

Public Document Pack

Mid Devon District Council

Community Policy Development Group

Tuesday, 25 January 2022 at 2.15 pm
Phoenix Chambers, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 22 March 2022 at 2.15 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 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 Mrs E M Andrews

Cllr Mrs C Collis

Cllr W Burke

Cllr L J Cruwys

Cllr J M Downes

Cllr B Holdman

Cllr S Pugh

Cllr Mrs E J Slade

Cllr Mrs M E Squires

AGENDA

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

- 1 **Apologies and Substitute Members**
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2 **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 **Minutes of the Previous Meeting** *(Pages 5 - 8)*
Members to consider whether to approve the Minutes of the last meeting as a correct record.
- 4 **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.
- 5 **Chairmans Announcements**
To receive any announcements that the Chairman may wish to make.
- 6 **Crediton Area History & Museum Society** *(Pages 9 - 10)*
Presentation from Crediton Area History & Museum Society.
- 7 **Budget update 2022/2023** *(Pages 11 - 30)*
To receive a report of the Deputy Chief Executive (S151) reviewing the revised draft budget changes identified and discussing further changes required in order for the Council to move towards a balanced budget for 2022/23.
- 8 **Regulation of Investigatory Powers** *(Pages 31 - 32)*
To receive the annual review of the Council's Policy on the Use of Covert Investigation Techniques¹ (otherwise known as "the RIPA Policy").
- 9 **Work Plan** *(Pages 33 - 34)*
To receive the current work plan for the Community PDG.

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

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

Stephen Walford
Chief Executive
Monday, 17 January 2022

Covid-19 and meetings

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

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

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

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

If you would like a copy of the Agenda in another format (for example in large print) please contact 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 **COMMUNITY POLICY DEVELOPMENT GROUP**
held on 20 December 2021 at 2.15 pm

Present

Councillors

Mrs M E Squires (Chairman)
W Burke, L J Cruwys, J M Downes,
B Holdman, S Pugh and Mrs E J Slade

Apologies

Councillor(s)

Mrs E M Andrews

Also Present

Councillor(s)

R M Deed and D J Knowles

Also Present

Officer(s):

Andrew Jarrett (Deputy Chief Executive (S151)), Jill May (Director of Business Improvement and Operations), John Bodley-Scott (Economic Development Team Leader), Clare Robathan (Policy and Research Officer) and Carole Oliphant (Member Services Officer)

37 APOLOGIES AND SUBSTITUTE MEMBERS (03.04)

Apologies were received from Cllr Mrs E M Andrews.

38 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (03.27)

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

39 PUBLIC QUESTION TIME (03.33)

There were no members of the public present.

40 MINUTES OF THE PREVIOUS MEETING (03.45)

The Minutes of the Meeting held on 16th November 2021 were approved as a correct record and **SIGNED** by the Chairman.

41 CHAIRMANS ANNOUNCEMENTS (04.13)

The Chairman had no announcements to make.

42 GRANTS WORKING GROUP FINAL REPORT (04.20)

The Group had before it a *report from the Director of Place presenting the recommendations from the Community PDG Grants Working Group.

The Economic Development Team Leader outlined the contents of the report and explained that the Working Group had carried out a thorough review and that they had received presentations from all of the Strategic Partners.

Consideration was given to:

- Members views that although they were satisfied with the recommendation that there was not a mechanism for new organisations to apply for a Grant.

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

1. The total Strategic Grants budget to remain at £138,500 for a period of 2 years, and that individual awards to Strategic Partners to remain at the 2020-2021 levels for this period.
2. The level of grant awards to individual partners for 2022-23 and 2023-24 were therefore recommended as:

Organisation	Award 2021-2022 (£)	Award 2022-2023 (£)	Award 2023-2024 (£)
CHAT	12,500	12,500	12,500
Citizen's Advice	15,500	15,500	15,500
INVOLVE	12,000	12,000	12,000
Mid Devon Mobility	22,000	22,000	22,000
Grand Western Canal	45,000	45,000	45,000
Tiverton Museum	27,500	27,500	27,500
TIS	4,000	4,000	4,000
Total	£138,500	£138,500	£138,500

(Proposed by the Chairman)

Reason for the decision: The allocation of grants provides support to external agencies delivering services that advance the Council's Homes, Community and Economy priorities.

Notes:

- I. Cllr L J Cruwys declared a personal interest as he was a Member of the Canal Advisory Committee
- II. *Report previously circulated and attached to the minutes

43 **MTFP PDF REPORT, 16/11/2021 COMMUNITY POLICY DEVELOPMENT GROUP (12.30)**

The Group had before it, and **NOTED**, the *Medium Term Financial Plan from the Deputy Chief Executive (S151) which covered the period 2022/2023-2026/2027 and provided options available in order for the Council to set a balanced budget.

The Leader explained that the budget was not just identifying cuts but the Council needed to look at improving revenue income.

The Deputy Chief Executive (S151) explained that updated detailed reports would be brought to the next meeting and would include details of the Governments funding

settlement which had just been announced. He stated that Leadership Team and Corporate Management had been tasked to look at £500k of savings and the effect that this would have on core services.

Consideration was given to:

- Car parking and leisure revenue had been impacted by the pandemic and it was still not clear if or when the levels would return to pre pandemic levels
- The Council needed to look at structural budget issues and those which were temporary and any shortfall may need a mixture of solutions including the use of reserves
- Commercial ventures which provided economic growth for the District should be investigated and long terms plans to realise these should be considered
- Any economic growth needed to be the right growth, in the right area and in the right way
- There had been issues with the external collection agency who collected the revenue from the car parking machines but this was being addressed.

Note: *Report previously circulated and attached to the minutes.

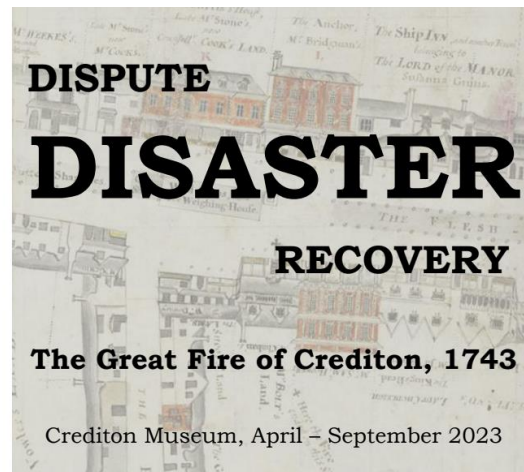
(The meeting ended at 2.54 pm)

CHAIRMAN

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Crediton Area History & Museum Society (CAHMS) Exhibition, Summer 2023 Public Consultation

We're consulting with the local community to shape the CAHMS exhibition planned for 2023. We're looking for feedback, endorsement and support.



Here's some background :

Crediton is lucky to have a remarkable map showing the West Town as it looked just a few months before the Great Fire of 1743.

The Devon Heritage Centre has agreed to let us get high-resolution images of the map as the centrepiece of our Summer 2023 exhibition.

The exhibition will focus on the dispute which led to the creation of the map; the disaster of the fire itself; and efforts to rebuild the town and the local economy following the fire. We want to tell these stories in a way which will appeal to a broad range of people across the local community.

We will need substantial grant funding to make this a success. Funding organisations need to know how their money will be used; and what impact it will have on their objectives. The Heritage Fund, for example, wants to know:

- How a wider range of people will be involved in heritage
- How the local economy will be boosted
- How heritage will be better explained and understood

The first stage of public consultation will be centred on a series of meetings with different groups early in 2022. We will be explaining our proposals and looking for feedback, endorsement and support to take this project forward. We'd like you to join us and help to shape a project which will make a positive contribution to the local community and to heritage in Crediton.

Thank you,

The CAHMS Project Team

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COMMUNITY POLICY DEVELOPMENT GROUP 25 JANUARY 2022

BUDGET 2022/23 - UPDATE

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

Reason for the report: To review the revised draft budget changes identified and discuss further changes required in order for the Council to move towards a balanced budget for 2022/23.

RECOMMENDATION: To consider the updated budget proposals for 2022/23 for the General Fund and Capital Programme and identify additional budget savings options within the Environment PDG's service areas to be formally recommended to Cabinet and Council.

Reason for the recommendation: The Local Government Finance Act 1992 places a legal requirement on the Council to approve a balanced budget. The first draft of the General Fund budget for 2022/23 indicated a deficit of £1.072m. This report updates that deficit to the current position of £1.427m and proposes measures to consider to achieve the statutorily required neutrality.

Relationship to the Corporate Plan: To deliver our Corporate Plan's priorities within existing financial resources.

Financial Implications: The current budget for the General Fund shows a deficit of £1.427m. In addition, as shown in the November report, a funding deficit is also projected in future years. This highlights the need to take steps to plan for further reductions to our ongoing expenditure levels. The Capital Programme shows over £20m investment is planned for the General Fund and a further £11m for the Housing Revenue Account.

Legal Implications: None directly arising from this report, although, as above, 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: In order to comply with the requirement to set a balanced budget, management must ensure that the proposed savings are robust and achievable. We must also ensure that the assumptions we have used are realistic and prudent. Failure to set a robust deliverable budget puts the Council at risk of not being able to meet its commitments and casts doubt on its "going concern" and VFM status.

Equality Impact Assessment: There are no Equalities Impact implications relating to the content of this report.

Climate Change Assessment: The General Fund and Capital Programme contain significant investment in order to work towards the Council's Carbon Reduction Pledge.

1.0 Introduction

- 1.1 On 26 October, the first draft of the Medium Term Financial Plan covering the period 2022/23 to 2026/27 for the General Fund (GF), Capital Programme and Housing Revenue Account (HRA) was presented to Cabinet. The GF indicated a deficit of over £1.6m by the end of the 5-year timeframe. The Capital Programme showed significant investment, subject to appropriate business cases and funding available, in the decarbonisation of our estate and investment in the development of additional housing, and therefore an associated increase in the capital financing requirement. The HRA showed a balance position in the early years of the MTFP, but a budget deficit in the latter years.
- 1.2 This report provides an updated position across the General Fund and Capital Programme following a detailed budgetary review. It also includes the outcomes of the “Provisional local government finance settlement: England, 2022 to 2023” published (16 December).
- 1.3 Within this report is also a summary of the results of the budget section within the Residents Survey recently undertaken. This meeting should consider the budget feedback when reviewing the movements in the budget and when reviewing and identifying new budget options to propose to Cabinet. All of the other feedback from the survey will be reviewed (including any associated action plans) in a Cabinet report in March 2022.
- 1.4 The “Provisional local government finance settlement: England, 2022 to 2023” has just been published (16 December) giving further funding information for next year. The government have indicated that Core Spending Power will rise by an average of 6.88% on the assumption that Councils raise their council tax by the maximum permitted without a referendum. This includes social care authorities who may raise Council Tax by up to 3%, and so the benefit to District Councils is demonstrably lower. For MDDC, our specific increase in Core Spending Power is 0.82% including increasing Council Tax by £5. Therefore, after accounting for inflation, which is currently running at 5.1%, and lost income due to Covid-19, the true impact is a reduction in spending power.

2.0 2022/23 General Fund Budget – Revised Position

- 2.1 The draft budget deficit for 2022/23 has increased to £1.427m. The main reasons for this is:
- Income levels recovering from Covid-19 slower than originally anticipated;
 - Increased assumptions around inflationary uplifts;
 - Reduced income from investments – particularly due to slippage in 3Rivers;
 - Investment in IT systems and vehicle fleet being funded by Revenue instead of Capital;
 - Partially offset by increases in Grant funding, one-off utilisation of Earmarked Reserves and Council Tax income.
- 2.2 The current position is included with **Appendix 1**, which shows the movement at service level.

- 2.3 Although the Chancellor announced an end to the Public Sector Pay freeze in 2022/23, there is no clarity on what the agreed pay award for 2021/22 will be, and negotiations for the 2022/23 uplift have yet to begin. Therefore, the assumptions within the budget remain as before.
- 2.4 The Council has a 30-year cyclical programme of essential property maintenance. After close scrutiny, it is felt that elements of this programme can be delayed until future years and further use of Earmarked Reserves can mitigate any increase in the budget requirement for 2022/23. As the deferred expenditure will still need to be incurred, it is not an overall saving and will not be a benefit during the period of the MTFP.
- 2.5 In 2021/22, a vacancy management factor of £150k was included. This has been removed due to the in-year monitoring showing that the cost of agency cover exceeds the value of salary savings.

3.0 Local Government Funding Settlement

- 3.1 It was expected that the funding settlement would cover a multi-year period, most likely 2022/23 to 2024/25. However, the settlement announced covers only 2022/23 and is largely a roll forward of previous year's settlements.
- 3.2 The New Homes Bonus grant has previously been announced to cease after 2022/23. The Government remains committed to reforming New Homes Bonus to improve how housing growth is incentivised, and their response to the consultation on the New Homes Bonus will be published in the coming months. The 2022/23 allocation increased to £719k from £460k as previously announced. This is due to the inclusion of a further year's allocation. The increase of £259k has been utilised to reduce the current budget deficit.
- 3.3 The Rural Services Delivery Grant will be £490k, frozen at the same level as in 2021/22. There is no clarity on this funding stream beyond 2022/23.
- 3.4 The Lower Tier Services Grant introduced in 2021/22 has been decreased to £99k. This is a loss to the GF of £80k due to amending the distribution mechanism to ensure that no authority receives less in their overall Core Spending Power. There was no commitment for this funding in future years.
- 3.5 A new grant was announced, named 2022/23 Services Grant with MDDC's allocation being £153k. This is similar to the Lower Tier Services Grant newly announced in 2021/22 in that it is unring-fenced and provides funding in recognition of the vital services delivered by Local Government. Although it also includes funding to cover the ongoing cost of the increase in employer National Insurance Contributions, it is announced as one-off.
- 3.6 A summary of these grants is as follows:

	2021-22	2022-23	Movement
	£ millions	£ millions	£ millions
New Homes Bonus	0.959	0.719	- 0.240
Rural Services Delivery Grant	0.490	0.490	-
Lower Tier Services Grant	0.179	0.099	- 0.080
2022/23 Services Grant	-	0.153	0.153
Total Grant Funding	1.628	1.461	- 0.168

Change (£ Millions)	- 0.257	- 0.168	
Change (% Change)	- 13.63%	- 10.28%	

Note: In addition to these core funding streams shown above, it should also be noted that the one-off Covid-19 Grant of £408k has not be reissued in 2022/23. Furthermore, the Income Compensation Claim scheme ceased in Qtr 1 2021/22, which we had estimated £570k. **Therefore the level of government support has actually reduced by £1,146k year-on-year.**

- 3.7 It was confirmed that Councils could raise Council Tax by 1.99% or £5 whichever is higher. The previous assumption was based upon the 1.99% increase, and therefore increasing by £5 instead of 2% provides an additional £22k. Adding to this, the collection rate has been increased to 97.5% (from the previously assumed 97%) based on current performance. This has contributed an additional £33k. The taxbase has increased by over 4% providing additional income of £124k. Finally, the assumptions included within the 2021/22 budget have proven to be prudent and therefore we are forecasting to collect £377k more than anticipated – this will be used to aid the 2022/23 budget.
- 3.8 Government have confirmed that no further funding relating to Covid-19 will be provided. This leaves the Council exposed to the reductions in service income, particularly within Leisure and Car Parking which currently sum to approximately £500k on pre-covid levels.
- 3.9 The Funding Settlement was silent on details of how the Business Rates reset / revaluation, due in 2023/24, will happen. However, the continuation of the Devon Business Rates Pool was confirmed, which should benefit the Council through paying a lower levy on any growth. A refinement of the current Business Rates forecast has reduced the growth by £115k. However, this remains subject to further revision when the NNDR1 form is completed in January. This will then be available for the final draft of this budget.

4.0 Resident’s Survey – Budget Results Summary

- 4.1 During November, the Council undertook a Resident’s Survey. The feedback from which will be reviewed (including any associated action plans) in a Cabinet report in March 2022.
- 4.2 However, part of that survey included specific consultation on the 2022/23 budget. The budget feedback will be considered at the next round of Cabinet and PDG meetings in January. A summary of the budget related responses is included below:
- Over 40% of responses indicated they agreed that the Council’s services provide value for money
 - 38% said the most important priority when making spending decisions was providing basic statutory services, 21% tackling climate change, 19% said providing affordable housing.
 - 46% said when making spending plans the council should protect services even if it means it will need to increase council tax and fees and charges. 29% said the Council should share services with other organisations.

- 52% think the Council should seek to generate additional income from commercial investments while 49% think this should come from planning and building control.
- Of the discretionary services provided by MDDC there was a fairly even balance about which services should be protected. 67% favoured parks and open spaces, 63% public toilets, 52% town centre regeneration.
- Of our statutory services 93% felt waste and recycling service was most important service followed by food and water sampling with 68%, and homelessness at 60%.

4.3 The current proposed budget reflects much of this, through:

- Protecting services – no service reductions are currently included, although there clearly remains a significant deficit to offset;
- Significant investment in decarbonisation of our estate and additional housing;
- New Partnership arrangements have been established for service delivery.

4.4 Income generation is however difficult in the current climate as highlighted in paragraph 3.8 above. This is further constrained by the restrictions Government have placed upon Councils investing in Commercial Income. In most circumstances inflationary increases are applied to service fees and charges.

4.5 Income from Planning Development is largely controlled by Government as planning fees are set nationally. However, it has long been the view that all development service activity, including enforcement, should be funded by the fees paid by those who benefit from development proposals. In light of the residents’ survey, we will write again to our MPs to seek support for allowing local authorities the ability to charge a variable rate for planning matters in order that local Council Tax payers don’t have to subsidise development activity.

5.0 Next Steps

5.1 A significant GF budget deficit still remains and therefore further action is required. The Cabinet and PDG committees will therefore be challenged to find further budget reductions to the value of £500k. Budget reductions can consist of reductions to expenditure or increases in income. This value is apportioned over the various committees in line with the value of the baseline budget of the services reporting to them, as follows:

	2021/22 Budget	% Share	Share of £500k Requirement
Cabinet	5,070,767	37%	185,600
Community	4,330,771	32%	158,400
Environment	4,163,771	30%	152,300
Economy¹	(314,682)	-2%	(11,500)
Homes	416,787	3%	15,200
	13,667,414		500,000

¹ The Economy PDG has a credit baseline budget, therefore any saving or additional income identified will increase the credit, hence the credit target.

- 5.2 This further budget review process can be assisted by reviewing the service unit draft budget proposals shown in **Appendix 2**.
- 5.3 In addition to the above challenge for budget reductions the following options are being considered:

Current (Round 1) budget gap	£1,427k
Less: Cabinet / PDG Budget Challenge	£500k
Release of Earmarked Reserves	c.£250k
Increased income recovery from Covid-19	c.£300k
Reintroduce a Vacancy Factor	c.£100k
Use 2022/23 NHB Allocation to support budget	£???
Further savings yet to be identified	£???

5.4 It is critical that the challenge to find £500k of additional budget reductions is embraced. Without these new options, the Council may be forced to consider taking more from reserves and risks leaving the Council in an imprudent position. **Appendix 3** provides the current assumptions of monies being put into and monies being taken from Earmarked Reserves.

6.0 Capital Programme

6.1 A revised version of the Capital Programme is included in **Appendix 4**. This includes the latest forecast from services, the updated business plan for 3 Rivers Development Limited, and refinement of the Housing Development programme within the HRA. Specifically:

- Items related to ICT infrastructure and systems have been refined. The proposed move to hosting systems and software on cloud based solutions as opposed to on premise servers has resulted in a shift from Capital to Revenue;
- The refreshed Business Plan from 3 Rivers has been reflected – this has delayed investment and the associated returns due to delays in the Council committing to further developments while it reviewed the governance and financial arrangements of the company.
- The delivery of housing development has been refined following further work and the latest survey assessments. This has reduce the borrowing requirement and the associated impact on the HRA.

7.0 Conclusion

7.1 Along with many Local Authorities, the financial challenges facing this Council are immense. A difficult position with significant uncertainties surrounding future funding, has been compounded by the need to maintain essential services whilst losing critical income streams.

7.2 Councils, however, need clarity and certainty about how all local services will be funded over the next few years and beyond. The opportunity for a multi-year settlement has been lost for another year at least. Furthermore, the Council is now left to deal with the lasting impact the COVID-19 pandemic has had on both service demands and revenue raising.

- 7.3 The significant budget deficit remaining is a challenge and the identification of a further £500k of budget reduction is critical to balancing the budget for 2022/23.
- 7.4 Moving forward Members and officers need to look to the pressures over the next few years reflected in our MTFP and our need to address ongoing pressures which cannot be satisfactorily addressed by the one-off use of reserves.
- 7.5 In order to conclude the statutory budget setting process, the PDG's are asked to review and identify further budget options to help balance the budget. These will be proposed to the final meeting of the Cabinet before being agreed at Full Council on the 23 February 2022. During this period officers will continue to identify and examine further savings possibilities that can reduce the longer term budget gap.

Contact for more information: Andrew Jarrett – Deputy Chief Executive (S151)
ajarrett@middevon.gov.uk / 01884 234242

Paul Deal – Corporate Manager for Financial Services
Pdeal@middevon.gov.uk

Background Papers: [2022/23 LGA Provisional Local Government Finance Settlement¹](#)

Circulation of the Report: Leadership Team, Cabinet Member for Finance, and Group Managers

¹ <https://www.gov.uk/government/consultations/provisional-local-government-finance-settlement-2022-to-2023-consultation>

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Policy Development Group / Scrutiny – Updating Sheet – January 2022

Further progress has been made on the 2022/23 draft budget as we move closer towards a balanced budget position for approval in February. This includes some minor alterations to staffing budgets and a thorough review of the Capital Financing implications now that the Capital Programme is largely finalised, which has enable greater use of internal balances to fund the planned capital expenditure. This position is summarised as follows:

	£
January Cabinet	1,427
Further revision to Pay Award Adjustment and staffing Establishment	- 60
Adjustment to Capital Financing estimates following finalisation of Capital Programme	- 420
Current Balance	947
Options to Balance	
PDG Saving Target	- 500
Release Earmarked Reserves	- 200
<i>Further Savings / Income required OR Balancing Contribution from NHB</i>	<i>- 247</i>
	0
Still unknown - Business Rates due next week (£40k growth currently included)	????

Members of the various Policy Development Groups have been tasked with reviewing and identifying additional savings / income generation proposals broadly in line with the following:

	2021/22 Budget	% Share	Share of £500k Requirement
Cabinet	5,070,767	37%	185,600
Community	4,330,771	32%	158,400
Environment	4,163,771	30%	152,300
Economy¹	(314,682)	-2%	(11,500)
Homes	416,787	3%	15,200
	13,667,414		500,000

In addition to Members own ideas and suggestions, to aid the Policy Development Groups with their considerations, Members might find the following topics useful.

Cabinet:

- Increase use of shared services
- Outsource back office services
- Create new company for back office service delivery
- Ensure Procurement delivers VfM
- Reduce Training Budget

- Sell services to other organisations (i.e. to Town/Parish Councils)
- Sell services to other Councils – Arrears (Business Rates / Rent)
- Consider adding back Vacancy Factor budget
- Utilise existing new burdens funding (one-off)

Community:

- Ensure all discretionary services are charged for at maximum allowable charge
- Sell services to business – (i.e. Pre App Advice for licensing)
- Promote channel shift for council services – reduce customer first
- Outsources services (enforcement?)
- Close or further devolve services/asset maintenance and running costs to Town / Parish Councils (i.e. CCTV)
- How to deliver leisure recovery to pre-covid-19 levels and beyond
- Leisure – reconsider closing a site, outsourcing, service levels (un-maned)
- Reduce grants to 3rd parties

Economy:

- Develop on Car Parks and other land assets (i.e. market housing, modular housing)
- Further commercial investment (Maximise opportunities of motorway junctions development for further business growth opportunities)
- Increase commercial rents
- Insource commercial agency agreements

Environment

- Review of waste collection service
- Revisit Waste share saving agreement with Devon CC
- Outsource / share service for Waste
- Close or further devolve services/asset maintenance and running costs to Town / Parish Councils (i.e. Parks, Public Toilets)
- Reduce service provision – reduce grass cutting etc, street cleansing
- Delay Asset investment / maintenance
- Phoenix House – create Hub style set up, rent space to new tenants, more effective use of public estate

Housing:

- Increase subscriptions to Piper Alarms and/or grow the customer base
- Outsource Homelessness DARS - reduced admin costs
- Invest in further housing to reduce B&B costs

General Fund Budget Summary

Appendix 1

Notes	MDDC - MTFP Summary	Agreed Base Budget 2021/22 £	Indicative Base Budget 2022/23 £	Movement £
1	Cabinet	5,561,182	6,205,486	644,304
	Community	4,083,712	3,937,033	(146,679)
	Economy	(296,730)	(69,788)	226,942
	Environment	3,926,239	4,495,664	569,425
	Homes	393,010	468,285	75,275
	Net Direct Cost of Services	13,667,413	15,036,680	1,369,267
2	Net recharge to HRA	(1,501,410)	(1,557,713)	(56,303)
3	Provision for the financing of capital spending	731,720	753,460	21,740
	Net Service Costs	12,897,723	14,232,427	1,334,704
4	Net Interest Costs / (Receipts)	(539,050)	(581,848)	(42,798)
	Finance Lease Interest Payable	159,410	152,600	(6,810)
5	Transfers To Earmarked Reserves	2,361,372	1,766,264	(595,108)
	Transfers (From) Earmarked Reserves	(3,124,501)	(2,590,868)	533,633
	Net Budget Requirement	11,754,954	12,978,576	1,223,622
	Funded By:			0
6	Retained Business Rates	(3,150,000)	(3,190,000)	(40,000)
7	Lower Tier Services Support Grant	(179,252)	(99,272)	79,980
8	Covid-19 Related Grant	(407,699)	0	407,699
	Covid-19 Related Income	(570,000)	0	570,000
9	Rural Services Delivery Grant	(489,742)	(489,742)	0
10	2022/23 Services Grant	0	(152,564)	(152,564)
11	New Homes Bonus	(958,750)	(719,072)	239,678
12	Council Tax–MDDC	(6,114,620)	(6,523,930)	(409,310)
	Council Tax prior year (surplus)/deficit	115,109	(376,874)	(491,983)
	Total Funding	(11,754,954)	(11,551,454)	203,500
	Annual Shortfall	0	1,427,122	1,427,122

Notes:

- Further detail of the movement with the PDG Service areas can be found in Appendix 2
- The recharge to the HRA is yet to be finalised. This assumes an increase in line with the increase in salary costs
- The Provision for the financing of capital spending incorporates the financial implications of the proposed Capital Programme shown in Appendix 3. Prudent assumptions for increases in interest rates are included.
- The reduction in Net Interest Costs/(Receipts) reflects a prudent assumption of the interest earned from 3 Rivers Developments Ltd. Once each new loan becomes live, the true interest due will be incorporated into the assumptions, until such point only 60% is included to offset the cost of the loan.
- Net Transfers to/(from) Earmarked Reserves reflects planned contributions to, or drawdowns from, reserves.
- The Retained Business Rates income shows a forecast for modest growth. The final position will be calculated in January.
- Lower Tier Services Grant is as revised by the 2022/23 Local Government Finance Settlement
- All funding for Covid-19 support has ceased.
- Rural Services Delivery Grant is as revised by the 2022/23 Local Government Finance Settlement
- 2022/23 Services Grant is new as per the 2022/23 Local Government Finance Settlement
- New Homes Funding is as revised by the 2022/23 Local Government Finance Settlement

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Service Unit	Direct Costs Detail	2021/2022 Annual Budget £	Reversal of One-off Adjustments £	Inflation £	New Pressures / Savings £	2022/2023 Forecast Budget £	Movement £	+/- %
Cabinet								
SCM01	Leadership Team	406,590	-	14,765	113,718	535,073	128,483	32%
SCM02	Corporate Functions	95,740	-	3,491	1,020	100,251	4,511	5%
SCM03	Corporate Fees	152,450	-	609	114,293	267,352	114,902	75%
SCM06	Pension Backfunding	779,690	-	-	21,790	801,480	21,790	3%
SES01	Emergency Planning	8,150	-	-	(650)	7,500	(650)	-8%
SFP01	Accountancy Services	533,720	-	15,243	(48,601)	500,362	(33,358)	-6%
SFP02	Internal Audit	94,410	-	-	3,070	97,480	3,070	3%
SFP03	Procurement	113,470	-	3,871	(16,508)	100,833	(12,637)	-11%
SFP04	Purchase Ledger	45,840	-	1,634	1,003	48,477	2,637	6%
SFP05	Sales Ledger	44,770	-	1,634	943	47,347	2,577	6%
SHR01	Human Resources	387,360	-	12,959	96,749	497,068	109,708	28%
SHR02	MDDC Staff Training	29,870	-	-	(4,870)	25,000	(4,870)	-16%
SHR03	Payroll	36,370	-	1,356	3,270	40,996	4,626	13%
SHR04	Learning And Development	47,500	-	1,391	4,577	53,468	5,968	13%
SIT01	IT Gazetteer Management	70,500	-	2,504	3,422	76,425	5,925	8%
SIT03	IT Information Technology	968,430	-	20,476	272,694	1,261,600	293,170	30%
SLD01	Electoral Registration	230,820	(45,000)	4,016	28,756	218,592	(12,228)	-5%
SLD02	Democratic Rep And Management	504,460	-	20,344	20,030	544,834	40,374	8%
SLD04	Legal Services	368,503	-	12,697	44,175	425,375	56,872	15%
SPR01	Building Regulations	59,430	-	8,168	(74,283)	(6,685)	(66,115)	-111%
SPR04	Local Land Charges	(16,970)	-	2,647	(10,160)	(24,483)	(7,513)	44%
SRB01	Collection Of Council Tax	442,380	-	14,069	(95,541)	360,908	(81,472)	-18%
SRB02	Collection Of Business Rates	(105,380)	-	14	6,496	(98,870)	6,510	-6%
SRB03	Housing Benefit Admin & Fraud	126,270	(9,960)	9,278	55,413	181,001	54,731	43%
SRB04	Housing Benefit Subsidy	65,000	-	-	-	65,000	-	0%
SRB06	Debt Recovery	71,810	-	2,625	4,669	79,104	7,294	10%
TOTAL CABINET PDG		5,561,183	(54,960)	153,788	545,475	6,205,486	644,303	12%
Community PDG								
SCD01	Community Development	138,500	-	-	-	138,500	-	0%
SCS20	Customer Services Admin	23,350	-	-	370	23,720	370	2%
SCS22	Customer First	751,010	-	26,151	(51,655)	725,506	(25,504)	-3%
SES03	Community Safety - C.C.T.V.	45,200	-	67	(25,360)	19,907	(25,293)	-56%
SES04	Public Health	3,990	-	-	-	3,990	-	0%
SES11	Pool Cars	280	-	689	915	1,884	1,604	573%
SES16	ES Staff Units/Recharges	750,610	-	26,515	15,350	792,475	41,865	6%
SES17	Community Safety	6,220	-	-	(150)	6,070	(150)	-2%
SES18	Food Safety	(24,200)	-	311	(1,451)	(25,340)	(1,140)	5%
SES21	Licensing	48,480	-	5,064	(29,487)	24,057	(24,423)	-50%
SES22	Pest Control	5,000	-	-	(2,500)	2,500	(2,500)	-50%
SES23	Pollution Reduction	(580)	-	311	7,519	7,250	7,830	-1350%
SPR02	Enforcement	91,780	-	3,011	(2,010)	92,781	1,001	1%
SPR03	Development Control	825,420	(281,290)	40,240	78,909	663,279	(162,141)	-20%
SPR09	Forward Planning	263,550	-	8,812	34,634	306,996	43,446	16%
SPR11	Regional Planning	248,103	(74,463)	-	60,705	234,345	(13,758)	-6%
SRS01	Recreation And Sport	906,999	-	83,503	(71,387)	919,115	12,116	1%
TOTAL COMMUNITY PDG		4,083,712	(355,753)	194,673	14,402	3,937,034	(146,678)	-4%
Economy PDG								
SCD02	Economic Development	79,420	-	4,319	(13,394)	70,345	(9,075)	-11%
SCP01	Parking Services	(529,250)	-	2,626	41,944	(484,680)	44,570	-8%
SPR06	Economic Development	554,160	(34,000)	10,794	109,433	640,387	86,227	16%
SPS12	Gf Properties Shops/Flats	(401,060)	-	786	104,434	(295,840)	105,220	-26%
TOTAL ECONOMY PDG		(296,730)	(34,000)	18,525	242,417	(69,788)	226,942	-76%
Environment PDG								
SES02	Cemeteries	(62,630)	-	1,116	(5,705)	(67,219)	(4,589)	7%
SES05	Open Spaces	200,854	-	566	61,288	262,708	61,854	31%
SGM01	Grounds Maintenance	555,436	-	24,874	(21,004)	559,306	3,870	1%
SPS01	Asset Management	40,000	-	-	75,000	115,000	75,000	188%
SPS03	Flood Defence And Land Drain	26,430	-	-	(410)	26,020	(410)	-2%
SPS04	Street Naming & Numbering	7,810	-	235	21	8,066	256	3%
SPS05	Administration Buildings	262,420	-	3,939	158,661	425,020	162,600	62%
SPS06	MDDC Depots	74,990	-	950	65,250	141,190	66,200	88%
SPS07	Public Transport	(15,280)	-	126	9,044	(6,110)	9,170	-60%
SPS09	Property Services Staff Unit	738,890	-	27,998	(32,795)	734,093	(4,797)	-1%
SPS11	Public Conveniences	63,980	-	1,267	(23,987)	41,260	(22,720)	-36%
SWS01	Street Cleansing	420,440	-	18,662	34,175	473,277	52,837	13%
SWS02	Waste Collection	229,459	75,000	68,887	52,330	425,676	196,217	86%
SWS03	Recycling	1,017,000	-	56,252	(93,259)	979,993	(37,007)	-4%
SWS04	Waste Management	366,440	-	11,450	(506)	377,384	10,944	3%
TOTAL ENVIRONMENT PDG		3,926,239	75,000	216,322	278,104	4,495,664	569,425	15%
Homes PDG								
SES15	Private Sector Housing Grants	(3,630)	-	-	2,140	(1,490)	2,140	-59%
SHG03	Homelessness Accommodation	396,640	(66,850)	13,647	126,338	469,775	73,135	18%
TOTAL HOMES PDG		393,010	(66,850)	13,647	128,478	468,285	75,275	19%
GRAND TOTAL		13,667,414	(436,563)	596,954	1,208,875	15,036,681	1,369,267	10%

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2022/23 BUDGETS
Transfers To Earmarked Reserves

SERVICE	EMR		Total
IE435	EQ653	New Homes Bonus Grant	460,264
PS990	EQ685	Fore Street Maintenance Sinking Fund	5,000
PS992	EQ685	Market Walk Maintenance Sinking Fund	20,000
CP540	EQ686	Paying Car Parks (Machine Replacement Sinking Fund)	3,000
LD201	EQ720	Election Costs - District	25,000
LD300	EQ721	Democratic Rep & Management	5,000
PR810	EQ728	Statutory Development Plan	100,000
EQ754	EQ754	Phoenix Printers Equipment Sinking Fund	2,200
EQ755	EQ755	ICT Equipment Sinking Fund	189,500
EQ756	EQ756	Fleet Contract Fund	624,600
GM960	EQ760	Grounds Maintenance	16,500
EQ761	EQ761	Recycling Plant Sinking Fund	30,000
EQ763	EQ763	Recycling Maintenance Sinking Fund	2,700
PS880	EQ765	Bus Station	5,000
ES100	EQ766	Cemeteries	25,000
ES450	EQ767	Parks & Open Spaces	25,000
RS140	EQ837	Leisure Sinking Fund	75,000
WS700	EQ839	Waste Pressure Washer	2,500
PS980	EQ837	Property Maintenance	100,000
IT500	New	Business Systems Migration	50,000
TOTAL			1,766,264

2022/23 BUDGETS
Transfers (From) Earmarked Reserves

SERVICE	EMR	Description	TOTAL
CD200	EQ653	Community Development	(45,000)
EQ638	EQ638	Dev Cont Linear Park	(4,170)
EQ640	EQ640	W52 Popham Close Comm Fund	(1,950)
EQ641	EQ641	W67 Moorhayes Com Dev Fund	(1,630)
EQ642	EQ642	W69 Fayrecroft Willand Ex West	(4,620)
EQ643	EQ643	W70 Developers Contribution	(6,650)
EQ644	EQ644	Dev Cont Winswood Credition	(3,080)
EQ755	EQ653	ICT Equipment Sinking Fund	(189,500)
EQ756	EQ756	Fleet Contract Fund	(493,230)
HG320	EQ742	Homelessness EMR	(163,180)
IE420	EQ777	C/Tax Smoothing EMR	(62,401)
IE440	EQ659	NNDR Reserve	(152,020)
PR225	EQ824	Garden Village Project	(310,130)
PR400	EQ653	Business Development	(80,000)
PR400	EQ728	Crediton Masterplan	(60,000)
PR400	EQ722	Staffing For Economic Recovery Work	(23,750)
PR402	EQ653	Cullompton HAZ	(168,420)
PR402	EQ652	Cullompton HAZ	(110,000)
PR600	EQ821	Neighbourhood Plans	(15,560)
PR810	EQ728	Statutory Development Plan	(173,500)
PR810	EQ726	Brownfield Project	(36,260)
PR810	EQ729	Custom Build Project	(25,000)
RB100	EQ787	Council Tax Staffing	(32,622)
RB100	EQ776	Customer Welfare Officer	(2,308)
IT900	EQ655	IT Project Managers X 2 - IT600 And IT900	(87,887)
PS992/PS991	EQ838	GF Shops EMR	(87,000)
RS100/PS810	EQ837	General Property Maintenance Sinking Fund	(251,000)
TOTAL			(2,590,868)

Net Transfer To / (From) Earmarked Reserves
(824,604)

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2022/23 Draft Capital Programme

	Estimated Capital Programme 2022/23 £k	Notes
General Fund Estates Management		
Culm Valley sports centre		
Ceiling - asset review	260	
Total Leisure	260	
Other MDDC Buildings		
Cemetery Lodge - Structural solution for damp	62	
MDDC Depot sites		
Depot Design & Build - Waste & Recycling	250	Subject to identification of appropriate site
MDDC Shops/Industrial Units		
36 & 38 Fore Street including Flat above structure & cosmetic works	150	This is in addition to the £47k identified in 2021/22.
Other Projects		
Hydromills Electricity generation Project - Tiverton Weir	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.
Total Other	882	
HIF Schemes		
Cullompton Town Centre Relief Road (HIF bid)	8,414	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. Levelling up bid unsuccessful - alternative funding source being explored.
Tiverton EUE A361 Junction Phase 2 (HIF bid)	4,640	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	
ICT Projects		
Laptop/desktop refresh - Workstation	150	
Secure WIFI Replacement	60	
Network Switch/Firewall Refresh (all sites except P/House)	50	
Total ICT	260	
Private Sector Housing Grants		
Disabled Facilities Grants-P/Sector	577	
Total PSH Grants	577	
TOTAL GF PROJECTS	15,033	
Other General Fund Development Projects		
3 Rivers Scheme - Bampton	1,206	Linked to 3 Rivers Business Plan that was presented at 30/11/21 Cabinet
3 Rivers Scheme - Riverside Development (rear of Town Hall) Tiverton	99	Linked to 3 Rivers Business Plan that was presented at 30/11/21 Cabinet
* 3 Rivers Schemes - Future Projects	2,229	Linked to 3 Rivers Business Plan that was presented at 30/11/21 Cabinet * These schemes require signed loan agreements before they can be progressed further
Park Road	1,265	Delivery of this project is yet to be determined until conclusion of marketing exercise & therefore maybe a Capital Receipt
Regeneration Project 2	500	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
TOTAL GF OTHER DEVELOPMENT PROJECTS	5,299	
GRAND TOTAL GF PROJECTS	20,332	

	Estimated Capital Programme 2022/23 £k	Notes
HRA Projects		
Existing Housing Stock		
Major repairs to Housing Stock	2,255	
*Renewable Energy Fund	250	* 2023/24 & 2024/25 are dependent on SHDF Funding bid in 2021/22 - if successful this spend will be b/fwd to 2022/23
Home Adaptations - Disabled Facilities	300	
** Housing Schemes (1:4:1 Receipt) Projects		
Housing Scheme - Project 1	35	Subject to acceptable Business Case/Financial appraisal - 40% Funded through 1:4:1 Monies, additional funding options to be explored
Housing Scheme - Project 2	130	Subject to acceptable Business Case/Financial appraisal - 40% Funded through 1:4:1 Monies, additional funding options to be explored
Affordable Housing/ Purchase of ex RTB	400	Subject to acceptable Business Case/Financial appraisal - 40% Funded through 1:4:1 Monies, additional funding options to be explored
** Housing Development Schemes		** Proposed Council House 1:4:1 & Housing Development schemes subject to full appraisal
Housing Scheme - Project 11	1,500	Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in respect of additional units created, additional funding options to be explored
Housing Scheme - Project 14	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
Housing Scheme - Project 16	900	Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in respect of additional units created, additional funding options to be explored
Housing Scheme - Project 18	900	Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in respect of additional units created, additional funding options to be explored
Housing Scheme - Project 19	1,400	Subject to acceptable Business Case/Financial appraisal - Assumed 45% Homes England Funding in respect of additional units created, additional funding options to be explored
Westex - Structural Communal area work (stairwells, steps)	100	Funding options to be explored - subject to acceptable Business Case/Financial appraisal
Garages Block - Redevelopment	92	This is in addition to the £408k identified in 2021/22, the majority of which is projected to slip into 2022/23
Post Hill, Tiverton	2,200	Original timescales/costs have been assumed - subject to scheduling of delivery provider. Planning application to be submitted Jan/Feb 2022
Old Road Depot remodelling options - forecast expenditure to maintain	50	Assumed Costs to keep building operational
GRAND TOTAL HRA PROJECTS		11,312
GRAND TOTAL GF + HRA Projects		31,644

	Estimated Capital Programme 2022/23 £k	Notes
FUNDING		
MDDC Funding Summary		
General Fund		
	2022/23	
EXISTING FUNDS	£k	
Capital Grants Unapplied Reserve	577	
Capital Receipts Reserve	5	
NHB Funding	81	
Other Earmarked Reserves	308	
HIF Funding (Tiverton & Cullompton schemes)	6,465	
Levelling Up funding bid (Cullompton Relief Road Project)	6,436	Levelling up bid unsuccessful - alternative funding source being explored
DCC Funding (Cullompton Relief Road Project)	153	
Subtotal	14,025	
NEW FUNDS		
PWLB Borrowing (50 years)	750	
PWLB Borrowing (25 years)	758	
PWLB Borrowing (3 years)	4,799	
Tiverton HIF Scheme - Assumed funded through borrowing from Public Works Loan Board		Funding options to be explored - subject to acceptable Business Case/Financial appraisal
Subtotal	6,307	
Total General Fund Funding	20,332	
Housing Revenue Account		
	2022/23	
EXISTING FUNDS	£k	
Homes England Funding	2,160	
Capital Grants Unapplied Reserve	170	
Capital Receipts Reserve	1,080	
NHB Funding	21	
HRA Housing Maintenance Fund	0	
Other Housing Earmarked Reserves	2,804	
Subtotal	6,235	
NEW FUNDS		
	2022/23	
NEW FUNDS	£k	
PWLB Borrowing (50 years)	5,077	
Subtotal	5,077	
Total Housing Revenue Account Funding	11,312	
TOTAL FUNDING	31,644	

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COMMUNITY POLICY DEVELOPMENT GROUP 25 JANUARY 2022

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

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

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

Financial Implications: None directly arising from this report

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

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

Equality Impact Assessment: Not directly applicable

Relationship to Corporate Plan: No direct relationship

Impact on Climate Change: None

1.0 Background

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

2.0 IPCO Inspection

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

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

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

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

² See above policy link

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

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

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

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

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

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

*"A written authorisation, unless renewed, will cease to have effect at the end of a period of twelve months beginning with the day on which it took effect except in the case of a juvenile CHIS which has a duration of *four months* ~~one month~~. Oral authorisations will, unless renewed, last 72 hours."*

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

COMMUNITY PDG WORKPLAN 2021-2022 - 2021 TO 2022

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
22.03.22	Community Safety Partnership To agree the Action Plan for 2022-2023		Simon Newcombe	
22.03.22	Trauma Informed Review To receive details on how the Council can become Trauma Informed.		Julia Ryder	
22.03.22 5.04.22	Single Equalities Policy and Equality Objective To receive the annual review of the Single Equalities Policy and Equality Objective		Matthew Page	
22.03.22 5.04.22	Town and Parish Charter To receive the 3 yearly review of the Town and Parish Charter		Sally Gabriel	
22.03.22 5.04.22	The Council Tax Reduction Scheme & Exceptional Hardship Policy To receive a review of the The Council Tax Reduction Scheme & Exceptional Hardship Policy which has been out for public consultation		Dean Emery	
22.03.22 7.04.22	Safeguarding Childrens and Adults at Risk Policy and Procedures To receive the annual review of Safeguarding Childrens and Adults at Risk Policy and Procedures		Matthew Page	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
22.03.22 7.04.22	Unauthorised Encampment Policy To receive the 3 yearly review of the Unauthorised Encampment Policy		Andrew Busby	
22.03.22	Work Plan To receive the current workplan for the Community PDG. Members to agree and discuss additional items that they would like added to the Workplan		Clare Robathan	
22.03.22	Chairman's Annual Report		Clare Robathan	
Items for further discussion				
	Anti Social Behaviour Community PDG to investigate anti social behaviour in the District		Clare Robathan	

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