

Public Document Pack

Mid Devon District Council

Environment Policy Development Group

**Tuesday, 2 November 2021 at 5.30 pm
Council Chambers, Phoenix House, Tiverton**

**Next ordinary meeting
Tuesday, 11 January 2022 at 5.30 pm**

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 attached Protocol for Hybrid Meetings explains how this will work. Please do not attend Phoenix House without contacting the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

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Membership

Cllr E J Berry

Cllr W Burke

Cllr D R Coren

Cllr Miss J Norton

Cllr R F Radford

Cllr R L Stanley

Cllr L D Taylor

Cllr B G J Warren

Cllr J Wright

AGENDA

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

- 1 **Apologies and substitute Members**
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2 **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.
- 3 **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.

Note: A maximum of 30 minutes is allowed for this item.
- 4 **Minutes of the Previous Meeting** *(Pages 5 - 10)*
Members to consider whether to approve the minutes of the last meeting of the Group as a correct record.
- 5 **Chairman's Announcements**
To receive any announcements that the Chairman may wish to make.
- 6 **Cabinet Member for the Environment and Climate Change**
Group to receive an update from the Cabinet Member for the Environment and Climate Change
- 7 **Climate and Sustainability report** *(Pages 11 - 24)*
To receive the Climate and Sustainability report
- 8 **Public Space Protection Order - Hemyock** *(Pages 25 - 38)*
To consider whether a proposed variation to the Mid Devon (Public Spaces Protection) (Dog Control) Order 2021 (the 'PSPO') should go out to consultation.
- 9 **Draft Budget** *(Pages 39 - 58)*
To consider the initial draft 2022/2023 Budget and options available in order for the Council to set a balanced budget and agree a future strategy for further budget reductions for 2023/24 onwards.
- 10 **Work Plan** *(Pages 59 - 62)*
To receive the current work plan for the Environment PDG.

Members to discuss previous items added to the work plan and agree on how the PDG wishes to investigate the subject.

Members to agree and discuss additional items that they would like added to the work plan.

Stephen Walford
Chief Executive
Monday, 25 October 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 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 Carole Oliphant on:

E-Mail: coliphant@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **ENVIRONMENT POLICY DEVELOPMENT GROUP**
held on 7 September 2021 at 5.30 pm

Present

Councillors

J Wright (Chairman)
E J Berry, R F Radford, R L Stanley,
L D Taylor and B G J Warren

Apologies

Councillor(s)

Miss J Norton

Also Present

Councillor(s)

D R Coren, Mrs C P Daw, R M Deed, R Evans, C R Slade
and Mrs E J Lloyd

Also Present

Officer(s):

Andrew Jarrett (Deputy Chief Executive (S151)), Andrew Busby (Corporate Manager for Property, Leisure and Climate Change), Matthew Page (Corporate Manager for People, Governance and Waste), Darren Beer (Operations Manager for Street Scene), Clare Robathan (Policy and Research Officer) and Carole Oliphant (Member Services Officer)

17 **APOLOGIES AND SUBSTITUTE MEMBERS (0.03.07)**

Apologies were received from Cllr J Norton and Cllr D Coren attended via ZOOM.

18 **HYBRID MEETINGS PROTOCOL (0.03.27)**

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

Note: *Protocol previously circulated and attached to the minutes

19 **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0.03.35)**

Members were reminded of the need to make declarations where appropriate.

20 **PUBLIC QUESTION TIME (0.03.56)**

There were no questions from members of the public present

21 **MINUTES OF THE PREVIOUS MEETING (0.04.09)**

The minutes of the meeting held on 13th July 2021 were agreed as a true record and were duly **SIGNED** by the Chairman

22 **CHAIRMAN'S ANNOUNCEMENTS (0.04.49)**

The Chairman had no announcements to make.

23 **CABINET MEMBER FOR THE ENVIRONMENT AND CLIMATE CHANGE (0.04.59)**

The Cabinet Member for the Environment and Climate Change explained that the waste and recycling strategy supported the Council's commitment to the environment and that the 3 week bin trial would last until mid-October.

He explained that the MDDC Litter Strategy before Members today aimed to change attitudes and practices of the public and the key aspects included:

- An awareness Campaign
- Education
- Infrastructure
- Effective Enforcement

He confirmed that the workforce was facing pressure on the front line services due to vacancies, especially HGV drivers and he wanted to thank the workforce for maintaining collections.

In response to questions asked the Operations Manager for Street Scene confirmed that due to the success of WEEE collections the introduction of collections for pot and pans had been delayed but it was still the intention to offer this service in the future.

The Cabinet Member confirmed that the 3 week bin trial was going well and that where there were issues with compliance they were offering customers 1 to 1 education to encourage greater recycling.

Members raised concerns with:

- The shortage of HGV drivers and whether agency drivers were the solution
- The unacceptable wait for bulky waste collections in some areas of the district

The Cabinet Member assured Members that officers would look into their concerns

24 **CLIMATE AND SUSTAINABILITY UPDATE (0.24.04)**

The Group had before it, and **NOTED**, a *report of the Corporate Manager Property, Leisure and Climate change giving an update on the Climate Change Action Plan.

The officer outlined the contents of the report and summarised the actions and progress in achieving the Council's Corporate Plan aims and Climate Strategy priorities.

In response to questions asked about the damage done by Anaerobic Digesters versus the benefits and the officer explained that the Council had fed their thoughts into the Devon Climate Change Plan via the citizens assemblies.

With regard to sustainable farming practices the Corporate Manager for Property, Leisure and Climate Change explained that the new Climate website would signpost farmers to experts who could help them achieve their goals.

Consideration was given to:

- The focus of the work of the Scrutiny Committee with regard to Anaerobic Digesters and the bio energy industry and where environmental concerns fitted into this
- The Devon Carbon Plan had introduced a blog which people could contribute to
- Retro fitting of older stone properties would concentrate on the reduction of carbon as far as reasonably practical
- LED lighting on the sports pitches would be replaced when funding was available
- There had been very positive feedback from the public on the ZED Pods and they had on the whole been very supportive
- If the electricity supply network would be able to support the changes required, such as increased electric car charging, to reach the Council's Net Zero targets
- The current limited amount of suppliers of modular housing who were accredited to tender for Local Authority contracts
- Additional electric car charging point had been approved in the 3 main towns
- The need for the Council to look at progressive procurement to ensure that suppliers were local and used sustainable processes

Note: *Report previously circulated and attached to the minutes

25 **DEVON AND TORBAY WASTE STRATEGY MANAGEMENT PLAN (1.09.26)**

The Group had before it a *report of the Operations Manager for Street Scene which summarized the consultation response to the draft Resource and Waste Management Strategy for Devon and Torbay.

The officer outlined the contents of the report which contained the consultation response and a proposal to reduce the waste prevention target.

The Cabinet Member for the Environment and Climate Change explained that the strategy was to align the disposal processes for waste but the individual authorities were still free to be flexible in setting their own collection policies and targets.

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

- a) That the proposed amendment to reduce the waste prevention target to 400kg/head/year by 2030 be approved and;
- b) The final Strategy be approved

(Proposed by the Chairman)

Reason for the decision: The Authority has a duty to arrange collection for household waste

Note: *Report previously circulated and attached to the minutes

26 **DRAFT MDDC LITTER STRATEGY (1.19.34)**

The Group had before it a *report of the Operations Manager for Street Scene which presented the MDDC Litter Strategy.

The officer explained that the strategy concentrated on the impacts of littering and education of the public, and looked to work with local charities and stakeholders. It looked at the infrastructure, of where bins were located and focused on the areas with frequent littering. The strategy concentrated on problems area's with effective enforcement and a softer approach via education.

Consideration was given to Members views which included:

- The cost charged to Parish Councils for the collection of waste from additional litter bins was not viable for the Parishes
- That Fixed Penalty Notices fines were not high enough and were not a deterrent
- That education of the public was not enough and that surveillance camera's should be utilized to catch and fine people who litter
- That there was a perception from some Members that senior officers did not want to make difficult decisions with regard to enforcement
- Who was going to do the education of the public?
- The Strategy did not deal with the litter on the roads into the District
- Some Members supported the education and prevention approach, especially with the younger generation, rather than an enforcement approach

The Deputy Chief Executive (S151) explained that Members had before them the overarching strategy for litter but what he was hearing was that Members wanted to be involved in creating more detail around the operational processes and detailed guidance.

It was therefore **AGREED** that the MDDC Draft Litter Strategy be deferred to enable a Working Group to be formed where Members and officers could agree a final Strategy which could be recommended to the Cabinet.

(Proposed by the Chairman)

Reason for the decision: No decision was made

Note: *Report previously circulated and attached to the minutes

27 **WORK PLAN (1.56.59)**

The Group had before it, and **NOTED**, the Environment PDG *Work Plan.

The Chairman proposed that the following items be tasked to the Net Zero Advisory Group for further investigation and possible recommendations that the PDG could recommend to the Cabinet:

- Sustainable Procurement

- Planning Heritage Policy

The Chairman proposed the following items be added to the Work Plan for further investigation:

- Recycling – defined plans to introduce recycling of pots and pans and reduce the wait time for bulky waste
- Sustainable Farming Practices
- Western Power Distribution capacity for increased renewal energy

In addition to the above the Chairman would investigate the work proposed by the Scrutiny Committee on Anaerobic Digesters to see if additional work looking at the effect on the environment would be required.

Note: *Work Plan previously circulated and attached to the minutes

(The meeting ended at 7.33 pm)

CHAIRMAN

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ENVIRONMENT POLICY DEVELOPMENT GROUP

02 NOVEMBER 2021

REPORT – CLIMATE AND SUSTAINABILITY UPDATE

Cabinet Member(s): Cllr C R Slade - Cabinet Member for the Environment and Climate Change.

Responsible Officer(s): Andrew Busby - Corporate Manager Property, Leisure & Climate Change. Jason Ball, Climate and Sustainability Specialist.

Reason for Report: To receive an update on the Climate Change Action Plan from the Climate and Sustainability Specialist.

Recommendation: That the Environment PDG notes and accepts this report as an update on the Council's response to the Climate Emergency – documenting progress with the Climate Action Plan (to reduce the Council's carbon footprint) and the wider Climate and Sustainability Programme.

Financial Implications: The financial implications associated with this report are the overall costs of the Climate and Sustainability Programme, budgets specifically linked to the Council's Corporate Plan, Climate Strategy and Climate Action Plan.

Budget and Policy Framework: Budgets specifically linked to the Council's Corporate Plan, Climate Strategy and Climate Action Plan.

Legal Implications: Full Council declared a Climate Emergency in June 2019 and as part of that commitment, the Council is to produce a carbon footprint in line with Environmental Reporting Guidelines published by HM Government. With regard to the Climate Emergency, the Environment Policy Development Group (PDG) is the initial owner of this policy activity and considers how best to determine the Council's own policy response(s) such as may then be subsequently recommended to Cabinet and Council. [Link to declaration decision.](#)

Risk Assessment: Progress on Performance Indicators (PI) is provided separately on the regular Performance and Risk Reports. There are 2 main risks (to the Council): 1) that the Council does not take sufficient actions to enable it to meet its Climate Emergency declaration ambitions; and 2) that the financial implications of Climate Change are not adequately measured and reflected in the Council's decision making.

Equality Impact Assessment: There are no equality impact assessment implications associated with this report.

Relationship to Corporate Plan: Please refer to **Annex A** which shows the Council's Corporate Plan Aims (Table 1) and Climate Strategy priorities (Table 2).

Impact on Climate Change: The role of the Climate and Sustainability Specialist in support of the corporate officer team is central to the Council's Climate and Sustainability Programme by actions such as the development of strategic positions and delivery of projects through internal, community and partnership work.

1.0 Introduction / Background

1.1.1. The Council has declared a Climate Emergency and aims to be climate neutral by 2030. Climate neutrality is a term used to describe the achievement of a balance, for any given period, for carbon dioxide and other greenhouse gases released into or removed from the atmosphere; as a result of the actions taken by organisations, businesses and individuals. The goal of climate neutrality is to achieve a net zero climate impact.

1.1.2. This report is divided into **community** and **corporate** strands (some overlap is possible). Aligned with the recent climate change declaration by councils across Devon, climate action for the Council falls into two work streams:

- an internal organisation focus to cut corporate greenhouse gas emissions to net zero;
- the wider agenda to enable emission reductions across Mid Devon communities.

Clearly, the first is a process the Council can manage / monitor and control to a significant degree, as it relates to our own assets and operations. For the wider agenda linked to the whole Mid Devon area, we will work as a partner with local businesses, organisations, community groups and other residents to support the district's journey to achieve net zero.

1.1.3. Throughout each priority area within our Corporate Plan, there is a strong emphasis on local level sustainability. Environmental sustainability matters in all aspects of the Council's work, linked to everything from procurement to promoting nature recovery.

1.1.4. Jason Ball - as our Climate and Sustainability Specialist - leads the development of the Council's *Climate and Sustainability Programme*, working with colleagues and Councillors, particularly Andrew Busby - Corporate Manager Property, Leisure & Climate Change; and Colin Slade - the Cabinet Member for Environment and Climate Change.

2.0 Performance

2.1.1. Progress on Performance Indicators (PI) is provided separately.

2.1.2. Tables in this report's **Annex A** briefly summarise actions in relation to the Council's Corporate Plan *aims* and Climate Strategy *priorities*.

2.2. Climate Action Plan (CAP).

2.2.1. The Council's Climate Action Plan collates projects and activities to address climate change (mitigation and adaptation). The Climate and Sustainability Specialist is coordinating a review of the Council's Climate Action Plan to cost it, identify additional funding required, address gaps, and develop the plan.

2.2.2. The Corporate Management Team (and their officers) will maintain the Climate Action Plan as a live management tool to enable budget planning and ensure a timely cycle of reporting. Teams will prioritise the most imminent and impactful projects.

2.2.3. A timeline for costing the Climate Action Plan was provided to Scrutiny Committee on 15 March 2021 (as outlined below in Table 1) with updates due in July, September and December.

- 2.2.4. Estimated costs thus far for actions within the *Housing Energy and Assets* work stream is £18,044,210. (This includes HRA planned works and estimates for retrofitting and decarbonising the Council’s facility buildings.)
- 2.2.5. Estimated costs thus far for the Internal Structures and Processes workstream are £200,138.
- 2.2.6. Estimated costs thus far for the *Transport and Vehicles* workstream are £403,200.
- 2.2.7. Estimated costs thus far for the *Community and Wider Context* workstream are £413,000.
- 2.2.8. Cost estimates may already be allocated within existing budgets, or may be additional; the CAP will show where additional funding is required in order to enable fundraising and budget planning.
- 2.2.9. **Caveats.** Robust caveats must be provided with any reporting on the Climate Action Plan (CAP) to cover factors such as estimation, forecast uncertainty and data gaps. Examples below.
- Analysis gap. We do not yet have a comprehensive list i.e. we have not identified all the projects required to reach Net Zero.
 - Data gap. The majority of the CAP items require more information. Details will be enhanced by the *lead officers* assigned to each prioritised project.
 - Estimates. The majority of the costs are estimated. The majority of carbon savings are estimated, and not always based on an assessment.
 - Forecasting. The further ahead a project is planned, the less certain we can be about future costs.
 - Scope. Many items show capital costs but do not always forecast running costs e.g. of new installations or vehicles, or disposal costs. Business cases for each project / activity must be evaluated on a case-by-case basis (do not assume projects have been approved simply by being listed as an option in the Climate Action Plan).

Table 1 - A Timeline for Costings

Split by workstream	Date for Draft Figures	Date for Submission to Env PDG
Baseline (2018-2019) was 20,372 tCO ₂ e		
Housing, Energy and Assets	June '21	July '21
Internal Structures and Processes	Aug '21	Sep '21
Transport and Vehicles	Nov '21	Dec '21

3.0 Community and partnership activities

3.1. Devon Climate Emergency Response Group

3.1.1. The Council is a partner within Devon Climate Emergency Response Group (DCERG) and a signatory to the Devon Carbon Plan (DCP). The Climate and Sustainability Specialist role includes working with the DCERG Tactical Group

and the over-arching Response Group (the Chief Executive also receives Response Group communications).

3.1.2. Partnership work serves 2 main purposes:

- Seek to ensure strong strategic alignment.
- To facilitate cooperation, learning and communication e.g. updates on current projects, consultation and the Devon Carbon Plan.

3.1.3. The Interim Devon Carbon Plan is the subject of detailed public consultation. The most recent consultation stage was the [Devon Climate Assembly](#) (Citizen's Assembly) comprising a demographically representative sample of 70 Devon residents. [The report on Assembly results](#) was published 12th October 2021 and has been circulated to all Council members.

- The resolutions respond to 3 challenging topics: retrofitting homes; the role of onshore wind power; and decarbonising transport (particularly with regard to encouraging less car use in Devon).
- This is an important milestone for the Devon Climate Emergency partnership, as the assembly results will inform the next iteration of the Devon Carbon Plan.
- The Council and fellow individual local authorities will now consult with their members (23/11/2021 – 27/01/2022) on how to respond to the Devon Climate Assembly – debating how to turn those resolutions into actions that will appear in the draft Final Devon Carbon Plan.

3.2. Engagement: The Mid Devon climate and sustainability website. (Corporate Plan aim: env 10.)

3.2.1. The Climate and Sustainability Specialist worked with colleagues to launch www.SustainableMidDevon.org.uk and has begun to cultivate this further as a Mid Devon community resource. Community contributions of resources, news, events and ideas are most welcome (some already received) and have been invited from local parish and town councils, sustainability groups etc.

3.2.2. The role of the website is to: 1) share updates on the Council's carbon reduction work; 2) provide information to residents, businesses, members and others; and 3) share and signpost resources, opportunities, events and local groups active on the climate, sustainability and biodiversity agenda.

3.3. Engagement: groups and partnerships. (Corporate Plan aim, env 10.)

3.3.1. The Climate and Sustainability Specialist has continued outreach work through events, meetings and workshops e.g. Sustainable Crediton's *Big Green Fair*, discussions with Sustainable Crediton and Sustainable Tiverton; a webinar with Newton St Cyres parish council, and attended environmental webinars on the DALC conference (Devon Association of Local Councils) which we also helped to promote.

3.3.2. The Climate and Sustainability Specialist has corresponded with parishes, ward members, and officers at Devon County Council / other local authorities.

3.4. Project: Electric Vehicle charging points. (CS priority: 3. CP aim: env 02.)

3.4.1. As part of the Council's Climate Strategy 2020-2024, the Council seeks to facilitate the roll-out of electric vehicle (EV) charger locations across the district. The Climate and Sustainability Specialist has worked with colleagues and councillors to develop and assess a list of potential EV charging locations (rapid chargers can top up a modern EV by 80% in 40 minutes). A report to Cabinet presented an evaluated set of 3 options for this, to facilitate decision-making and aiming to achieve at least 5 to 15 additional EV charging locations through procurement during 2021. Each of the current options would be powered by renewable electricity.

3.4.2. At their meeting on 13th May 2021, Cabinet decided to delegate authority to the Deputy Chief Executive (S151), Cllr Colin Slade (Cabinet Member for the Environment and Climate Change) and Cllr Andrew Moore (Cabinet Member for Finance) as follows. *RESOLVED that: delegated authority be given to the Deputy Chief Executive (151) and the Portfolio Holder(s) for the Environment & Climate Change and Finance, in consultation with Property Services to facilitate the installation of additional electric vehicle charging points on Council land and across the District.*

3.4.3. Current EV charger provision can be viewed on this map: www.goultralow.com/ev-charging-point-map/

3.4.4. Western Power Distribution (WPD) has been informed of the potential extra power capacity needs in Mid Devon, linked to this project. Published plans for WPD's Green Recovery scheme indicate support for 250% growth in EV rapid charging capacity within their network.

3.4.5. The Climate and Sustainability Specialist has coordinated teamwork to enable actions delegated by Cabinet. Work included partnership liaison, submitting documentation for legal advice, clarifying parking fee policy, assessing risks, and steering charger locations.

3.4.6. Locations for fast chargers under the Deletti scheme have been approved, and the lead partner Devon County Council is preparing for procurement.

3.5. Strategy. Housing sustainability and Zero Carbon. (CS priority 2+3. CP aims h01, h03.)

3.5.1. The Climate and Sustainability Specialist worked with the new Mid Devon Housing Strategy project team to help consider how it will help deliver the Council's 2030 Net Zero ambition and incorporate the aims and priorities of the Mid Devon Climate Strategy and the Corporate Plan.

3.5.2. The Strategy was recently completed and opened to public consultation.

3.6. Project: Housing Advisors Programme. (CS priority: 1. CP aims: env02, env 05, h01, h02, h03, c04.)

3.6.1. Being prepared for invitation to tender. The Forward Planning team secured £20k funding through the LGA's Housing Advisors Programme to develop an assessment tool to model low carbon interventions and consider how they can be implemented at scale, using the Post Hill site in Tiverton as a pilot.

4.0 Corporate activities

4.1. The Net Zero Advisory Group (NZAG). (CS priority: 1. CP aim: none.)

4.1.1. This advisory group set up after Cabinet approval on 23 April 2020 continues to consider topics including, but not limited to, climate and biodiversity. Chaired by Cllr Elizabeth Lloyd, NZAG meetings take place on alternate months to the Environment PDG to enable a regular feedback cycle.

4.1.2. The most recent meeting took place 05 October 2021, discussion included:

- The Sustainable Procurement Review.
- Planning policies and practice in relation to heritage.
- The Council's Climate Action Plan.
- The potential for a 'Community Climate & Biodiversity Support Fund'.
- Evidence for the environmental benefits of home / blended working.

4.2. Working across service areas. (CS priorities: all. CP aims: all.)

4.2.1. As previously noted, the Climate and Sustainability Specialist agreed, in consultation with Andrew Jarrett, Andrew Busby and Councillor Colin Slade, to apply a Programme Management approach to develop and deliver the cross-cutting *Climate and Sustainability Programme*. This has now been initiated with the Corporate Management Team and will be developed.

4.3. Priority: large scale tree planting. (CS priority: 2. CP aim: env07.)

4.3.1. The team has identified planting for over 600 trees on its own land this winter, and outline plans to plant more during winter 2022-2023 subject to consultation. We have begun to liaise with other landowners where possible to expand potential on a wider scale, and this is subject to future agreements. The Climate and Sustainability Specialist identified funding opportunities and has agreed to work with Devon County Council as a delivery partner (subject to agreement and confirmation of details).

4.4. Procurement: Greener Electricity. (CS priority: 2. CP aim: env02.)

4.4.1. The Cabinet on 04 March 2021 approved a proposal by Andrew Busby - Corporate Manager for Property, Leisure and Climate Change to procure a further 50% of our electricity via the 'Green Basket' under the LASER Framework for renewable energy. The forecast cost to source an additional 50% of the Council's annual consumption was circa £8k or 2.3% on top of current costs. Provided the 100% Green Tariff is entirely additional, hypothetically the savings would be around 183 tCO₂e (tonnes of CO₂ equivalent) of Scope 2 emissions.

4.4.2. The LASER Framework will now deliver renewable electricity to 50% of corporate power supply by October 2021; with the other 50% to be secured during 2022.

4.5. Project: Public Sector Decarbonisation Scheme (PSDS). (CS priority: 1, 2. CP aim: env01, env02, ec01.)

4.5.1. A brief update.

- Phase 1: Heat Decarbonisation Plan. Work is underway to assess and devise solutions for 4 key council buildings: Phoenix House, and the 3 leisure centres.
- Phase 1: £310,821 grant being spent. Work in progress to install energy-efficiency and low-carbon improvements at the 3 leisure centres.
- Phase 2: no bid; grant fund exhausted within 2 weeks.

4.5.2. Phase 3: Tim Powell - Property Services Corporate Projects Officer - has submitted a bid to Salix, on the day the fund opened, to place us at the front of the queue (the first element has been accepted). The Heat Decarbonisation Plan (funded by Salix grants) helped to inform our Phase 3 bid detail.

- The grant would enable us to “decarbonise” heating at the Exe Valley and Lords Meadow Leisure Centres, primarily by replacing gas boilers with air-source heat pumps.
- Total bid value is £3,079,032, (of that £1,986,771 is for Exe Valley and £1,092,261 for Lords Meadow).
- Should we succeed, the grant does not require match funding, however the Council would be required to contribute the cost of what it would have been to replace gas boilers like-for-like. That value has been estimated at a total of £176,602 (£101,452 Exe Valley, £75,150 Lords Meadow).

4.5.3. Further assessments will be commissioned to inform future bids and works e.g. building fabric improvements.

4.6. The Council’s vehicle fleet. (CS priority: 2. CP aim: none).

4.6.1. The Transport Manager and the Climate and Sustainability Specialist authored a report to promote the adoption of Ultra Low Emissions Vehicles (ULEV) in the fleet with electric vehicles as a priority to replace selected small cars and vans. This would reduce Scope 1 emissions and save on fuel costs.

4.6.2. Costed options were presented to relevant managers and are under review.

4.7. Project: Mid Devon District Council’s proposals for hydro-electric power on the River Exe at Tiverton. (CS priority: 2. CP aim: env02.)

4.7.1. The Climate and Sustainability Specialist has begun to lead this project, and has set up a project board.

4.7.2. Western Power Distribution has been informed of the plan to connect 150kWp generation capacity.

4.7.3. The Climate and Sustainability Specialist recently met with Environment Agency officers. Work is underway to address and resolve issues behind planning objections e.g. flood risk assessment modelling. Funding has been applied for to help research key issues.

4.8. Project: Archetype housing - energy efficiency and low carbon performance. (CS priority: 2. CP aim: env01, env02, c04.)

4.8.1. The Housing team will work on exemplar homes typical of Council stock (beginning with 2 buildings this year) to optimise energy performance and retrofit energy solutions. This project will inform costed plans to improve the rest of the Council stock of this type.

5.0 Conclusion

5.1. That the Environment PDG notes and accepts this report as an update on the Council's response to the Climate Emergency – documenting progress with the Climate Action Plan (to reduce the Council's carbon footprint) and the wider Climate and Sustainability Programme.

Contact for more Information: Andrew Busby - Corporate Manager Property, Leisure and Climate Change: Email ABusby@MidDevon.gov.uk Tel: 01884 255255. Jason Ball - Climate and Sustainability Specialist: Email: JBall@MidDevon.gov.uk Tel: 01884 255255.

Circulation of the Report: Cabinet Member for the Environment and Climate Change, Leadership Team.

List of Background Papers:

The previous climate change and sustainability report provided to the [Environment Policy Development Group](#) on [07 September 2021](#). Link to [Report](#). Link to [Appendix A](#).

ENVIRONMENT POLICY DEVELOPMENT GROUP

2ND NOVEMBER 2021

REPORT – CLIMATE AND SUSTAINABILITY UPDATE – ANNEX A

Cabinet Member(s): Cllr C R Slade - Cabinet Member for the Environment and Climate Change.

Responsible Officer(s): Andrew Busby - Corporate Manager Property, Leisure & Climate Change. Jason Ball, Climate and Sustainability Specialist.

1.0 Performance

1.1. Performance Indicators

1.1.1. Progress on Performance Indicators (PI) is provided separately, on the regular Performance and Risk Reports.

1.1.2. The tables below summarise actions and progress in achieving the Council's Corporate Plan *aims* and Climate Strategy *priorities*.

Table 1 - Relevant Aims from the Corporate Plan (CP)

ref	Aim	Notes on actions taken
	Environment	
env 01	Encourage retro-fitting of measures to reduce energy usage in buildings.	<p>The Climate & Sustainability Specialist (C&S Specialist) continues to support teams with projects and improvements in practice and policy.</p> <p>Public Sector Decarbonisation Scheme (PSDS): 2021 heat decarbonisation study completed for Phoenix House and leisure centres; the £300k project to help decarbonise those facilities is in progress; ongoing solar PV generation and export; ongoing effort to bid for further funding etc.</p> <p>Housing: archetypes project; retrofit projects; ongoing solar PV generation; bids for funding.</p> <p>Planning and Regeneration: The C&S Specialist will work with teams to review Plans and Strategies e.g. Culm Garden Village.</p> <p>Forward Planning: C&S Specialist will help develop interim statements etc, to support Local Plan.</p>
env 02	Encourage "green" sources of energy, supply new policies and develop plans to decarbonise energy consumption in Mid Devon.	<p>C&S Specialist has encouraged Environment PDG to consider local renewable energy investments.</p> <p>Securing greener electricity procurement.</p> <p>Solar PV for householders - the Council is part of the Solar Together Devon project.</p> <p>The Council has facilitated the Green Homes Grant and others.</p> <p>Electric Vehicle charging points using renewable energy; the Council is facilitating more locations.</p>
env 03	Identify opportunities to work with landowners to secure additional	Ongoing work with colleagues, parishes and landowners etc, for opportunities and proposals.

	hedgerow planting, biodiversity and reforestation.	
env 04	Consider promoting the designation of the Exe Valley as an Area of Outstanding Natural Beauty (AONB).	The C&S Specialist will liaise with Policy Development Groups and officer teams e.g. Planning and Regeneration to examine this.
env 05	Encourage new housing and commercial developments to be “exemplars” in terms of increasing biodiversity and reducing carbon use.	<p>The C&S Specialist is working with colleagues to promote the importance and benefits of Net Zero performance buildings, sustainable materials, biodiversity net gain, resource protection etc.</p> <p>The C&S Specialist will continue to work on this aim with Forward Planning (statements and policy guidance) and others in the Planning and Regeneration section (e.g. input to Town Centre Plans, Neighbourhood Plans and Master Plans).</p> <p>The C&S Specialist has provided input to help develop Culm Garden Village Sustainability Strategy. The C&S Specialist has commented on the Cullompton Town Centre Masterplan.</p>
env 06	Increase recycling rates and reduce the amounts of residual waste generated.	The C&S Specialist has worked with Street Scene to promote the <i>reduce-reuse-recycle</i> message and improvements in practice e.g. Mid Devon Show.
env 07	Explore large-scale tree-planting projects and re-wilding to enhance biodiversity and address carbon pressures.	<p>The Climate and Sustainability Specialist has worked with Devon County Council (DCC) with a view to the Council being strategic partners in local tree planting, with additional external funding.</p> <p>Up to 1 hectare of Council land assessed for potential planting. The C&S Specialist proactively asked members, staff and parishes for planting proposals (ongoing).</p> <p>The C&S Specialist will work with others to seek external funding and partnership work to support nature recovery and habitat enhancements.</p>
env 08	Promote sustainable farming practices in partnership with local farmers, district and county councils; including research into best practice re better soil management and animal husbandry.	The C&S Specialist will work with others to seek external funding and support partnership work with land managers (e.g. new farming working group).
env 09	Work with parish and town councils to promote the development and retention of parks and play areas across the district.	Outwith the C&S Specialist role, but relevant to e.g. healthy lifestyles, green infrastructure, nature recovery, climate adaptation.
env 10	Support community activities that improve the environment	<p>Ongoing outreach work with groups, partnerships and at parish level to support activity.</p> <p>The new climate and sustainability website.</p> <p>The Housing team has given away free plug-in electricity monitors to social housing tenants.</p>
Homes		
h 01	Introduce zero carbon policies for new development.	The C&S Specialist worked with the Housing Strategy team to embed and respond to Council's aim for Net Zero and to help deliver on this priority.
h 02	Encourage the piloting of Modern Methods of Construction (MMC) and self-build opportunities.	<p>The Council's Building Services team are commissioning modular housing with SAP 'A' scores (Standard Assessment Procedure) with renewable energy installed to achieve Net Zero emissions.</p> <p>The Council is a supporter of the National Custom and Self Build Association and continues to invite</p>

		proposals for custom and self-build projects.
h 03	Use new development as opportunities to help communities to become increasingly sustainable and self-sustaining at neighbourhood level (district heating, energy use, recycling / re-use systems etc.).	Refer to work on Housing Strategy and advising opportunities e.g. Culm Garden Village. The C&S Specialist will work with others e.g. Planning and Regeneration to help realise this aim.
Economy		
ec 01	Promote zero carbon exemplar sites within commercial settings.	The C&S Specialist will work with others in the Property team and colleagues in Planning and Regeneration to realise this.
ec 02	Use car park pricing mechanism to effectively balance the needs of vehicular access with those of reducing car use.	This seems a natural next step after the 2021 Electric Vehicle (EV) charging units project.
ec 03	Promote the development of the farming economy and local food production.	Local sourcing and networks. (as above)
ec 04	Working in partnership with farmers to develop and grow markets on the principle of reducing carbon emissions and sustainability.	The C&S Specialist will work with others to seek funding, partnership work, and promote good practice exemplars.
Community		
c 01	Work with developers and Devon County Council to deliver strategic cycle routes between settlements and key destinations.	The C&S Specialist will work with others in Planning and Regeneration to realise this.
c 02	Secure decent digital connectivity for all of Mid Devon.	The C&S Specialist will encourage this via Planning and Regeneration teams.
c 03	Work with education providers to secure appropriate post-16 provision within the district to minimise the need to commute out for A/T level studies.	The C&S Specialist will encourage this via Planning and Regeneration teams.
c 04	Promote new, more integrated approaches to promoting good health and healthier living especially in the context of planned new developments.	The C&S Specialist will encourage this via Planning and Regeneration teams.

Table 2 - Climate Strategy (CS) 2020-24 Key Priorities

	Key Priorities	Notes on actions taken
1	Increase climate knowledge, literacy and capacity at Mid Devon District Council.	Net Zero Advisory Group (NZAG) active. Ongoing: the C&S Specialist is working with the learning and communications teams.
2	Identify schemes that will put us on track for net zero carbon by 2030.	Ongoing work to facilitate and manage the Council's Climate Action Plan. The Council has decided to procure greener electricity to reduce its climate impact.
3	Enable and encourage the use of renewable energy locally.	Solar PV scheme. EV chargers.
4	Create a 'Community Climate & Biodiversity Support Fund'.	The C&S Specialist will seek funding from internal and external sources. The NZAG has begun to consider how best to set up a grant.
5	Identify cycling and walking priorities and opportunities	TBC. The C&S Specialist will work with colleagues to seek funding and partnership opportunities. Must link into Devon level plans.
6	Review and update MDDC Procurement strategies.	The C&S Specialist has initiated a review.

1.2. Monitoring the Council's Carbon Footprint.

- 1.2.1. The Council reports its 'Greenhouse Gas Inventory' or 'Carbon Footprint' which is an assessment of its climate change impact as an organisation, measured in tonnes of carbon dioxide equivalent (tCO₂e). The tCO₂e is based on the Global Warming Potential (GWP) of different greenhouse gases over a 100-year period in comparison to carbon dioxide (CO₂).
- 1.2.2. Carbon Footprint assessments were carried out by the University of Exeter using internationally accepted methods, and cover Scopes 1, 2, and 3.
- 1.2.3. For the reporting period inclusive of April 2018 to March 2019: gross emissions were 20,372 tCO₂e. This was the 'baseline' year.
- 1.2.4. Net emissions are calculated based on reductions in greenhouse gas emissions linked to e.g. the generation of renewable energy. Net emissions will be estimated in retrospect for 2018-2019.

Table 3 - Mid Devon District Council - Carbon Footprint

Year	Gross (tCO ₂ e)	Net (tCO ₂ e)
Apr 2018 - Mar 2019	20,372	(TBC)
Apr 2019 - Mar 2020	19,754	19,439
Apr 2020 - Mar 2021	19,407	19,122

Contact for more Information: Andrew Busby - Corporate Manager Property, Leisure and Climate Change: Email ABusby@MidDevon.gov.uk Tel: 01884 255255. Jason Ball - Climate and Sustainability Specialist: Email: JBall@MidDevon.gov.uk Tel: 01884 255255.

Circulation of the Report: Cabinet Member for the Environment and Climate Change, Leadership Team.

List of Background Papers: The previous climate change and sustainability report provided to the [Environment Policy Development Group](#) on [07 September 2021](#). Link to [Report](#). Link to [Appendix A](#).

ENVIRONMENT PDG 2ND NOVEMBER 2021

PUBLIC SPACES PROTECTION ORDER - DOGS

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

Reason for Report and Recommendations: To consider whether a proposed variation to the Mid Devon (Public Spaces Protection) (Dog Control) Order 2021 (the 'PSPO') should go out to consultation. The proposed variation (Appendix A) is to add two locations (the 'Locations') to the list of areas in the PSPO where dogs are only allowed if on a lead as per clause 6.2 and Schedule C of the PSPO. The Locations are (1) an area of open space at Millhayes Hemyock as shown on the plan at Appendix B to this report and (2) a recreation ground Longmead Hemyock as shown on the plan at Appendix C to this report

RECOMMENDATION: that Cabinet be asked:

- 1. To authorise for consultation on a proposed variation order to the PSPO which will 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**

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 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.

Risk Assessment: The Locations that have been identified by Hemyock 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.

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.

1.2 Hemyock Parish Council asked, prior to the making of the PSPO, that the Locations be included in the PSPO as areas where dogs must be on leads. Unfortunately this request was 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 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 toxocarasis 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 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.
- 1.11 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.
- 1.12 There are many localities available in the District for dogs to be exercised freely. These areas 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.
- 1.13 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.
- 1.14 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.
- 1.15 It is considered that including the 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 be exercised off lead.
- 1.16 Both 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.

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
- 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 area at the Locations.

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.

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

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

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

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

**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, and
- An area of open space situated at Millhayes Hemyock

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

“**Two Plans**” means the two plans attached to this Order

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

“**Plan 37**” means the plan marked “Plan 37” 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 [] 2021.

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 Two Plans which shall be inserted after Plan 36 but before Plan 37;

b) by adding the following words to Schedule C to the 2021 Order :-

“Plan 36A - Recreation Ground Longmead Hemyock

Plan 36B - Open Space at Millhayes Hemyock”.

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.

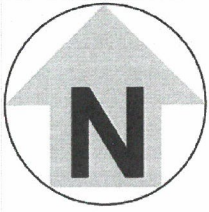
THE COMMON SEAL OF Mid Devon District Council

was hereunto affixed

in the presence of:-

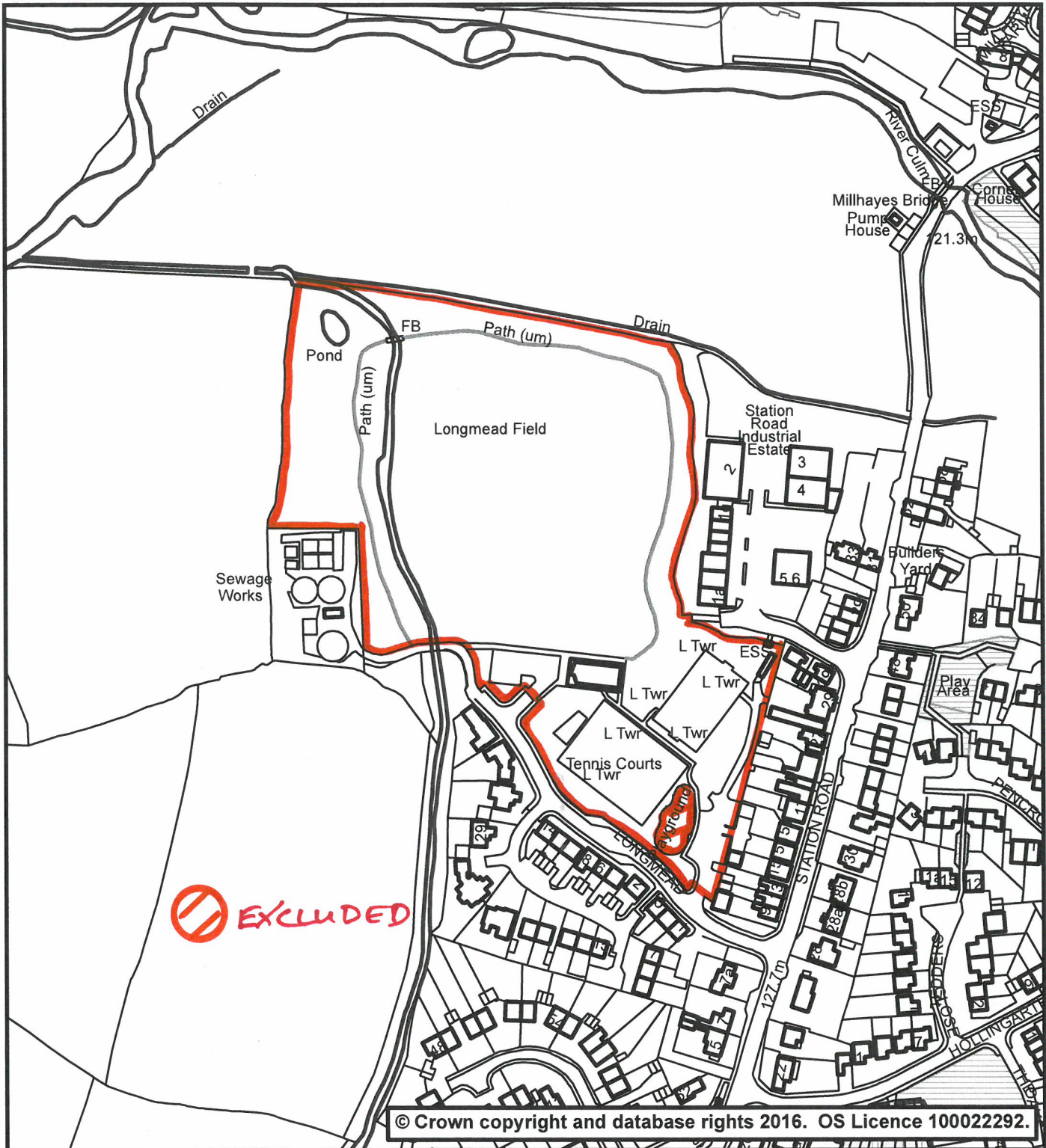
Authorised Signatory

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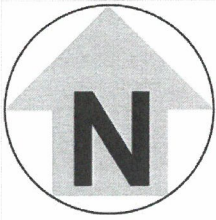
Phoenix House
Phoenix Lane, Tiverton EX16 6PP

Tel: 01884 255255 Website: www.middevon.gov.uk



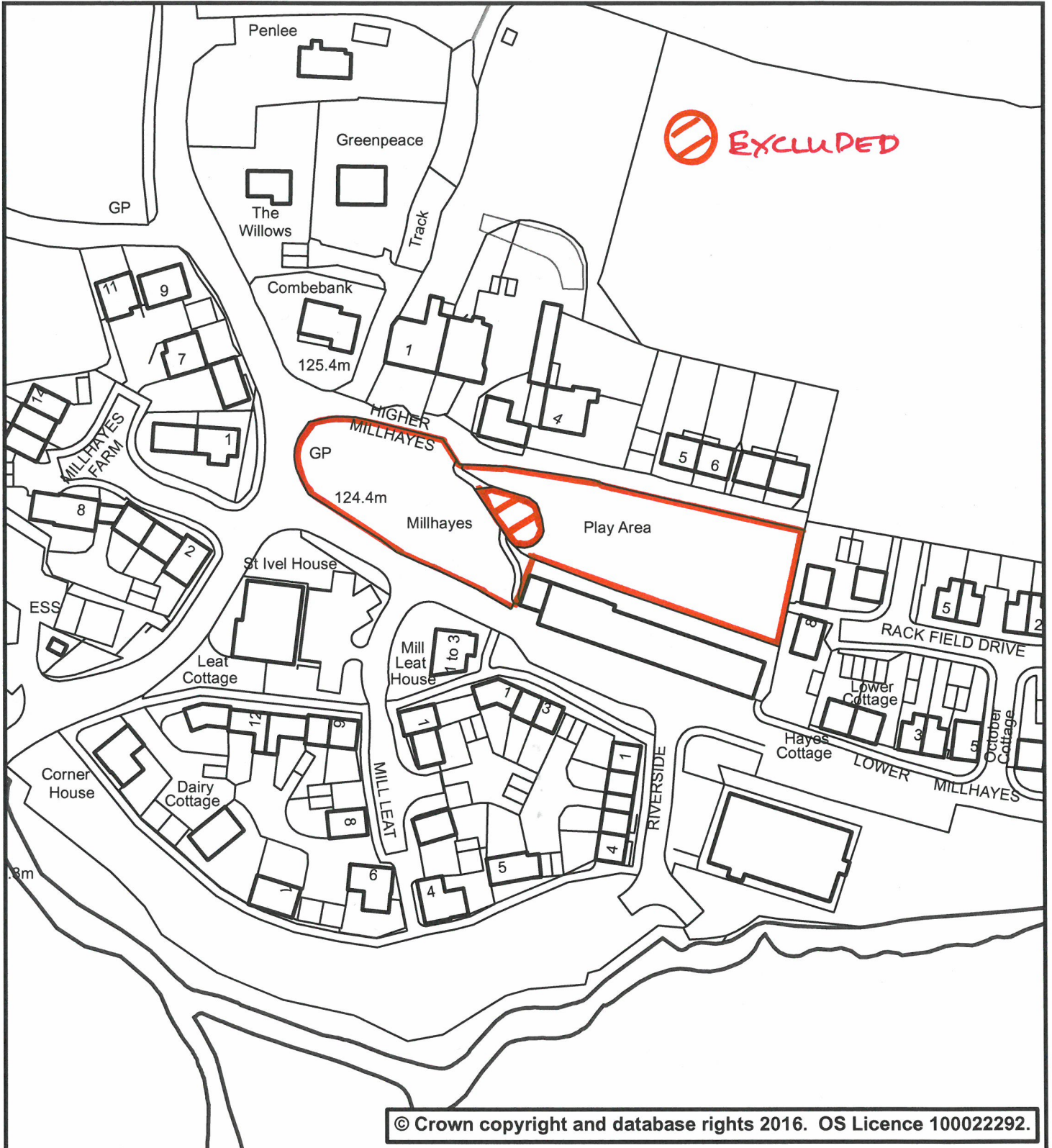
Recreation Ground - Longmead Hemyock	
Scale: 1:2,500	Date: 11/02/2021
Drg. No: Not Set	User Name: sdenham

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Phoenix House
Phoenix Lane, Tiverton EX16 6PP

Tel: 01884 255255 Website: www.middevon.gov.uk



Open Space - Millhayes Hemyock

Scale: 1:1,250

Date: 26/02/2021

Drg. No: Not Set

Page 35 of 35 Name: sdenham

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ENVIRONMENT POLICY DEVELOPMENT GROUP 2ND NOVEMBER 2021

MEDIUM TERM FINANCIAL PLAN – General Fund (GF), Housing Revenue Account (HRA) and Capital Programme

Cabinet Member Cllr Andrew Moore, Cabinet Member for Finance
Responsible Officer Andrew Jarrett – Deputy Chief Executive (S151)

Reason for Report: To present to Members the updated Medium Term Financial Plan (MTFP) which covers the period 2022/23 to 2026/27 and options available in order for the Council to set a balanced budget.

RECOMMENDATION: Members note the updated MTFP's and feedback to Cabinet their recommendations for resolving the forecast budget shortfall.

Relationship to Corporate Plan: The Medium Term Financial Plan (MTFP) sets out the financial resources available to deliver the Council's ongoing Corporate Plan priorities.

Financial Implications: The implications of the revised budget gap are set out within the paper. Many areas require greater clarity, therefore a number of key assumptions underpin the reported position, which will be refined as greater clarity is received through the budget setting process.

Budget and Policy Framework: The Council has an annual legal requirement to set a balanced budget. The MTFP provides an overarching steer of what the Council can afford to deliver over a rolling five year period and is instrumental in setting the budgetary context for next year's budget setting process.

Legal Implications: None directly arising from this report, although there is a legal obligation to balance the budget. There are legal implications arising from any future consequential decisions to change service provision, but these would be assessed at the time.

Risk Assessment: The MTFP makes a number of financial assumptions based on a sensible/prudent approach. The Council must ensure that the budget proposals are robust and achievable.

Equality Impact Assessment: No implications arising from this report.

Climate Change Assessment: Some provision has already been included in the base budget and further evaluation/consideration will be made as the draft budget process progresses. Significant investment is currently forecast within the Capital Programme, however this will be dependent upon full options appraisals and levels of Grant funding available.

- 1.1 The main purpose of the MTFP is to show how the Council will strategically manage its finances across the five year period 2022/23 to 2026/27 in order to support the delivery of the priorities detailed in the Corporate Plan. It collectively covers the General Fund, the Capital Programme and the Housing Revenue Account.
- 1.2 Members are referred to the MTFP report to 26 October 2021 Cabinet for greater detail. This report assumes that Members have read that report.
- 2.1 The starting base for the MTFP is the 2021/22 approved budget, which is then adjusted for any supplementary estimates approved by the Council or any significant budget variances identified in the monthly budget monitoring report to the Cabinet.
- 2.2 This base then has to be adjusted for unavoidable costs, such as, pay increases, inflation, service pressures associated with new legislation, a growing residential or business property base or improving performance, etc. The MTFP will also consider forecasts for investment receipts and income from fees and charges.
- 2.3 Finally the MTFP considers and makes assumptions regarding future levels of funding, in particular Council Tax including the potential growth in tax base, Business Rates again including any movement in the baseline as well as changes in the reliefs, multipliers and overall retention levels. Forecasts are also made for the likely level of future Central Government funding.
- 2.4 The key inflationary assumptions underpinning the General MTFP and an indication of their sensitivity to movements in the assumptions are:

2022/23	Budget £k	Inflation Assumption %	2022/23 Forecast Financial Impact £k	1% Change £k	5% Change £k
Staffing	12,660	3.75%*	475	127	633
NDR on Council Properties	703	1%	7	7	35
Gas	99	1%	1	1	5
Electric	293	1%	3	3	15
Water	148	1%	1	1	7
Members Allowances	323	3.75%*	12	3	16
Insurance	203	20%	41	2	10
Fuel	355	2%	7	4	18
Leisure Fees and Charges	(3,093)	3%	(93)	(31)	(155)
Support Service Recharge to HRA	(1,501)	3.75%*	(56)	(15)	(75)
TOTAL	10,190		398	102	509

2.5 The resulting forecast General Fund position is therefore:

2021/22		2022/23	2023/24	2024/25	2025/26	2026/27
£000		£000	£000	£000	£000	£000
11,870	Expenditure	11,651	11,612	11,909	12,041	12,335
(11,870)	Funding	(10,579)	(9,932)	(10,178)	(10,429)	(10,692)
0	Annual Shortfall	1,072	607	52	(119)	30
0	Cumulative Shortfall	1,072	1,680	1,732	1,612	1,643

2.6 There are still some fundamental issues that have not been resolved that may either improve or worsen the summary budget that can be summarised as follows:

- Impact of the Comprehensive Spending Review (SR21) and the Autumn Budget and their consequences for the Local Government Financial Settlement due in December;
- Changes to Central Government funding schemes including New Homes Bonus and Business Rate allocations/mechanics;
- Longer term implications of Covid-19
- Ongoing service reviews (including changes to fees and charges) as services look to improve the efficiency and effectiveness of their delivery.

2.7 The specific Service Units within the General Fund budget and the current projection of their 2022/23 budget is included within **Appendix 1**.

2.8 During the summer, Leadership Team and services have been reviewing a range of budget options that could be considered in order to help mitigate that remaining budget shortfall across the five years of this MTFP. This also includes some possible additional costs that could arise. These Budget Options can be found in **Appendix 2** and will form the basis of the Committee's discussions. In addition, the Committee is asked to identify further options to resolve the immediate budget gap for 2022/23 and future years.

3.1 The Capital Programme includes new bids for capital funding to support new programmes as well as 'rolling' items already highlighted in the current year's Capital Programme In February, Member's will be asked to approve the Year 1 programme and note the indicative future years.

3.2 The table below shows the capital funding position during the life of the MTFP:

MTFP Capital Programme

2021/22		2022/23	2023/24	2024/25	2025/26	2026/27
£000		£000	£000	£000	£000	£000
	General Fund:					
10,755	Capital Requirement	25,158	38,293	17,013	14,050	7,574
	Funded by:					
2,094	Existing Funds	14,360	15,386	1,698	665	644
8,661	PWLB Borrowing	10,798	22,907	15,315	13,385	6,930
10,755	Total Funding	25,158	38,293	17,013	14,050	7,574
	Housing Revenue Account:					
6,950	Capital Requirement	29,462	19,930	17,790	21,830	17,100
	Funded by:					
3,733	Existing Funds	10,237	10,175	10,266	10,667	9,272
3,217	PWLB Borrowing	19,225	9,755	7,524	11,163	7,828
6,950	Total Funding	29,462	19,930	17,790	21,830	17,100
17,705	Overall Capital Requirement	54,620	58,223	34,803	35,880	24,674
17,705	Overall Funding	54,620	58,223	34,803	35,880	24,674

- 3.3 This forecast shows a marked increase in the borrowing requirement over the duration of the MTFP. This is largely due to a significant plan to increase the HRA Housing stock through the HRA and plans to fund housing developments through 3Rivers. Similarly, a number of bids are included that will help the Council deliver its commitment to climate change and reducing carbon emissions.
- 3.4 The specific schemes related to this committee are shown in **Appendix 3**.
- 3.5 The Committee is asked to review the bids and feedback to Cabinet any recommendations to increase/reduce them and any alternative options for Cabinet to consider.
- 4.1 The HRA is a ring-fenced account within Mid Devon's financial accounting system. This means that a balanced budget must be set each year including all income and expenditure pertinent to the Council's landlord function and excluding all other income and expenditure (since this would be captured as part of the General Fund budget).
- 4.2 Within the HRA MTFP assumptions have been included for inflation broadly in line with those included in the General Fund. In addition, funding is included to address costs arising from new legislation post Grenfell, the recommendations from the recent Fire Assessment Audit and Carbon reduction, the latter being offset by assumed external funding. A prudent assumption of a 3% rent increase has been applied in 2022/23 allowing for the ongoing impact of Covid-19 and economic constraints.

4.3 The draft HRA MTFP for 2022/23 to 2026/27 is summarised below:

2021/22		2022/23	2023/24	2024/25	2025/26	2026/27
£000		£000	£000	£000	£000	£000
7,059	Direct Expenditure	7,978	8,137	8,348	8,564	8,787
(13,218)	External Income	(13,576)	(14,247)	(14,824)	(15,692)	(16,273)
(6,159)	Net Cost Of Services	(5,598)	(6,110)	(6,476)	(7,128)	(7,486)
6,159	Indirect Expenditure	5,499	6,109	6,775	7,196	7,705
0	Budget (Surplus) / Deficit	(99)	(1)	299	68	219
0	Cumulative (Surplus) / Deficit	(99)	(100)	199	267	486

4.4 The full HRA HTFP can be found in **Appendix 4**.

4.5 There is a marked increase in the cost of Capital Financing reflecting the proposed investment in housing shown in the Capital Programme. Assumptions have been made on the opportunity to increase the number of units, the cost of these units, the timing of the build programme, and the impact on the HRA finances including debt financing and additional rental income generated based upon Social Rent.

4.6 Overall this shows that only the first two years of the forecast is able to generate a surplus and therefore contribute to the Housing Maintenance Fund (HMF). In the remaining years there is a deficit that needs to be addressed, rising to £486k if no remedial action is taken.

4.7 The Committee is asked to review the HRA MTFP and feedback to Cabinet any recommendations for Cabinet to consider.

5.1 Having a realistic financial plan for the next five years will enable the Council to ensure it is allocating its limited financial resources to its key priorities. The current Corporate Plan sets out the Council's goals/objectives and must clearly be matched by the financial resources that are available.

5.2 Members of the committee are invited to review the financial position and recommend to Cabinet ongoing options that might address the forecast budget shortfalls.

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

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PDG SERVICE UNIT MOVEMENTS

Service Unit	Direct Costs Detail	2021/2022 Annual Budget £	Reversal of One-off Adjustments £	Add Back Covid-19 Income £	Inflation £	2022/2023 Forecast Budget £	Movement £	+/- %
Cabinet								
SCM01	Leadership Team	406,590			14,776	421,366	14,776	4%
SCM02	Corporate Functions	95,740			3,491	99,231	3,491	4%
SCM03	Corporate Fees	152,450			712	153,162	712	0%
SCM06	Pension Backfunding	779,690			-	779,690	-	0%
SES01	Emergency Planning	8,150			-	8,150	-	0%
SFP01	Accountancy Services	533,720			15,277	548,997	15,277	3%
SFP02	Internal Audit	94,410			-	94,410	-	0%
SFP03	Procurement	113,470			3,883	117,353	3,883	3%
SFP04	Purchase Ledger	45,840			1,640	47,480	1,640	4%
SFP05	Sales Ledger	44,770			1,640	46,410	1,640	4%
SHR01	Human Resources	387,360			12,989	400,349	12,989	3%
SHR02	MDDC Staff Training	29,870			-	29,870	-	0%
SHR03	Payroll	36,370			1,364	37,734	1,364	4%
SHR04	Learning And Development	47,500			1,402	48,902	1,402	3%
SIT01	It Gazetteer Management	70,500			2,514	73,014	2,514	4%
SIT03	It Information Technology	968,430			20,744	989,172	20,742	2%
SLD01	Electoral Registration	230,820	(45,000)		4,034	189,854	(40,966)	-18%
SLD02	Democratic Rep And Management	504,460			16,954	521,414	16,954	3%
SLD04	Legal Services	368,503			12,724	381,227	12,724	3%
SPR01	Building Regulations	59,430		(44,000)	8,258	23,688	(35,742)	-60%
SPR04	Local Land Charges	(16,970)		(1,500)	27,053	8,583	25,553	-151%
SRB01	Collection Of Council Tax	442,380			14,135	456,515	14,135	3%
SRB02	Collection Of Business Rates	(105,380)			18	(105,362)	18	0%
SRB03	Housing Benefit Admin & Fraud	126,270	(9,960)		9,330	125,640	(630)	0%
SRB04	Housing Benefit Subsidy	65,000			-	65,000	-	0%
SRB06	Debt Recovery	71,810			2,638	74,448	2,638	4%
TOTAL CABINET PDG		5,561,183	(54,960)	(45,500)	175,573	5,636,294	75,111	1%
Community PDG								
SCD01	Community Development	138,500	15,560		-	154,060	15,560	11%
SCS20	Customer Services Admin	23,350			-	23,350	-	0%
SCS22	Customer First	751,010			26,242	777,252	26,242	3%
SES03	Community Safety - C.C.T.V.	45,200			38	45,238	38	0%
SES04	Public Health	3,990			-	3,990	-	0%
SES11	Pool Cars	280			637	917	637	228%
SES16	Es Staff Units/Recharges	750,610			26,030	776,640	26,030	3%
SES17	Community Safety	6,220			-	6,220	-	0%
SES18	Food Safety	(24,200)			414	(23,786)	414	-2%
SES21	Licensing	48,480		(30,340)	5,120	23,260	(25,220)	-52%
SES22	Pest Control	5,000			-	5,000	-	0%
SES23	Pollution Reduction	(580)			414	(166)	414	-71%
SPR02	Enforcement	91,780			3,023	94,803	3,023	3%
SPR03	Development Control	825,420	(355,753)	(129,650)	35,860	375,877	(449,543)	-54%
SPR09	Forward Planning	263,550			-	263,550	-	0%
SPR11	Regional Planning	249,903		(1,800)	-	248,103	(1,800)	-1%
SR01	Recreation And Sport	906,999		(464,687)	(10,025)	432,287	(474,712)	-52%
TOTAL COMMUNITY PDG		4,085,512	(340,193)	(626,477)	87,753	3,206,595	(878,917)	-22%
Economy PDG								
SCD02	Economic Development	79,420		(6,910)	3,977	76,487	(2,933)	-4%
SCP01	Parking Services	(529,250)		95,000	3,065	(431,185)	98,065	-19%
SPR06	Economic Development	552,360	(34,000)		-	518,360	(34,000)	-6%
SPS12	Gf Properties Shops/Flats	(401,060)			1,297	(399,764)	1,297	0%
TOTAL ECONOMY PDG		(298,530)	(34,000)	88,090	8,339	(236,101)	62,429	-21%
Environment PDG								
SES02	Cemeteries	(62,630)			1,234	(61,396)	1,234	-2%
SES05	Open Spaces	200,854			493	201,347	493	0%
SGM01	Grounds Maintenance	555,436			22,001	577,437	22,001	4%
SPS01	Asset Management	40,000			-	40,000	-	0%
SPS03	Flood Defence And Land Drain	26,430			-	26,430	-	0%
SPS04	Street Naming & Numbering	7,810			236	8,046	236	3%
SPS05	Administration Buildings	262,420			3,392	265,812	3,392	1%
SPS06	MDDC Depots	74,990			957	75,947	957	1%
SPS07	Public Transport	(15,280)			168	(15,112)	168	-1%
SPS09	Property Services Staff Unit	738,890			26,631	765,521	26,631	4%
SPS11	Public Conveniences	63,980			838	64,818	838	1%
SWS01	Street Cleansing	420,440			14,294	434,734	14,294	3%
SWS02	Waste Collection	229,459	75,000	(19,000)	40,382	325,841	96,382	42%
SWS03	Recycling	1,017,000	(60,000)	(167,530)	46,818	836,288	(180,712)	-18%
SWS04	Waste Management	366,440			11,482	377,922	11,482	3%
TOTAL ENVIRONMENT PDG		3,926,239	15,000	(186,530)	168,925	3,923,634	(2,605)	0%
Homes PDG								
SES15	Private Sector Housing Grants	(3,630)			-	(3,630)	-	0%
SHG03	Homelessness Accommodation	396,640	(66,850)		13,707	343,497	(53,143)	-13%
TOTAL HOMES PDG		393,010	(66,850)	0	13,707	339,867	(53,143)	-14%
GRAND TOTAL		13,667,414	(481,003)	(770,417)	454,295	12,870,287	(797,127)	-6%

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Mid Devon District Council - Medium Term Financial Plan

Description	Budget Gap					TOTAL £	
	2022/23 £	2023/24 £	2024/25 £	2025/26 £	2026/27 £		
v1 Annual Budget Shortfall	1,332,295	604,197	49,238	(122,368)	27,276	1,890,638	
v2 Inclusion of 60% of 3R interest charges	(180,000)		60,000	(120,000)	60,000	(180,000)	
v2 Inclusion of GP Surgery loan interest	(80,000)	3,000	3,000	3,000	3,000	(68,000)	
v2 CURRENT BUDGET GAP	1,072,295	607,197	112,238	(239,368)	90,276	1,642,638	
v2 Cumulative Budget Shortfall	1,072,295	1,679,492	1,791,730	1,552,362	1,642,638		

Budget Options to address the MTFP Budget Gap

Previous Options	2022/23 £	2023/24 £	2024/25 £	2025/26 £	2026/27 £	TOTAL £	PDG Committee
1 Recruitment freeze / 12 month ban on filling any vacancies unless proof that the service would fall below legal minimum level	(75,000)	(50,000)	(50,000)	0	0	(175,000)	ALL
2 Leisure centres. Additional income above general inflation increase based upon new capital expenditure	0		(50,000)	0	0	(50,000)	Community
3 Reduce waste collections to encourage more recycling	0	(136,000)	(75,000)	0	0	(211,000)	Environment
4 Close Public Toilets - Market Sq Crediton, TTC complete ownership of PC, Down St Mary remodel?	(25,000)	(25,000)	0	0	0	(50,000)	Economy
5 Review agency spend and look at why we need to rely on agencies/do things differently	(50,000)	0	0	0	0	(50,000)	ALL
6 Review Court Costs - Amount/Process - Also Recovery to pre COVID levels	(38,000)	0	0	0	0	(38,000)	Homes
7 Phoenix House – sublet office space; creating hot desk areas combined with WFH becoming the normal working practice	0	(30,000)	(50,000)	0	0	(80,000)	Environment
8 Invest in our own hydro scheme	0	0	(49,000)	0	0	(49,000)	Environment
9 Move staff out of Old Road, GF purchase building and lease back to HRA until decommissioned	0	(38,000)	0	0	0	(38,000)	Environment
10 Reduce grants to charitable organisations, other than those who support our statutory obligations	(13,000)	(13,000)	0	0	0	(26,000)	Community
	(201,000)	(292,000)	(274,000)	0	0	(767,000)	

New Options to be review / worked up

Ref Description	2022/23 £	2023/24 £	2024/25 £	2025/26 £	2026/27 £	TOTAL £	PDG Committee
1 Funding							
a Council Tax Collection Fund gain (one-off)	(200,000)	200,000	0	0	0	0	Economy
b Council Tax Recovery/Growth - refine assumptions	£???	£???	£???	£???	£???	0	Economy
c Business Rates Collection Fund gain	(100,000)	100,000	0	0	0	0	Economy
d Business Rates Recovery/Growth - refine assumptions (particularly retention/reset)	(100,000)	£???	£???	£???	£???	(100,000)	Economy
e Future Business Rates Growth - both Costs and Income in relation to: Hitchcotts (30%), J27, J28, EUE, North Western Cullompton Expansion, Hartnells etc	0	(200,000)	(100,000)	(100,000)	(100,000)	(500,000)	Economy
f Continuation of Lower Tier Services Grant	£???	£???	£???	£???	£???	0	Not Applicable
g Finalisation of New Homes Bonus - possible supplementary payment - new replacement scheme	£???	£???	£???	£???	£???	0	Not Applicable
h Implications of Fair Funding Review - possible new grant funding - removal of Negative RSG - Potential exposure to Business Rates rebasing	(180,000)	200,000	100,000	£???	£???	120,000	Not Applicable
i1 3 Rivers Returns - increased Interest above that already built in	(140,000)	150,000	(50,000)	10,000	160,000	130,000	Homes
i2 3 Rivers Returns - Dividend Payments	0	0	(250,000)	£???	£???	(250,000)	Homes
j GP Surgery Loan - Phase 2	0	0	(80,000)	0	0	(80,000)	Economy
	(720,000)	450,000	(380,000)	(90,000)	60,000	(680,000)	

Ref Description	2022/23 £	2023/24 £	2024/25 £	2025/26 £	2026/27 £	TOTAL £	PDG Committee
2 Transformation							
a Decarbonisation Savings	(40,000)	£???	£???	£???	£???	(40,000)	Environment
b Property Rationalisation - savings on overheads - Play Parks ?? - Amenity Car Parks??	£???	£???	£???	£???	£???	0	Environment
c Digital Transformation - Costs and Savings	(30,000)	(60,000)	(30,000)	0	0	(120,000)	Community
d HIF Projects - Base position reflects £18m Grants - Additional pressures i.e. interest etc (hopefully offset by Levelling Up Bid)	£???	£???	£???	£???	£???	0	Community
e Harlequin Valet - receipt from sale of asset (possible £100k one-off - use in-year or next year?)	£???	0	0	0	0	0	Not Applicable
f NET Reduced costs as outcome of "hybrid working" - Reduced travel costs - Greater Productivity - Additional IT Costs	£???	£???	£???	£???	£???	0	ALL
	(70,000)	(60,000)	(30,000)	0	0	(160,000)	

Ref Description	2022/23 £	2023/24 £	2024/25 £	2025/26 £	2026/27 £	TOTAL £	PDG Committee
3 Other Savings?							
a Review Fees and Charges - Green / Trade Waste - Discretionary elements of Licensing / Planning - Car Park Fees	(50,000)	£???	£???	£???	£???	(50,000)	ALL
b Additional implications of CRF and Levelling up Bids	£???	£???	£???	£???	£???	0	Community
c Review HRA Recharges - refine further	(5,000)	£???	£???	£???	£???	(5,000)	Homes
d Reduce Corporate Subscriptions / Fees	£???	£???	£???	£???	£???	0	ALL
e Commercialise Services	£???	£???	£???	£???	£???	0	ALL
f Increase subscriptions to Piper Alarms	£???	£???	£???	£???	£???	0	Homes
g Outsource Homelessness provision - reduced admin costs	£???	£???	£???	£???	£???	0	Homes
h Refine Inflation Assumptions - Services to "consume their own smoke"	£???	£???	£???	£???	£???	0	ALL
	(55,000)	0	0	0	0	(55,000)	

Ref Description	2022/23 £	2023/24 £	2024/25 £	2025/26 £	2026/27 £	TOTAL £	PDG Committee
4 Possible Costs							
a Climate Change Commitment Implications (over and above associated grant funding)	50,000	50,000	50,000	50,000	50,000	250,000	Environment
b Cyber Security - Insurance premium - Costs arising from Audit recommendations	20,000	£???	£???	£???	£???	20,000	Not Applicable
c CCTV - additional spend?	£???	£???	£???	£???	£???	0	Economy
d1 SFS Leasing Contract - Maintenance costs	30,000	30,000	30,000	30,000	30,000	150,000	Environment
d2 SFS Leasing Contract - Lease costs	65,000	15,000	15,000	15,000	15,000	125,000	Environment
e Additional implications of CRF and Levelling up Bids	£???	£???	£???	£???	£???	0	Community
f Stop sharing Transport Manager post with Exeter City Council	20,000	0	0	0	0	20,000	Environment
g Contributions for bedding from Town Councils - ceased	13,000	0	0	0	0	13,000	Community
h Increase in asset maintenance programme	50,000	£???	£???	£???	£???	50,000	Environment
i Increased Audit Fees under new procurement framework	20,000	20,000	£???	£???	£???	40,000	Not Applicable
j Increased Pension Deficit - Higher Back Funding requirement - Higher contribution rates	0	100,000	0	0	100,000	200,000	Not Applicable
k Carlu Close - possible increase in Rental payment - possible reduced utilities	30,000	0	0	0	0	30,000	Environment
l1 Updated Capital Programme - GF revenue implications - Interest	54,000	174,000	(3,000)	(101,000)	(98,000)	26,000	ALL
l2 Updated Capital Programme - GF revenue implications - Minimum Revenue Provision (MRP)	0	45,000	383,000	107,000	63,000	598,000	ALL
m Additional cost implications of Recruitment and Retention pressure	100,000	0	0	0	0	100,000	ALL
n Loss of NHB (capital contribution) - Adequate property maintenance	100,000	100,000	100,000	100,000	100,000	500,000	Not Applicable
	552,000	534,000	575,000	201,000	260,000	2,122,000	

Ref Description	2022/23 £	2023/24 £	2024/25 £	2025/26 £	2026/27 £	TOTAL £	PDG Committee
5 Longer Term Decisions / Tough Choices							
a Reduce Service Provision - Reduce standard - Cease provision	£???	(150,000)	(200,000)	£???	£???	(350,000)	ALL
d Further Commercial Activity	£???	£???	£???	£???	£???	0	Economy
	0	(150,000)	(200,000)	0	0	(350,000)	
Potential MTFP Position	578,295	1,089,197	(196,762)	(128,368)	410,276	1,752,638	
Notes:							
6 Reserves							
a General Fund - 10% above minimum							
b Reallocate NHB - £3m earmarked to support Capital - could be used for Revenue instead							
c Reallocate Other Earmarked Reserves - £15m+ excluding NNDR S31 Grant							
7 Other Issues							
a National changes to waste collection services							
b Ability for planning to be break even							
c No inclusion of National Insurance increase contributions as assumed fully funded							
8 Other Considerations							
a DC Elections May 2023							
b Financial implications from recent petition for referendum on democratic system (c.£300k)							

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CAPITAL PROGRAMME - Medium Term Financial Plan 2022/23 - 2026/27

PDG Committee		Estimated Capital Programme 2022/23 £k	Estimated Capital Programme 2023/24 £k	Estimated Capital Programme 2024/25 £k	Estimated Capital Programme 2025/26 £k	Estimated Capital Programme 2026/27 £k	Total £k	Notes
	General Fund Estates Management							
	Lords Meadow Leisure Centre							
Community	Dance Studio space challenge (Relocation of dance studio)		902				902	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
Community	Fitness Studio renewal of equipment		150				150	
Community	ATP surface replacement		150				150	
Community	Spin Bikes		24				24	
	Exe Valley Leisure Centre							
Community	ATP replacement (50% share with DCC)				150		150	50% Funded by DCC
Community	Spin Bikes		32				32	
	Culm Valley sports centre							
Community	Remodelling dance studio		153				153	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
Community	ATP replacement (50% share with DCC)			150			150	50% Funded by DCC
Community	Ceiling - asset review	260					260	
Community	Fitness Studio renewal of equipment			150			150	
Community	Spin Bikes		24				24	
	Leisure - Climate Change-Net Zero Target (incl heat- decarbonisation)							
Environment	EVLC - Boilers & CHP					80	80	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	EVLC - Air Source Heat Pumps				420		420	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	EVLC - Solar Car Park Cover					390	390	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	EVLC -Ground Source Heat Pumps					520	520	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	EVLC - Building Fabric - Insulation improvements				350		350	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	LMLC -Solar Car Park Cover		640				640	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	LMLC -Ground Source Heat Pump -(for whole site)				170		170	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	LMLC - Building Fabric -insulation improvements					350	350	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	CVSC - Biomass Boiler installation			160			160	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	CVSC -Air Source Heat Pump				170		170	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	CVSC -Ground Source Heat Pumps					220	220	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
Environment	CVSC -Building Fabric -Insulation improvements				200		200	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
	Total Leisure	260	2,075	460	1,460	1,560	5,815	
	Other MDDC Buildings							
Environment	Cemetery Lodge - Structural solution for damp	62					62	
	Phoenix House							
Environment	Cooling options Air Handling Unit			150			150	
Environment	Phoenix House - Air Source Heat Pumps and ducting			450			450	Subject to acceptable Business Case/Financial appraisal and success of External/Salix funding bids
	General Car parks							
Environment	MSCP -Solar carport and additional security					370	370	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
	MDDC Depot sites							
Environment	Depot Design & Build - Waste & Recycling	250	3,500				3,750	Subject to identification of appropriate site
Environment	Recycling Baler replacement			480			480	
	MDDC Shops/industrial Units							
Economy	36 & 38 Fore Street including Flat above structure & cosmetic works	250					250	This is in addition to the £47k identified in 2021/22.

PDG Committee		Estimated Capital Programme 2022/23 £k	Estimated Capital Programme 2023/24 £k	Estimated Capital Programme 2024/25 £k	Estimated Capital Programme 2025/26 £k	Estimated Capital Programme 2026/27 £k	Total £k	Notes
	Parks & Play Areas							
Environment	Amory Park - Hard Court Area		64				64	
Environment	Play Area's - schemes tbc		50	50		50	150	
	Public Conveniences							
Environment	Phoenix Lane Toilets - new construction in fresh position - funding options to be pursued	125					125	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
Environment	Westexe Rec Toilets - Replacement		159				159	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
	Other Projects							
Environment	Hydromills Electricity generation Project - Tiverton Weir	420					420	Funding options to be explored - subject to acceptable Business Case/Financial appraisal. This is in addition to £800k identified in 2021/22 that is forecast to slip into 2022/23.
Economy	Tiverton Market Paving - Permanent Solution		150				150	
	Total Other	1,107	3,923	1,130	0	420	6,580	
	HIF Schemes							
Economy	Cullompton Town Centre Relief Road (HIF bid)	8,414	11,038	597			20,049	Revised Project costs/funding have been incorporated per Cabinet Report 03/08/21 and latest forecast from DCC (July 2021). Revised total project costs £24.9m. 'Levelling Up' funding bid has been submitted for £13.6m, if successful this funding will be used to partially fund costs in this forward looking MTFP but also budgeted costs in 2021/22 (which depending on the speed in which this project progresses may slip into 2022/23). Total project costs in this plan take into account monies already spent in 2019/20 & 2020/21 and the budgeted spend in 2021/22 Capital Programme.
Economy	Tiverton EUE A361 Junction Phase 2 (HIF bid)	4,640	5,100				9,740	Additional £1.9m projected costs assumed in 2023/24 per Cabinet Report 03/08/21 (Total revised project forecast £10.1m). At this stage for illustrative purposes to be funded by borrowing until tendering process complete and revised report brought back to Cabinet regarding delivery contract and associated funding and revised estimated profile of spend.
	Total HIF Schemes	13,054	16,138	597	0	0	29,789	
	ICT Projects							
Not Applicable	Laptop/desktop refresh	50					50	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	Workstation refresh		50				50	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	Secure WIFI Replacement	50					50	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	Server hardware/software Citrix Replacement	40					40	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	MS365 Licensing	100	100	100			300	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	Multi-Factor Authentication	20					20	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	Sophos Security Software	30					30	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	Cyber/Veeam Backup Software/Disaster Recovery	80					80	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	Uninterruptible Power Supply Refresh			20			20	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	VM/Storage Area Network			120			120	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
	Other ICT Service related projects							
Not Applicable	Replacement Access Database - Property Services	100					100	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	Replacement HR Data base	80					80	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
Not Applicable	Leisure management project- System hardware/ software	150					150	Further consideration required as to whether Projects classified in Capital or Revenue; this will be undertaken during the budget process.
	Total ICT	700	150	240	0	0	1,090	

PDG Committee		Estimated Capital Programme 2022/23 £k	Estimated Capital Programme 2023/24 £k	Estimated Capital Programme 2024/25 £k	Estimated Capital Programme 2025/26 £k	Estimated Capital Programme 2026/27 £k	Total £k	Notes
	Private Sector Housing Grants							
Homes	Disabled Facilities Grants-P/Sector	577	581	586	590	594	2,928	
	Total PSH Grants	577	581	586	590	594	2,928	
	TOTAL GF PROJECTS	15,698	22,867	3,013	2,050	2,574	46,202	
	Other General Fund Development Projects							
Homes	3 Rivers Scheme - Bampton	1,206					1,206	Linked to 3 Rivers Business Plan V10
Homes	3 Rivers Scheme - Riverside Development (rear of Town Hall) Tiverton	356					356	Linked to 3 Rivers Business Plan V10
Homes	* 3 Rivers scheme - Knowle Lane, Cullompton (note slippage from 2020/21 will fund planned spend in 2021/22)	1,298	1,426				2,724	Linked to 3 Rivers Business Plan V10
Homes	* 3 Rivers Schemes - Future Projects	4,800	11,500	14,000	12,000	5,000	47,300	Linked to 3 Rivers Business Plan V10
	* These schemes require signed loan agreements before they can be progressed further							
Economy	Park Road (Delivery of this project is yet to be determined until conclusion of marketing exercise & therefore maybe a Capital Receipt)	1,300					1,300	
Economy	Regeneration Project 1		2,500				2,500	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
Economy	Regeneration Project 2	500					500	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
	TOTAL GF OTHER DEVELOPMENT PROJECTS	9,460	15,426	14,000	12,000	5,000	55,886	
	GRAND TOTAL GF PROJECTS	25,158	38,293	17,013	14,050	7,574	102,088	

PDG Committee		Estimated Capital Programme 2022/23 £k	Estimated Capital Programme 2023/24 £k	Estimated Capital Programme 2024/25 £k	Estimated Capital Programme 2025/26 £k	Estimated Capital Programme 2026/27 £k	Total £k	Notes
	HRA Projects							
	Existing Housing Stock							
Homes	Major repairs to Housing Stock	2,255	2,240	2,260	2,280	2,300	11,335	
Homes	*Renewable Energy Fund	250	250	250	250	250	1,250	
Homes	Home Adaptations - Disabled Facilities	300	300	300	300	300	1,500	
	* 22/23 & 23/24 are dependent on SHDF Funding bid in 21/22 - if successful this spend will be b/fwd to 21/22							
	** Housing Schemes (1:4:1 Receipt) Projects							
Homes	Housing Scheme - Project 1	35						Subject to acceptable Business Case/Financial appraisal - 40% Funded through 1:4:1 Monies, additional 35 funding options to be explored
Homes	Housing Scheme - Project 2	130						Subject to acceptable Business Case/Financial appraisal - 40% Funded through 1:4:1 Monies, additional 130 funding options to be explored
Homes	Housing Scheme - Project 3	750						Subject to acceptable Business Case/Financial appraisal - 40% Funded through 1:4:1 Monies, additional 750 funding options to be explored
Homes	Future Housing schemes - 1:4:1 Projects		140	430	2,400			Subject to acceptable Business Case/Financial appraisal - 40% Funded through 1:4:1 Monies, additional 2,970 funding options to be explored
Homes	Affordable Housing/ Purchase of ex RTB	400	400	400	400	400	2,000	Subject to acceptable Business Case/Financial appraisal - 40% Funded through 1:4:1 Monies, additional 2,000 funding options to be explored
	** Housing Development Schemes							
Homes	Housing Scheme - Project 9	1300						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 1,300 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 10	1300						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 1,300 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 11	1500						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 1,500 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 12	1500						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 1,500 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 13	1100						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 1,100 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 14	800						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 800 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 15	4600						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 4,600 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 16	900						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 900 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 17	1000						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 1,000 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 18	900						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 900 respect of additional units created, additional funding options to be explored
Homes	Housing Scheme - Project 19	1400						Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in 1,400 respect of additional units created, additional funding options to be explored
Homes	Future Housing development Schemes		14000	13900	16100	13800	57,800	Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in respect of additional units created, additional funding options to be explored
	** Proposed Council House 1:4:1 & Housing Development schemes subject to full appraisal							
Homes	Westexe - Structural Communal area work (stairwells, steps)	100	350					450 Funding options to be explored - subject to acceptable Business Case/Financial appraisal
Homes	Garages Block - Redevelopment	92						92 This is in addition to the £408k identified in 2021/22, the majority of which is projected to slip into 2022/23
Homes	Post Hill, Tiverton	8,800	2,200					Original timescales/costs have been assumed - subject to scheduling of delivery provider. Planning application to be submitted Jan/Feb 2022
Homes	Old Road Depot remodelling options - forecast expenditure to maintain operations	50	50	250	100	50	500	Assumed Costs to keep building operational
	GRAND TOTAL HRA PROJECTS	29,462	19,930	17,790	21,830	17,100	106,112	
	GRAND TOTAL GF + HRA Projects	54,620	58,223	34,803	35,880	24,674	208,200	

PDG Committee	Estimated Capital Programme 2022/23 £k	Estimated Capital Programme 2023/24 £k	Estimated Capital Programme 2024/25 £k	Estimated Capital Programme 2025/26 £k	Estimated Capital Programme 2026/27 £k	Total £k	Notes
FUNDING							
MDDC Funding Summary							
General Fund							
EXISTING FUNDS	2022/23 £k	2023/24 £k	2024/25 £k	2025/26 £k	2026/27 £k	Total £k	
Capital Grants Unapplied Reserve	577	581	661	665	594	3,078	
Capital Receipts Reserve	130	130	65	0	0	325	
NHB Funding	181	237	110	0	50	578	
Other Earmarked Reserves	418	200	265	0	0	883	
HIF Funding (Tiverton & Cullompton schemes)	6,465	10,550	0	0	0	17,015	
Levelling Up funding bid (Cullompton Relief Road Project)	6,436	3,438	0	0	0	9,874	
DCC Funding (Cullompton Relief Road Project)	153	250	597	0	0	1,000	
Subtotal	14,360	15,386	1,698	665	644	32,753	
NEW FUNDS							
PWLB Borrowing (50 years)	750	6,000	0	0	0	6,750	
PWLB Borrowing (25 years)	758	1,851	610	1,310	1,930	6,459	
PWLB Borrowing (10 years)	330	0	555	75	0	960	
PWLB Borrowing (5 years)	0	230	150	0	0	380	
PWLB Borrowing (3 years)	8,960	12,926	14,000	12,000	5,000	52,886	
Tiverton HIF Scheme - Assumed funded through borrowing from Public Works Loan Board		1,900				1,900	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
Subtotal	10,798	22,907	15,315	13,385	6,930	69,335	
Total General Fund Funding	25,158	38,293	17,013	14,050	7,574	102,088	
Housing Revenue Account							
EXISTING FUNDS	2022/23 £k	2023/24 £k	2024/25 £k	2025/26 £k	2026/27 £k	Total £k	
Homes England Funding	5,862	6,300	6,255	5,848	5,393	29,658	
Capital Grants Unapplied Reserve	170	168	168	168	168	842	
Capital Receipts Reserve	1,380	1,071	1,187	1,975	1,015	6,628	
NHB Funding	21	21	21	21	21	105	
HRA Housing Maintenance Fund	0	0	0	0	0	0	
Other Housing Earmarked Reserves	2,804	2,615	2,635	2,655	2,675	13,384	
Subtotal	10,237	10,175	10,266	10,667	9,272	50,617	
NEW FUNDS	2022/23 £k	2023/24 £k	2024/25 £k	2025/26 £k	2026/27 £k	Total £k	
PWLB Borrowing (50 years)	19,225	9,755	7,524	11,163	7,828	55,495	
Subtotal	19,225	9,755	7,524	11,163	7,828	55,495	
Total Housing Revenue Account Funding	29,462	19,930	17,790	21,830	17,100	106,112	
TOTAL FUNDING	54,620	58,223	34,803	35,880	24,674	208,200	

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ENVIRONMENT PDG WORK PLAN 2021-2022

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
11th January 2022				
11.01.22 1.02.22	Draft MDDC Litter Strategy To receive the MDDC Litter Strategy		Darren Beer	
11.01.22 1.02.22	Bereavement Services Fees and Charges To receive the annual review of Bereavement Services Fees & Charges		Andrew Busby	
11.01.22 1.02.22	Contracted Out Enforcement Duties Group to receive a report from the Group Manager for Street Scene and Open Spaces on the options to engage an external contractor for additional littering and dog fouling enforcement duties in the district.		Darren Beer Darren Beer	
11.01.22	Budget To review revised draft budget changes identified and discuss any further changes required in order for the Council to move towards a balanced budget for 2022-2023		Andrew Jarrett	
11.01.22	Work Plan To receive the current work plan for the Environment PDG. Members to agree and discuss additional items that they would like added to the Work plan		Clare Robathan	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
8th March 2022				
8.03.22	Chairman's Annual Report		Clare Robathan	
8.03.22	<p>Work Plan To receive the current work plan for the Environment PDG.</p> <p>Members to agree and discuss additional items that they would like added to the Work plan</p>		Clare Robathan	
Items for further discussion				
Page 58	<p>Fly Tipping by MDDC Grounds Maintenance Teams Members to discuss the issue and to provide a steer to Officers on how the PDG wishes to proceed to investigate the subject.</p>		Darren Beer	Cllr Burke has indicated that this issue now resolved. PDG to agree if this can be removed from the work plan
	<p>Electricity Distribution Network capacity for increased renewable energy Members to discuss the issue and to provide a steer to Officers on how the PDG wishes to proceed to investigate the subject.</p>		Jason Ball	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
	<p>Recycling Issues Members to discuss the issue and to provide a steer to Officers on how the PDG wishes to proceed to investigate the subject.</p>		Darren Beer	
	<p>Sustainable Farming Members to discuss the issue and to provide a steer to Officers on how the PDG wishes to proceed to investigate the subject.</p>		Jason Ball	
Items deferred to Net Zero Advisory Group for investigation				
Page 59	<p>Sustainable Procurement NZAG to investigate Sustainable Procurement and bring any suggestions to the PDG for recommendation to the Cabinet</p>		Jason Ball	
	<p>Planning Heritage Policy NZAG to investigate the Planning Heritage Policy and bring any suggestions to the PDG for recommendation to the Cabinet</p>		Jason Ball	

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