:** Andrew Busby- Corporate Manager for Property, Leisure and Climate Change

**Reason for Report:** To seek Cabinet approval for the Lease of the Town Square Crediton to Crediton Town Council.

**RECOMMENDATION:** That Cabinet approve the Lease of the Town Square Crediton to Crediton Town Council.

**Financial Implications:** The Lease for the Town Square to Crediton Town Council will see a net saving operationally to the Council of circa £3.5k (based on 2019/20 financial year up-lifted for inflation) including the loss of income from the Crediton Farmers Market of £648.

**Budget and Policy Framework:** Disposal of assets for continued operation and development by third party where possible is an approved Asset Management action.

**Legal Implications:** A local authority is in the position of trustee in relation to land or property that it owns on behalf of the community, and under s.123 of the Local Government Act 1972, it has a statutory duty to dispose of the land or property for the best price that can reasonably be obtained. The General Disposal Consent 2003 permits sale at an under value, provided such an under value is under £2 million and the disposal will help to secure the promotion or improvement of economic, social or environmental well-being of its area.

The Town Square Crediton consists partly of land that is subject to restrictions imposed by an agreement dated 6<sup>th</sup> April 2004 between 1) Southwest of England Regional Development Agency 2) Mid Devon District Council 3) Wessex Reserve Forces & Cadets Association and 4) Devon Fire Authority. This agreement provides that Mid Devon will have to repay the grant funding from SWERDA ( now Homes England) if Mid Devon dispose of any part of the land whether by a freehold transfer or the grant of a lease. The requirement to repay the funding will not apply in respect of the grant of a lease if Mid Devon first obtains consent from Homes England. That consent has been obtained in principle but Homes England have stressed that they will want to approve the final form of lease once it is agreed with Crediton Town Council.

The Council is also required to give notice under section 123(A) of the Local Government Act 1972 where it intends to dispose of any open space.

**Risk Assessment:** The Town Square presents a risk to the Council for slips, trips and falls and in the management of activities on the Town Square. Obtaining prior consent to the terms of the lease will ensure that the Council is not at risk of repayment of monies to Homes England (as successor to the South West Regional Development Agency).

**Equality Impact Assessment:** The asset is not being lost to the community. Leasing the asset to Crediton Town Council will give greater opportunity for all members of the community to enjoy the Town Square with the enhanced promotion and use it will receive under the local management of the Town Council.

**Relationship to Corporate Plan:** This proposal enables the continued and enhanced provision of a community asset while reducing operational cost and risk to the Council.

**Impact on Climate Change:** Reduction in fuel and therefore emissions from Council Officers travelling to the square for operational requirements.

## 1.0 Introduction/Background

- 1.1 In support of a community led initiative in conjunction with Crediton Town Council (CTC) supported by the then South West Regional Development Agency ('SWRDA') in 2006 the Council constructed Crediton Town Square on its land, and adjacent land previously the site of the town Fire Station. The Fire Station was relocated to other Council land more suitable to that service provision as part of the project in a land swap exercise. Attached to this report is a plan of the site at Annex A.
- 1.2 A condition of the SWRDA funding is that the Town Square remains as a Town Square and that it cannot be disposed of by a freehold transfer or grant of a lease without the grant funding provided being repaid. The only exception to the requirement for repayment is where a lease is granted with the consent of SWRDA (now Homes England).
- 1.3 CTC already manages some activities on the Square and is keen to have fuller control of the Town Square to further improve the facility as an asset for the town within the terms of the grant funding.
- 1.4 CTC have approached the Council requesting the grant of a lease of the Town Square to their authority to more formally recognise the current agreement and their autonomy. CTC currently have agreement with the Council to manage casual use of the Town Square for charitable events and table licences for surrounding businesses. There is no intention for the Town Square to be used for anything other than its intended purpose.
- 1.5 The Council has discussed the potential of CTC taking on the adjacent public conveniences at Market Square, with the transfer. CTC are not currently in a position to take those facilities on. CTC have recently purchased the Freehold of the Newcombes Meadow public convenience, however CTC have committed to reviewing the position again within the next two financial years.

## **2.0 Financial and Budgetary**

- 2.1 The annual net operational cost for 2019/20 financial year was circa £3.5k direct cost (inflated to reflect the gap year due to the pandemic). That is part of the overall annual budget for Markets of circa £80k consisting of £44k direct cost and £36k indirect cost.
- 2.2 The Council currently has an agreement with Crediton Farmers Market for their use of the Town Square with annual income of £684. This income, which is considered in the net indirect cost above, will be lost to the Council and transfer to Crediton Town Council with a new licence arrangement between those parties.
- 2.3 The Lease of the Town Square will enable its best use as an asset for Crediton and its surrounds. The Town Council are best placed to promote and deliver this in their community.
- 2.4 The Lease will remove the operational risk of safety, day-to-day maintenance and management of users.
- 2.5 The Council will retain an interest in capital expenditure in maintaining the structure and integrity of the Town Square and provision should still be made in the Capital Programme and Medium Term Financial Planning. A recently completed refurbishment should negate the early need for that expenditure, although performance of drainage remains of some concern that the Council will work with CTC to resolve.

## **3.0 Recommendation and Conclusion**

- 3.1 It is recommended that Cabinet approve the proposal to the lease Crediton Town Square to Crediton Town Council for a term of 25/30-years for the continued operation of the Town Square for its originally intended purpose. The annual rent will be a peppercorn and the lease will remove operational risk and cost to the Council.
- 3.2 To review the transfer of the public convenience at Market Street, Crediton to CTC in the 2022/23 financial year.

**Contact for more Information:** Andrew Busby Group Manager Corporate Property and Commercial Assets 01884 234948 [abusby@middevon.gov.uk](mailto:abusby@middevon.gov.uk)

**Circulation of the Report:** Cabinet, Leadership Team and Group Managers.

**List of Background Papers:** None

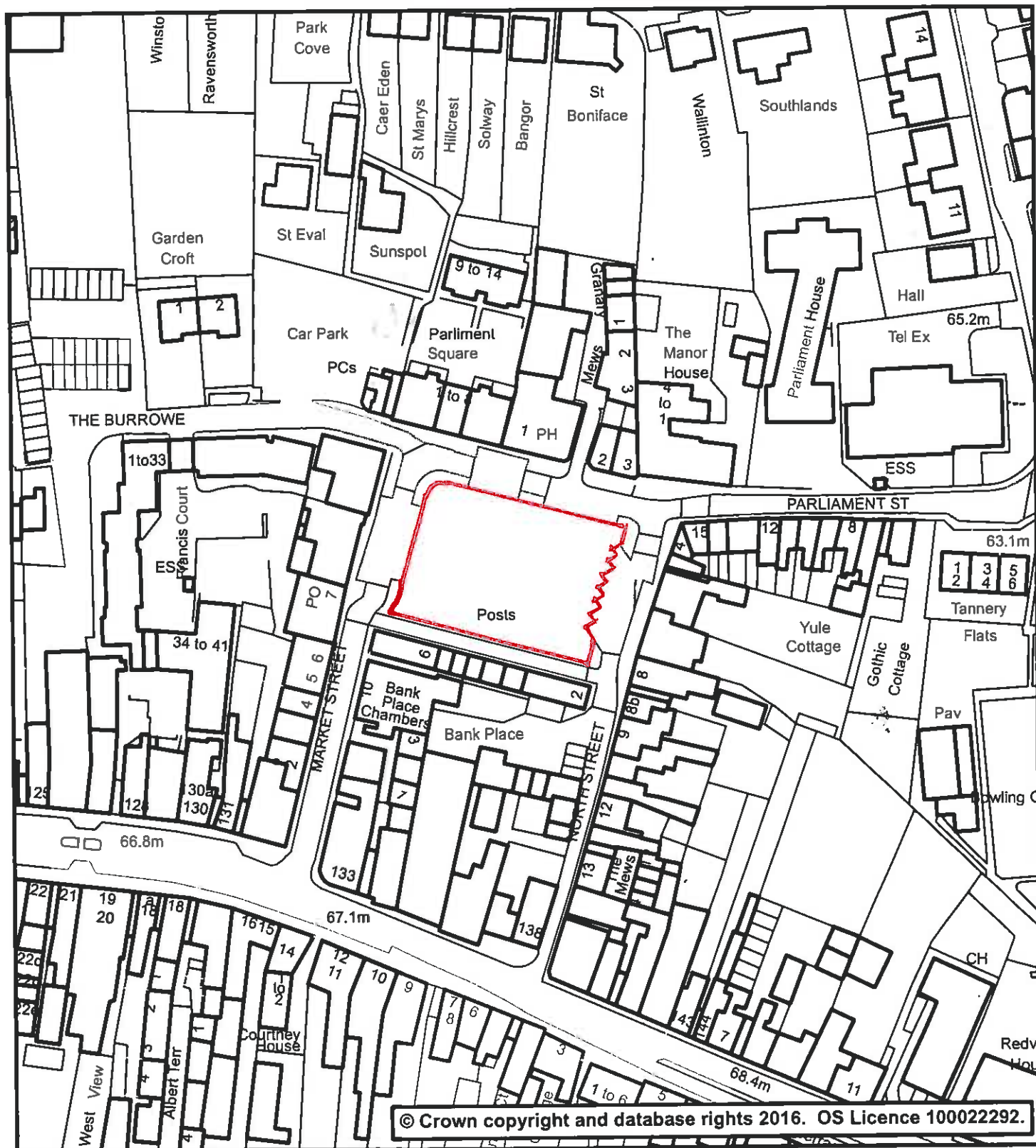




## Property Services

**Phoenix House**  
**Phoenix Lane, Tiverton EX16 6PP**

**Tel: 01884 255255    Website: [www.middevon.gov.uk](http://www.middevon.gov.uk)**



## Town Square - Crediton

**Scale: 1:1,250**

Date: 11/05/2016

Drg. No: Not Set

Page 165  
User Name: sdensham

This page is intentionally left blank

## CABINET

30<sup>TH</sup> NOVEMBER 2021

## REPORT OF DIRECTOR OF PLACE

### INFRASTRUCTURE FUNDING STATEMENT: INFRASTRUCTURE LIST

**Cabinet Member(s):** Councillor Richard Chesterton, Cabinet Member for Planning and Economic Regeneration

**Responsible Officer:** Richard Marsh, Director of Place

**Reason for Report:** To approve the list of Infrastructure items, including affordable housing to be included in the Council's Infrastructure Funding Statement, which is required to be published on the Council's website by 31 December 2021.

### RECOMMENDATION:

That Cabinet approves

1. The list of infrastructure and affordable housing in Appendix 1 that the Council intends to fund, either wholly or partly, by planning obligations and the future spending priorities on these
2. The inclusion of Appendix 1 – Infrastructure List in the Mid Devon Infrastructure Funding Statement to be published on the Council's website by 31<sup>st</sup> December 2021

**Financial Implications:** There are no direct financial implications arising from this report. The infrastructure funding statement will set out the future spending priorities on infrastructure and affordable housing and what projects or types of infrastructure that the authority intends to fund, either wholly or partly, by planning obligations. This will not dictate how funds must be spent but will set out the local authority's intentions.

**Legal Implications:** There is a legal requirement placed through Regulation 121A Community Infrastructure Levy largely applicable to CIL charging authorities to publish no later than 31<sup>st</sup> December in each calendar year an annual infrastructure funding statement which comprises—"a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL ("the infrastructure list)". In line with the approach taken previously, although Mid Devon District Council is not a CIL charging authority (instead having to publish an annual 'S106 report' as detailed in the Regulations), the Council may still consider it useful (as well as transparent) for it to publish a list of the infrastructure to be funded wholly or partly (albeit in its case by S106 contributions) over the forthcoming year or so.

**Risk Assessment:** Failure to produce an infrastructure funding statement within the required timeframe could undermine the credibility of the Local Plan and potentially harm the Council's reputation as a plan making authority.

**Equality Impact Assessment:** The information in the Infrastructure List has been informed through the work undertaken for the preparation of the Mid Devon Local Plan Review 2013 – 2033. The Local Plan has been screened through an Equalities Impact Assessment.

**Relationship to Corporate Plan:** The Infrastructure List includes infrastructure items relating to affordable housing, transport, education, libraries, waste, health, community facilities, emergency services, where these relate to built development and Local Plan objectives. Funding the delivery of these items can also help the Council achieve its four Corporate Plan priorities - Homes, Environment, Community and Economy.

**Impact on Climate Change:** The Infrastructure List includes provision for carbon offsetting and air quality improvements. The information in the infrastructure funding statement should feed back into reviews of local plans to ensure that policy requirements for developer contributions remain realistic and do not undermine the deliverability of the plan. The Local Plan has been prepared within a legal framework and national planning policy that has at its heart the principle of sustainable development and policies to help address climate change through the development and use of land.

## **1.0 Introduction/Background**

1.1 Reporting on developer contributions helps local communities and developers see how contributions have been spent and understand what future funds will be spent on. This ensures a transparent and accountable system.

1.2 The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 which exercises the powers of Part 11 of the Planning Act 2008 requires in each calendar year a contribution receiving authority to publish an annual infrastructure funding statement by 31<sup>st</sup> December each year.

1.3 Infrastructure funding statements must set out:

- A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by Community Infrastructure Levy (CIL) ('the infrastructure list')

*This report relates to this component of the requirements of the infrastructure funding statement.*

- a report about CIL, in relation to the previous financial year

*Mid Devon is not a CIL charging authority so no CIL has been collected.*

- A report relating to the previous financial year on planning obligations (Section 106 agreements and Section 278 highways agreements) ('the S106 report')

*Members will be advised of the contents of this prior to publication. This record is currently being compiled in a format to meet the publication requirements.*

- 1.4 The National Planning Policy Guidance also advises that the infrastructure funding statement should set out the future spending priorities on infrastructure and affordable housing and what projects or types of infrastructure that the authority intends to fund, either wholly or partly, by planning obligations and the Community Infrastructure Levy. This will not dictate how funds must be spent but will set out the local authority's intentions.
- 1.5 Infrastructure funding statements must cover the previous financial year from 1 April to 31 March (note this is different to the tax year which runs from 6 April to 5 April).
- 1.6 The information in the infrastructure funding statement should feed back into reviews of Local Plans to ensure that policy requirements for developer contributions remain realistic and do not undermine the deliverability of the plan.

## **2.0 How infrastructure can be funded**

- 2.1 There are several ways in which a Local Authority can require a developer to contribute towards infrastructure. This is so as to help with the impact of development and make it acceptable in planning terms.
- 2.2 Planning obligations can be sought in accordance with Section 106 of the Town and Country Planning Act 1990. These planning obligations are a legal agreement between the applicant seeking planning permission and the local planning authority.
- 2.3 Local Authorities can also secure funding towards infrastructure through a Community Infrastructure Levy (CIL). The CIL is a flat rate and non-negotiable charge which can be levied on new development in their area and it is a tool to use to help deliver the infrastructure needed to support development in their area. The CIL can only apply in areas where a local authority has consulted on, and approved, a charging schedule which sets out its levy rates and has published the schedule on its website
- 2.4 The Council currently secures funding for infrastructure and affordable housing through the use of Section 106 planning obligations and Section 278 highways agreements.

- 2.5 There is no CIL in place in Mid Devon and as such the Council's Infrastructure Funding Statement will not include information about CIL for the previous year. On 6<sup>th</sup> January 2021 the Council (Minute 112) resolved to adopt the recommendations of the Cabinet (Minute 270) that the Mid Devon Community Infrastructure Levy draft Charging Schedule is withdrawn from its examination and is no longer progressed. The Planning Inspectorate was notified on 21<sup>st</sup> January 2021 of the withdrawal of the Mid Devon Community Infrastructure Levy (CIL) draft charging schedule from its examination.
- 2.6 Members will recall the intent of the Government as set out in the White Paper August 2020 'Planning for the Future' to reform the current system of developer contributions with potential for the introduction of a nationally set infrastructure levy. While the consultation on the White Paper has closed, it is understood the Government is currently rethinking the planning reforms.

### **3.0 Mid Devon Infrastructure Funding Statement**

#### *About the Mid Devon Infrastructure Funding Statement*

- 3.1 The Mid Devon Infrastructure Funding Statement will be prepared as two parts:

Part A (Report relating to the previous financial year on S106 planning obligations i.e. the S106 report). This will be a factual statement and will be published for information purposes

Part B (Infrastructure List), which is the subject of this Cabinet report.

- 3.2 The Infrastructure Funding Statement Part B (Infrastructure List) **Appendix 1** identifies 64 infrastructure items, including affordable housing. These are listed by:

- Settlement / area (District-wide, Tiverton, Cullompton, Crediton, rural)
- Type (i.e. Energy, telecommunications, flood mitigation, transport, education, libraries, waste, health, community facilities, emergency services, environment, ecology)
- Strategic Priority (Critical, important, desirable, local priority)

#### *Prioritising the list of infrastructure items*

- 3.3 A key element of infrastructure planning is ensuring that the importance of various infrastructure schemes is clear. This enables decision makers to prioritise resources and funding towards those schemes that create the greatest benefit for the area, and unlock development in the most appropriate way. These priorities relate to the delivery of built development and Local Plan objectives, rather than the over-arching objectives of the local authorities or organisations named as delivery partners.

- 3.4 The Mid Devon Infrastructure Funding Statement will use the following infrastructure priority criteria to reflect the importance of infrastructure in relation to the implementation of the Local Plan:

(1) Critical:

Infrastructure required to deliver the strategic vision and objectives of the Local Plan. Critical requirements contribute to delivering the wider strategic aims of the Plan, and may also mitigate the impacts of development schemes. The plan may fail without the delivery of this infrastructure.

(2) Important:

Infrastructure required to deliver specific schemes and provide services and facilities to meet the needs of new residents. The delivery of an allocated site may fail without the delivery of this infrastructure.

(3) Desirable:

Infrastructure required that would enhance the effectiveness, efficiency and quality of infrastructure or services, creating a better place to live and work.

Local Priority

Identified as desirable or beneficial to the local community through Parish and Town Council consultation.

- 3.5 The Cabinet is being asked to approve the inclusion of the 64 infrastructure items, including affordable housing, in the Infrastructure Funding Statement and the priority to be given to each of these items.

*Future reviews of the Infrastructure List*

- 3.6 The Mid Devon Infrastructure Funding Statement Part B (Infrastructure List) is a snap shot in time and includes the best information that is available at the point of its approval and publication. It has been informed through work undertaken as part of the preparation of the Mid Devon Local Plan Review 2013 – 2033 including the 2016 Infrastructure Plan.
- 3.7 The Mid Devon Infrastructure Funding Statement Part B (Infrastructure List) will be kept up to date through an annual review in relation to the implementation of development sites in the adopted Local Plan and their associated infrastructure needs, and will be subject to future approval by the Cabinet before being published on the Council's website.
- 3.8 The preparation of a new Local Plan for Mid Devon ('Plan Mid Devon') will provide an opportunity to review the infrastructure needed to support new development where this is planned across the district. This will be informed through technical work and engagement with transport, education and other

infrastructure and service providers. Infrastructure needs will be looked at in terms of the requirements placed through individual development sites and also the cumulative impacts of development sites at town level and wider area, to enable a strategic approach to be taken to infrastructure planning and its phasing and funding.

#### 4.0 Planning Policy Advisory Group and subsequent amendments

- 4.1 The Planning Policy Advisory Group (PPAG) was consulted on 21<sup>st</sup> October 2021 on a draft version of the Mid Devon Infrastructure Funding Statement Part B (Infrastructure List). The PPAG has approved the Infrastructure List subject to amendments being made to it following comments made by Members. The table below includes the comments made by the PPAG Members and the officer responses to these. The Mid Devon Infrastructure Funding Statement Part B (Infrastructure List) in **Appendix 1** to this report includes the amendments where officers have agreed with the comments made by the PPAG Members.

PPAG Member comments / infrastructure item	Officer response and justification of priority
Cullompton - Improvements to Junction 28 of the M5 to provide signals have already been completed, to accommodate development in existing plans	This has been deleted from the infrastructure list
Cullompton – improvements at Junction 28 M5 needs clarification	This has been reworded to be consistent with the wording in the relevant policies of the adopted Local Plan:  Capacity improvements at Junction 28 M5 to deliver a strategic highway improvement
Cullompton – the requirement for a new road at development at North West Cullompton is missing from the infrastructure list	The through route linking Willand Road to Tiverton Road and traffic management measures on Willand Road at North West Cullompton has been added to the infrastructure list
There is no inclusion of infrastructure measures in relation to climate change, and in relation to biodiversity	The Infrastructure list has been amended to include references to district wide infrastructure required in development to:  mitigate the effects of, and adapt to, climate change, by supporting a low carbon future, energy efficiency, increased use and supply of renewable and local carbon energy, expansion of telecommunications



	<p>and high speed broadband, and managing flood risk. This has been prioritised as (1) 'critical' since it is required to deliver the strategic vision and objectives of the Local Plan</p> <p>provide a net gain in biodiversity. This has been prioritised as (2) Important where the infrastructure is required to deliver specific schemes and the delivery of an allocated site may fail without it</p>
The infrastructure list includes reference to 'strategic provision' which can result in a lack of clarity with how infrastructure items have been prioritised	Infrastructure items listed as 'strategic provision' have been moved to the relevant settlement / area elsewhere in the infrastructure list
There is no reference to sports pitch provision, and in relation to the Mid Devon Playing Pitch Strategy	<p>The infrastructure list has been amended to include sports pitch provision and leisure facilities to be consistent with relevant site allocation policies in the adopted Local Plan:</p> <p>Tiverton – sports pitch provision at the EUE</p> <p>Cullompton – sports pitch provision and leisure facilities at North West Cullompton</p> <p>Cullompton – sports pitch provision and leisure facilities at East Cullompton</p> <p>These have been prioritised as being (2) Important, where the infrastructure is required to deliver specific schemes and the delivery of an allocated site may fail without it</p>

4.2 Since the Planning Policy Advisory Group has met, the Infrastructure List has been subject to subsequent amendments to include:

- An additional column "Local Plan Policy (guide list, not exhaustive)" to help clarify which policies in the Local Plan require the infrastructure items included in the Infrastructure List. Where policies are identified this is not exhaustive and should be treated as a guide.

- Four further infrastructure items that are required through policies in the adopted Local Plan. These are identified in the table below and are included in the Mid Devon Infrastructure Funding Statement Part B (Infrastructure List) in **Appendix 1** to this report.

Settlement / area	Infrastructure Item	Type	Local Plan Policy (guide list, not exhaustive)	Strategic Priority
Cullompton	Provision of healthcare facilities	Health facilities	CU20 (k), S8	(3) Desirable
Crediton	Expansion and improvement of primary and secondary education facilities	Education	S1 (b, i), CRE11 (d), S8	(1) Critical
Crediton	Expansion of fire and rescue services	Emergency services	CRE11 (f), S8	(2) Important
Crediton	Community facilities including provision for children / youth	Community Facilities	S1 (i), CRE11 (i), S8	(3) Desirable

## 5.0 Next Steps

- 5.1 Subject to Cabinet approval, the Council will publish the Mid Devon Infrastructure Funding Statement 2021 (Parts A and B) on the Council website by 31 December 2021.
- 5.2 There is no requirement for the Council to consult on the infrastructure funding statement or formally submit this to the Government.
- 5.3 The infrastructure funding statement will be kept under review and an updated version will be subject to approval for publication annually.

### Contacts for more Information:

Tristan Peat, Forward Planning Team Leader 01884 234344 / 07967 179669  
[tpeat@middevon.gov.uk](mailto:tpeat@middevon.gov.uk)

Richard Marsh, Director of Place  
[rmarsh@middevon.gov.uk](mailto:rmarsh@middevon.gov.uk)

**Circulation of the Report:** Cabinet Members

### List of Background Papers and relevant links:

Mid Devon Infrastructure Funding Statement (Part B) – Infrastructure List of types or projects that the authority intends to fund wholly or partly by the levy and developer contributions.

Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019

<https://www.legislation.gov.uk/uksi/2019/1103/regulation/9/made>

Council 6<sup>th</sup> January 2021

<https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=156&MId=1304&Ver=4>

Cabinet 3<sup>rd</sup> December 2020

<https://democracy.middevon.gov.uk/documents/s19298/201203%20Community%20Infrastructure%20Levy%20FINAL%2003122020%20Cabinet.pdf>

This page is intentionally left blank

# **Infrastructure Funding Statement (Part B) - Infrastructure List**

**November 2021**

## 1. Introduction

1.1 Reporting on developer contributions helps local communities and developers see how contributions have been spent and understand what future funds will be spent on. This ensures a transparent and accountable system.

1.2 The Community Infrastructure Levy (Amendment) (England) (No.2) Regulations 2019 which exercises the powers of Part 11 of the Planning Act 2008 requires in each calendar year a contribution receiving authority to publish an annual infrastructure funding statement by 31<sup>st</sup> December each year.

1.3 Infrastructure funding statements must set out:

- A statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by Community Infrastructure Levy (CIL) ('the infrastructure list')

*This report includes the infrastructure list, which forms Part A of the Mid Devon Infrastructure Funding Statement*

- a report about CIL, in relation to the previous financial year

*Mid Devon is not a CIL charging authority so no CIL has been collected.*

- A report relating to the previous financial year on planning obligations (Section 106 agreements and Section 278 highways agreements) ('the S106 report')

*A S106 report will form Part B of the Mid Devon Infrastructure Funding Statement*

## **2. Planning for Infrastructure in Mid Devon**

- 2.1 Mid Devon District Council adopted its Local Plan on 29 July 2020, which covers the period 2013-2033. Ensuring development is supported by adequate infrastructure is fundamental to delivering the vision as set out in the new Local Plan. This Infrastructure List included in this report identifies what infrastructure requirements are required over the 20 year period of the plan.
- 2.2 The Council currently secures funding for infrastructure and affordable housing through the use of Section 106 planning obligations and Section 278 highways agreements. There is no CIL in place in Mid Devon. This follows the Council's decision on 6<sup>th</sup> January 2021 to withdraw the Mid Devon Community Infrastructure Levy draft Charging Schedule from its examination and for this to no longer be progressed.

## **3. Types of Infrastructure**

- 3.1 The Infrastructure Funding Statement Part B (Infrastructure List) below identifies 64 infrastructure items, including affordable housing. These are listed by:

- Settlement / area (District-wide, Tiverton, Cullompton, Crediton, rural)
- Type (i.e. Energy, telecommunications, flood mitigation, transport, education, libraries, waste, health, community facilities, emergency services, environment, ecology)

## **4. Priority of Infrastructure**

- 4.1 A key element of infrastructure planning is ensuring that the importance of various infrastructure schemes is clear. This enables decision makers to prioritise resources and funding towards those schemes that create the greatest benefit for the area, and unlock development in the most appropriate way. These priorities relate to the delivery of built development and Local Plan objectives.
- 4.2 The following infrastructure priority criteria have been used:

### **(1) Critical:**

Infrastructure required to deliver the strategic vision and objectives of the Local Plan. Critical requirements contribute to delivering the wider strategic aims of the Plan, and may also mitigate the impacts of development schemes. The plan may fail without the delivery of this infrastructure.

### **(2) Important:**

Infrastructure required to deliver specific schemes and provide services and facilities to meet the needs of new residents. The delivery of an allocated site may fail without the delivery of this infrastructure.

### **(3) Desirable:**

Infrastructure required that would enhance the effectiveness, efficiency and quality of infrastructure or services, creating a better place to live and work.

### **Local Priority**

Identified as desirable or beneficial to the local community through Parish and Town Council consultation.

4.3 The following table lists the infrastructure projects that Mid Devon District Council intends will be, or may be, wholly or partly funded by planning obligations and sets out their strategic priority.

Settlement / area	Infrastructure Item	Type	Local Plan Policy (guide list, not exhaustive)	Strategic Priority
District wide	Infrastructure required in development to mitigate the effects of, and adapt to, climate change, by supporting a low carbon future, energy efficiency, increased use and supply of renewable and local carbon energy, expansion of telecommunications and high speed broadband, and managing flood risk	Energy, Telecommunications, Flooding,	S1 (f) and (j), S8, S9, S10, S11, TIV15, CU1, CU5, CU7, CU8, CU11, CU20 (m), DM5, local plan policies and site allocations	(1) Critical
District wide	Infrastructure required in development to provide a net gain in biodiversity	Ecology	S1 (l), S8, DM26, DM28, local plan policies and site allocations	(2) Important
District wide	Affordable Housing 28-30%.	Affordable Housing	S1 (g), S3, S8, local plan policies and site allocations requiring affordable housing	(1) Critical
District wide	Upgrades to or new waste water treatment facilities.	Water	S8	(1) Critical
District wide	Public open space/green infrastructure.	Community	S1 (i), S5, S8, TIV15 (f), CU1, CU3, CU7, CU9, CU17, CU18, CU20 (g), CRE11 (e), DM26	(2) Important
District wide	New recycling centre (replacement for Ashley).	Waste	TIV4, TIV15, S8	(2) Important
District wide	Criminal Justice Centre.	Emergency services	S8	(3) Desirable
District wide	Community transport	Transport	S1 (e), TIV2 (e), TIV16 (h), CU2 (d), CU8 (h), CU14 (f), CU15 (b), CU16 (e),	(3) Desirable



Settlement / area	Infrastructure Item	Type	Local Plan Policy (guide list, not exhaustive)	Strategic Priority
			CU17 (e), CU18 (d), S8	
District wide	Special educational need (provision located in Cullompton).	Education	S1 (b, i), S1 (i), S8, S11	(1) Critical
District wide	Public electric vehicle charging infrastructure	Transport	S1 (e, j), S8, DM5	(3) Desirable
Junction 27	Improvements to M5 J27	Transport	J27 (c), S8	(2) Important
Tiverton	Tiverton Eastern Urban Extension Access onto A361 including new junction – Phase 2.	Transport	TIV2, TIV15 (a), S8	(1) Critical
Tiverton	Access on to A361 link from Blundell's Road.	Transport	TIV16, S8	(1) Critical
Tiverton	Provision of a junction on Heathcoat Way and a safeguarded road route through the site to serve as a future second strategic road access for development at Tiverton eastern urban extension.	Transport	TIV16, S8,	Safeguarding of route: (1) Critical  Delivery of route: (2) Desirable
Tiverton	Public realm improvements/traffic calming to Blundell's Road.	Transport	TIV2, TIV15 (b), S8	(1) Critical
Tiverton	Works to increase roundabout capacity.	Transport	TIV15, S8	(1) Critical
Tiverton	Enhanced public transport to serve development; new / enhanced pedestrian / cycle facilities to serve development.	Transport	S10, S8, TIV15,	(1) Critical
Tiverton	New 420 place primary school at the EUE including early years provision and a children's centre service delivery base.	Education	S1 (b, i), TIV1, TIV4, TIV15 (e), S8	(1) Critical
Tiverton	Sports pitch provision at the EUE	Community facilities	S1 (i), TIV3, S8	(2) Important
Tiverton	Secondary school expansion to accommodate the needs arising from development in Tiverton and within Tiverton High School's designated area.	Education	S1 (b, i), TIV4, TIV15 (e), S8	(1) Critical
Tiverton	Energy from waste plant with the potential for a district heat network.	Waste	TIV15, S8, W6B (Devon Waste Plan)	(3) Desirable (in DCC Waste Plan)

Settlement / area	Infrastructure Item	Type	Local Plan Policy (guide list, not exhaustive)	Strategic Priority
	The adopted Devon Waste Plan (2014) includes Tiverton Eastern Urban Extension as one of the strategic locations where planning permission could be granted for additional energy recovery capacity. No proposals to utilise this site for this purpose have yet come forward and this option is now unlikely			
Tiverton	Expansion of Fire Service capacity to support growth of the town.	Emergency services	TIV15 (g), S8	(2) Important
Tiverton	GP surgery.	Health facilities	S1 (i), TIV15 (j), S8	(2) Important
Tiverton	Flood defence measures on the Rivers Lowman (Alms Houses), Exe (Hospital and adjacent industrial site) and Cottey Brook.	Flooding	S1 (j), S8	(2) Important
Tiverton	Community hall/provision.	Community facilities	S1 (i), TIV1, TIV4, S8	(3) Desirable
Tiverton	Development of Tiverton Youth and Community Centre as a youth hub.	Community facilities	S1 (i), TIV4, TIV15 (j), S8	(3) Desirable
Tiverton	Enhancement of library facilities.	Libraries	S1 (i), TIV15 (i), S8	(3) Desirable
Tiverton	Community theatre, located on school site.	Community facilities	S1 (i), S8, TIV4 (d)	(3) Desirable
Cullompton	Capacity improvements at Junction 28 M5 to deliver a strategic highway improvement	Transport	CU2 (h), CU7 (f), CU8 (a), CU12 (f), CU12 (f), CU17 (g), CU20 (b), S8	(1) Critical
Cullompton	Town Centre Relief Road	Transport	CU2 (g), CU19, CU20 (a), S8	(1) Critical
Cullompton	Through route linking Willand Road to Tiverton Road and traffic management measures on Willand Road at North West Cullompton	Transport	CU1, CU2 (a) and (g), S8	(2) Important
Cullompton	Secondary school expansion-increase capacity at school to	Education	S1 (b, i), CU7 (j), CU10 (d) , CU20	(1) Critical

Settlement / area	Infrastructure Item	Type	Local Plan Policy (guide list, not exhaustive)	Strategic Priority
	1200 places (5 form entry to 8 form entry).		(f), S8	
Cullompton	New 420 place primary school within North West Cullompton allocation including early years provision and a children's centre service delivery base.	Education	S1 (b, i), CU4 (a, b), CU20 (f), S8	(1) Critical
Cullompton	New 630 place primary school within East Cullompton including early years provision and a children's centre service delivery base. (or two schools of equivalent capacity).	Education	S1 (b, i), CU7 (i), CU10 (a, c), CU12 (g), CU20 (f), S8	(1) Critical
Cullompton	Bus improvements to service new development to the north west of Cullompton.	Transport	CU2 (e), S8	(1) Critical
Cullompton	Bus improvements to service new community options at East Cullompton.	Transport	CU8 (e, l, j), S8	(1) Critical
Cullompton	New / enhanced pedestrian / cycle facilities to serve development (NW Cullompton & East Cullompton).	Transport	CU2 (b, c), S8	(1) Critical
Cullompton	Sports pitch provision and leisure facilities at North West Cullompton	Community facilities	S1 (i), CU3, CU4 (d), CU20 (l), S8	(2) Important
Cullompton	Sports pitch provision and leisure facilities at East Cullompton	Community facilities	S1 (i), CU9 (c), CU9 (c), CU10 (f), CU20 (i), S8	(2) Important
Cullompton	Railway station reopening.	Transport	CU8 (c), CU20 (i), S8	(2) Important
Cullompton	Air quality improvements.	Transport	CU8 (h), S8, DM3	(2) Important
Cullompton	Provision of healthcare facilities	Health facilities	CU20 (k), S8	(3) Desirable
Cullompton	New recycling facility	Waste	CU4 (e), CU10 (g), CU20 (n), S8	(2) Important
Cullompton	Expansion of Fire Service capacity to support growth. Includes cost of response vehicle, small fire engine and garaging construction costs (including some costs for leasing based over 5 year period).	Emergency services	CU20 (j), S8	(2) Important
Cullompton	Community hall/provision.	Community facilities	S1 (i), CU1, S8, CU4, CU10 (b),	(3) Desirable

Settlement / area	Infrastructure Item	Type	Local Plan Policy (guide list, not exhaustive)	Strategic Priority
			CU13 (g)	
Cullompton	Extra Care provision of 79 units.	Health facilities	CU7 (d), CU20 (d), S8	(3) Desirable
Crediton	Bus improvements to service new development.	Transport	CRE5 (g), CRE11 (b), S8	(1) Critical
Crediton	New / enhanced pedestrian / cycle facilities to serve development.	Transport	CRE1 (e), CRE2 (c), CRE5 (i), CRE6 (d), CRE7 (e), CRE11 (a), S8	(1) Critical
Crediton	Crediton air quality. Relates to link road. Will require further testing to define impact and need for further mitigation/works.	Environment	CRE4 (b), CRE11 (c), S12 (c), S8, DM3	(2) Important
Crediton	Expansion and improvement of primary and secondary education facilities	Education	S1 (b, i), CRE11 (d), S8	(1) Critical
Crediton	New 210 place primary school including early years provision and a children's centre service delivery base.	Education	S1 (b, i), S12 (e), CRE5 (b), CRE11 (d), S8	(1) Critical
Crediton	Expansion to Haywards and Landscore Primary Schools to accommodate background growth and some new development.	Education	S1 (b, i), CRE11 (d), S8	(2) Important
Crediton	Expansion of fire and rescue services	Emergency services	CRE11 (f), S8	(2) Important
Crediton	Extra Care provision of 50 units (inclusion under review)	Health facilities	CRE11 (h), S8	(3) Desirable
Crediton	Sports pitch provision relocation from sports fields at Exhibition Road and at Stonewall Lane	Community Facilities	S1 (i), CRE5, CRE6, CRE7, S8	(2) Important
Crediton	Community facilities including provision for children / youth	Community Facilities	S1 (i), CRE11 (i), S8	(3) Desirable
Rural	Cycleway along the A396 Exe Valley,	Transport	S1 (e, i), S8	(3) Desirable
Rural	Boniface Trail cycle route feasibility study	Transport	S1 (e, i), S8	Local
Rural	Uffculme rural - secondary school expansion.	Education	S1 (b, d, i), S8	(2) Important
Rural	Uffculme rural - primary school expansion.	Education	S1 (b, d, i), S8	(2) Important
Rural	Tiverton rural - primary school	Education	S1 (b, d, i), S8	(2) Important

Settlement / area	Infrastructure Item	Type	Local Plan Policy (guide list, not exhaustive)	Strategic Priority
	expansion.			
Rural	Cullompton rural - primary school expansion.	Education	S1 (b, d, i), S8	(2) Important
Rural	Crediton rural - primary school expansion.	Education	S1 (b, d, i), S8	(2) Important
Rural	Community asset transfer and 5 year running costs for Kennerleigh Village Shop.	Community facilities	S1 (c, d)	Local

This page is intentionally left blank

## **CABINET 30 NOVEMBER 2021**

### **CULLOMPTON TOWN CENTRE RELIEF ROAD (CTCRR) PROJECT**

**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:** To note the update provided in relation to the LUF (Levelling-up Fund) application and approve the recommendations as set out below in order to allow officers to continue to examine potential opportunities to secure the additional funding required to support the delivery of the Cullompton town centre relief road.

#### **RECOMMENDATIONS FOR CABINET:**

1. To note that the Council has been advised that, at this time, it has not been successful in securing funding through the Levelling-Up Fund in order to enable the delivery of the Cullompton town centre relief road. And;
2. That, in light of the above and reflecting the Cabinet decision of the 3<sup>rd</sup> August 2021, approval is given for officers to;
  - a) work to explore other funding opportunities which could deliver the additional funding required to enable the delivery of the Cullompton town centre relief road, and;
  - b) bring a further report before Cabinet as soon as possible in order to update members on the progress of discussions and the options available to the Council in relation to the delivery of the relief road project.

#### **Financial Implications:**

There are negligible direct financial consequences of continuing to explore alternative funding arrangement for the Cullompton town centre relief road in the short term. However, members should be aware that the Council has already utilised part of the existing HIF (Housing Infrastructure Fund) funding and that there is a risk that, unless the scheme is implemented and delivered within the pre-agreed timetable, the HIF funding could be withdrawn and that the Council would have to repay the amount of funding already utilised, or committed (totalling approx. £635k).

As continuing to work on the scheme beyond the end of the calendar year will continue to incur expenditure, members should therefore note that unless an alternative source of funding can be identified (in the short term) which can enable delivery of the CTCRR scheme (through to completion), serious consideration will need to be given to the risks of continuing on the timescales originally envisaged. Options in this regard will be brought back to cabinet once officers have a better understanding of what opportunities exist in relation to securing the required additional funding to unlock delivery.

**Budget and Policy Framework:**

The CTCRR Scheme has detailed planning consent, is a scheme which has broad public support and is a key scheme in realising wider objectives and ambitions for Cullompton and the district as a whole.

Provision is made within the existing Budget framework for the scheme and arrangements are under continual review.

**Legal Implications:**

As set out above, legal obligations apply in relation to the original/existing grant of HIF (Housing Infrastructure Fund) funding and the delivery of the CTCRR scheme. If additional funding is not secured, then the Authority will need to consider its options with the legal implications of the existing Grant Agreement in mind.

**Risk Assessment:**

The risk associated with not securing the additional funding required to support the delivery of the Cullompton town centre relief road is significant as it would jeopardise the delivery of not only the road infrastructure, but also the delivery of new homes and other initiatives such as the improvements to the Heritage Action Zone area.

As set out above, risk also exists should the Council continue to spend the existing HIF allocations without having secured the funding required to deliver the full road scheme as this jeopardises scheme delivery and opens the Council up to the risk of the clawback of grant by Homes England.

The best way of mitigating these risks is to secure the additional funding required to deliver the relief road and it is in this regard that officers' attention is now focused.

When officers are in a position to be able to offer more clarity with regard to the opportunities and options available to the council, these will be set out to members in more detail in a subsequent report – along with the implications, next steps and risks (and mitigations).

**Equality Impact Assessment:**

There are no issues arising directly from this report.

**Relationship to Corporate Plan:**

The CTCRR project is considered vital to enable development identified in the Local Plan to come forward and make a valuable contribution to delivering the priorities of the Corporate Plan 2020 to 2024; Economy, Homes, Community and Environment.

**Impact on Climate Change:**

The relief road project is a consented scheme which will deliver significant environmental improvements within the town centre, unlock significant development within Cullompton and reduce issues currently associated with congestion and pollution. The scheme is therefore considered, on balance, to be one which should be pursued and delivered in order to deliver the benefits associated with the scheme. However, the road will of course create new highways infrastructure which will continue to support the use of private and public vehicles, despite the associated environmental impacts of emissions from such vehicles.



## 1.0 INTRODUCTION/BACKGROUND

- 1.1 The previous report set before Cabinet (in August 2021) contains the majority of the background information relating to this proposal and this information is therefore not duplicated within this report. The key issues are however set out below:
- 1.2 The Cullompton town centre relief road (CTCRR) is a planned strategic highways intervention aimed at delivering significant benefits to the town and at unlocking significant new housing delivery to the east of the town – at Culm Garden Village. The CTCRR and Garden Village are both supported through existing planning consents and through adopted planning policy. The project is key to achieving key Council objectives.
- 1.3 The Cullompton town centre relief road scheme is the beneficiary of £10m of Housing Infrastructure Fund (HIF) funding. At the time of securing this funding, it was expected that the scheme would cost £15m to deliver and that MDDC forward funding (to be repaid through S106 contributions generated through new development) would contribute the balance of funding (£5m) towards the delivery of the scheme to allow the infrastructure to be delivered in advance of these s106 receipts being secured.
- 1.4 Since inception of this project, significant refinement and development of the scheme has taken place. This has generated a much better understanding of the design of the scheme, and the associated costs. Furthermore, significant cost inflation has taken place during this period, as has been well documented across the UK. This means that, despite value engineering having taken place, the overall cost of delivering the CTCRR scheme has increased from £15m to £24.85m.
- 1.5 The significant increase in costs necessitated that the Council seek additional funding in order to support the delivery of the scheme. It was for this reason that, in June 2021, a Levelling-Up Fund (LUF) bid was submitted for consideration by Government. The bid sought £13.599m of funding – effectively seeking to address the additional cost of delivering the CTCRR scheme and also removing the onus on the Council to utilise its £5m of borrowing to forward fund an element of the works.
- 1.6 On the 27<sup>th</sup> October 2021, Government announced the schemes which had been successful in securing Levelling-Up Fund monies. The Cullompton scheme was not listed as one of those projects which had been successful in this funding round.
- 1.7 No official feedback has yet been received from Government officials in relation to the submitted LUF bid and it is therefore not yet possible to appraise members of the reasons why the bid was unsuccessful. A meeting has been offered by the LUF team to MDDC to provide feedback on the bid and officers have taken up this offer and requested a meeting date. No proposals have yet been received in relation to

potential meeting dates and it is therefore expected that this officer meeting will take place sometime after the Cabinet meeting on the 30<sup>th</sup> November 2021.

- 1.8 It is worth stressing that the BCR (benefit-cost ratio) of the scheme was extremely good and that, subject to any official feedback stating otherwise, at a technical level the bid was therefore extremely competitive in terms of its value for money. Officers will therefore be seeking to understand what aspects meant that the bid was unsuccessful and will then reflect upon what changes can, or need, to be made to the bid should other funding opportunities become available or should re-submissions to the LUF be welcomed. This will hopefully ensure that the bid is as competitive as possible, should funding opportunities present themselves.
- 1.9 Finally, as set out above, time is of the essence in addressing the funding shortfall associated with the CTCRR scheme: without a swift resolution the scheme is likely to be delayed, and the Council will have to consider options with regard to how to take the scheme forwards. Potential impacts of this could be the delayed delivery of outputs in terms of new homes, and the associated knock-on effects to other schemes and to Cullompton town as a whole. It is for this reason that officers are now urgently considering what other opportunities exist in relation to funding the project. It is hoped that further clarity will be provided in the near-term and a further report will be brought before Cabinet as soon as the revised options are clearer.

## **2.0 RECOMMENDATIONS AND CONCLUSION**

- 2.1 It is important to note that the Council has been advised that, at this time, it has not been successful in securing funding through the Levelling-Up Fund in order to enable the delivery of the Cullompton town centre relief road;
- 2.2 In the immediate term, the recommendations are for officers to seek to identify alternative funding which could be utilised to support the delivery of the CTCRR in order to ensure that the Council is able to deliver the outputs and benefits associated with delivery (and minimise the risk of non-delivery to the Council).
- 2.3 Clearly it will be imperative that a report be brought back before Cabinet as soon as possible to appraise members of any identified funding opportunities or solutions in order that options can be presented in relation to the future delivery of the CTCRR project.

**Contact for more Information:** Richard Marsh, Director of Place

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

**Background Papers** – Housing Infrastructure Fund and Project Update Cabinet report – dated 3<sup>rd</sup> August 2021.

## CABINET 30 NOVEMBER 2021

### PROCUREMENT PARTNERSHIP

**Cabinet Member(s):** Cllr Andrew Moore - Cabinet Member for Finance  
**Responsible Officer:** Andrew Jarrett – Deputy Chief Executive (S151)

**Reason for Report:** To seek approval from Cabinet to enter into a long term partnership with Devon County Council to provide procurement advice and support to the Council.

**Recommendation:** Cabinet are recommended to approve entering into the long term procurement partnership with Devon County Council.

**Financial Implications:** Procurement is a critical element of service delivery, with strict regulations in place to ensure Value for Money is delivered. The Council spends multiple millions per year on goods, services and works. The cost of this partnership is within the current budget envelope.

**Budget and Policy Framework:** Procurement has a critical role to play in delivering strategic objectives, innovation and improving the overall quality of services delivered to the public.

**Legal Implications:** The Council must adhere to the EU Public Procurement Regulations for above threshold spend. Below threshold procurements will adhere to Public Procurement Notices and the Council's own financial regulations.

**Risk Assessment:** Without the support offered by this partnership the Council is at significant risk of failing to comply with regulations. An alternate solution would be required if this course of action is not supported.

**Equality Impact Assessment:** No implications arising from this report.

**Relationship to Corporate Plan:** Procurement has a critical role to play in delivering strategic objectives, innovation and improving the overall quality of services delivered to the public.

**Impact on Climate Change:** No direct implications arising from this report. However with the investment required, Procurement will be a key element in the delivery of climate change. This is done through utilising procurement templates and tools to ensure social value is at the heart of the procurement process.

#### 1.0 Introduction/Background

- 1.1 The Council has a small in-house procurement team comprised of 2.81 FTE including a Procurement Manager, a Contracts Officer and a Procurement Officer. It provides advice and support to services in the delivery of procurement tenders and new contractual frameworks and ensures the organisation is compliant with the regulations.

- 1.2 In April 2021, the Procurement Manager left the organisation. The role of the Procurement Manager was to provide support and guidance to services on their procurement requirements and manage the team. The other roles, one of which was also new to the team during this calendar year and is still learning the role and service, are much more junior and provide more of the “mechanical” aspects of the service, i.e. to ensure compliance with the regulations and the Council’s strategy and policies, to provide administrative support for the issuing/running of electronic tenders, maintain the contracts register and database, train users on the corporate eProcurement system and undertake generic purchasing of supplies from agreed supplier catalogues. Therefore there is a void in the advisory knowledge and expertise held within the Council that needs to be filled.
- 1.3 Attempts to recruit failed to generate sufficient interest in the post of appropriately qualified people. The underlying reason for this failure to attract interest is considered to be the salary. Procurement has become a fairly well paid occupation given the specialisms required and the increasing importance in service delivery. The level of supply within the market is also a likely issue given the specialist nature of the post. Partner organisations have also had similar difficult experiences in trying to recruit.
- 1.4 Alongside the recruitment exercise, engagement with Local Government partner organisations was undertaken to understand whether there was capacity for them to support Mid Devon District Council. Two offers of support were received and assessed.
- 1.5 Since June 2021, Devon County Council (DCC) has provided interim reactive support and advice for services requiring to go to market for contractual support. This includes, but not limited to, procurement advice and guidance to services in undertaking procurements including contractual support. DCC have also been conducting a review of the guidance and processes in place to ensure that they understand our current working practices and are able to provide support within that framework. This has helped understand the current position, build relationships and develop a broader picture.
- 1.6 DCC also provide this level of procurement support for East Devon District Council, Dartmoor National Park and Exmoor National Park.
- 2.0 **Devon Procurement Services (DPS) – The Offer**
- 2.1 As stated, the in house team is small with now only 1.81 FTE at present who provide administrative support to the organisation. Since the Procurement Manager left, there is a shortage of procurement expertise within the organisation. This is not tenable in the longer term and a solution is required.
- 2.2 As part of the support that DCC have provided, DCC have developed their understanding of how MDDC operates and have built initial relationships with MDDC officers. This has enabled them to develop a longer term partnership procurement offer for MDDC to consider as an alternative to trying to recruit in an in-house Procurement Manager.

- 2.3 Devon Procurement Services (DPS) is the corporate procurement arm of Devon County Council (DCC) and is part of DCC's Corporate Services structure. The service comprises just over 35 procurement professionals arranged into six category teams. Each category team comprises a subset of procurement officers with their own market specialisms. The teams include:
- Procurement strategy, partnerships and ICT;
  - Property services – construction, maintenance and operations;
  - Corporate / 'Business' procurement team;
  - Highways, Infrastructure and waste management;
  - Adults services and Children's services;
  - Public Health.
- 2.4 This means that MDDC would have access to a raft of specialist procurement officers with experience in particular services as opposed to a single Procurement Manager that might have generic procurement experience, or potentially expertise in maybe one or two key areas.
- 2.5 Support is provided through a telephone/video helpline to MDDC offices on matters such as (but not limited to):
- Running compliant public sector procurements;
  - Procurement contract cradle to grave general advice & best practise;
  - Procurement routes to market, options review;
  - Procurement specialist areas support;
  - Procurement policy, regulation and legislation advice and support.
- 2.6 This is no different to how services would have been accessing support from the previous Procurement Manager, and is no different to how the service will operate in the future in a hybrid working Council.
- 2.7 Other aspects of the wider DPS partnership offer is:
- Quality assurance;
  - Route to market and framework advice;
  - Recognising and mitigating areas of procurement risk;
  - Public sector procurement legislation;
  - Case law;
  - Best practice;
  - Transforming public procurement;
  - A full suite of procurement templates that are updated regularly to ensure they remain compliant;
  - New UK procurement regulations. To develop new templates, train and enable officers on the new procurement regulations;
  - General procurement training;
  - Enable Social value considerations in procurement.
- 2.8 These elements would in theory be provided by an in-house procurement manager, but once again, the benefits of a substantial team outweigh the service a single person could offer and the associated risks of a single point of failure. The review and constant refresh of procurement legislation is, and will be, a significant piece of work over the coming months as the new Post Brexit

procurement regulations are announced by Government (due later spring 2022).

- 2.9 The proposal excludes certain elements of the process, such as providing legal advice and providing on the ground support for the mechanical elements of the tendering process. This is no different to having an in-house Procurement Manager; legal advice should only be sought from the Council's legal department, and the mechanical aspects are already covered by the rest of the in-house team.
- 2.10 The proposed partnership is to run until 31 March 2027, although there is an option for a break by mutual consent included. The annual cost is more than covered by the salary saving made against the Procurement Manager Post.
- 2.11 The full proposal can be found in Appendix 1.
- 2.12 The partnership offering will be much more forward looking. Engagement with services will be from the outset as a coherent procurement plan is pulled together to ensure that all known requirements are captured, diarised and planned in plenty of time to ensure the process is smooth and controlled.
- 2.13 The requirement to run the procurement which includes, but not limited to, drafting the specification, evaluating bids and managing the resulting contract will remain with the service, who after all have the expertise in that area. DPS will provide an enabling service which supports, guides and advises on the best route to market and how to ensure that the specifications are effective (i.e. that the supplier could be held to account). The in-house procurement team will ensure that the tender is added to the advised electronic portal and all documentation is completed appropriately to ensure compliance.
- 2.14 It must be remembered that failure to comply with regulations leaves the Council open to challenge and potential significant additional cost.

### **3.0 New Principal Accountant and Procurement Manager Role**

- 3.1 Since the previous post holder left, the management of the team has fallen to the Corporate Manager for Financial Services. Therefore a new enhanced role is proposed that will take on the line management responsibility for the in-house team. This post will straddle Finance and Procurement and therefore it is envisaged that it will be filled internally within the Finance Team. The cost of the enhanced role will also be covered by the saving arising from the Procurement Management post.
- 3.2 In addition, the role will play a crucial part in the contract management of the new partnership arrangement ensuring that the partnership develops and provides the level of support and guidance the organisation requires. It will act as the conduit between services and DPS if any significant issues arise and ensure that they are resolved in an effective and timely way.
- 3.3 The post will not provide advice and guidance to services on their procurement requirements; this element of the previous manager's role will be undertaken from Devon Procurement Services (DPS). As stated, there should

be significant benefits in this arrangement through the scale of the team and the individual specialisms they have, as opposed to a single person.

#### **4.0 Other Options**

- 4.1 The option to recruit a new like-for-like Corporate Procurement Manager is still there. However, the last experience strongly indicated that our offer is not attractive to the market, probably due to both the salary and simply the buoyancy in that market. Therefore, it is likely significant additional costs would be incurred to attract a suitable candidate through advertising and salary enhancements.
- 4.2 An alternative option would be to undertake a similar partnership option to that which DPS could provide but through a different partner. Options previously explored showed that the DPS offer was significantly enhanced due to the scale of their operation. This option is therefore not considered particularly viable or attractive.
- 4.3 A new potential alternative option is for a Devon District Procurement Shared Service. Initial conversations have taken place and this may emerge in the fullness of time as a viable option. However, this is unlikely to be formed quickly and is likely to be possible from April 2023 at the earliest. This clearly leaves a significant period of time where MDDC is without suitable expertise in the organisation. This knowledge gap could be filled by DPS, although it is unlikely they will be keen to do anything other than reactive support given the limited timeframe of the requirement. A temporary manager could be brought in, but as we failed to attract to a permanent position it is unlikely that we could fill a limited time position. Therefore significant additional cost would be required to cover through agency or to attract someone appropriately qualified/experienced.

#### **5.0 Conclusion**

- 5.1 It is recommended that MDDC join the DPS partnership for the reasons set out above.
- 5.2 Conversations can continue in the background around a possible District Procurement solution, but at present this is unlikely to be viable for some time and is not likely to be a match for the scale of the DPS partnership.

#### **Contact for more information:**

Andrew Jarrett,  
Deputy Chief Executive (S151)  
01884 23(4242)  
[ajarrett@middevon.gov.uk](mailto:ajarrett@middevon.gov.uk)

Paul Deal  
Corporate Manager for Financial Services  
[pdeal@middevon.gov.uk](mailto:pdeal@middevon.gov.uk)

Circulation of the Report: Cllr Andrew Moore, Cabinet, Leadership Team

This page is intentionally left blank



## Devon Procurement Services

# Procurement Support Services to be provided for Mid Devon District Council

Contract Period 1<sup>st</sup> December 2021 to 31<sup>st</sup> March 2027

### Service support:

☎ 01392 383 000  
✉ [procure@devon.gov.uk](mailto:procure@devon.gov.uk)  
💻 [www.supplyingthesouthwest.org.uk](http://www.supplyingthesouthwest.org.uk)

### Contacts:

[andrea.greenhough@devon.gov.uk](mailto:andrea.greenhough@devon.gov.uk)  
[gavin.punchard@devon.gov.uk](mailto:gavin.punchard@devon.gov.uk)  
[justin.bennetts@devon.gov.uk](mailto:justin.bennetts@devon.gov.uk)

**Guidance – Services provided as follows:**

*O = Ongoing in Period of Service*

*D = Discrete one-off work packages*

*P = Documents with Periodic Updates – regularity of updates to be agreed*

**A Procurement e-tendering portal:**

1. Provide system administration support - O
2. Provide training to the new users - O
3. Provide training to all existing users (on request) – D
4. Work with MDDC to configure e-tendering portal - O
5. Maintain procurement route map templates within e-tendering portal - O
6. Access to electronic procurement info templates - O

**B Review of current MDDC Policy and Procedure Documents:**

1. Review Contract Standing Orders, including procurement procedure thresholds for which alternative procedures are followed – D
2. Review MDDC Procurement Strategy - D

**C Maintain and Update the following documents:**

**Key documentation to be maintained and reviewed by Devon Procurement Services to Mid Devon District Council including periodic updates:**

1. Maintain and review the workability of the SharePoint site that provides document/ template sharing between MDDC and DCC. - P
2. A3 sized summary document to help officers follow Contract Standing Orders - P
3. 'Procurement Notification Form (PNF) to register new MDDC procurements - D
4. Maintain and review invitation to tender template documentation as follows:-
  - Invitation to Tender & Request for Quotation templates\*, plus Terms and Conditions, particularly – P
  - Domestic (below public procurement threshold) requests for quotations\* - P
  - Domestic tender (below public procurement threshold) requests for tenders\* - P
 The following templates can be provided if requested as an addition to this agreement
  - FTS Open invitation to Tender (If requested) \* - P
  - FTS Restricted invitation to Tender (If requested) \* - P
5. Letter templates\* to inform successful & unsuccessful tenderers of due diligence phase (start of standstill period) - P
6. Letter templates\* to inform successful tenderers of award of contract (post Standstill) - P
7. A checklist of things to consider before deciding to use or comparing frameworks - D
8. Terms & Conditions\* for Goods & Services Contracts - D
9. Procurement Quality Assurance checklist\* to assist officers in overseeing key steps of the process, thus driving compliance - D

10. Provide Contract Award Recommendation report template (including Record of Officer Decision & Benefits realisation Section to record Financial Benefits & Savings) – D
11. To review annually this document - Schedule 1 DCC Procurement Support to MDDC. - P

**D Officer support:**

1. Devon Procurement Services to include MDDC within appropriate procurements, thereby enabling MDDC to use each contract, at its sole discretion - O
2. Provide telephone helpline\*\* support to MDDC nominated Officers with appropriate specialist contacts from Devon Procurement Services to provide telephone support - O
3. Mentoring and supporting the MDDC Procurement Team - O
4. For Quality Assurance, provide a Procedural and Documentation review\*\*, prior to Invitations to Tender being issued for competitive exercises above public procurement thresholds – O

**E Training packages:**

1. DCC to include MDDC in any procurement training opportunities as agreed by MDDC Corporate Manager for Finance (cost of this training is excluded out of this contract) - O
2. Devon Procurement Services to deliver overview of procurement training - D
3. Devon Procurement Services to deliver Bitesize sessions on procurement processes as agreed by MDDC Corporate Manager for Finance - D

**F Meetings with MDDC Managers:**

1. Meeting with MDDC Corporate Manager for Finance every six months to review service - O
2. Ability for MDDC Corporate Manager for Finance to request additional meeting with DPS senior service lead within a reasonable period of notice - O

**G Technical Updates:**

1. Provide a concise periodic technical update via Email to nominated MDDC officers, as and where key legislation or practice, requires.

**H Exclusions:**

1. Legal Advice
2. Misuse of templates, procurement tools or other documents by MDDC who do not use these as intended (particularly those marked with a \* above).
3. Situations arising out of MDDC not following advice provided by DCC (particularly those marked with a \*\* above).
4. Providing on the ground procurement staff to run projects (if resources were available in DCC this would be by separate contract arrangements)

---

**It is agreed that the services listed above will form the delivery to be provided to MDDC by DCC.**

This page is intentionally left blank

**Cabinet**  
**30 November 2021**

**Agenda Item**

## **Treasury Management Strategy Mid-Year Review Report 2021/22**

**Cabinet Member:** Councillor Andrew Moore  
**Responsible Officer:** Andrew Jarrett, Deputy Chief Executive (S151).

**Reason for Report:** To inform the Cabinet of the treasury performance during the first six months of 2021/22, to agree the ongoing deposit strategy for the remainder of 2021/22 and a review of compliance with Treasury and Prudential Limits for 2021/22.

### **Recommendation(s):**

- 1. That Cabinet recommends to Council that a continuation of the current policy outlined at paragraphs 6.0 - 6.5 be agreed.**
- 2. That Cabinet recommends that Council approves the changes to the Capital Financing Requirement, Operational Boundaries and Authorised Limits for the current year at paragraphs 4.4 - 4.5.**

**Relationship to Corporate Plan:** Maximising investment return whilst minimising risk of credit default enables the Council to finance the delivery of its Corporate Plan objectives.

**Financial Implications:** Good financial management and administration underpins the entire strategy. The Council's Treasury Management Strategy should attempt to maximise investment return commensurate with minimum risk to the principal sums invested.

**Legal Implications:** The Council is under a statutory duty to "have regard" to the 2011 CIPFA Treasury Management Code of Practice. The Council's own Financial Regulations include requirements as to the reporting of treasury management information.

**Risk Assessment:** The Council considers deposit security as the paramount function in any treasury dealings or activities. It should be noted that any investment decisions will always be subject to a degree of risk. However, in complying with an agreed Treasury Management Strategy, these risks would be kept to an acceptable level.

**Equality Impact Assessment:** It is considered that the impact of this report on equality related issues will be nil.

**Climate Change Assessment:** No implications relating this report.

## 1.0 Introduction

- 1.1 CIPFA's Code of Practice for Treasury Management recommends the annual setting of a Treasury Management Strategy and best practice dictates a half yearly update on treasury performance. This report will not only update Members on the treasury performance over the first six months of 2021/22, but will also seek approval for the ongoing deposit strategy.

## 2.0 Treasury Performance 01/04/2021 to 30/09/2021

- 2.1 The table below shows the Council's overall treasury management position for the first six months of 2021/22.

Treasury Position	Average Interest	Total Interest as at 30/09/2021	Forecast Year-End Position
Temporary Investments and Deposits	0.15%	£19k	£40k
CCLA Dividends	3.64%	£91k	£180k
Commercial Activities / Non-Financial Investments (all currently 3Rivers)	4.97%	£258k	£536k
<b>Total</b>		<b>£368k</b>	<b>£751k</b>

- 2.2 The General Fund 2021/22 budget for all investment activity is £633k and for the Housing Revenue Account is £10k.

## 3.0 Commentary from our Treasury Advisors (Link Group)

- 3.1 The coronavirus outbreak has done huge economic damage to the UK and to economies around the world. After the Bank of England took emergency action in March 2020 to cut Bank Rate to 0.10%, it left Bank Rate unchanged at its subsequent meetings. This has seen interest rates offered by banks and building societies remain low, resulting in returns on temporary investments far below that achieved in recent years. It is expected that the Bank of England will start tightening monetary policy soon to combat growing inflationary pressures, possibly by Quarter 4 of 2021/22, and this is already leading to small increases in interest rates offered by banks.
- 3.2 At its latest meeting on 24 September, the Monetary Policy Committee (MPC) voted unanimously to leave Bank Rate unchanged at 0.10% and made no changes to its programme of quantitative easing purchases, due to finish by the end of this year at a total of £895bn. Two MPC members voted to stop the last £35bn of purchases as they were concerned that this would add to inflationary pressures.
- 3.3 There was a major shift in the tone of the MPC's minutes at this meeting from the previous meeting in August, indicating that some tightening in monetary policy was now on the horizon. In his press conference after the August MPC meeting, Governor Andrew Bailey suggested that labour shortages could push up wage growth by more than it expects and that, as a result, CPI inflation would stay above the 2% target for longer. It also discounted sharp increases in monthly inflation figures expected in late 2021, which were largely propelled by events a year ago, such as the cut in VAT in August 2020 for the hospitality industry, and by temporary shortages that would eventually work their way out of the system. In other words, the MPC had been prepared to look through a temporary spike in inflation.

- 3.4 In August the country was just put on alert. However, this time the MPC indicated there had been a marked rise in concern that more recent price increases, particularly in gas and electricity prices in October and due again next April, are indeed likely to lead to faster and higher inflation expectations, and underlying wage growth. This would in turn increase the risk that price pressures would prove more persistent next year than previously expected. The MPC reaffirmed its commitment to the 2% inflation target in its statement, which suggested that it was now willing to look through the flagging economic recovery during the summer to prioritise bringing inflation down next year. Its primary concern now appears to be that underlying price pressures in the economy are likely to be embedded over the next year, elevating future inflation to stay significantly above its 2% target and for longer.
- 3.5 Financial markets are now pricing in a first increase in Bank Rate from 0.10% to 0.25% in February 2022, but this looks ambitious as the MPC has stated that it wants to see what happens to the economy, and particularly to employment once furlough ends at the end of September. At the MPC's meeting in February, it will only have available the employment figures for November; to get a clearer picture of employment trends, it would need to wait until the May meeting when it would have data up until February. At its May meeting, it will also have a clearer understanding of the likely peak of inflation.
- 3.6 The MPC's forward guidance on its intended monetary policy on raising Bank Rate versus selling holdings of bonds (quantitative easing) is as follows: -
- Placing the focus on raising Bank Rate as "the active instrument in most circumstances".
  - Raising Bank Rate to 0.50% before starting on reducing its holdings.
  - Once Bank Rate is at 0.50%, it would stop reinvesting maturing gilts.
  - Once Bank Rate had risen to at least 1%, it would start selling its holdings.
- 3.7 COVID-19 vaccines have been the game changer that has enormously boosted confidence that life in the UK could largely return to normal during the summer after a third wave of the virus threatened to overwhelm hospitals in the spring. With the household saving rate having been exceptionally high since the first lockdown in March 2020, there is plenty of pent-up demand and purchasing power stored up for services in hard hit sectors like restaurants, travel and hotels. The big question is whether mutations of the virus could develop which render current vaccines ineffective, as opposed to how quickly vaccines can be modified to deal with them and enhanced testing programmes be implemented to contain their spread.
- 3.8 The pandemic and extreme weather events have been highly disruptive of extended worldwide supply chains. At the current time, there are major queues of ships unable to unload their goods at ports in New York, California and China. Such issues have led to misdistribution of shipping containers around the world and have contributed to a huge increase in the cost of shipping. Combined with a shortage of semi-conductors, these issues have had a disruptive impact on production in many countries. Many western countries are also having difficulty in filling job vacancies. It is expected that these issues will be resolved gradually, but they are currently contributing to a spike upwards in inflation and shortages of materials and goods on shelves.



3.9 The Council's treasury advisor, Link Group, provided the following forecasts on 29 September 2021 (PWLB rates are certainty rates, gilt yields plus 80bps):

Link Group Interest Rate View		29.9.21								
	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24
BANK RATE	0.10	0.10	0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.75
3 month ave eamings	0.10	0.10	0.20	0.20	0.30	0.40	0.50	0.50	0.60	0.70
6 month ave eamings	0.20	0.20	0.30	0.30	0.40	0.50	0.60	0.60	0.70	0.80
12 month ave eamings	0.30	0.40	0.50	0.50	0.50	0.60	0.70	0.80	0.90	1.00
5 yr PWLB	1.40	1.40	1.50	1.50	1.60	1.60	1.60	1.70	1.70	1.70
10 yr PWLB	1.80	1.80	1.90	1.90	2.00	2.00	2.00	2.10	2.10	2.10
25 yr PWLB	2.20	2.20	2.30	2.30	2.40	2.40	2.40	2.50	2.50	2.60
50 yr PWLB	2.00	2.00	2.10	2.20	2.20	2.20	2.20	2.30	2.30	2.40

3.10 Bank Rate is not expected to increase quickly after the initial rate rise as the supply potential of the economy has not generally taken a major hit during the pandemic. It should therefore be able to cope well with meeting demand without causing inflation to remain elevated in the medium-term, following an initial surge to around 4% towards the end of 2021. Three increases to Bank Rate are forecast in the period to March 2024, ending at 0.75%.

3.11 As the interest forecast table for PWLB certainty rates above shows, there is likely to be a steady rise over the forecast period, with some degree of uplift due to rising treasury yields in the US. There is likely to be exceptional volatility and unpredictability in respect of gilt yields and PWLB rates due to the following factors:

- How strongly will changes in gilt yields be correlated to changes in US treasury yields?
- Will the Fed take action to counter increasing treasury yields if they rise beyond a yet unspecified level?
- Would the MPC act to counter increasing gilt yields if they rise beyond a yet unspecified level?
- How strong will inflationary pressures turn out to be in both the US and the UK and so impact treasury and gilt yields?
- How will central banks implement their new average or sustainable level inflation monetary policies?
- How well will central banks manage the withdrawal of QE purchases of their national bonds without causing a panic reaction in financial markets?

3.12 Since the start of 2021, there has been a lot of volatility in gilt yields, and hence PWLB rates. During the first part of the year, US President Biden's determination to push through a \$1.9trn (equivalent to 8.8% of GDP) fiscal boost for the US economy as a recovery package from the Covid-19 pandemic unsettled financial markets. However, this was in addition to the \$900bn support package already passed in December 2020 under President Trump. This was then followed by additional Democratic ambition to spend further huge sums on infrastructure and an American families plan.



- 3.13 These factors could cause an excess of demand in the economy which could then unleash stronger and more sustained inflationary pressures in the US than in other western countries. This could then force the Fed to take much earlier action to start tapering monthly QE purchases and/or increasing the Fed rate from near zero, despite their stated policy being to target average inflation. Weak growth in August (announced 03/09/2021) has spiked anticipation that tapering of monthly QE purchases could start by the end of 2021. These purchases are currently acting as downward pressure on treasury yields. As the US financial markets are, by far, the biggest financial markets in the world, any trend upwards in the US will invariably impact and influence financial markets in other countries. As an average since 2011, there has been a 75% correlation between movements in 10-year treasury yields and 10-year gilt yields. However, gilt yields and treasury yields do not always move in unison.
- 3.14 One of the key results of the pandemic has been a fundamental rethinking and shift in monetary policy by major central banks like the Fed, the Bank of England and the ECB, to tolerate a higher level of inflation than in the previous two decades when inflation was the prime concern. There is now also a greater emphasis on other targets for monetary policy than just inflation, especially on 'achieving broad and inclusive "maximum" employment in its entirety' in the US before consideration would be given to increasing rates.
- 3.15 The Bank of England has also amended its target for monetary policy so that inflation should be 'sustainably over 2%' and the ECB now has a similar policy. For local authorities, this means that investment interest rates and very short term PWLB rates will not be rising as quickly or as high as in previous decades when the economy recovers from a downturn and the recovery eventually runs out of spare capacity to fuel continuing expansion.

#### **4.0 Investment Portfolio**

- 4.1 In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. Due to the current economic climate and low Bank Rate, it is not possible to earn the levels of interest commonly seen in previous decades as investment rates up to 12 months have barely been above zero, with the DMO and some banks even offering negative rates at times for short-dated maturities. Given the expectation that Bank Rate will see several small increases during the current forecast horizon of 31 March 2023, there have been slight increases recently to rates offered by banks and building societies. These rates are still far below the levels seen prior to the pandemic and so investment returns are expected to remain low.
- 4.2 The Council's investment portfolio as at 30 September 2021 was made up of short term investments/deposits to the value of £33.93m, comprising of £28.50m in fixed term investments and £5.43m in NatWest call accounts. In addition to this, the Council also holds £5.00m in the CCLA commercial property fund.
- 4.3 Short term investments/deposits held as at 30 September 2021 are as follows:

Institution	Principal (£)	Rate	Start Date	Maturity Date
Staffordshire Moorlands DC	1,000,000	0.22%	16/10/2020	15/10/2021
Surrey Heath Borough Council	2,000,000	0.05%	10/06/2021	10/12/2021
Ashford Borough Council	2,000,000	0.08%	25/02/2021	25/11/2021
Thurrock Council	2,000,000	0.40%	26/04/2021	25/04/2022
NBK International PLC	1,500,000	0.23%	27/07/2021	27/07/2022
Goldman Sachs International Bank	3,000,000	0.17%	02/08/2021	01/02/2022
Goldman Sachs International Bank	2,000,000	0.185%	04/08/2021	04/02/2022
NBK International PLC	2,000,000	0.12%	04/08/2021	04/02/2022
NBK International PLC	1,500,000	0.06%	16/08/2021	20/10/2021
Coventry Building Society	1,000,000	0.02%	01/09/2021	24/11/2021
Skipton Building Society	5,000,000	0.02%	01/09/2021	20/10/2021
Santander UK PLC	2,000,000	0.08%	14/09/2021	14/03/2022
Coventry Building Society	1,500,000	0.02%	15/09/2021	24/11/2021
Santander UK PLC	2,000,000	0.08%	23/09/2021	22/03/2022

- 4.4 The Council received an average return of 0.15% on investments during the first six months of 2021/22, down from 0.42% at the same point in the previous year. Returns during the early part of 2021/22 were bolstered by maturing investments made prior to the drop in interest rates in March 2020, and so this rate isn't representative of the interest rates on offer during that time. In contrast to this, the 0.15% achieved so far in 2021/22 fully reflects the low rates on offer following the drop in Bank Rate to 0.1% in March 2020 and a drop off in demand in the local authority market. Performance is expected to improve slightly in the second half of 2021/22 if recent increases to interest rates continue.
- 4.5 The Council currently has £5m deposited with the CCLA (Churches, Charities and Local Authorities) commercial property fund, which pays dividends quarterly. For the first two quarters of 2021/22, dividends of 3.64% were received, down slightly from 3.67% for the same period in 2020/21. The dividend payout remained consistent from Q1 to Q2, and there has been a small increase in fund value during 2021 after reductions seen in the previous year due to the Covid-19 pandemic.

## 5.0 Borrowing Requirements and Prudential Indicators

- 5.1 The Council has no short-term borrowing but has existing PWLB loans of £36.176m as at 30 September 2021, in addition to £2.436m in finance leases.
- 5.2 The Council's revised capital financing requirement (CFR) for 2021/22 is £63.885m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. Table 4.6 shows the Council has forecast borrowings at 31 March 2022 of £37.542m, and so will have utilised £26.343m of cash flow funds in lieu of borrowing to finance the CFR of £63.885m shown in table 4.5.

- 5.3 There has so far been no new borrowing in 2021/22, and it is expected that there will not be a need for new borrowing before the end of the financial year. This is a reduction in the level of borrowing forecast at the start of the year, which originally stood at £9.13m, and is mainly due to the impact of the pandemic on the deliverable Capital Programme.
- 5.4 The Treasury Management Strategy Statement (TMSS) for 2021/22 was approved by Cabinet on 24 February 2021. The underlying TMSS approved previously requires revision in light of a revised deliverable Capital Programme for 2021/22. The proposed changes are set out below:

<b>Prudential Indicator 2021/22</b>	<b>Original £000</b>	<b>Revised Prudential Indicator £000</b>
Authorised Limit	91,000	74,000
Operational Boundary	82,000	65,000
Capital Financing Requirement	80,543	63,885

- 5.5 The table below shows a breakdown of the revised CFR.

<b>Prudential Indicator – Capital Financing Requirement</b>	<b>2021/22 Original Estimate £000</b>	<b>2021/22 Revised Estimate £000</b>
CFR – Non Housing	11,874	9,676
CFR – Housing	43,406	38,681
CFR – Commercial Activities / Non-Financial Investments	25,263	15,528
<b>Total CFR</b>	<b>80,543</b>	<b>63,885</b>
<b>Net movement in CFR</b>	<b>21,958</b>	<b>7,880</b>

- 5.6 The table below shows the expected debt position at 31 March 2022, which determines the Operational Boundary and Authorised Limit shown in 4.4 above.

<b>Prudential Indicator – External Debt</b>	<b>2021/22 Original Estimate £000</b>	<b>2021/22 Revised Estimate £000</b>
Borrowing	46,234	35,234
Other Long Term Liabilities*	2,404	2,308
<b>Total Debt (Year End Position)</b>	<b>48,638</b>	<b>37,542</b>

\* Includes finance leases

## 6.0 Annual Investment Strategy

- 6.1 Any fixed term investments in the market place (except Debt Management Office [DMO]) are restricted to a maximum term of two years (previously one year). The Council's substantial commitments (particularly the monthly precepts to Devon County Council, the Police and Fire Authority) constrain the term of investments. The Cabinet of 7 February 2019 resolved to diversify the investment portfolio to include non-UK banks with a minimum Sovereign Fitch rating of AAA (highest possible rating).

- 6.2 The Council will continue to have regard to the MHCLG's Guidance on Local Government Investments ("the Guidance") issued in April 2018 (3rd Edition) and CIPFA's Treasury Management in Public Services Code of Practice and Cross Sectorial Guidance Notes ("the CIPFA Treasury Management Code").

## **7.0 Lending Criteria and Counterparty Limits**

- 7.1 The current policy allows the lending of funds to be deposited with major UK banks and building societies with an investment period no longer than two years and where the counterparty is required to meet the following ratings requirements: Banks (Fitch F1, F1+) and for building societies based upon a minimum Fitch rating of F1 and an asset base level of at least £1bn. The maximum lending limit to any group counterparty is £5m. The policy includes investments with CCLA property fund and money market funds with a limit of £2m on this option. Note that delegation was provided to the S151 officer and Finance Portfolio Holder in 2011/12 to make reactive decisions when market conditions changed due to volatility in rating changes when our own bankers, NatWest, were downgraded, along with other part nationalised banks. We do not invest any term deposits with the Royal Bank of Scotland Group and only have our call accounts with them.
- 7.2 Officers would recommend a continuation of the existing policy for investments with banks and building societies, property funds and money market funds.
- 7.3 In addition to these fixed term deposits, the Council also uses an instant access liquidity account with NatWest (the Council's banker) to sweep any small surplus funds which cannot be placed by our brokers. Again, this account will be subject to the same £5m maximum deposit level, plus the balance of any Covid-19 grant funds.
- 7.4 The Council will also continue to lend to:
- Local Authorities, Police, Fire & Rescue, Parish Councils and other Public Bodies
  - UK Government (including gilts, Treasury Bills and the DMADF)
  - Other Bodies.
- 7.5 The investments that can be made to the organisations stated in paragraph 6.4, will not be constrained to a maximum deposit of £5m due to their lower level of risk. However, other bodies have a monetary limit of £3m.

## **8.0 Conclusion**

- 8.1 The first half-year performance has been affected by continued low interest rates, however the end of the period has seen some small increases that are expected to continue through the second half of the year. Investment income has been bolstered by the interest received from 3 Rivers Developments Limited being largely unaffected by the reduction in interest rates. The Council's investment in the CCLA property fund saw a slight reduction to quarterly dividends at the start of the pandemic, but have remained stable since and continue to provide a high rate of return in comparison to short term investments.

**For more information contact:**

Andrew Jarrett | 01884 234242 | [ajarrett@middevon.gov.uk](mailto:ajarrett@middevon.gov.uk)

Kieran Knowles | [kknowles@middevon.gov.uk](mailto:kknowles@middevon.gov.uk)

This page is intentionally left blank

**CABINET**  
**30 November 2021**

## **FINANCIAL UPDATE FOR THE SIX MONTHS TO 30 SEPTEMBER 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):**

**The Cabinet note:**

1. **The financial monitoring information for the income and expenditure for the six months to 30 September 2021 and the projected outturn position;**
2. **The use of Waivers for the Procurement of goods and services as included in Section 8;**
3. **The feedback and outcomes from the Policy Development Groups in respect of the Medium Term Financial Plan (MTFP) options (Section 9).**

**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).
- 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.
- 1.6 Section 9 provides the feedback and outcomes of the MTFP discussions held at the various Policy Development Groups during November.

## **2.0 Executive Summary of 2021/22**

- 2.1 The report indicates a projected General Fund outturn variance of £234k over spend and a HRA outturn variance of £39k under spend. In respect of the Capital Programme, there is a forecast underspend of £2,130k and slippage of £22,600k 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.
- 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 £234k after transfers to and from Earmarked Reserves as shown at **Appendix A**. **Appendix B** provides the most significant service variances above £20k.
- 3.2 The current incomes from our major fee income streams are shown in **Appendix C**. It shows that Income is £141k below budget in the quarter and the full year forecast indicates an under achievement of £210k. This is largely due to Leisure income being £441k below forecast, along with Car Parking income £83k lower. Increased Planning, Building Control and Licensing income of £248k 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.
- 3.4 The current employee costs are shown at **Appendix D**. It shows a full year forecast under spend of £488k. The main variances are within Planning, Property, Financial Services, Grounds Maintenance and Waste due to staff shortages. Generally, the remaining services remain on budget. Within the variance for the first half of the year is the variance arising from the upfront Pension Back-funding payment that will full offset by the year end and £200k has been 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. Corporate Management, Public Health and Revenue and Benefits are the only services showing a small over spend.
- 3.5 Agency Spend however is showing a forecast overspend of £561k, 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 only being partially 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 £39k under spend is included within **Appendix E** with major variances above £20k highlighted at **Appendix F**.
- 4.2 The main variances are within Voids where there is a forecast negative variance of £129k which is almost totally offset by a positive variance forecast in Tenancy Services. Similarly, a reduction in planned maintenance offsets the reduction in Garage Rents. 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 £43,919k. 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. Managers have therefore given their best estimate of what is 'deliverable' for 2021/22 based on known information at this point in the year. This amounts to £26,163k, with the remainder of the overall Capital Programme expected to be spent in future years. Therefore, committed and actual expenditure will be monitored against this revised 'deliverable' budget for the remainder of the year.
- 5.3 The Deliverable Budget has been further refined since Q1 monitoring with a reduction in 'deliverable' forecast on the General Fund of (£2,158k); this relates to 3 Rivers Schemes including: Riverside, Tiverton (£866k) and Knowle Lane, Cullompton (£532k) and another General Fund Development scheme at Park Road (£760k). The deliverable budget in respect of HRA schemes has also been refined amounting to a reduction of £5,527k; the main HRA development projects contributing to this are Post Hill, Tiverton (£3,217k) that is expected to slip into 2022/23 and Round Hill, Tiverton (£1,500k) that has now been flagged in the MTFP in 2025/26.
- 5.4 Committed and Actual expenditure is currently £6,992k leaving a variance of £19,171k uncommitted. Additional work has been undertaken to establish forecast slippage into 2022/23; this currently amounts to £22,600k and can be broken down across General Fund projects amount to £18,223k and £4,377k 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, £1,000k in respect of land acquisition and £800k relating to the Hydromills Scheme. The £4,377k referring to the HRA is mainly made up of £3,217k in respect of the development at Post Hill, Tiverton; please refer to **Appendix G** for further detail.
- 5.5 The forecast net underspend amounts to £2,130k. This comprises £530k for various General Fund projects and £1,600k in relation to HRA projects; again please refer to **Appendix G** for further detail.
- 5.6 An additional column has been added to **Appendix G** for Quarter 2, this takes account of the amount spend and committed on the system of £6,992k, revised forecast Slippage £22,600k and forecast net underspend of £2,130k and highlights further anticipated spend of £12,197k over the remaining 6 months of 2021/22. Please note the sum total of these figures amounts to £43,919k approved Capital Programme detailed in 5.1 above.

## 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:

<b>USABLE RESERVES</b>	<b>31/03/2021</b>	<b>FORECAST IN YEAR MOVEMENT</b>	<b>31/03/2022</b>
<b>REVENUE</b>	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>
<b>General Fund</b> (See Section 3)	(2,186)	234	(1,952)
<b>Earmarked Reserves</b>	(20,247)	2,341	(17,906)
<b>Housing Revenue Account</b> (See Section 4)	(2,000)	0	(2,000)
<b>CAPITAL</b>	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>
<b>Capital Receipts Reserve</b>	(5,498)	107	(5,391)
<b>Revenue Contribution To Capital Earmarked Reserve</b>	(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 decrease to £1,952k due to the forecast £234k overspend. Note that this forecast will move by year end and a review of reserves will be undertaken to mitigate if necessary any reduction below the £2,000k recommended minimum balance.
- 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:

<b>ITEM</b>	<b>£K</b>
<b>Unapplied Useable Capital Receipts At 1 April 2021</b>	(5,498)
<b>Net Forecast Receipts To Q2 (Includes 19 "Right To Buy" Council House Sales)</b>	(1,315)
<b>Current Balance</b>	<b>(6,813)</b>
<b>Forecast Further Capital Receipts In Year</b>	(1,100)
<b>Forecast Capital Receipts Required To Support 2021/22 Capital Programme</b>	2,522
<b>Forecast Unapplied Capital Receipts At 31 March 2022</b>	<b>(5,391)</b>

- 6.7 The opening unapplied Useable Capital Receipts balance includes £2.096m of ring-fenced 1:4:1 receipts and £3.402m of general Capital Receipts. The ring-fenced “1:4:1 receipts” need to be spent within 5 years of receipt; otherwise they need to be returned to MHCLG with interest. These can be used to fund up to 40% of new social housing developments or repurchased right to buy properties. The planned spend of these receipts is included within the proposed Housing Strategy and is summarised within the table below:

Year Of Receipt	2018/19	2019/20	2020/21	2021/22	2022/23	TOTAL
Year Of Accountability	2021/22	2022/23	2023/24	2024/25	2025/26	
1-4-1 Receipts	£1,040,249	£539,556	£484,410	£568,410	£836,41	<b>£3,469,034</b>
Utilisation Expenditure @ 40%	£2,600,622	£1,348,890	£1,211,025	£1,421,025	£2,091,024	<b>£8,672,585</b>
<b>MDDC Residual Funding Requirement</b>	<b>£1,560,373</b>	<b>£809,334</b>	<b>£726,615</b>	<b>£852,615</b>	<b>£1,254,614</b>	<b>£5,203,551</b>

- 6.8 The Capital Earmarked Reserve has been set aside from Revenue to fund Capital Projects; the movement on this reserve is projected below:

Item	£K
Capital Earmarked Reserve At 1 April 2021	(255)
Funding Required To Support 2021/22 Capital Programme	132
<b>Forecast Uncommitted Balance</b>	<b>(123)</b>

## 7.0 Treasury Management

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

Details	Annual Budget £K	Forecast Outturn £K	Forecast Variance £K
Investment Income Payable	140	91	(50)
Investment Income Received	(633)	(773)	(140)
Interest From HRA Funding	(46)	(46)	0
<b>Total Interest Receivable</b>	<b>(539)</b>	<b>(728)</b>	<b>(190)</b>

- 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 this financial year to date:

REF	SUBJECT OF THE WAIVER	REASON CODE
1	ICT Disaster Recovery (DR) Contract due to staff shortages	I
2	Housing Infrastructure Fund project monitoring following the departure of the Head of Planning, Economy and Regeneration	I and II
3	Avalon Planning & Heritage to cover national shortage of qualified planning professionals	I and II
4	Tiverton Town Centre CCTV system – to extend existing MSCP contract to cover additional equipment	II
5	Advertising Planning Applications – direct award for one year to ensure continuation of advertisements	I
6	Oyster Partnership (Enforcement Officer) – to utilise new supplier to secure suitable and experienced Enforcement Officers to backfill on a temporary basis	I and II
7	Granicus/Gov Delivery – extension of current contract to continue our email news subscription service	IV
8	Tree Consultant –A M Lane to cover vacancy after multiple attempts to recruit and mitigate Council's liability	I and II
9	EVLC Replacement Pool Sentry Management System	III
10	Deane Helpline - extension of current contract to continue our Lifeline service	II

## 9.0 Policy Development Group MTFP feedback and outcomes

- 9.1 The updated Medium Term Financial Plan (MTFP) was considered by Cabinet at its last meeting. The same papers were presented to the various November Policy Development Group meetings for Members to consider and to seek their feedback on the proposed budget options included in the Revenue Budget, HRA and Capital Programme.
- 9.2 Members of the PDG's were given a verbal update on the headline announcements within the recent Chancellor's 2021 Autumn Budget and Spending Review. An overview of the latest MDDC MTFP position was also provided with a degree of focus of the relevant budget options and implications for each Committee. Members were given the opportunity to challenge the assumptions and options included to ensure they fully understood what was being proposed and were explicitly asked for any additional options that they felt should be included.
- 9.3 In summary, the PDG's did not disagree with any of the proposed budget options as set out and thereby have given their tacit approval. Specifically, the Environment PDG was keen to understand and ensure sufficient funding is

assigned to meeting the Net Carbon Zero commitment. The Economy PDG was keen to maintain service delivery standards through income generation. The Homes PDG raised concerns about the appropriateness of any proposal to increase Rentals by an above inflation percentage, and raised concerns about the increased levels of proposed borrowing at a time when interest rates are likely to increase. The Community PDG agreed that they would review the budget options in detail at their meeting on 20 December 2021.

## **10.0 Summary**

- 10.1 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.
- 10.2 We continue to closely monitor the financial position and amend our expectations accordingly. The budget process for 2022/23 is now underway and Managers are working hard to develop proposals to mitigate the forecast shortfall.

**Contact for more information:** Andrew Jarrett,  
Deputy Chief Executive (S151)  
01884 23(4242)  
[ajarrett@middevon.gov.uk](mailto:ajarrett@middevon.gov.uk)

Paul Deal  
Corporate Manager for Financial Services  
[pdeal@middevon.gov.uk](mailto:pdeal@middevon.gov.uk)

Circulation of the Report: Cllr Andrew Moore, Cabinet, Leadership Team

This page is intentionally left blank



## GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2021

	Appendix B Note Ref	2021/22 Annual Budget £	2021/22 Full Year Forecast £	2021/22 Full Year Variance (0 = On budget) £	%
<b>General Fund Summary</b>					
<b>Cllr Bob Deed</b>					
Corporate Management	A	1,434,470	1,769,300	334,830	23.3%
<b>Cllr Colin Slade</b>					
Grounds Maintenance	B	555,436	525,436	(30,000)	-5.4%
Cemeteries & Bereavement Services	C1	(62,630)	(62,630)	0	0.0%
Waste Services	D	1,700,899	1,804,299	103,400	6.1%
<b>Cllr Dennis Knowles</b>					
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	1,043,930	5,000	0.5%
Land charges	G	(16,970)	(16,970)	0	0.0%
Public Health incl. Licensing	C	661,550	378,067	(283,483)	-42.9%
Open Spaces	H	200,854	241,797	40,943	20.4%
Recreation & Sport	I	906,999	1,345,799	438,800	48.4%
<b>Cllr Andrew Moore</b>					
Financial Services	J	832,210	796,810	(35,400)	-4.3%
Revenues & Benefits	K	600,080	555,080	(45,000)	-7.5%
Car Parks	L	(529,250)	(436,500)	92,750	17.5%
<b>Cllr Bob Evans</b>					
Private Sector Housing	C	(3,630)	(3,630)	0	0.0%
General Fund Housing	M	396,640	405,640	9,000	2.3%
Property Services	N	1,130,620	830,950	(299,670)	-26.5%
<b>Cllr Richard Chesterton</b>					
Community Development: Markets	E	79,420	79,420	0	0.0%
Planning & Regeneration	G	2,042,443	1,808,788	(233,655)	-11.4%
<b>Cllr Mrs Nikki Woolatt</b>					
Customer Services	O	774,360	749,360	(25,000)	-3.2%
Human Resources	P	501,100	501,100	0	0.0%
Legal & Democratic Services	Q	1,103,783	1,138,783	35,000	3.2%
<b>All General Fund Services</b>		<b>13,667,414</b>	<b>13,749,929</b>	<b>82,515</b>	<b>0.6%</b>
Net recharge to HRA		(1,501,410)	(1,501,410)	0	
Statutory Adjustments (Capital charges)		731,720	731,720	0	
<b>Net Cost of Services</b>		<b>12,897,724</b>	<b>12,980,239</b>	<b>82,515</b>	<b>0.6%</b>
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	4,258,984	1,897,612	80.4%
Transfers from Earmarked Reserves		(5,446,321)	(5,790,743)	(344,422)	6.3%
Net Contribution to/(from) New Homes Bonus Reserve		(849,521)	(809,521)	40,000	-4.7%
<b>Total Budgeted Expenditure</b>		<b>8,583,614</b>	<b>10,069,319</b>	<b>1,485,705</b>	<b>17.4%</b>
<b>FUNDED BY:</b>					
<b>Business Rates</b>					
Retained Business Rates		(3,150,000)	(1,520,149)	1,629,851	-51.7%
S31 Grant associated with COVID-19 Reliefs		0	(2,936,526)	(2,936,526)	
Business Rates (Surplus)/Deficit (2020-21)		3,171,340	3,171,340	0	0.0%
Business Rates Benefit from Devon Pool		0	(151,751)	(151,751)	0.0%
<b>Council Tax</b>					
Council Tax		(6,114,620)	(6,114,620)	0	0.0%
Council Tax (Surplus)/Deficit (2020-21)		115,109	115,109	0	0.0%
<b>Un-Ringfenced Grants</b>					
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%
<b>Covid-19 Related Funding</b>					
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%
Covid-19 Collection Fund Compensation Scheme		0	0	0	0.0%
Covid-19 Grants (Principal)		0	0	0	0.0%
Covid-19 ARG July 2021		0	0	0	0.0%
Covid-19 EVF H/Ship Grant		0	0	0	0.0%
Covid 19 Additional Restrictions		0	0	0	0.0%
<b>Total Budgeted Funding</b>		<b>(8,583,614)</b>	<b>(9,835,264)</b>	<b>(1,251,650)</b>	<b>14.6%</b>
<b>Forecast in year (Surplus) / Deficit</b>		<b>0</b>	<b>234,055</b>	<b>234,055</b>	
General Fund Reserve 31/03/21				(2,186,051)	
<b>Forecast General Fund Balance 31/03/2022</b>				<b>(1,951,996)</b>	

This page is intentionally left blank

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2021**

Note	Description of Major Movements	2021/22 Full year variance (net of transfer to EMR) £	PDG
<b>A</b>	<b>Corporate Management</b>		
	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 partially offset by service pressures in Waste and service improvement programme within planning (funded by EMR).	75,000	Cabinet
		<b>334,830</b>	
<b>B</b>	<b>Grounds Maintenance</b>		
	Salaries - savings due vacant posts. Savings to be offset against additional costs in Waste	(43,000)	Environment
	No longer receiving income from Town Councils towards contributions for flower beds. Offset by reduced agency and vacant post.	13,000	Environment
		<b>(30,000)</b>	
<b>C</b>	<b>Public Health (combined)</b>		
	Control of Pollution - S106 Air Quality - net income & expenditure - funded by transfers to and from EMRs	(196,983)	Community
	Increased Licensing income - recovery post Covid better than expected	(23,500)	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
		<b>(283,483)</b>	
<b>C1</b>	<b>Enforcement, CCTV &amp; Cemeteries &amp; Bereavement Services</b>		
	CCTV Grant income received, if not spent in year will be moved to an EMR for future	(25,000)	Economy
		<b>(25,000)</b>	
<b>D</b>	<b>Waste Services</b>		
	Garden waste - increase in permit sales	(30,000)	Environment
	Increased sales of wheelie bins and bulky waste collections	(15,000)	Environment
	Salaries - savings due to a delay in recruiting posts	(76,000)	Environment
	Agency Costs - reliance on agency to cover holiday and sick time. Partially offset by salary savings	224,000	Environment
	Recycling materials - increased price per tonne for aluminium and cardboard. Recovery post Covid better than expected.	(280,000)	Environment
	Recycling credits - rate increased by £2.04 per tonne for 2021-22	(20,600)	Environment
	Plant responsive maintenance - baler repairs	30,000	Environment
	Trade Waste - increased recycling income	(44,000)	Environment

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2021**

Note	Description of Major Movements	2021/22 Full year variance (net of transfer to EMR) £	PDG
	Additional fuel costs due to price increase	20,000	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	275,000	Environment
	Fleet Management - shared Transport Manager with Exeter City Council. MDDC and ECC require full time posts due to contract management	20,000	Environment
		<b>103,400</b>	
<b>F</b>	<b>I.T. Services</b>		
	IT600 Salary underspend due to vacancies	(43,000)	Cabinet
	IT600 Consultancy to provide support to cover vacant posts	58,000	Cabinet
	IT900 Salary underspend due to vacancies	(10,000)	Cabinet
		<b>5,000</b>	
<b>G</b>	<b>Planning &amp; Regeneration</b>		
	Building Control - overachievement on income	(64,000)	Cabinet
	Enforcement - staffing, agency support for project work tackling backlogged cases - being funded from EMR release	51,000	Community
	Development Management - staffing, agency for interim replacements and cover staff to clear backlogs, partially covered from vacancies and EMR release	40,400	Community
	Development Management - National Design Model Testing - being funded by EMR release	50,000	Community
	Development Management - overachievement on income	(160,000)	Community
	Development Management - S106, net income & expenditure - funded by transfers to and from EMRs	(62,476)	Community
	Business Development - staffing of economic recovery project work - being funded by EMR release	28,000	Community
	Business Development - Love Your Town Centre Grants - being funded by EMR release	12,718	Community
	Business Development - Cullompton Town Centre Masterplan work - being funded by EMR release	10,203	Community
	Statutory Plan savings, from cost savings, delayed spend offset by reduced draw down from EMR, delivering from existing resource or from new grant receipts	(102,000)	Cabinet
	Greater Exeter Strategic Partnership - saving on costs following withdrawal from	(37,500)	Cabinet
		<b>(233,655)</b>	

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2021**

Note	Description of Major Movements	2021/22 Full year variance (net of transfer to EMR) £	PDG
<b>H</b>	<b>Open Spaces</b>		
	Play Areas - S106, net income & expenditure - funded by transfers to and from EMRs	40,943	Community
		<b>40,943</b>	
<b>I</b>	<b>Recreation &amp; Sport</b>		
	Shortfall to income across all three leisure centres due to Covid-19	441,000	Community
	Salary savings due to vacancies and reduction in certain activities during pandemic, partially offset by overspends on overtime to cover vacancies, additional leave brought forward from 2020/21 and staff isolating due to Covid-19.	(30,000)	Community
	EVLC - South West Water dispute settled, funded by EMR	27,800	Community
		<b>438,800</b>	
<b>J</b>	<b>Financial Services</b>		
	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
		<b>(35,400)</b>	
<b>K</b>	<b>Revenues &amp; Benefits</b>		
	Housing Benefit Subsidy & Overpayment recovery under budget	30,000	Cabinet
	Various New Burdens grants from DWP in respect of Housing Benefits initiatives delivered within existing resource	(25,000)	Cabinet
	Forecast increased recovery of Court Costs for Council Tax	(50,000)	Cabinet
		<b>(45,000)</b>	
<b>L</b>	<b>Car Parks</b>		
	P&D Income has slightly recovered - Reduced the expected income loss from £106k to £82.7k	82,750	Economy
	Increased external contractors costs due to vacancies within Property Service staff unit - to be off-set by Property Services salary underspend	10,000	Economy
		<b>92,750</b>	
<b>M</b>	<b>General Fund Housing</b>		
	Estimated salary underspend due to vacant post	(16,000)	Homes
	Rising B&B costs for temporary accommodation	25,000	Homes
		<b>9,000</b>	

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2021**

Note	Description of Major Movements	2021/22 Full year variance (net of transfer to EMR) £	PDG
<b>N</b>	<b>Property Services</b>		
	Public Convenience rates saving due to changes in regulations	(12,270)	Environment
	Property Services & Caretaking Services salary savings due to vacant posts	(111,800)	Homes
	Agency costs within Property Service to be off-set by salary underspend	14,000	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	23,000	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	(266,100)	Economy
		<b>(299,670)</b>	
<b>O</b>	<b>Customer Services</b>		
	Customer Services - Apprentice post will not be filled in this financial year, additional salary savings due to vacancies which have now been filled.	(25,000)	Community
		<b>0</b>	
<b>Q</b>	<b>Legal &amp; Democratic Services</b>		
	Legal Services - underspend in salaries due to vacant post	(21,000)	Cabinet
	Legal Services - Agency costs	21,000	Cabinet
	Unfunded election costs relating to District, Parish, County and Police & Crime Commissioner elections	35,000	Cabinet
		<b>35,000</b>	
<b>FORECAST (SURPLUS)/DEFICIT AS AT 31/03/2022</b>		<b>82,515</b>	

Cabinet	90,930
Community	141,105
Homes	(88,800)
Environment	61,130
Economy	(121,850)
	<b>82,515</b>

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER**

<b>Fees and Charges</b>	<b>2021/22 Annual Budget £</b>	<b>2021/22 Qtr 2 Profiled Budget £</b>	<b>2021/22 Qtr 2 Actual £</b>	<b>2021/22 Qtr 2 Variance £</b>	<b>2021/22 Full Year Forecast Variation</b>	
					<b>£</b>	<b>%</b>
Building Control Fees	(201,000)	(78,500)	(142,744)	(64,244)	(64,000)	32%
Planning Fees	(637,200)	(188,950)	(365,051)	(176,101)	(160,000)	25%
Land Search Fees	(118,500)	(58,500)	(36,761)	21,739	(5,000)	4%
Car Parking Fees - See Below	(812,570)	(375,770)	(322,000)	53,770	82,750	-10%
Leisure Fees & Charges	(2,524,330)	(1,116,552)	(703,664)	412,888	441,000	-17%
Trade Waste Income	(783,000)	(778,188)	(801,293)	(23,105)	(24,000)	3%
Garden Waste	(517,100)	(201,270)	(237,664)	(36,394)	(30,000)	6%
Licensing	(107,590)	(4,629)	(28,510)	(23,881)	(23,500)	22%
Market Income	(69,560)	(15,173)	(38,895)	(23,722)	(7,000)	10%
	<b>(5,770,850)</b>	<b>(2,817,532)</b>	<b>(2,676,582)</b>	<b>140,950</b>	<b>210,250</b>	<b>-3.6%</b>

<b>Car Parking Fees</b>	<b>2021/22 Annual Budget £</b>	<b>2021/22 Qtr 2 Profiled Budget £</b>	<b>2021/22 Qtr 2 Actual £</b>	<b>2021/22 Qtr 2 Variance £</b>	<b>Spaces</b>	<b>Budgeted Income pa per space £</b>
Beck Square, Tiverton	(80,840)	(41,312)	(29,729)	11,583	40	(2,021)
William Street, Tiverton	(26,630)	(12,964)	(12,915)	48	45	(592)
Westex South, Tiverton	(53,170)	(28,712)	(22,451)	6,261	51	(1,043)
Wellbrook Street, Tiverton	(15,190)	(7,291)	(6,675)	616	27	(563)
Market Street, Crediton	(38,010)	(19,802)	(16,446)	3,356	39	(975)
High Street, Crediton	(78,470)	(38,450)	(32,432)	6,018	190	(413)
Station Road, Cullompton	(34,170)	(15,376)	(17,715)	(2,338)	112	(305)
Multistorey, Tiverton	(159,470)	(73,356)	(78,626)	(5,270)	631	(253)
Market Car Park, Tiverton	(227,910)	(113,955)	(70,818)	43,137	122	(1,868)
Phoenix House, Tiverton	(5,630)	(2,476)	(930)	1,546	15	(375)
P&D Shorts & Overs	0	0	19	19	-	0
<b>Total Pay and Display</b>	<b>(719,490)</b>	<b>(353,695)</b>	<b>(288,719)</b>	<b>64,976</b>	<b>1,272</b>	<b>(8,407)</b>
Day Permits	(17,500)	(706)	(10,553)	(9,848)		
Allocated Space Permits	(56,550)	(13,432)	(6,989)	6,443		
Overnight Permits	(200)	(90)	(383)	(293)		
Day & Night Permits	(11,200)	(1,232)	(9,612)	(8,380)		
Other Income	(7,630)	(6,615)	(5,743)	872		
<b>Total Permits</b>	<b>(93,080)</b>	<b>(22,075)</b>	<b>(33,281)</b>	<b>(11,207)</b>		
<b>Total Car Parking</b>	<b>(812,570)</b>	<b>(375,770)</b>	<b>(322,000)</b>	<b>53,770</b>		
<b>Standard Charge Notices (Off Street)</b>	<b>(43,200)</b>	<b>(19,440)</b>	<b>(27,764)</b>	<b>(8,324)</b>	<b>0</b>	<b>0%</b>

This page is intentionally left blank



**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2021**

Employee Costs	2021/22 Annual Budget £	2021/22 P1 - P6 Profiled Budget £	2021/22 P1 - P6 Actual £	2021/22 P1 - P6 Variance £	2021/22 Full Year Forecast Variation £	%
<b>General Fund</b>						
Community Development	80,930	40,465	36,844	(3,621)	(4,000)	-4.9%
Corporate Management	1,238,930	943,595	969,830	26,235	59,830	4.8%
Customer Services	703,290	351,645	327,160	(24,485)	(25,000)	-3.6%
Public Health	867,584	433,792	452,827	19,035	40,000	4.6%
Financial Services	596,050	298,025	284,344	(13,681)	(47,000)	-7.9%
General Fund Housing	360,670	180,335	166,192	(14,143)	(16,000)	-4.4%
Grounds Maintenance	472,830	236,415	195,173	(41,242)	(43,000)	-9.1%
Human Resources	414,800	207,400	207,034	(366)	0	0.0%
I.T. Services	592,380	296,190	236,061	(60,129)	(43,000)	-7.3%
Legal & Democratic Services	576,300	288,150	266,955	(21,195)	(21,000)	-3.6%
Planning & Regeneration	1,924,180	962,090	851,814	(110,276)	(183,000)	-9.5%
Property Services	686,050	343,025	270,368	(72,657)	(111,000)	-16.2%
Recreation & Sport	2,041,156	1,020,578	963,005	(57,573)	(30,000)	-1.5%
Revenues & Benefits	690,600	345,300	352,897	7,597	11,000	1.6%
Waste Services	2,558,603	1,279,302	1,244,644	(34,658)	(76,000)	-3.0%
<b>Total General Fund</b>	<b>13,804,353</b>	<b>7,226,307</b>	<b>6,825,148</b>	<b>(401,159)</b>	<b>(488,170)</b>	<b>-3.5%</b>
<b>Housing Revenue Account</b>						
BHO09 Repairs & Maintenance	899,420	449,710	449,280	(430)	(43,000)	-4.8%
BHO10 Supervision & Management	1,834,360	917,180	755,005	(162,175)	(172,000)	-9.4%
BHO11 Special Services	0	0	0	0	0	0.0%
<b>Total Housing Revenue Account</b>	<b>2,733,780</b>	<b>1,366,890</b>	<b>1,204,285</b>	<b>(162,605)</b>	<b>(215,000)</b>	<b>-7.9%</b>
<b>Total Employee Costs</b>	<b>16,538,133</b>	<b>8,593,197</b>	<b>8,029,432</b>	<b>(563,765)</b>	<b>(703,170)</b>	<b>-4.3%</b>

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2021**

Page 230

Agency Staff (within Employee costs)	2021/22 Annual Budget £	2021/22 P1 - P6 Profiled Budget £	2021/22 P1 - P6 Actual £	2021/22 P1 - P6 Variance £	2021/22 Full Year Forecast Variation £ %	
<b>General Fund</b>						
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	305	305	0	0.0%
Public Health	0	0	6,655	6,655	14,500	0.0%
Financial Services	0	0	0	0	0	0.0%
General Fund Housing	0	0	0	0	0	0.0%
Grounds Maintenance	26,240	13,120	10,950	(2,170)	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	39,743	39,743	21,000	0.0%
Planning & Regeneration	0	0	78,189	78,189	277,500	0.0%
Property Services	0	0	8,107	8,107	14,000	0.0%
Recreation & Sport	0	0	0	0	0	0.0%
Revenues & Benefits	0	0	9,895	9,895	9,895	0.0%
Waste Services	98,560	49,280	147,247	97,967	224,000	227.3%
<b>Total General Fund</b>	<b>124,800</b>	<b>62,400</b>	<b>301,091</b>	<b>238,691</b>	<b>560,895</b>	<b>449.4%</b>
<b>Housing Revenue Account</b>						
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%
<b>Total Housing Revenue Account</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>
<b>Total Agency Costs</b>	<b>124,800</b>	<b>62,400</b>	<b>301,091</b>	<b>238,691</b>	<b>560,895</b>	<b>449.4%</b>

**HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM**  
**01 APRIL TO 30 SEPTEMBER 2021**

<b>Housing Revenue Account (HRA)</b>	<b>Appendix F Note</b>	<b>2021/22 Annual Budget £</b>	<b>2021/22 Full Year Forecast £</b>	<b>Variance %</b>
<b>Income</b>				
SHO01 Dwelling Rents Income	<b>A</b>	(12,450,680)	129,000	-1%
SHO04 Non Dwelling Rents Income	<b>B</b>	(559,830)	35,000	-6%
SHO07 Leaseholders' Service Charges	<b>D</b>	(23,810)	0	0%
SHO08 Contributions Towards Expenditure	<b>E</b>	(29,220)	0	0%
SHO10 H.R.A. Investment Income	<b>G</b>	(10,000)	(7,500)	75%
SHO11 Miscellaneous Income	<b>H</b>	(7,350)	0	0%
<b>Services</b>				
SHO13A Repairs & Maintenance	<b>I</b>	3,516,850	(67,000)	-2%
SHO17A Housing & Tenancy Services	<b>J</b>	1,709,900	(128,000)	-7%
<b>Accounting entries 'below the line'</b>				
SHO29 Bad Debt Provision Movement	<b>L</b>	150,000	0	0%
SHO30 Share Of Corporate And Democratic	<b>M</b>	168,040	0	0%
SHO32 H.R.A. Interest Payable	<b>N</b>	1,026,430	0	0%
SHO34 H.R.A. Transfers between earmarked reserves	<b>O</b>	1,899,100	0	0%
SHO37 Capital Receipts Reserve Adjustment	<b>Q</b>	(19,500)	0	0%
SHO38 Major Repairs Allowance	<b>R</b>	2,260,000	0	0%
SHO45 Renewable Energy Transactions	<b>S</b>	(105,000)	0	0%
		<b>(2,475,070)</b>	<b>(38,500)</b>	<b>(0)</b>

This page is intentionally left blank

**HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO  
30 SEPTEMBER 2021**

Note	Description of Major Movements	Corrective Action	2021/22 Full Year Forecast Variance £
A	<b>Dwelling Rents</b> 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	<b>Garage rentals</b> have continued at similar levels to 2020/21 where new lets were reduced due to Covid and the impact of void times on lets.		33,000
H	<b>Investment Income</b> forecast return above budget		(7,500)
I	<b>Repairs forecast underspend due to the following:</b> - <b>Staffing</b> -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 (£158k) - <b>Maintenance, materials and contractor spend</b> will be below budget (net): Disabled Adaptations (£80k); Planned (£68k); Voids £100k and Responsive (£60k). The main factors are less contractor spend and materials purchases - <b>DLO</b> revenue from Private Sector DFG works will be below budget, this is a continual knock on from Covid, 150k est - <b>Provision</b> 21/22 Pay Award £36k - <b>Other</b> minor variances £13k	N/A	(67,000)
J	<b>Tenancy services underspend due to the following:</b> - <b>Staffing</b> 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 (£110k) - <b>Utilities</b> spend-refund on overpayments (£27k) - <b>Provision</b> 21/22 Pay Award £17k - <b>Other</b> minor variances (£8k)	N/A	(128,000)
	<b>Other variances</b> -less than £20k		2,000
<b>TOTAL</b>			<b>(38,500)</b>

This page is intentionally left blank

**MID DEVON DISTRICT COUNCIL**  
**MONITORING OF 2021/22 CAPITAL PROGRAMME**

**Appendix G**

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 21/22 £	Forecast (Underspend) / Overspend £	Forecast Slippage to 2022/23 £	Notes
<b>General Fund Projects</b>											
<b>Leisure</b>											
CA642	Reception infrastructure review - All sites	120,000	60,000	-	-	-	(60,000)	30,000		90,000	Projected project completion Q3 22/23
CA643	All Leisure Etarmis - Security Swipe - (linked to security project)	30,000	15,000	-	-	-	(15,000)	0		30,000	Projected project completion Q2 22/23
CA644	Evlc - Boilers and CHP	30,000	30,000	-	-	-	(30,000)	0		30,000	This project will slip - linked Phase 3 Heating Decarbonisation Fund - Gas boilers would be removed. Projected project completion Q2 22/23
CA645	Evlc - Fitness Studio renewal of equipment	153,000	0	-	-	-	0	0		153,000	Projected project completion Q3 22/23.
CA646	Cvsc - Remodelling of Ground Floor	204,000	102,000	-	-	-	(102,000)	30,000		174,000	Projected project completion Q2 22/23
<b>Phoenix House</b>											
CA487	Etarmis - Security Swipe - (linked to security project)	50,000	25,000	-	-	-	(25,000)	0		50,000	Forecast project completion Q3 22/23
<b>Play Areas</b>											
CA472	Open Space Infrastructure (incl Play Areas)	40,000	40,000	-	-	-	(40,000)	40,000			Projected project completion Q4 21/22
CA632	Play area refurbishment - Amory Park Tiverton	74,000	74,000	-	-	-	(74,000)	74,000			Projected project completion Q4 21/22
CA648	Play Area Chestnut Drive Willand	25,000	25,000	-	-	-	(25,000)	25,000			Projected project completion Q4 21/22
<b>MDDC Shops &amp; Industrial Units</b>											
CA584	Market Walk Unit 17 - remodelling options	510,000	510,000	-	-	-	(510,000)	30,000		480,000	This site will be used as a vaccination centre. Design work happening in parallel for long-term solution. Forecast project completion Q4 22/23
CA583	Market Walk - Flat roof replacement	30,000	30,000	-	-	-	(30,000)	30,000			Forecast project completion Q4 21/22
<b>Other Projects</b>											
CA491	Fire Dampeners - Corporate sites	80,000	80,000	-	-	-	(80,000)	80,000			Forecast project completion Q4 21/22
CA485	GP Practice NHS Hub Building	2,175,000	2,175,000	1,200,000	975,000	2,175,000	0	0			It is anticipated that the final draw down of this loan will take place in Q3 21
CA490	West Exe South - Remodelling - additional parking spaces	90,000	90,000	-	-	-	(90,000)	90,000			Forecast project completion Q4 21/22
CA473	Land drainage flood defence schemes - St Marys Hemyock	50,000	50,000	-	-	-	(50,000)	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	87,000	-	-	-	(87,000)	0		87,000	Discussions required with EA & other funding partners to discuss appropriate delivery of this project
CA574	Fore Street Flats refurbishment	47,000	47,000	-	-	-	(47,000)	47,000			Timing of Project linked to the outcome of CRF bid & approval of future capital funding in 22/23 Capital programme
CA576	Tiverton Town Centre improvements	140,000	140,000	-	-	-	(140,000)	140,000			
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	-	0	27,070	833	27,903	27,903	(27,903)			CCTV equipment costs to be funded by an EMR
<b>HIF Schemes</b>											
CA719	Cullompton Town Centre Relief Road (HIF bid)	4,009,000	4,009,000	(36,220)	71,375	35,155	(3,973,845)	3,973,845			Revised Projects costs/funding have been incorporated in the MTFP (per Cabinet Report 03/08/21). Revised total project costs circa £24.9m. 'Levelling Up' funding bid has been submitted for £13.6m. If bid unsuccessful another report will be required to consider financial implications/options available. Note (£36k) is accrued expenditure for March '21 where we are awaiting an invoice
CA720	Tiverton EUE A361 Junction Phase 2 (HIF bid)	223,000	223,000	1,207	4,125	5,332	(217,668)	217,668			Per Cabinet report 03/08/21. Tendering process required for this project
<b>Economic Development Schemes</b>											
CA582	Hydromills Electricity generation Project - Tiverton Weir	800,000	400,000	-	-	-	(400,000)	0		800,000	Subject to achieving Planning Permission and acceptable business case. Also linked to the outcome of CRF bid.
* All Economic Development schemes are subject to acceptable Business Case											
<b>ICT Projects</b>											
CA425	Server farm expansion/upgrades	74,000	74,000	-	-	-	(74,000)	74,000			Forecast project completion Q4 21/22
CA433	Additional Unified Communications budget	96,000	96,000	-	-	-	(96,000)	96,000			Forecast project completion Q4 21/22
CA496	Hardware replacement of Network Core Switch	80,000	80,000	-	-	-	(80,000)	80,000			Forecast project completion Q4 21/22
CA492	Final phase of Desktop estate replacement/refresh	48,000	48,000	34,460	-	34,460	(13,540)	13,540			Forecast project completion Q4 21/22
CA456	CRM replacement	175,000	175,000	-	-	-	(175,000)	175,000			Forecast project completion Q4 21/22
CA437	Digital Transformation	33,000	33,000	5,443	-	5,443	(27,557)	27,557			Forecast project completion Q4 21/22
CA480	Lalpac Licensing System replacement	80,000	0	-	-	-	0	0		80,000	Project to be completed in 22/23 & has dependency on the CRM Project (CA456)

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 21/22 £	Forecast (Underspend) / Overspend £	Forecast Slippage to 2022/23 £	Notes
<b>Other General Fund Development Projects</b>											
CA493	3 Rivers Scheme - Bampton	2,631,000	2,631,000	516,962	-	516,962	(2,114,038)	2,154,038	40,000		Forecast project completion 22/23
CA462	3 Rivers Scheme - Riverside Development (rear of Town Hall) Tiverton	3,035,000	2,110,000	1,108,770	-	1,108,770	(1,001,230)	1,001,230		925,000	Forecast project completion Q1 22/23.
CA486	* 3 Rivers scheme - Knowle Lane, Cullompton	8,002,000	263,000	20,005	-	20,005	(242,995)	242,995		7,739,000	Forecast project completion 23/24
CA484	3 Rivers Scheme - Orchard House Halberton	495,000	152,000	102,000	-	102,000	(50,000)	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	1,700,000	-	-	-	(1,700,000)	0		1,700,000	Assumed slippage until potential site identified
CA581	Post Hill Tiverton	4,575,000	4,575,000	-	115,370	115,370	(4,459,630)	384,630		4,075,000	Subject to scheduling of delivery provider. Planning application to be submitted Jan/Feb '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 21/22
* These schemes require signed loan agreements before they can be progressed further											
<b>Private Sector Housing Grants</b>											
CG201	Disabled Facilities Grants-P/Sector	577,000	400,000	138,644	-	138,644	(261,356)	261,356	(177,000)		Any underspend here will remain in the EMR
<b>Total General Fund Projects</b>		<b>32,443,000</b>	<b>20,664,000</b>	<b>3,118,341</b>	<b>1,166,703</b>	<b>4,285,044</b>	<b>(16,378,956)</b>	<b>9,404,956</b>	<b>(530,000)</b>	<b>18,223,000</b>	
<b>HRA Projects - Existing Housing Stock</b>											
CA100	Major Repairs to Housing Stock	2,770,000	2,393,000	1,162,735	1,115,181	2,277,916	(115,084)	115,084		377,000	COVID 19 / Brexit has impacted on contract delivery, it is anticipated that this will slip into 22/23 & is mainly in relation to the modernisation contract.
CA111	Renewable Energy Fund	250,000	150,000	13,028	-	13,028	(136,972)	136,972	(100,000)		Forecast £150k spend on this project in 21/22 and remaining balance will remain in the Renewable Energy EMR
CG200	Home Adaptations - Disabled Facilities	300,000	300,000	225,716	-	225,716	(74,284)	74,284			
<b>Housing Development Schemes</b>											
CA151	Garages Block - Redevelopment	408,000	30,000	-	-	-	(30,000)	30,000		378,000	This project will be completed in 22/23 (Q2) (additional £92k flagged in MTFP Total project cost circa £500k)
CA147	Affordable Housing/ Purchase of ex RTB	500,000	500,000	-	-	-	(500,000)	500,000			1 Buyback so date (please see line below)
CA148	RTB Buyback 16 Somerville Park, Willand	-		190,648	-	190,648	190,648	(190,648)			Please see budget on line 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 that will go to the October Cabinet
CA124	Queensway (Beech Road) Tiverton (3 units)	506,000	126,000	132	-	132	(125,868)	125,868		380,000	Report due to go to Cabinet in Oct - to re award the contract as original contractor pulled out. Projected project completion Q3 22/23
CA141	Round Hill Tiverton- Site	1,500,000	0	-	-	-	0	0	(1,500,000)		This project will commence during 25/26 as has been included in the Capital MTFP that will be presented to the Oct Cabinet
CA146	HRA Regeneration Scheme 1	2,000,000	2,000,000	-	-	-	(2,000,000)	2,000,000			This project will be used to deliver modular housing across 2 sites. Shapland Place Tiverton, & St Andrews Estate Cullompton
<b>HRA Other Projects</b>											
CA126	Sewerage Treatment Works - Washfield	25,000	0	-	-	-	0	0		25,000	Forecast project completion Q1 22/23
<b>Total HRA Projects</b>		<b>11,476,000</b>	<b>5,499,000</b>	<b>1,592,259</b>	<b>1,115,181</b>	<b>2,707,440</b>	<b>(2,791,560)</b>	<b>2,791,560</b>	<b>(1,600,000)</b>	<b>4,377,000</b>	
<b>CAPITAL PROGRAMME GRAND TOTAL</b>		<b>43,919,000</b>	<b>26,163,000</b>	<b>4,710,600</b>	<b>2,281,883</b>	<b>6,992,483</b>	<b>(19,170,517)</b>	<b>12,196,517</b>	<b>(2,130,000)</b>	<b>22,600,000</b>	



## CABINET

30 NOVEMBER 2021:

### PERFORMANCE AND RISK REPORT

**Cabinet Member** Cllr Bob Deed  
**Responsible Officer** Catherine Yandle, Operations Manager for Performance, Governance and Health & Safety

**Reason for Report:** To provide Members with an update on performance against the corporate plan and local service targets for 2021-22 as well as providing an update on the key business risks.

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

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

**Financial Implications:** None identified

**Budget and Policy Framework:** Produced in accordance with the Risk and Opportunity Management Strategy.

**Legal Implications:** None

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

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

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

#### 1.0 Introduction

- 1.1 Appendices 1-5 provide Members with details of performance against the Corporate Plan and local service targets for the 2021-22 financial year.
- 1.2 Appendix 6 shows the higher impact risks from the Corporate Risk Register. See 3.0 below.
- 1.3 Appendix 7 shows the risk matrix for the Council.
- 1.4 All appendices are produced from the Corporate Service Performance and Risk Management system (SPAR).
- 1.5 When benchmarking information is available it is included.

## 2.0 Performance

**Please note that for all areas of the Council performance remains impacted by the effects of the Covid 19 pandemic. There are specific comments on the attached appendices reflecting this.**

### Environment Appendix 1A

- 2.1 Regarding the Corporate Plan Aim: Increase recycling and reduce the amount of waste. Both the recycling rate and residual waste rate are slightly below target. The number of missed collections for recycling is slightly below target due to continuing staffing difficulties but the numbers remain low.
- 2.2 The Devon Authorities Shared Saving Scheme was recognised as the 'Best New Idea' at the Local Authority Recycling Advisory Committee (LARAC) Celebration Awards 2021. The award was accepted by Devon County Council working with and on behalf of five of Devon's waste collection authorities, East Devon, Mid Devon, North Devon, Teignbridge and Torridge District Councils.
- 2.3 The scheme has led to savings of £6.8m in treatment costs for the County Council, and half of this extra money has been shared back with the five District Councils which has enabled them to improve their waste collection services.

### Climate Change Appendix 1B

- 2.4 The electric car charger usage is well above the target now that lockdowns have been eased. The retro fitting measures are mainly showing favourable results for the year to date.

### Homes Portfolio - Appendix 2

- 2.5 Regarding the Corporate Plan Aim: Deliver Housing: Housing delivery against the Local Plan is monitored annually as part of the Annual Monitoring report published by Forward Planning and on the Government's DELTA system. The inability to report quarterly is due to delays in starts and completion notices being received from Building Inspectors – we do not finalise annual data until 2 to 3 months following the year end.
- 2.6 Regarding the Corporate Plan Aim: Private Sector Housing: Bringing Empty homes into use is below target for the first time for 6 years. This reflects the diversion of resources to the Covid pandemic response over the last 18 months.
- 2.7 Regarding the Corporate Plan Aim: Council Housing: Repairs are at or above target as are complaints. In terms of gas servicing compliance we are just below target at 99%.

- 2.8 Regarding the Corporate Plan Aim: Support and grow active tenancy engagement: Work has commenced on the Tenant Engagement Strategy which will take account of the preferences of tenants as set out in the tenant census which took place last year.

#### Economy Portfolio - Appendix 3

- 2.9 Regarding the Corporate Plan Aim: Improve and regenerate our town centres: This includes a continued focus on Town Centre Regeneration: Empty shops; for the retail units owned by MDDC, occupancy rates are reasonable. The Pannier market occupancy rates have improved and are now just above target.
- 2.10 The number of business rates accounts and business rates rateable value (RV) continue to increase and the number of empty business properties remains stable, this is encouraging in the light of the impact of the pandemic upon local businesses.

#### Community Portfolio - Appendix 4

- 2.11 The KPIs identified are mostly new PIs and performance on most has been affected by Covid 19. It is unlikely that much progress will be seen over the next few months. Several of the corporate plan aims will require partnership working with Devon County Council, the NHS and Town and Parish Councils and lobbying activity. Targets for these remain to be developed.
- 2.12 Referrals under the various schemes at the Leisure centres are showing well above target results after suffering badly during the various lockdowns when the Leisure centres were legally required to close or operate at reduced capacity, this is very encouraging.
- 2.13 The Council has launched a public consultation on recommendations for the provision of playing pitch facilities for the District, the consultation closes at 12 noon on Monday 22 November.
- 2.14 The Playing Pitch Strategy (and site action plans) which looks at football, rugby, cricket, hockey, tennis and bowls facilities and includes an assessment of the future needs for the area has been completed for Mid Devon by consultant Bennett Leisure and Planning.

#### Corporate - Appendix 5

- 2.15 The workforce statistics are all favourable with the exception of staff turnover; an increase in workforce mobility (churn) post lockdown was widely predicted last year after recruitment stalled during lockdown. Recruitment remains challenging.
- 2.16 The response to FOI requests have been 100% on time since April 2019. The additional requested FOI statistics have been added as a note against the KPI. We have recently received the first ICO Decision Notice about a

complaint for over 2 years, this found in our favour as regards our decision not to release the relevant data.

- 2.17 The % total Council Tax collected and % total NNDR collected are both above target again encouraging as collection rates are only slightly lower than pre pandemic levels compared to September 2019.

### **3.0 Risk**

**Some risk scores have increased due to the Covid 19 pandemic especially as regards financing, homelessness and the economic outlook.**

- 3.1 The Corporate risk register is regularly reviewed by Group Managers and Leadership Team and updated as required.
- 3.2 Risk reports to committees include strategic risks with a current score of 10 or more in accordance with the Risk and Opportunity Management Strategy. (Appendix 6)
- 3.3 Appendix 7 shows the risk matrix for MDDC for this quarter. If risks are not scored they are included in the matrix at their inherent score which will be higher than their current score would be.
- 3.4 Operational risk assessments are job specific and flow through to safe systems of work. These risks go to the Health and Safety Committee biannually with escalation to committees where serious concerns are raised.

### **4.0 Conclusion and Recommendation**

- 4.1 That the Cabinet reviews the performance indicators and risks that are outlined in this report and feeds back any areas of concern.

**Contact for more Information:** Catherine Yandle Operations Manager for Performance, Governance and Health & Safety [cyandle@middevon.gov.uk](mailto:cyandle@middevon.gov.uk)

**Circulation of the Report:** Leadership Team and Cabinet Member

**Monthly report for 2021-2022**  
**Arranged by Aims**  
**Filtered by Aim: Priorities Environment**  
**For MDDC - Services**

Performance Indicators: No Data Well below target Below target On target Above target Well above target

Page 241

## Priorities: Environment

## Performance Indicators

---

Printed by: Catherine Yandle

SPAR.net

Print Date: 25 October 2021 16:19

## Corporate Plan PI Report Environment

### Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>by DCC)</u>																increase and with no change to the current scheme this figure will continue to rise steadily. (LD)
<u>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</u>	10		0	0	0	0	0	0							Darren Beer	(July) Enforcement staff have spent a proportion of their time carrying out container delivery duties on behalf of waste and recycling; staff normally carrying out these duties have been re-assigned to waste collection

## Corporate Plan PI Report Environment

### Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
																to ensure minimal disruption of the front line service to customers. (LD)
<u>% of Household Waste Reused, Recycled and Composted (figures have to be verified by DCC)</u>	53.5%	54.5%	52.1%	51.4%	53.7%	53.4%	53.2%	53.9%							Darren Beer	(September) A large increase in garden waste tonnage from households and a voluntary group has contributed to an excellent recycling rate for September of 57.4% (LD)
<u>Number of Households on Chargeable Garden Waste</u>	11,653	11,200	11,620	11,620	11,620	11,791	11,861	11,879							Darren Beer	(September) A small increase in new customers at the end of the gardening

## Corporate Plan PI Report Environment

### Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
																season. An additional 634 customers compared to the same period in the previous year. (LD)
<u>% of missed collections reported (refuse and organic waste)</u>	0.02%	0.03%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%							Darren Beer	(September) Continue to remain on target for the year (LD)
<u>% of Missed Collections logged (recycling)</u>	0.02%	0.03%	0.02%	0.02%	0.03%	0.03%	0.03%	0.03%							Darren Beer	(September) The number of missed collections in September is above target. This is due to the use of agency staff and the reorganising



## Corporate Plan PI Report Environment

### Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
																of crews in order to ensure each vehicle is manned during a period of staff shortages and increasing sickness absence therefore some crews will be less familiar with the round they have been assigned resulting in increased missed collections. (LD)

This page is intentionally left blank

**Monthly report for 2021-2022**  
**Arranged by Aims**  
**Filtered by Aim: Priorities Climate Change**  
**For MDCC - Services**

Performance Indicators: No Data Well below target Below target On target Above target Well above target

Page 247

## Aims: Green Sources of Energy

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Electric Car Charger usage</u>	1,867	2,300	279	633	1,017	1,442	1,918	2,322							Jason Ball, Andrew Busby	
<u>Electric Car Charger Units</u>	0	8	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	(Quarter 2) Funding secured for 5 units. Procurement by lead partner to follow (in preparation). (JB)

Print Date: 29 October 2021 09:15

## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

#### Aims: Green Sources of Energy

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
-------	---------------	---------------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------	---------------	---------------

#### Aims: Biodiversity

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Corporate Tree Planting Scheme</u>	0	500	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	(Quarter 1) Winter 2020-2021 planned planting was deferred due to pandemic restrictions. Planting planned for winter 2021-2022 and we are working to secure funding. (JB)
<u>Community climate and biodiversity grants</u>	No	Agree funding. Options paper to be considered by Env PDG.	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Jason Ball, Andrew Busby	

#### Aims: Retro-fitting measures

## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

#### Aims: Retro-fitting measures

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Corporate Renewable Energy Projects</u>	1	4	n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	
<u>ECO Flex</u>	1,028	300	113	171	239	269	302	355							Simon Newcombe	
<u>Housing Assistance Policy</u>	5	5	0	0	0	2	3	6							Simon Newcombe	
<u>Home Improvement Loans</u>	10	10	n/a	n/a	2	n/a	n/a	3	n/a	n/a		n/a	n/a		Simon Newcombe	

#### Aims: Other

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Community Schemes</u>	0	4	n/a	n/a	4	n/a	n/a		n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	(Quarter 1) Working with 2x local litter groups, and at least 2 sustainability groups in the district. (JB)

## Corporate Plan PI Report Climate Change

**Priorities: Climate Change**

**Aims: Other**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<b><u>Council Carbon Footprint</u></b>	19,407	18,250	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	

Printed by: Catherine Yandle

SPAR.net

Print Date: 29 October 2021 09:15

**Monthly report for 2021-2022**  
**Arranged by Aims**  
**Filtered by Aim: Priorities Homes**  
**For MDCC - Services**

### Performance Indicators:

**Well below target**

## On target

**Well above target**

Page 251

## Priorities: Homes

## Performance Indicators

**Printed by: Catherine Yandle**

Print Date: 25 October 2021 18:13

## Corporate Plan PI Report Homes

### Priorities: Homes

### Aims: Deliver Housing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Traveller Pitches</u>															Peat	planning permission granted for one pitch at Yeoford (TP)
<u>Number of affordable homes delivered (gross)</u>	30	94	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	
<u>New Social Rent Council Houses</u>	0	17	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Andrew Busby, Simon Newcombe	(Quarter 2) 1 buy back in Q2 (CY)
<u>Number of Homelessness Approaches</u>	587		n/a	n/a	144	n/a	n/a	316	n/a	n/a		n/a	n/a		Simon Newcombe	

### Aims: Community Land Trusts

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Community Land Trusts Assisted</u>	2	1	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Tristan Peat	(Quarter 2) All town and parish council have been contacted in October 2021 to advise about



## Corporate Plan PI Report Homes

### Priorities: Homes

### Aims: Community Land Trusts

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
																support available from the Council to assist community-led affordable housing schemes (TP)

### Aims: Private Sector Housing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Deliver homes by bringing Empty Houses into use</u>	101	72	0	9	16	20	20	30							Simon Newcombe	(June) There has been very little activity on Empty homes over the last 18 months due to covid responsibilities. It can take a minimum of 12 months from first contact to seeing a result so the reduced activity is a knock on effect from last year. (TW)
<u>Houses in</u>	96%	100%	100%	100%	100%	100%	100%	100%							Simon	

## Corporate Plan PI Report Homes

### Priorities: Homes

#### Aims: Private Sector Housing

##### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Multiple Occupation (HMOs) investigations</u>															Newcombe	
<u>Landlord engagement and Support</u>	14	9	n/a	n/a	1	n/a	n/a	4	n/a	n/a		n/a	n/a		Simon Newcombe	(Quarter 2) 3x Pinpoint in September (TW)

#### Aims: Council Housing

##### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Tenant Census</u>	34%	Develop action plan	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Simon Newcombe	(Quarter 2) Customer Engagement and Tenant Involvement Officers now in place. Work has commenced on the Tenant Engagement Strategy which will take account of the preferences of

## Corporate Plan PI Report Homes

### Priorities: Homes

### Aims: Council Housing

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
																tenants as set out in the tenant census. (CY)
<u>% Emergency Repairs Completed on Time</u>	104.2%	100.0%	100.0%	100.0%	100.0%										Simon Newcombe	
<u>% Urgent Repairs Completed on Time</u>	99.9%	95.0%	99.0%	99.5%	99.7%										Simon Newcombe	
<u>% Routine Repairs Completed on Time</u>	99.6%	95.0%	97.7%	98.3%	98.7%										Simon Newcombe	
<u>% Properties With a Valid Gas Safety Certificate</u>	99.4%	100%	100%	99%	99%										Simon Newcombe	
<u>% Complaints Responded</u>	100.0%	100.0%	100.0%	100.0%	100.0%										Simon Newcombe	

## Corporate Plan PI Report Homes

**Priorities: Homes**

**Aims: Council Housing**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>to On Time</u>																

Printed by: Catherine Yandle

SPAR.net

Print Date: 25 October 2021 18:13

# Corporate Plan PI Report Economy

Monthly report for 2021-2022  
Arranged by Aims  
Filtered by Aim: Priorities Economy  
For MDDC - Services

Key to Performance Status:

Performance Indicators:

No Data

Well below target

Below target

On target

Above target

Well above target

\* Indicates that an entity is linked to the Aim by its parent Service

## Corporate Plan PI Report Economy

### Priorities: Economy

#### Aims: Incubator and start-up space

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Incubator and Start-up space</u>	0	2	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 1) Due to staff redeployment during the pandemic and reduced capacity within the team, this project has not progressed. A scoping exercise is programmed for late 21 when ED team capacity is back to full strength. (JB)
<u>Sites for Commercial Development</u>	0	2	n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Keith Ashton, Andrew Busby	

#### Aims: Improve and regenerate our town centres

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Number of</u>	3,356		3,358	3,362	3,366	3,375	3,381	3,384							Dean	

Printed by: Catherine Yandle

SPAR.net

Print Date: 29 October 2021 09:40

## Corporate Plan PI Report Economy

### Priorities: Economy

Aims: Improve and regenerate our town centres

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>business rate accounts</u>															Emery	
<u>Business Rates RV</u>	£45,601,082		£45,614,697	£45,572,772	£45,572,772	£46,111,792	£46,092,812	£46,128,787							Dean Emery	
<u>Empty Business Properties</u>	244					250	250	242							Dean Emery	
<u>Tiverton Town Centre Masterplan</u>			n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Adrian Welsh, Angharad Williams	(2021 - 2022) Tiverton Town Centre Masterplan second round consultation scheduled to follow outcome of CRF bid - Cabinet March 2022 (AW)
<u>Cullompton Town Centre Masterplan</u>	n/a				Yes		Yes	Yes							Adrian Welsh, Angharad Williams	(September) Delivery Plan being developed (CY)
<u>Crediton Town Centre Masterplan</u>	n/a		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Angharad Williams	(2021 - 2022) Procurement March 2022 (CY)
<u>Pannier Market Regular</u>	34.7%	85%	63%	82%	80%	80%	86%	88%							Adrian Welsh	(May) First full month after easing

## Corporate Plan PI Report Economy

### Priorities: Economy

#### Aims: Improve and regenerate our town centres

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Traders</u>																of restrictions (JB)
<u>West Exe North and South</u>	13		n/a	n/a	13	n/a	n/a	13	n/a	n/a		n/a	n/a		Keith Ashton, Andrew Busby	(Quarter 2) 92%, 1 vacant, new tenant about to complete (CY)
<u>Fore St Tiverton</u>	4		n/a	n/a	5	n/a	n/a	5	n/a	n/a		n/a	n/a		Keith Ashton, Andrew Busby	(Quarter 2) 100% (CY)
<u>Market Walk Tiverton</u>	14		n/a	n/a	14	n/a	n/a	14	n/a	n/a		n/a	n/a		Keith Ashton, Jason Ball, Andrew Busby	(Quarter 2) 93%, 1 vacant about to be a vaccination centre (CY)

#### Aims: Community Land Trusts

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Community Land Trusts Assisted</u>	2	1	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Tristan Peat	(Quarter 2) All town and parish council have been contacted in October 2021 to advise about support available from the Council to assist community-led affordable housing schemes (TP)

#### Aims: Digital Connectivity

## Corporate Plan PI Report Economy

Priorities: Economy

Aims: Digital Connectivity

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Digital connectivity</u>			n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 1) Tiverton and Cullompton Town Centre Wi-fi projects are still on track to be delivered in 2021 (JB)

Printed by: Catherine Yandle

SPAR.net

Print Date: 29 October 2021 09:40



# Corporate Plan PI Report Community

Monthly report for 2021-2022

Arranged by Aims

Filtered by Aim: Priorities Community

Filtered by Flag: Exclude: Corporate Plan Aims 2016 to 2020

For MDDC - Services

*Key to Performance Status:*

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\*

indicates that an entity is linked to the Aim by its parent Service

Page 261

## Corporate Plan PI Report Community

### Priorities: Community

### Aims: Health and Wellbeing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Annual Community Safety Partnership (CSP) Action Plan</u>	12	12	1	3	5	7	11	13							Simon Newcombe	(September) Youth ASB summer activities ENTE funds for CCTV (TW)

Printed by: Catherine Yandle

SPAR.net

Print Date: 29 October 2021 09:47

## Corporate Plan PI Report Community

### Priorities: Community

#### Aims: Health and Wellbeing

##### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Safeguarding standards for drivers</u>	100%	100%	100%	100%	100%	100%	100%	100%							Simon Newcombe	
<u>Mental Health First Aiders</u>	0	5	n/a	n/a	0	n/a	n/a	2	n/a	n/a		n/a	n/a		Matthew Page	
<u>National and regional promotions</u>	7	9	1	1	1	1	2	3							Simon Newcombe	(September) FSA new food business project (TW)

#### Aims: Community Involvement

##### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>% of complaints resolved w/in timescales (10 days - 12 weeks)</u>	90%	90%	100%	99%	97%	97%	94%	87%							Lisa Lewis	(September) 18 at 1st check (RT)
<u>Number of Complaints</u>	273		38	78	116	145	179	214							Lisa Lewis	

## Corporate Plan PI Report Community

**Priorities: Community**

**Aims: Community Involvement**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
-------	---------------------	------------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------	------------------	---------------

### Aims: Leisure Centres

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Health Referral Initiative starters</u>	6	15	3	7	17	25	39	48							Corinne Parnall	
<u>Health Referral Initiative completers</u>	0	10	3	3	3	3	3	12							Corinne Parnall	
<u>Health Referral Initiative conversions</u>	0	5	2	2	2	2	2	11							Corinne Parnall	

This page is intentionally left blank

# Corporate Plan PI Report Corporate

Monthly report for 2021-2022

Arranged by Aims

Filtered by Aim: Priorities Delivering a Well-Managed Council  
For MDDC - Services

*Key to Performance Status:*

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\* indicates that an entity is linked to the Aim by its parent Service

Page 265

## Corporate Plan PI Report Corporate

### Priorities: Delivering a Well-Managed Council

#### Aims: South West Mutual Bank

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>South West Mutual Bank</u>			n/a	n/a	n/a	n/a	n/a		n/a	n/a	n/a	n/a	n/a		Andrew Jarrett	(April - September) An update went to Cabinet on 26 October. A further £125,000 investment was secured during the last financial year. The length of time to obtain a Banking Licence means it will be mid-2024 before the first product openings. (CY)

#### Aims: Commercial Opportunities

## Corporate Plan PI Report Corporate

### Priorities: Delivering a Well-Managed Council

#### Aims: Commercial Opportunities

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Tiverton Other</u>	8		n/a	n/a	8	n/a	n/a	8	n/a	n/a		n/a	n/a		Keith Ashton, Andrew Busby	(Quarter 2) 100% (CY)
<u>Industrial Units Cullompton</u>	15		n/a	n/a	14	n/a	n/a	14	n/a	n/a		n/a	n/a		Keith Ashton, Andrew Busby	(Quarter 2) 93%, 1 vacant, new tenant about to complete (CY)

#### Aims: Other

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>Sickness absence %</u>	2.10%	2.78%	n/a	n/a	2.08%	n/a	n/a	2.45%	n/a	n/a		n/a	n/a		Matthew Page	
<u>Appraisals completed</u>	97%	100%	n/a	n/a	n/a	n/a	n/a	94%	n/a	n/a	n/a	n/a	n/a		Matthew Page	
<u>% total Council tax collected - monthly</u>	96.96%	96.00%	11.02%	19.86%	28.76%	37.56%	47.90%	55.18%							Dean Emery	
<u>% total</u>	96.81%	97.00%	9.29%	15.07%	31.84%	39.83%	45.54%	57.36%							Dean	

# Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Other

## Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>NNDR collected - monthly</u>															Emery	
<u>New Performance Planning Guarantee determine within 26 weeks</u>	100%	100%	n/a	n/a	100%	n/a	n/a	100%	n/a	n/a		n/a	n/a		Angharad Williams	
<u>Major applications overturned at appeal (over last 2 years)</u>	5%	10%	n/a	n/a	7%	n/a	n/a	6%	n/a	n/a		n/a	n/a		Angharad Williams	
<u>Major applications overturned at appeal % of appeals</u>	0%		n/a	n/a	8%	n/a	n/a	5%	n/a	n/a		n/a	n/a		Angharad Williams	
<u>Minor applications overturned at appeal</u>	2%	10%	n/a	n/a	0%	n/a	n/a	0%	n/a	n/a		n/a	n/a		Angharad Williams	

# Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Other

## Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Group Manager	Officer Notes
<u>(over last 2 years)</u>																
<u>Minor applications overturned at appeal % of appeals</u>	1.66%		n/a	n/a	1%	n/a	n/a	1%	n/a	n/a		n/a	n/a		Angharad Williams	
<u>Response to FOI Requests (within 20 working days)</u>	100%	100%	100%	100%	100%	100%	100%	100%							Catherine Yandle	(September) Q2 received 135, replied 118, granted in full 65, refused in full 13, review requests 2 (CY)
<u>Working Days Lost Due to Sickness Absence</u>	5.80days	7.00days	n/a	n/a	1.35days	n/a	n/a	3.20days	n/a	n/a		n/a	n/a		Matthew Page	
<u>Staff Turnover</u>	24.5%	15.0%	n/a	n/a	5.8%	n/a	n/a	10.7%	n/a	n/a		n/a	n/a		Matthew Page	



# Corporate Risk Management Report - Appendix 6

Report for 2021-2022

Filtered by Prefix: Exclude Risk Prefix: OP, PR, EV

Filtered by Flag: Include: \* Corporate Risk Register

For MDDC - Services

Filtered by Performance Status: Exclude Risk Status: Low

Not Including Risk Child Projects records, Including Mitigating Action records

## Key to Performance Status:

Mitigating Action:	<b>Milestone Missed</b>	<b>Behind schedule</b>	<b>In progress</b>	<b>Completed and evaluated</b>	<b>No Data available</b>
--------------------	-------------------------	------------------------	--------------------	--------------------------------	--------------------------

Risks:	<b>No Data (0+)</b>	<b>High (15+)</b>	<b>Medium (6+)</b>	<b>Low (1+)</b>
--------	---------------------	-------------------	--------------------	-----------------

## Corporate Risk Management Report - Appendix 6

**Risk: Climate Change Declaration** The implications to the Council's strategic, budget and medium term financial plans are not yet fully explored and understood. This introduces an increased level of uncertainty. Impact of climate change on the financial viability of the Council.

**Service: Climate Change**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Climate and Sustainability Specialist	Appointment commenced in March 2021	Catherine Yandle	30/04/2021	13/08/2021	Fully effective (1)
In progress	Climate Change Strategy and Action Plan	Was approved by Cabinet on 1 October 2020. The Handbook needs completing and publishing	Catherine Yandle	09/12/2020	13/08/2021	Satisfactory (2)
Completed and evaluated	Consideration by the Environment PDG	This PDG has been tasked with considering the Council's own policy response (s) to the Climate Change Declaration made at Full Council on 26 June 2019.	Catherine Yandle	19/07/2019	13/08/2021	Fully effective (1)
In progress	Devon Climate Emergency – Tactical Group	MDDC are part of the tactical group for the climate emergency that	Catherine Yandle	18/05/2020	13/08/2021	Satisfactory (2)

## Corporate Risk Management Report - Appendix 6

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		has strategic links to our own plans.				
In progress	Net Zero Advisory Group	This was approved by Cabinet on 23 April 2020 terms of reference to be progressed for the group, membership confirmed and first meeting held remotely.	Catherine Yandle	18/05/2020	13/08/2021	Satisfactory (2)
Current Status: High (20)		Current Risk Severity: 5 - Very High		Current Risk Likelihood: 4 - High		
Service Manager: Jason Ball, Catherine Yandle						
Review Note: The Climate and Sustainability Specialist is now prioritising work streams for future consideration.						

## Corporate Risk Management Report - Appendix 6

**Risk: Commercial Land supply** Insufficient diversity in commercial land provided to meet changing business needs

**Service: Planning**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Business and landowner engagement	Continued brokering of sites and identification of creative opportunities to meet business demands can be very effective in addressing this risk	Adrian Welsh	10/06/2019	10/08/2021	Satisfactory (2)
In progress	Call for sites	Call for sites (and subsequent site assessment) in connection with the next Local Plan will assist in understanding of site availability in order to effectively plan for employment needs across the new local plan period.	Adrian Welsh	07/04/2021	10/08/2021	Satisfactory (2)
Behind schedule	Incubator/Flexible workspace project	This project should help identify opportunities to help the delivery of new flexible workspace	Adrian Welsh	10/06/2019	10/08/2021	Action required(3)
In progress	Plan for recovery	Develop a recovery plan/ strategy in conjunction with partners	Adrian Welsh	12/05/2020	10/08/2021	Satisfactory (2)
<b>Current Status: Medium (10)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 2 - Low</b>		

**Service Manager: Tristan Peat**

**Review Note:** Position has not changed since last review in that Local Plan adoption provides

## Corporate Risk Management Report - Appendix 6

allocated employment sites. Work has also started to plan for employment needs over the next local plan period with the recent call for sites.

Incubator/flexible workspace project requires intelligence to better understand and plan for business need. This work has been delayed due to required focus on business grants and recovery planning.

**Risk: Coronavirus Pandemic** The risk to MDDC's ability to conduct business as usual

**Service: Governance**

**Mitigating Action records**

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Business Continuity Planning (BCP)	BCPs have been reviewed. Regular updates are being obtained from Public Health England and the Local Resilience Forum. Fortnightly meetings of managers and Leadership Team via Skype.	Catherine Yandle	06/03/2020	26/08/2021	Fully effective (1)
Completed and evaluated	Financial and Economic effects monitoring	To ensure that local authorities including MDDC are reimbursed in full for the Covid 19 response by Central government. Assurance has been received from Internal Audit reviews of our claims.	Catherine Yandle	13/05/2020	26/08/2021	Fully effective (1)
<b>Current Status: High (20)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 4 - High</b>		

**Service Manager: Simon Newcombe**

**Review Note:** Local infection rates are very high and some service areas are being affected by staff absences in combination with leave and labour shortages. BCPs have been updated to reflect higher absence levels.

## Corporate Risk Management Report - Appendix 6

**Risk: Culm Garden Village** Possible discontinuance of Government funding support

**Service: Planning**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Funding opportunities	Lobby for the creation of further funding opportunities and for further rounds of the garden communities capacity funding	Adrian Welsh	03/02/2021	18/10/2021	Satisfactory (2)
In progress	Further bids for capacity funding	To continue to secure external funding to support the project	Tristan Peat	29/03/2019	18/10/2021	Satisfactory (2)

**Current Status: Medium (12)**

**Current Risk Severity: 4 - High**

**Current Risk Likelihood: 3 - Medium**

**Service Manager: Tristan Peat, Adrian Welsh**

**Review Note:** Future bid opportunities unknown at this stage and will be announced by Government in due course

## Corporate Risk Management Report - Appendix 6

**Risk: Cyber Security** Inadequate Cyber Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service. If the Council fails to have an effective ICT security strategy in place.

Risk of monetary penalties and fines, and legal action by affected parties

**Service: I C T**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Email and Protective DNS	ICT have applied the all levels of the government secure email policy, which ensures secure email exchange with government agencies operating at OFFICIAL. PSN DNS has been configured at the Internet gateway, which ensures the validity of websites and blocks known sites.	Lisa Lewis	06/06/2019	06/09/2021	Fully effective (1)
Completed and evaluated	Information Security Policy in place, with update training	Information Security Policy on LMS (online policy system) included in induction.	Catherine Yandle	22/10/2015	06/09/2021	Fully effective (1)
In progress	Regular user awareness training	Staff and Member updates help to reduce the risk	Catherine Yandle	03/01/2019	06/09/2021	Satisfactory (2)
Completed and evaluated	Technical controls in place	Required to maintain Public Sector Network certification	Lisa Lewis	03/01/2019	06/09/2021	No Score(0)

**Current Status: High (20)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 4 - High**

**Service Manager: Lisa Lewis**

**Review Note:** Continued email warnings ongoing. DAP and MHCLG audits completed. Member briefing scheduled 28th Sept 2021 and Desktop exercise for Senior Managers/Members scheduled for 5th October. Cyber risk mitigation plan in place work programme due to be commenced shortly.

## Corporate Risk Management Report - Appendix 6

**Risk: Economic Development Service** The macro economic position might necessitate a reactive response, impacting on the Council's resourcing and reducing its ability to deploy resources as planned.

**Service: Growth, Economy and Development**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Distribution and processing of Gov business support funding.	To assist businesses during the Covid19 pandemic and to help sustain them during this time of national restrictions.	Adrian Welsh	12/05/2020	18/10/2021	Satisfactory (2)
In progress	Hardship funding	To support individuals/households but also crucial for self employed and furloughed staff as a result of the pandemic.	Adrian Welsh	12/05/2020	18/10/2021	Satisfactory (2)
In progress	Recovery plans	Work underway in partnership with other Devon and regional partners to develop economic recovery plans to assist positive outcomes on local economy.	Adrian Welsh	12/05/2020	18/10/2021	Satisfactory (2)
<b>Current Status: High (25)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 5 - Very High</b>		

**Service Manager: Adrian Welsh**

**Review Note:** The pandemic has had a critical impact on the local, national and global economy. Whilst initial recovery work takes place in the short term with our partners, there is a need to develop longer term recovery plans. Work with regard to the development of longer term recovery plans is underway with the first of a programme of Economy PDG workshops commencing in October.

## Corporate Risk Management Report - Appendix 6

**Risk: Economic Strategy** Failure to deliver projects/outcomes in Economic Strategy

**Service: Growth, Economy and Development**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Continue to seek out existing and new funding opportunities	To assist in ensuring adequate funding for delivery of COVID19 economic recovery work.	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)
In progress	partnership working	Continue to work closely with delivery partners to gain advance warning of difficulties so as to seek to mitigate and also to develop joint responses to COVID economic recovery	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)
In progress	Project Management	Continue rigorous project management, monitoring and reporting of economic development projects	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)
In progress	Recovery Plans	Recovery Plans will be put in place to aid recovery.	Adrian Welsh	12/05/2020	18/10/2021	Satisfactory (2)
In progress	Review and reprioritisation	Part of review of projects for Year 2 actions and a review of the likely impacts on the economy of the pandemic. This will consider maximising investment through external funding and prioritising officer time.	Adrian Welsh	31/01/2020	18/10/2021	Satisfactory (2)
<b>Current Status: High (20)</b>		<b>Current Risk Severity: 4 - High</b>		<b>Current Risk Likelihood: 5 - Very High</b>		



## Corporate Risk Management Report - Appendix 6

**Service Manager: Adrian Welsh**

**Review Note:** Work is underway with regard to Economic Strategy actions with a number of projects being progressed; however many other actions will be reviewed as part of the longer term recovery plan work and the need for revised prioritisation.

**Risk: Funding** Insufficient resources (including funding) to deliver growth aspirations of Corporate Plan.

**Service: Growth, Economy and Development**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Actively pursue funding opportunities through Levelling Up Agenda/Shared Prosperity Fund	Work currently being undertaken to be in a state of readiness as opportunities become available	Adrian Welsh	03/02/2021	18/10/2021	Satisfactory (2)
In progress	Lobbying	Officers will continue to review funding opportunities and seek opportunities to work closely with local partners and the HotSWLEP to seek additional funding support for key infrastructure.	Adrian Welsh	12/05/2020	18/10/2021	Satisfactory (2)
In progress	Officers have reprioritised work programmes to explore new funding opportunities	End of European funding sources	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)
<b>Current Status: High (16)</b>		<b>Current Risk Severity: 4 - High</b>		<b>Current Risk Likelihood: 4 - High</b>		

**Service Manager: Adrian Welsh**

**Review Note:** Given ongoing constraints on resource and the scale of the challenges to the GED team at this time there has been need to carefully prioritise project delivery. Funding opportunities are actively being pursued.

## Corporate Risk Management Report - Appendix 6

**Risk: Health and Safety** Inadequate Health and Safety Policies or Risk Assessments and decision-making could lead to Mid Devon failing to mitigate serious health and safety issues

**Service: Governance**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Risk Assessments	Review risk assessments and procedures to ensure that we have robust arrangements in place. Risk training sessions in place.	Catherine Yandle	28/05/2013	26/08/2021	Satisfactory (2)
Completed and evaluated	Risk assessments	Group Managers receive monthly automated reminders to update any outstanding risk reviews	Catherine Yandle	20/09/2019	26/08/2021	Fully effective (1)

**Current Status: Medium (10)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 2 - Low**

**Service Manager: Catherine Yandle**

**Review Note:** Covid working arrangements unchanged. RAs continue to be kept under review.

## Corporate Risk Management Report - Appendix 6

**Risk: Homelessness** Insufficient resources to support an increased homeless population could result in failure to meet statutory duty to provide advice and assistance to anyone who is homeless.

### Service: Public Health

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Multi-skilled Staff	Due to an increase in homelessness approaches more applicants with complex needs are coming through the system that require far greater staff attention than normal. In order to mitigate this, staff are expanding their training around mental health, drug and alcohol awareness, and safeguarding, in order to create a more multi-skilled and adaptable workforce. This may require a greater allocation of resources as homelessness increases.	Claire Fry	21/12/2020	16/08/2021	Fully effective(1)
Completed and evaluated	RSI funding	The number of homeless approaches and the number of rough sleepers in the District are both likely to increase as a result of the economic instability and the current outbreak of	Claire Fry	21/12/2020	16/08/2021	Fully effective(1)

## Corporate Risk Management Report - Appendix 6

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		Covid19. Our success in obtaining up to £6,400 in RSI funding to deliver services during the cold weather means that we can adapt to this increased caseload and better carry out early intervention and prevention options to aid rough sleepers and prevent returning to the streets.				
Completed and evaluated	Staff Support	Officers are trained and knowledgeable and the structure of Housing Options team reviewed to build resilience.	Claire Fry	22/06/2017	16/08/2021	Fully effective(1)
In progress	Temporary Accommodation	With the rise in homelessness applicants, the overall cost of homelessness provisions will increase and therefore there is a need to make use of existing stock as temporary accommodation, as opposed to more costly alternatives such as bed and breakfast.	Claire Fry	21/12/2020	16/08/2021	Satisfactory (2)
<b>Current Status: High (16)</b>		<b>Current Risk Severity: 4 - High</b>		<b>Current Risk Likelihood: 4 - High</b>		

## Corporate Risk Management Report - Appendix 6

**Service Manager:** Tanya Wenham

**Review Note:** Changes to legislation and the pandemic are likely to result in increased approaches for homelessness and an increase in the number of households accepted as such. Reduced capacity in the private and public sector to house people and the limited amount of B&B accommodation means that costs are increasing and it is becoming more challenging to find suitable accommodation.

**Risk: Information Security** Inadequate data protection could lead to breaches of confidential information and ultimately enforcement action by the ICO.

**Service: Governance**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Awareness and Training	Attend team meetings and other meetings such as Tenants Together to provide training and answer questions on request. Articles in the Link on an ad hoc basis. Annual Information Security training is mandatory for all network computer users	Catherine Yandle	09/08/2019	26/08/2021	Fully effective (1)
In progress	Breach notification	Security breaches are logged via the helpdesk and monitored for developing trends. Training and advice is offered in response to items logged.	Catherine Yandle	09/08/2019	26/08/2021	Satisfactory (2)
<b>Current Status: Medium (12)</b>		<b>Current Risk Severity: 4 - High</b>		<b>Current Risk Likelihood: 3 - Medium</b>		

**Service Manager:** Catherine Yandle

**Review Note:** Awareness among staff is good. Some refresher training will be organised in Q2 21/22 . New Member training took place on 1 June 21

## Corporate Risk Management Report - Appendix 6

**Risk: Infrastructure delivery** Inability to deliver, or delay in delivering, key transport infrastructure to unlock planned growth

**Service: Growth, Economy and Development**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Close working with Devon County Council (delivery partner) over the HIF schemes	DCC is the delivery partner for the Council's HIF highway infrastructure project. Close working is taking place in order to ensure risks of project delay or cost escalation are reduced. DCC is undertaking robust project management of the projects. These actions seek to ensure the projects remain on track and any problems are raised at an early stage allowing for corrective action.	Adrian Welsh	13/01/2021	18/10/2021	Satisfactory (2)
In progress	Close working with Homes England over the HIF schemes	Grant fund agreements over the HIF funding to deliver 2 highway infrastructure schemes. These include a range of requirements and project milestones. Close liaison with Homes England is taking place via monthly project update meetings and quarterly monitoring returns. This ensures Homes England is updated on both projects, is aware of issues as they arise and any corrective actions	Adrian Welsh	13/01/2021	18/10/2021	Satisfactory (2)

## Corporate Risk Management Report - Appendix 6

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		can be taken- for example seeking the revision of project milestones to reflect the latest project programme.				
In progress	Partnership working	Close working with delivery partners to attempt to mitigate risks.	Adrian Welsh	12/05/2020	18/10/2021	Satisfactory (2)
In progress	Partnership working with infrastructure providers and statutory bodies	Reduce risk of delays and communication.	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)
In progress	target funding opportunities	To seek to bring forward delivery	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)

**Current Status: High (16)**      **Current Risk Severity: 4 - High**      **Current Risk Likelihood: 4 - High**

**Service Manager: Adrian Welsh**

**Review Note:** We are working closely with Homes England on both HIF scheme and looking to mitigate project risks as and when they occur. The Cullompton Relief Road has now been granted planning permission. We await the outcome of the Levelling Up Fund bid to help bring forward the Cullompton Relief Road scheme. The SOBC for Cullompton Railway Station has been submitted to the DfT and has been well received. Further announcements from DfT expected shortly.

## Corporate Risk Management Report - Appendix 6

**Risk: Overall Funding Availability** Changes to Revenue Support Grant, Business Rates, New Homes Bonus and other funding streams in order to finance ongoing expenditure needs.

**Service: Financial Services**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Engaging in commercial activities	To provide additional revenue streams	Paul Deal	28/09/2017	27/08/2021	Satisfactory (2)
In progress	Medium term planning	Latest gap approximately £3M A range of options are being considered but Covid, business rates and uncertainty over fair funding review make the situation extremely challenging	Paul Deal	28/09/2017	27/08/2021	Satisfactory (2)
In progress	We continue to work with managers to reduce costs and explore new income streams	To close the budget gap and maintain services	Paul Deal	07/02/2019	27/08/2021	Satisfactory (2)
<b>Current Status: High (15)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 3 - Medium</b>		

**Service Manager: Paul Deal**

**Review Note:** The overall position remains the same as we await Govt announcements on future funding in the Autumn. However, progress is being made in the identification of mitigating budget options. These will be presented to Cabinet and PDG's in the Autumn.



## Corporate Risk Management Report - Appendix 6

**Risk: Reduced Funding - Budget Cuts** We are subject to continuing budget reductions. If we concentrate on short term cost savings, it may increase long term impact of decisions

**Service: Financial Services**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Business Plans	Service Business Plans are reviewed each financial year with suggestions for revised performance targets based on budget to be agreed by Cabinet Member and PDG.	Paul Deal	28/05/2013	27/08/2021	Satisfactory (2)
In progress	Identify Efficiencies	Taking proactive steps to increase income and reduce expenditure through efficiencies, vacancies that arise and delivering services in a different way.	Paul Deal	28/05/2013	27/08/2021	Satisfactory (2)
Completed and evaluated	Reserves	Cabinet have taken the decision to recommend a minimum general reserve balance of 25% of Net annual budget.	Paul Deal	28/05/2013	27/08/2021	Fully effective (1)
Completed and evaluated	Set Budget	Each year as part of the budget setting process, members are consulted via PDGs in time to evaluate savings proposals, ahead of the November draft budget.	Paul Deal	28/05/2013	27/08/2021	Fully effective (1)
<b>Current Status: Medium (12)</b>		<b>Current Risk Severity: 4 - High</b>		<b>Current Risk Likelihood: 3 - Medium</b>		

**Service Manager: Paul Deal**

**Review Note:** Work continues to address the budget gap, specifically for 2022/2 but also for the longer term to ensure the Council's financial sustainability. Budget options will be brought to Cabinet and PDG's in the Autumn.

## Corporate Risk Management Report - Appendix 6

**Risk: Reputational damage - social media** impact of reputational damage through social media is a significant risk that warrants inclusion on the Authority's risk register.

**Service: Communications**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Monitoring social media	Two members of the communications team monitor the main corporate social media accounts on a rota basis. Alerts are also set up so the team receives notification of comments and can respond as appropriate. This is monitored in office hours only and the team does not provide 24 hour monitoring or a call out function. The Comms Team also works with other local authorities and takes part in social media training with other local authorities as the opportunities arise budgets permitting.	Jane Lewis	05/06/2019	30/06/2021	Satisfactory (2)
<b>Current Status: Medium (10)</b>		<b>Current Risk Severity: 5 - Very High</b>		<b>Current Risk Likelihood: 2 - Low</b>		

**Service Manager: Jane Lewis**

**Review Note:** A new SM governance group has been formed. SM will also be included in LMS and a database of those who access will be kept. IT have been contacted to put SM access on the leavers list too.

## Corporate Risk Management Report - Appendix 6

**Risk: Right to Buy - Re-investing Receipts in New Affordable Rented Homes** : Failure to deliver an appropriate housing programme to provide new social rent Council housing may result in existing housing stock not being replaced at an adequate rate to offset RTB sales. This may also result in payment of interest to MHCLG on any unspent, ring-fenced 1-4-1 RTB receipts and have longer term impact on the overall financial health of the HRA over a 30-year plan period.

### Service: Housing Services

#### Mitigating Action records

No Mitigating Action records found.

**Current Status: Medium  
(12)**

**Current Risk Severity: 4 -  
High**

**Current Risk Likelihood: 3 -  
Medium**

#### Service Manager: Simon Newcombe

**Review Note:** We have submitted to MHCLG a detailed programme for delivering additional social rent homes over 21/22. The final scope of this programme will depend on on-going negotiations with MHCLG on potential extension to RTB receipts due to be spent in 20/21 (due to Covid etc) as well as 21/22 receipts already assigned in the programme. Going forward, the plan will be informed by a new Housing Strategy. The desired outcome being shaped is to have in place rolling 3-year RTB receipt/housing stock programme set at a minimum 100% stock replacement rate (based on average rates of RTB sales, reviewed annually). This will allow for receipts to be allocated to an identified and approved future development/redevelopment scheme or buy-back opportunity at date of receipt for utilisation over the required 3-year utilisation period, thereby mitigating the risks.

## Corporate Risk Management Report - Appendix 6

**Risk: SPV - 3 Rivers - Failure of the Company** This will depend on Economic factors and the Company's success in the marketplace commercially.

For MDDC the impacts will be:

3 Rivers are unable to service and repay the loan from MDDC

Not receiving the forecast additional income

Not supporting corporate objectives.

### Service: Financial Services

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Cabinet	Monthly meetings with Cabinet ambassadors and monthly update to Cabinet on progress with the recommendations action plan and projects.	Andrew Jarrett	09/11/2020	27/08/2021	Fully effective(1)
Completed and evaluated	Regular monitoring	The Board of 3 Rivers deliver a half yearly report to the Cabinet which provides an update on their delivery against their business plan. We charge interest to them at a commercial rate in order to maintain an "arms-length" relationship and the interest provides some mitigation to the outstanding principal.	Andrew Jarrett	30/05/2019	27/08/2021	Fully effective(1)

**Current Status: High (15)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 3 - Medium**

**Service Manager: Paul Deal**

**Review Note:** The review concluded no further impairment was required. The MDDC accounts (which includes 3R within the Group Accounts) is being audited. No issue are expected to be identified. The company continues with its planned work as outlined within the Business Plan

## Corporate Risk Management Report - Appendix 6

**Risk: SPV 3 Rivers Reputational Impact** That 3 Rivers' reputation is damaged by the actions of the council, threatening the long-term success of the company and potentially threatening the operational activity of the company through increased costs, reduced revenues, staff retention, or future claims against the council.

**Service: Governance**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Work with Members	Sustained work with elected members to ensure that the necessary balance is struck between constructive challenge and debate, without bringing the company or its activity into disrepute. Awareness raising relating to the roles of the council's scrutiny committee in assuring governance outcomes, the audit committee providing assurance on risk and mitigation, and the cabinet in its decision-making as shareholder. Use of external advice when necessary to provided added assurance.	Stephen Walford	11/11/2020	26/08/2021	Satisfactory (2)

**Current Status: High (15)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 3 - Medium**

**Service Manager: Stephen Walford**

**Review Note:** The most recent audit notes that members need to strike a balance between governance and oversight that assures, and continued intervention that will commercially hinder. With governance matters now addressed, this risk sits predominantly with the actions of members who must work to balance the need for process checking, challenge and assurance, with the desire to use the company as a tool for political disagreement. As much as it might be (a point of political disagreement), the audit position is clear that such interventions are not beneficial to the company in commercial terms, and therefore unlikely to be in the long-term interests of the council in seeking to achieve its strategic objectives.

With monthly updates at Cabinet continuing, alongside regular auditing, members have structurally embedded a range of mechanisms to give confidence in the governance, oversight and assurance process. The reputational risk from members bringing the company into disrepute is therefore very much in individual members' hands.

## Corporate Risk Management Report - Appendix 6

**Risk: Tiverton Pannier Market** Failure to maximise the economic potential of Tiverton Pannier Market

**Service: Growth, Economy and Development**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Continue to retain and prioritise market budget	To ensure most efficient use of resources	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)
In progress	continue to work with traders on promotion	To increase footfall.	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)
In progress	Implement and review market strategy	Implementation of strategy will increase market's financial success and help fulfill its function as a key driver for the town.	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)
In progress	Masterplan Implementation	To realise benefits from the Masterplan to increase visibility of market and increase footfall.	Adrian Welsh	10/06/2019	18/10/2021	Satisfactory (2)
<b>Current Status: Medium (12)</b>		<b>Current Risk Severity: 4 - High</b>		<b>Current Risk Likelihood: 3 - Medium</b>		

**Service Manager: Adrian Welsh**

**Review Note:** Plans to maximise economic potential of the pannier market are being reviewed to reflect the current challenges and future opportunities arising from changing retail habits as a result of the pandemic. The newly appointed Market Manager is embarking on a number of initiatives to attract more traders and customers to the market. We currently await the results of the Community Renewal Fund bid which if successful will also have benefits to the pannier market.

Printed by: Catherine Yandle

SPAR.net

Print Date: 26 October 2021  
16:45

**MID DEVON DISTRICT COUNCIL – SCHEDULE OF MEETINGS – 2022/23**

Ratified by Council on .....

MEETING	Normal day	1	2	3	4	5 2023	6	Extra if required
<b>PLANNING COMMITTEE</b> <i>(first meeting of cycle)</i>	Wed	18 May	13 July	7 Sept	2 Nov	4 January	1 March	
<b>PLANNING COMMITTEE</b> <i>(second meeting of cycle)</i>	Wed	15 June	10 August	5 October	30 Nov	1 February	5 April	19 April
<b>CABINET</b> <i>(first meeting of cycle)</i>	Tues	17 May	12 July	6 Sept	1 Nov	3 January	7 March	
<b>CABINET</b> <i>(second meeting cycle)</i>	Tues	14 June	9 August	4 October	29 Nov	7 February	4 April	
<b>ENVIRONMENT PDG</b>	Tues	24 May	19 July	13 Sept	8 Nov	10 January	14 March	
<b>HOMES PDG</b>	Tues	31 May	26 July	20 Sept	15 Nov	17 January	21 March	
<b>ECONOMY PDG</b>	Thurs	26 May	21 July	15 Sept	10 Nov	12 January	16 March	
<b>COMMUNITY PDG</b>	Tues	7 June	2 August	27 Sept	22 Nov	24 January	28 March	
<b>SCRUTINY COMMITTEE</b> <i>(first meeting of cycle)</i>	Monday	30 May	25 July	19 Sept	14 Nov	16 January	20 March	
<b>SCRUTINY COMMITTEE</b> <i>(second meeting of cycle)</i>	Monday	27 June	22 August	17 October	12 Dec	20 February	17 April	
<b>AUDIT COMMITTEE</b>	Tues	7 June	2 August	27 Sept	22 Nov	24 January	28 March	
<b>STANDARDS COMMITTEE</b>	Wed	8 June		12 October		8 February		
<b>LICENSING COMMITTEE</b>	Friday	10 June			2 Dec			
<b>REGULATORY COMMITTEE</b>	Friday	10 June			2 Dec			
<b>Away Days</b>	Fri 9.30am				16 Sept			
<b>COUNCIL</b>	Wed 6.00pm	6 July	31 August	26 October	14 Dec	22 February	27 April	<b>24 May 2023</b>

Note: (i) Annual Meeting in 2022 is on 11 May  
(ii) Annual Meeting in 2023 is on 24 May – later than usual because this will be an election year.





# MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

January 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)
<b>Customer Care Policy</b> To receive the 3 yearly review of the Customer Care Policy	Community Policy Development Group  Cabinet	16 Nov 2021  4 Jan 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
<b>Strategic Grants</b> To receive a report from Community PDG Grants Working Group on the Strategic Grants Programme 2022-2023.	Community Policy Development Group  Cabinet	20 Dec 2021  4 Jan 2022	John Bodley-Scott, Economic Development Team Leader	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Review of Development Management Discretionary Fees and Charges</b> To consider and agree a revised schedule of fees and charges.	Cabinet	Not before 4th Jan 2022	Angharad Williams, Interim Development Management Manager	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Construction contract for St Andrews Estate, Cullompton and Shapland Place, Tiverton modular social housing schemes</b> To consider the construction contract for the Modular Housing Schemes	Cabinet	4 Jan 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Part exempt
<b>Information Security and Incident Policies</b> To update the existing policies to reflect current job roles and best practice.	Cabinet	4 Jan 2022	Catherine Yandle, Operations Manager for Performance, Governance and Health & Safety Tel: 01884 234975	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Complaints Policy</b> To consider a revised policy	Cabinet	4 Jan 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
<b>Tiverton Town Centre Masterplan</b> To agree the draft masterplan for public consultation.	Cabinet	Not before 4th Jan 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
				Chesterton)	
<b>New Local Plan – Issues consultation paper</b> To seek Cabinet approval to publish and consult on an Issues Paper for a new Local Plan for Mid Devon	Cabinet	4 Jan 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Local Development Scheme</b> To consider a revised Local Development Scheme	Cabinet	4 Jan 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Cullompton Railway Station</b> To receive a project update.	Cabinet	Not before 4th Jan 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Crediton NHS Hub Phase 2</b> To consider a funding request.	Cabinet	4 Jan 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Part exempt

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Tax Base Calculation</b> To receive the statutory calculations necessary to determine the Tax Base for the Council Tax	Cabinet  Council	4 Jan 2022  23 Feb 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Cullompton Town Centre Masterplan</b> To consider the masterplan	Cabinet  Council	4 Jan 2022  23 Feb 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Cullompton Conservation Area Management Plan</b> To consider the Management Plan	Cabinet  Council	4 Jan 2022  23 Feb 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Draft MDDC Litter Strategy</b> To receive the MDDC Litter Strategy	Environment Policy Development Group  Cabinet	11 Jan 2022  1 Feb 2022	Darren Beer, Operations Manager for Street Scene	Cabinet Member for the Environment and Climate Change (Councillor Colin Slade)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>3 Weekly Bin Trial</b> To receive the results of the 3 Weekly Bin Trial	Environment Policy Development Group  Cabinet	11 Jan 2022  1 Feb 2022	Darren Beer, Operations Manager for Street Scene	Cabinet Member for the Environment and Climate Change (Councillor Colin Slade)	Open
<b>Contracted Out Enforcement Duties</b> To receive a report on the options to engage an external contractor for additional littering and dog fouling enforcement duties in the district.	Environment Policy Development Group  Cabinet	11 Jan 2022  1 Feb 2022	Darren Beer, Operations Manager for Street Scene	Cabinet Member for the Environment and Climate Change (Councillor Colin Slade)	Open
<b>Shopfront Enhancement Scheme</b> To receive and discuss information with regard to the Shopfront Enhancement Scheme.	Economy Policy Development Group  Cabinet	13 Jan 2022  1 Feb 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Meeting Housing Needs SPD</b> To recommend a draft for consultation to the Cabinet	Homes Policy Development Group  Cabinet	18 Jan 2022  8 Mar 2022		Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Council Tax Reduction Scheme &amp; Exceptional Hardship Policy</b> To receive the Council Tax Reduction Scheme and the updated Exceptional Hardship Policy.	Community Policy Development Group  Cabinet	25 Jan 2022  1 Feb 2022	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>The Tenant Involvement and Empowerment Standard Policy</b> To consider a revised policy	Homes Policy Development Group  Cabinet	18 Jan 2022  1 Feb 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
<b>Regulation of Investigatory Powers</b> To receive the annual update of Regulation of Investigatory Powers	Community Policy Development Group  Scrutiny Committee  Cabinet	25 Jan 2022  14 Feb 2022  10 Mar 2022	Karen Trickey, District Solicitor and Monitoring Officer	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Health and Safety Policy</b> To receive the annual review of the Health & Safety Policy	Community Policy Development Group  Cabinet	25 Jan 2022  3 Feb 2022	Catherine Yandle, Operations Manager for Performance, Governance and Health & Safety Tel: 01884 234975	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Single Equalities Policy and Equality Objective</b> To receive the annual review of the Single Equalities Policy and Equality Objective	Community Policy Development Group  Cabinet	25 Jan 2022  3 Feb 2022	Catherine Yandle, Operations Manager for Performance, Governance and Health & Safety Tel: 01884 234975	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Market Environmental Strategy</b> To receive and discuss the draft Environmental Strategy.	Economy Policy Development Group  Cabinet	13 Jan 2022  1 Feb 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Bereavement Services Fees and Charges</b> To receive the annual review of Bereavement Services Fees & Charges	Environment Policy Development Group  Cabinet	11 Jan 2022  1 Feb 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

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Recommendations from the Motion 564 Spotlight Review</b> To receive the final report and recommendations from the Motion 564 Spotlight Review	Scrutiny Committee  Cabinet	17 Jan 2022  1 Feb 2022	Clare Robathan, Policy and Research Officer	Councillor Elizabeth Lloyd	Open
<b>Housing Enabling SPD S106 - Housing Need Allocation - Exception Sites)</b> To receive a report reviewing the Housing Enabling SPD document	Homes Policy Development Group  Cabinet	Not before 18th Jan 2022  1 Feb 2022	Jill May, Director of Business Improvement and Operations Tel: 01884 234381	Cabinet Member for Housing and Property Services (Councillor Bob Evans)	Open
<b>Cullompton HSHAZ Public Realm Project - Consultation</b> For consideration prior to consultation.	Cabinet	1 Feb 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Budget 2022/23</b> To consider the Budget for 2022/23	Cabinet  Council	1 Feb 2022  23 Feb 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open



Page 30

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Capital Programme</b> To consider the Capital Programme as part of the budget setting.	Cabinet Council	1 Feb 2022 23 Feb 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Capital Strategy</b> To consider the Capital Strategy	Cabinet Council	1 Feb 2022 23 Feb 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Treasury Management Strategy 2022/23</b> To consider the Treasury Management Strategy for 2022/23	Cabinet Council	1 Feb 2022 23 Feb 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Policy Framework</b> To consider the Policy Framework	Cabinet Council	1 Feb 2022 23 Feb 2022	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Bob Deed)	Open
<b>Pay Policy</b> To receive a report on the Pay Policy	Cabinet Council	1 Feb 2022 23 Feb 2022	Matthew Page, Corporate Manager for People, Governance and Waste	Leader of the Council (Councillor Bob Deed)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Establishment</b> To inform Members of the overall structure of the Council showing the management and deployment of officers.	Cabinet Council	1 Feb 2022 23 Feb 2022	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
<b>National Non Domestic Rates</b> To receive a report detailing the statutory calculations necessary to determine the Tax Base for the Council Tax	Cabinet Council	1 Feb 2022 23 Feb 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Playing Pitch Strategy - Post Consultation</b> To consider the strategy for approval following the public consultation.	Cabinet	Not before 1st Feb 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Tiverton EUE Area B Masterplan</b> To consider the outcome of the playing pitch and sports provision review	Cabinet	Not before 8th Mar 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Custom and Self Build Supplementary Planning Document</b> To consider a draft SPD for consultation	Cabinet	8 Mar 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>North West Cullompton Masterplan</b> To consider a revised masterplan for North West Cullompton	Cabinet	8 Mar 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Local Economic Recovery Plan</b> To consider the plan.	Economy Policy Development Group  Cabinet  Council	17 Mar 2022  5 Apr 2022  27 Apr 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Unauthorised Encampment Policy</b> To receive the 3 yearly review of the Unauthorised	Community Policy Development Group	22 Mar 2022  7 Apr 2022	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change	Cabinet Member for Community Well Being (Councillor	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
Encampment Policy	Cabinet		Tel: 01884 234948	Dennis Knowles)	
<b>Safeguarding Childrens and Adults at Risk Policy and Procedures</b> 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
<b>Town and Parish Charter</b> To receive the 3 yearly review of the Town and Parish Charter	Community Policy Development Group  Cabinet	22 Mar 2022  5 Apr 2022	Sally Gabriel, Member Services Manager Tel: 01884 234229	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Cullompton - Town Centre Public Realm Enhancement</b> To consider the Town Centre Public Realm Enhancement	Cabinet	5 Apr 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Channel Access Policy</b> To consider a revised Policy	Cabinet	5 Apr 2022	Lisa Lewis, Corporate Manager for Business	Cabinet for the Working Environment and	Open

Page 305

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
			Transformation and Customer Engagement Tel: 01884 234981	Support Services (Councillor Nikki Woollatt)	
<b>Tiverton A361 Junction HIF Scheme</b> To consider the outcome of the tender process.	Cabinet	Not before 5th Apr 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Part exempt
<b>Culm - Garden Village</b> To consider a masterplan for consultation.	Cabinet	5 Apr 2022	Tina Maryan, Area Planning Officer	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Non Statutory Interim Policy Statement on Planning for Climate Change</b> To consider the policy statement	Cabinet	Not before 7th Jun 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Meeting Housing Needs Supplementary Planning Document</b> To consider the draft SPD	Cabinet	Not before 7th Jun 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

## **CABINET 30 NOVEMBER 2021**

### **3 Rivers Developments Limited – Business Plan 2022 - 2027**

**Cabinet Members:** Councillor Bob Evans – Deputy Leader and Housing & Property  
Councillor Andrew Moore – Finance

**Responsible Officers:** Deputy Chief Executive – Andrew Jarrett

**Reason for Report:** To provide Cabinet with a 5 year Business Plan.

**RECOMMENDATION:** That Cabinet endorses the 3 Rivers Development Ltd Business Plan and approves the inclusion of the associated borrowing requirement of £19.66m shown for 2022/23 in the Council's General Fund, Capital Programme and Treasury Strategy budgets. It also notes the total gross funding envelope included for 2023/24 to 2026/27 of £51.95m.

**Relationship to Corporate Plan:** 3 Rivers Developments Limited's (3Rivers) primary objective is to generate future returns in order to grow the business and to recycle monies made back to the Council to mitigate some of the cuts in Government funding.

**Financial Implications:** The Council has a duty to obtain value for money. All financial interactions between the Council and 3Rivers are carried out at commercially evidenced rates and subject to individual loan agreements. Once approved, the Council will need to embed all agreed borrowing proposals in to the General Fund, Capital Programme and Treasury Strategy budgets for 2022/23.

**Legal Implications:** None to this report, however this report is prepared in accordance with the Shareholder Agreement, Company's Memorandum and Articles of Association.

**Risk Assessment:** Detailed within the report.

**Equality impact assessment:** No direct equality issues identified for this report. However, the company will continually evaluate increased renewal investments set against other financial viability and other building metrics.

**Impact on climate change:** 3Rivers is a commercial organisation and where deliverable sustainable options are available they are utilised; however, as a commercial organisation it is acknowledged that where there is a significant cost differential and what the market will sustain that this plays heavily in the choices made.

## **1.0 Introduction**

1.1 Attached to this report is 3 Rivers 2022 – 2027 Business Plan. Clearly 2021/22 has been a challenging year for the company, as it has been for the

whole development industry. Normal company activities have been delayed by the conclusion of the external governance and financial appraisal reviews and ongoing Covid19 issues directly impacting on the local and national supply chain and labour force.

- 1.2 The continued involvement of the 2 Cabinet representatives, the appointment of 2 new directors and the regular reporting on company progress appears to be helping the company progress, although set against a very challenging economic backdrop.

## **2.0 The 2022 – 2027 Business Plan**

- 2.1 Attached to this report is the company's 5 year Business Plan. Any company Business Plan that projects in to the future, especially at the current juncture, is subject to change/revision, especially the further you move in to later years. What the Business Plan provides is a general overview of company ambitions, areas of focus, metrics it will use to judge itself by and report on, risk appetite and mitigation measures and finally an overarching budget envelope for the period.
- 2.2 This financial envelope will provide a reasonably accurate budget forecast for 2022/23 and the projects that are already committed to. Thereafter, the budget makes sound commercial estimates over the potential sums that will be required to keep the company viable and deliver the level of returns back to the Shareholder.
- 2.3 The total loan request included in the 2022 – 2027 Business Plan for 2022/23 which is spread across 6 projects is £19.66m. This will provide further funding for the St Georges Court, Tiverton and Bampton, plus new funding for 2 sites currently under consideration and then an estimate for the potential of 2 completely new sites. In addition there is the ongoing provision for the company's working capital requirements.
- 2.4 The future period shown in the Business Plan, 2023 – 2027 requires total funding by the Shareholder of £51.95m. This figure is the total gross borrowing requirement during the period and needs to be reviewed in conjunction with the total loan repayments made back to the Council, estimated at £78.72m during the 5 year life of this plan. These overall funding requirements are shown in more detail in Appendix B.
- 2.5 Embedded within the company's Business Plan, reference is made to the annual interest payments that will be made back to the Council and Members should also be aware of the recharged costs that the Council makes to the company. These relate to officer time, office accommodation, IT support, etc. To put this in to context the table below summarises these transactions since



the company's inception. For completeness, it also includes all financing costs and any loan impairments.

#### Financial transactions between 3Rivers and Mid Devon DC

	<b>2017/18 2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22 Actuals</b>	<b>Total</b>
<b>Revenue Items £k</b>					
Interest Received	69.7	274.7	474.4	492.2	<b>1,311.0</b>
Cost of Borrowing	-	-	-	-	-
Dividends Paid	-	-	-	-	-
MDDC recharges	201.3	116.7	124.5	10.4	<b>452.9</b>
<b>Total</b>	<b>71.0</b>	<b>391.4</b>	<b>598.9</b>	<b>502.6</b>	<b>1,763.9</b>

	<b>2017/18 2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22 Actuals</b>	<b>Total</b>
<b>Loans £k</b>					
Advanced	2,612.9	6,998.2	1,741.7	2,278.8	<b>13,631.6</b>
Repaid	-	-550.0	-640.0	-1,208.7	<b>-2,398.7</b>
<b>Loans outstanding</b>	<b>2,612.9</b>	<b>6,448.2</b>	<b>1,101.7</b>	<b>1,070.1</b>	<b>11,232.9</b>
Impairments	-	-790.0			<b>-790.0</b>

#### Notes:

1. 2021/22 figures for interest and recharges do not include an estimate for the final quarter's allocations.
2. The loans repaid figures relate to a VAT refund in 2019/20 and sale proceeds from the Threwstones, Tiverton development.
3. The impairment relates to £617k St Georges Court (estimated loss) and £173k working capital charge. This figure was reviewed and carried forward in to the 2020/21 end of year Accounts

2.5.1 The above table details the direct financial benefits that accrue from the Council's investment in 3 Rivers. However, Members should also be aware that other indirect benefits are obtained. For example:

- ✓ Increased Council Tax and Business Rate receipts
- ✓ Extra New Homes Bonus revenue
- ✓ Some control over timetable and quality of development
- ✓ Some influence over affordable/social housing delivery numbers
- ✓ Regeneration potential
- ✓ Greater use of local supply chains and contractors

2.6 The Business Plan also specifically focuses on key areas of company activity; ongoing governance, the prevailing market, risk, success metrics, future

strategy and includes a progress overview of 2021/22 and its goals for 2022/23. For the first time, it also includes an overview of potential project availability across the wider SW geography that have been considered by the company.

### **3.0 Conclusion**

- 1.3 This Business Plan is based on a 5 year overview and forecast, which includes a number of commercially based estimates/assumptions and clearly relies heavily on the ongoing financial and corporate support of the Council. If approved, the total borrowing request for 2022/23 of £19.66m will be included in the Council's General Fund, Capital Programme and Treasury Strategy for the forthcoming financial year.
- 3.2 Provision of the loan repayments from the company, estimated for the same period, of £18.52m will also be included.

Contact for more information: Andrew Jarrett, Deputy Chief Executive

Circulation of the report: Leadership Team and Cabinet

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank



By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank