

# Public Document Pack

## Mid Devon District Council

### Cabinet

**Tuesday, 9 August 2022 at 10.00 am**  
**Phoenix Chamber, Phoenix House, Tiverton**

**Next meeting**  
**Tuesday, 6 September 2022 at 10.00 am**

**PLEASE NOTE:** - this meeting will take place at Phoenix House and members of the Public and Press are able to attend via Zoom. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

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## Membership

Cllr R M Deed  
Cllr C J Eginton  
Cllr R J Chesterton  
Cllr Mrs C P Daw  
Cllr D J Knowles  
Cllr B A Moore  
Cllr S J Penny  
Cllr C R Slade

# AGENDA

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

1. **Apologies**  
To receive any apologies for absence.
2. **Public Question Time**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
3. **Declarations of Interest under the Code of Conduct**  
To record any interests on agenda matters.
4. **Minutes of the Previous Meeting** (Pages 5 - 16)  
To consider whether to approve the minutes as a correct record of the meeting held on 12<sup>th</sup> July 2022.
5. **Housing Initiatives Project - Purchase of Houses in Multiple Occupation (HMO's) for Temporary Accommodation** (Pages 17 - 28)  
Following consideration of a report of the Corporate Manager for Public Health, Regulation and Housing, the Homes Policy Development Group has made the following recommendation that:
  - a) Option 2 – to purchase one property – Scheme 1 - be approved as the preferred option in terms of size, location and ongoing maintenance.
  - b) That full funding is utilised from Earmarked reserves (EMRs) as set out in Section 3.3 of the report.
6. **Tenancy Standard Policy Framework** (Pages 29 - 92)  
Following consideration of a report of the Corporate Manager for Public Health, Regulation and Housing, the Homes Policy Development Group has made the following recommendation, that:  
  
The updated policies within the overarching Tenancy Standard Policy Framework as set out in Annex 1 be adopted.
7. **Play Area Safety Inspection Policy** (Pages 93 - 102)  
Following consideration of a report by the Corporate Manager for Property, Leisure and Climate Change, the Environment Policy Development Group made the following recommendation, that:
  - 1) That the current risk assessments and safety inspections be considered adequate to meet the Council's responsibilities and for individual pieces of play equipment to be identified on the risk

assessment forms.

- 2) That digital transformation of the current inspection method would make the task more efficient and implementation of a process would be expedited.

8. **East Cullompton Masterplan SPD** (*Pages 103 - 292*)  
To consider a report of the Director of Place seeking Cabinet approval to go out to public consultation on the draft East Cullompton Masterplan SPD. Also seeking approval for the continuation of technical work focused on Junction 28 of the M5, including the utilisation of £800,000 of Homes England capacity funding, to support the development of a Strategic Outline Case/Outline Business Case to support future applications for funding and discussions with key stakeholders about timely delivery of critical enabling infrastructure.
9. **Three weekly waste collection scheme - Cabinet implementation update July 2022** (*Pages 293 - 312*)  
To receive a report from the Operations Manager for Street Scene and Corporate Manager for People, Governance and waste providing an update to Cabinet and to review the operational arrangements for rolling out the three weekly bin collection scheme in October 2022.
10. **Financial Monitoring** (*Pages 313 - 340*)  
To receive a report of the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure so far in the year.
11. **Performance and Risk** (*Pages 341 - 384*)  
To consider a report of the Corporate Manager for People, Performance and Waste providing Members with an update on the performance against the Corporate Plan and local service targets.
12. **Update from the Cabinet Member for Continuous Improvement**  
To receive a verbal update from the Cabinet Member on the progress in driving improvement in services across the Council.
13. **3 Rivers Developments Limited - Annual Report** (*Pages 385 - 424*)  
To consider a report from the Deputy Chief Executive (S151) providing the Cabinet with an Annual Report which also includes the company's Accounts as per the conditions of the Shareholder Agreement.
14. **Notification of Key Decisions** (*Pages 425 - 436*)  
To note the contents of the Forward Plan.

**Stephen Walford**  
Chief Executive  
Monday, 1 August 2022

### Meeting Information

From 7 May 2021, the law requires all councils to hold formal meetings in person. The Council will enable all people to continue to participate in meetings via Zoom.

If you want to ask a question or speak, email your full name to [Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk) by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. 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 Sarah Lees on:

E-Mail: [slees@middevon.gov.uk](mailto:slees@middevon.gov.uk)

Public Wi-Fi is available in all meeting rooms.

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **CABINET** held on 12 July 2022 at 10.00 am

### **Present**

#### **Councillors**

R M Deed (Leader)  
C J Eginton, R J Chesterton, Mrs C P Daw,  
D J Knowles, B A Moore, S J Penny and  
C R Slade

### **Also Present**

#### **Councillors**

J Buczkowski, L J Cruwys and B G J Warren

### **Also Present**

#### **Officers**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Richard Marsh (Director of Place), Maria De Leburne (Operations Manager for Legal and Monitoring), Paul Deal (Corporate Manager for Finance), Tristan Peat (Forward Planning Team Leader), Christie McCombe (Area Planning Officer), Sarah Lees (Member Services Officer) and Jessica Watts (Member Services Apprentice)

## 21. **APOLOGIES**

No apologies were received, however, it was noted that Cllr D J Knowles attended the meeting via Zoom.

## 22. **PUBLIC QUESTION TIME**

The following questions were received from members of the public:

Mr Paul Elstone:

The following questions all fully relate to Agenda Item 6, HIF Funding and A361 Junction:

### **QUESTION 1**

Are MDDC Cabinet Members aware that in an email dated 4th December 2020 and from the former MDDC Head of Planning to the MDDC Cabinet Member for Planning and Regeneration and the MDDC Leader the Head of Planning states

“DCC does not wish to go out to tender for the HIF works until the land exchange has taken place between the landowner (Chettiscombe Trust) and developer (Redrow). This has not yet occurred”

## **QUESTION 2**

Were the MDDC Cabinet Member for Planning and the MDDC Leader both MADE FULLY AWARE that the land deal between the owner and Redrow Homes was completed on the 18th December 2020 or some 20 months ago. THAT THERE WERE NO LONGER ANY CONSTRAINTS and the Phase 2 junction tender process could proceed at pace.

## **QUESTION 3**

Can the Cabinet Member for Planning advise if the MDDC Ward Councillors for Lowan and Cranmore were FULLY CONSULTED about the HIF Funding situation and similarly to the MDDC Cabinet Member for Planning and the MDDC Council Leader in December 2020. This including reference to the “deal breaker” comment made by the former Head of MDDC Planning.

## **QUESTION 4**

Can MDDC Director of Place fully explain and in a detailed written response why it has taken so VERY LONG to progress the tender process. This including timelines. A tender process given the excessive delays has seen SUBSTANTIAL COST INCREASE as a result.

## **QUESTION 5**

Why has it taken so long to bring this critical situation concerning the HIF Junction Funding before MDDC Cabinet and for MDDC member plus public scrutiny and challenge.

## **QUESTION 6**

Given how critical the Tiverton EUE Phase delivery timelines were to ensure no loss of the HIF Funding and construction of the junction. Can the MDDC Cabinet Member for Planning and who is also a Devon County Councillor please provide A WRITTEN RESPONSE providing full details including timelines of his efforts to accelerate the CRITICAL tender process including any discussions with DCC.

## **QUESTION 7**

Will the MDDC Leader and MDDC Cabinet Member for Planning now consider the FULL circumstances surrounding the requirement to suspend the Tiverton EUE Phase 2 Junction tendering process. That there is full cause to implement a detailed and expert external investigation.

This especially given that both MDDC Major Road Infrastructure projects are in disarray i.e., the Cullompton Relief Road and the Tiverton EUE Phase 2 junction. This due it is strongly believed to MDDC failure to manage these projects in line with reasonable expectations. A situation that is causing MDDC increasing reputational damage.

Mrs Hannah Kearns:

The following questions all fully relate to Agenda Item 6: HIF Funding and A361 Junction

#### **QUESTION 1**

Are MDDC Cabinet Members aware that a Devon County Council Cabinet briefing paper dated 14<sup>th</sup> October 2020 written in relation to the Tiverton EUE Phase 2 Junction, made FULL reference to a total cost estimate of £10 million of which £8.2 million was a to be a Housing Infrastructure rebate?

Why did MDDC Executive Officers not allocate the £1.8 million additional funds in ANY public facing budget for 2020 or 2021 or going forward?

#### **QUESTION 2**

What is the current cost estimate for the Phase 2 Junction? The MDDC Cabinet briefing paper fails to reveal this without any apparent reason.

#### **QUESTION 3**

What is the value of the monies received from the Housing Infrastructure Fund already spent in preparation for the Phase 2 Junction? HIF funds appear to be at risk of needing to be returned due to suspension of the project, is this correct?

#### **QUESTION 4**

What is the value of the funds from the developers S103 advance contributions already spent in preparation for the Phase 2 junction?

#### **QUESTION 5.**

The MDDC Director of Place has stated that the Governments HIF programme only runs to March 2024, with no replacement scheme in evidence.

Therefore given that MDDC Officers have stopped the Phase 2 Junction Tendering process what is the QUANTIFIED RISK PERCENTAGE for MDDC losing access to the full Housing Infrastructure Funding REBATE of £8.2 million? A situation that SHOULD it happen, would clearly pile further and very substantial additional pressure on MDDC to deliver the project.

#### **QUESTION 6**

MDDC budget spreadsheets evidence that they repeatedly allocate substantial funds ,running into the tens of millions of pounds, to 3 Rivers Development Ltd. Funds which are used to build speculative housing projects carrying both risk in terms of delivery and commercial risk. Why are MDDC repeatedly able to allocate these substantial funds yet are unable to fund key infrastructure projects? Key projects which will provide very major enhancements to the Mid Devon Community.

#### **QUESTION 7**

Why does the Cabinet Meeting briefing document only make reference to the Housing Development, and not to the Tiverton EUE Industrial Site? Particularly considering that it is this industrial Site that will likely see the greatest benefits from the Phase 2 Junction by removing heavy commercial traffic away from both Blundells School Campus and Halberton Village. Similarly, from the Hartnoll Farm Business Park and Red Linhay Anaerobic Digester which are becoming increasingly industrialised.

The Leader stated that the questions would be answered when the item was reached on the agenda.

#### **23. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

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

#### **24. MINUTES OF THE PREVIOUS MEETING**

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

#### **25. CORPORATE PLAN MID POINT REVIEW (00:12:00)**

The Cabinet had before it, and **NOTED**, a report \* from the Chief Executive considering the comments and feedback from various Council committees in order to determine what, if any, changes ought to be proposed to the Council's Corporate Plan as part of its mid-point review.

The Leader briefly outlined the contents of the report and a short discussion followed with regard to the consideration of playground equipment specifically for disabled children or those with additional needs. More information regarding the specifications needed would be sought.

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

## 26. **TIVERTON HIF/A361 JUNCTION (00:16:00)**

The Cabinet had before it a report \* from the Director of Place informing Members of the latest position regarding the Tiverton HIF/A361 junction scheme and seeking a decision regarding the next steps.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that Members would be aware that the Tiverton HIF scheme related to the delivery of the second set of slip roads at the new junction on to the A361 and that DCC were undertaking a procurement exercise on behalf of Mid Devon District Council to seek to identify a contractor to deliver the works. At the time of the August 2021 Cabinet report, it was reported that the cost of works could exceed the available budget and this shortfall was reported as being in the region of £1.9m.

DCC had now completed the tender exercise and the tender results had been assessed. Unfortunately, whilst the tendering exercise had been successful in attracting tender responses, the returns had come in at levels which significantly exceeded the available project budget and went beyond the £1.9m shortfall previously foreseen.

Discussions had taken place between key stakeholder organisations regarding the potential to find additional funding to support delivery of the scheme, but unfortunately it had not been possible to identify the funding at this time.

Clearly, this remained a very important project and so officers would continue to work on this project, in conjunction with key stakeholders including Homes England, as quickly as possible in order to seek to identify opportunities to enable delivery of this scheme as soon as practicably possible.

The following answers were given in relation to each of the questions raised during Public Question Time:

### **Responses to questions from Mr Elstone**

#### **1. Question 1:**

Members were aware of the position in relation to the land transactions, as appropriate.

**2. Question 2:**

Members were kept informed of progress in relation to the scheme and the tender exercise.

**3. Question 3:**

As stated previously; Cabinet Members had been kept informed of progress on the project and previous Cabinet reports had provided updates in relation to the project.

**4. Question 4:**

The Tender exercise had been run by Devon County Council on behalf of MDDC and had followed public procurement regulation requirements; the processes for which are often lengthy and time-consuming.

Cost increases had been seen across many infrastructure projects throughout the country and so the cost increases were not unique to this project, or a result of the process that had been undertaken.

**5. Question 5:**

This item has been brought to Cabinet as quickly as possible following earlier conversations with key partners to consider the scope to secure the additional funding to support delivery of the programme and accounting for purdah requirements.

**6. Question 6:**

Yes I am a Devon County Councillor but this project is not within my remit as a Devon County Councillor. Conversations are ongoing and the project is moving forwards.

**7. Question 7:**

Neither project is in disarray. However, both are absolutely dependent upon external funding mechanisms to support delivery – as has been detailed in other Cabinet reports. By their very nature, these are not within the council's direct control. But just as we achieved delivery of the off-slip at Tiverton EUE well in advance of the private sector development coming on stream in the first phase, it remains the ambition of the council to achieve this second phase of the junction in advance of Area B coming forward. In Cullompton, we have managed to secure a commitment to the reopening of the railway station, and are now within touching distance of achieving a relief road that the community has been seeking for decades. If such projects were easy they would have been done years ago, but this council is not shying away from the challenges and is doing all it can to bring these much-needed projects to fruition for the good of our communities.

## **Responses to Hannah Kearns questions**

### **1. Question 1:**

I was not aware of this briefing paper, but was aware with the position of the project as a result of our own internal MDDC briefings.

MDDC has never budgeted for capital investment in the delivery of the junction beyond the amount provided for through the Housing Infrastructure Fund. It would not be typical for a district authority of the size of Mid Devon to fund strategic infrastructure works such as a new junction on a major A-road or motorway.

### **2. Question 2:**

The cost estimate is not set out so as to avoid revealing cost information in the public domain which could prejudice any future retendering exercise.

### **3. Question 3:**

Technically, Homes England are able to seek repayment of the grant funding where the project does not proceed to completion, but this is at Homes England discretion. Homes England is fully engaged in this project and so is aware of the position. It should also be noted that an indemnity exists in relation some of the most recent elements of this expenditure.

### **4. Question 4:**

No S106 funds have been deployed yet.

### **5. Question 5:**

The formal decision to stop the current tendering exercise will be sought from Cabinet today. No quantified risk analysis has been run in relation to this project and I struggle to see the value in seeking to quantify a specific risk percentage in this scenario.

### **6. Question 6:**

The Council's activity in relation to 3Rivers is wholly different to the position in relation to the funding and delivery of highways infrastructure. The Council, like many others, seeks to undertake development activity through its development company in order to generate profit to the Council which the Council is then able to utilise to support the provision of services. Infrastructure development on the other hand involves significant financial outlay and risk for the Council over the long term where repayment of the

investment in dependent upon many factors and is uncertain. The different types of investment activity are therefore wholly different.

## **7. Question 7:**

There is no particular reason as to why the report does not mention the employment land. It equally does not mention other scheme components, but this does not mean that they are any less important or that they have been overlooked or omitted for any reason.

### **RESOLVED** that:

- a) That the current tender process (being run by Devon County Council on behalf of MDDC) be stopped and that tenderers be notified that, owing to forecast construction costs exceeding the available budget, the Council will not be seeking to let a contract at this time.
- b) That Cabinet instructs officers to continue to investigate additional funding opportunities and scope for project value-engineering, working with key project partners including Devon County Council and Homes England and that a further report be brought back to Cabinet as soon as possible.

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

### **Reason for decision:**

In 2019, Mid Devon District Council entered into an Agreement with Homes England, formally securing £8.2m of Housing Infrastructure Fund (HIF) grant money to support delivery of a new junction to the A361.

Since that time, work on the EUE scheme, junction and linking road has progressed. Devon County Council has also undertaken a competitive tendering exercise in relation to the second phase of junction works which would see the delivery of the second set of slip roads and overbridge of the junction scheme, along with further works. It was anticipated that the cost of these works may exceed the available budget owing to recent cost inflation and limited contractor capacity and, based on Devon County Council estimates, the August 2021 Cabinet report projected this possible shortfall as £1.9m.

The County Council's tendering exercise has now identified a preferred bidder, however the total cost significantly exceeds the previous estimated shortfall of £1.9m. This is due to significant increases in construction sector costs and the need for an increased contingency to reflect the current contractor marketplace and the volatile prices of steel, concrete and aggregate.

Since identifying this increased shortfall, officers have been working to consider ways in which this shortfall could be mitigated and have also sought to identify further funding to support delivery.

Further work is therefore required to consider options to support delivery of the scheme and further discussions are required with partners, including Homes England and DCC, around ways in which the project might be funded and delivered.

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

## 27. **CREDITON NEIGHBOURHOOD PLAN (00:26:00)**

The Cabinet had before it a report \* from the Director of Place seeking approval for the recommended modifications made in the Examiner's Report and seeking approval for the Crediton Neighbourhood Plan to proceed to referendum.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report and stated that Crediton Town Council had been preparing a Neighbourhood Plan following the designation of the neighbourhood area in July 2014. The neighbourhood area covered the parish of Crediton. The preparation of the neighbourhood plan had included consultation on a pre-submission draft plan in 2019 and consultation on a regulation 16 publication plan in late 2021. The Neighbourhood Plan had since been examined and Mid Devon District Council received the final Examiner's report on 13<sup>th</sup> May this year.

There was now a need for the Council to consider the Examiner's recommended modifications and reach a decision as to whether the Crediton Neighbourhood Plan with the Examiner's recommended modifications and a typographical correction be agreed, and that the plan proceeds to a local referendum.

Should the recommendations to Cabinet be agreed then once that decision comes into effect, a Decision Statement will be published and a local referendum will be arranged in accordance with the relevant regulation requirements. It is likely that this local referendum would take place in late September or early October this year. Following the local referendum, if more than 50% of those voting, vote 'yes' then the Neighbourhood Plan will come into force as part of the statutory development plan for the Crediton area. The Neighbourhood Plan must be 'made' within eight weeks of the local referendum through its formal adoption by the Council.

The Planning Policy Advisory Group had noted the recommendations of this report at its meeting on the 17<sup>th</sup> June.

### **RESOLVED** that

- a. The Examiner's modifications be agreed, and that subject to these modifications the Crediton Neighbourhood Plan is determined to meet the Basic Conditions (as defined in Town and Country Planning Act 1990 Sch 4B) and other legislative requirements;
- b. The Decision Statement attached at Appendix 2 be approved; and
- c. The Crediton Neighbourhood Plan (at Appendix 3) subject to the Examiner's modifications and the typographical correction to the title of Map 5 Views, proceed to a local Referendum based on the boundary of Crediton Neighbourhood Area.

(Proposed by Cllr R Chesterton and seconded by Cllr Mrs C Daw)

**Reason for decision:**

The Examiner has undertaken a fair examination of the submitted Neighbourhood Plan, properly considering all duly made representations.

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

**28. UK SHARED PROSPERITY FUND (00:30:00)**

The Cabinet had before it a report \* from the Director of Place seeking Member approval for the submission of an Investment Plan for Mid Devon under the Government's UK Shared Prosperity Fund.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report and stated that the Investment Plan needed to be submitted to Government by 1<sup>st</sup> August 2022. The report stated that this was part of a 3 year funding plan and as part of the Government's Levelling Up agenda and replaced the European Structural Funds that were previously used for economic development and community cohesion. Mid Devon had been allocated £1,064,159 as a formula grant but must submit an investment plan. There had been a rigorous process of data analysis and stakeholder engagement to identify the most appropriate interventions and projects. The attached appendices to the report identified the logic framework behind each of the proposals which fell under the three pillars of the Shared Prosperity Fund:

- Communities and Places
- Supporting Local Businesses
- People & Skills

Since the report had been written the Government had reprofiled the funding, weighting the budget towards the third year. The annual split was now as follows:

2022/23	12%	£129,146
2023/24	25%	£258,291
2024/25	63%	£676,722

The exact figures would need to be adjusted as negotiations with partners were finalised before the bid was submitted.

Consideration was given to:

- Whether the same amount of funding had been allocated to other similar authorities.
- The number of deserving causes within Mid Devon.
- Whether the Council was able to meet the timetable set out within the Investment Plan.
- The fact that the amounts quoted may change further going forwards but the aim to support businesses, communities and people would remain as a key priority.

- The Economy PDG had met informally to discuss the bid and the proposed aims and it had been very supportive.

**RESOLVED** that:

- The investment priorities set out in the Shared Prosperity Fund Investment Plan and the level of proposed investment in each priority area be approved.
- Delegated authority be given to the Director of Place (in consultation with the Portfolio holder for Planning and Economic Regeneration) to finalise the investment plan and submit the bid on behalf of the Council.

(Proposed by Cllr R Chesterton and seconded by Cllr A Moore)

**Reason for the decision:**

Under the UK Shared Prosperity Fund, the Government has allocated £1,064,159 over a three year period to Mid Devon, to support economic development and community cohesion under its 'Levelling Up' agenda, subject to the approval of a locally agreed Investment Plan.

The funding will help deliver projects which contribute towards meeting objectives within both the Council's Economic Strategy and its Corporate Plan 2020-24.

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

(ii) The Leader thanked the Policy Development Group and the Scrutiny Committee for their considerations towards the Corporate Plan Mid Point Review and the UK Shared Prosperity Fund.

**29. SOUTH WEST MUTUAL BANK UPDATE (0042:00)**

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

The Cabinet Member for Finance outlined the contents of the report and stated that as previously noted progress had been slowed down by Covid19 and legal issues surrounding setting up a new bank. Work had been undertaken to review the options for setting up the bank and a new gradual approach and perhaps pragmatic way to proceed had been identified. The new Agroecology Fund would be launched this financial year, however attracting capital investment was still proving difficult. Progress had been slow but a new direction of travel was being implemented.

Discussion took place regarding:

- The frustrations involved in this not having moved further on despite Covid. It was confirmed that these concerns would be reflected back to the Managing Directors at the next meeting of Finance Managers.
- The importance of an official banking network in Cullompton and the need to progress this as soon as possible.

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

30. **NOTIFICATION OF KEY DECISIONS(00:46:00)**

The Cabinet had before it and noted its rolling \*plan for August 2022 containing future key decisions.

The clerk informed the meeting of one additional item to the plan.

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

(The meeting ended at 10.48 am)

**CHAIRMAN**

**HOMES PDG**  
**26 JULY 2022**

## **HOUSING INITIATIVES PROJECT – PURCHASE OF HOUSES IN MULTIPLE OCCUPATION (HMOs) FOR TEMPORARY ACCOMMODATION**

**Cabinet Member(s):** Councillor Stuart Penny, Cabinet Member for Housing and Property Services  
**Responsible Officer:** Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

**Reason for Report:** To seek agreement to purchase either one or two houses in multiple occupation, currently in the private rented sector, for use as temporary accommodation and for rough sleepers.

### **Recommendations:**

- 1. That the Homes PDG recommends either Option 1, 2 or 3 to Cabinet for approval as set out in Section 5 of the report.**
- 2. If Options 2 or 3 are chosen, that full funding is utilised from Earmarked reserves (EMRs) as set out in Section 3.3 of the report.**

**Financial Implications:** There will be a capital commitment towards the purchase of the properties and revenue commitments towards the ongoing management. Although a bid to the Rough Sleeping Accommodation Fund had been submitted to cover 50% of the costs the bid was unsuccessful. Therefore the full cost of the project will need to be funded from existing budgets. The body of the report details the full costs and commitment required. It is anticipated that capital costs will be covered utilising earmarked reserves (EMRs) for private sector housing and homelessness. The revenue costs will be covered by other Rough Sleeping Initiative funding and Flexible Homeless Grant.

**Budget and Policy Framework:** The project and its outcomes are supported by the current Housing Strategy 2021-25. In particular the aim of the project is to reduce the current spend on B&B as temporary accommodation and to provide accommodation with support for rough sleepers and those at risk of rough sleeping. The project will be supported utilising external grant funding and earmarked reserves

**Legal Implications:** The conveyancing for the purchase will need to be covered by our legal team with close links to the vendors chosen solicitor to ensure the smooth and speedy completion.

**Risk Assessment:** The project is low risk in respect of reputation and provides a long term solution to the provision of temporary accommodation. However, in terms of ongoing maintenance the risk is medium due to the age of the properties and the manner in which they will be occupied.

**Equality Impact Assessment:** An Equality Impact Assessment has not been carried out in respect of this report. Consideration will be given to the use and accessibility of the properties in the event that the decision is to purchase.

**Relationship to Corporate Plan:** This initiative falls within the Homes priority of the corporate plan.

**Impact on Climate Change:** If the properties are purchased, the renovation will include works to improve energy efficiency resulting in a small improvement to the properties carbon footprint.

## 1.0 Introduction/Background

1.1 The current Government has committed to ending rough sleeping by 2025 and is encouraging local authorities to develop innovative and sustainable services to achieve this commitment.

1.2 In order to achieve this aspiration the Government released two funding opportunities in quarter 4 of 2021/22. These are

- The Rough Sleeping Initiative Fund (RSI) which is a revenue based grant for 3 years to fund prevention, intervention and recovery services.
- The Rough Sleeping Accommodation Programme (RSAP) which is mainly a capital programme to provide Move-On homes, available as long-term assets, and accompanying support services to achieve a sustainable reduction in rough sleeping.

1.3 The Public Health and Housing Options service submitted bids to both programmes. The bid for RSI was successful and we were awarded £342,000 to spend on projects over the next 3 years. Unfortunately the bid for RSAP was unsuccessful with DLUHC stating the reasons for this as Mid Devon having (comparatively) low numbers of rough sleepers.

1.4 Although the funding towards the purchase of properties would have been welcome, it did restrict the use of the properties to rough sleepers only and would have resulted in a loss of some bedroom space due a requirement for fully self-contained accommodation (non-HMO). Without the funding the PDG and Cabinet are being asked to decide if they wish to go ahead and purchase either one or both the properties for use as temporary accommodation and not just for rough sleepers.

## 2.0 Project overview

2.1 Mid Devon District Council is experiencing a rise in the number of presentations to our service from people either rough sleeping, at risk of rough sleeping or homeless for a variety of reasons. The amount spent on temporary accommodation is increasing and housing solutions for single adults are unaffordable and difficult to secure.

2.2 In 2021-22 the service spent £171,874 on temporary accommodation such as B&B and hotel rooms. A further £127,294 was spent on the use of our own stock as temporary accommodation.

- 2.3 For the first quarter of 2022-23 there are 17 applicants in B&B and a further 37 households in other forms of temporary accommodation. We have spent £43k on B&B accommodation so far this year (1<sup>st</sup> April 2022 to 30<sup>th</sup> June 2022).
- 2.4 This proposal is to purchase one or two properties located in Tiverton that are currently being used as HMOs in the private rented sector. The proposal aims to provide a sustainable option of safe and secure accommodation that supports individual's needs with appropriate wrap around services. The aim is to reduce spend on B&B accommodation year on year through the provision of our own accommodation.
- 2.5 Alongside the accommodation we aim to provide a range of support services through partnership working and help them to move-on successfully. This will include support and services around education, employment, budgeting and tenancy sustainment.
- 2.6 The RSI funding and Flexible Homeless Grant will be used to develop these services.

### **3.0 Capital Proposal – Purchase and Repair**

#### **3.1 Scheme 1**

- 3.1.1 This property is a privately rented property with planning use as a HMO. It is fully licensed with the Council and meets the basic requirements of the HMO licensing regime. The property is licensed for up to 6 households providing 6 bed spaces however is larger. It has potential to provide up to 8 bedrooms for single occupancy.
- 3.1.2 We have been approached by the owner with a view to selling this property to Mid Devon District Council. The property has had a full independent RICS valuation and condition report. We have estimates for the costs of refurbishment and repair from Building Services.

Purchase price	£325,000
Repairs/Refurb	£20,000 (max – see Annex A)
Stamp duty	£6,250
Solicitor fees (estimate)	£2,000
Estimated total cost of project	£353,250

#### **3.2 Scheme 2**

- 3.2.1 This property is a privately rented property with planning use as a HMO. It is fully licensed with the Council and meets the basic requirements of the HMO licensing regime. The property is licensed for up to 6 households providing 6 bed spaces for single occupancy.
- 3.2.2 We have been approached by the owner with a view to selling this property to Mid Devon District Council. The property has had a full independent RICS valuation and condition report. We have estimates for the costs of

one refurbishment and repair from Building Services. Of the two properties this requires more work, with the potential for unforeseen structural repairs.

Purchase price	£275,000
Repairs/Refurb (estimate)	£55,000
Stamp duty	£3,750
Solicitor fees (estimate)	£2,000

Estimated total cost of project      £335,750

3.3 It is proposed that the full capital funding required to purchase and repair these properties comes from the Private Sector Housing and Homelessness EMRs (capital codes EQ818 and EQ742). If both properties are purchased then £489k will come from EQ818 and £200k from EQ742. If only one property is purchased then £200k will still come from EQ742 and the balance from EQ818.

3.4 These properties are in the ownership of a single owner who does not want these properties identified publically at this stage and they are not currently marketed for sale on the open market. Further information on the properties is therefore provided in Annex A: PART II – Confidential.

3.5 Opportunities to acquire fully-licenced operational HMOs with relevant planning status within the district are very rare.

#### 4.0 Revenue commitment

4.1 Based on our experience of managing Ivor Macey House the following revenue requirements will be needed per property per year assuming the maintenance is likely to be higher due to the age of the properties:

Property Management/Cleaning/maintenance estimate	£28,000
Council tax/Utilities/Broadband	£10,380
Tenant support service costs (ave. £80 per rm/wk)	£29,120

Total per property per year      £67,500

Total annual revenue required for both properties      £135,000

4.2 The properties will be let at a maximum affordable rent level according to the Local Housing Allowance (LHA) for Mid Devon. This is £126 per week per room which includes basic rent, utilities and council tax is a combination of £104 housing benefit with maximum top-up (paid by tenant) of £22 per week. This is the same amount we can currently recover per week against B&B or hotel costs.

4.3 The annual revenue costs will be covered by the RSI and Flexible Homeless grants and the rental income used to offset this at year end.

4.4 Annual Rental income assuming a prudent 70% recovery and fully occupied for 52 weeks is approx. £37k for Scheme 1 and £27k for Scheme 2. Consequently, rent will not fully cover the annual revenue costs set out in 4.1, with a deficit of circa £20.5k for Scheme 1 and £30.5k for Scheme 2 (£51k

total). Nonetheless, in comparison the equivalent B&B or hotel costs for up to 14 households per week are significantly greater (see below).

#### 4.5 Net cost comparison based on current prices to house 14 single households:

##### **Scheme 1 and 2 HMO accommodation**

- Net revenue cost after LHA rent = £0.98k per week for 14 persons  
(£51k per year)  
= £71 per week per person

##### **B&B or hotel accommodation**

- Net revenue cost after LHA rent = £5.23k per week for 14 persons  
(£272k per year)  
= £374 per week per person

Note: B&B costs based on £500 per week average

4.6 Nonetheless, going forward, predicting savings on B&B is very challenging. On the one hand, the average cost of rooms is going up and they can double during the holiday season. But at the same time the numbers of homeless people is escalating due to the cost of living increases and being unable to pay bills and rent alongside potential pressures arising from refugee schemes. Either way, there is high cost benefit to the Council in maximising its own temporary accommodation and reducing reliance on B&Bs etc.

4.7 Clients will be referred into the properties via the Rough Sleeper Navigators and the Housing Options team. They will be assessed against a set of criteria to ensure the accommodation is the best fit for them and to ensure the right support services are in place.

#### 5.0 Options

5.1 Based on the information in sections 3.0 and 4.0 the PDG are asked to consider the following options:

Option 1 – Do not purchase either property

Option 2 – Purchase one property – Scheme 1 is the preferred option in terms of size, location and ongoing maintenance.

Option 3 – Purchase both properties

#### 6.0 Recommendation

6.1 The Homes PDG recommends either Option 1, 2 or 3 to Cabinet for approval as set out in Section 5 of the report. If either Option 2 or 3 is taken then funding is utilised from EMRs as set out in Section 3.3 of the report.

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

**Circulation of the Report:**

Members of the Housing PDG  
Cllr Stuart Penny, Cabinet Member for Housing and Property Services  
Leadership Team  
Corporate Management Team  
Legal Services

**List of Background Papers:**

**ANNEX A: PART II - Confidential**

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

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## HOMES POLICY DEVELOPMENT GROUP 26 JULY 2022

### TENANCY STANDARD POLICY FRAMEWORK

**Cabinet Member(s):** Cllr Stuart Penny, Cabinet Member for Housing  
**Responsible Officer:** Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

**Reason for Report and Recommendation:** The landlord service, Mid Devon Housing (MDH), is currently reviewing previously adopted policies with the aim of rationalising them and ensuring that they support work to ensure regulatory compliance. To this end, policies are being more closely aligned with each of the core individual Standards within the regulatory framework. Having valid, clear adopted policies in place is a requirement of the Regulator for Social Housing.

**Recommendation:** That Members recommend the adoption of the updated policies within the overarching Tenancy Standard Policy Framework document to the Cabinet as set out in Annex 1

**Financial Implications:** The Tenancy Standard Policy Framework will be delivered within existing resources in the Housing Revenue Account (HRA).

**Budget and Policy Framework:** There are no direct budget implications arising from this report.

**Legal Implications:** MDH is a social landlord and is registered with the Regulator for Social Housing (RSH), meaning that it is a Registered Provider (RP). The RSH sets consumer standards and the Tenancy Standard is one of these. More information on this is provided in the introductory section of Annex 1 Framework document. The role of the regulator is to intervene where failure to meet the standards has caused, or could have caused, harm to tenants. The legal requirement for this policy is set out in Section 1 of this report.

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

**Equality Impact Assessment:** This policy takes into account the needs of tenants from a variety of backgrounds as well as people with protected characteristics. An Equality Impact Assessment is conducted for each policy review. MDH will commence work on a tenant survey to ensure that our knowledge is up-to-date.

**Relationship to Corporate Plan:** This policy is consistent with the overarching vision within the corporate plan, namely 'sustainable and prosperous communities'.

**Impact on Climate Change:** None relevant to this report

#### 1.0 Introduction/Background

1.1 Under the Localism Act 2011 and the Regulatory Framework for Social Housing in England, Registered Providers must publish clear and accessible policies

which outline their approach to tenancy management, including interventions to sustain tenancies preventing unnecessary evictions and tackling tenancy fraud.

- 1.2 In addition to the Localism Act 2011, the Regulator for Social Housing consumer standards include a Tenancy Standard which outlines further expectations for social housing landlords to address within their policy, specifically the management of mutual exchanges and successions.
- 1.3 A full review of our compliance with the Tenancy Standard started in November 2021 which involved simultaneous reviews of the Allocations Policy, Introductory Tenancy Policy, Tenancy Changes Policy, Tenancy Policy, Leaseholder Policy, Decant Policy and Vulnerability Policy, which are now incorporated into an overarching Tenancy Standard Policy Framework document. A series of staff consultations took place from November 2021 through to June 2022. The draft policies have been made available on the MDH website page, for tenants and other stakeholders to feedback comments and/or suggestions.
- 1.4 A customer access review was completed as part of the Vulnerability Policy update. This exercise enabled officers to assess current practices relating to how we identify, record and monitor vulnerable tenants, suggest improvements to streamline work processes, and review and monitor the data we hold on a more frequent basis, to ensure our housing data is up-to-date.
- 1.5 The policies within the framework have been revised to reflect current legislation and consolidate separate policies documents into one. The aim is to make it easier for tenants to understand and exercise their rights. It also provides a reference point for officers and ensures decisions are made in a consistent way and support greater transparency when it comes to compliance and performance monitoring.
- 1.6 The relevant policies are listed as Appendices within the Tenancy Standard Policy Framework document.
- 1.7 If Members of the Policy Development Group wish to view the existing policies, these are available to view on the Housing webpages on the Council's website (link below).
- 2.0 **MDH Allocation Policy (Appendix 1 of Tenancy Standard Policy Framework)**
- 2.1 The revised policy demonstrates how MDH comply with the regulatory framework by demonstrating how our allocations:
  - Make best use of available housing stock
  - Are compatible with the purpose of housing
  - Contribute towards strategic housing function and sustainable communities
- 2.2 The policy aim is to facilitate the best use of stock and enable MDH to give preference to certain applicants, to meet local supply and demand needs. Local lettings preferences can be applied in some cases, as part of the commitment to building sustainable communities as set out in the Tenancy Strategy.
- 2.3 The update reflects wider policy and legislative changes since its last inception. For example, the Homelessness Reduction Act 2017, Improving Access to Social

Housing for Members of the Armed Forces Statutory Guidance 2020, Domestic Abuse Act 2021, Homelessness Code of Guidance 2018 (updated 2021), and Allocation of Accommodation: Guidance for Local Housing Authorities in England 2012 (updated 2021)

- 2.4 The policy is intended to support the landlord functions of MDH whilst remaining compliant with allocating properties in a fair and transparent way through the Devon Home Choice lettings system.
- 2.5 A range of minor changes are made throughout the policy to improve the wording, remove duplication from the strategic Devon Home Choice policy and reflect updated procedures and practices
- 3.0 **Tenancy Management Policy (Appendix 2 of Tenancy Standard Policy Framework)**
- 3.1 The tenancy management policy sets out in detail how MDH will manage tenancy related matters, in conjunction with the Tenancy Strategy.
- 3.2 The tenancy management policy sets out our approach to:
- The types of tenancies MDH will offer
  - The circumstances in which tenancies will be granted
  - The length of tenancies
  - The approach to tenancy management and sustainment
- 3.3 When a tenant accepts an offer of a MDH property they sign a tenancy agreement which includes a wide range of rights and responsibilities in relation to the occupation of the home. Many of the conditions are prescribed by legislation i.e. right to repair, right to sublet etc., however many other aspects are a matter for the landlord to determine e.g. how many successions are permitted, who can succeed a tenancy, what type of agreements are issued to new tenants etc. The Tenancy Management policy sets out MDH's position with regard to matters over which it has discretion.
- 3.4 This policy consolidates the existing tenancy changes policy, introductory tenancy policy and the tenancy policy in order to harmonise our suite of MDH policies.
- 3.5 The policy reconfirms our commitment to tenancy management through proactive engagement and partnership working, specifically around tenancy fraud and tenancy sustainment.
- 3.6 Amendments have been made to reflect section 79 of the Domestic Abuse Act 2021, which prescribes that for reasons connected with domestic abuse, MDH grants a new secure tenancy to a social tenant who had or has a secure lifetime or assured tenancy.
- 3.7 The policy ensures that MDH adheres to current legislation and provides a reference point for housing officers to make informed and consistent decisions.
- 3.8 A range of minor changes are made throughout the policy to improve the wording and reflect updated practices and job titles.

#### **4.0 Leaseholder Policy (Appendix 3 of Tenancy Standard Policy Framework)**

- 4.1 The draft leaseholder policy has been reviewed to reconfirm our commitment to providing leaseholders with a high level of customer service and promoting inclusive engagement opportunities.
- 4.2 The policy has been updated to reflect the Leaseholder Reform Act 2022 which comes into force on 30 June 2022, to fulfil the commitment to set future ground rents to zero on new lease agreements.
- 4.3 The policy reinforces leaseholder rights and responsibilities as well as the responsibilities of MDH as a landlord.
- 4.4 A range of minor changes are made throughout the policy to improve the wording and reflect updated practices.

#### **5.0 Decant Policy (Appendix 4 of Tenancy Standard Policy Framework)**

- 5.1 The aim of this policy is to clearly set out what happens when it is identified that a decant is necessary and ensure that consistent decisions are made by officers, whilst supporting our tenants throughout the process
- 5.2 The draft decant policy has been refreshed to ensure that, as much as possible, any disturbance caused by decanting a tenant to alternative accommodation is minimised. A decant is essentially a managed move to alternative accommodation, necessary because the landlord needs to recover the property, for whatever reason.
- 5.3 MDH aims to ensure tenants do not incur any 'out of pocket' expenses as a result of a managed move by way of a decant. The policy details the assistance that MDH is able to provide to such tenants, in accordance with our statutory obligations.
- 5.4 A range of minor changes are made throughout the policy to improve the wording and reflect updated practices.

#### **6.0 Vulnerability Policy (Appendix 5 of Tenancy Standard Policy Framework)**

- 6.1 The vulnerability policy has been updated to reflect current practices and relevant legislation.
- 6.2 Identifying vulnerable tenants at the earliest opportunity is critical to ensuring officers are able to provide choices, information and communication that is appropriate to the diverse needs of our tenants, as set out in the Tenant Involvement and Empowerment Standard.
- 6.3 As a result of the customer access review, senior officers will review the training programme available in relation to vulnerability to ensure that it provides those engaged with housing management with the knowledge to enable effective intervention when responding to issues involving the many facets of vulnerability.

- 6.4 An addition is made to the policy to incorporate MDH's approach to 'reasonable adjustments' as set out in the Equality Act 2010.
- 6.5 The Tenancy Standard requires registered providers to take into account the needs of those households who are vulnerable by reason of age, disability or illness, and households with children.
- 6.6 MDH is committed to ensuring that our services are accessible to everyone. MDH will seek alternative methods of access and service delivery where barriers, perceived or real exist, may make it difficult for people to engage or utilise our services. MDH will tailor services accordingly, in line with the provisions of the Tenant Involvement and Empowerment Standard and those outlined within the revised Tenant Involvement Strategy.

A range of minor changes are made throughout the policy to improve the wording and reflect updated practices.

## **7 Recommendation**

- 7.1 That Members recommend the adoption of the updated policies within the overarching Tenancy Standard Policy Framework document to the Cabinet as set out in Annex 1.

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

### **Circulation of the Report:**

Members of the Housing PDG  
Cllr Stuart Penny, Cabinet Member for Housing and Property Services  
Leadership Team  
Corporate Management Team  
Service/Operations Managers  
Legal Services

### **Useful additional information:**

[Tenancy Standard published by the Regulator of Social Housing](#)

[Allocation of accommodation: guidance for local authorities](#)

[Improving access to social housing for victims of domestic abuse](#)

[Leaseholder Reform Act 2022](#)

[Mid Devon Housing - MIDDEVON.GOV.UK](#)

## **Annex 1 – Tenancy Standard Policy Framework**



# Tenancy Standard Policy Framework 2022

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# Tenancy Standard Policy Framework

## 1. Policy Framework

1.1 One of the main objectives of the Regulator of Social Housing (RSH) is its Consumer objective: *to make sure that tenants get quality accommodation, have choice and protection, and can hold their landlords to account*. To achieve these objectives, they have a set of regulatory standards that contain specific expectations registered providers of social housing must comply with and the outcomes that providers are expected to achieve.

1.2 There are four core consumer standards which apply to all registered providers of social housing:

Home Standard – quality of accommodation and repairs and maintenance

Tenancy Standard – how properties are allocated/exchanged and terms around tenure

Neighbourhood and Community Standard – issues around neighbourhood and communal areas and anti-social behaviour

Tenant Involvement and Empowerment Standard – customer service and complaints, tenant rights and involvement.

This policy framework covers how we will achieve compliance with the **Tenancy Standard**.

1.3 The Tenancy Standard sets expectations for registered providers of social housing to ensure that homes are let to tenants in a fair, transparent and efficient way.

1.2 The RSH has an important role in intervening when there is a failure to meet the standards, and as a result, it has caused, or could have caused harm to the tenant.

1.3 In accordance with the Tenancy Standard, MDH will offer tenancies which are compatible with the purpose of the accommodation, the needs of individual households, the suitability of the community, and to make efficient and best use of our stock.

1.4 The new Tenancy Standard Policy Framework therefore brings together the following policies:

- MDH Allocation Policy
- Tenancy Management Policy
- Leaseholder Policy
- Decant Policy
- Vulnerability Policy

## 2. Objective

2.1 The overarching objective of our Tenancy Standard Policy Framework is to provide one clear and accessible document, outlining MDH's approach to tenancy management, outlined by the RSH in the Tenancy Standard framework. This policy seeks to ensure current and future tenancies are managed consistently and supports the aims set out in the Tenancy Strategy.

## 3. Policies within The Tenancy Standard Policy Framework

### 3.1 Allocation Policy

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This policy has been written to operate alongside the Devon Home Choice (DHC) policy, which covers the strategic elements of the operation of a choice based lettings system, as set out in the Tenancy Standard. MDH allocations policy deals only with exceptions to the DHC policy, which will be applied by MDH in our role as a social landlord.

The policy has been written to:

- identify provisions for assistance with tenants who are currently under-occupying or overcrowding their properties.
- manage the exception cases which operate outside the scope of DHC
- make best use of limited stock by addressing and managing local demands and needs
- frame and align with the DHC policy to ensure clear and transparent allocations
- manage and monitor the use of direct lets or management moves

3.1.1 Please see **Appendix 1** to read the full version of the policy.

### **3.2 Tenancy Management Policy**

This policy supersedes the tenancy policy, tenancy changes policy and introductory tenancy policy. Creating one policy provides a clear and comprehensive policy.

This policy has been written to:

- offer the most secure form of tenure compatible with the purpose of the housing and the sustainability of the community
- meet all applicable statutory and legal requirements in relation to the form and use of tenancy agreements
- develop and provide services that will support tenants to maintain their tenancy and prevent unnecessary evictions
- make sure that the home continues to be occupied by the tenant for the duration of the tenancy period
- create sustainable communities
- provide a clear framework for the offer, length and review of tenancies
- have a consistent approach to tenancy amendments and changes
- outline MDH's approach to tenancy termination and fraud
- facilitate increased mobility through promotion of mutual exchanges

3.2.1 Please see Appendix 2 to read the full version of the policy

### **3.3 Leaseholder Policy**

This policy sets out the rights and responsibilities of both the leaseholder and MDH in relation to the management of leasehold properties.

MDH identifies key principles to ensure that leaseholders are provided:

- with timely and accurate information regarding responsibilities and services
- with information about service charges and ground rents and ways to pay their annual service charge bill
- clear information on how to make a complaint, should a leaseholder feel that the service they have received has not met the required standard

3.3.1 Please see **Appendix 3** for the full version of the policy

### 3.4 Decant Policy

This policy sets out how MDH will manage the decant process effectively, providing clear information whilst ensuring the tenant is consulted throughout the decant process.

The policy ensures that:

- tenants are consulted about decants
- MDH provides clear information and keeps the tenants informed of the procedures through the process
- tenants needs are considered regarding alternative accommodation
- MDH complies with the Land Compensation Act 1973 when making home loss and disturbance payments
- the policy seeks to ensure that decants are carried out efficiently, with minimal stress and hardship caused to the decanting tenant

3.4.1 Please see **Appendix 4** for the full version of this policy

### 3.5 Vulnerability Policy

The Tenancy Standard requires Registered Providers to:

- take into account the needs of those households who are vulnerable by reasons of age, disability or illness, and households with children, including through the provision of tenancies which provide a reasonable degree of stability

The policy sets out how MDH will:

- identify vulnerable tenants
- help vulnerable tenants overcome barriers which could prevent tenants accessing our services
- make reasonable adjustments for applicants who are vulnerable or those identified as having additional support needs
- offer advice and support with the provision of support services and signposting when necessary

3.5.1 Please see **Appendix 5** to read the full version of this policy



# Allocation Policy

## 2022

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## 1. Introduction

- 1.1 It is Mid Devon Housing's (MDH's) policy to offer applicants a choice of accommodation where possible. This is achieved through the operation of a Choice Based Lettings system, Devon Home Choice (DHC).
- 1.2 Within Mid Devon, there is a high demand for accommodation but a very limited supply of social housing. Whilst MDH is committed to delivering new social homes, there will still be a large imbalance between the number of applicants seeking social housing, and the relatively low number of properties which are available.
- 1.3 In this context, the allocations policy allows MDH to allocate this scarce resource as fairly as possible whilst ensuring that everyone has fair access to social housing.
- 1.4 In framing the allocations policy, regard has been given to the Homelessness Strategy and Tenancy Strategy.
- 1.5 The DHC Policy is a separate document which should be read in conjunction with this policy.

## 2. Aims and Objectives

- 2.1 MDH's allocation policy will deal with local, specific issues outside of the scope of the DHC policy. It will set out exceptions to DHC policy.
- 2.2 In exceptional circumstances, MDH reserves the right to depart from any aspect of this policy.
- 2.3 Any decision to depart from the policy will be taken by the Operations Manager for Housing Services.

## 3. Background

- 3.1 MDH has a retained housing stock. DHC is the choice based lettings system adopted by MDH and 10 other local authorities as well as Registered Provider's working within Devon. This enables applicants the choice as to which properties they apply for, facilitating opportunities for mobility.
- 3.2 MDH is committed to offering our existing and any future residents the choice in the allocation of social housing within the district.
- 3.3 MDH ensures that whilst the choice is compatible with the needs of the applicant, housing goes to those with the greatest housing need.
- 3.4 MDH recognises that there is a high demand for affordable housing within Mid Devon and this demand cannot be fully met. Consequently, this means that more often than not, those in the greatest need of housing are most likely to obtain social housing.

## 4. Devon Home Choice

- 4.1 DHC is a choice based letting scheme that is transparent, easy to use and accessible for all. It aims to manage expectations through regular published reports of housing allocations.
- 4.2 MDH coordinates DHC within Mid Devon and maintains the housing register for all partners operating within the area.
- 4.3 The DHC policy sets out the fundamental principles upon which the scheme is based and forms the best part of MDH's allocation policy.
- 4.4 For more information on the DHC scheme please visit:  
[Devon Home Choice](#)

## 5. Legal Context

- 5.1 In developing this policy MDH has followed and fully considered the following:
- 5.2 **Legislation:**
  - The Housing Act 1996, Part 6 as amended by the Homelessness Act 2002 and the Localism Act 2011
  - The Housing Act 1996, Part 7 amended by the Homelessness Reduction Act 2017
  - The Children Act 2004
  - The Equality Act 2010
  - The Domestic Abuse Act 2021
- 5.3 **Statutory guidance:**
  - Allocation of Accommodation: Guidance for Local housing Authorities in England (2012, DCLG) "the Code".
  - Providing social housing for local people: Statutory guidance on social housing allocations for local authorities in England (DCLG, December 2013) "Supplementary Code".
  - Homelessness code of guidance for local authorities (February 2018).
  - Improving access to social housing for members of the Armed Forces (MHCLG June 2020).
  - Improving access to social housing for victims of domestic abuse (MHCLG January 2022)
  - The Right to Move and social housing allocations (MHCLG March 2015)
  - The Localism Act 2011 introduced significant amendments to Part 6 of the Housing Act 1996.

## 6. Allocations

- 6.1 For the purposes of Part 6 of the 1996 Act, a local authority allocates accommodation when it:
  - Selects a person to be a secure or introductory tenant of accommodation held by that authority
- 6.2 The following are not allocations under this policy:
  - Succession to a tenancy on a tenant's death pursuant to s89 Housing Act 1985
  - Assignment of a tenancy by way of mutual exchange

- Assignment of a tenancy to a person qualified to succeed to the tenancy on the tenant's death
- Transfer of the tenancy by a court order under family law provisions or under the Civil Partnership Act 2004
- An introductory tenancy becoming a secure tenancy
- A person being granted a family intervention tenancy
- Provision of non-secure temporary accommodation in discharge of any homelessness duty or power

## 7. Verification Checks and Offers

- 7.1 If an applicant is successful with their bid on DHC, a verification check of their housing application will be completed. This ensures the applicants housing circumstances reflect that stated in their application, and that their banding and bedroom need is correct.
- 7.2 A provisional offer will be sent, requesting documentation from the applicant in order to verify their housing need. The information that we request is as follows:
- Proof of ID (for all household members)
  - 5 years address history
  - Bank statements for all accounts held
  - Proof of benefits or income
  - Tenancy reference
- 7.3 When an applicant has been provisionally offered a property, their application will be set to 'bid shortlisted' and they will not be able to bid on any other properties, until they have accepted or refused that offer of accommodation.
- 7.4 Once all information has been received and verified, a formal offer will be sent to the applicant.
- 7.5 The applicant will get an opportunity to view with property with the Allocations Officer. At the viewing the Officer will go through a schedule of works and confirm a completion date for the property.
- 7.6 If an applicant accepts an offer of accommodation from MDH, their DHC application will be set to housed and closed.
- 7.7 Should the applicant refuse the property, a refusal reason will be added to the shortlist and the property will be reoffered to the next eligible applicant. Please see the DHC Policy for more information on refusals - [DHC Policy - Refusals \(4.15\)](#)

## 8. Tenancy Types

- 8.1 New tenants of MDH will normally be offered an Introductory Tenancy for an initial 12 month period.
- 8.2 In exceptional circumstances, it may be appropriate to grant a Secure or Flexible Tenancy. Flexible Tenancies are offered on a 2 or 5 year fixed term.

- 8.3 An applicant will be notified in writing as to an offer of 2 or 5 years and the grounds in which a 2 year fixed term can be appealed.

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- 8.4 Existing tenants of MDH or another Registered Provider, who have been tenants for 12 months or more, will normally be offered a Secure Tenancy.

- 8.5 More information on Tenancy Types can be found in the MDH Tenancy Management Policy

## 9. Withdrawal of Properties

- 9.1 MDH reserve the right to withdraw properties from DHC at any time. For example, it is possible that some advertised properties may still be awaiting void inspections and may have to be withdrawn if it later becomes apparent that they require extensive maintenance works (major void).

## 10. Reasonable Preference

- 10.1 The Housing Act 1996 as amended requires all Councils to give 'reasonable preference' in their allocations scheme to groups in high housing need, such as the homeless, people with medical or welfare needs, or those living in overcrowded, insanitary or unsatisfactory circumstances.
- 10.2 The DHC application form incorporates questions to establish whether an applicant is in one of the reasonable preference categories. A full explanation of reasonable preference groups are listed in the DHC Policy - [DHC Policy - Reasonable Preference \(3.9.13\)](#)

## 11. Local Letting Policies and Priority Bidding

- 11.1 Local Letting Plans serve to achieve agreed objectives, such as minimising the likelihood of anti-social behaviour in certain areas or improving the success rate of integrating young or vulnerable people into general needs housing.
- 11.2 Local Letting Plans are developed on a site by site basis to address the requirements of that specific area.
- 11.3 Local lettings may be used to (this is not an exhaustive list):
- Enable new schemes to be allocated to a mixture of tenants in order to develop a sustainable community
  - Enable an existing community to become more sustainable, by encouraging more working families to move into the area
  - Enable applicants to return to an area where they have a local connection
- 11.4 When a property, advertised on DHC is subject to a local lettings scheme, this will be clearly stated in the advert. The local lettings policy will be available to view on the DHC website.

### **Priority Bidding:**

- 11.5 MDH may advertise properties giving additional preference to specific groups. These specific groups are listed below:

- Allocations to existing MDH tenants/transfers

- Allocations to homeless applicants owed the main housing duty and living in temporary accommodation provided by the Council
- Allocations to applicants requiring adapted properties
- Preference to larger families if it is a 4 or 5 bedroom property
- Preference to those over 55 years of age if the property was previously categorised as 'sheltered'
- Other specific groups of applicants, determined by MDH from time to time

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## 12. Direct Lets and Management Moves

12.1 In certain circumstances, MDH has a discretion to make an allocation of accommodation through a direct let to applicants, or a management move for tenants, without the need to advertise through DHC.

12.2 Direct offers/Management moves will be agreed by the Operations Manager for Housing

12.3 Illustrative examples of direct lets/management moves are as follows:

- Where a property is needed urgently to deal with an emergency
- Where in exceptional circumstances an offer is required to prevent the homelessness of an applicant who would otherwise be requiring temporary accommodation
- Where an allocation is required to ensure protection of the public, for example, following a decision made by a Multi-Agency Public Protection Arrangements meeting or to fulfil agreements made with offender management services, or where an applicant has been referred as part of the witness protection scheme
- Where a property has been fully adapted/partially adapted and would meet the needs of an applicant/tenant needing that type of accommodation
- Where an applicant/tenant has a specific need for support/adaptations. If they remained in their current accommodation it would cause unnecessary hardship e.g. unable to meet their basic needs.
- Hospital discharge – when a vulnerable applicant is to be discharged from hospital who has nowhere suitable available to stay upon their discharge and temporary accommodation is not suitable.
- Where a property has been advertised at least once and cannot be let from that advert by applying the usual policy, it will be allocated outside of the bidding scheme.
- High risk domestic violence - in some urgent cases when the Domestic Abuse Partnership identifies that there is a high risk of further abuse to the victim/survivor.
- Life limiting illness - when an applicant has a life limiting illness and their current home is not suitable for their needs, it may be necessary to re-house them quickly into a home that is suitable.
- Similar alternative property - when an applicant has been offered a property and it is subsequently discovered that it will not be available to occupy within a reasonable timeframe, or even at all (for example if major works are discovered to be required after the property was advertised) they can be awarded the next property of that type in the area that becomes available.
- 'Other' exceptionally urgent cases where an applicant/tenant needs to be rehoused
- The quota of properties made as a direct offer of social housing will be monitored and reported back to the Devon Home Choice Project Lead.

12.4 Homeless direct offer – applicants that are homeless and have been accepted under the relief or main duty:

- May be made one suitable offer either within or outside Mid Devon District, regardless of the areas requested by the applicant (unless the applicant(s) are fleeing in which case only areas

considered to be safe will be offered) in order to prevent or relieve homelessness successfully.

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- Offered a property that is not going to be advertised through DHC, as temporary accommodation for an interim period, to relieve the pressure on temporary accommodation use. These properties would be offered on a licence agreement and not as a Part 6 offer.
- MDH may be required by the Housing Options team to hold an empty property, until such time as any appeal has been reviewed and a decision made.

### 13. Sensitive Lets

- 13.1 Occasionally MDH may agree that an individual property be identified as a 'sensitive let'. For example, if there has been significant anti-social behaviour in the local area and a property becomes available for re-let, it may be advertised as a sensitive let to try and prevent further issues arising.
- 13.2 The DHC advert will clearly state that the property is being advertised as a sensitive let and the preference to a particular group will be stated.

### 14. Categorised Properties

- 14.1 MDH will advertise properties which were previously specified as 'sheltered' with a preference to those over 55 years of age in the first instance.
- 14.2 MDH will advertise adapted properties with a preference to those with a need for an accessible property in the first instance, to ensure we are meeting the needs of those with mobility issues and making best use of our stock.
- 14.3 MDH will not advertise properties which are categorised for those with a learning disability. When a property of this type becomes available to let, the Allocations Officer will request a report from the DHC Lead, with all those applicants, registered on DHC with a learning disability. MDH will also liaise with the Mid Devon Learning Disability Team to ensure that all appropriate applicants are put forward. The property will then be allocated in accordance with the DHC banding policy and any specific preferences, stated in the advert (for example local connection to Mid Devon or those with a need for a level access shower).

### 15. Hard to Let Properties

- 15.1 MDH recognise that some properties are harder to let than others. When notice is received on a property that we know to have been hard to let in the past, MDH will look to offer a multiple viewing day to all applicants on the shortlist and then allocate in accordance with the DHC policy.
- 15.2 If we are not able to allocate the property after the multiple viewing day, MDH will look to offer the property as a direct match to a homeless applicant who is owed a main housing duty by Mid Devon.

### 16. Rent Arrears

- 16.1 The DHC policy stipulates that applicants who owe rent or a tenancy related debt, accrued within the last 2 years will not normally be offered a property and their application placed into the E Band – no housing need.

- 16.2 There may be exceptional circumstances in which rent arrears can be waived in order to allocate a property. MDH will only do this where it is viewed as an exceptional circumstance and where it is fair and just to do so.
- 16.3 MDH reserves the right to exercise discretion (on a case-by-case basis) in relation to levels of rent arrears that would otherwise prevent an offer of accommodation from being made, if it is in the interest of MDH to do so (for example, to reduce void periods of empty properties or to minimise the use of temporary accommodation).
- 16.4 For information relating to the DHC rent arrears policy, please visit – [DHC Policy - Rent arrears \(2.6\)](#)

## 17.Changes to the Allocation Policy

- 17.1 MDH reserves the right to deviate, expand, change, or alter any element of the allocations policy as and when required to meet changes in housing need, capacity, operational demands, resource and legislation.
- 17.2 From time to time a situation may arise that is not adequately reflected in this allocations policy but the needs or circumstances are exceptional, and cannot be reasonably remedied with the use of management discretion.

## 18.Prevention of Fraud

- 18.1 It is a criminal offence for any applicant and/or anyone providing supporting information to knowingly make a false statement or knowingly to withhold reasonably requested information relevant to the housing application.
- 18.2 MDH will also seek to obtain possession of any home that has been obtained as a result of fraud. MDH will decide when these provisions apply and when to begin legal proceedings.
- 18.3 Where an applicant provides false information in connection with their application this will be dealt with in line with the DHC Policy - [DHC Policy - Fraud \(4.18\)](#)
- 18.4 It is the applicant's responsibility to inform MDH of any change that could affect the priority that has been awarded. If MDH offer affordable housing to an applicant and, on further investigation, it appears that their circumstances had changed before the offer in a way that affected their housing priority, MDH reserve the right to withdraw the offer.

## 19.Right to Review

- 19.1 Any applicant has the right to request a review of decisions taken in regard to their application.
- 19.2 The review process is set out in the DHC Policy - [DHC Policy - Reviews \(4.21\)](#)

## 20.Complaints

- 20.1 Where an applicant considers that they have been treated unfairly or believes that there has been maladministration of the scheme, they can make a formal complaint to MDH.
- 20.2 MDH's complaints procedure is detailed on Mid Devon District Council website: [Feedback and Complaints](#)



# Tenancy Management Policy

## 2022

Appendix 2

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## 1. Introduction

- 1.1 MDH's Tenancy Management Policy sets out our approach to providing an efficient and effective tenancy management service to our tenants.
- 1.2 It is a requirement of all social landlords to publish a tenancy policy which sets out the types of tenancy that will be offered and how these tenancies will be managed.
- 1.3 This policy combines the previous Introductory Tenancy Policy, Tenancy Policy and the Tenancy Changes policy to provide one combined document that is clear and concise for both tenants and staff.

## 2. Aims

- 2.1 The aims of this policy are to set out how MDH will manage tenancies in respect of:
  - The types and lengths of tenancies MDH will offer
  - The circumstances which determine the type of tenancy that will be offered
  - How a tenancy can be brought to an end
  - Changes to tenancies
  - MDH approach's to tenancy management, tackling tenancy fraud and tenancy sustainment

## 3. Related Documents and Legislation

- 3.1 This policy should be read in conjunction with:

- Tenancy Agreement
- Tenancy Strategy
- Homelessness Strategy
- MDH Allocations Policy
- Anti-Social Behaviour Policy
- Rent Arrears Policy
- Allocations Policy
- Devon Home Choice Policy
- Rechargeable Repairs Policy

### Legislation:

- The Housing Act 1985, 1988 and 1996
- Localism Act 2011
- Domestic Abuse Act 2021
- Tenancy Standard 2015
- Prevention of Social Housing Fraud Act 2013
- ASB, Crime and Policing Act 2014
- Matrimonial and Family Proceedings Act 1984
- Civil Partnership Act 2004

### Documents:

- Reshaping consumer regulations: our principles and approach – RSH
- Social housing regulation – DLUHC

## 4. Types of Tenancies

### Introductory Tenancies

- 4.1 An introductory tenancy is a fixed term tenancy for 12 months. This can be extended by a further 6 months at the discretion of MDH. No further extensions are permitted.
- 4.2 The terms and conditions of an introductory tenancy are broadly the same as a secure tenancy, apart from some key exceptions. [Please see supplement 1](#)
- 4.3 All prospective tenants are informed before their sign up if they are being offered an introductory tenancy and they will have had a draft copy of the agreement, sent in advance of their sign up.
- 4.4 A tenancy review will take place at around 6 weeks from the tenancy start date. This can be done over the phone or via a home visit (where there has been additional support needs flagged) to ensure that the tenant is managing their tenancy, able to maintain their home and that all other aspects of the tenancy are being met.
- 4.5 If additional needs are identified at the 6 week check, the officer will facilitate appropriate support, or signpost to a support agency, to ensure that the tenant is given every opportunity to maintain their introductory tenancy.
- 4.6 At the end of the 12 month period, an introductory tenancy will automatically convert to either a flexible tenancy or a secure tenancy. The only exceptions to this would be when a decision has been made to extend the tenancy, or MDH are seeking possession of the property.
- 4.7 MDH may extend the introductory tenancy by a further 6 months, if there is any breach of the tenancy conditions, set out in their agreements. Tenants have the right to request a review of this decision.
- 4.8 MDH may decide not to allow an introductory tenancy to convert and the tenant will be required to move out. Tenants have the right to have this decisions reviewed by the Operations Manager for Housing Services.
- 4.9 Introductory tenancies can be brought an end more easily than secure tenancies. As long as MDH have followed the correct processes, a court must grant possession to MDH.
- 4.10 Introductory tenancies will not be used where:
  - Someone is a secure tenant of a local authority immediately before the offer of accommodation, or a secure or assured tenant of a housing association; or
  - Where a secure tenancy is being assigned, including by way of a mutual exchange.
  - In exceptional circumstances, where it would not be appropriate to grant an Introductory Tenancy, MDH will grant a Secure or Flexible Tenancy.

### Flexible Tenancies

- 4.11 Section 154 of the Localism Act 2011 gives local authorities the power to offer new social tenants flexible tenancies for a fixed term. A fixed term tenancy is a secure tenancy normally offered for a period of 5 years but no less than 2 years in certain circumstances where this is permitted.
- 4.12 Flexible tenancies will be offered for a 5 year period, following a successful 12 month introductory tenancy.
- 4.13 Flexible tenants have the same rights as secure tenants – [please see supplement 1](#). The only exception is that flexible tenants do not have the right to claim compensation for any improvements carried out at the property.

- 4.14 Flexible tenants will be reviewed before the fixed term is due to expire. This review will determine whether or not a further flexible tenancy is issued.
- 4.15 Factors that are taken into account when conducting the flexible review will include (but not be limited to):
- Household income / financial resources – as set out in the Devon Home Choice Policy
  - Household composition – if the property is under or over occupied it may not be appropriate to issue a further tenancy at the same property
  - General tenancy conduct such as serious rent arrears or ASB
  - If the property has been adapted for someone no longer living in the property
- 4.16 Following review, the options available are:
- Offer a further flexible tenancy at the same property
  - Offer a further flexible tenancy at a different property
  - Offer a secure tenancy
  - Not offer any further tenancy and require the tenant to vacate the property
- 4.17 If a further tenancy is offered, it will normally be for another 5 years. MDH may offer a reduced period of 2 years if there is a need to balance the household against local housing demand. This would be the case if the household compositions is likely to change significantly within the next 2 years.
- 4.18 A decision notice will be issued to the tenant with a full explanation given as to the decision that has been reached. If the decision is not to issues a further tenancy, details of advice and assistance will be made available to the tenant.
- 4.19 Tenants will have the right to request a review for all options above (apart from where a further flexible tenancy is offered at a different property). The review process will be in line with the Flexible Tenancies Regulations 2012 (Review Procedures).

### Secure Tenancies

- 4.20 A secure tenancy is a lifetime tenancy, meaning it cannot expire and can only be brought to an end if one of the following occur:
- the tenant serves a valid Notice To Quit (NTQ)
  - the tenant offers a [surrender of the tenancy](#) which is accepted by the landlord
  - one of the tenant or landlord conditions of a secure tenancy ceases to be met
  - the tenant loses the secure tenancy by [subletting the whole property](#)
  - the tenant is demoted to a [demoted tenancy](#)
  - a court order for possession takes effect under one of the grounds specified in the [Housing Act 1985 \(legislation.gov.uk\)](#)
- 4.21 MDH will grant a secure tenancy if the applicant was a tenant of a social landlord, prior to taking a tenancy with MDH.
- 4.22 A secure tenancy gives the tenant security of tenure and the following statutory rights as shown in [supplement 1](#)
- 4.23 A person under the age of 18 cannot legally hold a tenancy. In cases of minors seeking tenancies, MDH will require another member of the minor's family or another trusted adult to hold the tenancy in trust until they have reached the age of 18 when they tenancy will pass to them.

## **Demoted Tenancies**

- 4.24 A demoted tenancy is a flexible or secure tenancy that has been demoted by a court order to a tenancy with the status of an introductory tenancy.
- 4.25 MDH will consider the use of demoted tenancies as part of our response to dealing with and tackling anti-social behavior.
- 4.26 A demoted tenancy will remain for 12 months and during this period, the tenancy will be monitored closely. If the tenancy has been conducted satisfactorily, it will revert to its original status i.e. Flexible or Secure.
- 4.27 Where a flexible tenancy has been demoted, and the demotion period completed satisfactorily, a notice will be served before the end of the demotion period, informing the tenant that the tenancy will be a flexible tenancy, specifying the length of the fixed term and any other express terms of the tenancy.

## **Licence Agreements**

- 4.28 MDH offers licence agreements to people who are being housed temporarily under the Council's homelessness duties. They are generally used for interim accommodation.
- 4.29 There may be other situations where a licence may be used; for example, if someone needs to be urgently moved by way of a decant into temporary accommodation. However, decisions relating to this will take account of all relevant circumstances, and other forms of tenure may be more appropriate.

# **5. Ending a Tenancy**

## **Where a Tenant wishes to end the Tenancy**

- 5.1 A tenant may decide at any time that they wish to end their tenancy. They can do so by giving MDH 4 weeks notice in writing'. This is known as Notice to Quit and has to be completed in a prescribed format, (please contact MDH if you wish to give notice to end your tenancy), MDH will send you the prescribed form via email or in the post, but this must be returned with your signed signature, a typed signature will not be deemed legally binding. Terminations can be hand delivered, a photo taken of the written document and emailed to us at [htenancy@middevon.gov.uk](mailto:htenancy@middevon.gov.uk) . If notice is being given by someone who is not the tenant, we will need to see the original Power of Attorney or a Will showing the person signing the notice is named as either executor or administrator of the will.
- 5.2 Once the termination has been received, the notice becomes effective on the Monday and all tenancies will end on a Sunday four weeks after the effective date. Rent will still need to be paid, up until the end date of the notice
- 5.3 When leaving, all tenants must give vacant possession which means the property must be left clean and clear as per the terms in the tenancy agreement. If the property is not left in a satisfactory manner, the costs of cleaning and clearing will be recharged to the outgoing tenant.

- 5.4 If a tenant serves a NTQ and then changes their mind, the notice cannot be retracted. Once notice has been served it cannot be withdrawn, it would be at MDH's discretion to grant a new tenancy at the end of the notice period if this was requested, and there is no legal obligation for us to grant this. We consider an individual's circumstances, whether the property has already been advertised for letting and offered to someone else would impact on our ability to agree a new tenancy.

#### **Where MDH wishes to end the Tenancy**

- 5.5 MDH seeks to support tenants in maintaining their tenancies but will take action to end tenancies in circumstances where:
- The tenant has breached their tenancy conditions
  - The tenancy has been obtained fraudulently
  - MDH needs the property for a redevelopment or regeneration scheme
- 5.6 The tenant will be referred at the earliest opportunity to the Housing Options Team for advice and assistance.

## **6. Death of a Tenant**

- 6.1 In the unfortunate event of a death of a tenant, the tenancy can be transferred to an eligible family member. This is called a succession and based on the legal requirements as to who is deemed a successor tenant under the Housing Act 1985 and the Localism Act 2011.
- 6.2 Whilst a family member may succeed to a tenancy this does not mean they can automatically remain in the home. MDH will work with the successor tenant considering their individual circumstances and either allow continuation of the tenancy at the property they have resided in, or offer a suitable alternative that meets their housing need.
- 6.3 If there is no eligible family member to succeed the tenancy, MDH will end the tenancy by serving notice. You will be signposted to complete a Devon Home Choice Application to assess your housing need and encouraged to contact Housing Options at Mid Devon District Council to offer appropriate housing advice where there is no legal right to succeed the tenancy.
- 6.4 MDH Neighbourhood Team Leader, Housing Options Officer, Allocations Officer, Income Officer and Estates Officer will request relevant information to your case, to establish your housing need. They will collectively decide on the appropriate course of action. Contact will be maintained to ensure that you are kept informed of the progress of your case.
- 6.5 Once we have vacant possession of the property, an inspection will be carried out. If there are any rent arrears or other monies owing, for example, recharges, these will pass to the deceased's estate. If the tenant left a will, MDH will make a claim to the tenant's executor.

## **7. Assignment**

- 7.1 An assignment is the legal way in which a tenancy can be passed from a tenant to someone else:
- by way of a mutual exchange (excluding introductory tenancies)
  - following a court order obtained under matrimonial proceedings or civil partnership proceedings
  - the proposed assignee would be eligible for housing under the Devon Home Choice Scheme and MDH's Allocation Policy

- 7.2 MDH will allow both flexible and secure tenants to assign their tenancy to another person. The assignment will only be made to a person who would be entitled to succeed to the tenancy should the tenant have died immediately before the assignment.
- 7.3 Assignments use up the right of succession and a tenancy can only be succession or assignment. If someone was granted their tenancy as a succession, they will not be able to carry out an assignment.
- 7.4 Tenants wishing to assign their tenancy must apply to MDH in writing. Unauthorised assignments are a breach of tenancy and legal action will be taken to remove unlawful occupiers. Costs associated with this will be the tenant's liability.
- 7.5 Where MDH receives an application to assign a tenancy, a decision within a reasonable timescale, upon receipt of all of the required information
- 7.6 MDH will only withhold consent on the following grounds:
- The existing tenant succeeded to the tenancy
  - The tenancy was assigned to the existing tenant
  - MDH is in the process of taking legal action to recover possession of the property
  - The person the tenant wished to assign the tenancy to is not a person who would be entitled to succeed to the tenancy, if the tenant died immediately before the assignment
- 7.7 In instances where the MDH withholds consent to the proposed assignment this will be in writing, advising the tenant of the reasons for the decision.
- 7.8 In instances where MDH provides consent to the proposed assignment, this will be in writing. The tenant and the assignee will be invited to sign the deed of assignment. MDH will advise the assignee of their rights and responsibilities as a secure tenant, the date the tenancy was commenced and the balance of the rent account.
- 7.9 The assignee is regarded as a successor tenant.

## 8. Succession

- 8.1 When a tenant dies, another family member may be entitled to inherit their tenancy. In legal terms, this is called a succession. It is only possible to have one succession per tenancy.
- 8.2 On being advised of the death of a tenant who doesn't live alone, MDH will undertake investigations to establish whether the right of succession exists and whether the person(s) who lived with the late tenant are entitled to succeed to the tenancy. Succession will only be granted to someone who is entitled to succeed to the tenancy. The person succeeds the tenancy and not the property.
- 8.3 A person is qualified to succeed to the tenancy if they occupy the home and have done so for at least 12 months prior as their only or principal home at the time of the tenant's death and is either:
- the tenant's spouse or civil partner; or
  - the tenant's cohabitant and has resided with the tenant throughout the period of the 12 months ending with the tenant's death; or
  - another member of the tenant's family who has resided with the tenant throughout a period of the 12 months.

- 8.4 A person is considered to be a family member if their relationship was one of the following: the tenant's parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew or niece.
- 8.5 For secure tenancies created after 1 April 2012, there is no right for a family member to succeed, unless the tenancy agreement allows it. In normal circumstances, the following members can succeed a tenancy after 1<sup>st</sup> April 2012:
- Husband/Wife
  - Civil partner
  - Co habiting partner
- 8.6 **To succeed the tenancy, MDH will check:**
- The date the tenancy started
  - If the individual is one of the persons listed above
  - Whether the deceased was using the home as their main or principle home up until the date of death for at least 12 consecutive months prior to the death
  - The successor was also living at the home during this period, whilst married, in a civil partnership or co habiting.
- 8.7 **MDH will not agree to a succession in the following situations:**
- If the applicant is unable to prove that they are a family member or that they live/had lived at the address.
  - If the tenancy has already been succeeded as it cannot be succeeded again. This also applies if there has been an assignment of the tenancy.
- 8.8 Eligible successors to the tenancy will have the same tenancy as the person who dies.

## 9. Succession and Under-occupation

- 9.1 In cases where the successor is a close family member (as above) and the property they occupy is considered too large or unsuitable, MDH will offer a tenancy of a suitable alternative property.
- 9.2 If the successor is occupying a property which is considered too large or unsuitable, MDH make a suitable alternative offer of accommodation. This may be done through a direct let or via the Devon Home Choice scheme.

## 10. Sole and Joint Tenancies

- 10.1 MDH offers both sole and joint tenancies to new tenants moving into one of MDH's properties.

### **Sole Tenancy**

- 10.2 A sole tenancy is where one member of the households signs the tenancy and is responsible for ensuring anyone living within the property fulfils the responsibilities set out within the tenancy agreement. Where there is a breach of tenancy, the sole tenant will be accountable, even if the breach was caused by a member of the household or guest.

### **Joint Tenancy**

- 10.3 A joint tenancy is where more than one person has responsibility for meeting the requirements of the tenancy agreement. Each tenant has equal rights to the tenancy.
- 10.4 MDH will offer a joint tenancy to a maximum of 2 people. The tenancies listed above could be granted a joint tenancy based on the following circumstances:

- The proposed joint tenants are both eligible for housing as defined by legislation and
- Where the proposed joint tenants are married or civil partners or
- Where the proposed joint tenants live together and the relationship is an 'established'

#### **Converting a sole tenancy to a joint tenancy**

- 10.5 Requests from existing sole tenants that wish to add another person to their tenancy, creating a joint tenancy will be considered on a case by case basis at MDH's discretion. It is important to seek independent legal advice if you are considering requesting a joint tenancy.
- 10.6 Applications for a sole to joint tenancy will be refused under the following circumstances:
- The household cannot provide proof of marriage or civil partnership, or of joint residency for at least 12 months prior to the application
  - There is outstanding action against the household for a breach of tenancy
  - There are outstanding rent arrears
  - There is a history of tenancy breaches
  - The tenancy has been demoted
  - The applicant is already named on another a tenancy
  - The tenancy has already been assigned to the sole tenant
  - The tenancy has been succeeded to by the sole tenant

#### **Converting a joint to sole tenancy**

- 10.7 In some situations, a household may wish to convert their joint tenancy to a sole tenancy. MDH will check whether this is lawfully possible under [Section 91 of HA 1985](#)
- 10.8 The tenant who wishes to remove themselves must complete a notice to quit on our prescribed form requesting to end the tenancy. If your tenancy is a flexible, demoted or introductory notice will be required from both joint tenants. If your tenancy is secure then any one joint tenant can end the tenancy, this puts the joint tenant at risk of also losing their home.

A notice will be accepted for flexible tenants where:

- Both parties agree
- There are no outstanding breaches against the tenancy
- There are no outstanding rent arrears
- The home has been adapted for the leaving tenant

A notice will be accepted for secure tenants where:

- One party signs the notice
- There are no outstanding breaches against the tenancy
- There are no outstanding rent arrears

If the other joint tenant wishes to remain at the property they may do so whilst we establish the following under use and occupation, a weekly charge equivalent to the rent will be charged for the duration of occupation, this is known as Mesne Profits:

- Register with Devon Home Choice
- Provide relevant support evidence
- Provide household occupant information

MDH will check the remaining occupants eligibility for social housing by:

- Assessing your eligibility for the property size
- Ensuring that you do not have capital above the amount permitted under the Devon Home Choice Policy.
- Whether you are eligible to remain at the property
- We will consider what tenancy type to award you, (we do not have to give you the same tenancy that you held previously, this is at MDH's discretion)

10.9 MDH may consider offering a property to one joint tenant after the tenancy has been terminated by the other joint tenant. A feature of a joint tenancy is that it can be brought to an end by one of the joint tenants, acting unilaterally. There may be circumstances where one joint tenant does this with unfair consequences for the other joint tenant, e.g. following a relationship breakdown. In such circumstances MDH may agree to grant the other joint tenant a sole tenancy of the property, or of another vacant property.

## 11. Change to Household

11.1 Tenants are responsible for telling MDH of any changes to their household. This includes people moving in, people moving out, or the number of children in the property. If a tenant marries or changes their name, MDH will require evidence of this before updating a tenancy record. The following documents would be accepted as evidence:

- Passport / Driving licence
- Certificate of marriage, civil partnership or divorce/dissolution
- Confirm of name change by Deed Poll

## 12. Mutual Exchanges

12.1 A mutual exchange is where one tenants can 'swap' their tenancy with another tenant.

12.2 All MDH secure and flexible tenants have to right to do a mutual exchange with another MDH tenant or a tenant of another social landlord.

12.3 A mutual exchange is the process through which secure and assured tenants can assign their tenancy to another secure or assured tenant. Flexible tenants can also apply to exchange homes this way and there are provisions in place when a flexible tenants wishes to exchange homes with a secure tenants with a tenancy that came into effect prior to 1 April 2012.

12.4 Secure or assured tenants whose tenancy commenced before 1 April 2012 wishing to exchange properties with a tenants holding a flexible or fixed term tenancy are entitled to have their exchange granted through a surrender and re-grant of a new tenancy.

12.5 MDH encourages the use of mutual exchange for tenants who wish to downsize, upsize or who want to move to another location.

12.6 MDH will ensure that tenants who wish to mutually exchange are aware of any implications to their tenancy, such as:

- Any rent changes
- Any changes between security i.e. secure or assured status
- Any implications on the Right to Buy

12.7 MDH uses the [HouseExchange](#) website to allow tenants to advertise their property.

- 12.8 Once MDH receives the application form, for all parties to the exchange, the application will be processed, a property inspection completed as well as an electrical check. A letter will need to be signed confirming acceptance of the new property and its current condition.
- 12.9 If the tenant is moving to a home owned by another landlord, MDH will provide a tenant reference and will request a reference for the incoming tenant.
- 12.10 An exchange can only happen once permission has been given from all landlords. If for any reason, the exchange is not approved, the reasons for the refusal will be put in writing to the applicant.
- 12.11 Examples of when an exchange may be refused can be found in [supplement 2](#)

## 13. Granting of a Discretionary Tenancy

- 13.1 MDH may consider a discretionary tenancy in exceptional circumstances. Any new tenancy will be granted at the discretion of the Operations Manager for Mid Devon Housing and in accordance with the Devon Home Choice Policy and MDH Allocation's Policy.
- 13.2 There are circumstances where we may consider granting a discretionary tenancy:

### **If no succession rights exist:**

- MDH may consider the granting of a discretionary tenancy of the current property. This will be an introductory tenancy and will be let in accordance with MDH's allocation policy and Devon Home Choice scheme.
- Each case will be considered on its merits following receipt of a written request to remain in the property, which must be received no later than two months after the tenant's death. We may also consider use and occupation for a short time to allow the occupant to find alternative accommodation.

## 14. Tenancy Sustainment

- 14.1 MDH is committed to helping tenants to maintain their tenancy and offers a variety of ways to support tenants in achieving a successful tenancy.
- 14.2 MDH expects our tenants to maintain their property in accordance with their tenancy agreement.
- 14.3 MDH will monitor the condition of homes and neighbourhoods by carrying out regular neighbourhood walkabouts and tenancy home checks. MDH will take appropriate action to resolve any breaches effectively.
- 14.4 Where a tenant has been identified as needing additional support, the tenant will be sign-posted to external agencies such as the CAB, CHAT or floating support services.

### **Tenancy Home Checks**

- 14.5 MDH will utilise tenancy home checks to touch base with our tenants and ensure that we are delivering a good quality service. It will also provide an opportunity to:
- Update our tenant profiling, identify vulnerable tenants and offer referrals to appropriate support services when necessary
  - Pick up any repair issues and ensure the property has not been damaged or used unlawfully.
  - Ensure that our tenants are aware of the different ways they can get in touch with us and how they can be involved in tenant engagement activities.
  - Identify any potential fraud

## 15. Tackling Tenancy Fraud

### Tackling Tenancy Fraud

- 15.1 MDH will take action against any tenant found to be committing tenancy fraud. Examples of tenancy fraud include:
- Unauthorised sub-letting
  - Right to Buy fraud
  - Non-occupation by the tenant
  - Anyone obtaining a social tenancy fraudulently
- 15.2 MDH's approach is to comply with the Regulatory Framework, and take action to prevent fraud and ensure that our housing stock is only occupied by those with a legal right to be in residence.
- 15.3 MDH will work in partnership with our council departments and external agencies to tackle reports of fraud
- 15.4 Where appropriate, MDH will publicise cases of tenancy fraud
- 15.5 MDH will take enforcement actions to stop tenancy fraud and ensure social housing is being used for its intended purpose
- 15.6 MDH will continually look to improve our performance on tackling tenancy fraud.

## 16. Lodgers and Sub-letting

- 16.1 MDH recognises that there may be situations where a tenant wishes to rent out a room in their home and in this case the new occupier will be a lodger. Tenants may decide to rent out a room in the interests of relieving loneliness or for help with household bills. Tenants can take in lodgers without the consent of MDH provided this does not overcrowd the premises. Tenants would be expected to notify MDH with household details.
- 16.2 When the tenant ends the tenancy by giving a NTQ, lodging arrangements granted by the tenant end at the same time as the tenancy.
- 16.3 As per the terms of the Tenancy Agreement, tenants are not permitted to sub-let the property. It must be used as their sole or principle home.

## 17. Overcrowding and Under-occupation

- 17.1 There will be times where a tenant's home has become too big or too small for their needs. When situations like this arise, MDH will work with the tenant, to discuss the options of transferring via the Devon Home Choice, choice based lettings site and also via the mutual exchange site [HouseExchange](#)

## 18. Vulnerable Households

- 18.1 MDH is committed to providing support for tenants who have language and literacy difficulties as well as those with support needs in line with our vulnerability policy, which is available on our website.
- 18.2 When making decisions to grant, renew, extend or terminate a tenancy, we will ensure that we take into account:

- Any special circumstances and needs of the household who are vulnerable because of a protected characteristic
- Ensure that the needs and circumstances of the tenant are known before making a decision

## 19. Domestic Abuse

- 19.1 This policy does not aim to cover MDH's policy on domestic abuse. This is a separate policy which can be found on our website.
- 19.2 In situations where survivors of domestic abuse need support to remain in their existing home, and where the perpetrator is a joint tenant, MDH may consider the scope for evicting the perpetrator and allowing the survivor to return to their home with a new tenancy agreement.
- 19.3 We recognise that survivors of domestic abuse who have a lifetime social tenancy (whether a local authority secure periodic tenancy or a housing association assured periodic tenancy) may be reluctant to leave an abusive situation if it means losing their security of tenure.
- 19.4 The Domestic Abuse Act 2021 ensures that lifetime tenants who suffer domestic abuse will retain lifetime security if they are granted a new tenancy by a local authority for reasons connected with the abuse.
- 19.5 This protection applies to survivor who have a lifetime tenancy, or survivor who have had a lifetime tenancy in the past and have fled their social home to escape domestic abuse.
- 19.6 The protection also applies to the survivor of domestic abuse who have a joint lifetime tenancy and who wish to continue living in their home after the perpetrator has left.
- 19.7 The provisions apply to lifetime tenants of local authorities and private registered providers of social housing.
- 19.8 Domestic Abuse survivors have a right to apply as homeless to any council if they do not feel safe in their homes and should speak to the Housing Options Team on 01884 255255 if they wish to apply to Mid Devon District Council as homeless.
- 19.9 If a tenant is experiencing a relationship breakdown Shelter has produced a help guide which will help the tenant understand their rights. More information can be found at [Shelter England](#)

### Supporting survivors in MDH homes

- 19.10 Tenants who have suffered domestic abuse may wish to remain in, or return to, their own home, where for example the perpetrator has left or can be removed. Where it is safe to do so, MDH will encourage survivors to return to their home. It is important that survivors are supported to make an informed choice and that an appropriate risk assessment is carried out. They should not be put under pressure to remain in their home in order to reduce pressure on available housing.
- 19.11 Following an assessment of the property, and the needs and circumstances of the household, MDH may be able to make it safer for the survivor and family to remain in the property through the provision of appropriate security measures through the Sanctuary Scheme. These include: reinforced doors and windows, and extra locks; fire retardant letter boxes, smoke alarms and fire safety equipment; alarms, intercoms, and video entry systems; and the provisions of a sanctuary room from where the survivor can call and wait for the arrival of the police.

- 19.12 MDH will inform tenants of the option of applying to the court for an injunction against the perpetrator such as an order prohibiting the perpetrator from molesting the tenant (non-molestation orders), or an order prohibiting the perpetrator from living in the home, such as a transfer of tenancy into a sole name if joint tenants (see section 10.7). Based on individual circumstance, tenants could seek a stalking protection order.
- Further advice is provided at [paragraph 21.36 of the 2018 Homelessness code of guidance](#).

## 20. Complaints

- 20.1 MDH will deal with complaints in line with our complaints procedure.

## 21. Training and Awareness

- 21.1 New starters will receive training on our policies and procedures. As and when policies are reviewed and updated, staff are updated appropriately. The Tenant Engagement Team are actively involved to work closely with our Tenants to ensure important messages are relayed.

## 22. Monitoring and Review

- 22.1 The policy will be reviewed in line with changes to relevant legislation and/or good practice.

## 23. Equality and Diversity

- 23.1 MDH is committed to all our residents having the opportunity to reach their potential and seek to ensure our services meet all their needs. MDH seek to ensure that no section of our community is excluded from the benefits and opportunities available and that MDH always have regard to the need to eliminate discrimination, harassment, and victimisation.

## Tenancy Management Procedures (Supplement 1)

### Tenancy Types as part of MDH Tenancy Management Policy



Type of Agreement	What is it and when does MDH grant them?	How can this tenancy be brought to an end
<b>Introductory Tenancy</b>	<p>12 month 'probationary' tenancy granted to new social housing tenants. Regular reviews of the tenancy will take place in the 12-month introductory period.</p> <p>Rights include:</p> <ul style="list-style-type: none"> <li>• Basic tenancy rights</li> <li>• Right of succession and repair</li> </ul> <p>Introductory tenants cannot:</p> <ul style="list-style-type: none"> <li>× Make major improvements</li> <li>× Swap with another council or HA tenant</li> <li>× Sublet</li> <li>× Apply to buy the property through the Right to Buy scheme</li> </ul>	<ul style="list-style-type: none"> <li>• By serving a 4 weeks' NTQ</li> <li>• A possession order obtained under one of the grounds listed in Schedule 2 of the 1988 Housing Act</li> <li>• A NTQ served where the property has been abandoned or the tenant no longer occupies the property as their only or principle home</li> </ul> <p>If a tenant fails to pass the 12-month introductory tenancy and or a subsequent 6 months extension period, MDH may seek possession through service of notice under section 127 Housing Act 1996 at any time. In these circumstances tenants will be offered the right to review and must inform MDH of their intention to do so, within 14 days of the notice being served.</p>
<b>Flexible Tenancy</b>	<p>Generally granted for a fixed term of 5 years.</p> <p>In exceptional circumstances, MDH may grant a 2 year fixed term. Examples of exceptional circumstances:</p> <ul style="list-style-type: none"> <li>• Where the tenancy is offered as part of a specific scheme or programme where a shorter tenancy</li> </ul>	<ul style="list-style-type: none"> <li>• By acceptance of a Tenants surrender before the end of the fixed term, provided both parties agree</li> <li>• By the Tenant serving MDH 4 weeks' NTQ</li> <li>• A possession order obtained under one of the grounds listed in Schedule 2 of the Housing Act 1988</li> </ul>

	<p>term might be appropriate</p> <ul style="list-style-type: none"> <li>In circumstances determined by the Operations Manager for Housing Services as being exceptional, for example, where the tenant has a history of ASB, non-payment of rent or where there is a change in household profile income or circumstances</li> </ul> <p>Rights include:</p> <ul style="list-style-type: none"> <li>✓ Mutual exchange</li> <li>✓ Succession rights</li> <li>✓ Assignment Rights</li> <li>✓ Make improvements (subject to permission)</li> <li>✓ Sublet</li> </ul>	<ul style="list-style-type: none"> <li>A notice served where the property has been abandoned or the tenant no longer occupies the property as their only or principle home</li> </ul> <p>Before the end of the fixed term of the flexible tenancy (2 or 5 years) MDH will review the tenant circumstances. In making its decision, MDH will have regard to the following points:</p> <ul style="list-style-type: none"> <li>Household Profile</li> <li>Tackling under occupation</li> <li>Income and savings</li> <li>Adapted properties</li> <li>Stock disposal/refurbishment</li> <li>Mixed communities</li> <li>Tenancy conduct</li> <li>Rent arrears</li> </ul> <p>If MDH decide not to renew a flexible tenancy, at the end of the fixed term, the tenant will be notified of the reasons for the decision and their right to request a review of the decision.</p>
<b>Secure Tenancy</b>	<p>A lifetime tenancy has no end date. This is the most secure type of tenancy granted. These will be granted to:</p> <ul style="list-style-type: none"> <li>existing MDH secure tenants,</li> <li>a secure tenant, an assured tenant of a social landlord,</li> <li>an introductory tenant who has successfully completed their trial period and</li> <li>existing secure tenants who need to move or have recently moved from their social tenancy to escape domestic abuse</li> </ul>	<ul style="list-style-type: none"> <li>By acceptance of a tenants surrender</li> <li>By the tenant serving MDH 4 weeks' NTQ</li> <li>A court order for possession takes effect under one of the grounds specified in Schedule 2 of the Housing Act 1985 <a href="#">Schedule 2 of the HA 1985</a></li> <li>If the property is no longer occupied by the tenant as their sole and principle home</li> </ul>

	<p>Rights include:</p> <ul style="list-style-type: none"> <li>✓ Make improvements to your home (subject to permission)</li> <li>✓ Mutual Exchange</li> <li>✓ Right to Buy</li> <li>✓ Succession Rights</li> <li>✓ Assignment Rights</li> <li>✓ Right to claim compensation for any improvements carried out</li> <li>✓ Take in lodgers (subject to permission)</li> </ul>	
<b>Licence Agreement</b>	<ul style="list-style-type: none"> <li>• Agreement for use and occupation</li> <li>• Occupant does not have exclusive use of the property</li> <li>• This agreement provides basic occupation rights</li> <li>• These licences are excluded from the Protection of Eviction Act</li> <li>• Where the occupant does not have exclusive use of the property and shares communal facilities such as a bathroom, kitchen or living space with other occupants (e.g. Ivor Macey House)</li> <li>• For temporary decants</li> <li>• For homeless clients who are provided with temporary accommodation</li> </ul>	<p>Homeless applications will not be subject to protection under the Protection from Eviction Act 1977 when granted a licence to occupy accommodation under the following sections of the Housing Act 1996:</p> <ul style="list-style-type: none"> <li>• Section 188 (accommodation pending inquiries) or</li> <li>• Section 190 (duties to an applicant who has been found intentionally homeless)</li> </ul> <p>If there is a breach of the licence agreement, depending on the severity, accommodation can be ended immediately.</p>

Schedule 3 of the Housing Act 1985	Schedule 14 of the Localism Act 2011	Reason	Grounds for refusing consent to exchange
	Ground 1	Rent Arrears	When any rent lawfully due from a tenant under one of the existing tenancies has not been paid
	Ground 2	Breach of Tenancy	When an obligation under one of the existing tenancies has been broken or not performed
Ground 1	Ground 3	Possession Order	A court order for possession or a suspended possession order has been made for either property
Ground 2	Grounds 4 & 5	NOSP served or possession proceedings have commenced for secure tenancy under grounds 1-6	The Landlord has served a notice of seeking possession and the notice is still in force, or possession proceedings have commenced
Ground 3	Ground 7	Under Occupation	The property is substantially larger than reasonably needed by the proposed assignee
Ground 4	Ground 8	Suitability	The property is not reasonably suitable to the needs of the proposed assignee and their household
Ground 5	Ground 9	The property is part of a building that is used for accommodation other than housing accommodation and the property has been part of employment	The property is part of or close to a building that is held for non-housing purposes, or it is situated in a cemetery and was let in connection with employment with the landlord or with the local authority, a new town corporation, housing action trust, an urban development corporation, or the governors of a grant-aided school
Ground 6	Ground 10	Conflict of charity objectives	The landlord is a charity and the proposed assignee's occupation of the property would conflict with the objects of the charity
Ground 7	Ground 11	Adapted Property	The property has been substantially adapted for the occupation by a physically disabled person, and if the assignment went ahead a physically disabled person would not be living there.

Ground 8	Ground 12	Property is let for those with special needs	The landlord lets properties to people in difficult circumstances (other than merely financial circumstances) and the proposed assignee would not fulfil these criteria.
Ground 9	Ground 13	Property is let for those with special needs and the support provision is provided in close proximity to the property	The property is let to people with special needs and there is a social service or special facility nearby to the properties to assist people with those special needs, and if the assignment goes ahead no person with those special needs would be living there.
Ground 10	Ground 14	Property subject to a management agreement	The dwelling is the subject of a management agreement where the manager is a housing association of which at least half the members are tenants subject to the agreement and at least half of the tenants of the dwellings are members of the association, and also that the proposed assignee is not such a member nor is willing to become one
Additional Ground (Housing Act 2004)	Ground 6		An injunction order under section 153 of the Housing Act 1996 or an anti-social behaviour order or a Demotion Order or a possession order under Ground 2 for secure tenancies or Ground 14 for assured tenancies is in force or an application for one of those is pending either against the tenant, the proposed assignee or a person who resides with either of them.
		Apply conditions to the Exchange	For example, clear rent arrears before the exchange takes place
		MDH would be in breach of another agreement	By allowing the exchange, MDH would be in breach of the following agreements in respect of the property: <ul style="list-style-type: none"> <li>✓ Section 106 local connection restrictions</li> <li>✓ Any planning agreement restrictions which affect the local allocations or lettings policy</li> <li>✓ Where there is a head-lease with any covenants binding the tenancy</li> <li>✓ A Housing and Communities Agency agreement in respect of Affordable Rent</li> </ul>
		Exceptional Circumstances	Exceptional circumstances where it would not be reasonable to consent to the exchange

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# Leaseholder Management Policy

## 2022

Appendix 3

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## 1. Introduction

- 1.1 This policy outlines that way Mid Devon Housing (MDH) deals with the day to day management of leasehold properties. This includes the collection of ground rent, service charges and other associated charges.
- 1.2 This policy, together with the Leaseholder Handbook and leaseholder agreement, ensures that all leaseholders understand their obligations and what they can expect from MDH.
- 1.3 This policy applies only to leaseholders who own a property where MDH is the freeholder, either where they have purchased the property through Right to Buy, or bought it on the open market.
- 1.4 The lease is a contract which details covenants made by each party and includes the provision of payment for services.

## 2. Legal and Regulatory Framework

- Landlord and Tenant Act 1985 & 1987
- Leasehold Reform, Urban Development Act 1993
- Housing Act 1985 and 1996
- Common hold and Leasehold Reform Act 2002
- Leasehold Reform (Ground Rent) Bill 2022

## 3. Related Documents:

- Leaseholder Handbook
- Leaseholder Agreement
- Income Collection Policy

## 4. Definitions:

**Leasehold Management** covers the range of services provided by MDH to those who own their property on a leasehold basis.

**A Leaseholder** is a tenant who has purchased a long lease, usually lasting up to 125 years.

**Service charges** are defined under section 18 of the Landlord and Tenant Act 1985 as “an amount payable by a tenant of a dwelling as part of or in addition to the rent (a) which is payable directly or indirectly for services, repairs, maintenance, improvements or insurance or the landlord’s costs of management (b) and the whole or part of which varies or may vary according to the relevant costs”.

**Major works** are usually cyclical works to the structure or fabric of the building. This may include external painting or re-roofing, where the lease allows a recharge to be made to the leaseholder to recover costs of the work.

**Enfranchisement** is a group right for leaseholders to buy the freehold of the building they live in subject to meeting certain conditions.

**Lease** is a binding contract between MDH and the leaseholder which outlines the rights and duties of both parties.

## 5. Service Charges

- 5.1 MDH will make a charge for services provided to a block. Examples of such charges are as follows:
- Ground rent
  - Buildings insurance
  - Grounds maintenance
  - Communal lighting
  - Communal heating (Brewin Road)
  - Communal repairs and maintenance charges
  - Management charge
- 5.2 Appropriate notice will be given to leaseholders for service charges. Where there are changes to services provided, or to how they are charged, leaseholders will be consulted prior to their introduction.
- 5.3 However, it is the lease that determines exactly what MDH can charge for. The general principle is that MDH can only charge for a particular service if it is permitted by the lease. These charges must be reasonable as covered in the Landlord and Tenant Act 1985 [section 19](#)
- 5.4 MDH will send leaseholders details of service charges annually. This will include a breakdown of how the annual service charge is calculated as covered in the Landlord and Tenant Act [section 21](#)
- 5.5 Leaseholders that fall behind with payments will be contacted and appropriate action taken for arrears recovery. If for any reason, a leaseholder is not able to pay the service charge within a 28 day notice period, MDH will consider alternative repayment options, dependent on individual circumstances.
- 5.6 Persistent failure to pay service charges could result in legal action being taken, including forfeiture in accordance with the lease.

## 6. Ground Rent

- 6.1 Ground Rent is set in line with the lease and collected annually alongside the service charge, in accordance with statutory requirements provided within the Commonhold and Leasehold Reform Act 2002. The amount payable is £10 which is payable on the 1<sup>st</sup> April each year.
- 6.2 As of 30 June 2022, ground rents on new houses and flats which are sold under ‘regulated’ leases with the exception of retirement properties, ground rent will be charged at “one peppercorn” per year (£nil).

## 7. Insurance

- 7.1 MDH is required under the terms of its leases to provide a buildings insurance policy for its leasehold properties, the cost of which is recovered through the service charge. MDH will ensure value for money when obtaining buildings insurance so that leaseholders benefit from any cost savings.
- 7.2 Where leaseholders choose to sublet the property they must provide a copy of a formal tenancy agreement for their tenant.

## 8. Improvements

- 8.1 Leaseholders are responsible for maintaining and repairing the internal parts of their home including maintenance of fixtures and fittings (please refer to your lease for more details). Windows and doors would be the responsibility of MDH, however, leaseholders can request to arrange their own repair or renewal of some external parts, such as doors and windows.
- 8.2 We are supportive of leaseholders wishing to improve their homes. Leaseholders are required under the terms of their leases to obtain written consent from us to make any alterations or improvements. Where permission is refused, we will set out the reasons in writing for our decision. Consent will not be withheld unreasonably.
- 8.3 If it is found that alterations have been carried out to the property without written consent, the leaseholder will be instructed to return the property to its original state.
- 8.4 Any written consent given will be on condition that the leaseholder has provided us with details of the proposed works and subject to meeting conditions, such as obtaining planning permission and/or building regulations.
- 8.5 The future maintenance of any improvements or alterations to the property will be the responsibility of the leaseholder. Any damage caused to adjacent properties due to any works carried out, the leaseholder will be responsible for making good and any costs incurred for putting it right.

## 9. Repairs and maintenance

- 9.1 We will maintain the external fabric of the building and shared communal areas in accordance with lease obligations. This will include day to day repairs, cyclical maintenance and major works. Under the terms of the lease, we will charge leaseholders for their share of the costs.
- 9.2 A leaseholder may be entitled to a loan to help to pay for major works, subject to qualifying conditions. Under the [Housing \(Service Charge Loans\) Regulations 1992](#), Right to Buy leaseholder's who have bought under the provisions of the Housing Act 1985 have the right to a loan from MDH within the first ten years of their lease.
- 9.3 The loft space within a block of flats remains the property of MDH and should not be used by a leaseholder for any purpose including the storage of goods. Leaseholders who have sole access to a loft can apply to purchase the loft space, however we are under no obligation to sell.
- 9.4 MDH is committed to maintaining its stock and has a cyclical programme of repairs and improvements. When scoping works, decisions are based upon the long term value for money in block maintenance regardless of the proportion of tenanted or leasehold properties.
- 9.5 All works undertaken will be in accordance with the terms of the lease and works which necessitate [Section 20](#) consultation will be dealt with in line with legislation.

## 10. Breach of Lease

- 10.1 MDH will take appropriate action if and when we become aware of a leaseholder breaching terms of their lease. Breaches may include:

- Non-payment of ground rent, repairs or service charges

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- Unapproved works to the property
- Improper use of the property for illegal purposes
- Failure to maintain or damage to the property
- Anti-social behaviour, including harassment or neighbour nuisance

10.2 MDH will try to work with the leaseholder to resolve any issue raised. Failure to remedy the breach could result in MDH taking legal action against the leaseholder.

## 11. Consultation

- 11.1 In addition to the statutory requirement to consult with leaseholders under [section 20](#) of the Landlord and Tenant Act 1985, where possible, MDH will actively consult and work with leaseholders to understand their needs and preferences, and to provide services that reflect this.
- 11.2 MDH is committed to involving residents in meaningful engagement to improve our services.

## 12. Enfranchisement

- 12.1 Subject to certain conditions, leaseholders of flats may have the right to collective enfranchisement, if they and the building in which they live in qualifies. They are advised to seek independent advice.
- 12.2 Should leaseholders seek to acquire the freehold of a block of flats, MDH will comply as required by the [Commonhold and Leasehold Reform Act 2002](#).

## 13. Subletting

- 13.1 Leaseholders are permitted to sublet their property, individual leases will provide the terms for these arrangements.
- 13.2 If a leaseholder chooses to sublet their property, they will become a private landlord and will be subject to the statutory and regulatory conditions imposed on landlords.

## 14. Selling the property

- 14.1 When a leasehold property is being sold, MDH will provide on request to the current and/or prospective leaseholder and their advisors, all the necessary information regarding service charges and any planned major works. A fee for this service will be charged.
- 14.2 A leaseholder who is selling their property is legally obliged to notify the prospective purchaser of any notices that have been served on them or the property.
- 14.3 Leaseholders are not required to seek permission from us if they wish to sell their home. However they are required to offer to sell their home back to MDH, if they purchased it under the Right to Buy scheme, within ten years of the original conveyance.
- 14.4 It is a requirement of the lease to notify MDH of the sale within one month following completion. This needs to be done by way of a formal Notice of Assignment served by the purchaser's solicitors to MDH. There is a fee for serving this Notice. If a Notice is not received, the original leaseholder will be liable for any charges made against the property.

## 15. Right to Buy Discount Rules

- 15.1 If a property has been purchased under the Right to Buy Scheme, re-selling can usually take place at the discretion of the leaseholder. If the property is sold within the discount repayment period (within 5 years of the purchase), MDH will pursue repayment of the proportion of the discount.

## 16. Complaints

- 16.1 Any leaseholder who has a complaint about the services provided by MDH will have the right to follow the Complaints Procedure. Further information on the complaints policy can be obtained from website.
- 16.2 If leaseholders consider that they should not have to pay for a service charge item, that the quality of work is inadequate, or that a charge is not reasonable, they may have the right to challenge that part of your service charge at a First-tier Tribunal. Leaseholders can also seek a determination on works or services that are proposed in the future. An application cannot be made to a First-tier Tribunal if:
- the matter has already been agreed or admitted by the leaseholder;
  - the matter has been determined by a court;
  - the matter has been or is to be referred to an arbitral tribunal where agreement to go to arbitration has been reached after a particular dispute has arisen;
  - the matter has been the subject of determination by an arbitral tribunal where agreement to go to arbitration was reached after a particular dispute has arisen.
- 16.3 However, the leaseholder is not to be taken as having agreed or admitted any matter solely because they have made a payment. Consideration will be given to seeking independent legal advice in cases where payment has been made.

## 17. Equality Impact Assessments

- 17.1 MDH complete an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us make sure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.



# Decant Policy 2022

Appendix 4

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## 1. Introduction

- 1.1 This policy is intended to cover situations where a tenant of Mid Devon Housing (MDH) is required to move out of their home on a temporary or permanent basis, this is called a decant. This policy only applies to tenants of MDH.
- 1.2 This policy is utilised for ad-hoc or one-off situations such as the result of a fire, flood or major repairs. If a redevelopment project is being carried out, project specific policies will apply.
- 1.3 A decant will only be considered as a last resort, where it is deemed impossible for the tenant to remain in the home while works to the property are being carried out.
- 1.4 MDH recognises that this policy could affect void performance, especially if void properties are held to facilitate a decant. Therefore, every effort will be made to limit the impact of this.

## 2. Related Documents

- Tenancy Agreement
- MDH Tenancy Management Policy
- Devon Home Choice Policy
- MDH Allocations Policy
- Complaints Policy
- MDH Compensation Policy

## 3. Purpose

- 3.1 Decants can be disruptive and difficult for tenants and this policy sets out how MDH will mitigate this disturbance. MDH will ensure that we:
  - Act quickly once a decant is deemed necessary
  - Minimise the disruption to the tenant
  - Consult tenants at the earliest opportunity regarding a decant
  - Provide tenants with clear information in relation to the decant process
  - Consider the needs of tenants when offering alternative accommodation and try to balance the requirements of the tenant with the move
  - Provide clear, accurate and up to date information
  - Remain compliant with the Land Compensation Act 1973 when making home loss and disturbance payments.

## 4. Consultation and Information:

- MDH will consult with the tenant, in detail as to why the decant is necessary and the process that follows

- Tenants will be asked about their requirements, in particular where a tenant has special needs that need to be taken into consideration
- MDH will give the tenant an estimated timeframe of the decant duration 1
- MDH will give the tenant a schedule of works with interval periods for regular updates
- MDH will advise the tenant of the support/compensation that they may be eligible for
- Where a claim has been received for compensation towards eligible expenses, MDH will make a payment within 28 days.
- The tenant's neighbourhood officer will be the main point of contact throughout the process, providing advice and assistance when necessary.

## 5. Type of moves

### 5.1 Temporary moves

5.2 If the decant is due to major repairs needed to the home, a tenant will usually be able to return to the property, once the repairs have been completed (unless the works are scheduled to take longer than 6 months – see permanent moves below). Examples of major repair works include:

- Structural repairs
- Dry rot
- Chemical preservation treatment
- Major asbestos disturbance
- Or any other circumstance that would pose a risk to the tenant

Decants will not normally be arranged for planned improvement works such as heating replacement, kitchen or bathroom replacements, or re-wires.

5.3 If the tenant is able to stay with family/friends while we carry out the repairs they will be entitled to receive compensation (see disturbance payments below)

5.4 If the tenant cannot stay with family/friends, MDH will make a direct offer of accommodation, or arrangements will be made for you to be placed into Bed and Breakfast accommodation. If the tenant chooses to make their own bed and breakfast/hotel arrangements, the cost of the accommodation must be reasonable and agreed with MDH in advance any bookings made.

5.5 A tenant may only need to move out of their home on a temporary basis, for example, for a week or two, whilst works are being carried out. Where works may last longer, for example several months, this will be taken into account when considering the various options available.

5.6 If it is estimated that works will only take a few days, then it may be more cost effective to consider the following:

- Making arrangements for the tenant to stay with friends and family;
- Placing the tenant in B&B accommodation;
- Seeking respite care for the tenant; or
- Paying for the tenant to stay in a chalet, caravan or similar type accommodation within Devon
- If the tenant has a support network, outside of Devon, MDH will consider a request for placing into accommodation outside of Devon. This will be at the discretion of the Service Manager.

5.7 The tenant will be obliged to carry on paying rent for their permanent home, therefore they will not have to pay for the cost of their temporary accommodation. If they have transferred to

alternative accommodation within MDDC's own housing stock, the above will be confirmed in writing

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## 5.8 Emergency Decants

5.9 If the tenant has to move as an emergency, for example in the event of a fire or flood, MDH will liaise with the Housing Options Team to secure temporary accommodation while we carry out the repairs. This policy does not intend to cover temporary housing in an emergency, however, it can be applied if longer term temporary rehousing is required.

## 5.10 Permanent moves

5.11 If the move is permanent, tenants can bid for a new property through Devon Home Choice ([DHC](#)) or MDH will look to make a direct offer of accommodation.

5.12 MDH will take into account the tenants housing needs, the distance of accommodation from place of work or education and the proximity to their support network.

5.13 The tenant will continue to have the same tenancy type and security that they had in their original property.

## 6. Types of properties offered

6.1 Suitable properties will be identified within MDH's own stock.

6.2 If the decant is urgent and there are no suitable properties within our stock, other options will be considered, such as bed and breakfast accommodation.

6.3 Properties which are offered as a temporary decant will generally be 'like for like' with the tenants main home. Depending on the availability of suitable properties, MDH may have to move a tenant to a property that whilst not suitable in the long-term, would be suitable on a short term basis. This may relate to the size, location or property type.

## 7. Tenants Responsibilities

7.1 Tenants will be required to pack their own belongings, unless there is a valid reason, for example they are vulnerable or have special needs and that they cannot. In these instances, MDH will arrange a packing service.

7.2 The property must be left vacant and any items left will be cleared and there will not be an opportunity to return to the property to collect anything left behind.

7.3 The tenant is required to provide access for contractors or agents acting on MDH's behalf. Tenants must take responsibility for their own fixtures and fittings, unless the property is due to be demolished. A disclaimer will need to be signed to say that the tenant does not require any compensation for the loss of items.

7.4 Tenants must make appropriate arrangements for pets to be removed from the property.

7.5 Tenants must notify their insurance company and service providers of their move out date

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## 8. Rights to return

- 8.1 There may be occasions when the tenant will have no automatic right to return to the property in which they are decanted from. It will depend on a number of factors, including the property size after redevelopments. In these circumstances, housing options will be explored with the tenant.
- 8.2 In some cases, the tenant may request to remain in the decant property on a permanent basis. Such requests will be considered by the Operations Manager for Housing Services. If a permanent move is authorised, no further costs in relation to the decant will be payable.

## 9. Expenses and Payments

### 9.1 Home-loss payments

- 9.2 If a move is permanent, the tenant be entitled to a home-loss payment. These payments are made in line with the [Land Compensation Act 1973](#)
- 9.3 A tenant will only qualify for a home loss payment if they were in occupation of the property as their only and main residence for a minimum of 12 months.

### 9.4 Discretionary Compensation (decant)

- 9.5 If a tenant is decanted, less than a year into their tenancy, they may receive discretionary compensation. The amount offered will be based on how long they have lived in the property. Provided that the tenant is able to provide receipts for 'out of pocket' expenses as a result of a decant, MDH may offer discretionary compensation.

- 9.6 If a tenant owes rent arrears or any other payment to Mid Devon District Council, this payment may be used to offset any monies owing.

### 9.7 Disturbance Payments

- 9.8 MDH will compensate the tenant for costs incurred from moving and ensure that you have not been left 'out of pocket' due to moving - [disturbance payments](#).

- 9.9 Examples of the items which can be included are:

- The cost of removals and/or storage of belongings
- The reasonable cost of refitting carpets, altering blinds if possible, if not replacing these items
- The reasonable charges incurred from moving your furniture and effects to your new house.
- The reasonable cost of moving the following items - cooker, washing machine, dish washer, telephone, TV aerial, satellite dish or other telecommunication equipment, alarms, re-direction of mail.
- The cost of new school uniforms should a change of school be necessary.
- The reasonable cost of cattery or kennels of pets if they cannot be accommodated in any temporary accommodation.
- The reasonable cost of redecoration of new home

- Loss of wages where time off is unavoidable due to displacement and removal and wages are lost as a consequence. In some cases we may reimburse for the cost of new appliances, for example if your existing cooker cannot be connected to your new energy supply, but this must be agreed with us beforehand.

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- Installation of any disability aids and adaptations
- Providing a shower in the decant property if it is necessary due to health issues and agreed by an occupational therapist.

## 10. Monitoring and review

10.1 This policy will be reviewed in line with legislative or regulatory changes

## 11. Equality Impact Assessment (EIA)

11.1 This policy has been subject to an EIA. Both positive and negative impacts have been considered in relation to protected characteristic groups and communities that MDH work with.



# Vulnerability Policy 2022

Appendix 5

# Contents

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## 1. Introduction

- 1.1 MDH aims to ensure that everyone has the opportunity to access and benefit from our service. MDH realises that for some service users who may be vulnerable, barriers can exist which may prevent participation.
- 1.2 The Regulator of Social Housing's Tenant Involvement and Empowerment Standard, requires us to "provide choices, information and communication that is appropriate to the diverse needs of (our) tenants" and to "demonstrate that (we) understand the different needs of tenants, including in relation to the equality strands and tenants with additional support needs."
- 1.3 MDH is committed to making sure our services can be easily accessed by tenants with complex and/or additional needs.
- 1.4 The policy also defines what a 'reasonable adjustment' is, in what type of circumstances they will be carried out and how a request for a reasonable adjustment can be made.
- 1.5 This policy does not aim to explain how we will approach every circumstance where a tenant with complex needs requires a service to be adjusted. It is a general statement of our commitment to ensure tenants with disabilities are not at a disadvantage when accessing MDH services.

## 2. Objectives

- 2.1 This policy sets out to achieve the following:

- How vulnerable adults are identified
- How vulnerable adults can access services from MDH
- How MDH can adapt its services to meet the needs of vulnerable people
- Signposting
- MDH's approach to reasonable adjustments

At MDH, one of our objectives is to ensure that our vulnerable tenants receive the services and assistance they require to sustain their tenancy. To achieve this, we aim to:

- Identify a tenant who may have a vulnerability and/or support need
- Record any vulnerabilities on housing management system
- Use all available information to identify if a tenant is vulnerable
- Take account of known vulnerability factors in the provision of services and in decisions around tenancy management and enforcement
- Assist vulnerable tenants in accessing additional services that they may need.
- Record any known representatives who act as a 'delegated authority' or with power of attorney or other care givers who may act on the tenants behalf
- Consider any additional needs due to the vulnerability and where appropriate vary our service delivery to ensure vulnerable residents still receive the same level of service

- Make appropriate referrals to tenancy sustainment services, such as CHAT (Churches Housing Action Team) or support agencies, based on our local knowledge of resources and the needs of the tenant, where appropriate to do so
- Make reasonable adjustments when a request is made and justified (see section 10).

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### 3. Definition of vulnerable:

- 3.1 Vulnerable means any individual who is, or may be, in need of help or support due to mental health difficulties, disability, age, illness or frailty and who are, or may be, unable to look after their home and/or their wellbeing or unable to protect themselves from harm or exploitation by others.
- 3.2 For the purposes of this policy, MDH will define vulnerable as a tenant who requires an enhanced housing service (for example correspondence in a different language or large print, or where signposting to other services is necessary). This definition does not replace statutory definitions.
- 3.3 MDH has due regard to tenants who may have specific requirements, these include, but are not limited to:
  - Tenants with sensory impairments, such as visual impairment, deafblind and hearing impaired
  - Tenants who do not have English as a first language
  - Tenants who are socially isolated or lonely
  - Tenants whose disabilities limit their physical mobility
  - Tenants with learning disabilities
  - Tenants with mental health problems
  - Tenants who are frail or elderly
  - Tenants who have alcohol or substance misuse problems
  - Tenants who are experiencing domestic abuse or harassment
  - Tenants who lack capacity to make decisions (under the Mental Capacity Act 2005)
- 3.4 A tenant may be vulnerable as a result of a single problem or condition, or due to a combination of factors. Vulnerability can also occur at different points in a person's life, for instance someone may need support following bereavement for a temporary period, whereas another may require support permanently.
- 3.5 This policy does not assume that whole groups of people are vulnerable. For example, it is not correct to assume that all older people are vulnerable or that all disabled people are vulnerable.
- 3.6 There are a number of signs that someone may be vulnerable. These may include, but are not limited to the following:
  - Falling into rent arrears or other debt problems
  - Issues with maintaining the tenancy
  - Being the victim, or perpetrator, of anti-social behaviour, hate crime or harassment
  - Disputes with neighbours
  - Damage to the person's home
  - A detrimental change to a person's physical appearance
  - A failure to respond to correspondence or to answer the door when visited
  - Self-neglect, hoarding or other behaviour which results in the person's home and/or garden becoming damaged, neglected or otherwise unfit for occupation

## 4. How MDH identifies vulnerable tenants

- 4.1 When a tenant contacts Mid Devon Housing, this presents an initial opportunity to identify whether they are vulnerable. A tenant can become vulnerable at different stages of their lives, it is essential that identification of vulnerabilities is not just at first contact, but throughout a tenancy and whenever contact is made.
- 4.2 MDH is able to identify vulnerabilities in a number of ways:
- Reviewing any support needs or vulnerabilities identified in a Devon Home Choice application form
  - At the sign up stage for a new tenant and upon completion of the vulnerability questionnaire
  - During home visits
  - Reports from relatives or care givers
  - Reports via a support agency or another external agency such as police or probation.
  - Local knowledge gathered or observed through day to day housing management activities e.g. neighbourhood walkabouts, tenancy home checks, through tenants reporting a repair and the operative picking up a vulnerability and/or support need, or as a result of a breach of tenancy.

## 5. What MDH does when a tenant is identified as vulnerable

- 5.1 When a tenant is identified as vulnerable (according to the MDH definition), the officer will look at ways to support the tenant (some of which referenced below in section 6)
- 5.2 The tenant's record on the housing system will be marked with a warning flag (UDC) with the nature of the vulnerability and how the tenant needs to be assisted (e.g. needs letters sent in large print).
- 5.3 Monthly reports are produced, on warning flags and these are checked by the neighbourhood officers to ensure the data we have is up to date and accurate.
- 5.4 At the sign up stage, the tenant will be asked whether they have any support needs and/or any communication preferences.
- 5.5 These will be recorded onto our internal systems and will be used in order to meet the tenant's specific needs throughout the duration of their tenancy.
- 5.6 We will proactively check that we have the appropriate support flags and communication preferences recorded on our systems, where information is missing or requires updating.

## 6. How MDH can support vulnerable tenants

- 6.1 General signposting and referrals:

6.2 When a Housing Officer or another member of staff identifies a vulnerable adult they will seek to signpost or refer the person to appropriate support if it is needed. Some of the services signposted or referred to may include for example:

- GPs and other health services
- Mental health services
- Adult Social Services (for care and support services or safeguarding)
- Tenancy sustainment support
- Occupational Health
- Substance misuse services
- Domestic abuse services
- Debt advice and welfare benefit services
- Advocacy services

6.3 MDH recognises that carers, who are caring for vulnerable people in a voluntary capacity (e.g. partner, relative or friend), may also need support in fulfilling their responsibilities and in looking after their own wellbeing. Carer's can be signposted, wherever appropriate.

#### 6.4 **Communication:**

6.5 MDH communicates with its tenants or service users in a variety of different ways:

- Face to face, which includes: home visits or booked office appointments
- Phone
- Letters
- Newsletter
- Email
- Texts
- Social media
- MDDC Website

6.6 In accordance with the MDDC's Equality and Diversity Policy, documents are available in other languages, braille, large print and audio tape and all officers will provide assistance to complete forms when requested.

6.7 Tenants can also ask that correspondence is sent to someone who will act on their behalf. Telephone and face-to-face language interpreting and British Sign Language interpreting services can also be provided upon request.

6.8 At the sign up stage, the tenant will be asked whether they have any support needs and/or any communication preferences (questions are posed in the vulnerability checklist) but also at other opportunities during their tenancy. This ensures that the Housing Service can communicate with the service user in the best way possible and in a way that is tailored to their individual needs. These will be recorded onto our internal systems and will be used in order to meet the tenant's specific needs throughout the duration of their tenancy.

6.9 We will regularly check that we have the appropriate support flags and communication preferences recorded on our systems, and will regularly check that the information we hold is up-to-date.

## 7. Support that MDH can offer:

- Identifying any support needs or requirements at sign up stage and completing referrals where necessary
- Updating the housing management system with a UDC flag if the tenant has a support need or a requirement for an enhanced service
- Post sign up check – usually 6 weeks after the tenant has moved in
- Offering Lifeline alarm services for a charge
- Providing housing advice

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- Provide aids and adaptations to promote independent living, requested through a Disabled Facilities Grant (DFG) in accordance with the Aids and Adaptations Policy
- Providing additional security through the Sanctuary Scheme for tenants who are survivors of domestic abuse and wish to remain in their current home
- Offer referrals to Devon Mediation Service where there are identified neighbour issues.
- Installation of gas or electric cooker connections can be provided by MDH, charged at a competitive rate.

## 8. Children and vulnerable adults

- 8.1 MDH has a duty to protect children and vulnerable adults. Where it is brought to the attention of MDH that a child or adult may be at risk, Officers will refer to the Council's Safeguarding Children and Vulnerable Adults Policy. When and if appropriate, Officers will signpost or refer cases to other agencies.

## 9. Mental Capacity

- 9.1 The Mental Capacity Act (2005) provides the legal framework for acting and making decisions on behalf of people who lack mental capacity to make decisions for themselves.
- 9.2 When MDH identifies a tenant who does not have mental capacity to make decisions, MDH will work in line with the [Mental Capacity Act Code of Practice](#) to ensure tenants are able to access our services.

## 10. Reasonable Adjustment

- 10.1 A reasonable adjustment involves making a change to the way that we usually do things to ensure that we are fair to all of our tenants. This may involve departing from our usual practice in the way we do things if we find that the current position places that person at a substantial disadvantage. For example we would:
- Allow more time for someone to respond or provide information; or
  - Make sure our office buildings do not present obstacles for disabled people, for instance by providing lifts or ground floor meeting rooms; or offer a suitable alternative locations
  - Provide information in large print or alternative language
  - Allow for more time to answer the door if someone has mobility issues
- 10.2 How do MDH define 'reasonable'?
- 10.3 The Equality and Human Rights Commission suggests the following considerations when we decide whether an adjustment is 'reasonable' or not:

- How effective the adjustment(s) will be in assisting a customer with a disability and in preventing or reducing the possibility of them being at a disadvantage;
- The practicality of making the adjustment(s)
- The cost of the adjustment(s) and whether this is possible within our resources; and
- Any disruption to the service that making the adjustment(s) may cause.

10.4 A reasonable adjustment can be requested from MDH in the following ways:

- In writing, explaining what the adjustment is and why it is needed
- By telephoning, writing or emailing in to the MDH service
- By referral from a support agency or external agency
- By a family member when we have been given permission for them to do so; and or
- A member of staff may suggest for one to be made, when they are aware it will support the tenant's needs.

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### 10.5 Reasonable adjustments to our complaints process

10.6 We will make reasonable adjustments to our complaints service where necessary, ensuring tenants with a disability are not at a disadvantage when accessing the service.

10.7 Examples of the reasonable adjustments we will make are:

- Using the customer's communication preference throughout the duration of the complaint;
- We will not request a complaint to be made in writing where this presents a barrier or disadvantage to the customer due to their disability or additional needs;
- Extension of any time limits (where it is lawful to do so); and
- Provide information in alternative formats eg. Braille, large print or on coloured paper.

10.8 In the circumstance where we are unable to make a reasonable adjustment due to cost or resources, we will work together with the tenant to find the most appropriate alternative solution for them.

10.9 If a tenant is dissatisfied with the arrangements or decisions we have made regarding a reasonable adjustment, we will respond in accordance with our Complaints Policy.

## 11. Monitoring and Review

11.1 This policy will regularly be reviewed in line with legislative and regulatory changes and best practice.

## 12. Equality Impact Assessment

12.1 MDH complete an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us make sure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.



## ENVIRONMENT POLICY DEVELOPMENT GROUP

19 JULY 2022

### PLAY AREA RISK ASSESSMENT AND SAFETY INSPECTION REVIEW

**Cabinet Member(s):** Cllr Colin Slade – Cabinet Member for Environment and Climate Change

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

**Reason for Report:** To review the way in which the Council manages its play area risk assessments and safety inspections.

**Recommendation: To recommend to Cabinet that:**

**1) The current risk assessments and safety inspections frequency are considered adequate to meet the Council's responsibilities and for individual pieces of play equipment to be identified on the Risk Assessment forms.**

**2) Digital transformation of the current inspection method would make the task more efficient and that implementation of a process will be expedited.**

**Financial Implications:** The cost of litigation should the Council be found negligent with regards to inspection and maintenance of its play areas.

**Budget and Policy Framework:** The report has no impact on budget and policy framework. It should be noted that the number of play areas is reducing and income for inspecting for third parties is increasing.

**Legal Implications:** The Council must have an inspection and maintenance regime for its play areas as stated within the Health and Safety at Work Act 1974 and the Management of Health and Safety at Work Regulations (1999) to ensure the health and safety of users, as far as reasonably practicable.

**Risk Assessment:** There is a potential cost of litigation and loss of reputation should the Council be found negligent with regards to inspection and maintenance of its play areas leave alone injury or death of a child.

**Equality Impact Assessment:** The Council is aware of the Equality Act 2010 duty that requires that play area providers assess their play areas for suitability by disabled users. There are no equality issues raised specifically in this report however, which is a review of current risk assessments and safety inspections of play areas.

**Relationship to Corporate Plan:** Ensures equipment in play areas and parks is fit for purpose to encourage active play and recreation for children and young people.

**Impact on Climate Change:** None

## **1.0 Introduction/Background**

- 1.1 The previous review of risk assessments and safety inspections of the Council's play areas was carried out in 2019.
- 1.2 Mid Devon have 83 play areas (including skate parks and BMX track) in its direct control. The number of Play Area leased to Parish and Town Council is 17, there are a further 3 pending and the lease-in of land for 1 further site is to be taken over by the Parish Council on expiration. There are 3 closed sites with no equipment. It is anticipated that the total will reduce to 81 during the current year and further as the process to transfer to Town and Parishes (and other organisations) continues.
- 1.3 There shall also inevitably be a reduction in the number of pieces of equipment within play areas and play areas to inspect over time due to the managed decline of equipment and the lack of funding to replace it in some places resulting in closures in accordance with previously agreed Policy subject to review with Town and Parish at the time; un-equipped play areas shall still require inspections.
- 1.4 The District Council has a legal responsibility for the safety of those using their playgrounds. Both criminal and civil aspects of the law are relevant.
- 1.5 Under sections 3 and 4 of the Health and Safety at Work Act 1974 there is a clear duty on playground providers to ensure so far as reasonably practicable, the health and safety of those who use the facility. Failure to comply with the duties under these sections of this Act may result in legal enforcement action being taken. An improvement or prohibition notice could be served and/ or the appropriate enforcing authority could bring a prosecution.
- 1.6 Inspections are carried out by two qualified members of staff within Property Services. The FTE is 0.70 at a cost of £22,470 for inspection of equipment and supervision of £47,820 (22-23 budget) essential operational maintenance works (excluding Capital).
- 1.7 Income from Parish Councils for the provision of an inspection service is projected to be circa £3,000 in 2022/23. The recharge rate cost is subject to further review prior to 2023/24 The total may increase further as play areas are transferred.

## **2.0 Inspection Regime**

- 2.1 The publication "Best Play" states that play provision should aim to manage the balance between the need to offer risk and the need to keep children safe from harm.
- 2.2 There is a legal requirement to carry out risk assessments on all play areas, the Health and Safety Executive in its guidance note EN1176 has endorsed the use of risk versus benefit assessments, for children's play area provision. The HSE encourages a focus on the sensible and proportionate control of real risks and not on unnecessary paperwork.

- 2.3 Although the number of play areas that Mid Devon are responsible for have reduced there is still a need to ensure that play areas that pose the highest potential risk receive the highest level of inspections. This has been determined by carrying out a play area Risk Assessment that awards scores to each site depending on the type of equipment installed and the inherent risk that it poses. The higher the score the more frequent the inspection regime, see Annex 1 and 2.
- 2.4 Annex 1 shows an example of an individual play area risk assessment and Annex 2 shows a summary of all play areas, risk scores and inspection frequencies.
- 2.5 Inspections are categorised as Routine, Operational and Annual, with a reduced schedule operating during the autumn and winter; Twice and Three Times Weekly inspections are classed as Routine. Currently each of our play areas receives a Monthly and an Annual Inspection as a minimum. The higher scoring sites receive additional Routine Inspections to a maximum of Three per week; Monday to Friday - there are no weekend or bank holiday inspections with refuse operatives being observant to gross defects on those days in the higher risk sites where bins are also being serviced.
- 2.6 Around 2000 inspections are undertaken annually.
- 2.7 Inspections are classified as:
- a) Routine Inspection - this is a basic safety check and will identify hazards resulting from vandalism and wear and tear from normal use.
  - b) Monthly Inspections - are more detailed and include the condition of both static and moving parts, such as chains, seats and bearings.
  - c) Annual Inspection - this examines the integrity of the structures and takes an overview of the play area as a whole.
- 2.8 Inspection frequency is under constant review depending on condition of equipment, prevalence of anti-social behaviour and vandalism and the weather. Reduced inspection frequencies during Autumn/ Winter are off-set with increased emphasis on land drainage and flood-defence assets.
- 2.9 All inspections are entered into a database and the results can be interrogated to ensure identified repairs are carried out.
- 2.10 In addition to the in-house inspections as detailed above an Annual independent inspection is carried out by independent certified Annual Play Area Inspection company – this has been RoSPA but other providers are available and service value will be tested.
- 2.11 Routine Inspections carried out Twice and Three times weekly are at the four larger park sites (Amory Park, Peoples Park and Westex Recreation Ground in Tiverton and Newcombes Meadow in Crediton), skate parks and BMX track. It should be noted that these Inspections especially during school

holiday periods are more often than not a litter picking exercise. Litter accumulating at the skate parks, BMX track and shelters in the larger parks

### **3.0 Safety Record**

- 3.1 The Council is aware of two accidents in the review period. This has led to greater emphasis on the causes additional risk consideration for play area with tiled safer surfacing.
- 3.2 There has not been any claim received by the Council in the review period. This is a reflection of the thoroughness of inspection regime and quality of new installation compliance with guidance, although this should not lead to complacency. Guidance on play area safety can be open to interpretation by qualified staff and independent experts which Property Services and the Health and Safety Officer consider prior to implementation.
- 3.3 The reduction in inspection frequency approved at the previous review has had no evident detrimental impact.

### **4.0 Recommendations**

- 4.1 That the current play area risk assessment and inspection regime continues as it is.
- 4.2 To seek to implement a cost effective means of directly entering inspection records into a database via handheld or portable devices at the earliest opportunity.

**Contact for more Information:** Andrew Busby -Corporate Manager for Property, Leisure & Climate Change - Email [abusby@middevon.gov.uk](mailto:abusby@middevon.gov.uk) – Telephone 01884234948.

**Circulation of the Report:** Cllr Colin Slade – Cabinet Member for Environment and Climate Change, Leadership Team

**List of Background Papers:** Environment PDG -Safety Inspection 6 August 2019.

Site: 1814 Crediton Monks Close

Criteria

<b>Likelihood of an accident</b>	<p>After considering the generic assessment of the equipment the figure is derived from a scale 1 - 3</p> <p>1 = Possible    2 = Likely    3 = Very Possible</p>
<b>Number of Items</b>	<p>This refers to fixed pieces of equipment and includes on site fencing and goal posts. For multi-play equipment the number is derived from the number of modules including link modules. For fencing the following is used</p> <p>1 = not easily climbed</p> <p>2 = can be climbed</p> <p>3 = Easily climbed</p>
<b>Seriousness of injury</b>	<p>This refers to the type of ground below the equipment which could reduce the seriousness of the injury and is considered along with the generic assessment.</p> <p>1 = Rubber    2 = Woodchip    3 = Other</p>
<b>Additional Weightings</b>	<p>Additional weightings cover hazards such as closeness of rivers, roads and railways and the presence of paddling pools, old equipment and the high incidence of vandalism. The number used is achieved by allocating two points per hazard.</p>

Equipment type	Likelihood of accident	Number of Items	Seriousness of injury	Additional Weighting	Total
Rotating					0
Rocking					0
Swinging					0
Balance	1	2	1	1	2
Slide					0
Hanging					0
Climbing					0
Crawling					0

<b>Equipment type</b>	<b>Likelihood of accident</b>	<b>Number of Items</b>	<b>Seriousness of injury</b>	<b>Additional Weighting</b>	<b>Total</b>
Fencing	1	1	1	1	1
Multi Item	2	2	1	1	4
Other					0
Total					7

# Play Areas Risk Assessment in Parish order

Annex 2

Site	Town Village	Site	Status	Score	Summer	Winter
301	Bow	Godfrey Gardens	Owned	8	Monthly	Monthly
302	Bow	St.Martins Close	Owned	8	Monthly	Monthly
303	Bow	Village Hall	Parish	29	Monthly	Monthly
304	Bow	Iter Park	Owned	25	Monthly	Monthly
401	Bradninch	Townlands	Owned	20	Monthly	Monthly
402	Bradninch	Barnes Close	Owned	7	Monthly	Monthly
601	Burlescombe	Brays Close	Owned	20	Monthly	Monthly
602	Westleigh	Westleigh	Lease-In	30	Monthly	Monthly
1101	Cheriton Bishop	Glebelands	Lease-Out	16	Monthly	Monthly
1701	Coleford	Coleford	Parish	18	Monthly	Monthly
1801	Crediton	Greenway	Closed	5	Monthly	Monthly
1802	Crediton	Beech Park	Owned	10	Monthly	Monthly
1803	Crediton	Newcombes	Owned	50	Three times weekly	Twice Weekly
1804	Crediton	Barnfield	Owned	20	Monthly	Monthly
1805	Crediton	Tuckers Meadow	Owned	12	Monthly	Monthly
1806	Crediton	Lords Meadow	Owned	12	Monthly	Monthly
1807	Crediton	Walnut Drive	Owned	8	Monthly	Monthly
1808	Crediton	Spinningpath Gardens	Lease-Out	8	Monthly	Monthly
1809	Crediton	Queen Elizabeth Drive (1)	Owned	11	Monthly	Monthly
1810	Crediton	Beacon Park	Owned	13	Monthly	Monthly
1811	Crediton	Lords Meadow "In Line Skating"	Owned	38	Twice Weekly	Twice Weekly
1812	Crediton	Fulda Crescent	Lease-Out	4	Monthly	Monthly
1813	Crediton	Queen Elizabeth Drive (2)	Owned	6	Monthly	Monthly
1814	Crediton	Monks Close	Owned	9	Monthly	Monthly
1815	Crediton	Cromwells Meadow	Owned	7	Monthly	Monthly
1816	Crediton	Kirton Rise	Owned	30	Monthly	Monthly
1901	Copplestone	Sunnymead	Lease-Out	39	Twice Weekly	Twice Weekly
1902	Copplestone	Fernworthy Park	Lease-Out	10	Monthly	Monthly
2101	Cullompton	Knightswood	Owned	38	Twice Weekly	Twice Weekly
2102	Cullompton	Rivermead	Lease-Out	10	Monthly	Monthly
2103	Cullompton	Ash Drive	Owned	12	Monthly	Monthly
2104	Cullompton	Conifer Close	Owned	9	Monthly	Monthly
2105	Cullompton	Linden Road	Owned	17	Monthly	Monthly
2106	Cullompton	Headweir Road	Lease-Out	17	Monthly	Monthly
2107	Cullompton	Ploudal Road	Owned	14	Monthly	Monthly
2108	Cullompton	Stoneyford	Lease-Out	21	Monthly	Monthly
2109	Cullompton	Tufty Park	Lease-Out	13	Monthly	Monthly
2110	Cullompton	Bockland Close	Owned	15	Monthly	Monthly
2111	Cullompton	Meadow Lane "In Line Skating"	Owned	36	Twice Weekly	Twice Weekly
2112	Cullompton	Clover Drive	Closed	5	Monthly	Monthly
2113	Cullompton	Spindlebury	Owned	13	Monthly	Monthly

# Play Areas Risk Assessment in Parish order

Annex 2

Site	Town Village	Site	Status	Score	Summer	Winter
2114	Cullompton	Siskin Chase	Owned	6	Monthly	Monthly
2115	Cullompton	Starlings Roost	Owned	14	Monthly	Monthly
2116	Cullompton	Water Meadow	Owned	10	Monthly	Monthly
2117	Cullompton	Haymans Close	Owned	6	Monthly	Monthly
2118	Cullompton	Haymans Green	Owned	9	Monthly	Monthly
2119	Cullompton	Chaffinch Drive	Owned	20	Monthly	Monthly
2120	Cullompton	Dove Close	Owned	7	Monthly	Monthly
2121	Cullompton	Crossparks	Owned	12	Monthly	Monthly
2122	Cullompton	Bullfinch	Owned	9	Monthly	Monthly
2123	Cullompton	Linear Park	Owned	14	Monthly	Monthly
2124	Cullompton	Saxon Way	Owned	12	Monthly	Monthly
2125	Cullompton	Windsor Close	Owned	5	Monthly	Monthly
2126	Cullompton	Hanover Gardens	Owned	8	Monthly	Monthly
2601	Hemyock	Hollingarh Way	Owned	5	Monthly	Monthly
2602	Hemyock	Logan Way	Owned	10	Monthly	Monthly
2603	Hemyock	Millhayes	Owned	7	Monthly	Monthly
2901	Holcombe Rogus	Holcombe Rogus	Parish	8	Monthly	Monthly
3301	Lapford	Church Close	Owned	9	Monthly	Monthly
3501	Morchard Bishop	Greenaway	Owned	8	Monthly	Monthly
4101	Puddington	Puddington	Parish	21	Monthly	Monthly
4201	Sampford Peverell	Cornlands	Owned	8	Monthly	Monthly
4301	New Buildings	New Buildings	Owned	8	Monthly	Monthly
4302	Sandford	Town Barton	Owned	6	Monthly	Monthly
4501	Ellerhayes	Ellerhayes	Owned	7	Monthly	Monthly
5201	Tiverton	Trickey Close	Owned	16	Monthly	Monthly
5202	Tiverton	Palmerston Park	Owned	14	Monthly	Monthly
5203	Tiverton	Amory Park	Owned	32	Twice Weekly	Twice Weekly
5204	Tiverton	Colesmead	Owned	6	Monthly	Monthly
5205	Tiverton	Cotteylands	Owned	27	Monthly	Monthly
5207	Tiverton	Peoples Park	Owned	73	Three times weekly	Twice Weekly
5208	Tiverton	Westexe Rec	Owned	41	Three times weekly	Twice Weekly
5209	Tiverton	Wilcombe	Owned	35	Twice Weekly	Twice Weekly
5210	Tiverton	Lowman Priory	Owned	15	Monthly	Monthly
5211	Tiverton	Margurite Road	Owned	7	Monthly	Monthly
5212	Tiverton	Hawthorn Road	Owned	8	Monthly	Monthly
5213	Tiverton	Halsbury Road	Closed	7	Monthly	Monthly
5214	Tiverton	Ashley Rise	Owned	11	Monthly	Monthly
5215	Tiverton	Cudmore Park	Owned	9	Monthly	Monthly
5216	Tiverton	Starkey Close	Owned	13	Monthly	Monthly
5217	Tiverton	Orchard Leigh	Owned	16	Monthly	Monthly
5218	Tiverton	Banksia Close	Owned	23	Monthly	Monthly
5220	Tiverton	Everett Place (1)	Owned	12	Monthly	Monthly
5221	Tiverton	Everett Place (2)	Owned	12	Monthly	Monthly
5222	Tiverton	Bolham Road Skatepark	Owned	49	Three times weekly	Twice Weekly

## Play Areas Risk Assessment in Parish order

Annex 2

Site	Town Village	Site	Status	Score	Summer	Winter
5224	Tiverton	Waylands	Owned	15	Monthly	Monthly
5225	Tiverton	Spencer Drive	Owned	11	Monthly	Monthly
5226	Tiverton	Popham Close	Owned	3	Monthly	Monthly
5227	Tiverton	Marley Close	Owned	7	Monthly	Monthly
5228	Tiverton	Amory BMX	Owned	43	Three times weekly	Twice Weekly
5301	Uffculme	Pippins Field	Owned	5	Monthly	Monthly
5302	Uffculme	Pathfields	Lease-Out	18	Monthly	Monthly
5303	Uffculme	Culm Valley Way	Owned	13	Monthly	Monthly
5801	Wembworthy	Wembworthy	Lease-In	18	Monthly	Monthly
5901	Willand	South View	Lease-Out	10	Monthly	Monthly
5902	Willand	The Orchards	Lease-Out	8	Monthly	Monthly
5904	Willand	Harpitt Close	Owned	12	Monthly	Monthly
5905	Willand	Gables Lea	Lease-Out	7	Monthly	Monthly
5906	Willand	Chestnut Drive	Lease-Out	13	Monthly	Monthly
5907	Willand	Victoria Close	Owned	18	Monthly	Monthly
5908	Willand	Worcester Crescent	Lease-Out	10	Monthly	Monthly
5909	Willand	Mallow Court	Lease-Out	11	Monthly	Monthly
5910	Willand	Buttercup Road		15	Monthly	Monthly
6201	Yeoford	Yeo View	Lease-Out	14	Monthly	Monthly

	Transferred
	To be Transferred

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## CABINET

9 AUGUST 2022

### EAST CULLOMPTON MASTERPLAN SPD

**Cabinet Member** Cllr Richard Chesterton  
**Responsible Officer** Richard Marsh, Director of Place

#### Reason for Report:

To seek Cabinet approval:

1. To go out to public consultation on the draft East Cullompton Masterplan SPD.
2. For the continuation of technical work focused on Junction 28 of the M5, including the utilisation of £800,000 of Homes England capacity funding, to support the development of a Strategic Outline Case/Outline Business Case to support future applications for funding and discussions with key stakeholders about timely delivery of critical enabling infrastructure.

#### RECOMMENDATION:

1. That the document at Appendix 1 is approved for public consultation.
2. That delegated authority be given to the Director of Place in consultation with the Cabinet Member for Planning and Economic Regeneration to finalise the consultation material.
3. That delegated authority be given to the Director of Place to utilise £800,000 of Homes England capacity funding to continue the technical work to support development of a Strategic Outline Case/Outline Business Case in respect of Junction 28 of the M5.

**Financial Implications:** There will be no financial implications arising from adoption of the Masterplan SPD document as it adds detail to existing planning policies only. The production of the Masterplan SPD and the public consultation costs are funded through capacity funding awarded through Homes England's Garden Villages and Towns Programme capacity funding. Additional capacity funding of £800,000 from the same has been awarded to Mid Devon District Council specifically to progress the production of a Strategic Outline Case for major improvements to Junction 28 of the M5.

**Budget and Policy Framework:** The work will be paid for from existing Homes England capacity funding.

The Mid Devon Local Plan 2013-2033 requires the East Cullompton allocation to have an adopted Masterplan SPD in place before planning permission can be granted. Once adopted, the revised and updated Masterplan would have Supplementary Planning Document status and will be a material consideration for planning decision making purposes. The Mid Devon Local Plan also requires

strategic improvements to Junction 28 of the M5 motorway to increase capacity at the junction and facilitate delivery of strategic housing and employment allocations in Cullompton.

**Legal Implications:** The process for preparing and adopting the draft Masterplan SPD is in compliance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. There is a funding agreement in place with Homes England in relation to utilising the Junction 28 capacity funding and the Council will be required to enter into a legal agreement with Devon County Council to further progress the technical work.

**Risk Assessment:** Policy sets out that masterplanning should take place before planning applications are submitted. Delay in adoption of the Masterplan SPD could in turn delay the delivery of housing as well as affect the confidence of land owners to promote their land. Adoption of the masterplan will provide greater planning certainty and assist the site coming forward for delivery.

The Council's Local Plan focuses growth on Cullompton, including the two strategic allocations at NW Cullompton and East Cullompton, capable of delivering 1,350 and 2,600 homes respectively, as well as employment, infrastructure and facilities. There is also an acknowledged ambition to grow East Cullompton into a garden village of around 5,000 houses, Culm Garden Village having received garden village status from the Government in 2017. Delivery of the Local Plan allocations and the garden village are dependent on a strategic intervention to improve capacity at Junction 28. Without this increased capacity, delivery of the homes, jobs and facilities at Cullompton set out in the Local Plan could be at risk. Production of a Strategic Outline Case to DfT is the first step in delivering the required junction improvements.

**Equality Impact Assessment:** The consultation material will include an accessible PDF document on the consultation website and there will be a variety of different ways to engage: online, in person, by phone, by social media and by post. No other equality issues are identified for this report, but it is noted that design should have regard to the needs of different groups in community including by age and disability.

**Impact on Climate Change:** The draft Masterplan SPD sets out ambitions for development at East Cullompton to mitigate climate change and clear placemaking principles that will help to address net zero ambitions. However, the requirements set out in the SPD can only seek to address climate change within the confines of adopted planning policy. A Supplementary Planning Document cannot introduce new policies, or expand on existing adopted policy.

Increasing vehicle capacity at Junction 28 may appear at odds with the Council's climate change declaration and the target of net-zero carbon emissions by 2030. However, the scheme is important to support the delivery of the sustainable growth opportunities at Cullompton contained in the Local Plan.

**Relationship to Corporate Plan:** The Masterplan SPD will provide guidance on the planning and delivery of a strategic site for Mid Devon. The Masterplan SPD directly relates to all four Corporate Plan 2020-24 priorities including Homes, Environment, Economy and Community.

The Junction 28 infrastructure project is considered vital to enable development identified in the Local Plan to come forward and make a substantial contribution to delivering the priorities of the Corporate Plan 2020 to 2024; Economy, Homes, Community and Environment.

## **DRAFT MASTERPLAN SPD**

### **1.0 INTRODUCTION**

- 1.1 Policies CU7-CU12 of the Mid Devon Local Plan Review allocate 160 hectares of land at East Cullompton for up to 1,750 homes and associated development within the period up to 2033 (with at least 850 houses thereafter). Policy CU7 of the Local Plan Review requires comprehensive masterplanning of the development including at least two stages of public consultation, and adoption of the masterplan as a Supplementary Planning Document before any planning application is determined.
- 1.2 Framework Masterplans bridge the gap between planning policy aspiration and its implementation in order to achieve high quality design and create successful places. They also set out key principles that planning applications will need to have regards to in order to be considered acceptable. Additionally, as masterplans often relate to large strategically important sites that are to be delivered in phases over what may be a long time period, they also need to contain flexibility in order to respond to changing circumstances.
- 1.3 Supplementary Planning Documents provide more detail to planning policies and can only be developed in support of adopted planning policies. Whilst they do not form part of the Development Plan, they are an important material consideration in the determination of planning applications.
- 1.4 Culm Garden Village (which includes the East Cullompton Allocation) was one of 14 areas originally awarded garden village status by the Government in January 2017 following a successful expression of interest by the Council. The background to this was summarised and included within the report considered by Cabinet on 6th July 2017.
- 1.5 With Culm Garden Village receiving garden village status, there is a clear intention and direction of travel towards a garden village of significantly greater scale and covering substantial additional land to that currently proposed to be allocated by policy CU7 of the Mid Devon Local Plan Review. The allocation of additional land to expand the East Cullompton allocation into a garden village of approximately 5,000 homes with associated infrastructure, facilities and open space is intended to be explored through the emerging Mid Devon Local Plan process.
- 1.6 As only the first phase of the proposed garden village is allocated in the adopted Mid Devon Local Plan, it is not possible to set out the masterplan requirements for the whole of the garden village within this current masterplan SPD document. At this stage, it is therefore proposed only to develop a detailed Masterplan SPD for the part of the garden village allocated in the adopted Mid Devon Local Plan (East Cullompton).

- 1.7 However, in looking to respond positively to the opportunity to plan holistically for the wider garden village, the East Cullompton Masterplan SPD looks to establish principles that can be carried through into a potential future allocation. This will ensure that any future garden village allocation grows seamlessly from the existing East Cullompton allocation, whilst not prejudicing the formal Local Plan process that is required to allocate land for development.
- 1.8 The draft East Cullompton Masterplan SPD therefore provides detail to policies CU7-CU12 set out in the adopted Local Plan in sections one to five, then in section 6 explores a potential framework masterplan for a wider garden village.

## 2.0 **BACKGROUND WORK AND PREVIOUS ENGAGEMENT**

- 2.1 Stage 1 of the required two stage consultation for the Masterplan SPD took place over a six-week period from 18 January 2019 to 1 March 2019. Stage 1 was a means to scope out the content and key issues for the East Cullompton Masterplan SPD, as well as explore the principles and a concept plan for the wider garden village. Accordingly, public consultation took place on two related documents:

1) The East Cullompton Masterplan Supplementary Planning Document: Issues, Opportunities & Concepts document set out a number of issues and opportunities based on an analysis of the site, and brought together to inform some initial concepts for the masterplanning of the East Cullompton allocation; and

2) The draft Culm Garden Village Vision & Concept Document set out a Vision and a number of key principles to guide development at the proposed new garden village, together with a Concept Plan which starts to add shape to ideas on how the wider garden village might be planned.

Responses on the Stage 1 public consultation were reported to Cabinet on 30 May 2019.

- 2.2 In addition to the formal consultation, the Culm Garden Village project programme includes regular ongoing engagement with various groups, including the Culm Garden Village Delivery Board, Stakeholder Forum and Landowner Forum. Details of these groups can be found on the Culm Garden Village website: [www.culmgardenvillage.co.uk](http://www.culmgardenvillage.co.uk).

## 3.0 **THE DRAFT MASTERPLAN SPD**

- 3.1 LDA Design have been commissioned by MDDC to prepare a draft Masterplan SPD for East Cullompton, and a wider framework masterplan for Culm Garden Village.
- 3.2 Preparation of the document has been underpinned by various evidence base reports and ongoing work including landscape analysis, ecology and ecosystems services, hydrology, movement, employment and skills and future

mobility trends, and the draft has been informed by meetings and workshops with numerous stakeholders, as well as feedback from the Stage 1 public consultation.

3.3 The Masterplan sets a vision and guiding principles for the new development of East Cullompton, provides detail to supplement the strategic development plan policies for the site and sets overarching design principles and requirements that must be complied with at future planning stage. The Masterplan identifies the major land uses and infrastructure to be accommodated and broad principles relating to phasing and delivery. Further detail in respect of phasing and infrastructure delivery needs to be agreed between the Council and landowners in the form of a Site Wide Phasing and Delivery Plan.

3.4 An initial draft of the SPD was presented to the Design West Design Review Panel on 13 June 2022. The Panel was supportive of the landscape-led design approach which they considered would create a characterful place. They highlighted a number of key points for further consideration that were important to achieve the principles set out in the SPD:

- It is essential that the two halves of Cullompton are joined together with attractive active travel routes;
- Isochrones should be included for walking, cycling and e-bike usage;
- Further detail to support the placemaking principles should be included in a site-wide design code;
- The treatment of the pylon run corridors should be considered further, possibly as part of a design code;
- Opportunities for off-site biodiversity net gain should be demonstrated;
- Further consideration should be given to methods to internalise journeys;
- Further work is needed on the treatment of Honiton Road, including traffic calming and placemaking measures, that can be detailed through a design code;
- The climate crisis and resulting impact needs to be more explicitly addressed and made conditions of the next design stages and potential design coding;
- Look at where ideas for work hubs and space adaption could be piloted.

These points have been further addressed in the draft document to be considered, although it is recognised that much of the detail will need to be included in a future site-wide design code. Similarly, detailed improvements to the road network and active travel crossings are outside of the scope of this SPD and are being progressed with Devon County Council and National Highways through other connected workstreams.

3.5 The East Cullompton Masterplan SPD is set out in six sections.

Section 1 provides an introduction and the scope and purpose of the SPD;

Section 2 sets out the Vision;

Sections 3 and 4 provide the influences and contextual information from which the principles and concepts for the masterplan are drawn; and

Section 5 sets out the masterplan itself, identifying spatially the various land uses and placemaking concepts.

Section 6 looks at how East Cullompton could potentially grow into a wider garden village, building on the principles set out in sections 1-5.

- 3.6 Whilst it is important that the whole of the potential garden village is looked at holistically, an SPD can only include detail to support adopted policy. Sections 1 to 5 of the document concentrate on the existing East Cullompton allocation. The remainder of the garden village is not yet allocated and any further allocation of land must go through the robust processes required to bring forward allocations in the next Local Plan. Because of this, Section 6 can only indicate how a potential future garden village may be developed following the placemaking principles set out in the East Cullompton Masterplan SPD.

#### 4.0 **PLANNING POLICY ADVISORY GROUP**

- 4.1 The draft Masterplan SPD was taken to the Council's Planning Policy Advisory Group on 14 July 2022. The invitation to attend was extended to all elected Members.

- 4.2 No specific recommendations were made to amend the document before public consultation, however the following points were highlighted:

- Active travel routes, both within the development and across the M5, railway and river, were essential to the success of the place. The SPD makes specific reference to active travel within the development, and acknowledges the importance of active travel connections with Cullompton delivered from the outset, although the design and delivery of these crossings are outside the scope of the SPD.
- The safe crossing of Honiton Road must be considered. The SPD requires further co-ordinated design work to be carried out by developers and sets high level design principles to ensure Honiton Road is safe, has multiple crossing points, and contributes to place quality.
- There must be a whole site approach to carbon reduction measures. There is a requirement within the SPD (and Policy CU7) for developers to produce a carbon reduction strategy based on the requirements and approach set out in the SPD, including compliance with the carbon reduction hierarchy. However, the SPD must work within the confines of existing planning policy and cannot introduce new policies or targets. The garden village project team will continue to engage with the teams producing the Council's Interim Planning Statement on Climate Change to ensure consistency.
- Active travel routes must be accessible and routes properly surfaced. The SPD requires active travel routes to be accessible but does not go into detail on the actual design of these routes. Design detail could be included in a later design code.

- There must be areas to socialise and a health centre. The SPD proposes several mixed use areas to include areas to socialise. There is no existing requirement in the Local Plan to provide a new health centre at East Cullompton, although developers will be expected to make financial contributions towards expanded provision in Cullompton.

## **5.0 PUBLIC CONSULTATION ARRANGEMENTS**

- 5.1 The public consultation is proposed to take place over a 6 week period in August and September 2022 (dates to be finalised).
- 5.2 Means of consultation will include a staffed event “roadshow” in various venues in Cullompton, Kentisbeare and Willand, and non-staffed exhibition material displays to be left in place for the entire consultation period (venues to be confirmed).
- 5.3 There will be a Stakeholder Forum event during the consultation period, and presentations to Cullompton Town Council and Kentisbeare Parish Council, and Willand Parish Council if they would like one.
- 5.4 In addition, a public consultation website with interactive map will be developed, and there will be opportunities for the public to engage with staff online. There could also be a video online presenting the Masterplan, although the feasibility of this is still being explored.
- 5.5 Publicity arrangements are to include a press release, a link from the MDDC website and Culm Garden Village website, social media posts and letters to residents within and adjoining the East Cullompton allocation.

## **6.0 HRA/SEA SCREENING**

- 6.1 A Habitat Regulations Assessment (HRA) and Strategic Environmental Assessment (SEA) is required in accordance with Regulations and Directives on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects. HRA and SEA reports have been prepared as part of the public consultation material and are set out in Appendix 2.

## **7.0 JUNCTION 28 TECHNICAL WORK**

- 7.1 Policies CU2 (NW Cullompton) and CU7 (East Cullompton) state that as part of the development of these allocations, capacity improvements will be required at Junction 28 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site. The Local Plan currently requires that beyond the first 500 houses at East Cullompton, the Policy CU7 allocation will require a significant strategic intervention at Junction 28 of the M5 motorway.
- 7.2 A Strategic Outline Case is the first step required to progress a bid to DfT to fund improvements to Junction 28. If this is accepted by DfT, an Outline Business Case will then be required. Homes England has made a specific

capacity funding award to the Council to progress technical work leading to the production of a Strategic Outline Case/Outline Business Case. The technical work will include transport modelling, an options assessment and environmental reports.

## **8.0 CONCLUSIONS**

- 8.1 An adopted Masterplan SPD is a requirement of policy CU7 of the Mid Devon Local Plan 2013-2033. The document will provide guidance on how the allocation should be delivered to ensure place quality. Feedback from public consultation will help to shape the final version of the Masterplan SPD which, when adopted, will support the Local Plan, and guide the development of the proposed allocation.
- 8.2 Production of the Strategic Outline Case is essential to progress the required junction improvements required by the Mid Devon Local Plan 2013-2033, and to bring forward Local Plan allocations at NW and East Cullompton, as well as the future Culm Garden Village.

## **APPENDICES**

Appendix 1: Draft East Cullompton Masterplan SPD  
Appendix 2: HRA/SEA Screening

### **Contact for more information**

Tina Maryan, Area Planning Officer  
01884 234336  
[tmaryan@middevon.gov.uk](mailto:tmaryan@middevon.gov.uk)

### **Background Papers**

Culm Garden Village website:  
[www.culmgardenvillage.co.uk](http://www.culmgardenvillage.co.uk)

Cabinet reports:

[Agenda for Cabinet on Thursday, 3rd January, 2019, 2.15 pm - MIDDEVON.GOV.UK](#)  
[Agenda for Cabinet on Thursday, 30th May, 2019, 2.15 pm - MIDDEVON.GOV.UK](#)



# East Cullompton Masterplan

## Supplementary Planning Document

Draft July 2021

This Supplementary Planning Document has been prepared by LDA Design on behalf of Mid Devon District Council with contributions from:

Vectos: Transport  
City Science: Carbon Reduction Strategy  
BSG Ecology: Ecology  
Environment Systems: Ecosystem Services  
WSP: Flooding and Drainage  
BE Group: Employment and Skills

Version: 1.3  
Version date: July 2022  
Comment: Draft

This document has been prepared and checked in accordance with ISO 9001:2015



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# SECTION ONE

# INTRODUCTION

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**Background**

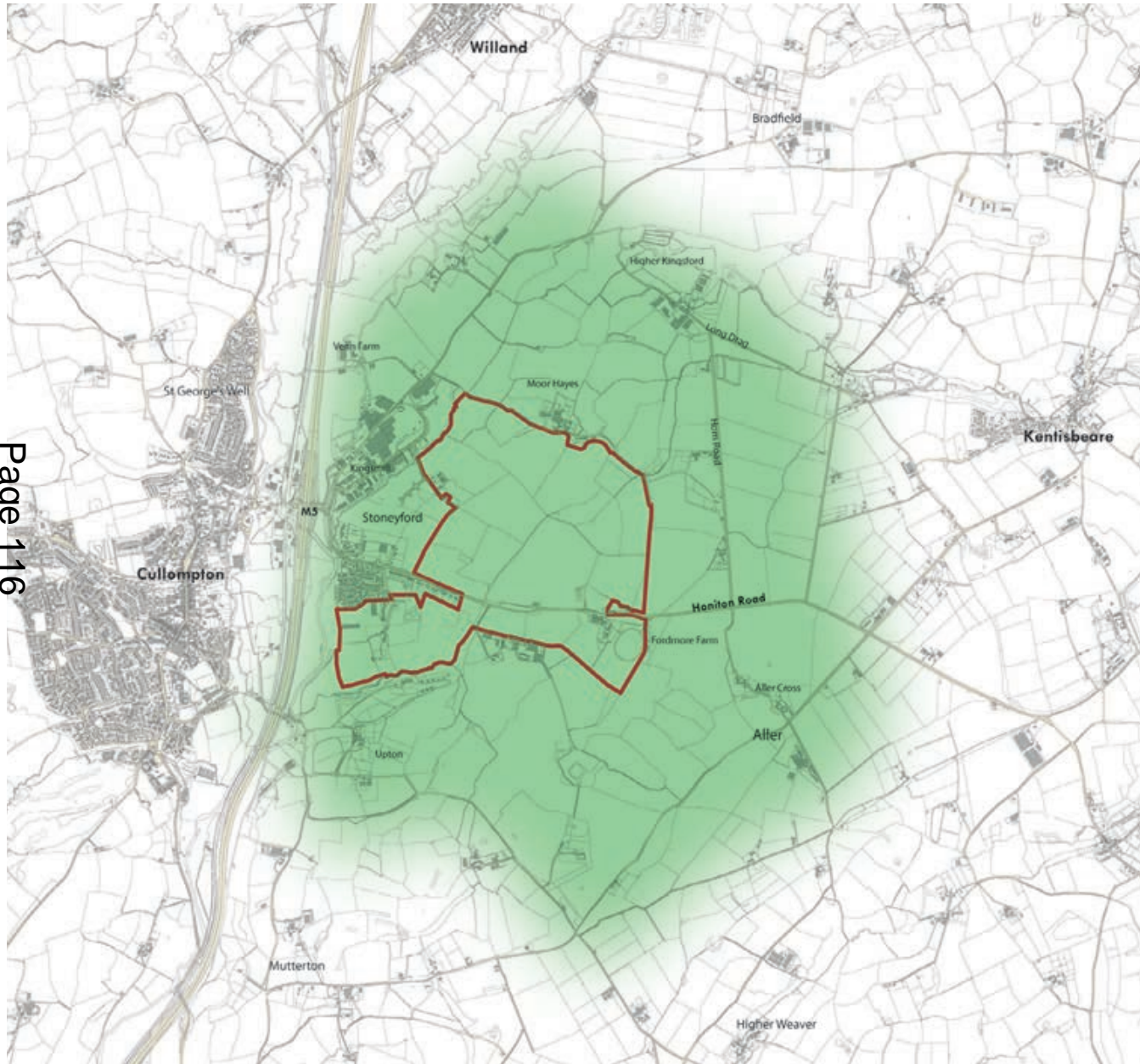
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**Location**



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**Scope and Purpose of the SPD**

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East Cullompton allocation area and potential area of consideration for wider Garden Village and Country Park

-  East Cullompton Allocation Area
-  Potential area of consideration for wider Garden Village and Country Park



## 1.1 Background

This Supplementary Planning Document (SPD) has been prepared to support the development of the allocated land east of Cullompton and the M5 (East Cullompton) to provide around 1750 homes plus at least another 850 post 2033, community and commercial facilities, public open space and general landscape and biodiversity enhancements. This SPD has been prepared on behalf of Mid Devon District Council.

This document provides guidance about how East Cullompton should be designed, developed and delivered in accordance with the sites allocation under Policy CU7 and in accordance with other relevant policies of the Mid Devon Local Plan.

Whilst this document must work within the scope of the existing allocation and build upon the relevant East Cullompton policies within the Mid Devon Local Plan and Stage 1 SPD, it is clear that this document is also prepared during a period of profound change, namely:

- The urgent need to respond to the climate emergency and Mid Devon District Council's aspiration to become carbon neutral by 2030;
- The changes to the way we live and work as a result of the global pandemic;
- UK Government's future plans for the delivery

of Culm Garden Village, one of 14 areas awarded Garden Village status in 2017 with the potential to deliver up to 5,000 new homes through the expansion and growth of East Cullompton;

- The introduction of the Environment Bill 2021 which supports nature recovery and biodiversity net gain;
- To embed principles for designing the built environment to improve health and wellbeing, having regard to best practice guidance such as Building for a Healthy Life.

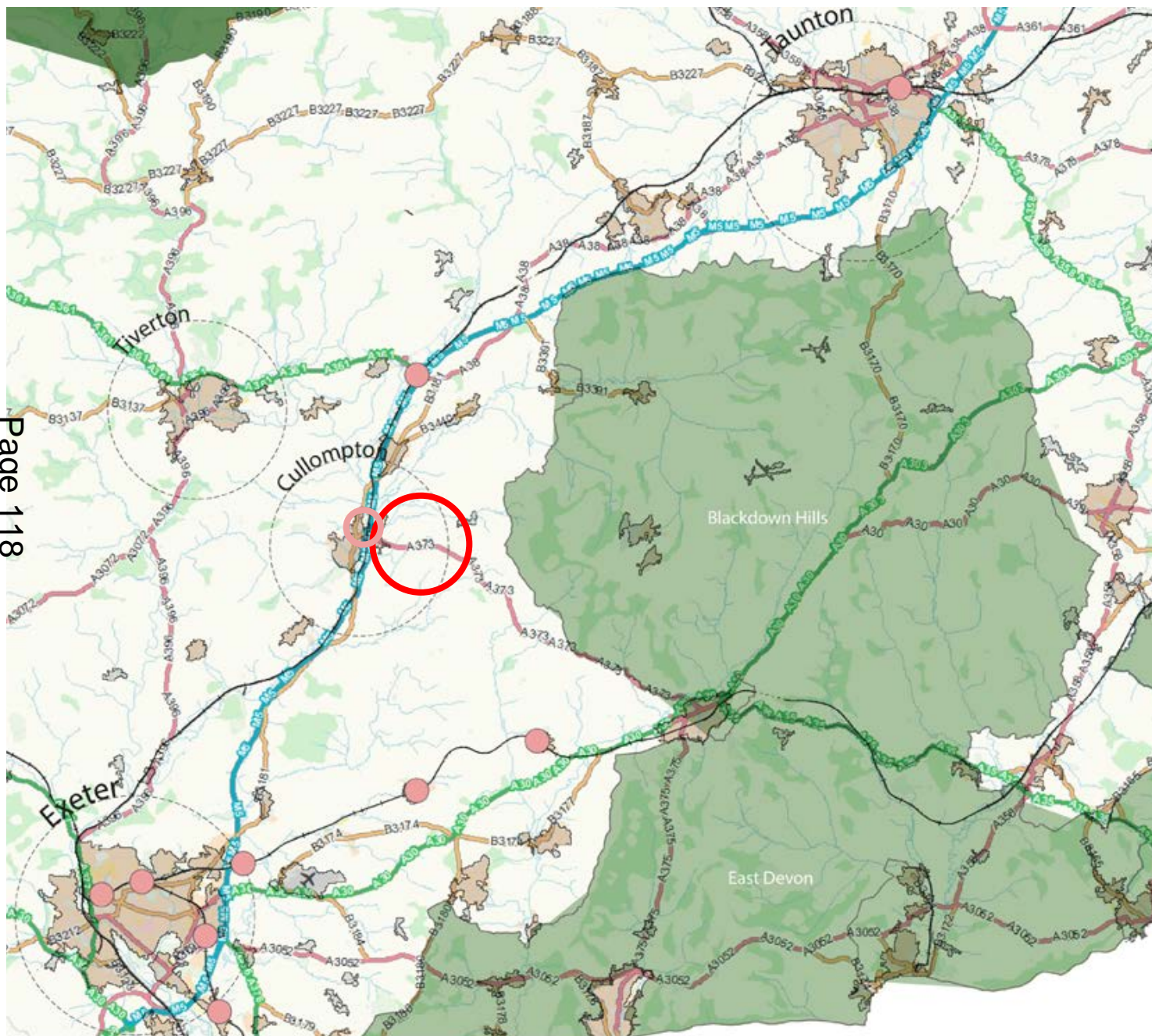
This SPD will set design and delivery principles for all future planning applications in East Cullompton to ensure that:



- Development aligns with requirements in Policy CU11 to minimise the carbon footprint of the development and meet Mid Devon District Council's aspirations to deliver Net Zero by 2030;
- It will follow the Garden Community Principles set out by the Town and Country Planning Association;
- It will follow the guidance set out in the National Model Design Code;
- It follows the principle that the future growth of Cullompton is about the creation of one place, where East Cullompton and a future Garden Village will form integral parts of

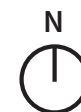
a more self-supporting and self reliant Cullompton in the future;

- It will be fully capable of growing and expanding into and forming part of a future Culm Garden Village;
- Phasing and delivery will be designed from the outset and at every subsequent stage in its development, to create place and support and encourage new ways of living and working;
- Transport, energy or other Infrastructure is designed to serve East Cullompton but also forms part of a bigger connected network to allow for integration and connection with a future Garden Village and the wider town;
- At every stage in its development, the existing and the newly created landscapes into which East Cullompton is embedded will deliver a wide range of benefits from biodiversity net gain to high quality greenspaces to successful water management and flood attenuation.

This document is informed by extensive contextual analysis, technical survey work and local consultation that has been undertaken by the Council and its partners in relation to the East Cullompton allocation.



-  Approximate site location
-  Proposed Railway Station



Strategic Location of East Cullompton

## 1.2 Location and overview of the opportunity

Located in the Culm Valley of Mid Devon, Cullompton is centred on level ground on the western valley side of the River Culm. The Town has grown from this centre but is largely still contained within the valley sides. The name Cullompton is likely to be derived from the Celtic river name cwlwn ('looped' or 'winding' river) and -ton, suggesting an important early estate centre. The town has a varied character reflecting almost 2000 years of historical development. Cullompton will continue to develop as a fast growing market town and will be the principal focus of development for the district in the medium to long term in accordance with the development strategy set out in the Local Plan.

Cullompton is well located strategically within the south west. It is situated 11 miles north of Exeter and about 20 miles south west of Taunton. The M5 motorway runs close to the east side of the Town Centre. The B3181 runs through the centre of the town and links Exeter and Willand. The mainline railway runs alongside the motorway to the east. There is an existing station at Tiverton Parkway and there is a commitment from the Council in the Mid Devon Local Plan to re-open the train station at Cullompton. Highways improvements including Town Centre relief road and junction improvements are also planned in

addition to the reopening of the railway station to improve the area's accessibility credentials. With work still underway on the preferred solution to address capacity issues at Junction 28 of the M5, this SPD has been designed to work with a number of solutions currently being considered.

New and existing residents will be in close proximity to job opportunities within Cullompton and also at Willand, Tiverton and Exeter. Future employment provision is expected to be centred around the Kingsmill industrial estate and within East Cullompton. The combination of highways improvements and a new railway station and the strategic growth of the town provides an opportunity to significantly raise the profile of Cullompton within the wider area. The major growth of the town will provide the opportunity to revitalise the town centre through additional investment, traffic and transport improvements. The growth of the town and proposed improvements will provide a significant boost to its vitality and viability, providing a more attractive environment.

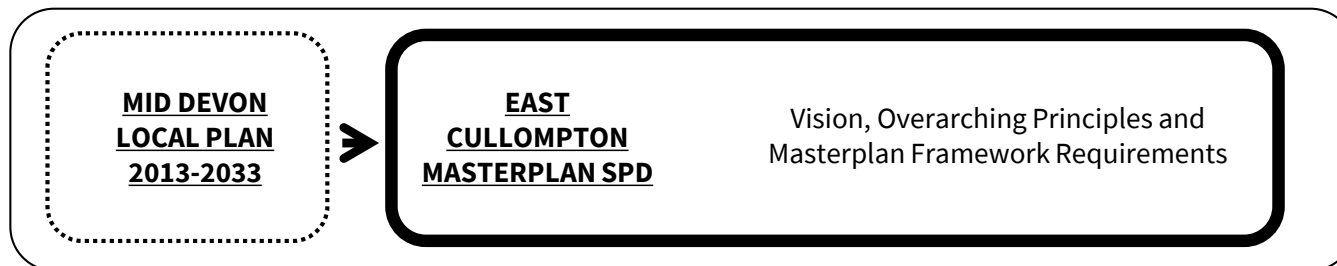
### **The Wider Culm Garden Village Opportunity**

This document provides comprehensive guidance in relation to the East Cullompton site allocation, as defined in the adopted Mid Devon Local Plan. However, reference is made to the wider Culm Garden Village opportunity. Culm Garden Village is one of only 14 areas initially awarded Garden Village Status by the Government in January 2017, with the potential to deliver up to 5,000 sustainable new homes in a country park landscape, with jobs, community facilities and transport, all integrated as part of the growth of Cullompton.

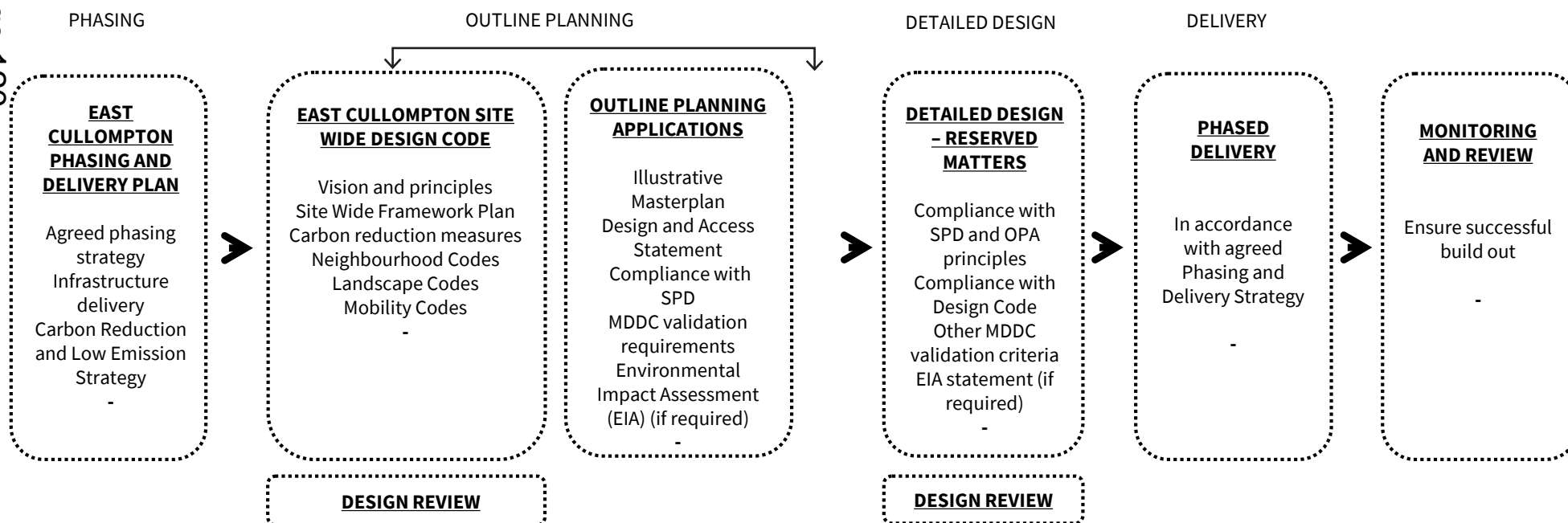
This SPD for the East Cullompton Allocation has been developed alongside the preparation of a Masterplan Framework which considers the wider Culm Garden Village opportunity. This has been done to ensure plans for East Cullompton could be successfully expanded into the wider Garden Village should that project come forward. The opportunities set out for the wider Garden Village are intended to provide a commentary only, further work will be required to define any proposals definitively and will be explored through the new Local Plan for Mid Devon 2023-2043.

EAST CULLOMPTON

LOCAL PLANNING



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Planning and Design Process Flow Diagram: The role of the SPD in relation to the Local Plan and the planning application process

### 1.3 Scope and purpose of the SPD

The Mid Devon District Council Local Plan allocates land to east of Cullompton and the M5 for the development of 2,600 new homes (1750 plus at least another 850 post 2033) alongside other commercial and community uses over the period to 2033 and beyond. The East Cullompton SPD supplements the adopted Local Plan policy for the area and has also been prepared in accordance with national planning policies and following a statutory consultation process. The SPD will form an important material consideration in the determination of subsequent planning applications for development of the site.

A Framework Masterplan for the wider Culm Garden Village opportunity has also been prepared and enclosed with this SPD. The East Cullompton Masterplan SPD reflects the principles and concepts of the wider Garden Village opportunity to ensure that East Cullompton could grow successfully and holistically in the future should the Garden Village project progress.

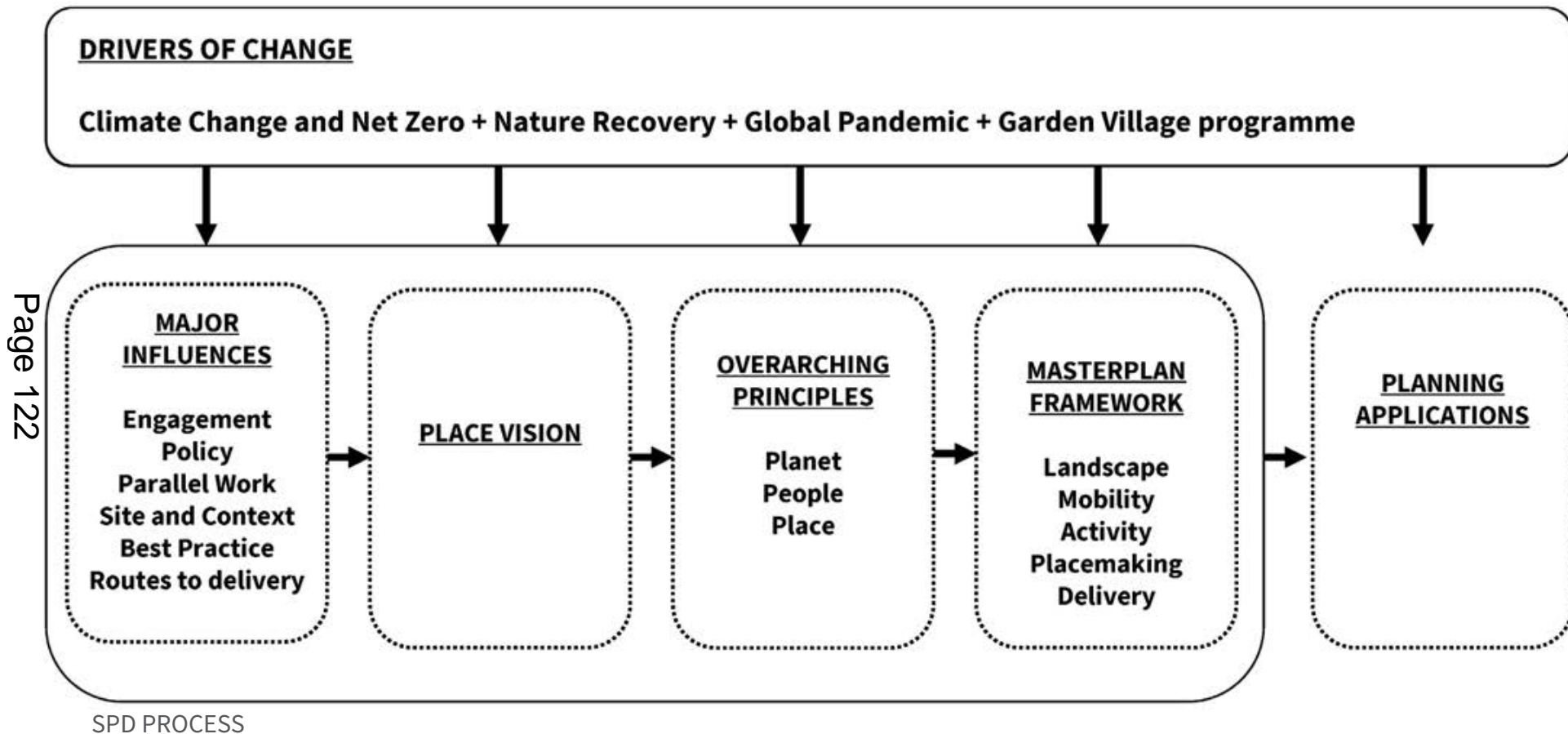
However the East Cullompton Masterplan has been planned as a cohesive place in its own right within the emerging allocation area and statutory policy context. The SPD sets the requirements for the East Cullompton Allocation only. Any proposals for the wider Garden Village will be subject to separate Local Plan and planning application processes and have been included in this SPD as indicative context for future growth only.

The Masterplan SPD sets a vision and overarching principles for the new development of East Cullompton. It also provides detail to supplement the strategic development plan policies for the site by setting specific design requirements. The Masterplan Framework identifies the major land uses and infrastructure to be accommodated and broad principles relating to phasing and delivery.

The requirements set by the SPD for East Cullompton are highlighted in a green text box. Developers are expected to demonstrate in future applications through a Statement of Compliance how these requirements have been met as well as how plans will support the Vision and Overarching Principles in Section 2.

More detailed work will need to be undertaken following the SPD. The Planning and Design Process Flow Diagram illustrates where the SPD sits in the planning process and the further phases of work that will be required for the design and delivery of comprehensive development. These include a more detailed Phasing and Delivery Plan and a site wide Strategic Design Code. Section 5 of the SPD sets these processes out further.

# Planning for the outcomes we need



Flow diagram illustrating the design process taken to the preparation of the SPD where major drivers of change such as climate change and nature recovery are seen as cross cutting themes which must guide every stage of the process. The SPD stages shown on the left indicate how the Masterplan Framework has been driven by a clear Place Vision and Overarching Principles which have in turn been defined by an appreciation of the major influences such as policy context, local engagement, routes to delivery and site characteristics.

# SECTION TWO

# VISION

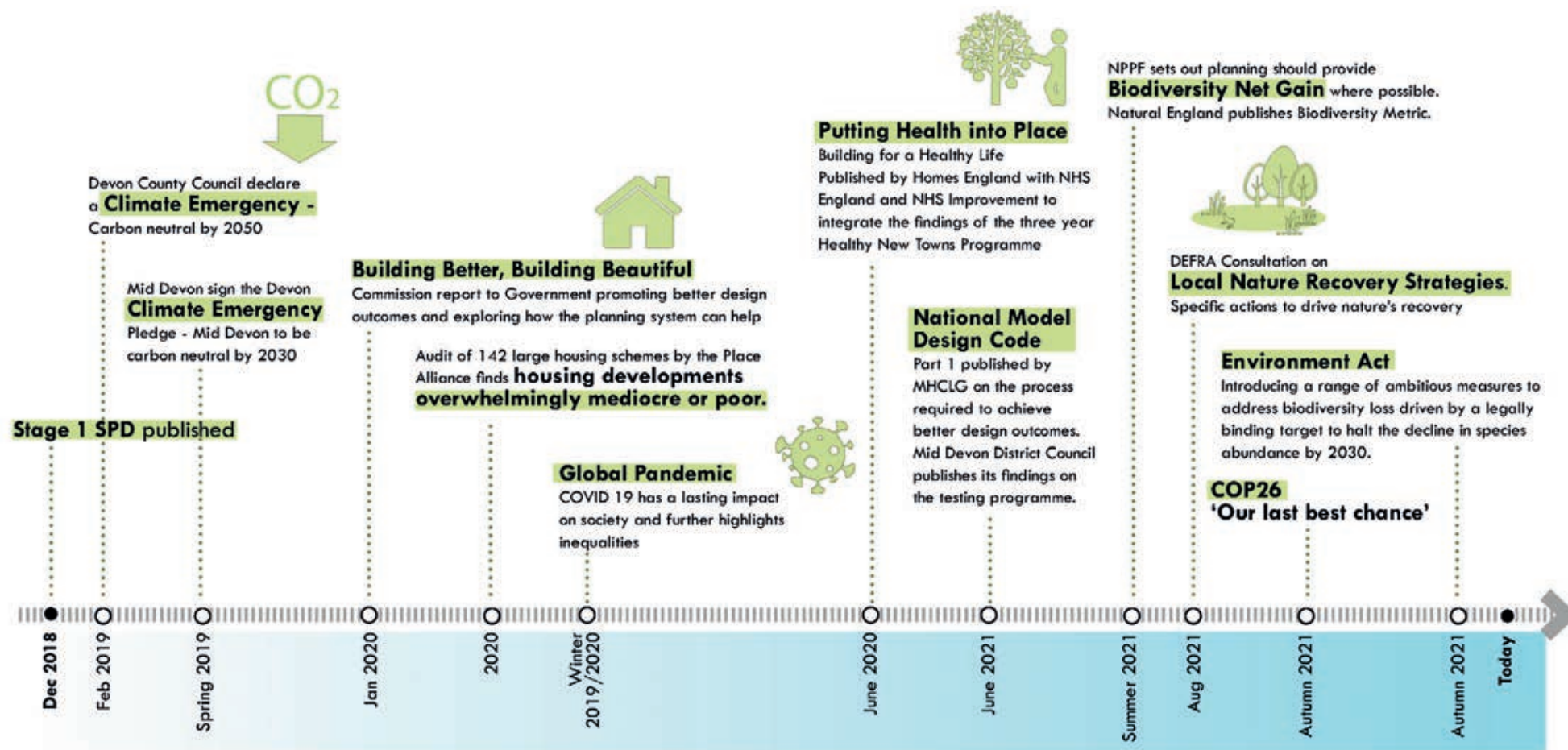
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**Planet People and Place – A vision for East Cullompton, a future Garden Village and the whole town**

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**Overarching Principles**

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Timeline of major influences that have emerged since the consultation on the Stage 1 SPD.

## 2.1 Planet People and Place – A vision for East Cullompton, a future Garden Village and the whole town

Much has changed since 2018 and the subsequent work undertaken on Stage 1 of the East Cullompton SPD. The pandemic in 2020 changed the way we live and work and in this period, Mid Devon District Council has declared a climate emergency, setting out the aspiration to become Carbon Neutral by 2030. In November 2021 at COP26 151 countries submitted new climate plans to limit global temperature rise to 1.5 degrees C and to cut global emissions in half by the end of this decade.

If we are to meet these targets then we need to make radical changes to the way we plan for development and growth. This SPD for East Cullompton and the wider Culm Garden Village masterplan framework that accompanies it marks the beginning of a new era. The typical patterns of development and “business as usual” solutions that we have all become accustomed to will fail to cut carbon and prevent us from adapting to new ways of living and working. From now on, we have to plan differently for a Net Zero future with

the right balance of prescription and flexibility, with the express aim of delivering a Net Zero outcome, while creating a great place to live and work, all set within a healthy and bountiful Devon landscape and place that belongs to Cullompton.

This SPD is specifically about East Cullompton but the wider message is about the growth and development of Cullompton itself. The town has over 2000 years of history and its cycles of success and decline, growth and retreat, have reflected the massive shifts in social and economic change whether that was the wool trade or the arrival of the railway. In the first part of the 21st century growth on the scale envisaged here has been driven by the success of the Exeter City Region and although this is still largely the case, we need to shift our focus away from growth that perpetuates behaviours like out-commuting by private car or the continued physical separation of the home from the workplace or place of study and plan for a more circular economy. The growth of Cullompton to the east must be more

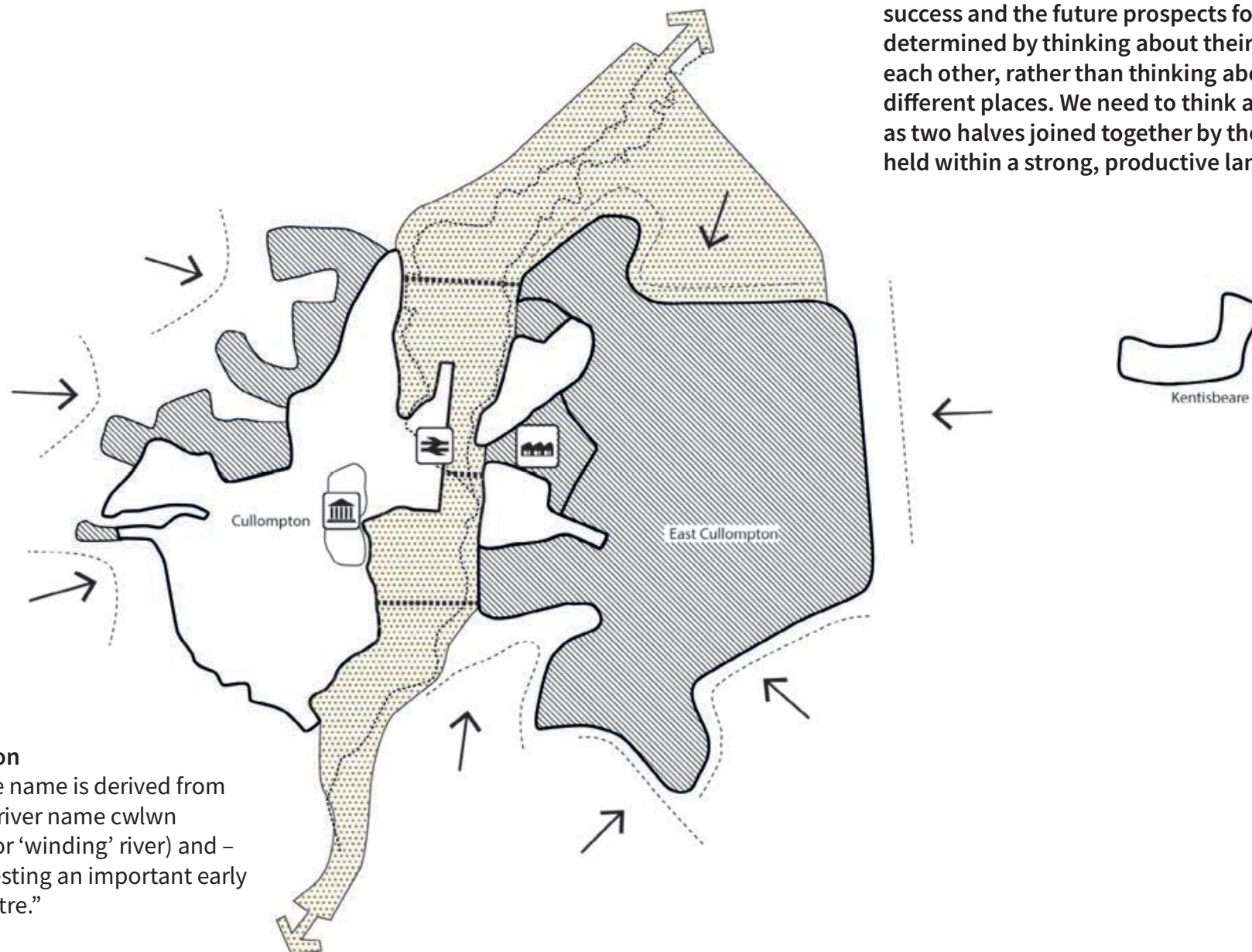
resilient into the future, more self-supporting and interdependent with existing parts of the town.

The world is changing fast. East Cullompton can play a huge part in helping Cullompton become more self-supporting and resilient in the face of the climate emergency by offering greater choice and opportunity for its future residents in terms of how and where they work, choice of homes, place to learn and train, healthy living, greater access to the rich Devon landscape surrounding Cullompton and nature recovered and thriving. It can look to address some of the bigger challenges we face too like energy self-sufficiency, providing opportunities for local food growing and supply and harnessing the waters of the Culm and its tributaries for the benefit of nature and flood management.

East Cullompton is at the centre of what could become, in time, Culm Garden Village and must embrace Garden Village principles, including new approaches to how places like this are managed

### Cullompton

“The place name is derived from the Celtic river name cwlwn (‘looped’ or ‘winding’ river) and –ton, suggesting an important early estate centre.”



East Cullompton can embrace Garden Village principles to feel different from Cullompton, but its success and the future prospects for the town will be determined by thinking about their dependence on each other, rather than thinking about them as two different places. We need to think about Cullompton as two halves joined together by the River Culm and held within a strong, productive landscape.

Conceptual plan or ‘mental map’ of Cullompton in the future

and governed over time. East Cullompton will feel quite different from Cullompton but its success and the future prospects for the whole town including a future Garden Village will be determined by their interdependence on each other. We must think of them as one place rather than two different places.

The river, the railway and motorway might be regarded barriers for now, either real or perceived, but that must change over time and the development to the east must not only be seen as supporting the town centre and the existing communities and neighbourhoods in Cullompton but that it must also offer new facilities, new choices and new experiences to the east of the town, for the benefit of the whole town.

The mental map of a future Cullompton will change with expansion to the east, forming the shape of a butterfly with the historic form of the town and the River Culm at its centre. The analogy of the chrysalis gradually emerging as a butterfly in the future is quite a good way of

thinking about future growth and the identity of Cullompton as a whole as it grows and evolves.

In the Stage 1 SPD there were nine principles set out for East Cullompton and they all remain important and are still highly relevant but there is an urgent need in the face of the climate emergency to strengthen the messages and to set out a vision for East Cullompton that is not only clear about what we must deliver but also be mindful and alive to how it connects to a changing town and how it might evolve and grow into the future Garden Village.

We have simplified and reinforced these principles under the headings of Planet, People and Place. Everything we do in relation to the masterplan framework for East Cullompton must keep these three driving principles in perfect balance and go on to demonstrate how we deliver the step changes required through practical and deliverable planning requirements and through good design at every stage.



Illustration of how East Cullompton could be developed following the overarching principles

## 2.2 Overarching Principles

By putting Planet, People and Place right at the forefront of the vision for East Cullompton, the development principles can deliver the outcomes we want to see, namely:

# Planet

Regard Cullompton and East Cullompton as one place, make them interdependent and mutually supportive. This will strengthen the local economy, making the town more resilient. It will reduce out-commuting, reduce carbon emissions, improve air quality and reduce noise and dust.

Transform water management and habitat creation in this part of the Culm Valley to reduce flooding, increase biodiversity and to make water and wildlife central to day-to-day life in East Cullompton.

Combine locally-sourced clean energy with reduced energy demand and energy-efficient, durable and adaptable buildings.

Protect natural resources, including existing vegetation and local soils and local habitats. Reconnect and strengthen local landscapes and increase woodland cover.

Use innovative and modern methods of construction to minimise waste and reduce pollution.

# People

Improve human health and well-being by favouring walking and cycling over other modes, improving air and water quality and improving contact with nature.

Build a sense of community and sense of belonging around existing activities and uses and around the new village centres. Make them pedestrian-friendly and keep them largely traffic-free.

Offer choice and make better homes and workplaces that are flexible and adaptable for changing lifestyles.

Build sociable streets and rural lanes that encourage neighbourliness, outdoor living and outdoor play.

Make sure everyone is within a few minutes walk of a park or a greenspace or the opportunity to follow or cross a watercourse.

# Place

Make it compact and village-scale, combining well-crafted buildings and spaces that are pedestrian-friendly. Make it safe by reducing traffic speeds to 20mph or lower.

Bring the scale of infrastructure down with narrower streets and spaces, something more in keeping with a village character.

Bring the rural character of East Cullompton alive by incorporating existing rural tracks, the hedgerows and the mature Oak trees that characterise this area.

Make the active travel and bus routes between East Cullompton and the town into green lanes that are rural in character.

Celebrate the presence of water and the crossing of, or the following of, watercourses part of the experience of daily life, such as the route to school or the workplace, or the journey to and from the new station or to the local shops.



# SECTION THREE

# INFLUENCES

- **Policy Context**

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- **Carbon Principles**

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- **20 Minute Place**

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- **Natural Capital**

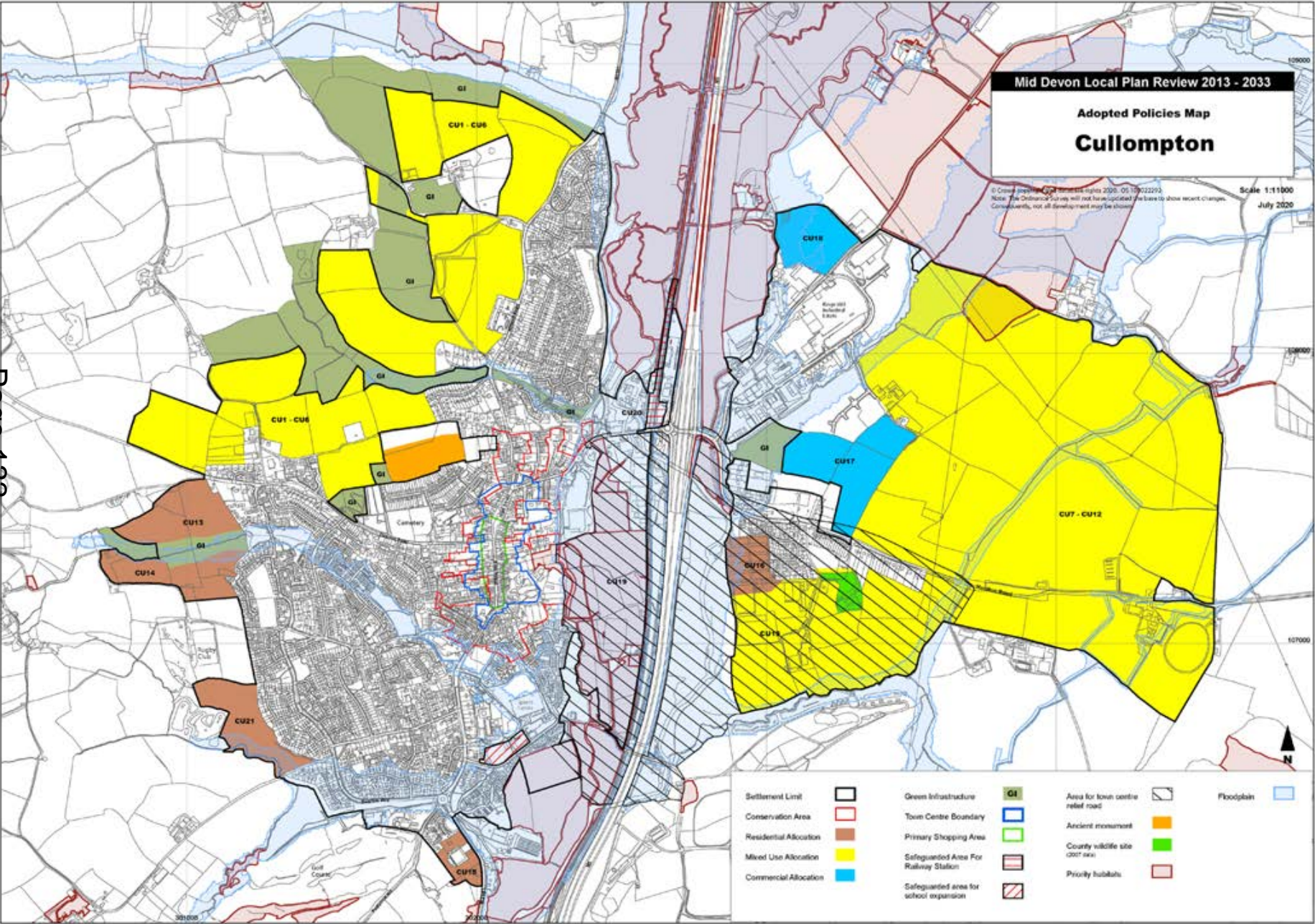
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- **Delivery and Phasing**

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- **Summary of Engagement**

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- **Parallel Work**

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- **Lessons from Elsewhere**

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Mid Devon Local Plan Adopted Policies Map: Cullompton

### 3.1 Policy Context

#### **The Mid Devon District Council Local Plan**

The Mid Devon Local Plan for the period 2013-2033 was adopted in July 2020 and forms the Development Plan for the area. The key policies from the adopted Local Plan in respect of the East Cullompton allocation are summarised below:

#### Policy S2 - Amount and Distribution of Development

This sets out the district's housing requirement for the plan period (2013-2033) of 7,860 dwellings. Central to the spatial strategy is the role of Cullompton in meeting the district's long-term development needs.

#### Policy S11 - Cullompton

This sets out a long-term vision for Cullompton to develop as a fast-growing market town with a strategic role in the hierarchy of settlements in Mid Devon.

The town will become the strategic focus of new development reflecting its accessibility, economic potential and environmental capacity. This strategy will improve access to housing through

urban extensions and expanded employment opportunities. There will be significant improvements to the town's infrastructure and connectivity, including the reopening of the railway station, and improved services for its population and nearby rural areas. Proposals will provide for approximately 3,930 dwellings, of which 1,100 will be affordable, and 73,500 gross square metres of commercial floor space over the plan period.

Key investment priorities include:

- Strategic mitigations to maintain highway capacity, safety, integrity, and sustainability including the M5 and local highway network;
- reopening of Cullompton Railway Station;
- Continue measures to support the implementation of the Cullompton Air Quality Action Plan;
- Manage the town centre so that economic regeneration and heritage reinforce each other;
- Provide community infrastructure such as education and enhanced open space to support new development proposals;

- Support measures to reduce flood risk within Cullompton and make provision for green infrastructure.

#### Policy CU7 - East Cullompton

This allocates a site of 160 hectares at East Cullompton, to the east of Junction 28 of the M5 for the development of an area of new settlement. Policy CU7 sets out a number of development requirements, covering a range of matters:

- 1,750 dwellings within the plan period and further development of at least 850 dwellings post 2033;
- 28% affordable housing to include extra care housing and at least ten pitches for gypsies and travellers, subject to viability;
- 5% of housing to be provided as serviced plots for sale to self-builders;
- 20,000 square metres commercial floorspace within the plan period and a further 12,000 post 2033, to include a care home or retirement complex, appropriately scaled retail development and other suitable uses such as offices and a hotel or leisure development;

- Provision of at least 40 hectares strategic green infrastructure;
- Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28 and pedestrian and cycling links across the motorway to the existing town;
- Environmental protection and enhancement and noise mitigation where necessary;
- Assessment of land contamination and remediation if necessary;
- Land and facilities for community use including a new primary school to meet local needs arising;
- Contributions towards expansion of local secondary education facilities to meet needs arising;
- Carbon reduction and air quality improvements;
- Archaeological investigation and appropriate mitigation;
- An agreed phasing strategy to bring forward development and infrastructure in step and retain the overall viability of development; and
- Comprehensive Masterplanning of the development including at least two stages of public consultation and adoption of the Masterplan as a Supplementary Planning Document, before any planning application is determined.

## Policy CU8 – East Cullompton Transport Provision

As part of the development of East Cullompton, contributions towards or delivery of the following transport infrastructure will be provided by all new development within the site:

- Capacity improvements at Junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;
- Provision of appropriate highway improvements on roads around the development to ensure any unacceptable traffic impacts are mitigated;
- Reopening of Cullompton Railway Station;
- Provision of a network of streets linking to the existing highway network, and appropriate mitigation to reduce impacts on the existing road network such as Honiton Road;
- Provision of bus, pedestrian and cycle routes at appropriate locations throughout the development, creating an attractive, permeable network for non-car modes travelling within, into and out of the area;
- Safe and attractive cycle and pedestrian links to and from the town centre and within the mixed use urban extension;
- Creation of safe and attractive pedestrian and cycle links between the development and the Kingsmill Industrial Estate;

- Implementation of travel plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts;
- Bus service enhancements within, into and out of, the mixed-use urban extension, linking to Cullompton town centre;
- Bus service enhancements between Cullompton, Exeter, Tiverton Parkway and Tiverton

## Policy CU9 – East Cullompton Environmental Protection

As part of the development of East Cullompton, the following environmental protection and enhancement measures will be implemented at the expense of all new development within the site:

- Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;
- An area of 40 hectares for strategic green infrastructure, laid out and managed with an appropriate mix of public parkland, open space, landscaping and local nature reserve;
- Areas of equipped and laid out public open space, totalling 0.4 hectares of equipped children's play, 0.12 hectares for teenage

facilities, 6 hectares amenity green space, 9 hectares of parks, sports and recreation grounds, and 1.5 hectares of allotments;

- Protection and enhancement where possible of existing Public Rights of Way;
- Appropriate screening and landscaping for properties adjacent to the M5;
- Appropriate provision of a sewerage system to serve the development and a strategically designed, and phased, Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance;
- A strategic landscaping and tree planting scheme to mitigate landscape impact, protect the setting of the Blackdown Hills Area of Outstanding Natural Beauty, and enhance biodiversity and the character of development; and
- Design solutions which respect the settings of listed buildings adjoining the site.

#### Policy CU10 – East Cullompton Community Facilities

As part of the development of East Cullompton, the following community infrastructure will be provided at the expense of all new development within the site:

- A serviced site of 2.5ha for a new 630 place

primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;

- A site of 2 hectares for a shopping and community centre, and the provision of a multi-purpose community building for youth, children and other community uses;
- Construction costs for a primary school capacity of at least 630 places plus additional early years provision, including the requisite land to deliver these facilities. The required primary school capacity should be delivered through the provision of either one or two schools;
- Contributions towards the expansion of secondary education facilities in the local area;
- Contributions towards the expansion or improvement of local library services
- Contribution towards sporting and leisure facilities; and
- Contributions towards a new recycling centre to serve Cullompton.

#### Policy CU11 – East Cullompton Carbon Reduction and Air Quality

The development of East Cullompton will be required to implement a Carbon Reduction and

Low Emissions Strategy at the expense of all new development in the site. This will propose measures to minimise the overall carbon footprint of the development, making provision for sources of decentralised onsite renewable or low-carbon energy and ensure that impact of the site on air quality is acceptable, such as:

- Renewable and low carbon energy to provide a proportion of the site's energy use;
- Measures to ensure that residents, employees and businesses are encouraged to travel in the most sustainable fashion, including travel plans, information, car clubs, lift-sharing and infrastructure for low emission vehicles;
- Measures to encourage the sustainable treatment of waste;
- Measures to manage the impacts of construction;
- Offsite tree planting where sufficient cannot be accommodated onsite;
- Energy improvements to existing buildings; and
- Other measures to capture or mitigate carbon emissions and air quality impacts from development.

## Policy CU12 – East Cullompton Phasing

A phasing strategy will be required for the development of East Cullompton to ensure that the development and infrastructure come forward in step, minimising the impact of development while ensuring that the development remains viable. The strategy should take account of the following requirements, variation of which will have to be carefully justified. Development shall be subject to the following:

- Page 136
- Provision of affordable housing will be broadly in step with the market housing;
  - Provision of all serviced self-build plots after strategic highways infrastructure has been completed;
  - Provision of commercial development in step with housing, at a rate of at least 1 hectare per 500 occupied dwellings;
  - Provision of strategic green infrastructure broadly in step with development, with public open space provided at a rate of at least 1 hectare per 150 dwellings or phased to deliver a larger area of multi-functional public open space at a suitable stage in the development;
  - Implementation of bus service improvements in step with housing development, provided in appropriate instalments;
  - Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed

to assess the impact of the traffic generated from the site; and

- Transfer of serviced land together with right of access for primary school(s) at no cost to the Local Education Authority prior to the first occupation of residential development, with necessary funding to construct the facilities being paid to the Local Education Authority in appropriate instalments.

## **Revised Mid Devon Local Plan**

The Council have started work to prepare the new Local Plan. This will have regard to the latest national planning policies, practice guidance and thinking about how best to plan in the context of a national housing crisis, economic and pandemic recovery and the challenges of a climate emergency. It will also ensure Mid Devon will continue to benefit from a plan-led approach for development to meet current and future needs over a longer time period to 2043.

Consultation on the Plan Mid Devon 2023-2043 Regulation 18 Issues Paper took place from 31st January - 28th March 2022. This was the first stage in preparing the new Local Plan in which sought views about what the new Local Plan will include and how Mid Devon should be planned for in the future.

The emerging Local Plan includes the ambition for the Culm Garden Village. The Culm Garden Village proposal is one of only 14 areas initially awarded Garden Village status by the Government in January 2017. Mid Devon's expression of interest for the Garden Village identified the potential to deliver up to 5,000 sustainable new homes in a country park landscape, with jobs, community facilities and transport, all integrated with Cullompton itself. 1,750 of these homes are already planned at East Cullompton through the current adopted Local Plan for the period to 2033 and there is provision for at least another 850 new homes beyond. The development of a garden village in this location would build on the strategy of the current Local Plan, where Cullompton will be the strategic focus of new development in Mid Devon due to its accessibility, economic potential and environmental capacity.

### **Cullompton Neighbourhood Plan**

The Cullompton Neighbourhood Plan was adopted in June 2021 and now forms part of the statutory development plan for the Cullompton area, alongside the Mid Devon Local Plan and the Devon Waste and Minerals Plan, and carries full weight for guiding planning applications submitted to the Council for determination and the decisions made on these.

The Neighbourhood Plan reflects on the proposed growth of Cullompton and in respect of the East Cullompton states:

Cullompton Town Council is happy to go along with the 'Garden Village' approach to development in east Cullompton if it helps achieve the strategic policies of the Local Plan, delivers a high-quality living environment and facilitates sustainable growth of Cullompton that will offer benefits to all the parishioners of the area. However, it is the Town Council's position that this can only be achieved if the east Cullompton growth area is conceived from the outset as an integral part of the town of Cullompton and not a separate settlement; and master-planned accordingly.

This principle of seeking to think about the existing town of Cullompton and the proposed development at East Cullompton and the wider

Culm Garden Village as one place has been a key influence in developing the proposed Masterplan Framework.

### **SPD Stage 1**

In December 2018, the Council published the East Cullompton Masterplan SPD Stage 1: Issues, Opportunities and Concepts for consultation. This is not an adopted SPD but it presented the emerging local planning policy context and the initial vision and principles for the site, before going on to summarise the masterplanning evidence base to date and the subsequent issues that have been identified. The document then proceeds to outline initial development options and opportunities for delivery of the vision and principles. A Vision & Concept document for the wider Culm Garden Village was also prepared and published for consultation alongside this Stage 1 Masterplan SPD. These documents help set the context for this SPD.

### **Mid Devon Design Guide**

In October 2020 the Council adopted the Mid Devon Design Guide Supplementary Planning Document. The Design Guide applies to the whole of Mid Devon and is intended to raise design awareness and standards throughout the planning process.

We have had regard to the overarching design principles in this guide in preparing this SPD and setting out the principles, design guidance and requirements for new development at East Cullompton.

## 3.2 Carbon Reduction Principles

### Context

There is a legal requirement enshrined in the Climate Change Act (2008) to achieve net zero carbon emissions in the UK by 2050 as part of a global effort to reduce temperature rises to “well below 2°C” compared to pre-industrial levels.

This climate emergency has been acknowledged by Mid Devon District Council in 2019 and is reflected in the Interim Devon Carbon Plan (2020) which provides a roadmap for Devon to achieve net-zero by 2050, with an interim target of a 50% emissions reduction by 2030 (from 2010 levels). Further detail on the roadmap itself will be reflected in the Devon Carbon Plan which remains in preparation and is due to be finalised later in 2022.

Reflecting this context and acknowledging the impact that the built environment has on emissions, the Adopted Mid Devon Local Plan Review (2013 – 2033) embeds a requirement to minimise emissions in the delivery of future allocated development across key policies. This

includes Policy S1 (Sustainable Development Priorities) and Policy S9 (Environment) alongside wider policies such as Policy DM2 (Renewable and Low Carbon Energy) and Policy DM3 (Transport and Air Quality).

From a site-specific context, Policy CU7 (part k) of the Local Plan Review makes it a requirement for the allocation at East Cullompton and the wider Culm Garden Village site to implement ‘carbon reduction’ improvements. This is further reflected in Policy CU11 which obligates the preparation of a Carbon Reduction and Low Emissions Strategy with a focus on measures to minimise the overall carbon footprint of the site.

**Carbon Emission Assessment Framework and Emission Sources**

MDDC are currently developing a Low Carbon Affordable Housing Development Framework Assessment Tool however, there is not yet an agreed assessment framework obligated in national planning policy (e.g. NPPF) by which the relative whole-life carbon (WLC) emissions generated by new development sites can be measured in a consistent way. From a buildings perspective, the most widely accepted

methodology currently used within the industry and already applied within a local policy context (e.g. Adopted London Plan) is the WLC Assessment framework. This applies standards contained within BS EN 15978: 2011 through consideration of the following building-related emission sources (typically over a 60-year period):

The WLC framework is not exhaustive and does not consider the emissions from all in-use sources (from human behaviour) such as from

surface transport, waste processing or food and service consumption. No framework is currently widely applied within the industry to measure the emissions from these sources. Based on preliminary City Science research for the Royal Town Planning Institute (RTPI), these unmitigated human behavioural based emission sources are estimated to comprise around two thirds of the total life-cycle emissions (60-years assumed) of a development site.

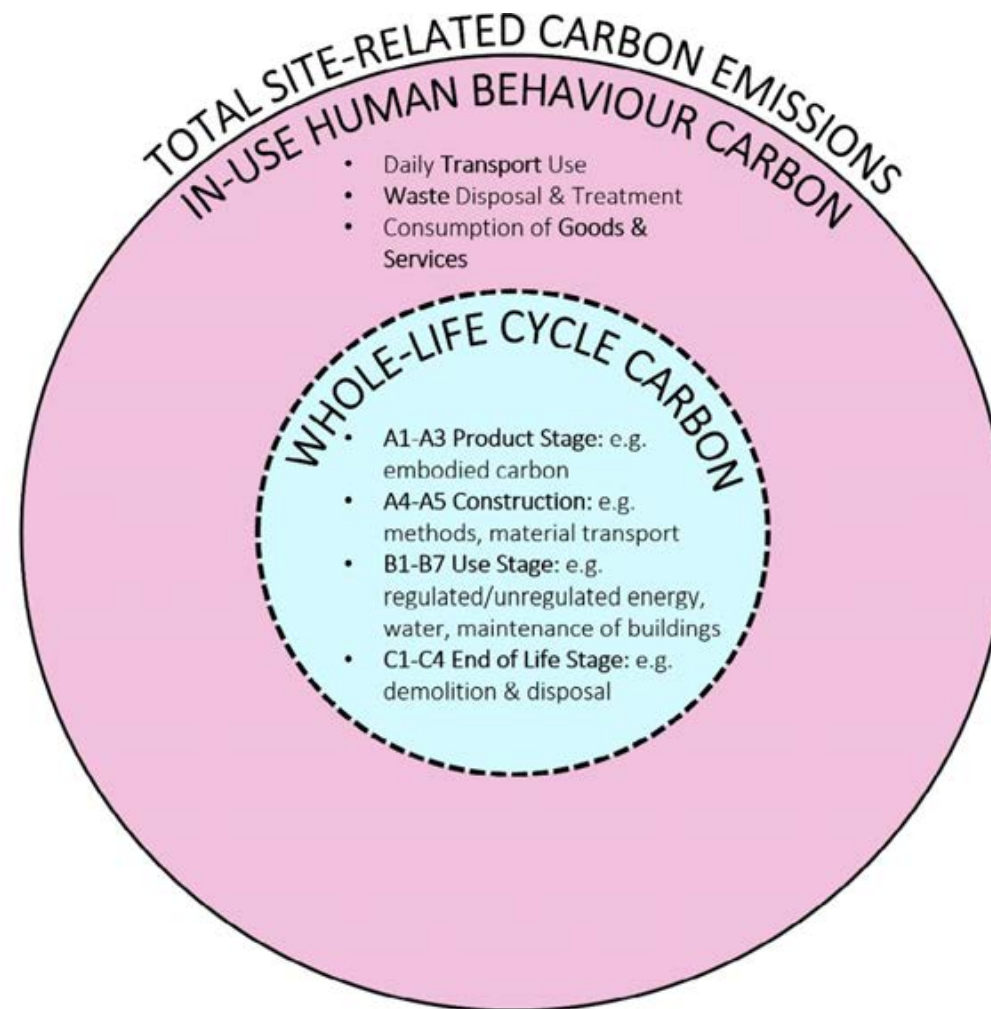
WLC Carbon Assessment Component	Emission Sources		Typical % WLC Emissions Contribution
A1-A3 Product Stage	<ul style="list-style-type: none"><li>A1: Raw Material Supply</li><li>A2: Transport of Materials</li></ul>	<ul style="list-style-type: none"><li>A3: Manufacturing</li></ul>	30%
A4-A5 Construction Stage	<ul style="list-style-type: none"><li>A4: Construction Transport</li></ul>	<ul style="list-style-type: none"><li>A5: Construction Process</li></ul>	10%
B1-B7 Use Stage	<ul style="list-style-type: none"><li>B1: Building Use (emissions from building components only)</li><li>B2: Maintenance of Building</li><li>B3: Repair of Building</li><li>B4: Replacement of Building Parts</li></ul>	<ul style="list-style-type: none"><li>B5: Building Refurbishment</li><li>B6: Operational Energy Use (Regulated &amp; Unregulated)</li><li>B7: Operational Water Use</li></ul>	55%
C1-C4 End of Life Stage	<ul style="list-style-type: none"><li>C1: Demolition Process</li><li>C2: Transport from Demolition</li></ul>	<ul style="list-style-type: none"><li>C3: Building Waste Material Processing</li><li>C4: Building Waste Materials Disposal</li></ul>	5%

Table: Typical Emission Sources Considered by Whole Life Carbon Assessment

## Quantification of Estimated Carbon Emissions

A Carbon Reductions and Low Emission Strategy is to be provided by developers in consultation with the Council. It should apply a comprehensive approach to estimate a 'Do Nothing' baseline for carbon emissions across the lifecycle of the site (60 years assumed). This 'Do Nothing' baseline should then be used as the basis to develop the carbon reduction targets & strategy for the site. Subject to any future national policy revisions or provisions in the Local Plan, this should comprise:

- Whole-Life Cycle Carbon Assessment Framework: consideration of potential approximate emissions across the WLC components identified in BS EN 15578:2011, incorporating both regulated and unregulated energy consumption as part of B6.
- In-Use Human-Behaviour Carbon: consideration of potential approximate emissions from in-use human behaviour considering transport, waste and consumption of goods and services.



Total Lifetime Site-Related Carbon Emissions

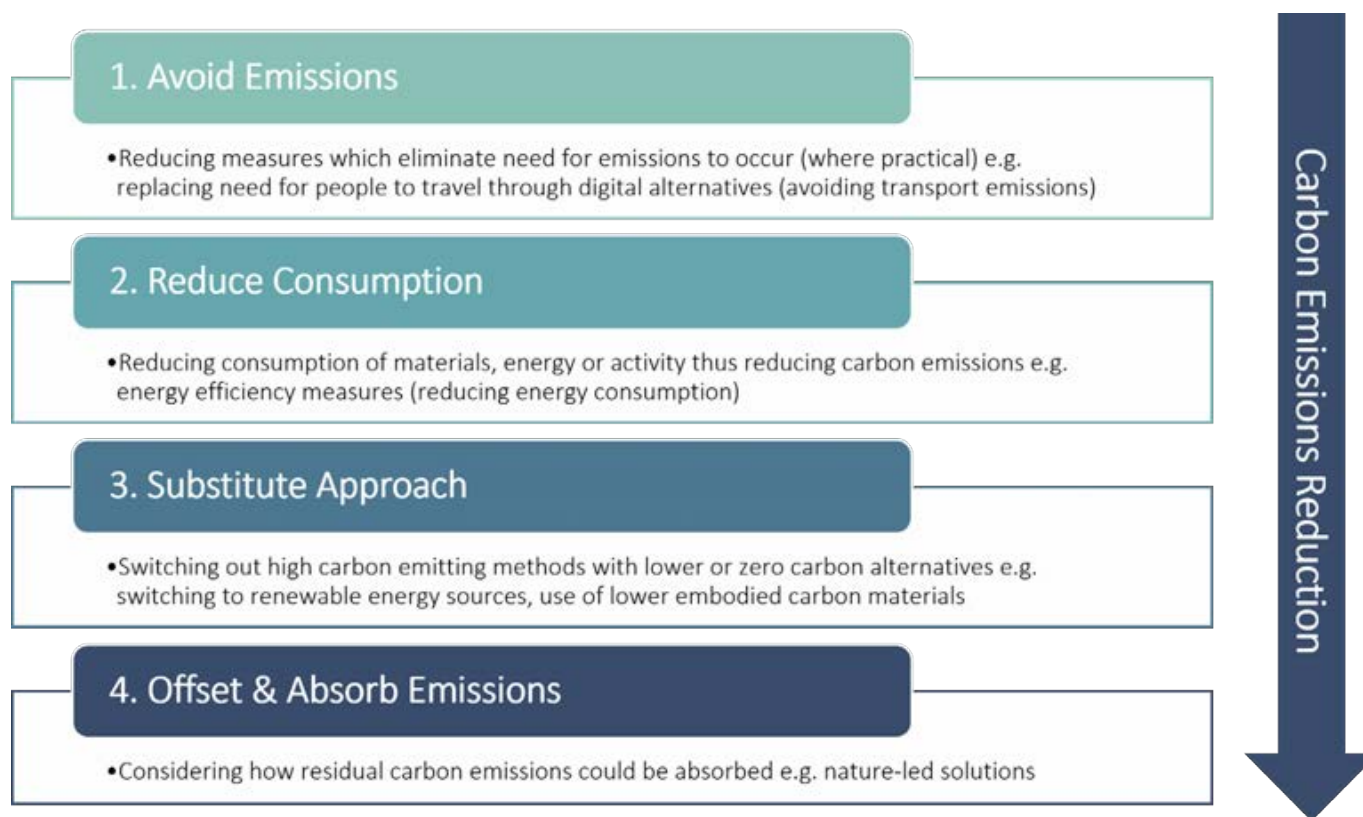
## Carbon Reduction Key Principles and Target Setting

Setting a target to reduce carbon emissions from the site should be embedded as a clear outcome across all disciplines of the planning process. Embedding this vision at the outset is critical to ensure that delivery of East Cullompton is successful in minimising its impact across all potential emission sources.

## Overarching Carbon Reduction Hierarchy

The Carbon Reductions & Low Emission Strategy in conjunction with the Masterplanning process should be underpinned by a hierarchy of core principles focused on the outcome of reducing emissions. This should be comprised of the following:

- Avoid Emissions: through measures which eliminate the need for emissions to occur entirely (where practical) such as through substituting the need for people to travel with digital alternatives (avoiding transport emissions)
- Reduce Consumption: through measures such as energy efficiency (reducing energy consumption), rationalisation of material selection in construction (reducing material use) or through embedding circular economy principles (reducing waste generation)
- Substitution: through switching out high carbon methods with lower or zero carbon alternatives such as renewable energy sources, electric vehicles, or lower carbon building material selection
- Offset & Absorb: through consideration of how residual emissions anticipated could be absorbed e.g. nature-led solutions



Carbon Reduction and Low Emissions Strategy Hierarchy

### **Broad Carbon Reduction Approach by Source**

The following table identifies potential criteria for success for decarbonisation measures across the various carbon emission sources. This considers all sources which includes all those identified in Policy CU11 of the Mid Devon Local Plan Review.

These potential decarbonisation measures are indicative and remain subject to further testing through more detailed planning stages by developers. The Carbon Reductions and Low Emission Strategy submitted by developers should set out measures against each source.

	Source	Broad Low Carbon Emission Outcome		
		Avoid Emissions	Reduce Consumption	Substitute Approach
Whole-Life Cycle Carbon Emissions (Buildings)	<b>Buildings (Embodied Carbon, Construction, In-Use &amp; Demolition [A1-A5, B1-B5, C1-C4])</b>	<ul style="list-style-type: none"> <li>✓ Ensuring the development content directly matches future needs of site users</li> <li>✓ Reduce building footprints and site coverage</li> </ul>	<ul style="list-style-type: none"> <li>✓ Lightweight construction method</li> <li>✓ Building materials locally produced in Devon (where appropriate) to reduce transport emissions</li> <li>✓ Use of recycled / reclaimed materials</li> </ul>	<ul style="list-style-type: none"> <li>✓ Switching out high embodied carbon products (e.g. steel, aluminium, concrete) with low embodied carbon products (e.g. timber, lime render, slate)</li> <li>✓ Moderate to high repurposing of building materials rather than use of composite materials</li> <li>✓ Selection of standard components to reduce emissions from future maintenance of site</li> <li>✓ Modern Methods of Construction</li> </ul>
	<b>Energy (WLC B6)</b>		<ul style="list-style-type: none"> <li>✓ Dwellings designed in accordance exemplary energy efficiency standard such as the Future Homes Standard (due to be implemented from 2025)</li> <li>✓ Low energy consumption intensity for both building and user consumption such as through per-room energy control or communal access to white goods</li> </ul>	<ul style="list-style-type: none"> <li>✓ On-site renewable electricity generation including rooftop and surface photovoltaic solar panels (<i>electricity proportion subject to feasibility assessment</i>)</li> <li>✓ On-site heating in buildings from renewable sources such as air-source or ground-source heat pumps (<i>subject to feasibility assessment</i>)</li> </ul>
	<b>Water (WLC B7)</b>		<ul style="list-style-type: none"> <li>✓ Widescale water consumption meters</li> <li>✓ Water-efficient design</li> <li>✓ Maximise use of rainwater and greywater throughout the site</li> </ul>	<ul style="list-style-type: none"> <li>✓ On-site water heating from renewable sources such as ground-source heat pumps</li> <li>✓</li> </ul>
In-Use Human Behaviour	<b>In-Use Transport</b>	<ul style="list-style-type: none"> <li>✓ Maximise digital connectivity through ensuring full fibre broadband access</li> <li>✓ Parking policies</li> </ul>	<ul style="list-style-type: none"> <li>✓ Integration of land use content with transport, including opportunities for flexible work space and hubs</li> <li>✓ To demonstrate how the place it fits within 'a 20-minute place' with residents able to access essential local services and employment within 20 minutes via walking, cycling and shared transport</li> </ul>	<ul style="list-style-type: none"> <li>✓ Active travel routes to be fully integrated with public and shared transport networks and aligned with major trip generators</li> <li>✓ Public and shared transport provision to and within the garden village to demonstrate zero tailpipe emissions</li> <li>✓ Provision of electric car club for longer-distance trips</li> <li>✓ Appropriately located mobility hubs including delivery hubs and shared community services</li> </ul>
	<b>In-Use Waste</b>		<ul style="list-style-type: none"> <li>✓ Potential for on-site hubs to support local and circular / sharing economies e.g. swap shops</li> <li>✓ Potential for site-wide circular economy-based schemes for retail units e.g. reuse schemes</li> </ul>	<ul style="list-style-type: none"> <li>✓ On-site compost facilities integrated as part of community allotments for food waste</li> <li>✓ Maximise recycling rates through measures such as exceeding minimum requirements for recycling bin storage space</li> </ul>
	<b>In-Use Consumption of Goods &amp; Services (e.g. Food)</b>		<ul style="list-style-type: none"> <li>✓ Community growing space and allotments to in each phase of the garden village to support reduced meat consumption</li> </ul>	



Illustration of the 20 minute place at Cullompton demonstrating the town wide and neighbourhood scale opportunities

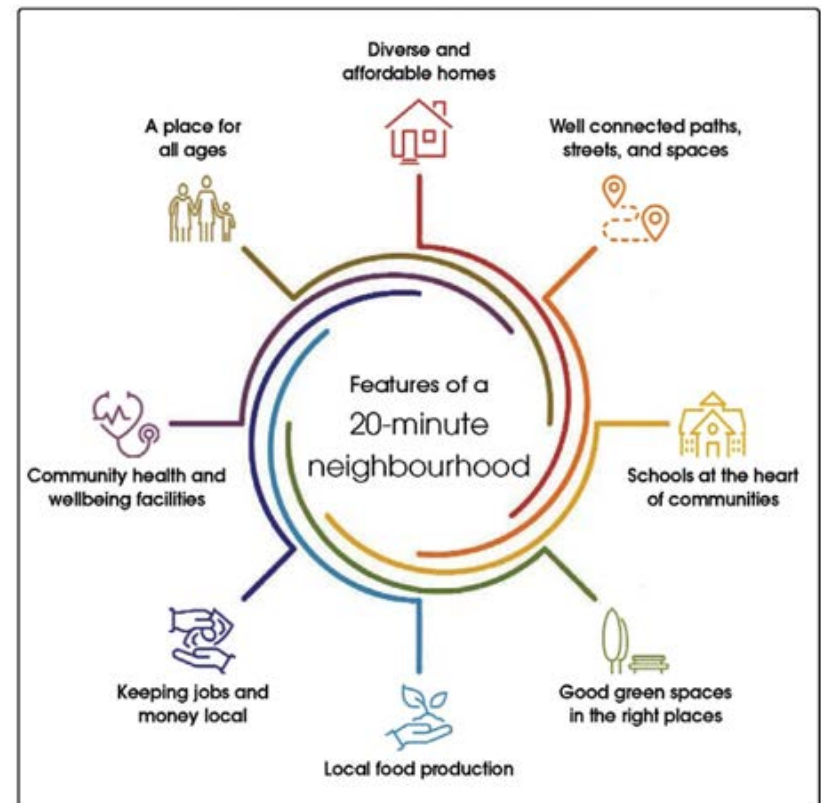
### 3.3 The 20 minute place

A fundamental aspect of successful placemaking and addressing critical issues such as decarbonisation is reducing the dependence on private car journeys. The proximity of Cullompton Town Centre, expanding employment areas and East Cullompton, if combined with a comprehensive mobility strategy, maximises the ability to achieve net zero carbon ambitions, address the climate emergency declaration and promote active and healthy mobility practices.

The idea of a 15 or 20 minute place is well recognised and promoted in many cities worldwide and relates to a concept which aims to create neighbourhoods where you can find most of what you need day to day within 15-20 minutes of home. While improved connections in to the rest of the region will clearly remain important, and helped by the reopening of Cullompton railway station, the allocation at East Cullompton and the wider Garden Village opportunity will be of a scale that can bring forward a range of land-uses that not only benefit the site, but also the wider area allowing people to access more services and opportunities for day to day needs. Active and shared travel interconnectivity between East Cullompton and Cullompton is essential to ensure that sustainable travel options are woven in to plans with the aim of reducing reliance on use of the car.

While the concept of the 20 minute place emerged in an urban context and Cullompton has a more rural character, the ideas are still relevant and essential to addressing the issues above. The Masterplan Framework translates the idea and applies it directly to the local context. When we refer to the 20 minute place at Cullompton this refers to both:

- A town wide scale, where Cullompton as a whole offers a broader range of local services, jobs, enhanced Town Centre, railway station and recreational opportunities and where cycling and public transport may need to be used as well as walking.
- A neighbourhood scale where walkable new communities provide local facilities such as workspaces, schools, community space, open spaces and shops as a central part of the new neighbourhoods.



Extract from the TCPA Guide on 20 Minute Neighbourhoods

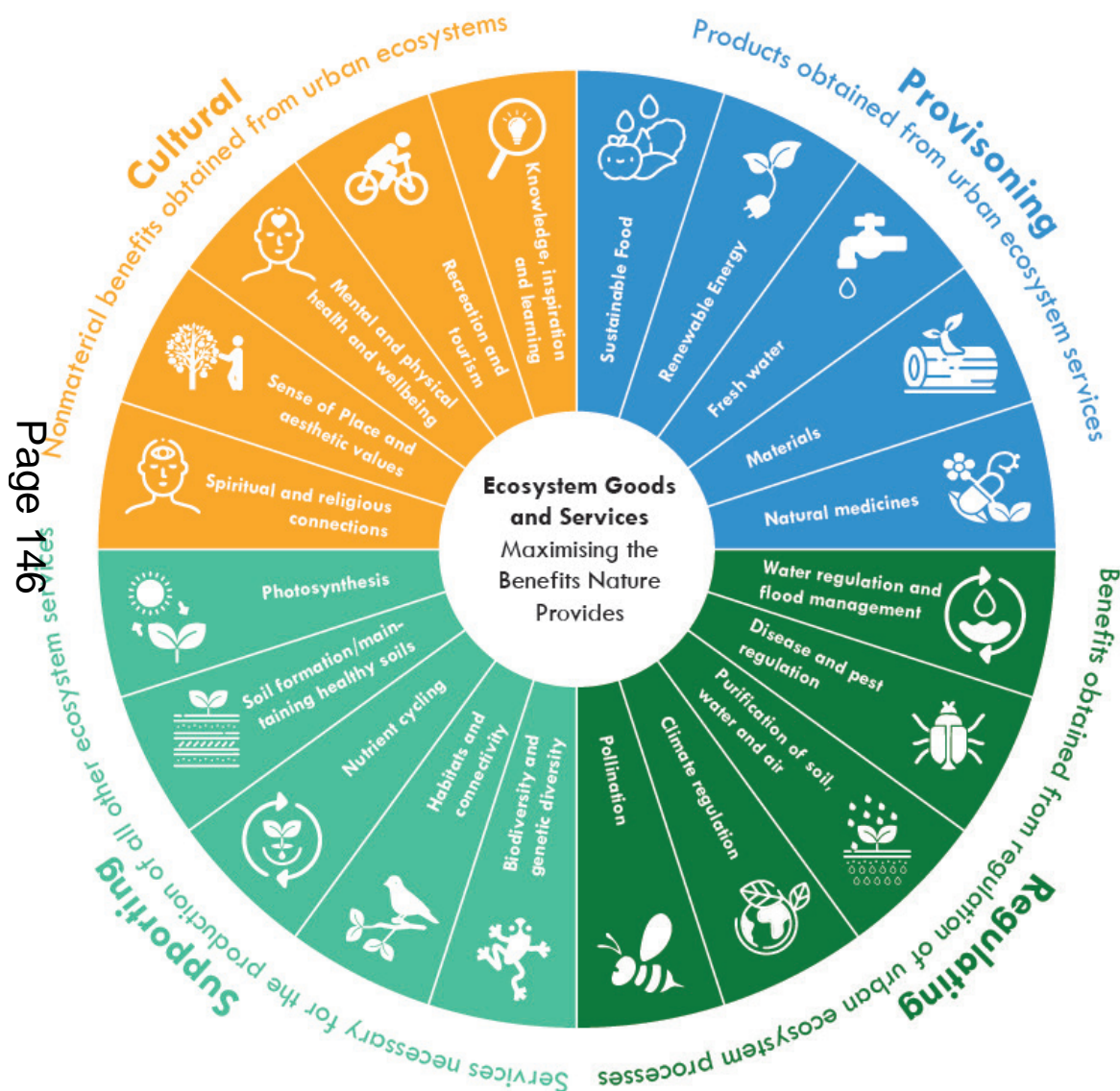


Illustration of the range of benefits possible through harnessing natural systems

### 3.4 Natural Capital

Our environment is our life support system sustaining and providing our food, fuel, building materials, fresh air, clean water, carbon storage, and economic worth. Climate change, significant declines in biodiversity, and population growth are putting pressure on our environment.

We can capture the value of nature by harnessing natural systems and processes rather than working against them. This approach is described as nature-based solutions and the benefits of natural processes are commonly referred to as ecosystem goods and services. These comprise tangible and intangible benefits and include the production of food and timber, carbon sequestration, improved air quality, reduced storm-water runoff and the regulation of the climate.

Ecosystem goods and services provide many benefits and their value can be measured using a natural capital approach. Ecosystem goods and services are varied and closely interrelated. A single well considered intervention can result in multiple benefits. Mid Devon District Council commissioned a Natural Capital assessment of the site as part of the preparation of the Masterplan, this work helps to identify where the environment is working well, where is the best place to site new development and how we can intervene to deliver multiple benefits or minimise risk of things such as erosion or flooding. The findings and recommendations of the Assessment are incorporated in the following sections of the SPD.

### 3.5 Delivery and Phasing Priorities

East Cullompton is a large-scale and complex development with a long duration that will span over more than a decade, particularly so, given its potential in the future to grow into the Culm Garden Village. There is more than one site promoter and there are multiple land ownerships to consider. As development commences there will be others too who will have a strong stake in its successful outcome, including a flourishing local community of residents and businesses.

The drivers of change we highlighted in the introduction, whether that is rapidly changing patterns of living and working or, for example, increasing support for local business, all point to the urgent need to deliver the essential ingredients of place and the right kind of infrastructure either at the same time or ideally in advance of building homes. We also need to deliver a good choice of homes with a variety of tenures and types right from the outset. The East Cullompton site offers some unique opportunities of a development of this type and scale. These include links to large employment areas at the edge of the site, the potential to improve links with the existing communities and facilities in Cullompton and the potential to utilise the diversification of existing farm clusters on site as a model and catalyst for establishing a variety of activities on the site from the outset.

Establishing “village life” early on and providing alternatives to entrenched patterns of daily out-commuting and the use of the private car for all daily activities is at the heart of the “20 minute place” concept and this must be a high priority and a key driver in the phasing plan.

The multiple landownerships have influenced the masterplan and the way this has been described to provide an overarching structure to East Cullompton. The guiding principles and key features that we want to see in the early phases of development have also shaped the overall approach and plans for East Cullompton described in the Masterplan Framework Section. The resulting phasing principles are also contained in the Masterplan Section.

Policy CU7 is very clear about the need for a comprehensive masterplan to guide development and sets out the land use and infrastructure requirements for East Cullompton and Policy CU12 sets out the phasing requirements. The delivery mechanisms required to ensure that this sequence happens successfully and that it is viable and sustainable at every stage in its development will be the subject of further work involving all interested parties. Further phasing principles are included within this SPD and planning applications will be required to demonstrate how these principles are being met.



### 3.6 Summary of Engagement

During the preparation of the Stage 1 SPD extensive engagement and collaborative working took place with a number of technical stakeholders such as landscape architects, ecologists, highways officers, urban designers, flood risk and drainage specialists, education and housing officers, leisure and health professionals; as well as with community organisations and groups forming the Culm Garden Village Community Stakeholder Forum. This Forum is attended by representatives from organisations such as Cullompton Town Council, Kentisbeare Parish Council, Cullompton Neighbourhood Plan Steering Group, sports clubs, local health providers, local schools, arts groups and faith groups.

The key findings from engagement during Stage 1 have been used to inform the preparation of this SPD. These key findings include:

- Ensure the new community is integrated with Cullompton, physically and socially.
- Green buffer with Kentisbeare.
- Sense of community and well-being with sports and leisure to meet the needs of the existing and new communities – being happy where you live, active, inclusive and safe.
- Adequate and natural flood risk management and sustainable urban drainage systems.
- Good quality employment in a high quality environment to attract the right people to the right jobs – reducing out-commuting.
- Business hubs with fast broadband, links with the Exeter Science Park, highly skilled workforce and quality apprenticeships
- Focal points for gathering people together, arts, culture and faith.
- A community hub with provision for healthcare, catering for all ages.
- Central neighbourhood centre with post office, pub, church, shops, cash point, nursery, community centre – focal point of the village.
- Education provision close to Honiton Road, sports and employment.
- Easy to find your way around.
- Timely provision of infrastructure.
- Suitable mix of housing to meet demographic need, high quality, well designed and built housing, including care homes and variety of tenures.
- Innovative design and new technology with low running costs and self-sufficiency designed in.
- Flexible live-work space.
- Community ownership and stewardship of open space and facilities, open space and facilities optimised to build community cohesion; facilities well run; fair for everyone.
- Respect and respond to natural features, incorporate renewable energy, grow your own food; environmentally sensitive.
- Prioritise walking and cycling, green routes, connect north and south of Honiton Road and across M5 motorway.
- Country parks and green corridors; space for wildlife; bringing the countryside into the village; and a green perimeter trail.

Building on the engagement undertaken as part of the Stage 1 SPD for East Cullompton, engagement and collaborative working has continued to inform the preparation of the Masterplan SPD. This has primarily taken place through two workshops with the Culm Garden Village Community Stakeholder Forum, held in November 2021 and April 2022.

The first workshop explored the major contextual changes since the preparation of the Stage 1 SPD in 2018 including declaration of a climate emergency, biodiversity decline and the Environment Act, the emergence of the National Model Design Code, the increasing awareness of the role of spatial planning in addressing health

and wellbeing and the implication of the COVID pandemic.

During the workshop attendees reviewed the aspirations and priorities for East Cullompton and the wider Garden Village using the principles of the 20-minute place as a model for helping to address some of these challenges. Attendees considered what the important components of a 20-minute place at Cullompton were and how the SPD could help ensure they were provided. Key

discussion points included:

- Supporting choice and flexibility in working patterns.
- Flexible community spaces that can be used for a variety of events and functions.
- Open spaces that cater for a broad range of society.
- Placing nature and open space close to homes.
- Incorporating leisure and cultural space as well as shops and schools.
- Exploring opportunities for local energy production.
- Importance of a broad range of active and sustainable mobility solutions.
- Importance of place quality that responds to existing local character.
- Incorporating temporary and flexible events

space that can change as the community grows.

- Using Fordmore Farm as a useful mixed-use hub and starting point.
- Using the existing landscape as a key placemaking influence.
- Viewing East Cullompton and existing Cullompton as one place.
- One settlement with multiple neighbourhoods and centres.
- Effective connections across the M5.
- The importance of phasing to set sustainable patterns of living and establishing the quality of place.

At the second workshop in April attendees were presented with emerging thoughts and a draft framework masterplan for East Cullompton and the Garden Village. Attendees were asked to review the emerging plans against the principles of a 20-minute place. Key discussion points included:

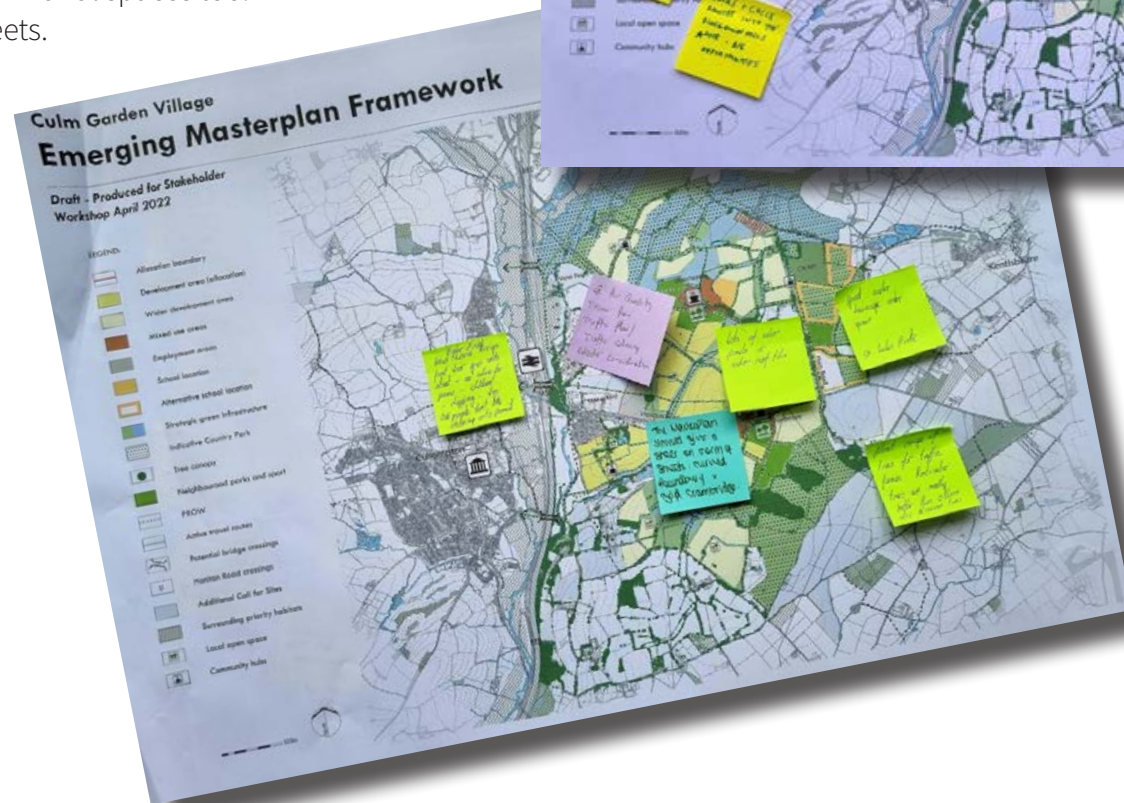
- Ensuring early delivery of successful mixed-use areas.
- The need for effective crossing of the M5.
- Importance of traffic calming and air quality.
- Incorporating water as a placemaking feature.
- Ensuring resilience through use of natural solutions and plant species selection.
- Ensuring strong connections to the Country Parks and surrounding landscape.

- How the plan can encourage sustainable travel through provision for buses, bicycles, scooters, and walking as well as limiting provision for cars and parking.
- Incorporating heritage features into the site.
- Incorporation of areas for local food production and orchards linked to other community uses.
- Incorporating a variety of retail space that can complement what is on offer in the high Street.

During the second part of the April workshop, attendees reviewed examples of other recently built schemes, looking at a range of streets, spaces and community hubs to explore what worked about them and what didn't. The objective of this second part was to help determine the placemaking priorities for East Cullompton and the Garden Village. Key discussion points included:

- Incorporating well defined front gardens to all homes.
- Avoid poorly defined spaces with no clear ownership.
- Consider a split of parking / limiting on plot parking.
- Avoid dominance of parking in community areas.
- Avoid harsh 'hard edge' where development meets open space.
- Include provision for car clubs.

- Consider maintenance of larger areas of open space. E.g. grazing.
- Ensuring open spaces are useable (not just constrained land).
- Including provision of solar panels / local renewable energy production.
- Ensure planting and open space adds biodiversity not just amenity.
- Incorporate car free streets for play.
- Ensure clear building frontage to streets and spaces.
- Incorporate small scale communal spaces too.
- Ensure trees planted in streets.



Extracts from stakeholder workshop

### 3.7 Parallel work

The masterplanning work for East Cullompton has been undertaken in parallel with several other work streams. These have been used to inform the proposals and to test options.

#### **Cullompton Town Centre Masterplan**

The Cullompton Town Centre Masterplan, once adopted by Mid Devon, will form the basis for the regeneration of the town; enhancing the town's economic prospects and providing a clear strategy to ensure the town meets its full potential as an attractive and thriving town post COVID-19 and into the future.

#### **Future Mobility**

A Future Mobility Strategy (April 2021) has been prepared for the site, covering a strategic review of the site, policies and best practice, and future trends; in addition to locally-led considerations such as the emerging place vision, human-centred mobility, viability and delivery.

#### **Employment and Skills**

An updated Employment and Skills Strategy was developed in parallel with the masterplan. The objective of the strategy is to support self-sufficiency and reduce out-commuting by attracting high quality jobs and setting the right

conditions for inward investment. The findings of this report have been factored into the development of the Masterplan SPD.

#### **Town Centre Relief Road**

Planning permission (reference 20/00876/MFUL) was granted in January 2021 for a new Cullompton town centre relief road to relieve traffic queues at Junction 28 and in the town centre, and improve the historic environment and air quality in the town.

#### **Feasibility testing of M5 junction improvements**

Mid Devon District Council is working with Devon County Council and Highways England to progress this aspect of infrastructure. The masterplan SPD retains flexibility on the preferred junction improvement configuration.

#### **The Proposed Country Park**

A number of workshops covering green and blue infrastructure were held with local stakeholders to capture information and continue the locally-led conversation about the potential for multi-functional green space to the north of the East Cullompton allocation.

#### **Ongoing work on the Connecting the Culm Project**

The Connecting the Culm team have been involved in the development of the masterplan through Stakeholder workshops and through the Flooding and Drainage work relating to East Cullompton and the Garden Village.

#### **Reopening of Cullompton Railway Station**

Mid Devon District Council is committed to re-open Cullompton Train Station by 2025 as part of a wider project to improve train services in the subregion.

#### **Flooding and Drainage**

Mid Devon District Council commissioned the East Cullompton and Culm Garden Village Strategic Flood Risk Assessment and Drainage Strategy to coincide with work on the Masterplan SPD.

### 3.8 Lessons from Elsewhere

#### Place Alliance Research

In 2021 the Place Alliance launched A Housing Design Audit For England. The research systematically evaluated 142 large-scale housing-led development projects across England. Overwhelmingly the message is that the design of new housing environments in England are 'mediocre' or 'poor'.

Some of the most common failings included:

- Overly engineered highways infrastructure and poor integration of storage and car parking.
- Lack of response to local context and poor 'sense of place'.
- Poor 'walkability' due to dominance of cars and lack of local facilities.
- Failure to deliver a green and biodiverse landscape and sub standard response to the environmental challenges we face.

Enough data was collected to make regional comparisons. The research concluded that the potential exists for good design everywhere, despite this the south west scored significantly lower than the national average. These specific failings have helped to inform the priorities and recommendations of the SPD.

#### Garden Village review

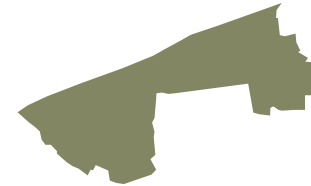
A review of garden villages and new settlements in the south west and south coast has been undertaken as part of preparing this SPD. These projects are at various stages of delivery. The intention was not to use them as a benchmark of quality but to identify lessons learned in masterplanning at the scale of East Cullompton.

#### Summary of lessons learned

- Putting Health into Place includes a useful summary of the significance and role of the built environment in improving the health of residents.
- The importance of walkable places and the challenge of establishing mixed uses to support incoming residents.
- The importance of place quality in establishing successful community and commercial hubs.
- Co-location of commercial, community space, schools and open space.
- A range of energy solutions have been developed from district heating, to anaerobic digestion to efficiency in building fabric alongside heat pumps and solar.
- Incorporation of significant areas of open space close to homes for a broad range of functions.
- The need for a clear co-ordinating plan to guide development.



East Cullompton, Mid Devon



Cranbrook, East Devon



Sherford, Plymouth/South Hams



Poundbury, Dorset



Langarth, Cornwall



Welborne, Hampshire



# SECTION FOUR

# UNDERSTANDING

# THE PLACE

Overview and Landscape
Site Context
Ecology
Natural Capital
Hydrology
Heritage
Infrastructure and Utilities
Mobility
Combined Constraints
Opportunity Plan



Aerial Photo with East Cullompton Allocation Boundary

## 4.1 Overview and landscape context

Understanding the context and capturing the special qualities, or ‘spirit’, of the place is a crucial first step in developing a genuinely landscape-led Masterplan for East Cullompton.

This section of the SPD describes both the conditions within the allocated site boundary and the surrounding area to ensure the Masterplan Framework for East Cullompton is driven by a thorough understanding of the wider context.

The market town of Cullompton lies within the broad landscape context of the Devon Redlands, an extensive swathe of generally low-lying, gently rolling landscape stretching from the fringes of Exmoor in the north to the Exe Estuary and coast in the south, and from the edge of Dartmoor in the west to the Blackdown Hills in the east. The character of the area is distinguished and unified by its underlying red sandstone geology, reflected in distinctively red-tinged cob and sandstone traditional buildings, and its deep, fertile red soils which make it the agricultural heart of Devon. Rivers have created the topography that we see today and they remain as key landscape

features within this area, arising within the surrounding hills and meandering through broad, open floodplains across the central part of the Redlands towards the coast.

It is the broad valley of the River Culm, running roughly NW-SE through the Redlands to join the Exe Valley, that provides the local landscape context for Cullompton and adjacent land to the east. Topography, geology and, in particular, the river and its associated watercourses and drainage characteristics have shaped patterns of settlement and land use in this area and continue to have a profound influence on local character and sense of place.

The Culm Valley is strongly defined to the west by the distinctively hummocky rolling hills that frame the town of Cullompton lying at their foot. The town’s historic core originated along a N-S strip of relatively level ground just above the valley floor, contained between the physical constraints of rising landform to the west and the braided channels of the R. Culm and floodplain to the east. The western river channel formed the town’s Mill Leat and is part

of an integrated system of water courses (river, tributaries, channels and culverts) that have been fundamentally important to Cullompton’s historic development - influencing its location, supplying water to its inhabitants and powering its mills and industries. Indeed, part of its name is thought to be derived from the Celtic cwlwn (‘looped’ or ‘winding’ river). Water continues to be a highly significant feature of Cullompton and a key part of its identity - in addition to the river/valley-side setting, there are streams, leats, culverted water supplies or the river itself, encroaching on or running through most parts of the town.

Eastwards from the town, the valley opens out into a wide low-lying and essentially flat landscape, punctuated only by localised low ridgelines and subtle undulations (e.g. around Upton and north of Stoneyford) before meeting the more distinctively rolling foothills of the Blackdowns on its far eastern side. Water is a fundamental and unifying element of this valley floor landscape, comprising a dense network of watercourses and features that include the channels of the River Culm and its tributary the River Ken; an ancient leat originating from the



Settlements and Landform

C12 (providing a supply of water to farmsteads between Goodiford and Newland); historic fords and weirs; numerous streams and drains; and scattered farm ponds, fishing lakes and reservoirs, some created by former sand and gravel extraction. Aside from the river, these features are not especially visually prominent but the 'watery' nature of the landscape has nonetheless been responsible for the sparse pattern of farmsteads, clustered hamlets and small linear villages (e.g. Kentisbeare) typically located on slightly better drained ground but still strongly associated with natural and man-made watercourses and features.

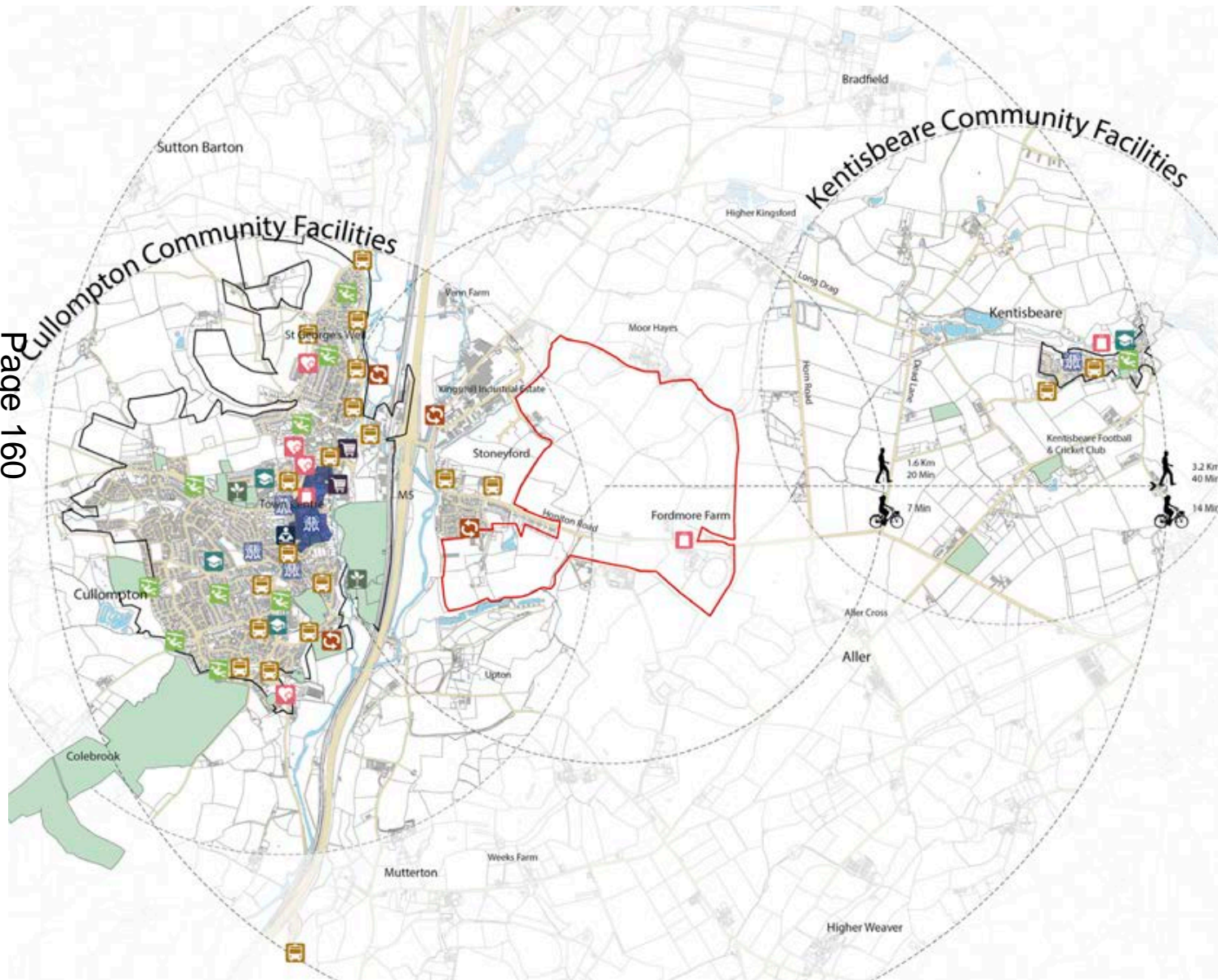
Although historically a barrier to the eastern expansion of Cullompton, the drainage network of the River Culm is also a fundamental connecting element that links the town with its eastern landscape setting and has influenced the siting of historic mills, bridges, culverts and other structures and access routes within

the landscape. This physical and perceptual connection between the town and land to the east is vital to the spirit of both 'places' but has been progressively obscured by the development of the motorway and rail corridor along this side of the valley floor and needs to be re-established.

The rural road network within the valley floor is sparse and follows local topography: straight, more open roads (droves) characterise the flatter valley floor and ridgelines, while winding, enclosed lanes and sunken 'holloways' are typical of the more strongly undulating land further to the east (e.g. around Kentisbeare). Particularly distinctive are the dead straight early C19 'new' roads of Dead Lane and Horn Road and the highly rectilinear pattern of fields that lies between them.

Although not heavily wooded, and despite some hedgerow removal, the farmed landscape retains a well-treed character that contributes positively

to its sense of place. Key features include the strong structure of mature hedgerows and trees (particularly mature oaks) that line field boundaries, roads and watercourses right across the area but particularly to the south of Honiton Road, and surviving areas of woodland on elevated slopes (e.g. at Aller Wood and Upton). Orchards were once a frequent feature of this landscape but only a few remnants survive in areas further to the east.



- East Cullompton Boundary
- Schools
- Supermarkets
- Library
- Healthcare
- Play and community facilities
- Allotments and community gardens
- Electric vehicle charging
- Bus Stop
- Place of worship
- Shop
- Town centre
- Existing open space
- Settlement limit



Site Context

## 4.2 Site context

The estimated population of Cullompton in 2020 (ONS) was 11,633, and over the period of the last 20 years the population has increased by 19.5%. Population growth has been far higher than that observed across Mid Devon as a whole. The Local Plan describes how Cullompton will continue to develop as a fast growing market town with a strategic role in the hierarchy of settlements in Mid Devon. The town will become the strategic focus of new development reflecting its accessibility, economic potential and environmental capacity.

The Employment and Skills Strategy commissioned in parallel to this SPD includes a socio-economic description of Mid Devon and Cullompton. The Strategy summarises that it would be expected that the incoming population would see some similar characteristics to the District and Cullompton populations. It would be expected that this would be a working population, with high levels of economic activity and dual-income households. The age profile is likely to be younger than the District as a whole, with younger adults and children, including high proportions of pre-school and school age children. However, the ageing population trend is likely to be exhibited throughout the District in coming years and this would be seen within the

development. This would have implications for the mix of housing and services that should be provided within East Cullompton, as well as the availability of labour that would be expected.

The Strategy also identifies that this community has high levels of working age people and growth in employment, particularly in arts, business administration and transport. While Mid Devon itself is the largest destination of employment for working residents of the District, significant out-commuting locations are Exeter, East Devon and Taunton Deane.

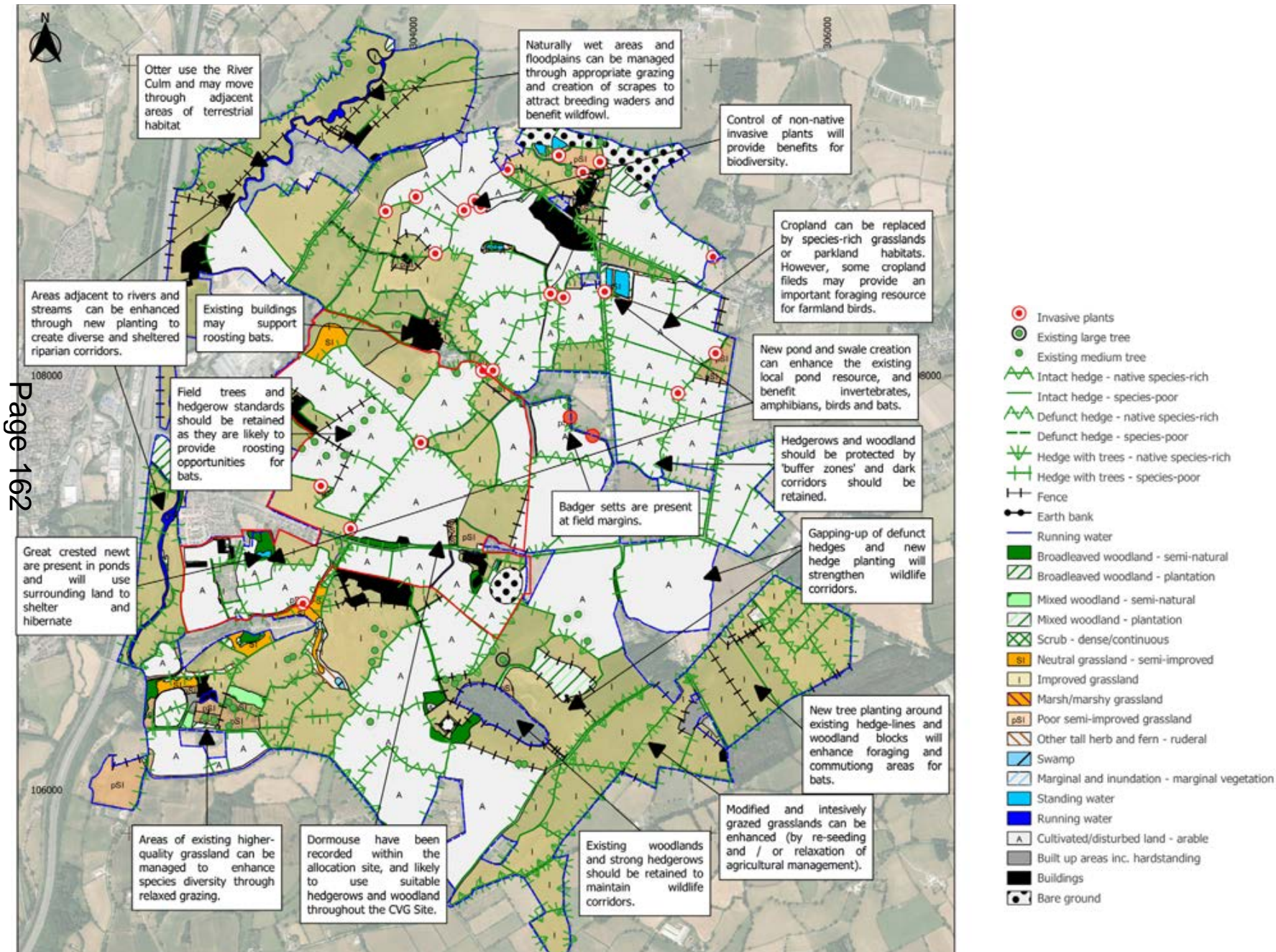
The Local Plan describes how the major growth of the town will provide the opportunity to revitalise the town centre through additional investment and transport improvements. The Local Plan also describes how future employment provision is expected to grow and be centred around the Kingsmill industrial estate and within the adjoining urban extension at East Cullompton.

The growth strategy set out in the Local Plan is based on ensuring East Cullompton is planned as an integral part of Cullompton. This is a key objective that is supported through other major influences explored through this SPD. The

concept of the 20 minute place explored in this SPD is applied to Cullompton as a whole. This means that East Cullompton should be planned in a way that supports the wider functions of the town, ensuring that as Cullompton grows it becomes more resilient with a strong local economy to support a growing working age population and to help reduce out-commuting.

This is important context for the SPD Masterplan and means that attractive, sustainable and active travel connections to the Town Centre, employment areas, proposed station, schools and key open spaces and facilities are essential. It also informs decisions on land use planning at East Cullompton, ensuring that new commercial areas can complement the Town Centre offer and that employment areas are planned in a way that is accessible to all parts of Cullompton.

Surrounding villages such as Kentisbeare and Willand can benefit from the successful expansion of Cullompton too through improved connectivity to jobs and services. However, there has been a clear desire expressed through local consultation that these villages remain clearly separate from Cullompton in terms of identity and village setting.



### 4.3 Ecology

Further ecology work was commissioned by Mid Devon District Council in parallel to the masterplanning work. This work included a desk study to collate existing ecological information for the site, a walkover survey to record the habitats within the site, a summary of opportunities and constraints and an indicative biodiversity net gain assessment using the Defra Metric 3.0. The ecology surveys were also conducted on the surrounding area to understand habitat connectivity, explore potential opportunities for biodiversity net gain and to inform the natural capital opportunity mapping undertaken as part of the preparation of the SPD.

#### Habitats

The land use within the Site is predominantly agricultural, comprising arable land (crops, stubble, fallow, ploughed fields and grass/grass-clover leys), along with heavily improved, rye-grass *Lolium perenne* dominated grassland. There are a few fields of poor semi-improved grassland, but more semi-natural habitat is limited in extent and mostly concentrated at the south-west of the Site, where there are patches of habitat and habitat mosaics of semi-improved neutral grassland, swamp, tall ruderal vegetation and bramble scrub.

There are occasional patches of woodland across the Site comprising broadleaved semi-natural and plantation, mixed semi-natural and plantation woodlands, and a single small patch of conifer woodland. The woodlands include the Section 41 (NERC) habitats of principal importance (HPI) of lowland mixed deciduous woodland and wet woodland. There are occasional scattered mature trees across the Site, nearly all pedunculate oak *Quercus robur* species.

Hedgerows are a strong feature of the Site, with the majority located on an earth bank, and many also having an adjacent ditch. A large number are classified as 'Hedgerow with trees', containing tree standards, at varying frequencies, along the length. The hedgerows are mostly managed by flailing to a box-shape, although some have been unmanaged for several years and are now outgrown hedgerows or lines of trees and scrub. Many of the hedgerows and lines of trees contain species in the ground flora that are listed in the Hedgerow Regulations 1997, including bluebell *Hyacinthoides non-scripta*. The majority of the hedgerows are moderately species rich, assessed as containing an average of 3-4 woody species at frequency of occasional or higher; some

hedgerows contain an average of 5 or more species at sufficient frequency and are classified as species rich hedgerows.

Standing and flowing water within the Site comprises several ponds, the majority of which are constructed ornamental or recreation features, and flowing water including the River Culm and several streams and ditches across the Site.

Small areas of habitat within the Site include tall ruderal vegetation, marshy grassland, swamp, and patches of scrub.

Several locations, particularly in the northern half of the Site, contain invasive non-native plant species as listed on Schedule 9 of the Wildlife and Countryside Act, 1981 (amended). The majority of the locations contain populations of Himalayan balsam *Impatiens glandulifera*, however there is one location with a small population of Japanese knotweed *Reynoutria japonica*, and one location with a rhododendron bush *Rhododendron ponticum*.

There are opportunities to enhance habitats within the Allocation Area and wider Site through change of use and relaxation of current land management.

### Species

The Site supports several protected and notable species, and consideration of these and the habitats that support them will be required. The key considerations are set out below.

#### Bats

The Allocation Area contains several buildings, in addition to scattered mature trees and hedgerow standards. It should be assumed that bats roost within existing buildings and trees within the Allocation Area and that appropriate mitigation and compensation for their loss will need to be built into proposals. New tree planting to provide enhanced foraging opportunities, and integration of bat roost boxes in new builds should be considered to enhance the Site for bats.

Bats also use hedgerows and woodland for commuting, and these 'corridors' should be kept dark. Final proposals should include considerate lighting plans to retain dark corridors for bats. Hedgerow removal should be minimised and

will need to be compensated for through new planting to retain connectivity and satisfy the requirements of biodiversity net gain.

#### Badger

Badger setts have been recorded within the Allocation Area. Therefore, 'wildlife corridors' alongside hedgerows and woodland should be retained to allow continued dispersal of badger and other mammals, such as hedgehog and brown hare. Providing buffers from existing field boundaries will also reduce the risk of damaging or destroying an active sett.

#### Dormouse

Dormouse has been recorded within the Allocation Area, and the network of hedges and woodland throughout the Site provide suitable habitat for this species. Loss of hedgerows and woodland should be avoided as far as possible, with suitable buffers provided from built development to reduce possible disturbance effects. Supplementary planting within existing hedgerows, relaxing hedgerow management, new hedgerow planting, and softening woodland edges with new tree and scrub planting will benefit this species.

#### Great Crested Newt

The Allocation Area is within a great crested newt consultation zone. These consultation zones were created in order to help Local Planning Authorities, developers, and consultants identify where planning applications may need to consider the potential impacts of a development on great crested newt populations. Great crested newt have been recorded in a pond within the Allocation Area. Proposals should demonstrate that the availability of suitable terrestrial habitat for great crested newt will not be significantly reduced, and will not adversely affect the local population. This will necessarily require retention of the ponds and surrounding vegetation, as well as wider woody habitats and dispersal corridors. Creation of additional ponds and hibernacula with access to a retained hedge network should be part of the design.

### Designated Sites

There are no statutory designated sites within 2 km of the Allocation Area. There are thirteen non-statutory designated sites within 500 m of the CGV Site. Of these sites, one is within the Allocation Area (East Culm House UWS), and five are within the CGV Site (Willand – Aller Wood CWS, Aller Wood (West) UWS, Weeks

Farm Orchard CWS, Knights Wood CWS / PAWS, Cullompton Marsh UWS, and Sherwoods UWS). Policy DM28 of the Mid Devon Local Plan states that: “development proposals adversely affecting a County Wildlife Site [or other non-statutory site] will be considered on a case-by-case basis, according to the amount of information available about the site and its significance, relative to the type, scale and benefits of the development being proposed.” and “Planning permission will be granted only when:

- The benefit of and need for the development clearly outweigh the direct and indirect impact to the protected site and the ecosystem services it provides;
- The development could not be located in an alternative, less harmful location; and
- Appropriate mitigation measures have been put in place. Where mitigation measures are not possible compensatory measures in some cases may be considered appropriate.”

Designation*	Site Name	Location (OSGR)	Area (ha)	Description
CWS	Knight's Wood	ST023055	4.7	Ancient semi-natural woodland partly replanted with conifers
CWS	Aller Wood	ST045064	9.9	Plantation on ancient woodland site, wet in areas
CWS	Weekes Farm Orchard	ST032053	1	Traditional ridge and furrow orchard stocked with traditional varieties including cider apple, pear, plum and cherry. Approximately 30 mature trees.
OSWI	Peverstone Embankment	ST022052	5.3	Unimproved neutral grassland with scrub and areas of conifers
OSWI	Maddock's Farm	ST052066	1.9	Mixed plantation with a pond
UWS	Aller Wood (West)	ST041064	1.3	Broadleaved woodland
UWS	East Culm House	ST032071	0.9	Pond with amphibian interest
UWS	Willand - Cullompton Marsh	ST027096	261.7	Possible floodplain grazing marsh
UWS	Sherwoods (E)	ST036053	2.3	Orchard
UWS	Cullompton - Hele Marsh	ST016045	161.1	Possible floodplain grazing marsh
PAWS	KNIGHTS WOOD	ST023054	3.8	Ancient & Semi-Natural Woodland
		ST044063	6.1	Ancient Replanted Woodland
		ST047065	3.8	Ancient Replanted Woodland

\*CWS: County Wildlife Site; OSWI: Other Sites of Wildlife Interest; UWS: Unconfirmed Wildlife Sites; PAWS: Possible Ancient Woodland Sites.

4.4 Natural Capital

Introduction

Our environment is our life support system sustaining and providing our food, fuel, building materials, fresh air, clean water, and carbon storage. Climate change, significant declines in biodiversity, and population growth are all putting pressure on our environment. This section sets out the Natural Capital Assessment undertaken to inform the Masterplan. It explores where the environment is working well, where the best place to site new development and how we can intervene to deliver multiple benefits or minimise risk of things such as erosion or flooding through nature based solutions.

The mapping is based on key natural aspects of the land i.e. the habitats, the soil and geology, the land form and hydrology. The mapping covers a wider area than just the East Cullompton allocation boundary to explore landscape and biodiversity net gain opportunities in the surrounding area potentially associated with the Country Park or Garden Village area. The findings and recommendations of the Assessment are incorporated in the East Cullompton Masterplan Framework.

Carbon Storage

Considering ecosystem goods and services, and the natural capital they provide, allows us to understand how the land is currently storing carbon and supporting carbon sequestration. These considerations play a significant role in helping us to reach carbon targets towards net zero. The data modelled here allows us to create a carbon budget showing how much each area of land in the Masterplan area is storing carbon, in tons per hectare. From this, we can understand what needs to be re-created, or restored, in order to reach that net zero target and help offsite carbon elsewhere.

The Carbon Storage Plan illustrates the current estimated Carbon storage, in tonnes per hectare. The areas of woodland are the best at storing carbon, and that the hedgerows are also prominent.

Currently, the total carbon stored on the site is estimated to be:

Allocation area	2,430 tonnes
Wider Garden Village	13,870 tonnes
Total Carbon stored	16,300 tonnes

The existing habitats that have a high carbon storage potential (e.g., woodlands and hedgerows) should be kept in place and opportunities for restoring and converting relatively low carbon storage habitats into better opportunities should be explored.

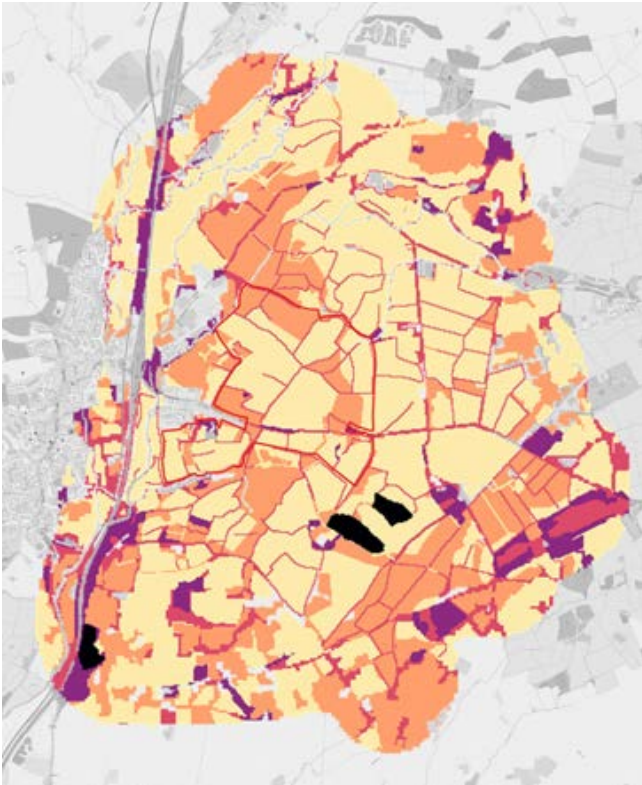
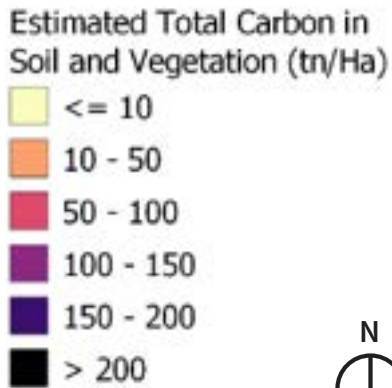
For example, hedges that have been in place for centuries have very high carbon stores below ground. Minimising disruption around hedgerows and storing any removed soil as carefully as possible, will be important in maintaining carbon neutrality with existing habitats.

Currently, large areas of the site are arable, which, during harvests, removes a lot of the vegetation carbon, and releases the soil carbon. Establishing new areas of broadleaf woodland, wetland, and grassland habitats, preferably with native species,

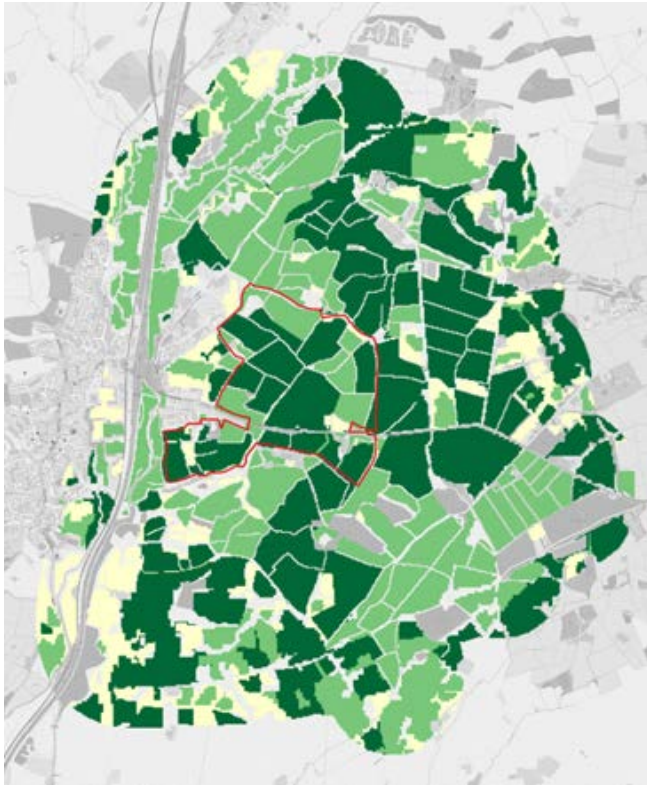
will help increase the carbon sequestration of the area, and keep it locked up in the soil as well.

The Carbon Storage Opportunities plan illustrates the potential opportunity for increasing Carbon storage, from low (yellow-green) to high (dark green).

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Estimated Carbon Storage Plan



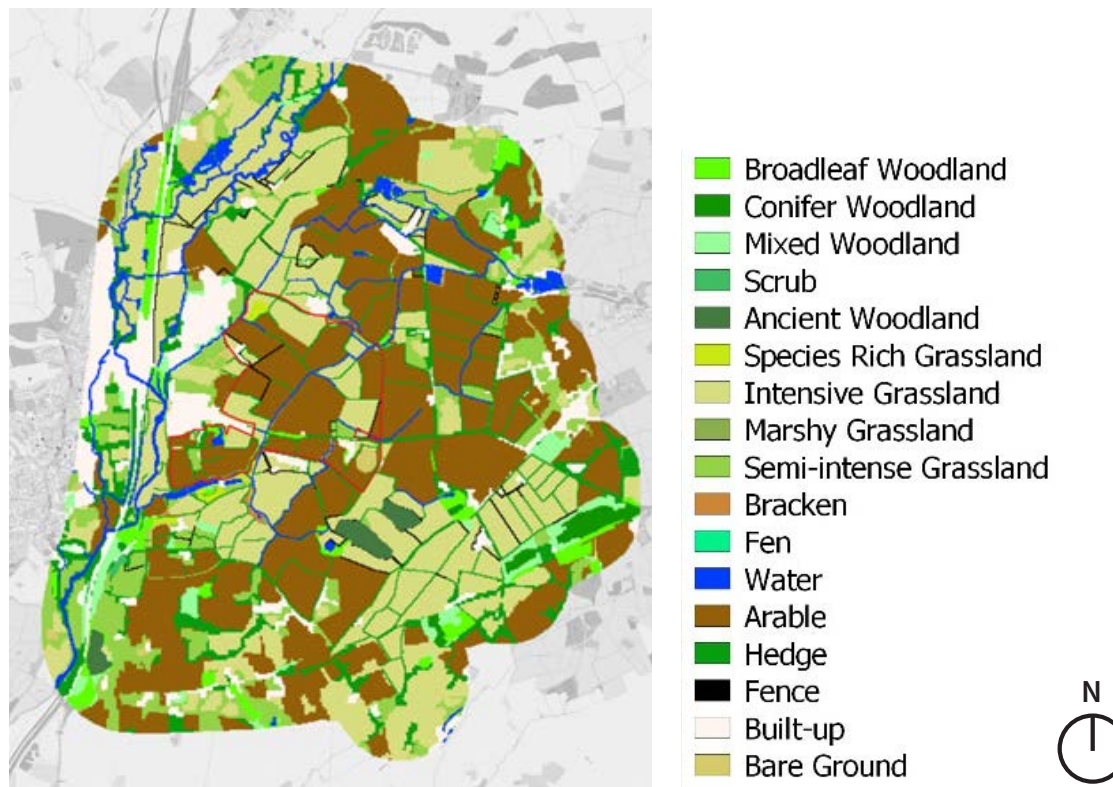
Carbon Storage Opportunities Plan

### Natural Habitats and their Importance

Natural habitats are key for biodiversity as they tend to have a fully functioning ecosystem. These are made up of multiple parts, and provide the area with a strong resilience against climate change, as well as supporting a wide range of species; even those generally less common.

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The bigger the block of habitat the more robust it is to change, as it has a greater amount of genetic material to share. For example, a small woodland might contain only one nest of dormice, but a larger woodland block might contain a few. The spatial relationship between these blocks of habitats is also important.

The nearer the blocks of habitats are together, the more chance they have of sharing the genetic material. Following on from earlier, even if a



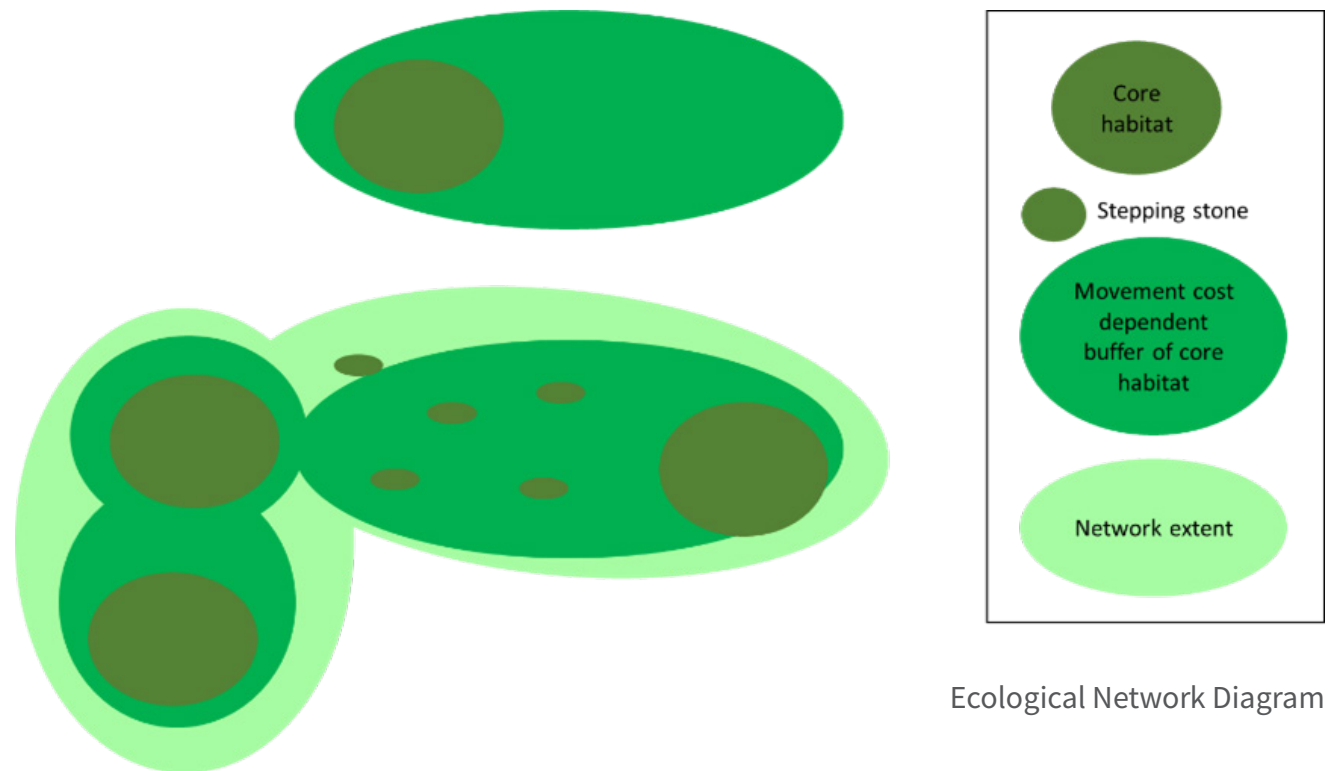
Habitat Class Plan

small woodland only has one nest of dormice, but is close to another small woodland with only one nest, there is a chance that the two can share their genetic material; particularly if the woodlands are connected by a hedgerow. Where habitats are close enough to share these resources is called an ecological network.

outside of the site. Some particularly important features for biodiversity are the ancient blocks of woodland, the more species rich grasslands and marshy grasslands, and the hedges and the trees.

The Ecological Network Diagram diagram illustrates this concept. The dark green is the main habitat area, such as a woodland. These can be large (often called a core habitat), or small (termed a 'stepping-stone'). The lighter green areas illustrate the ecological network that facilitates the movement between the core and stepping stone habitats.

The Habitat Class Plan shows the habitats within the site, and the way they relate to those on the



Ecological Network Diagram

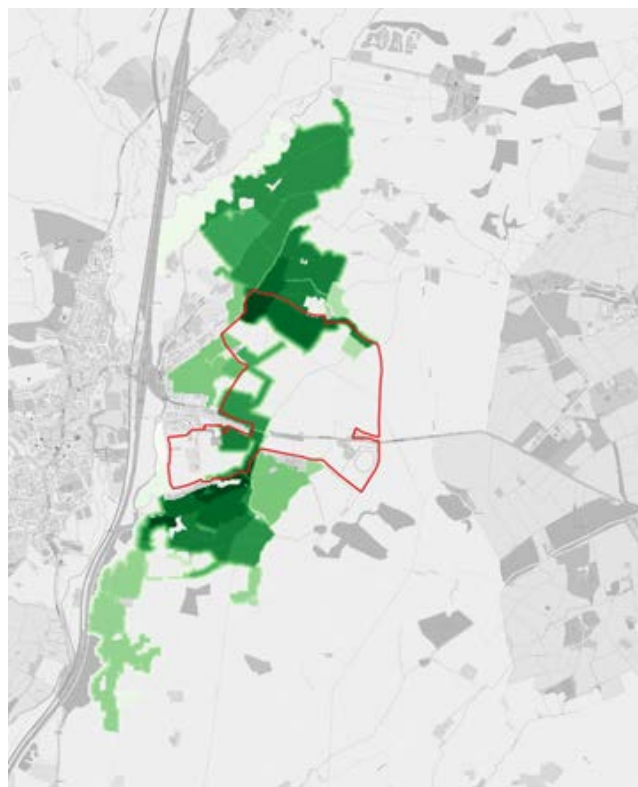
## Habitat Networks

The following diagrams show how the existing habitats can support biodiversity when retained, and also where establishing new habitats on site will significantly enhance the biodiversity. Using this information allows the creation of a mixed landscape with the habitats which would work best in each space, and support cultural needs.

### Grassland Features

The Grassland Habitats Plan shows the current ecological network of the grassland habitats, these areas have the best grassland connectivity. It is recommended that as much of the existing grassland network be left intact as possible and connectivity improved.

The Grassland Opportunity plan shows the most opportune locations for expanding the ecological network of the grassland habitats. Enhancing these areas with additional planting of native grassland species within the existing high connectivity areas, will assist biodiversity and maximise carbon capture.



Grassland Habitats

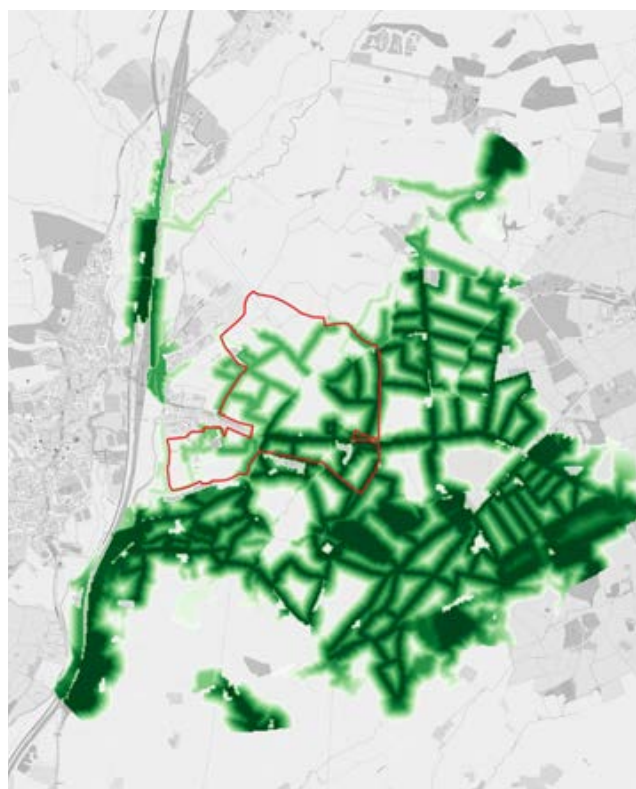


Grassland Opportunities

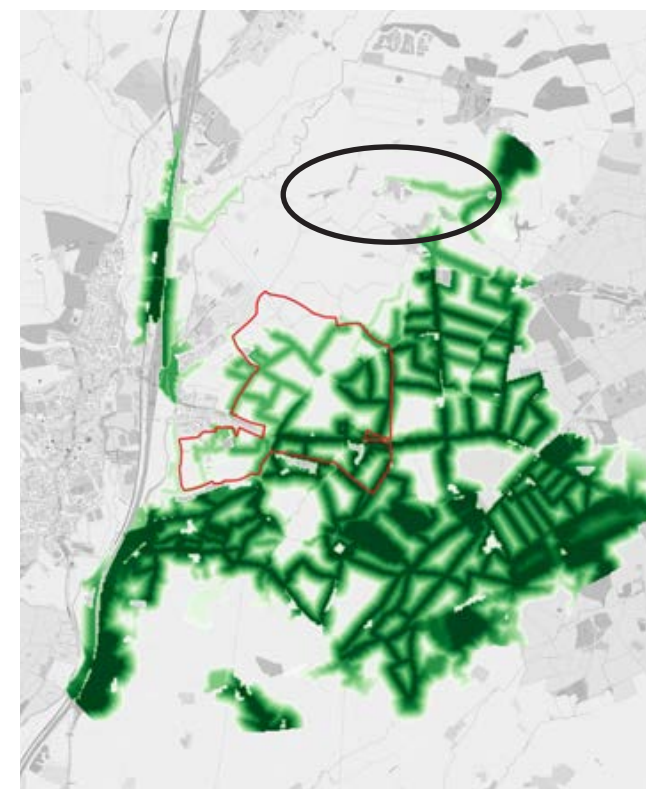
### Woodland Features

The Woodland Habitat Plan shows the current ecological network of the woodland habitats, the areas to the south east have the best woodland connectivity. There is an extensive hedgerow network that connects large stands of woodland across the area. It is recommended that as much of the existing woodland network be left intact as possible.

The Woodland Opportunities plan shows the area that, if established with native woodland species, would provide the greatest impact for the woodland network in the area; making it bigger, better, and more joined up. Woodland features here would link the woodlands around Kingsmill to those around Bradfield. There is a synergy here with grassland and wetland networks, so woodland pasture, or marshy grassland would be beneficial.



Woodland Habitats



Woodland Opportunities

## Wetland Features

The Wetland Habitat plan shows the current ecological network of the wetland habitats, the areas that have the best wetland connectivity are highlighted with circles. There is an extensive river network that connects a number of large water bodies and ponds throughout the site.

The Wetland Opportunity plan shows the most opportune locations for expanding the ecological network of the wetland habitats.

Generally speaking, the vast majority of the area is an opportunity for new wetland features. Establishment / enhancement of wetland features in the northern region would help make the existing network bigger, better, and more joined up, whilst in the south would help in establishing new corridors.

The area marked A is especially good for establishing wetland adjacent to existing wetland habitats, as part of a potential Country Park. There is a synergy here with a potential for woodland creation, and also grassland creation as well. This means that wet woodland or wet grassland features would benefit these networks as well.

The wider area to the north east of Venn Farm is currently located in a region that is great for

establishing wetland features, which are also outside of the current network. Wetland features here would mean the network would be larger and more intact.

The Wetland Opportunities plan highlights an area north of Moorhayes that, if established with native wetland species, would provide the greatest impact for the wetland network in the

area; making it bigger, better, and more joined up. If this area includes wetland features they would link the wetlands around Kingsmill to those around Higher Kingsford. There is a synergy here also with a potential for woodland creation, and also grassland creation as well. This means that wet woodland or wet grassland features would benefit these networks as well.



Wetland Habitats

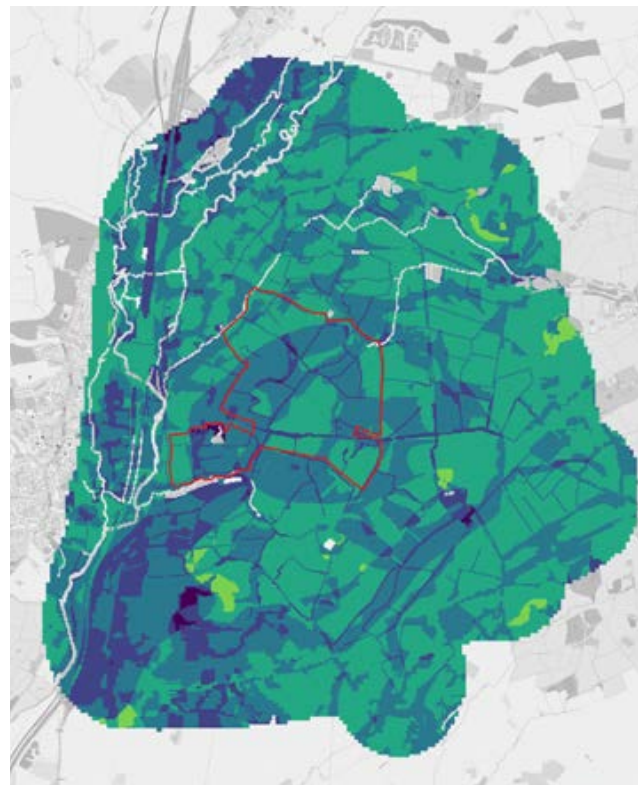
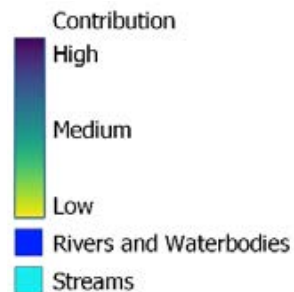


Wetland Opportunities

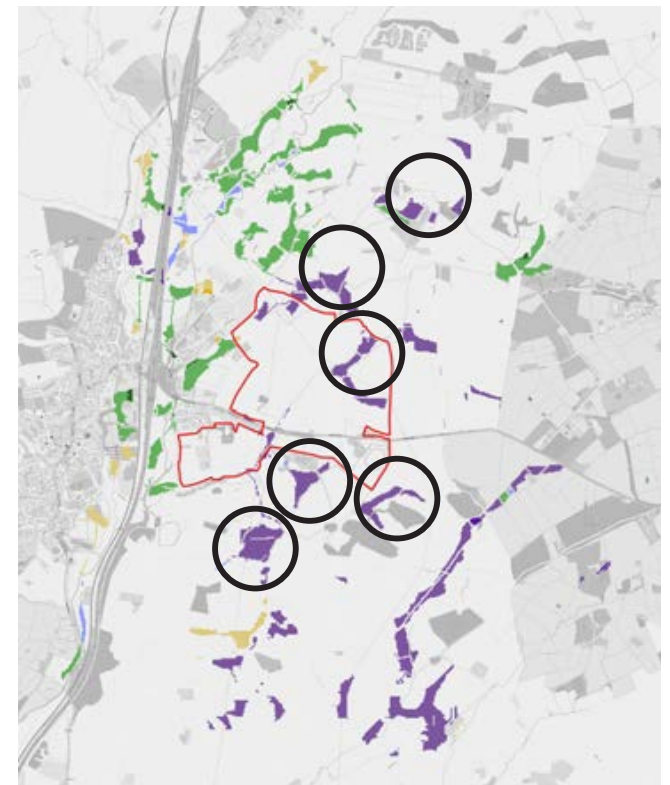
### Natural Flood Management

The Natural Flood Management Plan shows the combinations of soil and vegetation that provide a high degree of water infiltration and storage in the soil. The more water that infiltrates the soil, the slower the flood peaks are in reaching the river, helping to mitigate flooding events. Areas with a higher contribution could be factored into future plans for the site.

The establishment of a wetland would allow for storage of water and lengthening time for water to reach the watercourses, helping reduce the height of the flooding. The best way to help slow water down and prevent flooding is to plant native species of deciduous trees. The Natural Flood Management Opportunities plan shows the areas where tree planting will benefit natural flood management and biodiversity of the area.



Natural Flood Management Plan



Natural Flood Management Opportunities

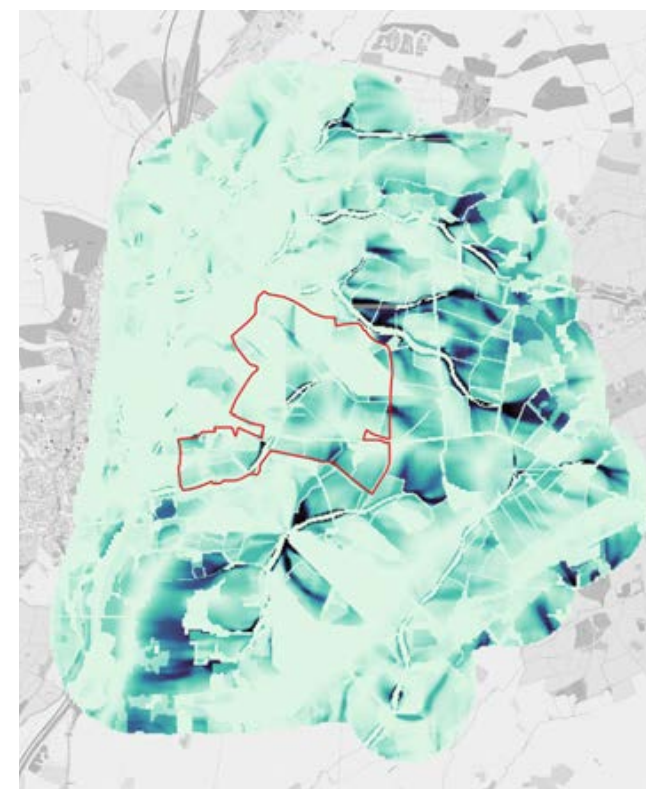
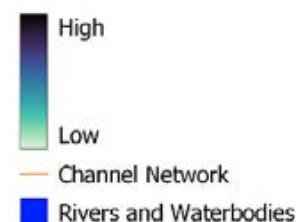
## Water Quality

Water quality in the rural environment depends on the land use and pollutants, such as fertilisers and herbicides, blown or running off fields after rain. Another influence is soil particles from nearby fields washing into the streams — these particles tend to carry phosphorus directly into streams.

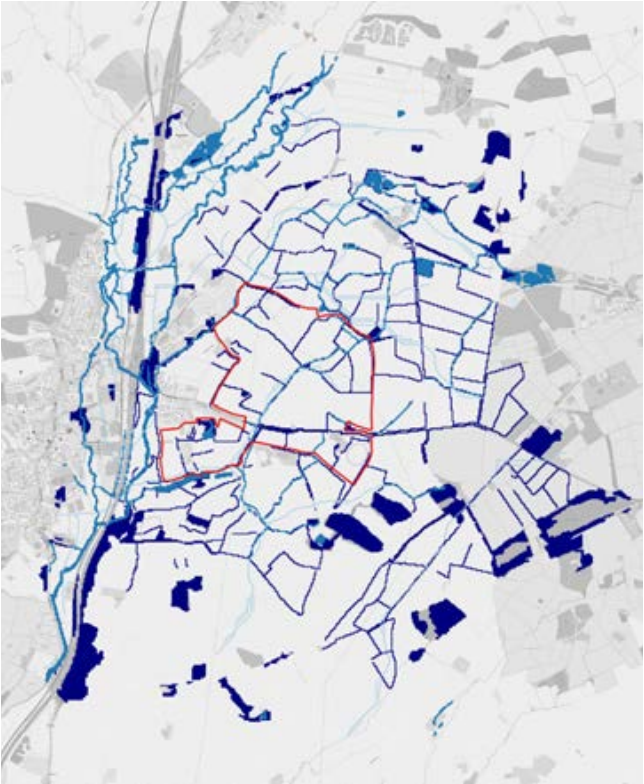
The Erosion Risk Plan shows the current erosion potential of the area. This is a useful resource to consider when planning soil management, in order to identify areas which should be permanently vegetated to prevent further erosion and help prevent pollution.

The Water Quality Contributions Plan shows the current features that help prevent water pollution by breaking the flow pathways to the river (in pink). These are predominantly made up of woodland and hedgerow features. Keeping as many of these features intact as possible would help mitigate pollution after development.

The Water Quality Opportunities Plan shows the most opportune locations marked 'A' for improving the water quality across the area.



Erosion Risk Plan

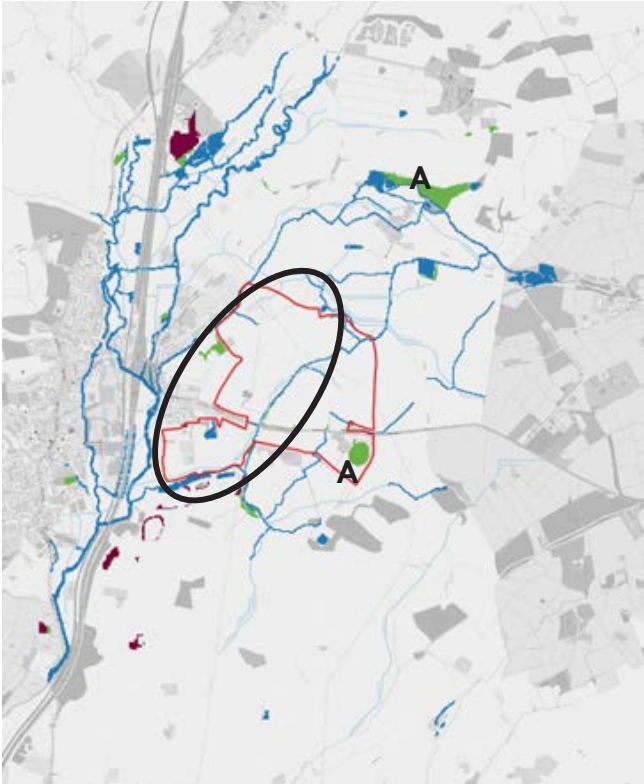


Water Quality Contribution Plan

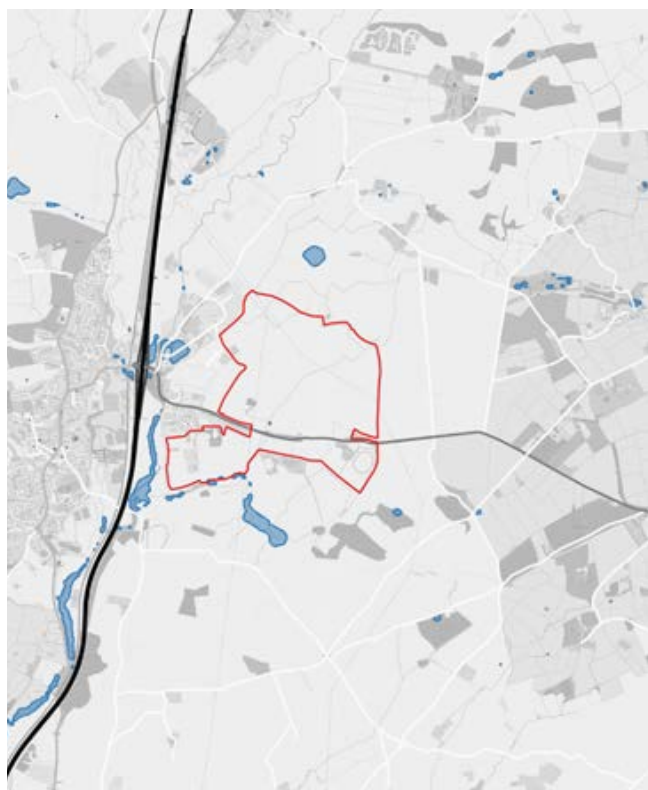
Enhancing these areas with additional planting of native species of hedgerow and woodland would help break the connections between the land and the water courses.

The area to the south marked with a circle is also a potential opportunity due to the optimal soil conditions, and would be a good place to establish open spaces with native habitats and sustainable drainage systems.

Contribution  
High



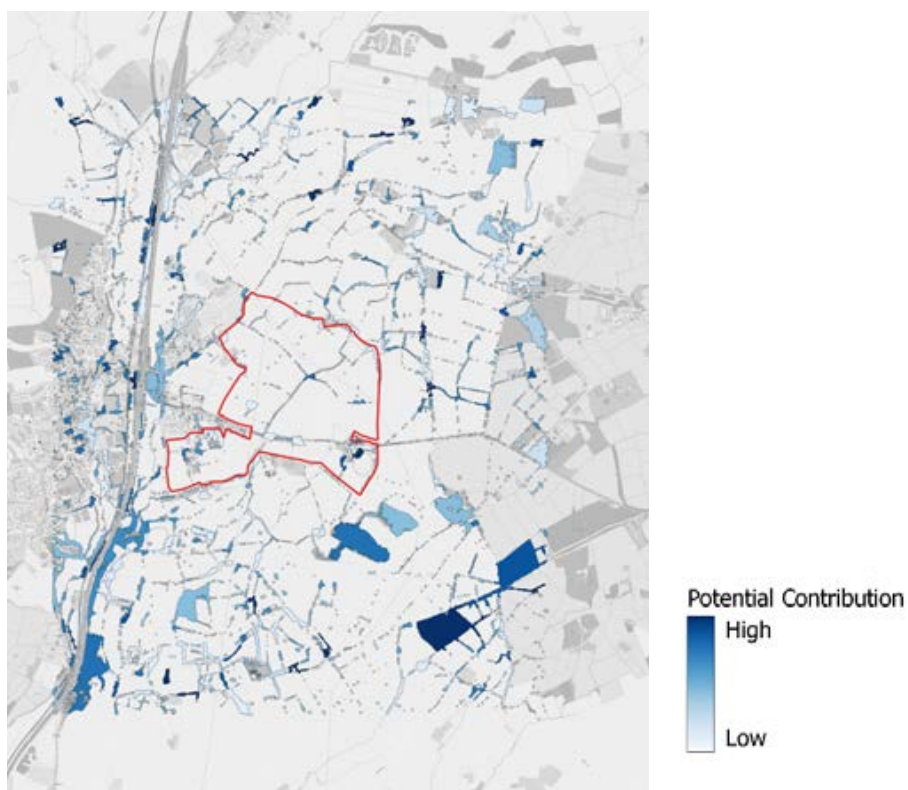
Water Quality Opportunities



Air Quality Risks Plan

### Air Quality

Most of the built area of Cullompton is declared as an air quality management area. The Council will continue to set out actions to improve air quality. Natural capital mapping can help by looking for risks and opportunities associated with topography and vegetation to managing air quality. In developing and siting roads, it is useful to consider where air could pool, as these may develop pollution levels higher than normal. The Air Quality Risks Plan shows these areas in blue; these should be avoided for larger transport routes during development.



Urban Cooling Plan

### Cooling

Large trees cool the air beneath them and the surrounding areas, with the larger the canopy providing a better cooling effect. Where works are planned to remove these trees, the top soil from underneath should be used as a separate resource for planting and establishing grassland or woodland features. This is because they are likely to have a well-developed seed bank of native species, which will be able to form a ground flora quickly and help establish their respective ecosystem services in as short a time as possible.

They can also be considered a carbon resource. Therefore, treating the trees and hedges, and the surrounding metre of soil, as a separate resource with its own management plan is a great way of minimising loss, and maximising their restoration potential.

The Urban Cooling Plan shows the trees with large canopies which, if incorporated into the Masterplan, could provide some urban cooling, as well as retaining biodiversity and carbon storage.



Flood Map for Planning Flood Zone 2 with SFRA Q1000 model results

## 4.5 Flooding

There are several drainage channels that flow through the site. The River Ken is the main watercourse and classified as an Ordinary Watercourse. The River Ken flows from east to west to the north of the allocation area, before flowing southwest where it has its confluence with the River Culm (a Main River) at Honiton Road, A373. There are a number of bifurcations of this watercourse. The first is in the area around the Goodiford Mill area, with the secondary channel flowing down towards Long Drag, where it splits again. One drain flowing south, with the other running alongside Long Drag before flowing southwest. After Horn Road, part of this drainage channel flows west and re-joins the main River Ken, with the remaining drainage channel continuing southwest and joining the River Culm by Old Hill.

The flood risk from the River Ken and the associated drainage ditches is presented by the Environment Agency via the Flood Map for Planning. This shows that the River Ken has a wide floodplain, with areas where the watercourse has become perched, i.e. the

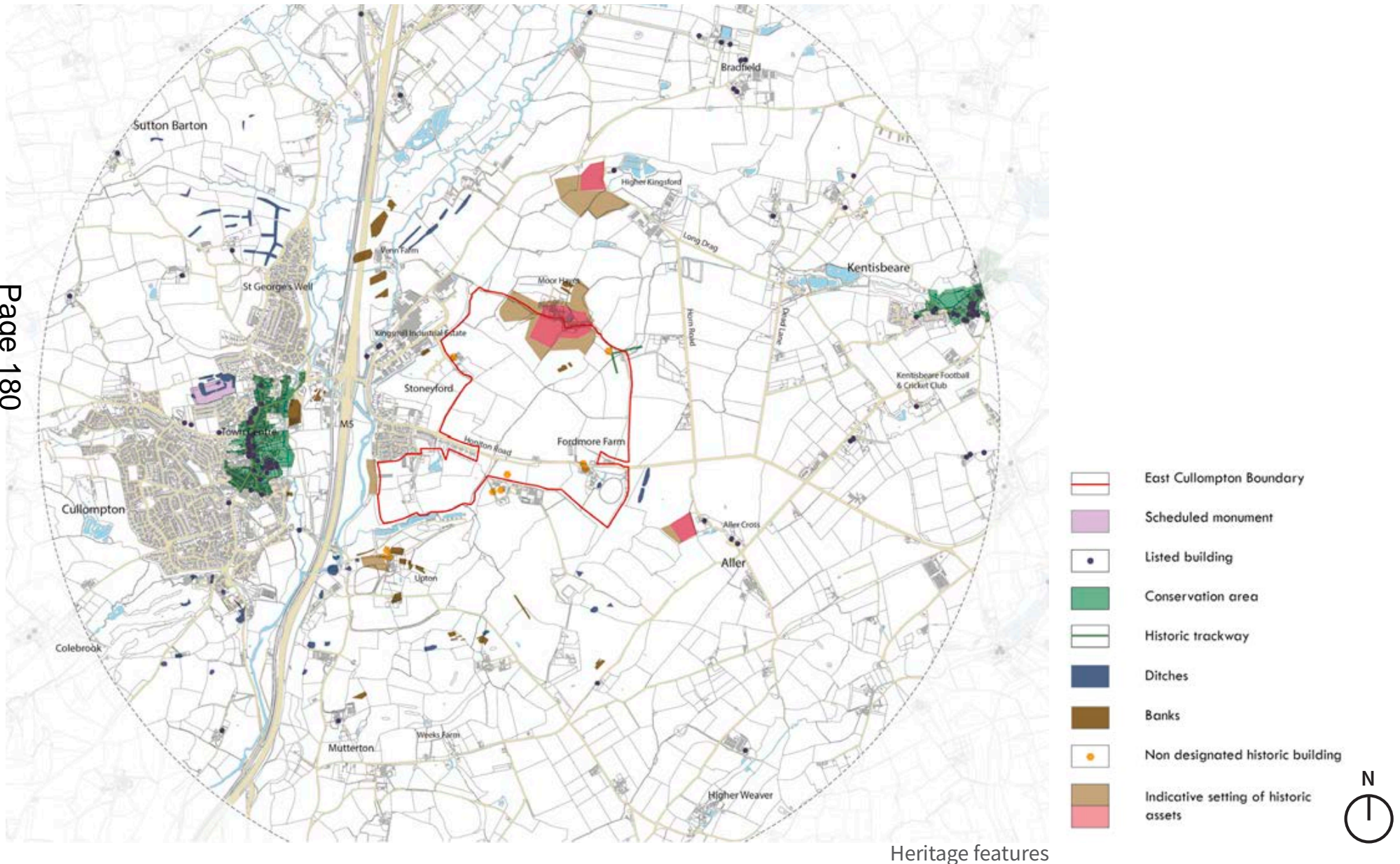
watercourse is not in line with the natural valley bottom. There is then much narrower floodplain associated with the drainage channels.

Further, more detailed flood modelling has been undertaken to better understand flood risk in the area. The more detailed flood modelling has been undertaken for 1 in 5, 30, 50, 100 and 1,000 year period events, along with climate change testing for the 1 in 100 year event. This helps to show the flood risk from more frequent events, up to extreme events. The preliminary results from the modelling work generally agree with the Flood Map for Planning, however with the level of flooding reduced, particularly in the wider floodplain areas of the main River Ken channel. This suggests that the current Flood Map for Planning may be overestimating the flood risk slightly through this area, particularly on the edges of the floodplain.

For the drainage channels through the allocation area and wider Garden Village opportunity area the flood zones and the model results are in close agreement. There are some locations where the

modelling is showing some additional / wider areas of flooding, however this can be managed as part of the development via formalising and improving the drainage ditches through the area.

The more detailed flood modelling was also utilised to test a number of interventions to try and help reduce the downstream flood risk. Generally, the options had minimal impact on the wider flood risk. This work is ongoing and will be discussed further as part of the Strategic Flood Risk Assessment, to ensure that opportunities for flood risk improvements are considered further.



Heritage features

## 4.6 Heritage

There are no listed buildings within the East Cullompton allocation boundary but there are two Grade II farmhouses with five associated curtilage listed buildings situated immediately to the north, namely:

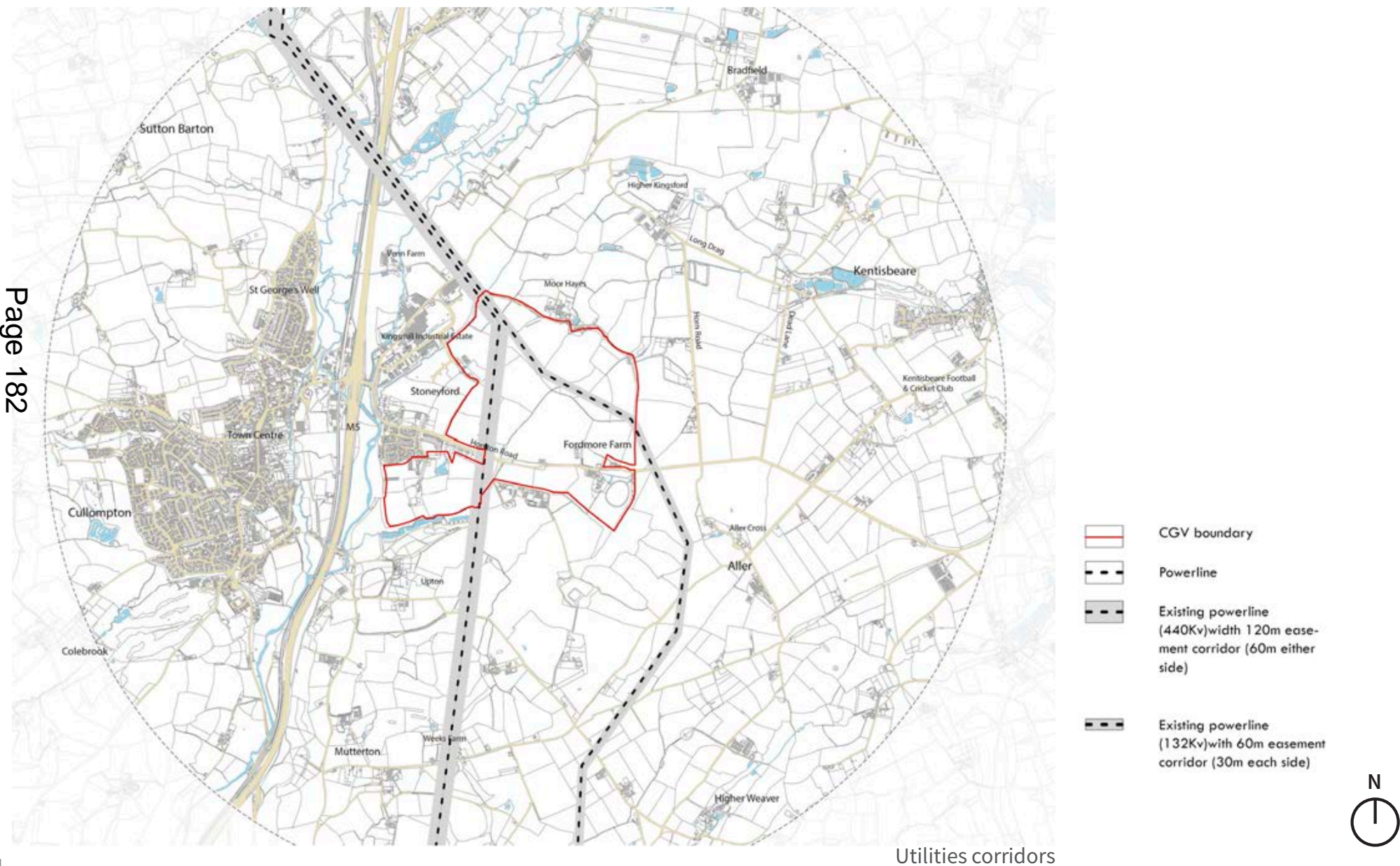
- Upper Moorhayes Farmhouse including front garden wall;
- Lower Moorhayes.

An indication of where development should be avoided to protect the setting of these farmhouses is shown on the heritage plan. Where development does take place in the vicinity, particular attention and care will need to be taken to its layout, detailing and materials.

There are other historic buildings and features, some of which are non-designated heritage assets at Newlands Farm, Week Farm and East Culme House within the site together with a linhay and historic trackway in the north-east and a short stretch near Week Farm. Buildings associated with Bathill and Aller Barton lie due south of the site. Further afield there are a number of listed buildings at Maddocks Farm, Woodbarton Farm and Bradfield.

The site is located within a wider landscape containing evidence of prehistoric and Roman period activity. To the east there is evidence of Roman iron working as well as place names such as 'Orway' and Stoneyford' that could indicate the presence of a Roman road between the settlement at Cullompton and the iron ore extraction industry operating up on the Blackdown Hills. As such, there is the potential for this landscape to contain evidence of prehistoric and Roman activity in the form of buried archaeological and artefactual deposits.

The current field system and farm landscape dates to the later medieval and post medieval periods. There are likely to be below ground remains of early to post medieval activity associated with farmsteads with and adjoining the site. There is an opportunity within the site area for the enhancement of historic built and landscape features such as ditches, orchards and water meadows as well as the opportunity to incorporate existing water features and leat as important placemaking aspects of the Masterplan.



Utilities corridors

## 4.7 Utilities

Preliminary infrastructure work has identified the existing utilities within the site. 440kV National Grid (NG) power lines and 132kV Western Power Distribution (WPD) power lines enter the site in the north-west and run in parallel for a short distance, before bisecting the area on different alignments.

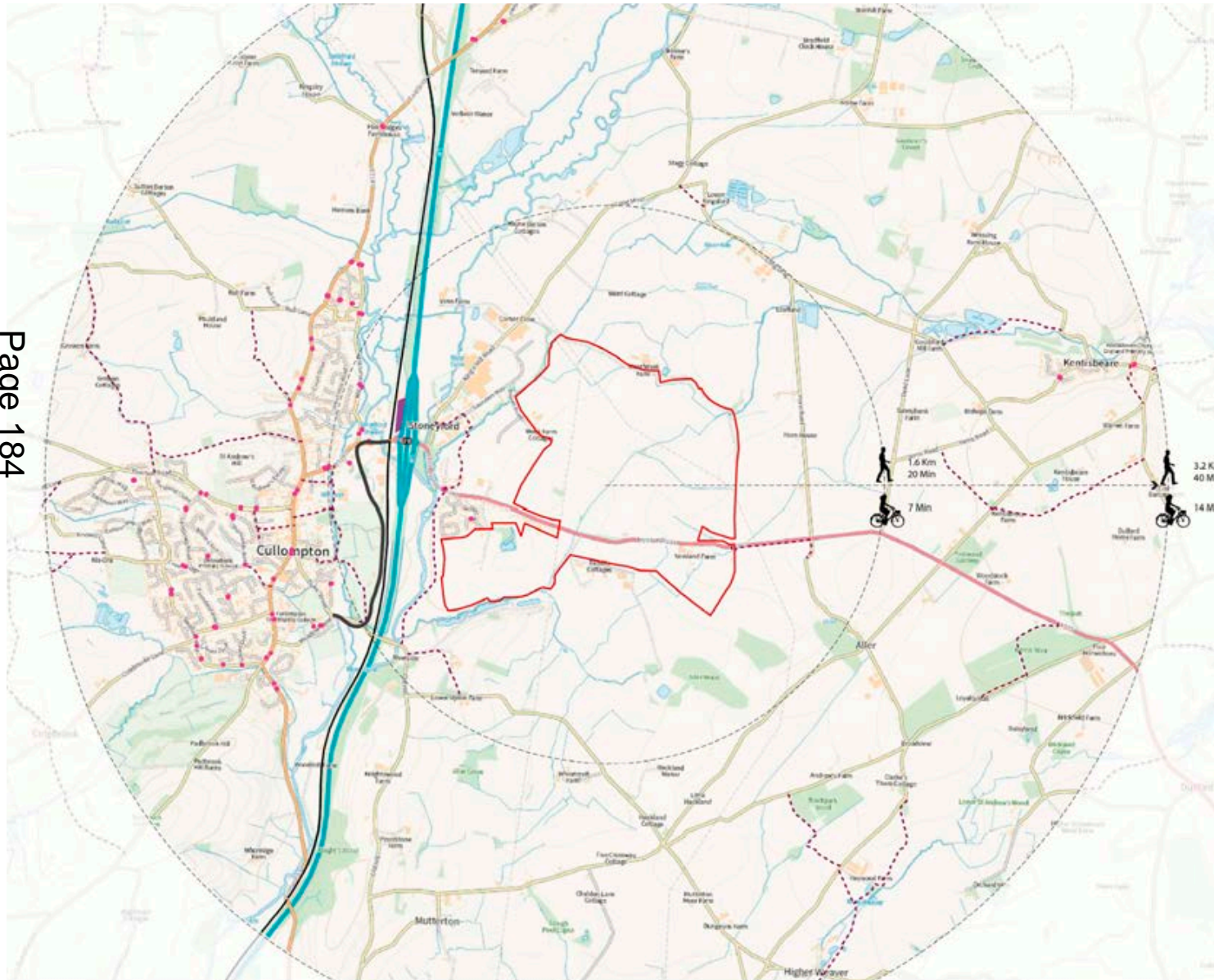
The National Grid (440kV) power lines are a fixed constraint and have been factored into the masterplanning process. Not only will the easement need respecting, but a residential amenity buffer will need to be established.

There is no set formal guidance on the size of easements but a figure of 60m from any dwelling to the centre line of the 440kV transmission lines (i.e. a 120m corridor) is an approach that has been used in planning policy for development to the east of Didcot in South Oxfordshire. Non-residential uses may need to be considered closest to the transmission lines.

At a detailed level, The National Grid has produced design guidance, in respect of how to Masterplan around transmission lines and treat the space beneath them.

There are options available to reduce the effect of the Western Power Distribution (132kV) power lines. The land over which the lines pass within the site benefits from 'lift and shift' clause over the route easement. This enables the landowner to alter the path of the power lines if an alternative route is available. Land north of the allocation is also in the ownership of the landowner over which the WPD cables currently pass.

In respect of foul drainage, South West Water has indicated that directing foul flows north to Willand Sewage Treatment Works (approximately 3km away) via a new pumping station and rising main would be its preferred option.



- East Cullompton Boundary
- Motorway
- A Road
- B Road
- Public right of way
- Bus Stops
- Railway Line
- Potential rail station
- Town centre relief road



Mobility context

## 4.8 Access and Mobility

One of the core principles embedded in the Masterplan SPD is the idea of the 20 minute place. The purpose of this principle is to encourage local living and self containment within the town for as many day to day needs as possible, reducing the need to travel further afield and creating more vibrant places and stronger local economies. It is therefore expected that East Cullompton and the existing town will be planned as one place, ensuring that all residents benefit from existing and proposed community facilities, shops and employment areas.

The objective of providing these services within 20 minutes of home is to reduce the reliance on the private car and encourage more active means of travel such as walking and cycling. There are currently no public rights of way across the site, there is a footpath to the west of the site along the floor of the shallow Culm Valley, between the M5 and the site boundary which connects to the two existing crossings of the M5. However, the M5 corridor places a significant barrier to active travel currently and it is important that the Masterplan for development to the east of the M5 incorporates attractive, direct active travel routes and improved crossings leading to key destinations including the Town Centre, schools, open spaces and employment areas on both sides of the M5.

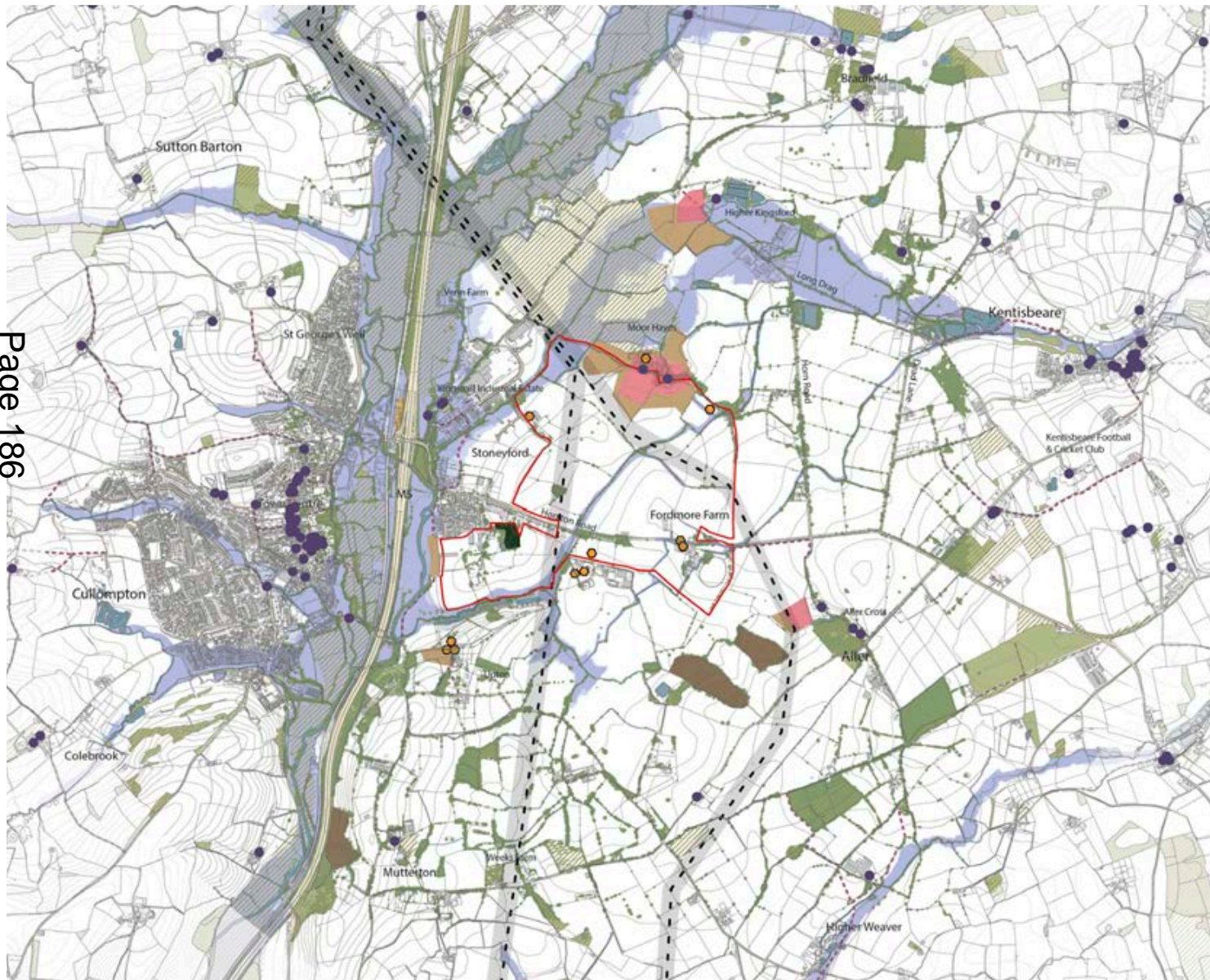
It is recognised that although the site is located nearby to a wide range of facilities, and that the allocation includes provision of new employment areas, shops and community facilities, there will be some that still require day-to-day access outside of a reasonable walking distance. Stonyford is currently served by the 350 Cullompton Town Service and 694 Honiton, Cullompton, Feniton Circular buses, but the services are infrequent. The Exeter, Cullompton, Tiverton Service can be accessed from within Cullompton with an hourly service and journey times of approximately 50 mins to Exeter and 34 mins to Tiverton. Key destinations within the Masterplan will therefore need to be served by improved public transport, and emerging shared use modes of transport such as e-mobility, demand responsive transport and other future mobilities.

The proposed reopening of Cullompton Railway Station will provide a sustainable transport option for all residents of Cullompton, reducing carbon emissions, congestion and improving air quality in Cullompton as well as cutting commuting times. The Station will comprise an important element of any future mobility strategy, providing a vital means by which to reduce reliance on private car use for longer distance journeys currently utilising the neighbouring trunk road network. On this basis,

any future railway station must be connected directly to development to the east via exemplary active and shared mobility connections.

East Cullompton is located to the north and south of Honiton Road to the east of the M5 corridor at junction 28. The vehicular access into East Cullompton will need to be achieved primarily from Honiton Road. Honiton Road itself will require significant improvements which may require downgrading of the existing highway to reduce vehicles speeds and reduce the impact future access proposals may have on existing hedgerows and trees. Multiple points of access will be required to allow access to both the north and south of Honiton Road. Options to reallocate space on Honiton Road or incorporate additional space for other users should be considered alongside parallel east - west routes that connect into Cullompton ensuring that priority can be given to active and shared modes.

In addition to the existing highways network, this SPD has been undertaken in parallel with work on both the Town Centre Relief Road and feasibility work on improvements to Junction 28 of the M5. A number of options for junction improvements are under consideration at the time of writing and so the SPD Masterplan retains some flexibility on how access to potential junction locations and crossing points will be configured.



- East Cullompton Boundary
- Listed building
- Non designated historic building
- Low to moderate harm
- Moderate to high harm
- Areas of woodland
- Ancient woodland
- Priority habitats
- Tree canopy
- Proposed railway station
- PROW
- County wildlife site
- Water area
- Flood zone 3
- Flood zone 2
- Powerline and offset



Combined Constraints Plan

## 4.9 Combined Constraints Plan

The combined constraints plan draws together physical constraints described above into a single plan to show their combined effect. These have been taken into account in the masterplan proposals and include.

These include:

- Existing hedgerows and trees to be retained as far as possible.
- Listed buildings around Moorhayes and the area which is considered important to their setting.
- Non designated historic buildings which should be incorporated into the masterplan.
- 400kV and 132kV power lines and the associated easements from any proposed dwellings.
- Noise and intrusion from Honiton Road.
- Potential noise and visual intrusion from the M5.
- Water courses and flood zones. The masterplan framework is based on avoiding development with associated flood zones.
- The potential to incorporate and enhance the County Wildlife Site near East Culme House.



4.10 Opportunities Plan

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The existing character and qualities of the site offer opportunities for successful placemaking if integrated in an appropriate way. Working with the existing qualities of place has been a central feature of the development of the Masterplan. The Masterplan Framework section explores this potential further, but in summary the main site opportunities include:

1.

Consider East Cullompton and Cullompton as one settlement, using this to ensure incoming uses and spaces support the resilience and sustainable growth of Cullompton.

2.

Ensure local active and shared travel connections across the river corridor are prioritised including the reconfiguration of existing crossing points which are well located in relation to surrounding land uses.

3.

Emphasise the movement of water through the site along the existing water courses. Incorporate new water bodies and wetland planting in lower lying areas of the site to draw the influence of water in to the site.
4.

Utilise the watercourses as important connections for active travel back to the historic crossing points of the river corridor to Cullompton.

5.

Encourage interaction with water, drawing inspiration from the prevalence of fords in the surrounding landscape, the historic significance of mills in Cullompton and leat within the site.

6.

Work with the rural qualities of the site by retaining existing farm clusters and expanding them sensitively as mixed use areas for community and commercial buildings.

7.

Support the existing diversification of uses happening on site, such as Fordmore Farm as a focal point for early phases ensure a mix of uses from the beginning.

8.

Connect into the existing employment areas to the west of the site.

9.

Support the further expansion and intensification of employment areas to provide local jobs and shift away from the existing reliance on out commuting
10.

Provide active and sustainable travel connections to the proposed Cullompton Railway Station site.

11.

Utilise existing mature vegetation as a structuring network of green infrastructure through the site.

12.

Provide strong links to the proposed Country Park as a strategic area of open space and consider utilising the Country Park as focus for biodiversity net gain in the area.

13.

Consider links to the relocated sports clubs to the east of Horn Road.

14.

Consider views from the surrounding landscape including elevated land around Upton and Aller, from the open landscape and potential Country Park to the north and from open countryside and Blackdown Hills to the east.



**SECTION FIVE**

**MASTERPLAN**

**FRAMEWORK**

<b>SPD Masterplan</b>
<b>Activity</b>
<b>Landscape</b>
<b>Mobility</b>
<b>Placemaking</b>
<b>Infrastructure, Delivery and Phasing</b>



-  Development area (housing)
-  Mixed use community hubs
-  Primary School
-  Green Infrastructure
-  Commercial area
-  Neighbouring employment Allocation
-  Sustainable urban drainage network
-  Proposed Primary / Secondary Streets
-  Active Travel Route



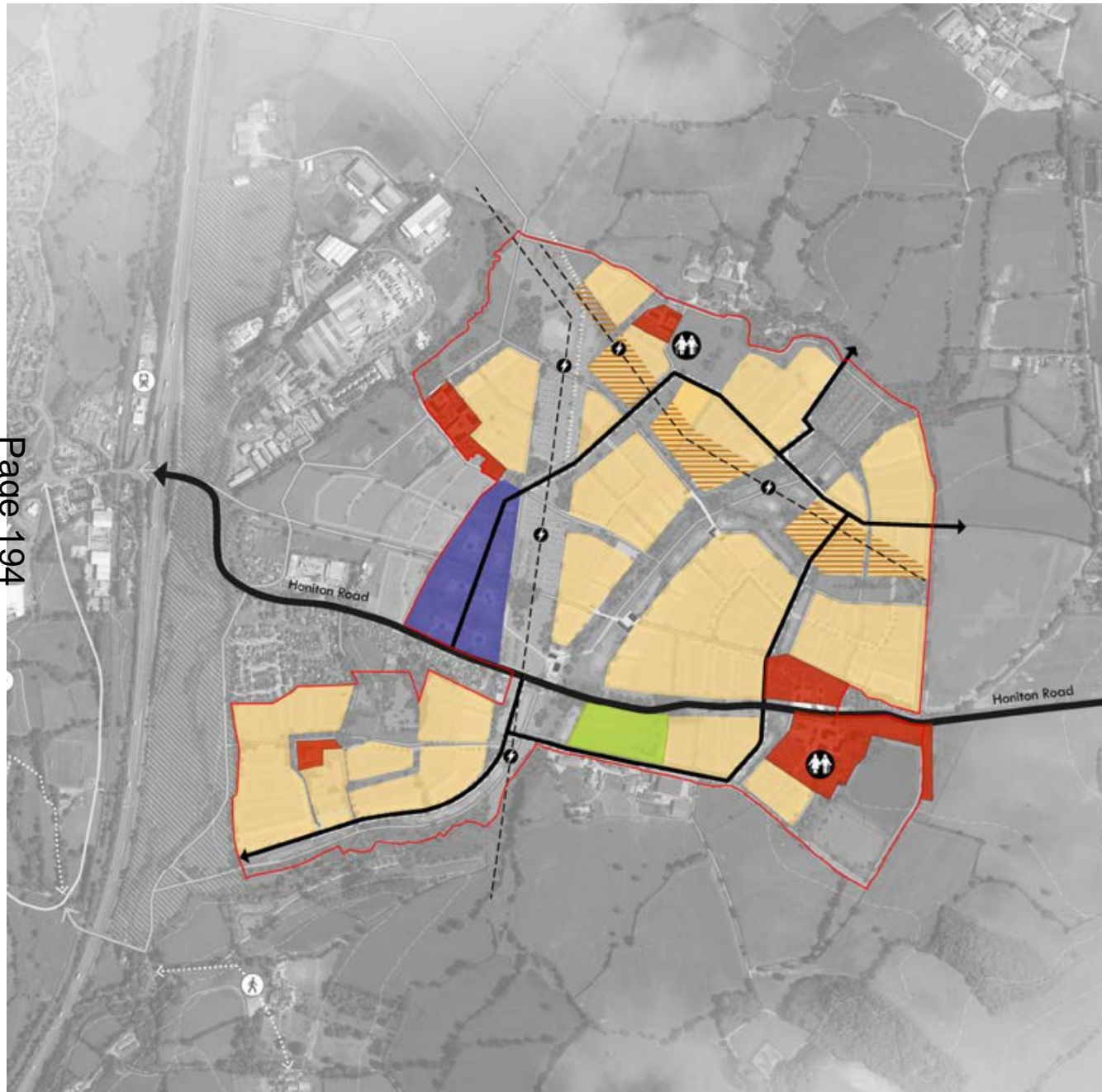
## 5.1 SPD Masterplan

This section of the SPD sets out a masterplan for the East Cullompton allocation area. It demonstrates how the requirements of the Local Plan can be accommodated on the site driven by the aspirations described earlier in this SPD.

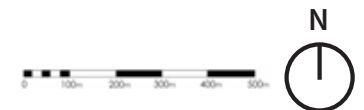
The masterplan is strategic in nature and does not intend to define the precise location and extent of elements of the plan, this will be defined through planning applications and work to agree the detailed phasing and infrastructure delivery strategy. However, to ensure a comprehensive approach is taken to the planning of East Cullompton, this section translates the Masterplan SPD into a set of requirements in a green text box which planning applications are expected to meet.

Planning applications within the East Cullompton allocation should include a statement demonstrating how these requirements have been interpreted and applied.

**The masterplan is described under the headings of Activity, Landscape, Mobility, and Placemaking. These layers should be seen as providing an organising structure to East Cullompton, setting out the broad locations of development, open space and movement and their relationship to each other. The masterplan also describes specific placemaking aspirations that are considered strategically important that have arisen in response to site constraints, opportunities and through local consultation.**



- Residential
- Mixed use community hubs
- Commercial
- Primary School
- Pylons
- Development area enabled by undergrounding power-lines
- ⋈ Retirement / Extra Care



East Cullompton Activity Framework

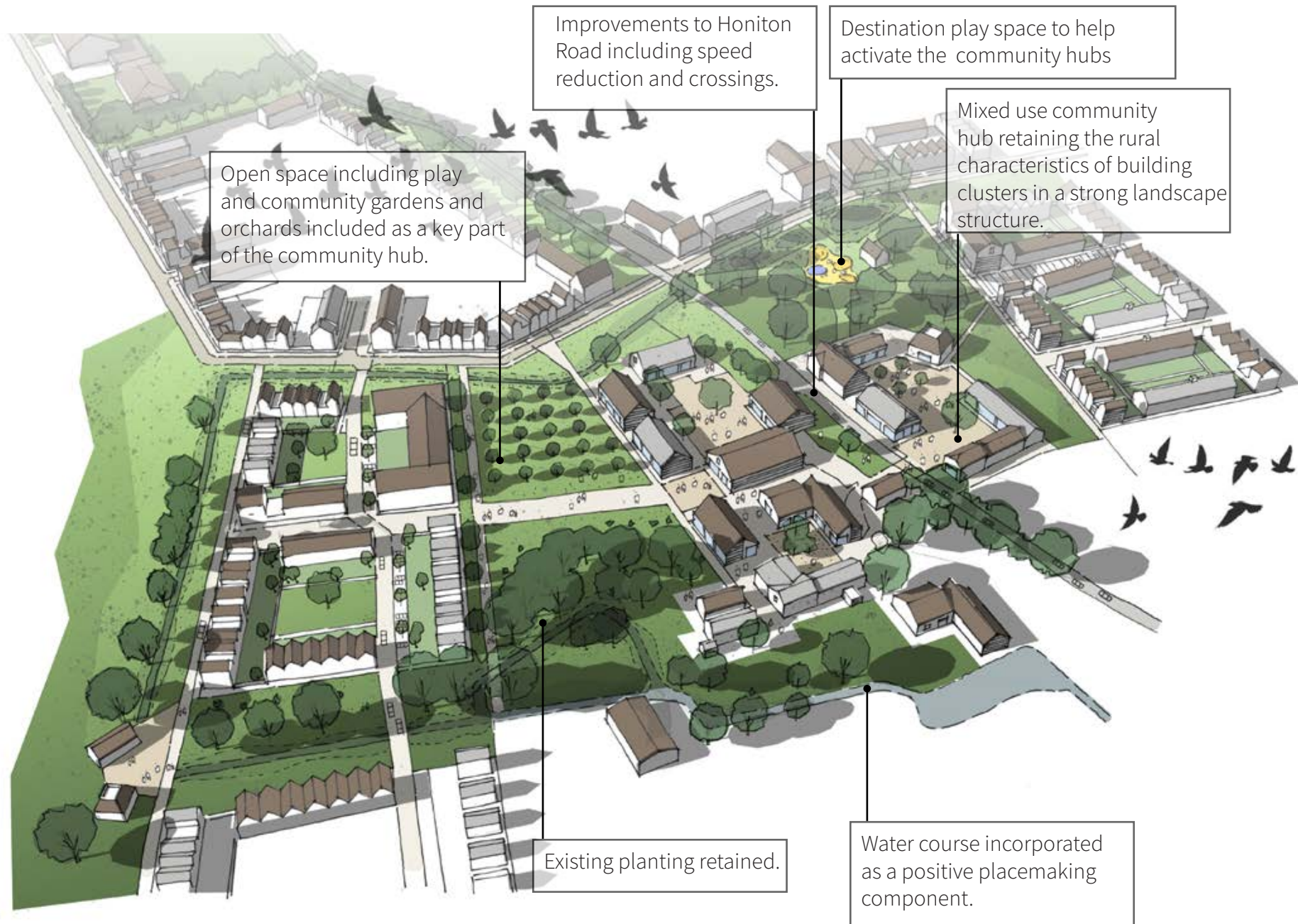
## 5.2 Activity

The Local Plan sets out the land uses, and quantities associated with the allocation of East Cullompton. The Masterplan SPD proposes a strategy for how this mix of uses can be accommodated and phased in a way which can create a strong identity in response to the existing qualities of the area. Place quality will be a key determinant of the successful integration and longevity of commercial and community space ensuring that they are places that people will be drawn to and choose to use as well as using out of convenience. Community and commercial uses will provide an important function in drawing the community together as well as meeting day to day needs of residents.

The overarching strategy has been driven by a response to activity already happening on site. The creative reuse and expansion of existing building clusters on site provides a model for how future community, commercial and civic buildings can be incorporated into East Cullompton in a distinctive way. These places also provide a useful starting point for future growth ensuring a mix of uses and sense of place is established before housing is delivered. The rural character and local vernacular of these clusters can also be used as a key determinant in new mixed use and community buildings.

	Land area	Notes
<b>Residential</b>	72 hectares	Including market and affordable housing, serviced plots for self builders and gypsy and traveller pitches. Capable of delivering 2,600 homes required by Policy CU7 at an average density of c. 35dph. Assumes limited residential uses will be incorporated in to the mixed use community hubs.
<b>Mixed use community hubs</b>	8 hectares	Area includes existing uses at Fordmore Farm. Capable of delivering 2 hectares for shopping, community centre and multi-purpose community building required by Policy CU10. Assumes some residential uses can be included within the centres and some overlap of uses with commercial area.
<b>Commercial area</b>	6.5 hectares	Including allowance for care home, retirement complex, appropriately scaled retail, offices, hotel and leisure uses. Capable of delivering 32,000 square metres of commercial floorspace required by Policy CU7 with some overlap of uses with the mixed use community hubs.
<b>School site</b>	2.5 hectares	To meet Policy CU10 requirement for a service site of 2.5 hectares for a new primary school.
<b>Green Infrastructure</b>	46 hectares	See separate table within landscape framework for breakdown of open space.
<b>Area beneath 440kv powerlines</b>	16 hectares	
<b>Total</b>	c. 160 hectares	Difference between areas above and the total area comprises area allowance for highways infrastructure.

Land budget for Masterplan Framework



Indicative sketch of a mixed use community hub retaining the rural characteristics of the area

## Mixed Use Community Hubs



The Local Plan allocates land and facilities for community use including a site of 2 hectares for a shopping and community centre, and the provision of a multi-purpose community building for youth, children and other community uses.

The East Cullompton site is currently very rural in character. Although large parts of the site will change fundamentally in character as development progresses, there is an opportunity to ensure the influence of the rural Mid Devon landscape is still apparent as a positive characteristic in the identity of East Cullompton. The Masterplan SPD proposes that the mixed-use areas are, in part, focussed around existing farm clusters that are already providing a sense of place and generating activity and a local

economy through a diversification of uses. A number of these clusters include listed buildings or non-designated heritage assets which can provide clear design cues for incorporating additional development in a sensitive way. Supporting the growth and considered expansion of these clusters can be done in a way which preserves their characteristics as building clusters in a strong landscape structure. These can be considered as maintaining a rural character that is fundamentally different to more urban typologies such as a high street, this can be used to differentiate the experience of living or visiting East Cullompton and complement the town centre offer of Cullompton. It can also ensure their delivery early.

- The principal community hub for East Cullompton will be located around a considered expansion of Fordmore Farm to the north and south of Honiton Road.
- The layout of the area around Fordmore Farm will be done in a way which retains the rural characteristics including an informal arrangement of buildings and courtyards in a strong landscape structure.
- Parking within mixed use areas will be provided in a way which does not compromise pedestrian experience, with main parking areas away from key buildings and spaces.
- The materials, detailing and scale of buildings and public realm in mixed use areas will take

design cues from existing buildings on site and the aspiration to retain a rural influence.

- Secondary hubs, incorporating smaller scale shops and flexible community space will be encouraged in areas of high accessibility in areas further from the principal hub including at East Culme House near the existing community around Culm Lea and near Moorhayes serving the northern areas of the allocation close to the potential Country Park.
- A community hub near Moorhayes will demonstrate how it can also support the potential Country Park to the north with potential for ancillary uses, spaces and attractive connection points to the Park.
- Further opportunities for incorporating mixed use will be explored at areas of high accessibility including crossing points of Honiton Road.
- The area around Week Farm is shown to provide further opportunities for incorporating a mixed use area with a commercial focus. This could serve as an expansion of the existing employment area around Stoneyford providing opportunities for smaller scale commercial uses and workspaces.
- Retirement, healthcare and aged services cluster should be co-located with the mixed use community hubs with good accessibility to public transport.
- Mixed use community hubs should also incorporate appropriate workspace.



Image showing the character of the mixed use community hub at Fordmore Farm



Example of farm buildings converted into a mix of community and commercial buildings around high quality public realm.



Example of community buildings with rural character integrated into open space.

### School site



The Local Plan states a requirement for a serviced site of 2.5 hectares for a new 630 place primary school or alternatively 3 hectares of serviced land in 2 parcels of 1.1 hectare and 1.9 hectares appropriately located for the delivery of 2 new primary schools. The Local Plan also requires that serviced land for the school should be provided prior to the first occupation of residential development. The SPD masterplan has sought to locate the school in an area of high accessibility, close to the mixed-use areas. The site shown to the south of Honiton Road has been identified as the preferred site of the education authority and this site is shown on the Masterplan.

- Any school sites should be located close to other employment, community and retail spaces with clear and attractive active travel links between them.
- Clear, attractive active travel routes should be provided from residential areas to the school sites.
- A safe and attractive crossing of Honiton Road should be provided on a clear desire line to any school sites.
- The school buildings should be designed and located to be a prominent and positive feature of the development.
- Proposals should demonstrate how schools will provide an important anchor in the early phases of development.
- The active travel network should include attractive, safe routes to Cullompton Community College in the early phases.



Pedestrian and cycle friendly primary street as a central feature with high quality public realm and strong building frontage.

Attractive active travel route linking East Cullompton and Cullompton with strong building frontage.

Existing tree planting retained and extended to provide a strong landscape structure.

Overarching character of commercial area to be defined by individual buildings or buildings grouped around a shared courtyard within a strong surrounding landscape structure.

Building frontage onto Honiton Road.

Inset plan of commercial area.

## Integrating employment



The Local Plan allocates 20,000sqm of commercial floorspace within the plan period and a further 12,000sqm post 2033, to include a care home or retirement complex, appropriately scaled retail development and other suitable uses such as offices and a hotel or leisure development.

An Employment and Skills Strategy commissioned by Mid Devon in parallel to the Masterplan SPD includes recommendations on the employment opportunities and how skills improvement programmes can help to drive business interest in the area. The findings of this report have been factored into the development of the Masterplan SPD and include spatial influences such as:

- Viewing employment as crucial elements of the overall masterplan with a high priority for development in the early phases.
- The clear need for units and serviced, developable employment plots in Mid Devon, with East Cullompton offering a good opportunity to help meet need.
- To expand employment areas adjacent to existing and permitted industrial elements at the edge of the allocation around Kingsmill Industrial Estate.
- To include an element of dispersed employment that could have differing functions and target markets, with proposed employment uses at Fordmore Farm cited as an useful example.

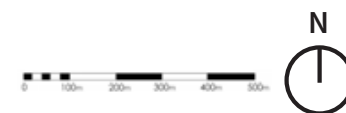
The Masterplan is set out to the following principles:

- Land adjacent to the employment allocation CU17 will provide additional space for commercial uses as an important expansion of the employment area to the east of the M5 and proposed railway station.
- The commercial area will incorporate an east – west active travel route to connect into the rest of East Cullompton. Co-ordination with proposals for employment allocation CU17 will be required to ensure continuity of the route into Cullompton.

- The commercial area will include the mix of uses allocated but should be planned to provide an appropriate transition between larger employment uses to the west and residential use to the east. This will include an emphasis on provision for walking and cycling.
- The layout of the main commercial area should follow the principles described on the employment area inset plan.
- Commercial uses should also be included into mixed use community hubs including smaller scale workspace and co-working space and work hubs that will be drawn to the place quality of these clusters.



- Residential
- Mixed use community hubs
- Pylons
- Development area enabled by undergrounding power-lines



Extract of proposed residential areas

## Residential

The Local Plan allocates 1750 dwellings within the plan period and at least another 850 dwellings post 2033 taking the overall residential capacity of the East Cullompton allocation to 2600 dwellings. Policy CU7 also requires 28% affordable housing and extra care housing and at least ten pitches for gypsies and travellers and 5% of housing to be provided as serviced plots for sale to self-builders.

The residential neighbourhoods have been formed around the Landscape, Mobility and Land Use Frameworks. Parcels of residential land are identified where they can form coherent neighbourhoods around the organising structure of open spaces, streets and mixed-use areas avoiding areas of development constraint. The Masterplan SPD assumes an average density of 35 -40 dwellings per hectare to achieve the residential capacity set out in the Local Plan. The Placemaking section provides further guidance on character.

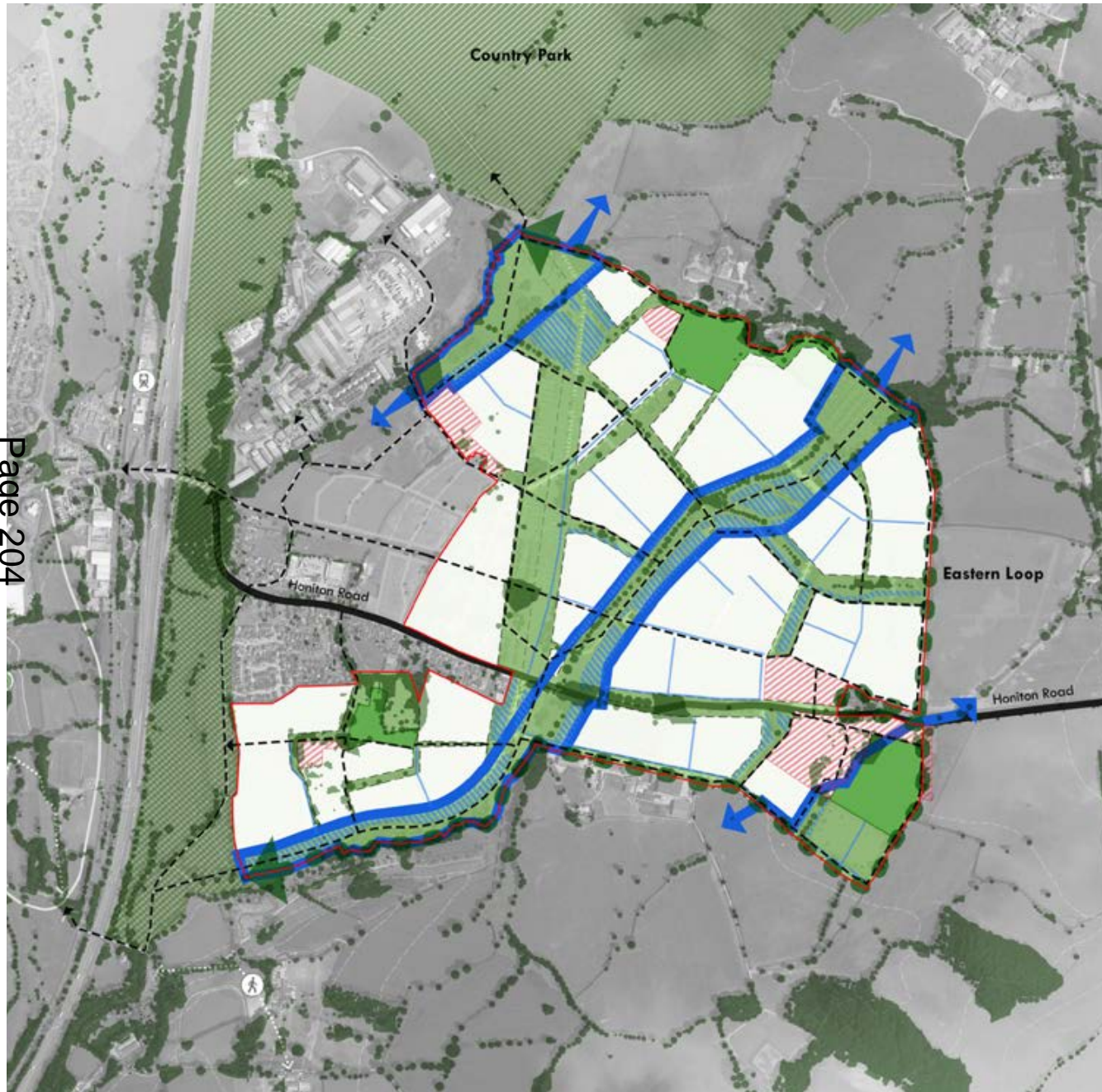
- No residential development to take place within flood zones.
- Typical densities will be in the region of 35 – 40 dwellings per hectare with potential for higher densities in areas of greatest access to sustainable travel and mixed-use areas and potential for lower densities adjacent towards the edges of the community.
- Building heights are expected to typically be 2-3 storeys with incorporation of 4 - 5 storey buildings in appropriate landmark locations such as on key junctions or terminating views. Proposals must demonstrate a clear logic to building heights that assists placemaking.

## Powerlines

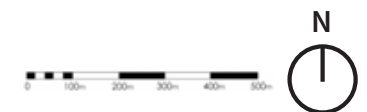
The potential to underground overhead powerlines should be explored, particularly where leaving them in-situ would place a significant obstruction and detract from the quality and quantity of residential areas. Mid Devon District Council's preference is for the powerlines to be moved underground but a final decision will be subject to further

masterplanning, feasibility and viability work. The SPD Masterplan shows the eastern 132kv line undergrounded as this would cut through and segregate residential areas hindering the creation of a coherent development form. The area of land made available for development by undergrounding the 132kv lines (as shown) equates to around 7ha. or approximately 250 homes within the allocation area. The larger 440kv powerline is left in situ and its alignment used to define the extent of extended commercial areas.

The land beneath the powerlines is not considered suitable for the primary useable areas of public open space, where the presence of the lines would undermine the quality of the spaces beneath. The land beneath may be used for ancillary open space, wildlife corridors, streets and active travel corridors and potentially renewable energy generation.



-  Blueways
-  Greenways
-  Eastern loop
-  Community green
-  Country park and landscape enhancements to the river
-  SUDS
-  Green infrastructure
-  Existing Trees



East Cullompton Landscape Framework

### 5.3 Landscape

Policy CU9 sets out environmental protection and enhancement measures required for East Cullompton, this section of the SPD elaborates on these requirements showing their application and contribution to placemaking at East Cullompton. Policy CU7 requires allocation site to deliver 40 hectares of strategic green infrastructure, laid out and managed with an appropriate mix of public parkland, open space and landscaping. The site benefits from an existing landscape structure that offers great placemaking potential. Existing watercourses, hedges, tracks, mature trees, and landform can all be used to drive the character and sense of place at East Cullompton.

The MDDC Open Space and Play Area Strategy can be referred to for general guidance on design of open space types. The objective of the Landscape Framework described here is to use the existing clues in the landscape to frame interventions ensuring that:

- New development is rooted in the existing qualities of the site providing a sense of identity and permanence from the outset
- Incoming open spaces simultaneously provide multiple benefits to people, wildlife, and the environment informed by a natural capital approach.

	Land area	Notes
<b>Amenity green space</b>	6 hectares	To be provided within Blueways and areas shown on the Landscape Framework plan as Green Infrastructure where these are not adversely effected by flooding, powerlines or sustainable drainage features.
<b>Parks, sports and recreation grounds</b>	9 hectares	To be provided within the Community Greens.
<b>Allotments</b>	1.5 hectares	To be provided within the Community Greens.
<b>Equipped children's play space</b>	0.4 hectares	Primarily provided within the Community Greens with smaller areas for play integrated across the site.
<b>Teenage facilities</b>	0.12 hectares	To be provided within the Community Greens
<b>Other areas of strategic green infrastructure</b>	29 hectares	Area required for Blueways, retaining existing vegetation and provision of strategic areas of sustainable drainage features.
<b>Area beneath 440kv powerlines</b>	16 hectares	While this area does not form part of the open space requirements, this land could provide space for important green infrastructure functions including wildlife corridors and sustainable drainage features.
<b>Total</b>	46 hectares	Excluding area beneath powerlines.

## The Blueways:



Water has played a central role in the history and evolution of Cullompton. The growth of Cullompton to the east of the Culm offers an opportunity to use water as an important placemaking feature and place a renewed focus on water in the town.

A series of existing watercourses traverse the site which each vary in character and ultimately lead to the Culm providing natural connectivity between east and west Cullompton. The placemaking principles below set out how a series of Blueways can embed these watercourses in plans for the future.

- Water courses will be incorporated into three Blueways, shown on the accompanying plan as a positive placemaking feature of East Cullompton.
- Blueways will provide sufficient set back to ensure no development is located within flood zones.
- Blueways will provide the primary areas for consolidation of sustainable urban drainage features including swales and basins making the management and storage of water a visible and positive feature of East Cullompton.
- Blueways will incorporate attractive walking and cycling routes along their length as part of a site wide network of active travel.
- The Blueways will incorporate naturalistic wetlands and water features providing generous naturalistic open space providing continuity with the proposed Country Park to the north.
- The design of these routes will explore the potential for interaction with water and incorporation of water bodies. Design of the southern Blueway will describe how the leat can be retained and celebrated as a positive feature around Fordmore Farm.

- The Blueways will be planned to enable the potential for connectivity into the surrounding area as important landscape corridors and walking and cycling routes.
- The places where the Blueways cross the primary streets and/or the Greenways (described below) will be important points of orientation in the development. Developer proposals must demonstrate how buildings, paths and open space support this landmark function. This may include bringing buildings closer to the water locally, providing community gathering space or varying building height and form. They will also incorporate water or wetland planting as a significant characteristic.



Naturalistic planting around water bodies mixed with areas of mown grass serving a broad range of functions.

## Sustainable Urban Drainage



A high-level drainage strategy has been developed as part of the Masterplan SPD. The principals of the strategy are to allow for rainwater storage on plot (e.g. in rain gardens) and then the remaining storage provided as a combination of network storage (e.g. swales or linear drainage features in parallel with existing flow paths or channels) feeding into larger strategic storage elements (e.g. infiltration / attenuation basins). This will follow the Sustainable Urban Drainage Systems (SUDS) train to ensure the necessary treatment of any runoff. The advantage of utilising larger storage features is to reduce / make more efficient the overall maintenance requirements for the drainage features and to provide areas of habitat and amenity.



Drainage features characterised by naturalistic planting.



Strategic drainage areas with strong building frontage.

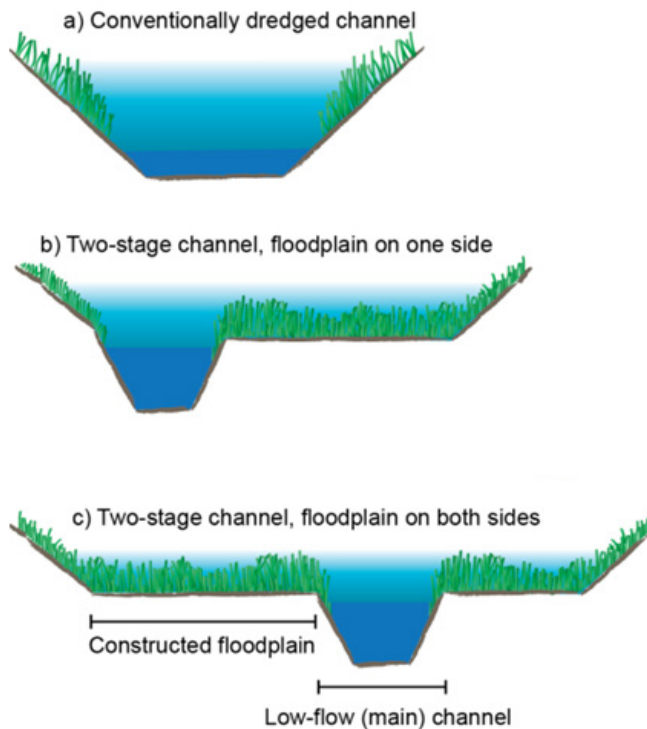


Rain gardens integrated in waling and cycling route.



Strategic drainage areas with naturalistic planting and water storage.

- The SuDS hierarchy should be followed, by using infiltration as far as is practicable. In addition, all off-site surface water discharges from development should mimic “Greenfield” performance up to a maximum 1 in 10 year discharge rate or lower if possible.
- All on-site surface water should be safely managed up to the “1 in 100+climate change” conditions. This will require additional water storage areas to be created thereby contributing to a reduction in flooding downstream.
- Strategic storage areas should be located in the Blueways, with some of the storage providing areas of permanently wet habitat to also help provide increased biodiversity as part of the development.
- Explore the use of cascade basins in strategic storage locations where this would help deal with the steepness of the overall catchment. The basins, and the connectivity between them, offer the potential for amenity and ecological benefits, as well as drainage and flood risk management.
- Explore the use of two stage channels, in combination with storage basins, weirs and meandering channels, as a means of ensuring a permanent water presence can be maintained, while providing additional capacity for flood flows and storage.



Buildings adding to the character of green space with natural materials.



Incorporating water as a positive feature.

### Minimum levels for development parcels

The development parcels for the SPD Masterplan have taken into account the location of the flood zones. The parcels avoid areas of flood risks and allow space adjacent to the drainage channels to incorporate strategic storage as part of the overall Surface Water Drainage strategy for the area.

- The minimum acceptable levels of the development parcels will be set based on the 1 in 100 year plus climate change peak water level with a freeboard allowance included. This ensures that all of the development will be safe in during a flood event based on the recently updated guidance.

### Crossing points and fords

The aim for the management of the drainage channels through the allocation area is to utilise and improve the existing channels where possible. This will include consideration of crossing points for transport links. Fords already have a distinctive presence in the wider landscape allowing a connection to the watercourse to be maintained, providing an alternative to bridge and culverts, which have a risk of blockage, particularly with beavers known to be within the wider Culm catchment.

- Where possible fords will be considered within the overall water management strategy. These can be designed to have small culverts underneath to pass the normal flow so that the ford itself is only utilised in flood events.
- Due to the risk that in a flood these will not be passable, the wider transport strategy will ensure there are alternative routes available so that safe access/egress is always possible.
- Where fords are proposed as part of the allocation area, signage will be provided to explain the idea and when there are potential restrictions to access.



Building frontage on to Blueway

Strategic SUDs features aligned with Blueway

Landmark buildings at crossing points

Crossing point of Blueway and Greenway

Blueway with retained planting and stream

Indicative study of crossing points on Blueways.



Existing fords in the surrounding area.



Inset plan of crossing points on Blueways.

## Greenways



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Greenways will be planned to complement Bueways, providing a connected network of active travel routes across the site. Generally, they will run towards and across Blueways to form a grid.

- The character of each Greenway can vary to its context either running through larger green spaces or provided adjacent to streets within built areas but must provide attractive, dedicated space for pedestrians and cyclists and planting.
- The combination of Greenways and Blueways will provide walking and cycling loops around the site. The loops will serve multiple functions from direct routes to key destinations to slower, recreational routes at the edges of East Cullompton.

## The Eastern Loop



Defining the eastern edges of East Cullompton is important in the early phases where development meets the open countryside. The potential future expansion of East Cullompton promoted through the wider Garden Village opportunity requires that this edge also considers the flexibility required to allow possible further phases of development to connect in future.

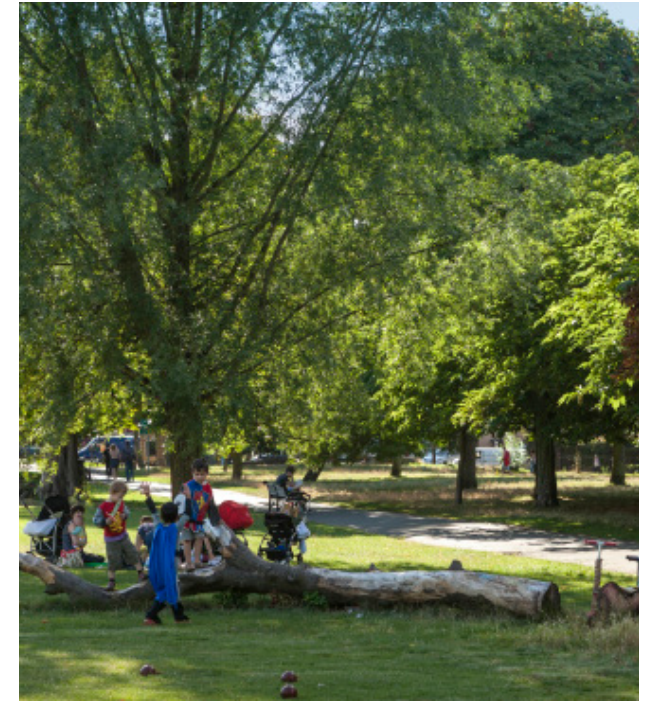
- The Eastern Loop will be a Greenway planned to follow the northern, eastern and southern edges of East Cullompton, in the early phases this will provide an active travel route around the outer limits of the development providing interaction with the open countryside.
- The design of the Eastern Loop will demonstrate how it allows for future phases of development to connect into this route to ensure a positive interaction between East Cullompton and any potential future phases of the Garden Village.
- The Eastern Loop will vary along its length but will provide sufficient space to retain existing trees and hedges at the edge of the site and provide space for new planting, hedge banks, and hedges to filter views of development.
- The Eastern Loop will run from the Public Right of Way at Old Hill around the site boundary to Week Farm.
- The Eastern Loop will run through and connect key green spaces including the Community Greens, Blueways and demonstrate the potential to connect to the Country Park.
- Screen planting should be incorporated within the Eastern Loop to protect the amenity of existing houses properties on Honiton Road.

## Enhancing the Existing Landscape Structure



The inherited landscape features of the site will only thrive if they are given sufficient space and will only realise their full potential for nature if they are part of linked open space and habitats. The positive retention of existing trees and hedges is a core part of the placemaking objectives for East Cullompton established in policy CU9 of the Local Plan and Stage 1 SPD. The natural capital mapping also stresses the importance of avoiding disturbance to soil beneath existing trees and hedges, the Landscape Framework therefore extends areas of open space around and between significant areas of existing vegetation as far as possible.

- Existing trees and hedges will be incorporated within areas of open space with sufficient building setbacks to ensure longevity of trees and allow for additional complementary planting that can provide habitat enhancement and connectivity.
- Significant trees and hedges will be incorporated as linear features as far as possible and part of a connected grid of open spaces that lead to the edges of the development providing connectivity with the surrounding landscape.
- New tree and hedge planting will be required to the site boundary, particularly the east where there are no existing hedges and trees. This planting should filter and manage views rather than attempt to completely screen development.
- Additional planting will be included to the western boundary of the site helping to provide screening to the M5.



Open spaces incorporating existing mature trees as a central feature.

## Community Greens



The Community Greens are intended to serve as key community gathering spaces in East Cullompton, providing the principal focus for play, parks, allotments and recreation grounds as set out in the Landscape Framework Land Budget. The Community Green at Fordmore Farm is of sufficient scale to accommodate the requirement for sports pitches but off-site provision of these would be considered if a more suitable location can be demonstrated.

- At least three Community Greens will be provided in the areas around East Culme House, Fordmore and Moorhayes.
- The Community Greens will be laid out to provide the core open space functions required by the Local Plan open space standards incorporating parks, play areas, recreation space, sports pitches, community orchards and allotments.
- Plans for the Community Greens should demonstrate how they provide sufficient flexibility to accommodate a range of temporary community events and gatherings.
- The Community Greens are co-located with mixed use areas and must be planned to be visually prominent from within areas of surrounding mixed-use development.
- The Community Green at Moorhayes will be planned to create an appropriate setting to listed buildings at the edge of the allocation boundary.
- The Community Green at East Culme House will provide an appropriate setting to the County Wildlife Site in this location.
- The Community Green at Fordmore will provide an appropriate setting to the non-designated heritage assets as well as enhancing the character of this area as a mixed-use cluster capable of retaining some of the rural qualities of the area and will incorporate areas for community gardens and orchards.
- The Community Greens will be supplemented with smaller areas of informal open space and play across the site.
- Sports pitches are to be provided within the Community Greens in accordance with Mid Devon District Council Playing Pitch Strategy unless offsite provision in a favorable location is agreed with MDDC.
- Areas adversely effected by powerlines or flooding will not contribute to meeting open space standards.



Character images of Community Greens showing a broad range of functions, including food growing, play, sports and community space.



Aerial view of the River Culm in the area being explored for the Country Park

### Country Park and off site landscape improvements along the River Culm



One of the key principles of the SPD is to ensure that East Cullompton is experienced as part of one town with existing parts of Cullompton. This aspiration places significance on the River Culm corridor in creating the setting and point of connectivity between eastern and western parts of Cullompton in the future. Mid Devon District Council are exploring plans for a Country Park to the north of East Cullompton around the River Culm to serve new and existing residents. The Country Park has the potential to provide an outstanding asset to the wider area. The Masterplan Framework also identifies the areas of riverside adjacent to the M5 as having a

potential role in providing strong links between all parts of Cullompton. While not a formal requirement of the SPD, the Country Park and areas of riverside can provide important walking and cycling links, off site public open space provision and also assist with delivering off site biodiversity net gain if required. Mid Devon District Council will work with developers to explore the delivery of these enhancements.

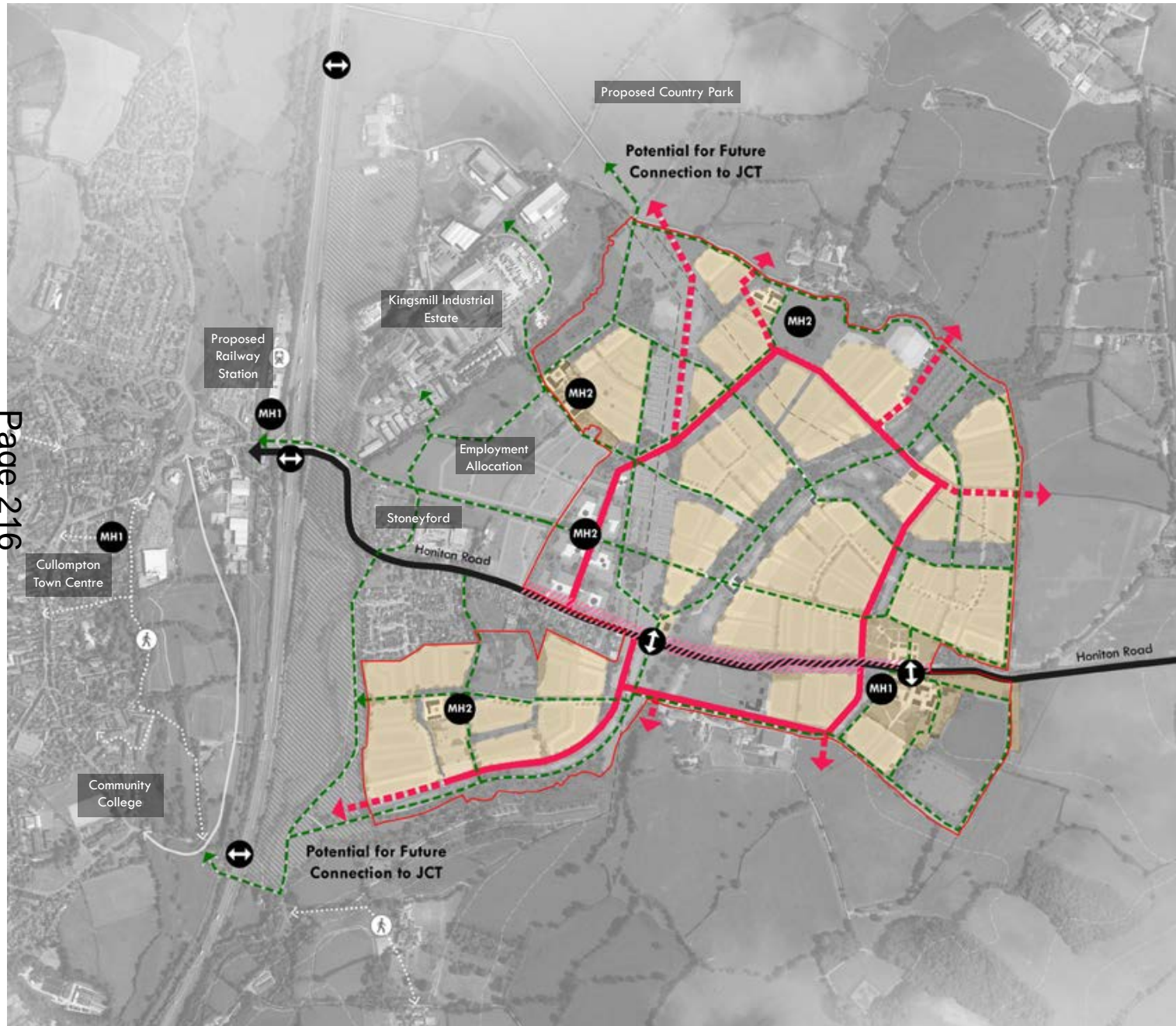
In addition, proposals at East Cullompton can support and enhance these proposals by ensuring the Blueways provide attractive walking and cycling connections to the proposed Country Park to the north and by ensuring that the landscape design of the Blueways provide a continuation of the qualities of the Country Park into the East Cullompton allocation area.

### Biodiversity Net Gain

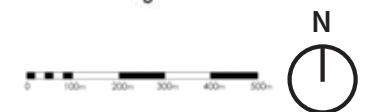
Biodiversity net gain is required by the National Planning Policy Framework, The Environment Act 2021 and Policy DM26 of the Mid Devon Local Plan 2020. To demonstrate measurable biodiversity gain, the Defra Biodiversity Metric 3.1 calculation tool (Defra, 2022) has been used to provide an initial indicative calculation of the biodiversity value of the Allocation Area, both for the existing baseline conditions and for the

post-development masterplan scenario. Although strategic in nature at this stage, this calculation indicated that the masterplan framework would not deliver the biodiversity net gain required within the allocation area alone. The biodiversity net gain calculations did however identify suitable land within the wider area to provide habitat creation and enhancement outside the allocation boundary. The wider area includes cropland and modified grassland which have the potential to offer significant biodiversity net gain. As an example, the enhancement of approximately 15 ha of existing modified grassland to create neutral grassland of moderate condition, and replacement of approximately 15 ha of cropland to provide neutral grassland of moderate condition will provide an overall gain of 55.88 units, and a 10.77 % net gain. These enhancements could be provided as part of the Country Park.

Developer proposals must demonstrate how biodiversity net gain will be delivered, either on site within the allocation boundary or through off-site contribution to the delivery of landscape enhancements adjacent to the East Cullompton allocation boundary.



- Primary Street
- - - Safeguarded Route
- - - Active Travel Route
- ▨ Honiton Road Improvements
- MH1 Primary mobility hub
- MH2 Secondary mobility hub
- ↔ Indicative active travel crossing



East Cullompton Mobility Framework

## 5.4 Mobility

### Approach to mobility

Policy CU8 of the Local Plan sets out the required transport provision associated with East Cullompton. This includes contribution to, or delivery of improvements to junction 28 of the M5, the Town Centre relief road, reopening of the railway station and provision of walking, cycling and bus routes at appropriate locations throughout the development as part of future planning applications.

The Masterplan Framework has adopted the 20 minute place principles and Sustainable Accessibility and Mobility (SAM) framework, where the priorities are as follows;

- Substitute Trips: Replace the need to travel beyond your community
- Shift Modes: For longer trips, use active, public and shared forms of transport
- Switch Fuels: For any trips that must be made by car, ensure the vehicle is zero emission

The Vision and Overarching principles for East Cullompton re-enforce this with the aspiration to reduce the reliance on out-commuting from Cullompton to create more vibrant communities and to help address the current climate emergency. With this approach and the overall vision in mind, traffic assessment should be focused on people's core access requirements, over capacity enhancements or optimisation of route convenience for cars. The prioritisation

of highway infrastructure, may inhibit the full potential of other measures. To achieve the site's full potential, an approach to the assessment of traffic impact should be used which realises the greatest level of modal shift. It is expected that the Sustainable Accessible and Mobility hierarchy guides planning applications for each phase of development in support of the overarching vision for East Cullompton. The Infrastructure, Delivery and Phasing section sets out the requirement for a co-ordinated approach to transport assessment.

### Junction 28

At the time of preparing the SPD, the preferred option for strategic highways improvements had not been determined. The Masterplan therefore leaves flexibility for the preferred solution to be developed, indicating locations for safeguarded routes should alternative junction locations to the north or south be required. What is clear through the preparation of the Masterplan SPD is that newly designed highways and junction infrastructure and modifications to existing infrastructure that improve mobility must not adversely impact the qualities of Cullompton and its environs as a place. Indeed, it should contribute to place-making.

It is also clear that local connections across the M5 corridor are critical to delivering the

aspirations for East Cullompton. Indicative locations for active travel crossings of the M5 are shown on the SPD Masterplan, further co-ordination with ongoing design of offsite infrastructure will be needed, including junction improvements to ensure this requirement is delivered effectively against the following principles.

- Delivering effective active and shared travel crossings of the M5 in the locations shown should help to define the preferred location and arrangement of junction improvements ensuring active and sustainable travel is a key consideration in the overall movement strategy. These broad locations have been set to provide the most direct routes possible to the Town Centre, Community College and Railway Station.
- The central and southern active and shared travel crossings must be prioritised as an early part of proposals at East Cullompton. The northern crossing should be considered where it could be delivered in parallel to a new junction.
- The detailed design of active and shared crossings must demonstrate how these will be attractive for users and encourage their use.
- Well-designed infrastructure must "fit" in terms of scale height and visual impact and make its own contribution to place.

## Active Travel



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The Blueways and Greenways described in the Landscape Framework set out how a connected network of active travel routes can be provided across East Cullompton. As well as providing an important healthy living and recreational function they will form an important part of a mobility strategy that reduce the reliance on trips made by car.

- An active travel network must be developed that demonstrates how it provides direct and attractive connectivity to key destinations within the site and into the surrounding area.
- A dedicated active travel route will be provided between the community hubs and Cullompton Town Centre, Community College, key employment areas and Rail

Station. This will comply with current best practice. Active travel routes should ensure that the earliest stages of development benefit from viable alternatives to the private car, from the outset.

- A phased approach to the provision of key active travel links will be provided, seeking to maximise the connectivity of subsequent development parcels. This will provide links to key land uses and transport interchanges outside of the site, along with internal connectivity to a network of key Mobility Hubs throughout the site. Such links will comply with current best practice guidance, such as that contained within LTN 1/20 or its successor.
- To increase the attractiveness of such links, secured by design principles will be key. Routes may therefore benefit from facilitating multiple modes, including light traffic use such as bus/shared mobility.
- Active and shared travel routes may run alongside other streets but proposals must demonstrate how they provide attractive and functional space for a variety of users and how priority can be given over vehicles.
- Active travel routes should be more direct and attractive than using the private car and should be free of interruption as far as possible.
- To deliver the points above Active Travel connections into and through employment



Example of dedicated space provided to cyclists and pedestrians separated from the carriageway with tree planting and sustainable urban drainage.



Example of a junction between a street and a footpath where a raised table and textured paving gives priority to pedestrians

areas to the west will need to be explored particularly through allocation CU17 and along the River Ken Blueway past Week Farm.

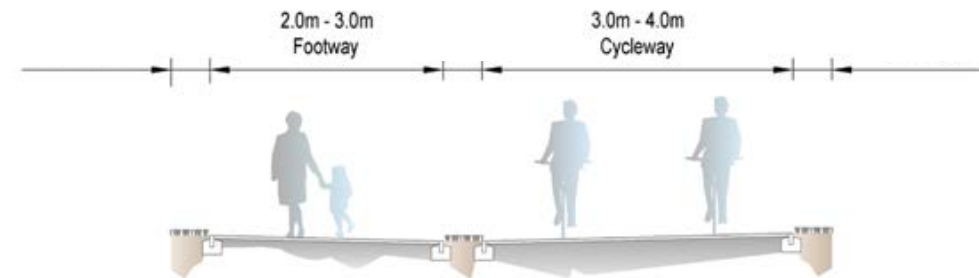
- Proposals should demonstrate how active travel routes can be extended into neighbouring parcels and beyond into communities including Kentisbeare and Willand.
- Walking and cycling routes should connect to the Public Rights of Way at the River Culm and opportunities to improve and extend these routes explored.

### Shared Mobility

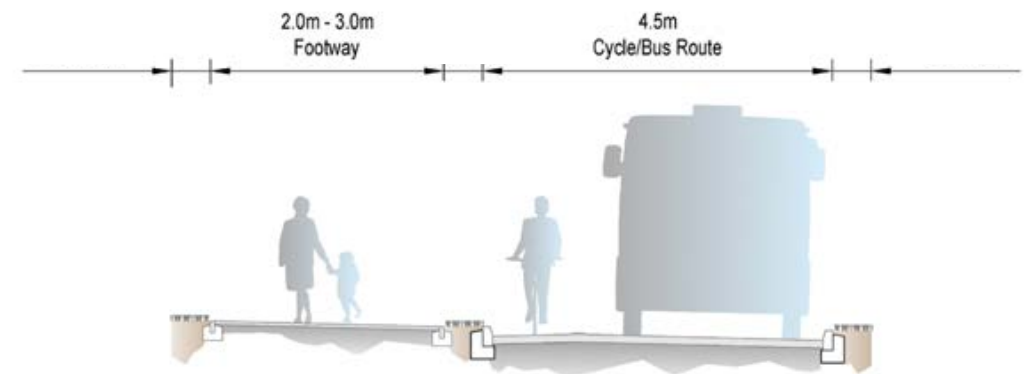
- The implementation of key shared mobility routes providing spaces for buses and demand responsive transport will be agreed to connect the site with the town centre and railway station. Consideration should be given to a circular route encompassing both existing M5 crossing points, allowing residents the opportunity to benefit from direct links to the south of the town, bypassing Junction 30, with Cullompton Community College providing a key destination during the earlier stages of development.
- Demand responsive transport may represent a viable alternative to timetabled public transport provision, and provide a commercially viable solution during the initial development phases. A range of options will need to be considered which may increase in scope and coverage throughout the lifetime of construction.
- Careful consideration needs to be given to key destinations outside of the town, particularly those that currently rely on the private car for journeys, such

as major employment destinations.

- The implementation of key active and shared mobility connections will be required in advance of strategic highway infrastructure improvements, making best use of existing links across the M5 during early stages of development. This should aim to ensure that traffic is managed down at every opportunity.



Typical section of active travel route.



Typical section of active travel route alongside shared mobility route.

## Street Hierarchy



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A clear street hierarchy must be demonstrated that creates an easily understood structure to all development areas in each phase.

- The primary and secondary street network should be planned to minimise crossings of green infrastructure corridors and dedicated active travel routes.
- The design of the primary street network must demonstrate how it is co-ordinated with junction improvements to the M5, which may require demonstration of safeguarded routes to potential future junction locations.
- The design of the primary and secondary street network must demonstrate how it could be extended into surrounding parcels,

ensuring continuity and clear street hierarchy in potential future phases of development.

- SUDs and planting should be incorporated into all primary streets.
- Tree planting should be incorporated as a prominent feature into all primary and secondary streets.
- All streets through development areas will be designed to a maximum of 20mph speed and this will be clearly apparent in the detailed design of the street. On long straight sections of street, slower speeds will be encouraged through changes in carriageway material, build outs to alter the carriageway alignment and narrowing of carriageways at key places.
- Streets for a Healthy Life should be used as a detailed checklist for developing appropriate design response to each street type.
- The primary street network should provide access to the mixed-use community areas and schools but highways design should not dominate these areas. Opportunities to separate key gathering spaces from parking and highways should be explored to ensure public spaces can remain at a comfortable, human scale.
- The Masterplan Framework shows a primary mobility loop serving the main areas of development with a view to incorporating a bus route through East Cullompton.



Example of a primary street with strong building enclosure, space for pedestrians and tree planting.



Example of a primary street consistent built form and boundaries, street trees and sustainable urban drainage.



Example of a secondary street with consistent building line and boundary treatment, front gardens, street trees and on street parking.



Example of a tertiary street with limited vehicle role and the scale of the street has been reduced.

### Honiton Road

Whilst Honiton Road plays a key movement role in the wider highway network, it will also need to form a stronger place function within East Cullompton achieving safe and pleasant environment that responds to local context along its length.

The current alignment has the potential to disconnect key parts of East Cullompton which in turn may discourage walking and cycling. Low speed environments should be promoted with the reallocation of road space through the allocation area, enabling road users to give way on a more conciliatory basis facilitated by a range of both uncontrolled and controlled crossing points to cater for all users and abilities.

A strong sense of place will need to be created around Fordmore Farm, whilst facilitating movement in a manner that does not create unnecessary conflict between road users. Designing to a 20mph design speeds (with the aim of formalised 20mph limits or zones) will assist in ensuring that a higher priority can be given to the needs of pedestrians, cyclists and public transport users. The context of each section of the road within the East Cullompton area should be used to develop a proposed movement framework with distinct character types in residential, commercial and mixed use areas that seek to reduce the overall vehicle dominance of Honiton Road.

It should be demonstrated that the priority afforded to each mobility mode reflects its function within the development, and the volume of pedestrian and cycle traffic anticipated. Vulnerable road users should be given appropriate priority, noting that different demographics may benefit from alternative levels of priority over traffic. Within mixed use areas, at active travel crossings and in the vicinity of schools, where pedestrian footfall and cycle traffic is higher, priority should be facilitated through both active and passive means, relying on both signal crossings and informal crossings.

Junction layouts from Honiton Road should avoid highways dominance and will need to prioritise active modes, ensuring safe movement of pedestrians and cyclists across key areas of conflict. Alongside this, consideration should be given to other forms of mobility including e-mobility and traditional and future forms of shared mobility. It should be demonstrated that the level of priority is commensurate with its movement function and the vulnerability of road users, including priority at side roads and signal crossings at key routes along its length.

Consideration needs to be given to how the use of the corridor will change over time, both during the phasing of the development but also it's longer term life cycle. Mobility strategies

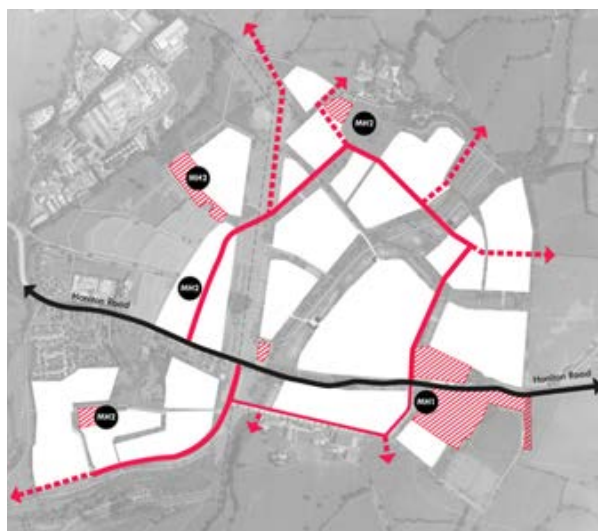
should be developed to predict and incorporate future expectations over the long term. Some flexibility should be incorporated to ensure that key interchange points can adapt to future mobility expectations. This might mean greater space for pick-up/drop-offs for example, the recognition of changing demands on the mixed use buildings fronting the route or the need for greater space for people to pass, stop, rest and socialise.

A co-ordinated design scheme is required for Honiton Road which would allow the road to perform a 'place' function regardless of volumes of traffic. Reduction in speed reduces the space required for vehicles as well as offering potential environmental benefits and reduced noise.

Scheme design should demonstrate:

- Zoning of the route where it moves through either residential or mixed use areas with appropriate development frontages.
- Reallocation of space to multiple users.
- Active travel crossings at key desire lines.
- Place over movement function.
- Potential of bringing the route to a 20mph zone
- Direct access points off Honiton Road while aiming to reduce the scale of access junctions.
- A range of parallel mobility solutions reducing the priority given to cars.

### Mobility Hubs











Mobility hubs are points in the new development where a range of mobility solutions are offered. Detailed proposals will need to be agreed with key stakeholders to ensure that Mobility Hubs are implemented at key locations throughout the town and at key points during the buildout of East Cullompton. The range of transport solutions available at these destinations should form part of a strategy that will seek to prioritise shared and active modes over the car, and provide a range of inclusive mobility solutions that can be utilised by the widest possible demographic. This may include on demand solutions such as bike or scooter hire, car club spaces, along with complementary services and facilitates that will encourage the take up of alternative modes such as buses.

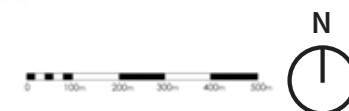
- Mobility hubs should be well integrated into development areas, providing high quality public spaces offering people an alternative to the private car.
- The success of mobility hubs will be dependant on usage, primary hubs should be prioritised in areas of highest demand, i.e. around the railway station, primary mixed use areas i.e. Formore Farm, the Town Centre and employment areas.
- Secondary and tertiary hubs can be provided as part of a wider interconnected network where they can provide services appropriate to their area. They will include a more limited provision of services, and points at which docking stations or drop off/collection points could be provided. These will need to be included within attractive and convenient locations throughout East Cullompton.
- The effectiveness of mobility hubs is reliant on a network that allows convenient and predictable movement to the wider area. They should aim to provide greater ease and offer a more attractive proposition than travelling by car. A clear branding across the whole hub network will increase visibility and user awareness, which would complement a marketing strategy to raise awareness, inspire change, and provide advice on how to use the facilities.



Examples of mobility hubs, demand response travel and space dedicated to active travel.



-  Blueways
- Landmark locations
-  Mixed use hubs
-  Crossing Points
- Key frontages
-  Blueways
-  Primary Street
-  Eastern Loop
-  Powerlines
-  Honiton Road



East Cullompton Placemaking Framework

## 5.5 Placemaking

The Placemaking Framework is primarily made up of a combination of the Landscape, Mobility and Activity layers described above. This sets out the organisation of the key spatial features of the SPD masterplan and how they relate to each other. The following additional principles have been defined in response to site characteristics, the vision and through consultation as important placemaking principles for East Cullompton.

### Integrating water

- Masterplan proposals must demonstrate how water has been used as a positive placemaking feature. This may include areas of wetland, new water bodies and integration of moving water as a visible part of the scheme. It is expected that water will be incorporated into prominent areas of the plan i.e. in mixed use areas and at key crossing points of movement corridors.
- Development parcels should be clearly structured around water and water courses and explore opportunities for bringing key buildings closer to water.

### Overarching character

- It is expected that the overall character of East Cullompton will be defined by the interaction of buildings and the elements

described on the Placemaking Framework. There should not be arbitrary changes in character, instead neighbourhoods should be structured clearly around this Framework.

- Building enclosure and architectural detailing should be planned with sufficient consistency to a neighbourhood, street or greenspace to create recognisable character. Consistency can be achieved by providing a repeating pattern of development components such as building line, height, form, roof line, boundary treatments, architectural style, or restrained palette of high quality materials. Variations in these components should be done in a deliberate way to place emphasis on landmark locations.

### Key Frontages

- Buildings should provide frontage and overlooking onto adjacent publicly accessible streets and spaces. Rear fences, walls and parking courts must not become dominant features. In addition, the following have been identified on the Placemaking Framework as key frontages in setting the overall character and legibility of East Cullompton.



Consistent approach to character through materials, building form and building set back. Planted boundary to public space. Coloured render is used to add interest.



Example of a strong building frontage onto a green space.



- **Blueway:** The Blueways are a key organising feature of the masterplan, the open spaces of the Blueway are an important part of the character. Proposals must demonstrate how buildings can contribute to the character of these corridors in a consistent way. It is expected that a strong frontage is created to the Blueways.
- **Primary Streets:** Buildings should have active frontages with windows and front doors onto the street. Large areas of blank façades will not be allowed. The buildings along the street should have a uniform rhythm with consistent height, roof lines and massing with marker buildings in key locations as the exception to this. Buildings should have a consistent building line and set back from back of footway. The set-back should be minimum of 2 metres. Buildings should provide consistent and high degree of street enclosure. All gardens should have a defined boundary treatment such as a low wall with planting and this should be consistent along the primary street.
- **Eastern Loop frontage:** The Eastern Loop forms the development edge

East Cullompton indicative plot study

to East Cullompton and will meet the open countryside. Proposals must demonstrate how the building frontage can create a lower density edge where building massing is matched by tree and hedge planting.

- Honiton Road: The Mobility Framework describes how Honiton Road will need to change as part of East Cullompton to ensure that it forms a place function as well as its current movement function. A key part of that will be ensuring that a strong development frontage is created. Proposals must demonstrate how this will be achieved. It is expected that the building frontage will vary as the road moves through different areas including the mixed use community hubs, residential areas and the commercial area.
- Powerlines: Where powerlines are left in situ, they will present a significant obstruction due to their associated easements. Proposals must demonstrate how buildings will provide some overlooking of the powerline corridors from adjacent properties. It is expected that this will not be from the primary frontage of buildings but from gable ends with windows and building entrances. Continuous rear fences to publicly accessible green spaces will not be accepted.

### Landmark locations

- Mixed use community hubs: Non-residential buildings should reinforce the aspiration to utilise the rural character of the site and its context in the layout, detailing and choice of materials. Typically, this will involve single, or two storey buildings laid out in an informal arrangement within a very strong landscape utilising the form and type of materials found in the surrounding area.
- Crossing points: The Landscape Framework describes the use of crossing points as key points of orientation in East Cullompton. Landmark buildings should re-enforce this role with taller buildings, bringing buildings out into the landscape or including mixed use buildings.

### Layout

- The Landscape Framework sets out the strategic areas of open space in response to site constraints and to meet the local standards. In addition, proposals should demonstrate how smaller scale community spaces can be incorporated within residential areas to provide functional and attractive spaces close to home. These may incorporate informal or incidental play opportunities or spaces for orchards and outdoor seating areas.
- A clear, rational, and understandable



Strong building enclosure to streets and junctions.



Consistent street frontage and boundary.

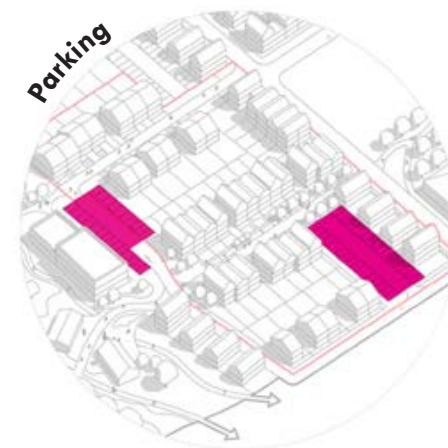


Use of gable ends to provide overlooking.

Streets planned to provide good levels of permeability and lead to strategic areas of open space and mixed use areas to encourage walking and cycling.

Perimeter block structure providing consistent overlooking of adjacent streets and spaces.

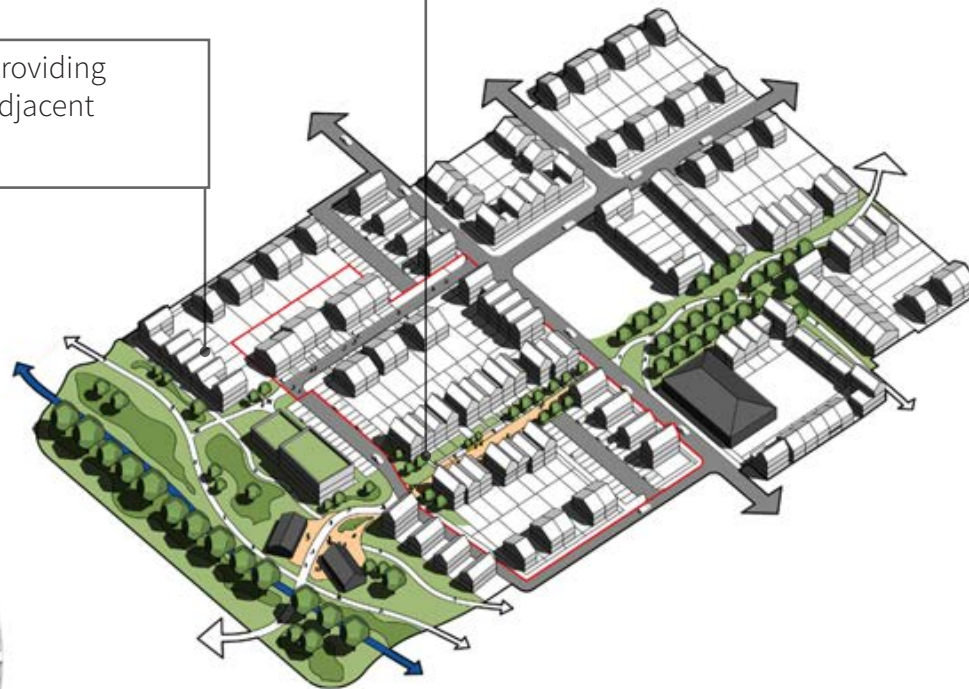
Variety of approaches to parking including areas of communal or more strategic parking for additional cars enabling tertiary streets to have a reduced traffic function.



Streets for people

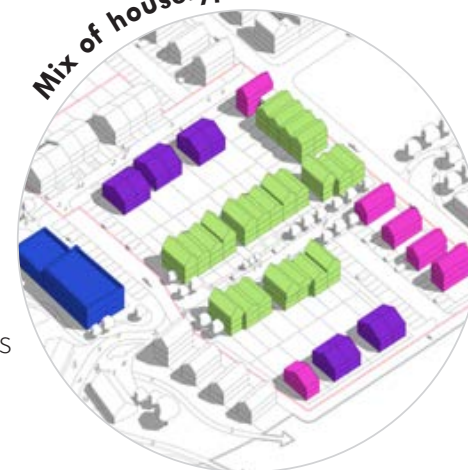


Locally inspired lanes that are accessible, encourage social interaction, that provide good pedestrian and bicycle links to surrounding open spaces and that reduce the dominance of cars.



The housing density at East Cullompton allows for innovative and adaptable homes with a mix of detached, semi detached, terraced and apartments. Sufficient space for front and back gardens.

Mix of housetypes



residential street layout is required which clearly delineates public and private space, avoiding small, inefficient and poorly overlooked spaces. The most effective way of achieving this will be with rational perimeter blocks with buildings clearly facing public spaces. Perimeter blocks are expected to be consistent throughout East Cullompton and should be of a sufficient scale to provide an easily understood structure to residential areas.

- Proposals must demonstrate how the residential block structure responds to the structuring elements of the framework above. For instance, by organising streets with direct links to primary streets, strategic green infrastructure, or mixed-use areas as far as possible to ensure a clear and legible street pattern.
- Homes should be planned to have front gardens of sufficient size to allow storage of bicycles and to suit the needs of families and vulnerable groups in orientating on leaving and arriving home. Front gardens should be defined in a low wall or hedge in a consistent way along a street.
- Building for a Healthy Life should be used as a useful accompanying checklist for application of good urban design principles.

### Parking

Dominance of highways and design for parking was cited as one of the critical failures of residential led developments in the Housing Design Audit for England undertaken by the Place Alliance. The Masterplan SPD does not intend to promote one outcome for parking, but proposals are expected to demonstrate how parking can be incorporated without having a detrimental effect on place making or the aspirations for encouraging other means of travel. Street designs should demonstrate how they create an unmistakable Mid Devon character.

- A range of parking solutions will be appropriate but preferred solutions should demonstrate how they will work alongside and encourage active travel as an attractive alternative.
- Innovative solutions to parking will be encouraged that explore incorporation of more strategic provision of parking through shared parking areas, car clubs and mobility hubs described in the Mobility Framework.
- Strategic parking should be provided in a way that avoids expansive rear parking courts that compromise the clear perimeter block structure and definition of public and private space.
- Proposals should demonstrate how the dominance of cars in streets will be avoided.



Courtyard parking with planting and overlooking



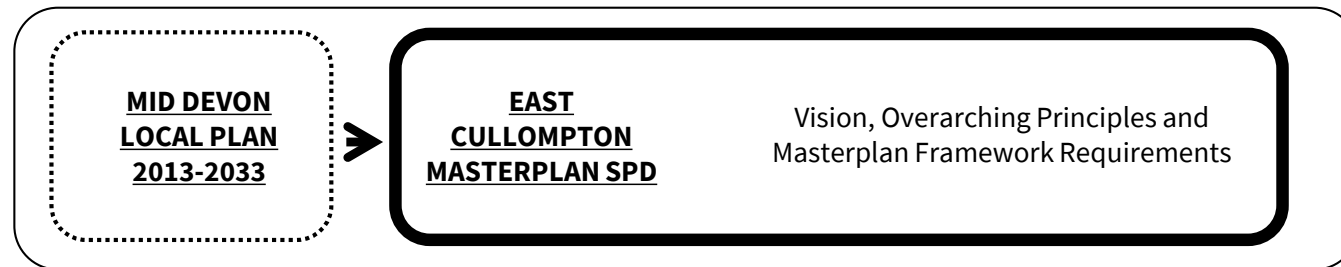
On plot parking to the side.



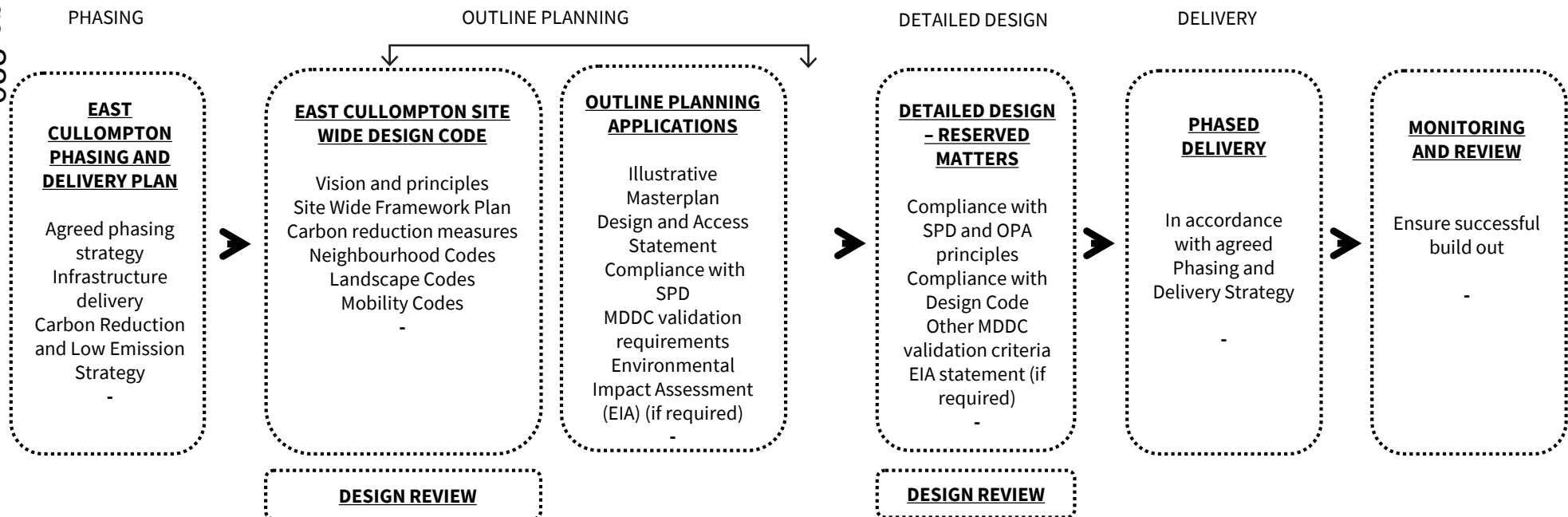
On street and on plot parking.

EAST CULLOMPTON

LOCAL PLANNING



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Planning and Design Process Flow Diagram: The role of the SPD in relation to the Local Plan and the planning application process

## 5.6 Infrastructure, Delivery and Phasing

### Delivery Strategy

It is essential that the development is taken forward in a co-ordinated and cohesive manner to ensure the overall vision and aims of the area can be achieved. Important to the consideration of each planning application or phase will be that it does not prevent or inhibit other areas of the site to be delivered.

Local Plan Policy CU7 requires an agreed phasing strategy to ensure that development and infrastructure come forward in step, minimising the impact of the development, while ensuring it remains viable. Further detail in relation to specific phasing requirements is then set out in Policy CU12 including expectations for the phasing of commercial and housing, green infrastructure, highway improvements, bus service enhancements and transfer of land for the primary school. Phasing will be a critical factor in ensuring place quality and delivering the vision for East Cullompton. An effective phasing strategy will establish the opportunity for patterns of local living and sustainable travel from the outset.

There is more than one landowner and site promoter involved in delivering East Cullompton, and it is important that it should be delivered as a single unified development. How this is achieved in practice is still to be determined and will be the subject of further discussions and collaboration between landowners, site promoters, stakeholders and Mid Devon District Council to prepare an agreed phasing and delivery strategy to inform the sequence of development on the site and capacity of each phase coming forwards. It is therefore anticipated that a Site Wide Phasing and Delivery Plan document will be produced prior to any planning applications coming forward for the site.

The Phasing and Delivery Plan should:

- Achieve the spatial principles set out in this SPD, to create self-sustaining places which are supported by facilities and infrastructure;
- Set out phasing and milestones for delivery;
- Demonstrate delivery of the infrastructure needed for the development in accordance with the agreed phasing and milestones;
- Be collaborative and developed by a joined-up delivery team comprising stakeholders who work together to build the various components of the masterplan;
- Set a clear plan for long term stewardship;
- Achieve the build-out rates needed to deliver the site allocation in the Local Plan, and captures uplifts in land value to resource the features needed to create a sustainable place;
- Be aligned with the phasing set out in the Council's Infrastructure and Delivery Plan and Local Plan Policies and this SPD; and
- Be adaptable, monitored and updated annually, and includes provisions to overcome barriers to delivery

## Strategic Design Code

It is also proposed that a strategic design code for the whole allocation site or for strategically important parts of the site be prepared prior to detailed planning applications for the site coming forward. The purpose of this is to ensure a coordinated approach to more detailed design proposals. A proposed structure for the Design Code is set out in the Appendices under the headings of:

- Structuring Principles which provides the site wide framework, overarching character and design response to the requirements of the SPD.
- Neighbourhood Codes to guide the urban block structure and built form for all mixed-use community hubs, residential areas and commercial areas.
- Landscape Codes covering the landscape framework including the integration the

existing retained landscape, new structural planting, conceptual design to key public open spaces and proposals for biodiversity net gain.

- Mobility Codes setting out the design approach to streets and spaces, connections to the surrounding area, provision of mobility solutions and proposals for parking.

## Ensuring a comprehensive approach

Further measures that could ensure a comprehensive and integrated approach to development will be explored with MDDC and could include:

- The role of master developer in co-ordinating delivery of site-wide infrastructure, s106 obligations and planning applications, the draw-down and disposal of individual parcels of land and overall marketing and promotion;
- The preparation of an outline planning application for the whole allocation site or a

process for the effective co-ordination and phasing of multiple applications, design code and phasing and delivery plan that accord with the masterplan framework set out in this SPD;

- A consistent approach to the assessment of transport that starts with the vision for the site and then assesses the impacts on that basis, offsetting any impact with a range of agreed initiatives;
- The potential for community involvement through mechanisms such as a management company or community land trust (CLT).

This SPD has been prepared to assist a comprehensive approach to development and infrastructure across the whole site. A high level Infrastructure Delivery Plan and initial indicative phasing strategy and phasing principles are set out in the following sections to guide more detailed proposals.

## Phasing

Policy CU12 requires a phasing strategy for East Cullompton to ensure that development and infrastructure come forward in step. Phasing will be a critical factor in ensuring place quality and delivering the vision for East Cullompton. An effective phasing strategy will establish the opportunity for patterns of local living and sustainable travel from the beginning. In addition to the requirements of Policy CU12, the phasing strategy will be expected to demonstrate the following:

**An immediate step away from a “business as usual”, traffic-dominated environment to one that is genuinely pedestrian-friendly and has all the qualities of local living and village life built-in from the beginning building on the principles of the 20 minute place in each phase.**

- All phases are required to contribute towards the delivery of mixed-use, walkable communities from the outset. It is expected that phases will be planned around existing, new and expanded mixed-use clusters around established existing places or hubs such as Fordmore Farm including small-scale flexible workspace or workshops, local shops and space for community activities. The loose farmstead-type arrangements of barns and outbuildings of these places is an important

aspiration and key to developing a strong place identity and visitor experience that can help to ensure their long term success. These centres should be largely traffic-free and pedestrian priority.

- Priority must also be given to the early establishment of high quality, pedestrian-priority, public spaces in and around these hubs including community greens. This will help reinforce the sense of place and form the focus of village life from the start of the development.
- All movement through and around East Cullompton is to be restricted to 20mph or lower. The scale and width of new roads and streets is to be designed to slow or restrict traffic and limit speed and to create the intimate and people-friendly qualities of a village.
- Central to this will be the early transformation of the A373 Honiton Road from a rural link road to a rural village street. Early phases of development will happen on both sides of Honiton Road including development north and south of Fordmore Farm and the building of the primary school and crossing it must be made safe and convenient for everyone. This includes limiting speed to 20mph, narrowing of the carriageway, new junctions including pedestrian and cycle crossings.
- Early phases of development must make

active travel, and shared transport links to existing workplaces at Kingsmill and include connections into the allocated employment sites.

- Phasing should emphasise a linear east – west orientation of development to ensure priority is always given to ensuring connectivity back to Cullompton and employment areas.
- The early delivery of strategic active travel and Bus/Demand Responsive Transport connections between East Cullompton and Cullompton and beyond the boundaries of the East Cullompton site allocation is also a top priority. These may need to cross a number of land ownerships and across the physical barriers of the Culm, the M5 and the railway. The proposed new station will be a critical destination. The precise location of routes will be dependent upon the continuing work on improvements to Jct 28 and potential new links over the M5.
- Multiple, simultaneous phases may be appropriate where they can demonstrate compliance with the requirements above with development emanating from multiple centres.
- Early delivery of strategic areas of open space with clear walking and cycling routes from areas of development.



## Phases 1 and 2

Early phases are built around the mixed use community hubs, school site and associated Community Greens to build a sense of place and provide community facilities from the outset.

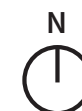
Complete active travel routes are delivered to connect back to employment areas and Cullompton. Honiton Road improvements delivered.

Commercial areas delivered in parallel.

Opportunities to deliver offsite landscape improvements to the Country Park and River Culm explored.

All infrastructure delivered in line with infrastructure delivery plan.

- Mixed use community hubs
- Residential
- School
- Green Infrastructure
- Active travel routes
- Commercial area delivered in parallel
- Country Park and landscape improvements to Culm river side
- Honiton Road improvements
- Access streets



East Cullompton Indicative Phase 1 and 2

Subsequent Phases

Further areas of development extend from Fordmore Farm with an east west orientation initially, strengthening links back to Cullompton.

Further areas of development are focussed and expand from around mixed use areas and community hubs.

Complete active travel routes are delivered to connect back to employment areas and Cullompton and between neighbourhoods.

Commercial areas delivered in parallel.

Opportunities to deliver offsite landscape improvements to the Country Park and River Culm explored.

All infrastructure delivered in line with infrastructure delivery plan.

- Mixed use community hubs
- Residential
- School
- Green Infrastructure
- Active travel routes
- Commercial area delivered in parallel
- Country Park and landscape improvements to Culm river side
- Honiton Road improvements
- Access streets



East Cullompton Subsequent Phases

## East Cullompton Infrastructure Delivery Requirements

### Highways and Accessibility

Infrastructure Requirement	SPD Position	Local Plan Policy	Timing	Mechanism
Capacity improvements at M5 Junction 28	Masterplan designed to work with options for J28 – sets design principles for active travel connections across J28 and safeguarded routes to provide connection	Policy CU8 Policy CU12	Informed by capacity studies completed to assess the impact of the traffic generated from the site - provision likely to be required after first 500 homes completed	Funded through a combination of developer contributions and public funding
Cullompton Town Centre Relief Road	Masterplan provides design principles and locations for active travel routes and connection to the Town Centre.	Policy CU12 Policy CU20	Delivered by 2023 To be delivered first prior to new homes being completed	Funded through a combination of developer contributions and public funding
Local highway enhancements to ensure any traffic impacts are mitigated	Determined through transport assessment work but to include early works to improve Honiton Road (particularly around Fordmore Farm) which forms a strong place function in the Masterplan.	Policy CU8 Policy CU20	Delivered in Phase 1 (to be defined in the agreed phasing and delivery strategy) and then in step with development	Developer contributions towards identified works.
Reopening Cullompton Railway Station	Active travel links and safeguarded routes across the M5 and J28 to access the railway station shown on Masterplan.	Policy CU8	MDDC intention for the Station to be operational by 2025	Funded through a combination of developer contributions and public funding
Provision of a network of streets linking to the existing highway network	Sets requirements in terms of location and hierarchy of street design and active travel connections.	Policy CU8	Deliver connection to Honiton Road in Phase 1 (to be defined in the agreed phasing and delivery strategy) and then in step with development	Developers to show how facilitating these connections and contribute to improvement works.

Safe and attractive cycle and pedestrian links to and from the town centre	Active travel links and safeguarded routes across the M5 and J28 to access the town centre shown on Masterplan.	Policy CU8	Deliver with Phase 1 (to be defined in the agreed phasing and delivery strategy) and then in step with development.	Funded by developer contributions / linked to public funding projects. Developers to demonstrate how proposals link to the active travel routes and principles set in the SPD
Safe and attractive pedestrian and cycle links to Kingsmill Industrial Estate	Early phases of development must make active travel, and shared transport links to existing workplaces at Kingsmill and include connections into the allocated employment sites. SPD sets design requirements for development adjacent to employment sites	Policy CU8	Complete active travel routes delivered to connect back to employment areas and Cullompton town centre in early phases (to be defined in the agreed phasing and delivery strategy).	Delivered by developer
Local and strategic bus service enhancements	The early delivery of strategic active travel and Bus/Demand Responsive Transport connections between East Cullompton and Cullompton and beyond the boundaries of the East Cullompton site allocation is a top priority.	Policy CU8 Policy CU20	Improvements in step with phased housing development	Funded by developer contributions/bus operator

## Housing

Infrastructure Requirement	SPD Position	Local Plan Policy	Timing	Mechanism
<p>Affordable Housing - 28%</p> <p>To include 10 gypsy and traveller pitches as a minimum</p> <p>Affordable extra care housing will be required either as part of an extra care development or delivered separately.</p>	<p>Masterplan provide 72 hectares of land proposed for residential use, including market and affordable housing, serviced plots for self builders and gypsy and traveller pitches. Capable of delivering 2,600 homes at an average density of c. 35dph. Assumes limited residential uses will be incorporated in to the mixed use community hubs.</p>	<p>Policy CU7</p> <p>Policy CU12</p>	<p>Trigger linked to market housing to ensure delivered together. Contribution within each phase of development and phased delivery linked to occupation.</p>	<p>Funded by developer – provision within each phase and to comply with policy target of 28% affordable housing, subject to viability</p>
<p>5% Self Build Plots</p>	-	<p>Policy CU7</p> <p>Policy CU12</p>	<p>Provide all serviced self-build after strategic highways access to the site completed and operational.</p>	<p>Planning applications will be expected to include the 5% self-build plots and developers to identify plots for private sector purchase</p>

## Commercial

Infrastructure Requirement	SPD Position	Local Plan Policy	Timing	Mechanism
<p>20,000 square metres commercial floorspace within the plan period and a further 12,000 post 2033</p> <p>To include a care home or retirement complex, appropriately scaled retail development and other suitable uses such as offices and a hotel or leisure development</p>	Sets spatial and design principles for the delivery of new commercial floorspace adjacent to existing allocated employment areas and ensuring connectivity through these spaces to wider allocation site as well as to the Town Centre.	Policy CU7 Policy CU12	Provision of commercial development in step with housing, at a rate of at least 1 hectare per 500 occupied dwellings. Provision of active route connecting through these spaces to be safeguarded.	Phased provision of space and delivered by developer and offered to private sector

## Community

Infrastructure Requirement	SPD Position	Local Plan Policy	Timing	Mechanism
Primary school (630 place or 2 schools) including early-years provision and children's centre service. SEN provision to be included.	Sets indicative location for the Primary School, as discussed with Devon County Council, to the south of Honiton Road and area of high accessibility, close to the proposed mixed-use areas. Will require early delivery.	Policy CU10 Policy CU12 Policy CU20	Transfer of serviced land at no cost to the County Council together with legal right of access for primary school(s) prior to the first occupation of residential development and contributions towards the build costs phased with development.	Funded by developer contributions
Contributions towards expansion of local secondary education facilities to meet needs arising.	-	Policy CU10 Policy CU20	In step with housing	Funded by developer contributions
Site of 2 hectares for a shopping and community centre, and the provision of a multi-purpose community building for youth, children and other community uses	Expected that phases will be planned around existing, new and expanded mixed-use clusters around established existing places or hubs such as Fordmore Farm including small- scale flexible workspace or workshops, local shops and space for community activities.	Policy CU10 Policy CU20	Delivery of mixed use local centre in Phase 1 (to be defined in the agreed phasing and delivery strategy) to build a sense of place. Then in step with future phases with development focused around community hubs.	Funded and delivered by developer
Contributions towards the expansion or	-	Policy CU10 Policy CU20	In step with housing	Funded by developer contributions

improvement of local library services				
Contribution towards sporting and leisure facilities	-	Policy CU10 Policy CU20	In step with housing	Funded by developer contributions
Contributions towards a new recycling centre to serve Cullompton	-	Policy CU10 Policy CU20	In step with housing	Funded by developer contributions
Contribution towards expansion of emergency fire and rescue services	-	Policy CU20	In step with housing	Funded by developer contributions
Contribution towards healthcare facilities	-	Policy CU20	In step with housing	Funded by developer contributions

## Green Infrastructure

Infrastructure Requirement	SPD Position	Local Plan Policy	Timing	Mechanism
<p>Provision of at least 40 hectares strategic green infrastructure and to deliver biodiversity net gain</p> <p>To include areas of equipped and laid out public open space, totalling:</p> <ul style="list-style-type: none"> <li>- 0.4 hectares of equipped children's play</li> <li>- 0.12 hectares for teenage facilities</li> <li>- 6 hectares amenity green space</li> <li>- 9 hectares of parks sports and recreation grounds</li> <li>- 1.5 hectares of allotments</li> </ul>	<p>Masterplan provides 46 hectares strategic green infrastructure. Masterplan provides space for:</p> <ul style="list-style-type: none"> <li>- 0.4 hectares of equipped children's play</li> <li>- 0.12 hectares for teenage facilities</li> <li>- 6 hectares amenity green space</li> <li>- 9 hectares of parks sports and recreation grounds</li> <li>- 1.5 hectares of allotments</li> </ul>	<p>Policy CU9</p> <p>Policy CU12</p> <p>Policy CU20</p>	<p>Early delivery of strategic areas of open space with clear walking and cycling routes from areas of development and delivered in step with development.</p> <p>Public open space provided at a rate of at least 1 hectare per 150 dwellings or phased to deliver a larger area of multi-functional public open space at a suitable stage in the development</p>	<p>Funded / provided by developer</p>
<p>A strategic landscaping and tree planting scheme to mitigate landscape impact, protect the</p>	<p>Sets Landscape Framework to use the existing cues in the landscape to frame interventions ensuring that new development is rooted in the existing qualities of the site and that incoming</p>	<p>Policy CU9</p>	<p>Scheme to be agreed prior to construction. Phased delivery as development comes forward</p>	<p>Funded / provided by developer. Principles to be agreed in site wide design code.</p>

setting of the Blackdown Hills Area of Outstanding Natural Beauty, and enhance biodiversity and the character of development	open spaces simultaneously provide multiple benefits to people, wildlife, and the environment informed by a natural capital approach.			
Appropriate provision of a sewerage system to serve the development and a strategically designed, and phased, Sustainable Urban Drainage Scheme to deal with all surface water	A high-level drainage strategy has been developed as part of the SPD. The principals of the strategy are to allow for rainwater storage on plot and then the remaining storage provided as a combination of network storage feeding into larger strategic storage elements as shown on Masterplan. Sets further principles in relation to detailed SuDS design.	Policy CU9	Site wide Sustainable Urban Drainage Scheme to be agreed prior to construction. Phased delivery as development comes forward	Funded / provided by developers. To be considered in site wide design code to allow for spatial implications associated with SuDS strategy.

### Renewable Energy and Carbon Emissions

Infrastructure Requirement	SPD Position	Local Plan Policy	Timing	Mechanism
Carbon Reduction and Low Emissions Strategy	Sets clear principles around carbon reduction and framework for considering future planning applications.	Policy CU11	Site wide strategy to be agreed at outline application stage. Phased delivery as development comes forward	Funded / delivered by developers. Also to be considered in site wide design code to allow for spatial implications associated with decarbonisation (e.g. renewable energy solutions on site).



# SECTION SIX

# GROWING EAST

# CULLOMPTON

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Developing a framework for  
the wider opportunity area

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Activity

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Landscape

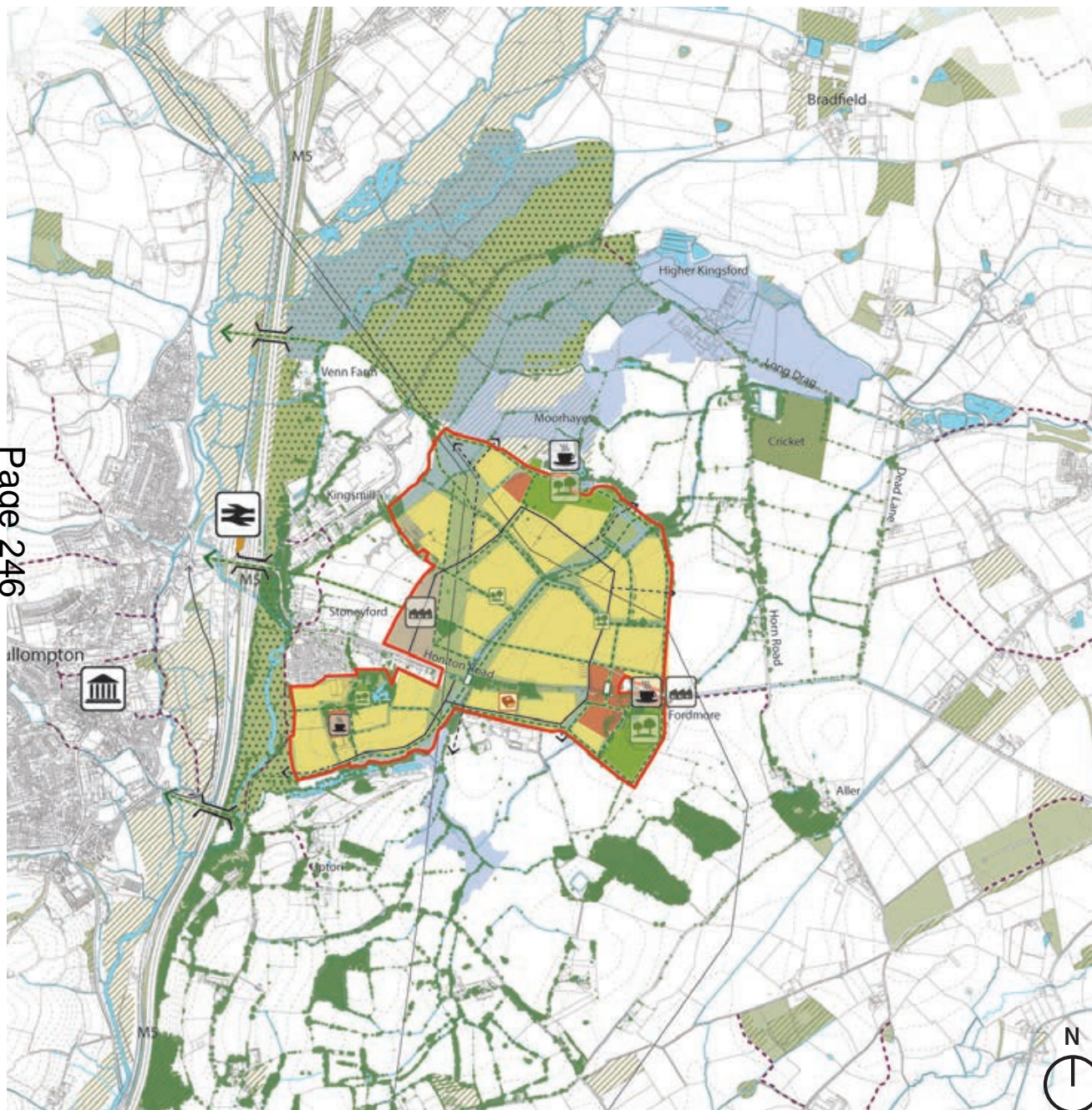
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Mobility

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Placemaking

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Simplified version of the East Cullompton Allocation Area Masterplan

## 6.1 Developing a framework for the wider opportunity area

The Masterplan SPD for the East Cullompton Allocation has been developed alongside the exploration of a Masterplan which considers opportunities associated with the wider Culm Garden Village project.

The Masterplan and principles described in the previous section set out how the requirements of the Local Plan could be met at East Cullompton. The Masterplan demonstrates how multiple influences can be reconciled and brought together into a comprehensive plan without any further development associated with the wider Garden Village.

This section sets out how the principles defined within the allocation area for East Cullompton could be used to inform a model and framework for further growth to the east of Cullompton should the Garden Village project continue.

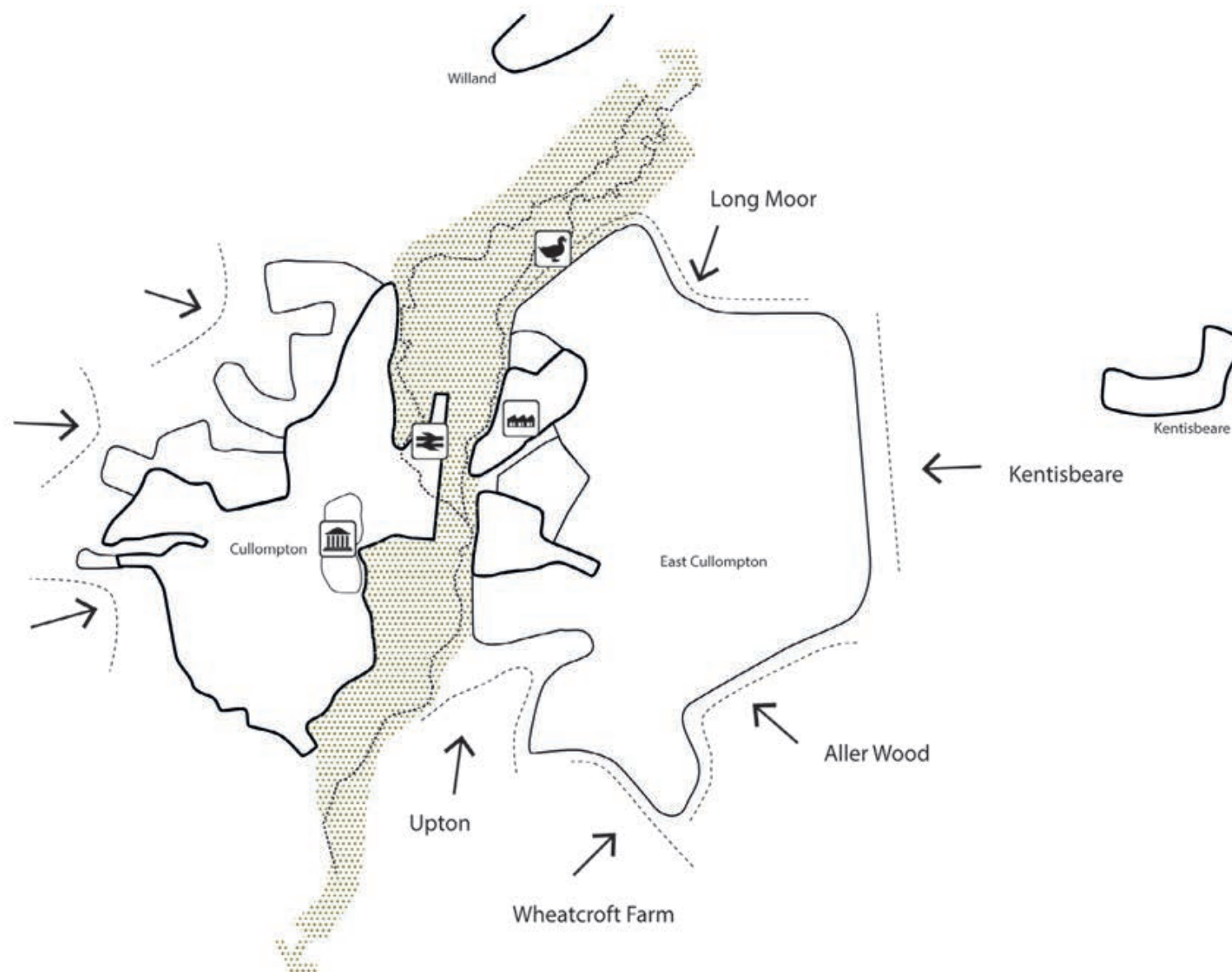
**The opportunities set out for the wider Garden Village in this section are intended to provide a commentary and indicative arrangement only, further work will be required to define any proposals definitively through the Local Plan process.**

The plans presented in this section show one possible way that East Cullompton could grow in the future following the same placemaking principles established for the allocation area masterplan.

- Allocation boundary
- Development area (allocation)
- Wider development area
- Mixed use areas
- Employment areas
- Primary School location
- Potential all through school location
- Strategic green infrastructure
- Indicative Country Park
- Tree canopy
- Neighbourhood parks and sport
- PROW
- Active travel routes
- Potential bridge crossings
- Honiton Road crossings
- Main streets
- Surrounding priority habitats
- Local open space
- Community hubs



A masterplan framework for the wider Culm Garden Village project



Influences defining the settlement extent of the Garden Village

## Opportunities to explore in the wider Garden Village Masterplan informed by the East Cullompton Masterplan:

### Defining the settlement extent

The overall extent of the Garden Village should always link strongly back to existing parts of Cullompton to support the aspiration for new development to feel as though it is a part of one town. The Garden Village should also continue to be organised around a primary infrastructure of open spaces, active travel routes, community hubs, employment and mixed-use community hubs. Residential areas should be planned to form an overall coherent structure of walkable communities clearly linked to the primary infrastructure. Retaining a compact form overall should be a priority to avoid peripheral areas becoming car dominated. Residential areas should continue to be brought forward in step with improved infrastructure, strategic open space and employment space to assist with shift away from a reliance on out-commuting.

The extent of the Garden Village should be driven by the natural capital opportunities defined below, should respect the landscape character of the area and the key influences at the edges of the site including:

#### Long Moor

An area of historic water meadows in the north that provides the setting for listed buildings and could become part of a large Country Park

to serve new and existing parts of Cullompton and nearby villages. Landscape character, areas of flood constraint, priority habitats and opportunities for wetland and woodland planting should frame development extent and character to the north.

#### Horn Road

This area is characterised by large rectilinear fields, straight roads with verges and mature hedgerow trees that create a distinct 'grand avenue' feel. The objective of maintaining settlement separation from Kentisbeare and an appropriate settlement edge and transition to the open countryside around Horn Road has also been clearly stated through local consultation. The distinct linearity and rectangular layout could inform the identity and character of a new neighbourhood framed around new broadleaf planting, avenues and terraces, allowing retention of important trees and hedgerows to create a strong landscape to the eastern edge of the Garden Village.

#### Aller Woods

The two ancient woodlands on the hillside to the southeast could be linked through new woodland and grassland areas offering recreation and productive woodland potential that would expand this important habitat. The Garden Village

should maintain an appropriate set back from areas of woodland and the local ridge utilising existing lines of vegetation to define the edge of the Garden Village.

#### Wheatcroft Farm

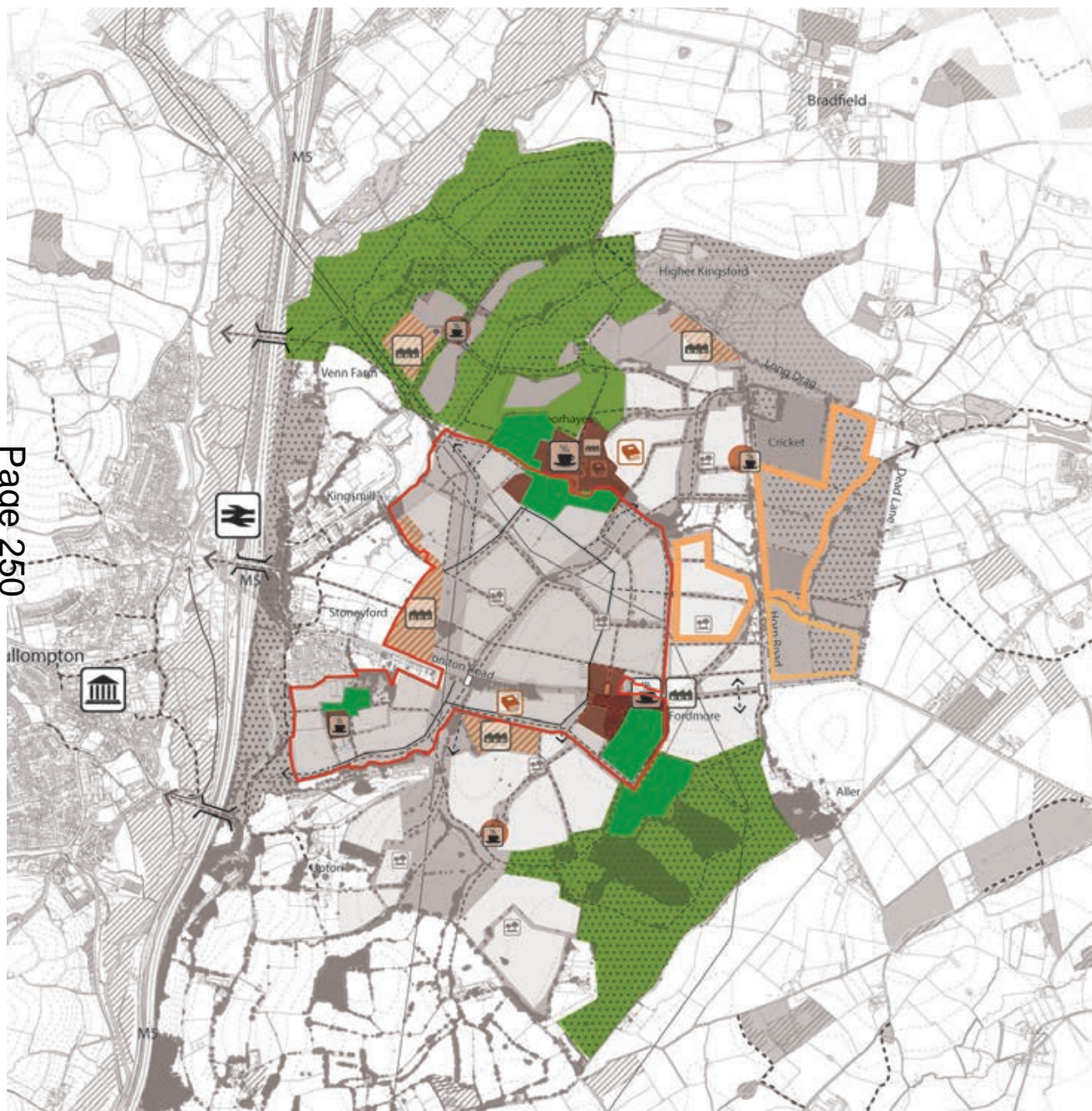
Development should respect and avoid harming the character of the area around Wheatcroft Farm with an irregular medieval intact field pattern of ancient important hedges, veteran trees, and remnant traditional orchard which offer significant biodiversity and landscape value.

#### Upton

Use the landform of the local ridge at Upton to enclose the extent of the Garden Village. This is a pronounced and distinct ridge offering views east towards Blackdown Hills and intimate streamside landscape that provides the setting for Upton Lakes holiday lodges.

### Residential Capacity

The capacity testing undertaken at this stage utilising these principles suggests a Garden Village of around 5000 homes is possible in this location at an average density of 35-40 dwellings per hectare. The final capacity will be developed through further testing and local consultation.

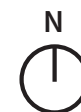


### Expanding the 20 minute place principle

The Land Use plan shows how the principle of building the community hubs around existing farm buildings could be expanded. The Wider Garden Village could include the further expansion of Fordmore Farm linked to a strategic area of open space or Country Park to the south around existing and extended blocks of woodland. In addition, the area around Moorhayes could be explored as an additional community hub to the north, reducing the walk distances. Moorhayes could mirror Fordmore in identity and form and incorporate similar community, retail and community spaces and also link to the potential Country Park to the north around the River Culm and Ken.

#### LEGEND:

- Allocation boundary
- Mixed use areas
- Employment areas
- Primary School location
- Potential all through school location
- Indicative Country Park
- Neighbourhood parks and sport
- Community hubs



Land Use opportunities in the Wider Garden Village

## 6.2 Activity

Opportunities to explore in the wider Garden Village Masterplan informed by the East Cullompton Masterplan:

### Mixed Use Community Hubs

Explore the potential to expand Fordmore Farm centre further to the east along Honiton Road in a way which retains the character of this area.

- Explore the potential for the area around Moorhayes to expand to become more of a community focal point in the north taking equal significance and function to Fordmore in the wider Garden Village.
- The form of Fordmore and Moorhayes could mirror each other to the north and south of Honiton Road providing a mixed-use area of community buildings, workspace and shops in a strong landscape defined by the Community Greens with a direct connection out to the Country Parks to the north and the south.
- Further Community Hubs providing facilities like local shops, community meeting spaces and small scale workspaces should be explored to minimise walking distances anchored to other uses including schools and sports clubs.

### Integrating Employment

The original Garden Cities were based on a strong foundation of industry and employment. The TCPA's Garden Village principles include the need for a wide range of jobs within easy commuting

distance of homes. Further integration of workspace will therefore be essential to the successful growth of East Cullompton into a larger Garden Village. Opportunities for new and expanded employment areas should be explored alongside any plans for a growing community.

- Further expansion and intensification of the industrial uses around Kingsmill and Stoneyford should be explored in the Wider Garden Village particularly in areas of high accessibility to the railway station and junction 28 of the M5. The area immediately around the station may offer some potential for intensification and incorporation of additional workspace.
- The potential to retain and expand existing employment clusters at Higher Kingsford and Aller Barton should be explored.
- The potential to incorporate further employment areas at Fordmore and Moorhayes community hubs should be explored.
- The potential to incorporate small scale workspace and work hubs within residential areas, with a particular focus around smaller scale community hubs should be explored.

### Schools

The emerging education strategy for the wider Garden Village includes provision of an all-through education campus to include both primary and secondary provision alongside a further separate primary school.

- Plans for the wider Garden Village should determine the most appropriate location for the all-through school demonstrating a priority for walking, cycling and bus links to the school site.
- Potential to co-locate the all-through school with proposed sports clubs to the east of Horn Road should be explored.
- The potential to use the larger, all-through school site to establish an appropriate eastern edge to the Garden Village should be explored, avoiding a 'hard' urban edge to the Garden Village.
- The potential for a second primary school site near Moorhayes should be explored. A school in this location would reduce the walk distances to school sites from residential areas and would also support the creation of a secondary community hub in the area around Moorhayes and the proposed Country Park.



LEGEND:

- Allocation boundary
- Potential all through school location
- Strategic green infrastructure
- Blueways
- Indicative Country Park
- Tree canopy
- Neighbourhood parks and sport
- PROW
- Greenways / Active travel routes
- Potential bridge crossings
- Surrounding priority habitats
- Local open space



Landscape opportunities in the Wider Garden Village

## 6.3 Landscape

Opportunities to explore in the wider Garden Village Masterplan informed by the East Cullompton Masterplan:

### Blueways

- Blueways could continue to provide a central organising feature of the Garden Village. The three Blueways established within the allocation area could extend through further development areas and beyond into the surrounding landscape. Additional Blueways could be established to the north and the south along additional existing watercourses. Blueways would continue to be a key connecting feature of the area and could provide attractive connections to, and effectively an expansion of, large open spaces and country parks to the edges of the Garden Village.
- Explore the potential to create a new watercourse to the north of Moorhayes providing a better defined water and drainage channels potentially reducing flood risk as well as providing a key placemaking feature in an expanding community hub at Moorhayes.
- Use the leat as a key placemaking and connecting feature through the larger Garden Village site.
- Potential for incorporating large wetlands or waterbodies could be explored in the County Park to the north of Moorhayes and in the low lying basin between Upton and Aller Barton.

### Greenways and Loops

- The principle of the Greenways could continue, expanding connections and attractive active travel routes across the larger Garden Village area.
- The Eastern Loop established within the allocation area can become a green infrastructure corridor within the extended settlement area of the Garden Village with development on either side. A new Eastern Loop could be defined around the edge of the new Garden Village. The extended Eastern Loop can set the landscape edge of the Garden Village establishing the relationship to Kentisbeare and views of the Garden Village from the surrounding landscape.
- An extended Eastern Loop can provide a recreational route around the edge of the Garden Village, connecting to the planned Country Parks and providing interaction and potential connectivity into the open countryside.

### Community Greens

- The Community Greens established at Fordmore and Moorhayes, at the edge of the allocation boundary could expand into the wider Garden Village area to serve a growing community.

- The Community Greens established at Fordmore and Moorhayes could be planned to link directly into the proposed County Park areas to the north and the south as part of a much larger open space resource.
- Additional, smaller Community Greens can be established as part of additional mixed-use areas within the wider Garden Village opportunity area providing local open space.
- Community Greens can continue to create a rural character and strong landscape structure as a key part of mixed use community hubs.

### Sports Hub

- There is an opportunity in the wider Garden Village area to establish a sports hub that consolidates relocated sports clubs with playing pitches required as a result of the growing community. The sports hub would be located to the east of Horn Road around the proposed cricket club. Sports pitches would provide a good fit with the linearity of this landscape which is also relatively flat.
- A primary sports hub could work alongside smaller sports facilities within the Community Greens.
- Opportunities for co-locating the all-through school with the sports hub should also be explored to take advantage of the potential to share facilities.

## Opportunities to explore in the wider Garden Village Masterplan informed by the East Cullompton Masterplan:

### Country Parks

- In addition to the Proposed Country Park planned to the north around the River Culm, there is potential to establish a second Country Park to the South around the blocks of woodland near Aller. This Park could have a different character to the lower lying riverside park to the north with areas of parkland and additional areas of woodland planting connecting woodland blocks together.
- Explore the potential for other areas of strategic open space such as the Blueways and Greenways to connect in to the Country Parks to ensure habitat connectivity and to bring the benefit of naturalistic open space into development areas and throughout the Garden Village.

### Flooding and Drainage

- The overall aim for the wider opportunity area will be to continue the main principles of the drainage strategy for the allocation area.
- Particularly in the north and south of the wider opportunity area, the ground levels are flatter than the allocation area and therefore larger single attenuation basins / ponds will be possible which can aid with development of strategic drainage areas and raises potential for permanent wet features such as water bodies and wetlands.
- 

- Management of development levels, drainage and surface water flow paths will be key elements for managing flood risk in these areas which require agreement with the Environment Agency regarding how these features can interact with the existing floodplains and flow routes.

### Natural Capital

#### Carbon

- Retain existing woodland, trees and hedges for carbon storage.
- Minimise disruption to soil from beneath hedges and trees and if disturbed, store as carefully as possible.
- Habitat improvements for increased carbon storage. Establish new areas of broadleaf woodland, wetland and grasslands with native species. The area marked **(1)** is identified as an area with particularly high potential for increased tree cover.

#### Habitats Grassland Features

- Retain existing grassland habitats where possible.
- Establish new grasslands including north south connectivity in area marked **(6)**.
- Incorporate grasslands, alongside additional tree planting, around existing woodland to the south in area marked **(2)** to enhance connectivity, biodiversity and carbon storage.

#### Habitats Woodland Features

- Retain existing features.
- Establish new areas of woodland planting including to the north in area marked **(3)**. Woodland features here would link the woodlands around Kingsmill to those around Bradfield. There is a synergy here with grassland and wetland networks, so woodland pasture, or marshy grassland would be beneficial.

#### Habitats Wetland Features

- Retain existing features.
- The vast majority of the area is an opportunity for new wetland features. Establishment / enhancement of wetland features in the north would help make the existing network bigger, better, and more joined up, whilst in the south would help in establishing new corridors.
- The area marked **(5)** is especially good for establishing wetland adjacent to existing wetland habitats, as part of the proposed Country Park. There is a synergy here with a potential for woodland creation, and also grassland creation as well. This means that wet woodland or wet grassland features would benefit these networks as well.
- Wetland features in area marked **(4)** would link the wetlands around Kingsmill to those around Higher Kingsford. There is a synergy here also with a potential for woodland

creation, and also grassland creation as well. This area co-insides with the potential creation of a new watercourse to reduce flood risk.

#### Natural Flood Management

- Position SUDS features in areas of high infiltration and storage adjacent to existing watercourses.
- Include native deciduous tree. In particular, planting in areas marked **(A)** will benefit natural flood management and biodiversity of the area.

#### Water Quality

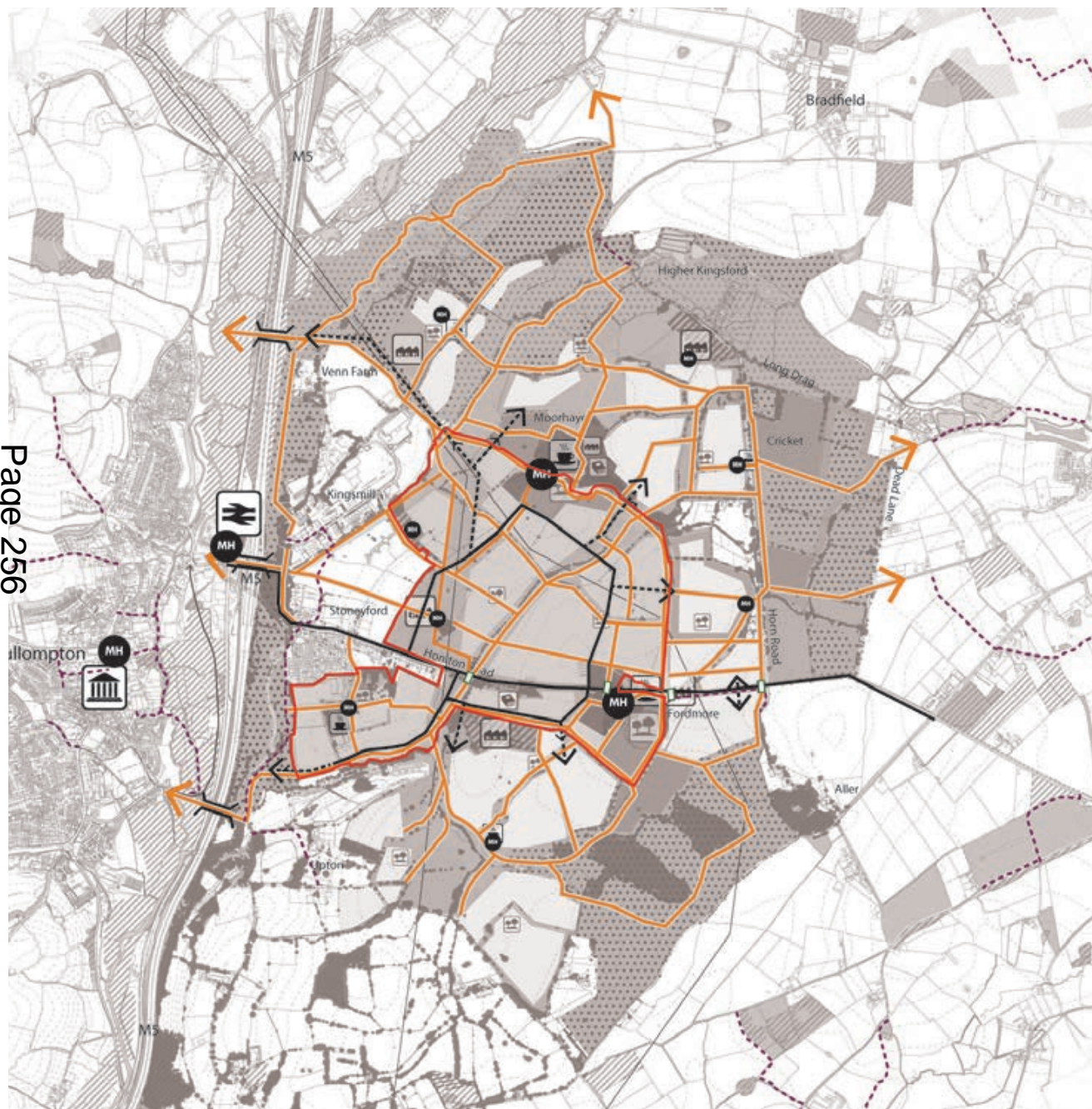
- Retain existing hedges and trees to break flow pathways to streams.
- Enhancing areas marked **(B)** with additional planting of native species of hedgerow and woodland would help break the connections between the land and the water courses to improve water quality.
- Establish native habitats and SUDS in area marked **(7)** to take advantage of soil conditions.

#### Urban cooling

Retain existing trees and woodland and establish new tree planting and areas of woodland.



Natural Capital and Ecosystem Services opportunities in the Wider Garden Village



LEGEND:

-  Allocation boundary
-  PROW
-  Active travel routes
-  Potential bridge crossings
-  Honiton Road crossings
-  Main streets



Mobility opportunities in the Wider Garden Village

## 6.4 Mobility

Opportunities to explore in the wider Garden Village Masterplan informed by the East Cullompton Masterplan:

### Active Travel

- Further active travel crossings of the M5 to the north, in addition to the central and southern crossing.
- The principle of a regular grid of active travel routes utilising Blueways and Greenways can be applied to the wider Garden Village opportunity. Additional routes should be planned that demonstrate connectivity to key destinations and how they can offer priority over use of private cars.
- Active travel routes can be planned to connect into existing public rights of way around Kentisbeare. Potential for an improved route to Willand should also be explored.

### Street Hierarchy

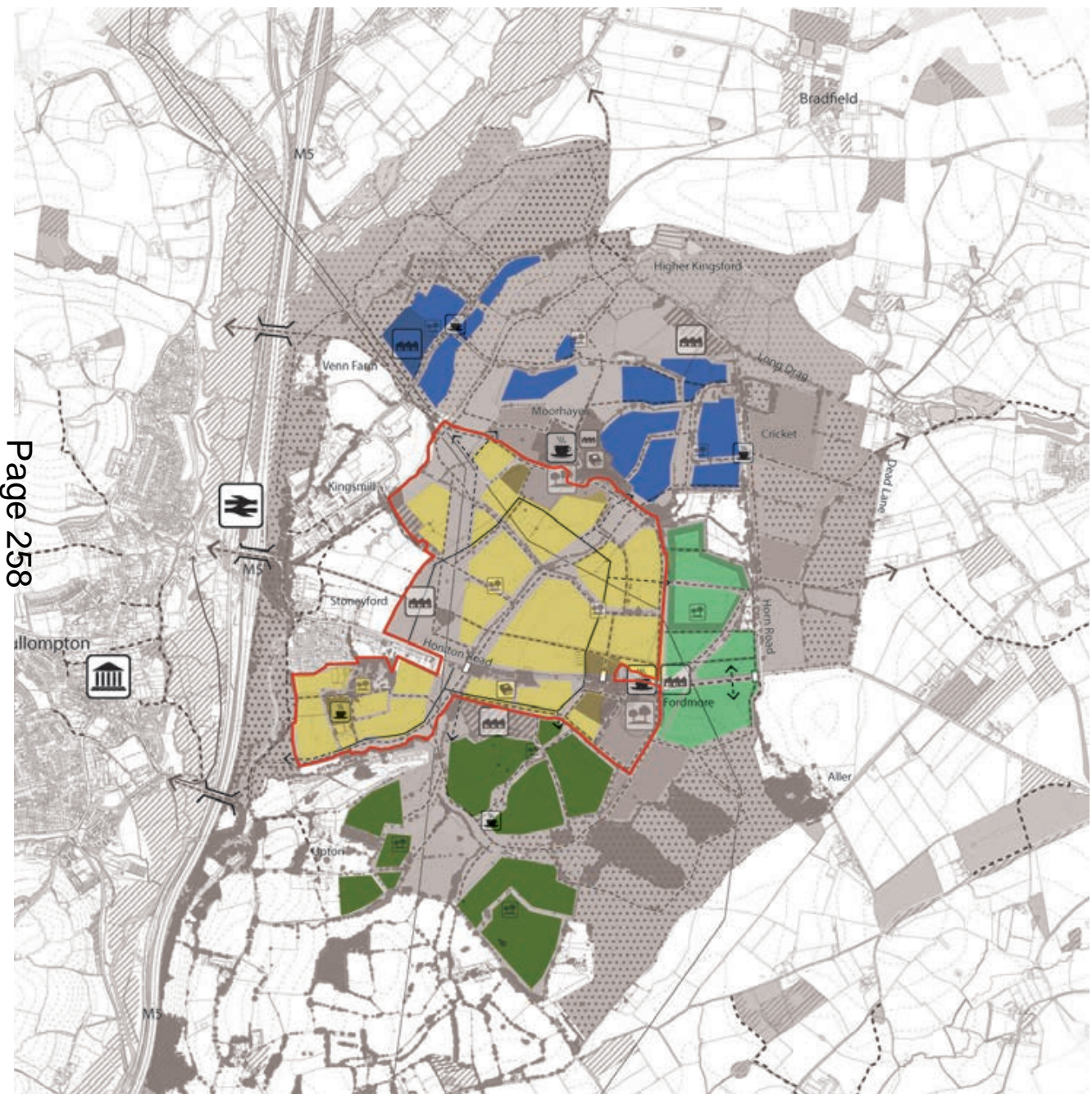
- The Street hierarchy principles established as part of the East Cullompton allocation area can be applied to the Wider Garden Village.
- Proposals for the wider Garden Village should demonstrate how the primary street network can be effectively expanded to serve the larger development area without compromising the need for a clearly understood primary street network.

- Any improvements to Honiton Road should expand into the wider Garden Village area with additional crossings established to coincide with active travel routes.

### Mobility Solutions

The mobility strategy for the site should evolve to embrace the innovation, new technology and new mobility solutions that may emerge as East Cullompton grows. A successful larger settlement can support a broader range of services and therefore greater levels of self containment. The mobility strategy should continue to be driven by the vision and issues such as parking standards and timing of infrastructure kept under review to support the overarching principles at East Cullompton.

Mobility hubs and public transport should continue to be planned following the principles from the allocation with a focus on key areas of activity and ensuring that more peripheral areas of the settlement, with longest walk distances, are well served.



LEGEND:

- Allocation boundary
- Central Character Area
- Woodland Character Area
- Avenues Character Area
- Water Meadows Character Area



Character Areas in the Wider Garden Village

## 6.5 Placemaking

Opportunities to explore in the wider Garden Village Masterplan informed by the East Cullompton Masterplan:

The placemaking and phasing principles established as part of the East Cullompton allocation area should continue to influence the character of the wider Garden Village with a review of lessons learned from early phases.

The potential to use the following influences to determine the layout of streets, spaces, and development parcels as well as materials and planting should be explored. These features can be used to define a four distinctive character areas to the Garden Village.

- The central character area of East Cullompton framed around the central Blueways and Fordmore Farm.
- The Water Meadows character area formed around the influence of lower lying, flatter areas to the north close to the River Culm, the Country Park and the greater presence of water.
- The Avenues character area framed around the longer, straight lanes, avenues and field patterns around Horn Road and Dead Lane emphasised in development areas to the east.
- The Woodland Character Area where the large blocks of woodland and the presence of mature trees in the area to the south of Fordmore Farm could define the character of development parcels and open spaces to the south.



Additional character influences in the wider Garden Village area

# **APPENDIX 1**

# **STRATEGIC DESIGN**

# **CODE STRUCTURE**

## Strategic Design Code Structure

### Structuring Principles

- Development principles with an emphasis on delivering the aspirations of the SPD.
- Statement of the design response to the Guiding Principles of Planet, People and Place.
- Site Wide Framework Plan that provides the regulating plan to structure the design code.
- Statement of overarching development character.
- Carbon reduction measures integrated into the design response.

### Neighbourhood Codes

- Codes to guide block structure and built form for all mixed-use community hubs, residential areas and commercial areas including:
  - \* Relationship between land uses
  - \* Density, height and mass
  - \* Character
  - \* Primary frontage and landmarks
  - \* Access points
  - \* Boundary treatments
- Conceptual layouts and principles relating to the rural character of mixed use community hubs.
- The approach to the retention, alteration and integration of existing buildings.
- Approach to the powerlines where left in situ including uses to be incorporated within the easements and appropriate development frontage.

- Provision of gardens and private amenity space.
- Details of waste and recycling provision for all building types.
- Approach to the integration of ancillary features such as substations, utilities and meter boxes.

### Landscape Codes

- Measures for integrating water as a positive and visible aspect of East Cullompton.
- The approach to the landscape framework including the integration the existing retained landscape and built heritage features and new structural planting in the key public open spaces.
- Guidance on tree/planting specification.
- The approach to the meeting the open space standards including provision of outdoor sports and children's play space provision including:
  - \* Formal playing fields,
  - \* Parks
  - \* Allotments,
  - \* Orchards
  - \* Neighbourhood Equipped Area for Play (NEAP), Local Equipped Play Area for Play (LEAP) and Local Area of Play (LAP).
- The conceptual design including size, function, layout, character, frontage, materials and planting and layout of key public spaces including:
  - \* The Blueways,
  - \* Greenways,
  - \* The Eastern Loop; and
  - \* Community Greens.

- Design features to support biodiversity net gain and ecological enhancement aligned with the management plan.
- A Sustainable Urban Drainage strategy and requirements for the function and character of these features.

### Mobility Codes

- Approach to establishing clear links to Cullompton and prioritising active travel connections
- Details of active travel routes and crossings of the M5
- Agreed design approach to Honiton Road including highways design and traffic calming measures, public realm design, landscape treatment, crossings and development frontage.
- A movement hierarchy demonstrating legible and connected network and the overarching principles for street design.
- Typical street sections for primary, secondary and tertiary streets including details of tree planting landscape, materials, SUDS, parking and design speeds.
- The approach to parking, including electric vehicle charging, across the site for all uses, demonstrating how parking and highways design will not dominate streets and spaces.
- Integration of mobility hubs and public transport as positive placemaking features.
- The approach to cycle parking for all uses and building types.





## **East Cullompton Urban Extension Masterplan Supplementary Planning Document**

### **Habitat Regulations Assessment Screening and Appropriate Assessment Report**

**July 2022**

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## East Cullompton Masterplan Supplementary Planning Document (SPD)

### 1.0 East Cullompton Masterplan

#### *Purpose, scope and content*

- 1.1. The East Cullompton Urban Extension Masterplan bridges the gap between high level policy aspirations and delivery on the ground. This is to ensure that the development achieves high quality design and sense of place in a coordinated manner.

- 1.2. The Masterplan is set out in 6 Sections. A brief description of each part is provided below:

#### Introduction

This sets out the background, location of development and purpose of the SPD.

#### Vision

This sets out the vision and overarching principles for the development at East Cullompton.

#### Influences

This outlines the policy context and factors that have influenced the Masterplan SPD.

#### Understanding the Place

This provides the site and landscape context and site constraints and opportunities.

#### Masterplan Framework

This sets out the spatial framework for the masterplan, broken down into activity, landscape, mobility, placemaking and infrastructure, delivery and phasing.

#### Growing East Cullompton

The last section gives an indication of how the East Cullompton allocation could grow into Culm Garden Village should that project proceed.

#### *Relationship with the National Planning Policy*

- 1.3. The National Planning Policy Framework (2019), in 'Identifying Land for Homes' paragraph 73 sets out the following:

*"The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the*

*necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:*

*a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains;*

*b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;*

*c) set clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles), and ensure that a variety of homes to meet the needs of different groups in the community will be provided;*

*d) make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations); and*

*e) consider whether it is appropriate to establish Green Belt around or adjoining new developments of significant size."*

- 1.4. East Cullompton Urban Extension was identified as part of the Mid Devon Local Plan (2013-2033) as an urban extension to Cullompton town as it is considered to be well located and supported by the necessary infrastructure and facilities. Policies CU7-CU12 are consistent with the National Planning Policy Framework. The East Cullompton Urban Extension Masterplan SPD provides further detail on the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains. It ensures the community has sufficient access to services and employment opportunities within the development itself as well as setting out clear expectations for the quality of the development to ensure there are a variety of homes to meet the needs of different groups in the community. It also makes a realistic assessment of likely rates of delivery.

#### *Relationship with the Mid Devon Local Plan*

- 1.5. The adopted Mid Devon Local Plan 2013-2033 ("Local Plan") Policies CU7-CU12 East Cullompton Urban Extension provide the policy baseline for the more detailed guidance included in the East Cullompton Urban Extension Masterplan SPD:

#### **Policy CU7 East Cullompton**

A site of 160 hectares to the East of Cullompton is allocated for mixed use development subject to the following:

- a) 1,750 dwellings within the plan period and further development of at least 850 dwellings post 2033;

- b) 28% affordable housing to include extra care housing and at least ten pitches for gypsies and travellers, subject to viability;
- c) 5% of housing to be provided as serviced plots for sale to self-builders;
- d) 20,000 square metres commercial floorspace within the plan period and a further 12,000 post 2033, to include a care home or retirement complex, appropriately scaled retail development and other suitable uses such as offices and a hotel or leisure development;
- e) Provision of at least 40 hectares strategic green infrastructure;
- f) Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28 and pedestrian and cycling links across the motorway to the existing town;
- g) Environmental protection and enhancement and noise mitigation where necessary;
- h) Assessment of land contamination and remediation if necessary;
- i) Land and facilities for community use including a new primary school to meet local needs arising;
- j) Contributions towards expansion of local secondary education facilities to meet needs arising;
- k) Carbon reduction and air quality improvements;
- l) Archaeological investigation and appropriate mitigation;
- m) An agreed phasing strategy to bring forward development and infrastructure in step and retain the overall viability of development; and
- n) Comprehensive Masterplanning of the development including at least two stages of public consultation and adoption of the Masterplan as a Supplementary Planning Document, before any planning application is determined.

#### **Policy CU8 East Cullompton Transport Provision**

As part of the development of East Cullompton, contributions towards or delivery of the following transport infrastructure will be provided by all new development within the site:

- a) Capacity improvements at Junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;
- b) Provision of appropriate highway improvements on roads around the development to ensure any unacceptable traffic impacts are mitigated;
- c) Reopening of Cullompton Railway Station;

- d) Provision of a network of streets linking to the existing highway network, and appropriate mitigation to reduce impacts on the existing road network such as Honiton Road;
- e) Provision of bus, pedestrian and cycle routes at appropriate locations throughout the development, creating an attractive, permeable network for non-car modes travelling within, into and out of the area;
- f) Safe and attractive cycle and pedestrian links to and from the town centre and within the mixed-use urban extension;
- g) Creation of safe and attractive pedestrian and cycle links between the development and the Kingsmill Industrial Estate;
- h) Implementation of travel plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts;
- i) Bus service enhancements within, into and out of, the mixed-use urban extension, linking to Cullompton town centre;
- j) Bus service enhancements between Cullompton, Exeter, Tiverton Parkway and Tiverton.

#### **Policy CU9 East Cullompton Environmental Protection and Green Infrastructure**

As part of the development of East Cullompton, the following environmental protection and enhancement measures will be implemented at the expense of all new development within the site:

- a) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;
- b) An area of 40 hectares for strategic green infrastructure, laid out and managed with an appropriate mix of public parkland, open space, landscaping and local nature reserve;
- c) Areas of equipped and laid out public open space, totalling 0.4 hectares of equipped children's play, 0.12 hectares for teenage facilities, 6 hectares amenity green space, 9 hectares of parks, sports and recreation grounds, and 1.5 hectares of allotments;
- d) Protection and enhancement where possible of existing Public Rights of Way;
- e) Appropriate screening and landscaping for properties adjacent to the M5;
- f) Appropriate provision of a sewerage system to serve the development and a strategically designed, and phased, Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance;
- g) A strategic landscaping and tree planting scheme to mitigate landscape impact, protect the setting of the Blackdown Hills Area of Outstanding Natural Beauty, and enhance biodiversity and the character of development; and

h) Design solutions which respect the settings of listed buildings adjoining the site.

#### **Policy CU10 East Cullompton Community Facilities**

As part of the development of East Cullompton, the following community infrastructure will be provided at the expense of all new development within the site:

- a) A serviced site of 2.5ha for a new 630 place primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;
- b) A site of 2 hectares for a shopping and community centre, and the provision of a multi-purpose community building for youth, children and other community uses;
- c) Construction costs for a primary school capacity of at least 630 places plus additional early years provision, including the requisite land to deliver these facilities. The required primary school capacity should be delivered through the provision of either one or two schools;
- d) Contributions towards the expansion of secondary education facilities in the local area;
- e) Contributions towards the expansion or improvement of local library services
- f) Contribution towards sporting and leisure facilities; and
- g) Contributions towards a new recycling centre to serve Cullompton.

#### **Policy CU11 East Cullompton Carbon Reduction and Air Quality**

The development of East Cullompton will be required to implement a Carbon Reduction and Low Emissions Strategy at the expense of all new development in the site. This will propose measures to minimise the overall carbon footprint of the development, making provision for sources of decentralised onsite renewable or low-carbon energy and ensure that impact of the site on air quality is acceptable, such as:

- a) Renewable and low carbon energy to provide a proportion of the site's energy use;
- b) Measures to ensure that residents, employees and businesses are encouraged to travel in the most sustainable fashion, including travel plans, information, car clubs, lift-sharing and infrastructure for low emission vehicles;
- c) Measures to encourage the sustainable treatment of waste;
- d) Measures to manage the impacts of construction;
- e) Offsite tree planting where sufficient cannot be accommodated onsite;
- f) Energy improvements to existing buildings; and
- g) Other measures to capture or mitigate carbon emissions and air quality impacts from development.

## **Policy CU12 East Cullompton Phasing**

A phasing strategy will be required for the development of East Cullompton to ensure that the development and infrastructure come forward in step, minimising the impact of development while ensuring that the development remains viable. The strategy should take account of the following requirements, variation of which will have to be carefully justified. Development shall be subject to the following:

- a) Provision of affordable housing will be broadly in step with the market housing;
- b) Provision of all serviced self-build plots after strategic highways infrastructure has been completed;
- c) Provision of commercial development in step with housing, at a rate of at least 1 hectare per 500 occupied dwellings;
- d) Provision of strategic green infrastructure broadly in step with development, with public open space provided at a rate of at least 1 hectare per 150 dwellings or phased to deliver a larger area of multi-functional public open space at a suitable stage in the development;
- e) Implementation of bus service improvements in step with housing development, provided in appropriate instalments;
- f) Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site; and
- g) Transfer of serviced land together with right of access for primary school(s) at no cost to the Local Education Authority prior to the first occupation of residential development, with necessary funding to construct the facilities being paid to the Local Education Authority in appropriate instalments.

- 1.6. The Mid Devon Local Plan (2013 – 2033) has been subject to a Sustainability Appraisal (SA), which has incorporated a Strategic Environmental Assessment (SEA). The Local Plan has also been subject to a Habitat Regulations Assessment.

### *Status of the East Cullompton Urban Extension Masterplan SPD*

- 1.7. The East Cullompton Urban Extension Masterplan SPD will be adopted by the Council as a Supplementary Planning Document. The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

## **2.0 Habitat Regulations Assessment**

- 2.1. A Habitat Regulations Assessment (HRA) refers to the several distinct stages of Assessment. These must be undertaken in accordance with the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation of Offshore Marine Habitats and

Species Regulations 2017 (as amended) to determine whether a plan or project may affect the protected features of a European site ('habitats site') identified under these regulations before deciding whether to undertake, permit or authorise it.

- 2.2. All plans and projects which are not directly connected with, or necessary for, the conservation management of a habitat site, require consideration of whether the plan or project is likely to have significant effects on that site. This consideration is typically referred to as the 'Habitats Regulations Assessment screening' and should take into account the potential effects both of the plan/project itself and in combination with other plans or projects.
- 2.3. Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the plan or project for that site, in view of the site's conservation objectives must be undertaken. A plan or project may be agreed to only after having ruled out adverse effects on the integrity of the habitats site. Where an adverse effect on the site's integrity cannot be ruled out, and where there are no alternative solutions, the plan or project can only proceed if there are imperative reasons of overriding public interest and if the necessary compensatory measures can be secured.
- 2.4. In April 2018, the Court of Justice of the European Union delivered its judgement in Case C-323/17 People Over Wind & Peter Sweetman v Coillte Teoranta ('People over Wind'). The judgment clarified that making screening decisions as part of the HRA and for the purposes of deciding whether an appropriate assessment is required, mitigation measures cannot be taken into account. Mitigation measures intended to avoid or reduce the harmful effects of a plan or project can only be taken into account at the appropriate assessment stage.

### 3.0 Habitats site

- 3.1. A Habitats site refers to any site which would be included within the definition at regulation 8 of the Conservation of Habitats and Species Regulations 2017 for the purpose of those regulations, including candidate Special Areas of Conservation, Sites of Community Importance, Special Areas of Conservation, Special Protection Areas and any relevant Marine Sites.
- 3.2. There are no Habitats sites within Mid Devon although there are 11 such sites within 10km (Table 1), the closest being the Culm Grasslands SAC which lies immediately adjacent to the north western boundary of Mid Devon District.

Table 1: Habitats Sites within 10km of Mid Devon District

Special Areas of Conservation (SACs)	Special Protection Areas (SPAs)	Ramsar Sites
<ul style="list-style-type: none"> <li>East Devon Pebblebed Heaths</li> <li>Culm Grasslands</li> <li>South Dartmoor Woods</li> </ul>	<ul style="list-style-type: none"> <li>Exe Estuary</li> <li>East Devon Heaths</li> </ul>	<ul style="list-style-type: none"> <li>Exe Estuary</li> </ul>

Special Areas of Conservation (SACs)	Special Protection Areas (SPAs)	Ramsar Sites
<ul style="list-style-type: none"> <li>• Holme Moor and Clean Moore</li> <li>• Dartmoor</li> <li>• Exmoor Heaths</li> <li>• Quants</li> <li>• Exmoor and Quantock Oakwoods</li> </ul>		

- 3.3. Small parts to the East of the Mid Devon District also fall within the Somerset Levels and Moor Ramsar Tone Catchment area, for which Natural England has set out advice explaining how plans or projects with the potential to have nutrient impacts on Habitats site should be considered when making decisions in relation to planning.

#### *Potential Impacts on Habitats Site*

- 3.4. There are a number of categories that can affect Habitats Sites which include:

- Physical Loss
- Physical Damage
- Non-physical disturbance
- Water table/availability
- Toxic contamination
- Non-toxic contamination
- Biological disturbance

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

- 4.1. As the competent authority under The Conservation of Habitats and Species Regulations (2010) (now 2017 as amended) Mid Devon District Council has been required to assess its Local Plan 2013-2033 as part of the HRA process.
- 4.2. A full HRA Report for the Mid Devon Local Plan 2013-2033 was undertaken March 2015 and related to the Publication Draft version of the Local Plan. This concluded that adverse effects on the integrity of European sites (referred to in this report as Habitats sites) around Mid Devon from policy and site options in the new Local Plan, either alone or in combination with other plans, will not occur.
- 4.3. Two HRA Addenda were prepared in 2016. The first (dated August 2016) was prepared in order to update the findings of the March 2015 HRA Report in light of changes to the supply of housing and employment land that were made in the Submission version of the Local Plan. The HRA Addendum screened the changes to policies in the Local Plan and concluded that, for each change, the screening conclusions of the March 2015 HRA Report would have been the same and the same Appropriate Assessment work would therefore have been undertaken. The second HRA Addendum (December 2016) presented Appropriate

Assessment work that was undertaken in relation to potential air pollution impacts on the Culm Grasslands SAC that could result from development at Junction 27 and the associated additional housing required.

- 4.4. A third HRA Addendum was prepared in October 2019 which presented an assessment of the proposed Main Modifications raised by the Planning Inspector appointed by the Secretary of State to undertake the independent examination of the Mid Devon Local Plan (2013-2033). This concluded that the HRA for the Mid Devon Local Plan remain that the Local Plan (taking into account the Proposed Main Modifications) is not likely to have adverse effects on the integrity of European sites (referred to in this report as Habitats sites), either alone or in-combination with other plans or projects.
- 4.5. Subsequent to this conclusion in the Local Plan 2013-2033 HRA, new advice on the potential to have nutrient impacts on Habitats sites was received in 2020 from Natural England in light of a court Judgement (known as Dutch N). Of relevance to Mid Devon District this identified the Somerset Levels and Moors Ramsar Tone Catchment, in which small areas to the East of the District falls within the 'area of risk' Tone Catchment. Development types that require a HRA to determine the impacts on this Habitat Site include:
- New residential units – including tourist accommodation, gypsy sites/pitches
  - Commercial developments – where overnight accommodation is provided
  - Agricultural Development – additional barns, slurry stores etc. where it is likely to lead to an increase in herd size
  - Prior Notifications of agricultural development where, as a result of development, the herd size may increase. Prior notifications for change of use of office to dwellings and agricultural buildings to dwellings
  - Anaerobic Digesters
  - Some tourism attractions
- 4.6. No relevant types of development that could affect the Somerset Levels and Moors Ramsar are allocated within the Mid Devon Local Plan and DM28 sets out that where development proposals are likely to have a significant effect on a European site an Appropriate Assessment will be required. In which case, planning permission will be refused unless it has been ascertained that with mitigation measures in place the development will not adversely affect the integrity of the site.

## **5.0 East Cullompton Urban Extension Masterplan SPD HRA Screening**

- 5.1. In taking into account the Mid Devon Local Plan 2013-2033 HRA screening, likely significant effects for the East Cullompton Urban Extension Masterplan on European Sites remain uncertain. The site allocation is located some distance from the nearest European sites and does not fall within the nutrient area of risk catchment area relevant to the Somerset Levels and Moors Ramsar.

- 5.2. While the Local Plan includes a number of policies which should mitigate the potential impacts of development at Cullompton these cannot be taken into account at the screening stage in line with *People Over Wind & Peter Sweetman v Coillte Teoranta C-323/17* Case.
- 5.3. The East Cullompton Urban Extension in combination with the other Cullompton allocations identified in the Local Plan would result in fairly large-scale development at the town which could affect European sites through increased pressure for recreation space and increased vehicle traffic in particular. Non-physical disturbance from development (e.g. noise, vibration and light pollution) would not be expected as a result of development at Cullompton, due to the distance from European sites. However for the reason of potential impact identified through recreation pressure and increased vehicle traffic, in-line with the Local Plan HRA, it is not possible to rule out the possibility of likely significant effects associated with East Cullompton Urban Extension Masterplan. Therefore an Appropriate Assessment has been undertaken as set out below.

## **6.0 Appropriate Assessment**

- 6.1 Policies in the Mid Devon Local Plan have already been subject to HRA Appropriate Assessment which concluded that the Mid Devon Local Plan will not have adverse effects on the integrity of European sites (Habitats sites), either alone or in-combination with other plans or projects.
- 6.2 The East Cullompton Urban Extension Masterplan SPD does not introduce new policies or proposals outside the scope of the Local Plan. The East Cullompton Urban Extension Masterplan SPD does not result in development itself but seeks to guide development in the allocated area and falls within the parameters of policies CU7-CU12 of the Mid Devon Local Plan including the proposed number of total dwellings. For the above reasons the findings and results of the HRA for the Local Plan 2013-2033 are applicable for the Appropriate Assessment of the East Cullompton Urban Extension Masterplan SPD.

### *Recreation Pressure*

- 6.3 In considering the identified possible impact of increased pressure for recreation space, many of the European sites around Mid Devon are vulnerable to the effects of erosion/trampling from recreation (e.g. heathland habitats) and several sites include birds and other qualifying species that could be affected by disturbance, in particular the sites to the south of Mid Devon (Exe Estuary SPA and Ramsar Site, East Devon Pebblebed Heaths SAC and East Devon Heaths SPA).
- 6.4 However, the distance of most European sites around Mid Devon from the District, and in particular the locations that will be the main focus of development (Tiverton, Crediton and Cullompton) means that a significant increase in day-to-day visitor numbers at any of the European sites for activities such as dog walking is not considered likely.
- 6.5 While there may still be some increase in visits to sites such as Dartmoor SAC, South Dartmoor Woods SAC and the East Devon Heaths SAC which are known to be popular visitor destinations, there are a wide range of mitigation measures already in place, for example through the Dartmoor National Park Management Plan and the South East Devon European

Site Mitigation Strategy that should help to avoid adverse effects. In addition, policies within the Local Plan will help to ensure that green infrastructure is included within development sites.

- 6.6 In October 2019 a HRA Addendum presented an assessment of the proposed Main Modifications raised by the Planning Inspector appointed by the Secretary of State to undertake the independent examination of the Mid Devon Local Plan (2013-2033). This concluded that the HRA for the Mid Devon Local Plan remain, that the Local Plan (taking into account the Proposed Main Modifications) is not likely to have adverse effects on the integrity of European sites (referred to in this report as Habitats sites), either alone or in-combination with other plans or projects.
- 6.7 Therefore, it is concluded that the East Cullompton Urban Extension Masterplan SPD proposals, alone or in-combination with other plans and proposals will not have an adverse effect on the integrity of European sites as a result of increased recreation pressure.

#### *Vehicle Traffic*

- 6.8 Air pollution from traffic is most likely to affect European sites which have plant, soil and water habitats amongst their qualifying features but some qualifying animal species may also be directly affected, or indirectly affected by deterioration in habitat. Therefore, where European sites do not include species that are vulnerable to these impacts amongst their qualifying features, air pollution-related effects can be ruled out. The qualifying heathland habitats of the Culm Grassland SAC are known to be vulnerable to the effects of air pollution and due to its proximity to a strategic road (A361), it was identified in the HRA for the Mid Devon Local Plan as having the potential to be affected by air pollution as a result of proposals in the Local Plan.
- 6.9 Nitrogen dioxides (NO<sub>x</sub>) are considered to be the key pollutants from traffic emissions. Deposition of nitrogen compounds may lead to both soil and freshwater acidification, and NO<sub>x</sub> can cause eutrophication of soils and water.
- 6.10 For the Culm Grasslands SAC, in considering the identified possible impact of increased vehicle traffic, the Local Plan Appropriate Assessment included a transport model used to obtain traffic data for assessment year of 2033 i.e. the end of the Local Plan period, when all of the development in the Local Plan are likely to be completed and occupied, and the traffic impacts will be greatest. The Appropriate Assessment of air pollution effects on the Culm Grasslands SAC found that the combination of Local Plan allocations would increase NO<sub>x</sub> levels immediately adjacent to the A361, over the plan period. However, the effects would be very localised within the SAC. A negligible increase in nutrient nitrogen and acid nitrogen deposition would occur from the Mid Devon Local Plan 2013-2033, although critical loads for these are already being exceeded and will continue to do so in 2022, despite expected decreases in background concentrations. The most appropriate mitigation for the effects of air pollution at the Culm Grasslands SAC is to target agricultural sources of nitrogen (which is outside the remit of the Local Plan), although improvements to vehicle emissions nationally, and sustainable transport initiatives, for example those encouraged in the Local Plan, will also contribute to the mitigation of impacts on the SAC's qualifying features. It was concluded that

the Local Plan proposals would not have an adverse effect on the integrity of the Culm Grasslands SAC.

- 6.11 In October 2019 a HRA Addendum presented an assessment of the proposed Main Modifications raised by the Planning Inspector appointed by the Secretary of State to undertake the independent examination of the Mid Devon Local Plan (2013-2033). This concluded that the HRA for the Mid Devon Local Plan remain, that the Local Plan (taking into account the Proposed Main Modifications) is not likely to have adverse effects on the integrity of European sites (referred to in this report as Habitats sites), either alone or in combination with other plans or projects.
- 6.12 Therefore, it is concluded that the East Cullompton Urban Extension SPD proposals, alone or in combination with other plans and proposals will not have an adverse effect on the integrity of European sites as a result of increased vehicle traffic.

#### *Appropriate Assessment Conclusion*

- 6.13 The Appropriate Assessment considers in detail the potential impact identified at the HRA screening stage i.e. recreation pressure and increased vehicle traffic. From these findings it is concluded that the East Cullompton Urban Extension Masterplan SPD proposals, alone or in combination with other plans and proposals will not have an adverse effect on the integrity of European sites.

## **7.0 Conclusion**

- 7.1 The East Cullompton Urban Extension in-combination with the other Cullompton allocations identified in the Local Plan would result in fairly large-scale development at the town which could affect European sites through increased pressure for recreation space and increased vehicle traffic in particular. Non-physical disturbance from development (e.g. noise, vibration and light pollution) would not be expected as a result of development at Cullompton due to the distance from European sites. However for the reason of potential impact identified through recreation pressure and increased vehicle traffic, in-line with the Local Plan HRA, it was not possible to rule out the possibility of likely significant effects associated with East Cullompton Urban Extension Masterplan.
- 7.2 An Appropriate Assessment was undertaken in which the findings and results of the HRA for the Local Plan 2013-2033 were applicable for the Appropriate Assessment of the East Cullompton Urban Extension Masterplan SPD given that the SPD does not introduce new policies or proposals outside the scope of the Local Plan and the SPD does not result in development itself but seeks to guide development in the allocated area and falls within the parameters of policies CU7-CU12 of the Mid Devon Local Plan including the proposed number of total dwellings.
- 7.3 For the above reasons the findings and results of the HRA for the Local Plan 2013-2033 were applicable for the Appropriate Assessment of the East Cullompton Urban Extension Masterplan SPD. The Appropriate Assessment considered in detail the potential impact identified at the HRA screening stage i.e. recreation pressure and increased vehicle traffic. It concluded that the East Cullompton Urban Extension Masterplan SPD proposals, alone or in combination with other plans and proposals will not have an adverse effect on the integrity of European sites as a result of increased recreation pressure or vehicle traffic from the new Local Plan. From these findings it is concluded that the East Cullompton Urban Extension

Masterplan SPD proposals, alone or in-combination with other plans and proposals will not have an adverse effect on the integrity of European sites.

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## **Draft East Cullompton Urban Extension Supplementary Planning Document**

### **Strategic Environmental Assessment Screening Report**

**July 2022**

# East Cullompton Masterplan Supplementary Planning Document (SPD)

## 1.0 East Cullompton Masterplan

### *Purpose, scope and content*

- 1.1. The East Cullompton Urban Extension Masterplan bridges the gap between high level policy aspirations and delivery on the ground. This is to ensure that the development achieves high quality design and sense of place in a coordinated manner.

- 1.2. The Masterplan is set out in 6 Sections. A brief description of each part is provided below:

#### Introduction

This sets out the background, location of development and purpose of the SPD.

#### Vision

This sets out the vision and overarching principles for the development at East Cullompton.

#### Influences

This outlines the policy context and factors that have influenced the Masterplan SPD.

#### Understanding the Place

This provides the site and landscape context and site constraints and opportunities.

#### Masterplan Framework

This sets out the spatial framework for the masterplan, broken down into activity, landscape, mobility, placemaking and infrastructure, delivery and phasing.

#### Growing East Cullompton

The last section gives an indication of how the East Cullompton allocation could grow into Culm Garden Village should that project proceed.

### *Relationship with the National Planning Policy*

- 1.3. The National Planning Policy Framework (2021), in 'Identifying Land for Homes' paragraph 72 sets out the following:

*"The supply of large numbers of new homes can often be best achieved through planning for larger scale development, such as new settlements or significant extensions to existing villages and towns, provided they are well located and designed, and supported by the necessary infrastructure and facilities. Working with the support of their communities, and with other authorities if appropriate, strategic policy-making authorities should identify suitable locations for such development where this can help to meet identified needs in a sustainable way. In doing so, they should:*

- a) consider the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains;*
- b) ensure that their size and location will support a sustainable community, with sufficient access to services and employment opportunities within the development itself (without expecting an unrealistic level of self-containment), or in larger towns to which there is good access;*
- c) set clear expectations for the quality of the development and how this can be maintained (such as by following Garden City principles), and ensure that a variety of homes to meet the needs of different groups in the community will be provided;*
- d) make a realistic assessment of likely rates of delivery, given the lead-in times for large scale sites, and identify opportunities for supporting rapid implementation (such as through joint ventures or locally-led development corporations); and*
- e) consider whether it is appropriate to establish Green Belt around or adjoining new developments of significant size."*

- 1.4. East Cullompton Urban Extension was identified as part of the Mid Devon Local Plan Review (2013-2033) as an urban extension to Cullompton town as it is considered to be well located and supported by the necessary infrastructure and facilities. Policies CU7-CU12 are consistent with the National Planning Policy Framework. The East Cullompton Urban Extension Masterplan SPD provides further detail on the opportunities presented by existing or planned investment in infrastructure, the area's economic potential and the scope for net environmental gains. It ensures the community has sufficient access to services and employment opportunities within the development itself as well as setting out clear expectations for the quality of the development to ensure there are a variety of homes to meet the needs of different groups in the community. It also makes a realistic assessment of likely rates of delivery.

*Relationship with the Mid Devon Local Plan*

- 1.5. The adopted Mid Devon Local Plan 2013-2033 ("Local Plan") Policies CU7-CU12 East Cullompton Urban Extension provide the policy baseline for the more detailed guidance included in the East Cullompton Urban Extension Masterplan SPD:

**Policy CU7 East Cullompton**

A site of 160 hectares to the East of Cullompton is allocated for mixed use development subject to the following:

- a) 1,750 dwellings within the plan period and further development of at least 850 dwellings post 2033;
- b) 28% affordable housing to include extra care housing and at least ten pitches for gypsies and travellers, subject to viability;
- c) 5% of housing to be provided as serviced plots for sale to self-builders;

- d) 20,000 square metres commercial floorspace within the plan period and a further 12,000 post 2033, to include a care home or retirement complex, appropriately scaled retail development and other suitable uses such as offices and a hotel or leisure development;
- e) Provision of at least 40 hectares strategic green infrastructure;
- f) Provision of transport improvements to ensure safe and suitable access for all modes, including necessary capacity improvements to M5 Junction 28 and pedestrian and cycling links across the motorway to the existing town;
- g) Environmental protection and enhancement and noise mitigation where necessary;
- h) Assessment of land contamination and remediation if necessary;
- i) Land and facilities for community use including a new primary school to meet local needs arising;
- j) Contributions towards expansion of local secondary education facilities to meet needs arising;
- k) Carbon reduction and air quality improvements;
- l) Archaeological investigation and appropriate mitigation;
- m) An agreed phasing strategy to bring forward development and infrastructure in step and retain the overall viability of development; and
- n) Comprehensive Masterplanning of the development including at least two stages of public consultation and adoption of the Masterplan as a Supplementary Planning Document, before any planning application is determined.

#### **Policy CU8 East Cullompton Transport Provision**

As part of the development of East Cullompton, contributions towards or delivery of the following transport infrastructure will be provided by all new development within the site:

- a) Capacity improvements at Junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site;
- b) Provision of appropriate highway improvements on roads around the development to ensure any unacceptable traffic impacts are mitigated;
- c) Reopening of Cullompton Railway Station;
- d) Provision of a network of streets linking to the existing highway network, and appropriate mitigation to reduce impacts on the existing road network such as Honiton Road;

- e) Provision of bus, pedestrian and cycle routes at appropriate locations throughout the development, creating an attractive, permeable network for non-car modes travelling within, into and out of the area;
- f) Safe and attractive cycle and pedestrian links to and from the town centre and within the mixed-use urban extension;
- g) Creation of safe and attractive pedestrian and cycle links between the development and the Kingsmill Industrial Estate;
- h) Implementation of travel plans and other non-traditional transport measures to minimise carbon footprint and air quality impacts;
- i) Bus service enhancements within, into and out of, the mixed-use urban extension, linking to Cullompton town centre;
- j) Bus service enhancements between Cullompton, Exeter, Tiverton Parkway and Tiverton.

#### **Policy CU9 East Cullompton Environmental Protection and Green Infrastructure**

As part of the development of East Cullompton, the following environmental protection and enhancement measures will be implemented at the expense of all new development within the site:

- a) Measures to protect and enhance trees, hedgerows and other environmental features which contribute to the character and biodiversity, maintaining a wildlife network within the site and linking to the surrounding countryside;
- b) An area of 40 hectares for strategic green infrastructure, laid out and managed with an appropriate mix of public parkland, open space, landscaping and local nature reserve;
- c) Areas of equipped and laid out public open space, totalling 0.4 hectares of equipped children's play, 0.12 hectares for teenage facilities, 6 hectares amenity green space, 9 hectares of parks, sports and recreation grounds, and 1.5 hectares of allotments;
- d) Protection and enhancement where possible of existing Public Rights of Way;
- e) Appropriate screening and landscaping for properties adjacent to the M5;
- f) Appropriate provision of a sewerage system to serve the development and a strategically designed, and phased, Sustainable Urban Drainage Scheme to deal with all surface water from the development and arrangements for future maintenance;
- g) A strategic landscaping and tree planting scheme to mitigate landscape impact, protect the setting of the Blackdown Hills Area of Outstanding Natural Beauty, and enhance biodiversity and the character of development; and
- h) Design solutions which respect the settings of listed buildings adjoining the site.

### **Policy CU10 East Cullompton Community Facilities**

As part of the development of East Cullompton, the following community infrastructure will be provided at the expense of all new development within the site:

- a) A serviced site of 2.5ha for a new 630 place primary school, or alternatively 3ha of serviced land in two parcels of 1.1ha and 1.9ha appropriately located for the delivery of two new primary schools, at no cost to the Local Education Authority;
- b) A site of 2 hectares for a shopping and community centre, and the provision of a multi-purpose community building for youth, children and other community uses;
- c) Construction costs for a primary school capacity of at least 630 places plus additional early years provision, including the requisite land to deliver these facilities. The required primary school capacity should be delivered through the provision of either one or two schools;
- d) Contributions towards the expansion of secondary education facilities in the local area;
- e) Contributions towards the expansion or improvement of local library services
- f) Contribution towards sporting and leisure facilities; and
- g) Contributions towards a new recycling centre to serve Cullompton.

### **Policy CU11 East Cullompton Carbon Reduction and Air Quality**

The development of East Cullompton will be required to implement a Carbon Reduction and Low Emissions Strategy at the expense of all new development in the site. This will propose measures to minimise the overall carbon footprint of the development, making provision for sources of decentralised onsite renewable or low-carbon energy and ensure that impact of the site on air quality is acceptable, such as:

- a) Renewable and low carbon energy to provide a proportion of the site's energy use;
- b) Measures to ensure that residents, employees and businesses are encouraged to travel in the most sustainable fashion, including travel plans, information, car clubs, lift-sharing and infrastructure for low emission vehicles;
- c) Measures to encourage the sustainable treatment of waste;
- d) Measures to manage the impacts of construction;
- e) Offsite tree planting where sufficient cannot be accommodated onsite;
- f) Energy improvements to existing buildings; and
- g) Other measures to capture or mitigate carbon emissions and air quality impacts from development.

## **Policy CU12 East Cullompton Phasing**

A phasing strategy will be required for the development of East Cullompton to ensure that the development and infrastructure come forward in step, minimising the impact of development while ensuring that the development remains viable. The strategy should take account of the following requirements, variation of which will have to be carefully justified. Development shall be subject to the following:

- a) Provision of affordable housing will be broadly in step with the market housing;
- b) Provision of all serviced self-build plots after strategic highways infrastructure has been completed;
- c) Provision of commercial development in step with housing, at a rate of at least 1 hectare per 500 occupied dwellings;
- d) Provision of strategic green infrastructure broadly in step with development, with public open space provided at a rate of at least 1 hectare per 150 dwellings or phased to deliver a larger area of multi-functional public open space at a suitable stage in the development;
- e) Implementation of bus service improvements in step with housing development, provided in appropriate instalments;
- f) Capacity improvements at junction 28 M5 to deliver a strategic highway improvement as demonstrated by capacity studies completed to assess the impact of the traffic generated from the site; and
- g) Transfer of serviced land together with right of access for primary school(s) at no cost to the Local Education Authority prior to the first occupation of residential development, with necessary funding to construct the facilities being paid to the Local Education Authority in appropriate instalments.

- 1.6. The Mid Devon Local Plan (2013 – 2033) has been subject to a Sustainability Appraisal (SA) which has incorporated a Strategic Environmental Assessment (SEA). The Local Plan has also been subject to a Habitat Regulations Assessment.

### *Status of the East Cullompton Urban Extension*

- 1.7. The East Cullompton Urban Extension Masterplan SPD will be adopted by the Council as a Supplementary Planning Document. The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

## **2.0 SEA and SEA Screening**

### *Strategic Environmental Assessment*

- 2.1. The requirement for a Strategic Environmental Assessment (SEA) arises from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (hereafter referred to as the SEA Directive). This has been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the ‘SEA Regulations’). This legislation places an obligation on local authorities to undertake SEA on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects.

### *Screening*

- 2.2. The 2008 Planning Act has removed the requirement to undertake a Sustainability Appraisal (SA) for an SPD. However, this has not replaced the requirement to establish whether an SPD requires Strategic Environmental Assessment (SEA). SEA is required in some limited situations where a Supplementary Planning Document (SPD) could have significant environmental effects.
- 2.3. In order to establish whether SEA is required the fundamental consideration is whether the document is likely to have ‘significant environmental effects’. This is done through a screening assessment. If the screening assessment indicates that there could be significant effects, an SEA is needed.
- 2.4. A Practical Guide to the SEA Directive was published by the Department of the Environment, Office of the Deputy Prime Minister (2005). This sets out practical guidance on applying the SEA Directive on the assessment of the effects of certain plans and programmes on the environment. The practical guidance includes a flow chart (figure 2) which illustrates the process for screening a planning document to establish whether a full SEA is needed.

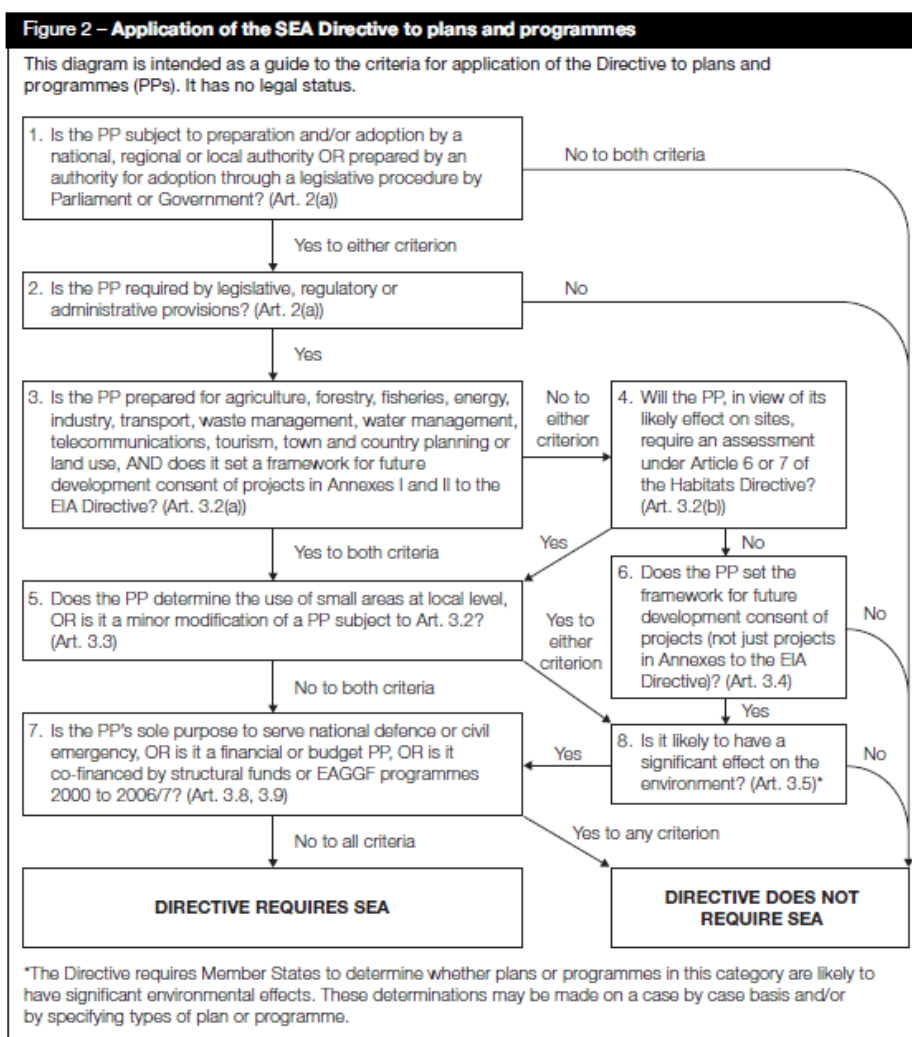


Diagram 1: Application of the SEA Direct to plans and programmes (Figure 2 extracted from 'A practical guide to the Strategic Environmental Assessment Directive')

2.5 Table 1 below sets out the Council's response to the above questions in order to clearly assess the whether there is a requirement for the East Cullompton Eastern Urban Extension Masterplan SPD to be subject a full SEA.

2.6 Table 2 provides the Council's assessment of likely significant effects of the East Cullompton Urban Extension Masterplan SPD on the environment, in accordance with the screening report process in Table 1.

**Table 1: Screening of the East Cullompton Urban Extension Masterplan SPD**

Stage	Y/N	Reason
1. Is the SPD subject to preparation and/or adoption by a national, regional or local authority OR prepared by an authority for adoption through a legislative	Y	The preparation and adoption of the SPD is allowed under the Town and Country Planning Act 1990. The process in preparing the SPD is in accordance with the Town and Country Planning (Local Planning) Regulations 2012.

Stage	Y/N	Reason
procedure by Parliament or Government? (Art.2(a))		<b>Go to STAGE 2</b>
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	<p>Although the SPD is not a requirement under the provisions of the Town and Country Planning Act 1990, if adopted it will add further detail to the policies in the Local Plan and will be a material consideration in planning decisions. It is therefore important that the screening process is precautionary and considers whether it is likely to have significant environment effects and hence whether SEA is required under the Directive.</p> <p><b>Go to STAGE 3.</b></p>
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Y	<p>The SPD has been prepared for the purposes of town and country planning. It supplements policies in the Mid Devon Local Plan (2013-2033) by providing detailed guidance as to how these policies are interpreted in relation to the site allocation East Cullompton Urban Extension.</p> <p>The area covered comprises approx. 160ha to provide approx. 1,750 dwellings within the plan period and further development of at least 850 dwellings post2033. Although the SPD does not create new policy or identity specific sites for development.</p> <p><b>Go to STAGE 5</b></p>
4. Will the SPD, in view of this likely effect on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))	N/A	The SPD has been subject to a separate Habitat Regulations Assessment screening which has concluded the SPD is not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.
5. Does the SPD determine the use of small areas at local level, OR is it a minor modification of a plan or programme subject to Art 3.2? (Art.3.3)	Y	<p>The SPD will be material consideration in planning applications for new developments. It provides detailed guidance to adopted Local Plan policy (minor modification).'</p> <p><b>Go to STAGE 8</b></p>
6. Does the SPD set the framework for future development consent of projects (not just projects in Annexes to the EIA Directive)? (Art. 3.4)	N/A	
7. Is the SPD's sole purpose to serve national defence or civil emergency, OR is it a financial or budget plan or programme, OR is it co-financed by structural funds or EAGGF	N/A	

Stage	Y/N	Reason
programmes 2000 to 2006/7? (Art. 3.8, 3.9)		
8. Is it likely to have a significant effect on the environment? (Art. 3.4)	N	See Part 2, assessment of the likely significant effects on the environment. This concludes that the SPD is unlikely to have a significant effect on the Environment.  <b>DIRECTIVE DOES NOT REQUIRE SEA</b> of the SPD

**Table 2: Determining the likely significance of effects of the East Cullompton Urban Extension Masterplan SPD on the environment**

Criteria specified schedule 1 SEA Regulations	Likely significant environmental effect (Y/N)	Reason
1. The characteristics of plans and programmes, having regard, in particular, to -		
a) The degree to which the SPD sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	N	The SPD, if adopted will help implement the relevant East Cullompton Urban Extension policies of the Local Plan and therefore contribute to the framework for future development consent. The Local Plan has been subject to Sustainability Appraisal (SA) and therefore SEA.
b) The degree to which the SPD influences other plans and programmes including those in a hierarchy;	N	The SPD is in conformity with the National Planning Policy Framework and Mid Devon Local Plan 2013-2033 policies. The SPD will not significantly influence other plans and programmes, it supplements the Local Plan which has been subject to SA and therefore SEA.
c) The relevance of the SPD for the integration of environmental considerations in particular with a view to promoting sustainable development;	N	The SPD will help the integration of environmental considerations with a view to promoting sustainable development as part of the development proposals. This includes retention of hedgerows and trees within the development as well as green spinal corridors, areas of open space, allotment and orchards.
d) Environmental problems relevant to the SPD; and	N	The environmental problems are consistent with those set out in the relevant East Cullompton Urban Extension policies in the Local Plan which include flood risk, biodiversity and landscape. Planning policy in relation to these environmental

Criteria specified schedule 1 SEA Regulations	Likely significant environmental effect (Y/N)	Reason
		<p>problems is principally established through the National Planning Policy Framework and the Mid Devon Local Plan Review.</p> <p>However, the SPD provides specific guidance on existing ecology (fauna and flora) and how net gains will be achieved through long term management and maintenance including planting of native species and managed water runoff etc.</p>
e) The relevance of the SPD for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection)	N	The SPD is not directly relevant to the implementation of European legislation including the Water Framework Directive.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -		
a) The probability, duration, frequency and reversibility of the effects;	N	The SPD has an overarching vision for an attractive and well-designed green garden neighbourhood. This will ensure the development has positive social and environmental impacts. Long-term significant adverse effects are not anticipated.
b) The cumulative nature of the effects;	N	The SPD is in conformity with the strategic policies in Local Plan 2013-2033 and it is intended that the effects will have a positive cumulative effect in the area enhancing biodiversity, achieving ecological net gain and sense of well-being for future residents.
c) The transboundary nature of the effects	N	There are not expected to be any significant trans-boundary effects. The SPD seeks to provide good practice in the delivery of Green Infrastructure, and its long term management and maintenance for ecological net gain.
d) The risks to human health or the environment (for example, due to accidents);	N	The SPD is likely to have a positive impact on human health by encouraging high quality accommodation and development. There are no significant risks to human health.
e) The magnitude and spatial extent	N	The SPD is limited to approx. 2600

Criteria specified schedule 1 SEA Regulations	Likely significant environmental effect (Y/N)	Reason
of the effects (geographical area and size of the population likely to be affected);		dwellings (estimated population at 2.4 occupants per dwelling: 6,240).
f) The value and vulnerability of the area likely to be affected due to – (i) Special nature characteristics or cultural heritage; (ii) Exceeded environmental quality standards or limit values; or (iii) Intensive land-use	N	Previous work has revealed a number of areas of archaeological potential. There are a number of Listed Buildings and built features in reasonable proximity. The SPD seeks a positive approach to maintain, or improve the setting of these assets through careful consideration of landscape and settlement form. The SPD seeks to guide development in keeping with the principles of national, regional and local strategic policy and seek to prevent over intensive development.
g) The effects on areas or landscapes which have a recognised natural, Community or international protection status.	N	The site is within 2 miles of the Blackdown Hill AONB. Although this development is highly unlikely to adversely affect this protected landscape, the SPD falls within the framework of the Local Plan which includes Policy DM27 protecting landscapes.

### 3.0 Conclusions

- 3.1 This SEA screening has identified that the draft East Cullompton Urban Extension Masterplan SPD is unlikely to have significant effects on the environment.
- 3.2 The SEA screening has also found that there is no requirement for the East Cullompton Urban Extension Masterplan SPD to be subject to a full SEA.

### 4.0 Next steps

- 4.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.
- 4.2 The screening opinion will be published alongside the Draft East Cullompton Urban Extension Masterplan SPD and will also be subject to public consultation.

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## **CABINET 9 AUGUST 2022**

### **THREE WEEKLY WASTE COLLECTION SCHEME – CABINET IMPLEMENTATION UPDATE JULY 22**

**Cabinet Member(s):** Cllr Colin Slade, Cabinet member for the Environment and Climate Change

**Responsible Officer(s):** Darren Beer, Operations Manager for Street Scene  
Matthew Page, Corporate Manager for People, Governance and Waste

**Reason for Report:** To provide an update to Cabinet and review the operational arrangements for rolling out the three weekly bin collection scheme in October 2022.

**Recommendation:** To note and approve the contents of this report.

**Financial Implications:** Moving to three weekly bin collections in October will see the better deployment of current resource to be able to serve additional household requirements.

**Budget and Policy Framework:** There will be budget implications with regards to moving to three weekly bin collections as already set out in previous reports and discussed at committee. Waste and recycling remains a statutory service provided to the residents of the District.

**Legal Implications:** Under Section 46 of the Environment Protection Act Waste Collections Authorities may be means of notice specify how householders present their waste for collection.

**Risk Assessment:** The Council is required to meet its Climate Emergency declaration ambitions and the targets set by the Government regarding refuse and recycling rates. The Council also has to meet the requirements of additional future housing developments which requires better deployment of current resource.

**Equality Impact Assessment:** The service will provide flexibility to residents to make it as accommodating as possible to ensure the smooth transition to three weekly bin collections. These steps are set out in the below report.

**Relationship to Corporate Plan:** The Corporate Plan sets out our commitment to reduce residual waste and increase recycling to reduce our carbon footprint and enable the District to hit net zero status.

**Impact on Climate Change:** The change to three weekly bin collections enables every household to make a vital contribution to the District in meeting its climate change commitments.

## 1.0 Introduction/Background

- 1.1 In February 2022 the Cabinet approved the decision to move to three weekly bin collections from the autumn of that year (and to allow an orderly transition to the new arrangements). The purpose of this paper is to give an update on the key components regarding the operational implementation of this decision.
- 1.2 A trial of the scheme was carried out last year in both urban and rural areas of the District between July and October 2021. The areas surveyed included Holcombe Rogus, Westleigh and the area around Canal Hill in Tiverton. The results of this were favourable with significant increases to recycling rates being demonstrated and positive feedback received from a subsequent residents' survey of the trial areas involved.
- 1.3 Moving to three weekly bin collections will help the District both reduce its residual waste collection and increase its recycling. This will help the District to reduce its carbon footprint and hit net zero status in the future. Each household in the District can make a positive contribution to the District reducing its carbon footprint by participating in the new scheme.
- 1.4 Mid Devon has committed to net zero carbon status by 2030 and is committed to increase recycling rates to 60% by 2025 and 65% by 2035 in line with both Devon and National targets. Currently, MDDC's recycling rate is hovering around 53%. This has remained fairly static for a number of years, which is in line with trends reported by the industry where waste collection authorities have not made major changes to their service. Of the authorities in Devon (2020-2021), East Devon achieved the highest recycling rate of 60%, who are the only council currently on three weekly waste collections, while Exeter City Council had the lowest at 27.8% and similar to the previous financial year as seen below:

Council	2019/20 Recycling Rate %	2020/21 Recycling Rate %
East Devon District Council	60.50%	60.00%
Exeter City Council	26.10%	27.80%
Mid Devon District Council	53.10%	53.70%
North Devon District Council	49.50%	49.40%
South Hams District Council	54.40%	54.70%
Teignbridge District Council	56.30%	55.90%
Torbay Council	40.40%	35.70%
Torridge District Council	54.10%	55.20%
West Devon Borough Council	53.70%	55.20%

## 2.0 Project plan and timetable update

- 2.1 New bins with attached hangers started being delivered to households in the District from Monday 18 July 2022 by Jett Distribution. District and Parish Councillors have received weekly updates regarding the progress of the scheme's implementation and there are regular updates on social media and printed media.

- 2.2 The roll out of three weekly bin collections will commence on Monday 10 October 2022.
- 3.0 **Bin roll-out and seagull sack distribution (including requests for extra capacity)**
- 3.1 Advance notice via social media was given to those areas that were about to gain their bin delivery and both District and Parish Councillors were given advanced notice to help them field any queries and questions, seeking support from officers if required.
- 3.2 All residents will receive a letter prior to delivery of the bins outlining the reasons for the new Bin-it 123 roll out and that they would shortly be receiving a new bin. There are also links to the FAQs and calendar look-up. The letter also explains how to request a seagull sack if residents are unable to accommodate a bin and how to request another bin for households that require extra capacity (for example, a household with a large number of residents and/or residents who have a medical condition). Included with the letter is a leaflet further detailing the three weekly bin collection scheme along with relevant fact and figures as well as commonly asked FAQs.
- 3.3 Each bin has a hanger attached to it which advertises the coming three weekly collection scheme and the purpose of the bin being delivered e.g. to facilitate three weekly collections, which are due to start in the autumn and the fact that residents can use their bin immediately.
- 3.4 Seagull sacks will be available on request for residents who, for example, have no outside storage space or have steps leading to their property. These can be ordered by contacting Customer First, or via the Mid Devon website.
- 3.5 Households that struggle to fit all their non-recyclable waste within the wheeled bin provided can request an extra bin through either Customer First or via the website.
- 3.6 Towns centres will have their bins delivered last to ensure proper consultation can take place with the town councils on how three weekly collections can take place, with sufficient bin capacity being maintained and effective waste and littering enforcement taking place.
- 3.7 The financial costs for the whole project are estimated to total £890k. This includes £750k for bins/seagull sacks and delivery to properties, £60k for communications and £80k in extra staffing. The projected savings from predominantly fuel but also vehicle hire and driver costs are around £160k per year. Note – This does not include any shared savings associated with DCC or any increased revenue from material sales.
- 4.0 **Communications plan**
- 4.1 There has been a series of media announcements and interviews with the Cabinet member for the Environment and Climate Change to raise awareness

of the forthcoming three weekly bin collection scheme. This will continue over the implementation period up to and including the 10 October 2022.

- 4.2 Included in the updates will be how residents can support more recycling with messages on what can be recycled and how to pack it down for increased capacity within the recycling boxes. There will also be messages regarding keeping all waste inside the new wheelie bins and measures to aid this.
- 4.3 There was a strong waste presence at the Mid Devon Show to promote the three weekly scheme, hand out leaflets and answer questions from the public.
- 4.4 All town councils will be written to and offered a briefing on the three weekly scheme to help with implementation in these areas.
- 4.5 As stated above, bin distribution to the town centres will happen last to ensure effective consultation with the towns can take place in realising these areas are likely to be the most challenging regarding implementation of the scheme.
- 4.6 A comprehensive leaflet outlining the early timetable for three weekly collections, when different bins will be collected and the waste (including food waste) and recycling to be put into different containers will be delivered in September 2022.
- 4.7 We have started to send a weekly email to members to give advanced notice of what will be taking place in the coming weeks to make them aware of key dates and milestones in the three weekly implementation plan. We are also sending this information to appropriate Parish and Town Councils.

## **5.0 FAQs and drop-in sessions at Carlu Close**

- 5.1 There is a comprehensive list of FAQs for the public available at [Bin It 123 - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/bin-it-123) and these are being regularly updated as new queries and questions come in from the public. Please do forward on any questions that you think need to be added to the list (and answered of course).
- 5.2 District Councillors have been invited to attend drop-in sessions at Carlu Close so the Operatives can talk them through what we do, how the depot works and invite questions from Members around the current and future provision of waste and recycling collections in Mid Devon.

## **6.0 Enforcement**

- 6.1 We realise that anxiety over increased littering and fly typing comes hand in hand with the introduction of a three weekly bin collection roll out. This anxiety is particularly prevalent in the towns and this is why we are consulting with them specifically over the implementation of this scheme.
- 6.2 The Council's Environment and Enforcement Manager, together with the District Officers (DOs), has organised increased patrolling of car parks and streets regarding litter and waste enforcement. This has included the roll out of evening patrols and the purchase of body cameras for DOs to protect their health and safety.

- 6.3 Statistics are being recorded on our enforcement performance and a paper was taken to the Environment PDG on the 19 July regarding the way forwards for enforcement practice.
- 6.4 Strengthened enforcement practice, coupled with enhanced education and support for our residents, should result in the successful roll out of three weekly bin collections.

## **7.0 Conclusion and next steps**

- 7.1 New Black Bins are currently being distributed to all households in the District with the new scheme set to start on Monday 10 October 2022. All residents will receive a letter outlining further details of the scheme together with a leaflet which contains the reasons for the new scheme, commonly asked questions and links to further information.
- 7.2 There will be regular follow up communication and reminders both through different media outlets but also with the Parish Councils (and Councillors). We will work with the Town Councils on how the scheme best operates, with bins being distributed in these areas last. We will work closely with town centre residents, particularly those who live in flats or who have communal collections, to deliver a tailored programme of education and communication to help bring about a successful transition to the new scheme. There is a dedicated page on the scheme on the Mid Devon website, which includes a list of updated FAQs to use.
- 7.3 Clearly, proactive communication and education will be paramount in delivering the resident engagement we need to make our new Bin-it 123 strategy a success and ensure we meet the recycling targets that are required, helping us move forward to our carbon zero ambitions.

**Contact for more Information: Darren Beer, Operations Manager for Street Scene** (dbeer@middevon.gov.uk)

**Circulation of the Report:** Cabinet and Leadership Team

### **List of Background Papers:**

Appendix 1 - Original paper tabled for Cabinet decision in February 2022 regarding approving the recommendation tabled by the PDG to move to three weekly bin collections.

Appendix 2 -The new Bin-it 123 logo

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## **WASTE AND RECYCLING OPTIONS**

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

**Reason for Report:** A decision was made at the Environment PDG November 2020 to conduct a trial to measure the effect of residual waste being collected at three weekly intervals. The report presents the findings from the trial which was carried out between July and October 2021.

### **RECOMMENDATIONS:**

- 1. Consider the options in the report**
- 2. Recommend to cabinet the preferred option – Option 2**

**Financial Implications:** Continuing with the current regime will ultimately incur additional costs to the council; the existing fleet is nearing capacity limit to accommodate present property numbers. Additional housing developments will mean that ultimately funding an extra vehicle and crew will become necessary.

A transition to collecting non-recyclable waste at three weekly intervals (Option 2) would enable the current property numbers to be serviced with a reduction of one vehicle. Modelling carried out by WYG Consultancy estimated this cost saving to be £143K per annum. For this option recycling was predicted to increase by 17.4%, however this increase occurred during the lockdown period March 2020 to August 2020 (prior to baseline measurement recording). The additional material has been accommodated within the current fleet.

Option 2 and 3 will incur a one off cost of circa £650K to provide and deliver wheeled bins. WYG predict that Options 3 and 4 (weekly recycling collections) will incur an annual cost of circa £950K.

**Budget and Policy Framework:** There will be budget implications with regards to any potential change in service and these are included in this report. Waste and recycling remains a statutory service provided to the residents of the district.

**Legal Implications:** Under Section 46 of the Environmental Protection Act Waste Collection Authorities may by means of notice specify how householders present their waste for collection.

**Risk Assessment:** The waste and recycling performance indicators are provided separately in the regular Performance and Risk Reports. There are risks if the Council does not take sufficient actions to enable it to meet its Climate Emergency declaration ambitions. Secondly that it does not meet the targets set by Government over the coming years and thirdly not meeting the future housing developments.

**Equality Impact Assessment:** The service continued to provide assisted collections according to the current policy and supplied customers with alternative containment if they were unable to manage or accommodate a wheeled bin. Provision for large families and other specific needs were addressed.

**Relationship to Corporate Plan:** This report identifies with the 'Environment' priority area of the Corporate Plan 2020-2024 *'increase recycling rates and reduce the amount of residual waste generated'*. Supporting and enabling customers to recycle and reduce residual waste contributes to Mid Devon District Councils' commitment to the Devon Climate Emergency.

**Impact on Climate Change:** The impact of carbon emissions will be detailed in the report. All Customers taking part in the trial were supported, encouraged and equipped to reduce carbon footprint in relation to waste and recycling, enabling a contribution towards the MDDC commitment to be carbon neutral by 2030.

## **1.0 Executive Summary**

- 1.1 Our Waste and Recycling Service is our most visible and front line, statutory service in the Council. It is responsible for providing best practice front line services including refuse collections, recycling and litter collection for customers and has a wider commitment to support our community and environment objectives.
- 1.2 The latter include reducing our rates of refuse collection and increasing our recycling so we can help reduce our carbon footprint. We are also committed to helping the public take ownership of disposing of litter in better and innovative ways through education, campaigns and soft enforcement.
- 1.3 There are several critical elements to our Waste and Recycling Strategy which include but are not limited to:
  - Delivery of best practice services to our customers; the trial of three weekly residual waste collections in both urban and rural areas of the district
  - A Litter Strategy to help raise awareness of the public to dispose of litter (and take ownership of its disposal) in better ways which support our targets
  - To use soft enforcement to educate and reinforce key practices and changes to the public with more effective hard enforcement used to deal with serious offences and serial offenders. The latter to be developed through a corporate approach
  - To develop and upskill an effective workforce which can sustain the delivery of vital services to the public at a time of national shortage in key workers
  - To develop and evolve our fleet and use of vehicles so unnecessary travel is minimised and we purchase electric vehicles in the future.

## 1.4 Context

- 1.4.1 As part of our commitment to help deliver these changes we have piloted the implementation of 3 weekly waste collections over a three month period in both a rural and urban area to assess the impact of such a change being introduced in the district.
- 1.4.2 Between early July and mid-October trials of three weekly residual waste collections were piloted in Holcombe Rogus and Westleigh as well as the area in and around Canal Hill in Tiverton. During this period the team regularly visited the areas being piloted to offer advice and education in person where required.
- 1.4.3 At the end of the trial all residents were surveyed to collect feedback and to assess attitudes towards the trial of three weekly waste collections. In this paper we have detailed both the results achieved in the urban and rural areas of going from two to three weekly waste collections and the feedback from the public who have been involved in these pilots. There has also been some good examples of education and soft enforcement to draw upon which will be shared.
- 1.4.4 We have then put forward five options for consideration (with a clear recommendation for approval) together with next steps regarding how we best take forwards the results of the trial for the benefit of the District.

## 2.0 Introduction/Background

- 2.1 The November 2020 Environment PDG gave authorisation for a Recycling and Waste trial covering approximately 1000 properties to be carried out in Mid Devon. A Project Board was established comprising of responsible representatives from contributing services (Customer Services, Operations, Communications, Finance, Climate & Sustainability and ICT). The board was set up to plan, provide resources and brief their respective teams.
- 2.2 The trial was divided into four sections accommodating both rural and urban settings.

Table 1: Trial Locations

Setting	Location	Number of Properties	Containment
Urban	Canal Hill Area	581	Customers receptacle/sacks
Urban	Wilcombe Area	530	180L Wheeled bin (provided) <b>-Limited containment</b>
Rural	Holcombe Rogus	151	Customers receptacle/sacks
Rural	Westleigh	151	180L Wheeled bin (provided) <b>-Limited Containment</b>

Sample areas were identified to provide appropriate representation of the district. The chosen areas close proximity to the Willand Depot enabled efficient monitoring and operational control. The utilisation of an existing round ensured less disruption to business as usual with Wednesday collections allowing time for follow up.

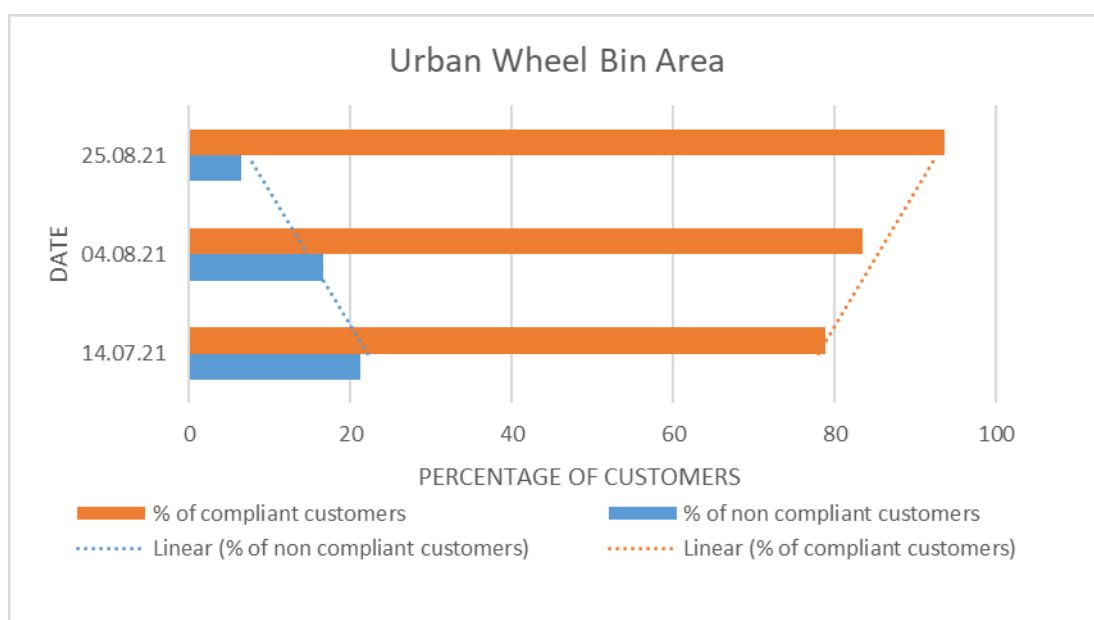
- 2.3 Baseline weight recording was conducted during May and June 2021 with customers unaware. Results presented a comparison against trial weights and demonstrated the metric effect of the trial whilst providing insights into people's recycling and waste habits.
  - 2.3.1 Baseline results suggested the greatest impact would occur in higher density housing groups. These groups are likely to need the most encouragement and education through visits.
  - 2.3.2 Results demonstrated that high density housing groups put out fewer food caddies, which suggested food is being deposited with residual waste and revealed higher tonnages.
- 2.4 Letters were hand delivered to all four areas of the trial detailing the following:
  - reasons for the trial
  - a schedule of collections
  - an explanation of how waste should be presented at the kerbside (capacity limit in wheeled bin area)
  - wheel bin delivery details (if applicable)
  - contact details for any questions or requests for support
  - the opportunity to feedback to MDDC via an online survey or by contacting Customer Services if no internet access was available
  - 2.4.1 A dedicated web page was created to provide guidance and information to customers including a 'FAQ' section as well as topical social media posts. The collection day lookup facility on the Mid Devon District Council web site was updated to include the change in schedule for those customers chosen to take part in the trial.
  - 2.4.2 Customers were assured assisted collections, collections for garden waste subscription holders and clinical waste customers would continue as normal.
  - 2.4.3 Customers in the wheeled bin sections of the trial received a delivery after the final collection of the pre-trial schedule had taken place. Those customers who were unable to accommodate or physically deal with a wheeled bin were provided with seagull proof sacks.

### 3.0 The Trial

- 3.1 Communications and engagement were a high priority throughout the trial but in the initial stages it was the central focus especially in the areas where bin capacity was limited to 180L. In the urban wheel bin area 21% of customers had presented additional waste for collection on the first day of the trial. The Project Board had committed to not collecting side waste (therefore this additional waste was left at the kerbside).

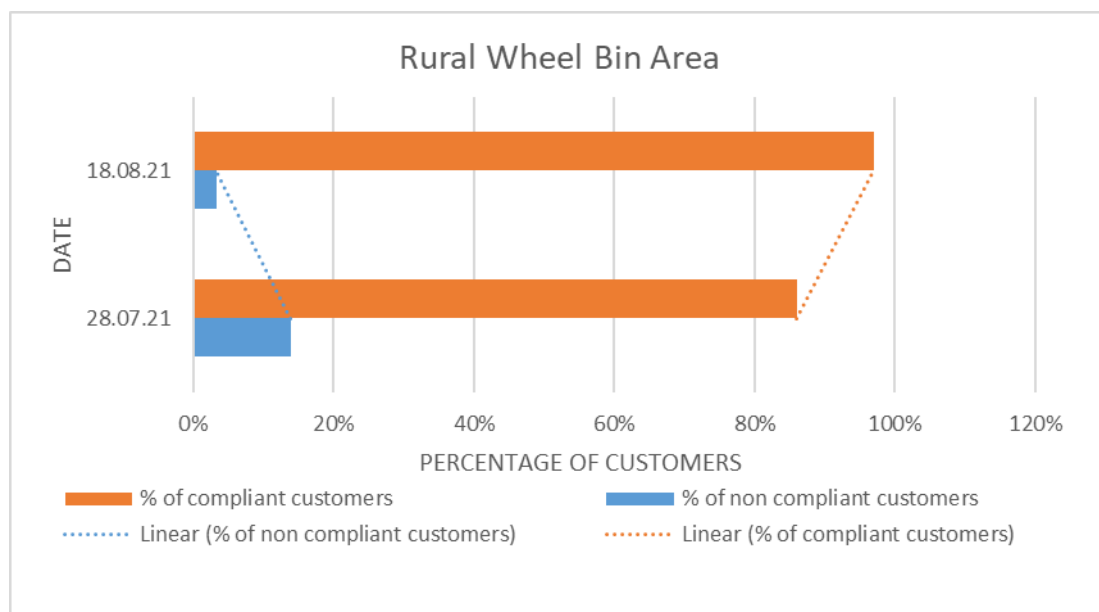
- 3.1.1 Officers were present in the trial areas prior to the arrival of the refuse vehicle on collection day and recorded all properties with a side waste issue. These customers received a letter thanking them for their participation and reminding them of the limited capacity element; they were invited to contact Customer Services to request a second wheel bin if they felt they did not have sufficient capacity due to special circumstances like a large family or children using nappies.
- 3.1.2 Upon request Customer Services arranged for Waste & Recycling Officers to perform on site 'Waste Audits'. This identified materials that were present in residual waste that should have been recycled. These visits proved popular with customers and provided an opportunity to feedback and discuss any difficulties they were having. If it was agreed that a second wheeled bin was necessary the 'side waste' was removed when the bin was delivered.
- 3.1.3 The process continued on each residual waste collection day in both urban and rural settings until a satisfactory rate of compliance was achieved and sustained.
- 3.1.4 Customers in the areas where there was no limited capacity also received advice and visits and were identified as putting out excessive amounts of residual waste or by not presenting recycling or food on collection day. In the main, these areas have proven to be high performing with committed recyclers.
- 3.1.5 The urban wheeled bin area chart illustrates how emphasis on communications and engagement reduced non-compliance to an acceptable level in the urban wheeled bin area. Initially non-compliance was 21% and fell to an acceptable level of 6% after the third collection.

Fig 1: Urban Wheel Bin Area



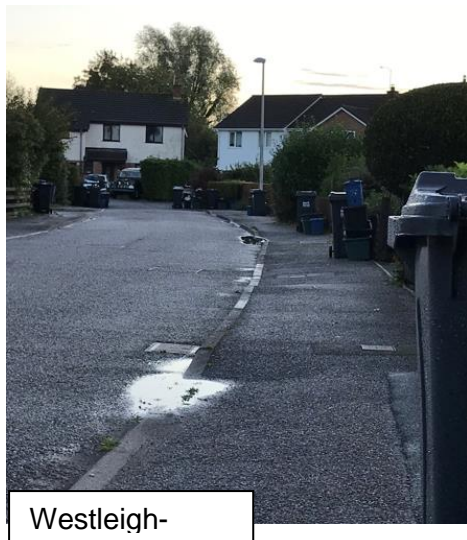
The rural wheel bin area chart illustrates reduction in non-compliance in the rural wheeled bin area. Initially non-compliance was 14% and fell to an acceptable level of 3% after the second collection.

Fig 2: Rural Wheel Bin Area



- 3.2 A total of 57 second bins were delivered to customers; 7% of all wheeled bin customers on the trial. Emphasis was communicated to the public on increasing recycling and removing materials from the residual waste stream. It was encouraging to receive requests for 50 recycling boxes which were ordered by 23 customers with 5 customers requesting additional food caddies. This indicated that customers were proactive in ensuring they had the containers available to fully engage in the trial.
- 3.3 The amount of litter and waste strewn at the kerbside on collection day has been a source of complaints. On occasions gulls have ripped open waste sacks, scattering litter. Waste sacks can impede pedestrian access especially for wheel chair users and parents with push chairs. A considerable improvement on these issues has been witnessed during the trial especially in communal areas where customers are using wheeled bins to contain waste.





Holcombe  
Rogus Where



## 4.0 Communications

4.1 Communication strategy is key to successfully implementing a modification to waste collection. During the trial customers rapidly adapted with an acceptable level of compliance being achieved within three collection cycles in the urban area and two in the rural area.

4.1.1 Face to face communication proved to be the most effective method of engaging with customers. Dedicated officers who were approachable to the public provided advice and guidance. This gave customers the opportunity to discuss specific requirements.

4.1.2 Most encounters were 'by appointment' however some were ad hoc. Officers were approached on the job and were a visible presence in the community. Encounters with the public were reported to be positive experiences.

- 4.1.3 Internet support and dedicated social media accounts were available to customers. Details were communicated in the pre-trial and follow up letters.
- 4.2 Acting upon customer feedback is critical to achieving engagement from the community, particularly with any change to waste collections. Feedback invitations have been included in all correspondence. Feedback media included an on line survey, post or a doorstep 'door knocking' exercise carried out by the Recycling Officer. Findings from the survey are detailed below. The full survey results can be found in Appendix A – Full Survey Results.
- 4.3 From the survey the following key responses were received:-
- 4.3.1 71% of those surveyed thought that reducing the carbon footprint was most important to them when asked about the benefits of collecting non-recyclable waste every three weeks.
- 4.3.2 When asked how satisfied they were in having their non-recyclable waste collected every three weeks, households responded as follows; 56% were either satisfied or very satisfied, 21% were neither satisfied nor dissatisfied and 23% were dissatisfied or very dissatisfied.
- 4.3.3 When asked whether the householder thought they had reduced the amount of non-recyclable waste put out, 75% said they had not.
- 4.3.4 When asked whether the householder thought they had recycled more, 68% thought they had not. This does not correspond with the results of the trial suggesting the question was misinterpreted. Those surveyed may have thought that recycling did not include food waste.
- 4.3.5 When asked which statement best reflected their view of the trial; 40% were happy with three weekly collections, 30% were not affected while the remaining 30% struggled with it.
- 4.3.6 When asked whether there was an improvement in the way that non-recyclable waste was presented on collection day, those issued with bins saw a significant improvement in the tidiness of the area outside their homes where waste was presented. Nearly all respondents using their own receptacles or sacks saw no improvement.
- 4.3.7 216 surveys were completed, which equated to 16% of all households in the trial.

## 5.0 Trial Results

Table 2: Percentage Change

Setting	Option	Food Tonnage	Recycling Tonnage	Residual Tonnage
Urban Sack	1	+29%	- 1%	-24%
Urban Bin	2	+25%	+1%	-44%
Rural Sack	1	+7%	+5%	-6%
Rural Bin	2	+15%	+9%	-30%

These results are also shown in the graphs in Appendix C - Graphs

### 5.1 Residual Waste

- 5.1.1 Promoting recycling, limiting volume of residual waste to 180L per household and reducing the frequency of collections has enabled a reduction in tonnage in the urban setting. To a lesser extent allowing customers to use their own receptacle or sacks with no limit has also resulted in a decline.
- 5.1.2 Reduction seen in the area where customers used their own receptacle or sacks was 24% compared to a reduction of 44% in the area where capacity was limited. This significant reduction indicates that customers have used the waste collections services provided by MDDC; in addition have practiced waste prevention (top priority in the waste hierarchy) as well as local recycling centres.
- 5.1.3 Results from the rural setting are similar to urban but to a lesser extent. The reduction seen where customers used their own receptacle or sacks reduced residual waste output by 6% and those with limited capacity by 30%.

### 5.2 Recycling

- 5.2.1 The WYG report produced for Mid Devon District Council predicted an increase in recycling of 17.3%; the report was compiled pre pandemic. During the lockdown period when baseline measurements were taken recycling increased by 17% compared to the same period in the previous year (non-lockdown). This suggests that if baseline measurements were taken outside of lockdown a similar % increase would have occurred in line with the WYG report prediction.
- 5.2.2 During the trial there was a very slight decline in recycling materials put out in the urban area where customers are using their own receptacle or sacks (-1%). Baseline results indicated that these customers were high performers pre-trial. An increase of 1% occurred in the area where customers are using wheel bins.
- 5.2.3 A greater uptake in recycling occurred in the rural setting; customers using their own sack or receptacle produced 5% more recycling whilst those with wheeled bin containment produced an additional 9%.

### 5.3 Food Waste

5.3.1 The increase in food waste placed in food caddies in all settings was substantial. Baseline weight analysis indicates that food has been diverted from residual waste and is the main contributor to the impressive decline in residual waste presented during the trial. Customers in the urban setting using their own receptacle or sacks increased food waste placed in food caddies by 29% and those with wheeled bins by 25%.

5.3.2 Customers in the rural setting using their own receptacle or sacks increased food waste placed in caddies by 7% and those with wheeled bins by 15%.

### 5.4 Applying Trial Results District Wide

Table 3: District Wide Estimation

	<b>Recycling Rate</b>	Residual Household Waste per HH (tonnes)	Household Residual % Change	Waste Arisings % Change	Food Waste % Change	Household Recycling % Change
Current	<b>54%</b>					
Sacks	<b>61%</b>	301.94	-20%	-7%	+24%	+4%
Wheeled Bins	<b>68%</b>	222.82	-41%	-16%	+23%	+5%

### 6.0 Carbon Impact

6.1 Eunomia were commissioned to calculate the carbon impact from the three weekly waste trial and the full results can be found in Appendix B - Mid Devon District Council: Three-Weekly Residual Waste Collections Carbon Emissions Analysis.

6.2 Customers are given the opportunity to contribute to sustainability. A reduction of 0.85 tonnes of CO<sub>2</sub>eq result was achieved each week in the wheeled bin section of the urban area, 0.11 tonnes of CO<sub>2</sub>eq in the rural wheeled bin area. This is a substantial contribution to the Net Zero commitment if rolled out district wide. The provision of waste services to new housing developments under the current regime will increase carbon emissions considerably; this would need to be monitored and offset.

## 7.0 Options

Option	Residual	Garden	Food	Recycling	Residual Waste Containment
Option 1	3 Weekly	Chargeable -2 Weekly	Weekly	2 Weekly	Customers receptacle/sacks
Option 2	3 Weekly	Chargeable -2 Weekly	Weekly	2 Weekly	180L Wheeled Bin (provided)Limited Capacity
Option 3	3 Weekly	Chargeable -2 Weekly	Weekly	Weekly	180L Wheeled Bin (provided)Limited Capacity
Option 4	3 weekly	Chargeable -2 Weekly	Weekly	Weekly	Customers receptacle/sacks
Option 5	2 Weekly	Chargeable -2 Weekly	Weekly	2 Weekly	Customers receptacle/sacks

## 8.0 Conclusion and recommendations

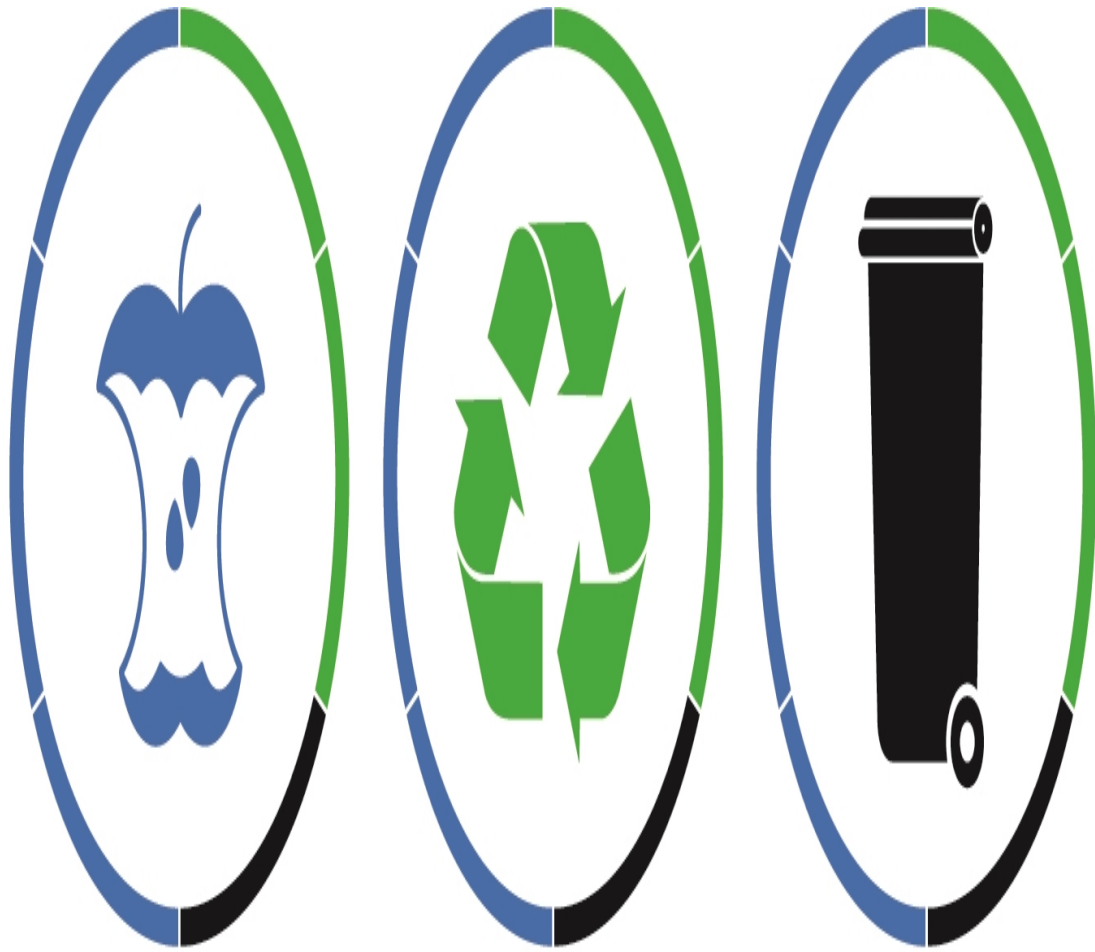
- 8.1 The trial indicates that using limited capacity containment for residual waste coupled with an effective communication strategy yields the greatest benefit in reducing residual waste.
- 8.2 Food waste being placed in the caddy instead of residual waste has contributed to a decline in residual tonnage. Food waste increased dramatically during the trial. A Review of Waste Services undertaken by WYG on behalf of MDDC suggested that food waste would increase by 21% based on results from Authorities already undertaking a three weekly residual waste service. The trial at Mid Devon confirmed this with a food waste average increase of 19% over all settings.
- 8.3 A decline in residual waste was most significant in the urban wheeled bin containment area (-44%). Side waste not being collected most likely diverted some waste to recycling centres or encouraged waste prevention. This area contained an elevated percentage of high density housing (terraced); baseline results show increased residual tonnage in this category. Not all urban areas are typical of the setting.
- 8.4 Waste presented at the kerbside in wheeled bins reduces the amount of litter on collection day. Streets are more accessible to pedestrians. Cleanliness of the neighbourhood improves. Customer survey results confirm this.
- 8.5 Option 2 brings MDDC in line with the 'super aligned' option documented in the 'Devon and Torbay Waste Strategy'. This will create opportunities for joint working in the future and be a potential source of savings. The focus of the 'Devon and Torbay Waste Strategy' is prevention and reuse. Customers taking part in the trial with limited capacity for residual waste have discovered ways of reducing their waste, evidenced by the trial results.

8.6 In total the trial saved MDDC 1.3 tonnes of CO<sub>2</sub>eq per week. This is the equivalent of driving a standard car to Spain and back 3 times a week.

**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

**List of Background Papers:**



bin-it 123



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**CABINET**  
**9 August 2022**

## **FINANCIAL UPDATE FOR THE THREE MONTHS TO 30 JUNE 2022**

**Cabinet Member** Cllr Andrew Moore, Cabinet Member for Finance

**Responsible Officer** Andrew Jarrett – Deputy Chief Executive (S151)

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

### **RECOMMENDATION(S):**

#### **1. The Cabinet are asked to:**

- a) **Note the financial monitoring information for the income and expenditure for the three months to 30 June 2022 and the projected outturn position;**
- b) **Approve the Deliverable Capital Budget for 2022/23, including the request to bring forward £2,925k of expenditure relating to Salix funded decarbonisation schemes and £56k of S106 expenditure from later years, noting the remainder of the Overall Capital Programme is planned to be spent in 2023/24 to 2026/27;**
- c) **Note the use of Waivers for the Procurement of goods and services as included in Section 10;**

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

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

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

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

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

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

## 1.0 Introduction

- 1.1 The Council agreed the 2022/23 Annual Budget at its meeting on 23 February. The aim is to keep a tight control on spending on services within a flexible budget management framework, allowing budget holders to manage savings within controllable budgets to help mitigate budget pressures and thus contain or minimise a budget deficit for the Council as a whole.
- 1.2 The purpose of this report is to highlight to Cabinet our current financial status and the likely reserve balances at 31 March 2023. It encompasses both revenue, in respect of the General Fund, the Housing Revenue Account (HRA), and Capital Programme. The detail underpinning these projections is included within the body of report in the following sections / appendices:
- The projected General Fund outturn position for 2022/23 (**Section 3 + Appendices A to D**);
  - The projected HRA Outturn position for 2022/23 (**Section 4 + Appendix E**);
  - The projected Capital Outturn position for 2022/23 (**Section 5 + Appendix F**);
  - The projected Reserves Outturn position for 2022/23 (**Section 6**);
  - 3 Rivers Development Ltd update (**Section 7 + Appendix G**);
  - Summary Treasury Management position (**Section 8**);
  - Collection Fund Update (**Section 9**);
  - The Procurement Waivers utilised during the quarter (**Section 10**).
- 1.3 Favourable variances generating either increased income or cost savings are expressed as credits (negative numbers), whilst unfavourable overspends or incomes below budget are debits (positive numbers). Any variance against the agreed budget will impact on the Council's reserves.
- 1.4 The Council's financial position will be constantly reviewed to ensure its continued financial health and delivery of excellent Value for Money.
- 1.5 This report also includes Section 10 which updates Members on the use of Procurement Waivers during the first quarter of 2022/23. A procurement waiver is where contract procedure regulations have not been applied due to exceptional circumstances, such as urgency of the goods/services being required, or the specialist nature of the goods/services where there is no effective competition to provide it.

## 2.0 Executive Summary of 2022/23

- 2.1 The report indicates a projected General Fund outturn variance of £258k over spend and a HRA outturn variance of £217k under spend. In respect of the Capital Programme, there is a forecast Deliverable Budget for 2022/23 of £24,173k (£16,910k General Fund and £7,263k HRA) and expenditure of £41,482k (£30,531k General Fund and £10,951k HRA) planned in future years. These forecasts will continue to be refined during the year.
- 2.2 The current cost of living crisis affecting household budgets is also impacting on the Council's finances. The latest Inflation figures show prices are rising at their fastest rate for 40 years with the headline CPI rate at 9.4%. These increases

will also impact on the Medium Term Financial Plan and leave the Council with a larger funding shortfall to offset. At present, there is no indication from Government of any additional funding.

- 2.2.1 The Council is particularly affected by inflation in terms of the Local Government Pay Award as staffing forms the overwhelming proportion of our budget. The budget was set before this crisis escalated and an assumption of 2% was included. In this monitoring report, this has been revised to 3% at a cost of c£130k. The initial offer from employers is expected shortly, but the final agreement is likely to take time to reach.
- 2.2.2 Fuel prices also affect our finances as we need to operate the vehicle fleet to deliver key services such as waste collection. At the time of setting the budget, the Council was purchasing fuel at an average of £1.25 per litre. This has risen to £1.75 since and the forecast assumes it will reach £2.00 and cost an extra £250k.
- 2.2.3 Utilities costs are also projected to increase in October by £188k for the remainder of this financial year with a full year forecast of £375k covering October 2022 to October 2023. This is currently shown within Property Services but will be split across relevant properties in Quarter 2 once this increase is finalised closer to October as all fuels are purchased in advance.
- 2.3 Within staffing budgets the Council continues to struggle with recruitment and retention. Key services, particularly Waste, Planning and Public Health have higher usage of agency staff than planned although this is partially offset by underspends on the staffing establishment. Some of these additional agency costs will be further mitigated through the use of Earmarked Reserves.
- 2.4 Income remains lower than pre-Covid-19 levels in both Leisure and Car Parks. The latter is showing it may recover more than originally expected, whereas Leisure is showing slower recovery in membership numbers and bookings. However, wetside income is above forecast. Other services such as Planning and Waste continue to see strong demand reflecting the buoyant housing market and the increased prices per tonne for recycled materials.
- 2.5 Considering the additional inflation cost pressures noted above sum to £568k are outside of our control, the forecast overspend of £258k shows that good budget management continues within services. This position is subject to finalisation of the Pay Award.

### **3.0 The General Fund**

- 3.1 The forecast General Fund over spend for the current year is £258k after transfers to and from Earmarked Reserves as shown at **Appendix A**. **Appendix B** provides the significant service variances and those above £20k.
- 3.2 The current incomes from our major fee income streams are shown in **Appendix C**. It shows that the full year forecast Income is £60k above budget. The lower than forecast income in Leisure is offset by increases in Planning, Waste and Car Parks. Other Service income streams remain relatively close to expectations.

- 3.3 The current employee costs are shown at **Appendix D**. It shows a full year forecast under spend of £535k (£387k General Fund). Within this forecast is an allowance for a possible pay award of 3%; 1% above the budgeted assumption. The main underspends are within Planning, Property and Public Health who are struggling to recruit to vacant roles. Overspends are forecast for Human Resources due to a temporary reporting structure and Waste due to driver enhancements and the preparation for the roll out of Bin It 123 collection service. There is also an overspend in Revenue and Benefits due to the requirement to run the Government's Energy Rebate Scheme. This has also required the redirection of staff from Customer Services and reduced focus on debt collection. In total, it is estimated that managing this scheme will cost the Council c.£250k. To date only £46k has been received although there is an expectation of significant further funding to be received (not yet included in the forecast). Generally, the remaining services are forecasting smaller under or overspends that cancel each other. Agency Spend however is showing a forecast overspend of £702k, with almost £600k of this across Planning and Waste, although the former is largely offset by salary underspends and the planned use of Earmarked Reserves (£152k). Sickness is higher than expected across Street Scene requiring agency cover to continue the service.

#### **4.0 Housing Revenue Account (HRA)**

- 4.1 This is a ring-fenced account in respect of the Council's social housing function. The forecast position of £217k under spend along with an explanation of the key variances and those above £20k are highlighted within **Appendix E**.
- 4.2 The main variances are again due to vacancies and the difficulty in recruiting to those roles. In total, this sums to £148k including the additional 1% above budget pay award assumption, but is offset by additional fuel and vehicle costs pressures, along with other minor variances. Investment returns are also higher than budgeted.
- 4.3 It is anticipated that the forecast variance will increase the budgeted transfer to the Housing Maintenance Fund and so the HRA reserve balance will remain at £2m.

#### **5.0 Capital Programme**

- 5.1 The current approved overall Capital Programme amounts to £65,066k (£45,172k General Fund and £19,894k HRA). This includes the approved 2022/23 Programme of £34,303k and £30,763k slippage rolled forward from previous year's programmes. The status of the Capital Programme is shown at **Appendix F**.
- 5.2 Capital projects, by their very nature, often overlap financial years. Further work has been undertaken with Managers who have given their best estimate of what is 'deliverable' for 2022/23 based on known information at this point in the year. The committed and actual expenditure will be monitored against this revised 'deliverable' budget for the remainder of the year 2022/23.

- 5.3 Following the successful bid for Salix Funding, £2,835k was received for further decarbonisation works to our leisure centres. This additional money will be used to transfer power sources at Lords Meadow Leisure Centre, Crediton and Exe Valley Leisure in Tiverton, away from fossil fuels to renewable energy sources. Air source and ground source heating pump technologies will be used as well, and additional solar panels. Note that the budget also assumed these projects incur £190k of revenue funding to come from Earmarked Reserves. This totals £3,025k of funding which covers £2,925k of Capital Expenditure and £100k of Revenue funding for the installation of new LED lighting for the outdoor all-weather pitches. These projects are therefore proposed to be brought forward from future years in the Capital MTFP.
- 5.4 In addition, the S106 Project Board also approved as additional £56k be brought forward to complete Amory Park play area refurbishment.
- 5.5 Including the above projects, the overall Capital Programme increases by £2,981k to £68,047k and the 2022/23 Deliverable Budget amounts to £24,173k, with the remainder of the overall Capital Programme (£41,482k) planned to be spent in future years.
- 5.6 Actual, committed and planned expenditure across the remainder of the financial year is currently £26,871k leaving a variance of £2,698k overspend against the 2022/23 Deliverable Budget (£2,201k against General Fund Projects and £497k against HRA Projects). This can be explained by:

#### General Fund

- £10k additional spend on fitness studio equipment at Exe Valley leisure centre. This is funded by the sale of existing Equipment;
- £31k additional spend on the Network Core Switch;
- £299k additional spend required by 3 Rivers Developments Ltd on the Bampton Project (see confidential **Appendix G**);
- £1,861k additional spend required by 3 Rivers Developments Ltd on the Riverside Project (see confidential **Appendix G**);

#### HRA

- £30K additional spend on the Modular Housing development at St Andrews, Cullompton, associated with Planning Permission including mature planting and additional parking;
- £467k Additional spend on the Modular Housing development at Shapland Place, Tiverton, associated with Planning Permission - including additional EV charging points and communal glazing.

- 5.7 This is offset by the following underspends on projects totalling £2,392k against the overall Capital Programme (£712k against General Fund Projects and £1,680k against HRA Projects):
- £30k originally planned to purchase Boilers at Exe Valley. This £30k is proposed to be reallocated to support the Salix funding applied to installing Air Source and Ground Source Heat Pumps instead;
  - £51k net underspend on Salix Funding on Capital Projects. This will be used to supplement the £190k MDDC contribution to revenue element of the Salix 3 projects;
  - £554k of projects originally considered to be Capital but have now been classified as revenue in nature. The majority of the associated funding will

continue to support these projects, but £84k was planned to be covered by Capital Receipts which will now need to be funded from the General Fund.

- £77k underspend against Disabled Facilities Grant – this will be added to the EMR for future spending;
- £1,400k against Housing Scheme 19 which will be delivered as a traditional build 1:4:1 scheme as site not suitable for Pod construction – please see scheme CA160 this will now include this site in future years;
- £80k saving on works planned at Westexe communal area;
- £200k saving on works planned for redevelopment of Garage Blocks.

## 6.0 Reserves

- 6.1 The table below shows the opening position of key operational balances of the Council, the forecast in year movements and final predicted position at 31 March 2023:

Usable Reserves	31/03/2022	Forecast In Year Movement	31/03/2023
<b>REVENUE</b>	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>
General Fund (See Section 3)	(2,215)	258	(1,957)
Earmarked Reserves	(20,655)	3,727	(16,928)
Housing Revenue Account (See Section 4)	(2,000)	0	(2,000)
<b>CAPITAL</b>	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>
Capital Receipts Reserve	(6,529)	(203)	(6,732)

- 6.2 The General Fund is the major revenue reserve of the Council. It is increased or decreased by the surplus or deficit generated on the General Fund in the year. This reserve held a balance of £2,215k as at 31/03/22 and as shown above is currently forecast to decrease to £1,957k due to the forecast £258k over spend. This falls below the agreed minimum of £2,000k and therefore should this forecast be the final outturn position, a review of Earmarked Reserves will be undertaken to realign funds.
- 6.3 The most significant implication for Earmarked Reserves is the previously agreed transfer of £750k to support the purchase of new waste bins as part of the introduction of Bin It 123. £201k of the previous Salix funding bid is being drawn down to support decarbonisations works across all 3 leisure centres and £185k is proposed to be added to the Business Rates Smoothing reserve to offset the projected collection deficit that will unwind in 2023/24. The projects originally planned within the Capital Programme that are now deemed to be Revenue in nature largely continue to be funded as planned, but with an additional draw down of £84k to replace the assumption of capital receipts being applied. In addition, new S106 Funding received of £178k is proposed to transfer to reserves to offset future associated expenditure.
- 6.4 The forecast reserve balance for the Revenue Contribution to Capital Reserve and the Capital Receipts Reserve includes the associated funding of the 2022/23 Capital Programme, as these monies are committed. In reality, much of this will be utilised in future years. Unapplied useable capital receipts are used to part fund the Capital Programme. It is also important to note that these

balances need to be almost fully utilised in order to balance the Capital Medium Term Financial Strategy.

## **7.0 3 Rivers Developments Ltd – Update**

- 7.1 In Quarter 1 of 2022/23 the Council lent £1,565k of further borrowing to 3 Rivers to fund project payments and capital commitments. No loans were due to be repaid during the quarter but £155k of interest payments has been received relating to interest charged for Quarter 4 of 2021/22. A further £178k of interest has been charged during Quarter 1 of this financial year.
- 7.2 Attached to this report is the updated confidential financial forecast position from the Company (**Appendix G**).
- 7.3 3 Rivers Developments Ltd are nearing completion of two developments; St George's Court and Bampton. The initial costings were appraised some time ago, before Covid-19 and the current cost of living crisis. Since that time there has been significant economic uncertainty leading to material and labour shortages that have escalated costs due to higher manufacturing costs and demand. This has caused several companies to terminate fixed price contract or go into administration. A detailed project overview and additional funding request will come to the September Cabinet meeting.

## **8.0 Collection Fund**

### **8.1 Council Tax**

- 8.1.1 The overall value of Council Tax due has increased from this time last year to £64,850k due to increases in the Taxbase and Band D charge by all Preceptors. However, the Collection Rate is forecast to be 95.3% (down from the budget assumption of 97.5%). This reduction is most likely due to the effects of Covid-19 and Cost of Living Crisis. The reallocation of staff to support the Energy Rebate scheme has also resulted in less debt collection activity so far this year. This will now be chased. The collection rate will be monitored during the year, but future MTFP forecasts might need to be adjusted.

### **8.2 Business Rates**

- 8.2.1 The overall level of Business Rates collectable also grew year-on-year. However, there are many variable elements that give rise to that movement including growth/decline in number of businesses, reliefs awarded and provisions for appeals and bad debts. However, the forecast Collection Rate is also lower (97.7%) compared to the previous year (98.6%) and a Collection Fund deficit of £185k is forecast and is proposed to be added to EMR. As income collected is lower, the levy on growth is forecast to be £99k lower, which is shown within the positive variance against table below shown against the Retained Business Rates in **Appendix A**. The remainder being an additional £42k above Outturn for the pooling gain.

## **9.0 Treasury Management**

- 9.1 The £840k budgeted Net Interest position for the Council incorporates interest payable on loans and finance leases and interest receivable on investments. Since the budget was set interest rates have risen to 1.25% which is faster than predicted. Therefore interest receivable is above budget across both temporary investments and loans to third parties. Based on the Deliverable Capital Programme, no additional external borrowing is expected during the year which also provides a favourable variance against budget. Combined, this shows a net improvement of £84k on budget for the General Fund.

## 10.0 Procurement Waivers

- 10.1 The Council undertakes a range of procurement approaches to ensure that it awards contracts to suppliers in line with procurement legislation. In exceptional circumstances, there are sometimes justifiable reasons to act outside the contract procedure regulations. These include the following reasons:

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

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

Ref	Subject of the Waiver	Expected Spend £	Reason Code
1	Data Protection – Call-off Consultancy	£7,200	I
2	Solid Fuel Servicing	£10,000	I, II and III
3	SLA for landscape advice from Devon County Council to support the Forward Planning team	£7,000	II
4	Leisure Hub software and hardware replacement	£17,630	II and III
5	Assumption Testing work for the A361 Tiverton Junction	£4,500	I
6	Specialist advice on planning applications in respect of environmental protection matters	£6,000	I and II
7	Housing Quality Network: membership subs and training costs	£30,000	I and II
8	Homes for Ukraine – SLA with Citizens Advice for provide Specialist Financial and Legal Advice for Ukrainian Guests and their hosts	£14,800	I and II
9	YMCA – Dulverton Group to provide floating support services to the residents of Ivor Macey House	£18,749	I and II
10	Shared Prosperity Fund – Stakeholder Workshop Facilitation	£6,550	I

- 10.3 The remainder of contracts awarded use best endeavours to ensure that the successful supplier complies with the ethical standards applied within our Procurement Partnership with Devon County Council, including having policies

on Equalities and Diversity, Data Protection, Modern Slavery and Human Trafficking and Fair Tax Mark.

## **11.0 Summary**

- 11.1 Members are asked to note the Revenue and Capital forecasts for the financial year, the use of procurement waivers during the year and approve the revisions to the Deliverable Capital Budget.
- 11.2 We continue to closely monitor the financial position and amend our expectations accordingly. The budget process for 2023/24 is now underway and Managers are working hard to develop proposals to mitigate the future year's forecast shortfalls.

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

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## GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2022

General Fund Summary	Appendix B Note Ref	2022/23 Annual Budget	2022/23 Full Year Forecast	2022/23 Full Year Variance (0 = On budget)		%
		£	£	£		
<b>Cllr Bob Deed</b>						
Corporate Management	A	1,702,694	1,706,214	3,520		0.2%
<b>Cllr Colin Slade</b>						
Grounds Maintenance	B	559,523	570,723	11,200		2.0%
Cemeteries & Bereavement Services	C1	(67,230)	(67,230)	0		0.0%
Waste Services	D	1,907,674	2,879,574	971,900		50.9%
<b>Cllr Dennis Knowles</b>						
Community Development	E	138,500	138,500	0		0.0%
Enforcement and CCTV	C1	157,530	157,530	0		0.0%
IT Services	F	1,337,150	1,736,650	399,500		29.9%
Land charges	G	(24,561)	(24,561)	0		0.0%
Public Health incl. Licensing	C	677,190	546,800	(130,390)		-19.3%
Open Spaces	H	180,190	209,970	29,780		16.5%
Recreation & Sport	I	903,485	1,214,485	311,000		34.4%
<b>Cllr Andrew Moore</b>						
Financial Services	J	773,070	773,070	0		0.0%
Revenues & Benefits	K	608,000	597,820	(10,180)		-1.7%
Car Parks	L	(489,680)	(509,680)	(20,000)		-4.1%
<b>Cllr Stuart Penney</b>						
Private Sector Housing	C	(1,490)	(1,490)	0		0.0%
General Fund Housing	M	269,192	256,582	(12,610)		-4.7%
Property Services	N	1,610,240	1,717,740	107,500		6.7%
<b>Cllr Richard Chesterton</b>						
Community Development: Markets	E	70,320	70,320	0		0.0%
Planning & Regeneration	G	1,946,110	1,881,198	(64,912)		-3.3%
<b>Cllr Clive Eginton</b>						
Customer Services	O	749,318	705,268	(44,050)		-5.9%
Human Resources	P	616,470	633,470	17,000		2.8%
Legal & Democratic Services	Q	1,182,601	1,197,401	14,800		1.3%
<b>All General Fund Services</b>		<b>14,806,296</b>	<b>16,390,354</b>	<b>1,584,058</b>		<b>10.7%</b>
Net recharge to HRA		(1,714,560)	(1,714,560)	0		0.0%
Statutory Adjustments (Capital charges)		686,660	686,660	0		0.0%
<b>Net Cost of Services</b>		<b>13,778,396</b>	<b>15,362,454</b>	<b>1,584,058</b>		<b>11.5%</b>
Net Interest Payable / (Receiveable)		(840,013)	(923,995)	(83,983)		10.0%
Transfers into Earmarked Reserves		1,759,064	1,997,846	238,782		13.6%
Transfer into NNDR Smoothing Reserve		0	184,991	184,991		0.0%
Transfers from Earmarked Reserves		(3,808,859)	(4,997,869)	(1,189,010)		31.2%
Net Contribution to/(from) New Homes Bonus Reserve		(627,429)	(912,209)	(284,780)		45.4%
<b>Total Budgeted Expenditure</b>		<b>10,261,160</b>	<b>10,711,219</b>	<b>450,059</b>		<b>3.6%</b>
<b>FUNDED BY:</b>						
<b>Business Rates</b>						
Retained Business Rates		(1,082,910)	(1,224,391)	(141,481)		13.1%
S31 Grant associated with COVID-19 Reliefs		(2,449,280)	(2,355,280)	94,000		-3.8%
Business Rates (Surplus)/Deficit (2021-22)		1,677,640	1,634,532	(43,108)		-2.6%
Business Rates Benefit from Devon Pool		0	(100,000)	(100,000)		0.0%
<b>Council Tax</b>						
Council Tax		(6,523,930)	(6,523,930)	0		0.0%
Council Tax (Surplus)/Deficit (2021-22)		(401,030)	(401,030)	0		0.0%
Council Tax Family Annexe		(21,000)	(21,000)	0		0.0%
<b>Un-Ringfenced Grants</b>						
New Homes Bonus Grant		(719,072)	(719,072)	0		0.0%
Lower Tier Services Grant		(99,272)	(101,242)	(1,970)		2.0%
Rural Services Delivery Grant		(489,742)	(489,742)	0		0.0%
2022/23 Services Grant		(152,564)	(152,564)	0		0.0%
<b>Total Budgeted Funding</b>		<b>(10,261,160)</b>	<b>(10,453,719)</b>	<b>(192,559)</b>		<b>1.9%</b>
<b>Forecast in year (Surplus) / Deficit</b>		<b>0</b>	<b>257,500</b>	<b>257,500</b>		
General Fund Reserve 31/03/22				(2,214,602)		
<b>Forecast General Fund Balance 31/03/2023</b>				<b>(1,957,102)</b>		

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**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2022**

Note	Description of Major Movements or those above £20k	2022/23 Full year variance (net of transfer to EMR) £	PDG
<b>A</b>	<b>Corporate Management</b>		
	Executive Assistant post not budgeted	16,800	Cabinet
		<b>3,520</b>	
<b>B</b>	<b>Grounds Maintenance</b>		
	Salary underspend due to vacancies	(30,000)	Environment
	Agency costs increased due to vacancies	32,000	Environment
	Additional fuel costs due to price rises	9,200	Environment
		<b>11,200</b>	
<b>C</b>	<b>Public Health (combined)</b>		
	Salary underspend due to vacant posts and external grant funding	(147,390)	Community
	Water Sampling income below budget due to staff shortages	17,000	Community
		<b>(130,390)</b>	
<b>D</b>	<b>Waste Services</b>		
	Salary underspend due to vacancies	(99,000)	Environment
	Pay enhancements and additional estimated pay award	74,000	Environment
	Agency cover increased due to long term sickness and higher than budgeted sickness levels	172,500	Environment
	Additional recycling boxes due to demand from public as a result of 3 weekly rollout	30,000	Environment
	Additional fuel costs due to price rises	215,400	Environment
	Recycling income rates are higher than expected. Some commodities are 3 times higher than 2021-22 average rate.	(250,000)	Environment
	Refuse bins, seagull sacks, salaries and printing costs for 3 weekly rollout - £750k funded by EMR	876,000	Environment
	Trade waste income - ad hoc requests	(47,000)	Environment
		<b>971,900</b>	
<b>F</b>	<b>I.T. Services</b>		
	Initial 3 years of virus & security protection included in Capital project	(20,000)	Cabinet
	IT Projects (Unified Comms, CRM replacement, Digital Transformation and Lalpac replacement) previously included in Capital Programme, but now deemed to be Revenue in nature - £300k to be funded by reserves	384,000	Cabinet
	Rev & Bens Northgate external support	35,500	Cabinet
		<b>399,500</b>	
<b>G</b>	<b>Planning &amp; Regeneration</b>		
	Enforcement - Agency staffing to clear backlogs and cover sickness - EMR release to support overspend	131,000	Cabinet
	Development Management - Agency staffing to cover vacancies, partially offset by vacancies and EMR release	82,000	Cabinet
	Development Management - Income exceeding budget	(100,000)	Cabinet
	S106, net expenditure and receipts proposed to be added to EMR	(177,912)	Community
		<b>(64,912)</b>	
<b>H</b>	<b>Open Spaces</b>		
	Contribution for Play Area Projects transferred from Capital Programme - Funded from New Homes Bonus	29,780	Community
		<b>29,780</b>	
<b>I</b>	<b>Recreation &amp; Sport</b>		
	Decarbonisations works carried out across all 3 site - Fully funded from EMR (Salix 2)	201,000	Community
	Increase in income from updated dual use agreement not as high as budgeted	20,000	Community
	Wetside income higher than budget mainly due to swimming lesson programme and pool hire	(30,000)	Community
	Fitness income behind budget due to slower than expected recovery in membership numbers	65,000	Community
	Dryside income behind budget mainly due to fewer sports hall & ATP bookings than expected	55,000	Community
		<b>311,000</b>	
<b>K</b>	<b>Revenues &amp; Benefits</b>		
	Staffing, administration of Energy Rebate scheme (direct costs only)	50,000	Cabinet
	Grant receipt, administration of Energy Rebate scheme	(45,680)	Cabinet
	Housing Benefits - unbudgeted grant receipts from DWP	(38,500)	Cabinet
	DHP grant less than budgeted	24,000	Cabinet
		<b>(10,180)</b>	
<b>L</b>	<b>Car Parks</b>		
	Early forecast shows P&D Parking Income above profile, although this income is unpredictable in nature	(20,000)	Economy
		<b>(20,000)</b>	
<b>M</b>	<b>General Fund Housing</b>		
	Increased Homelessness costs for B&B	40,000	Homes
	Salary underspend due to vacant posts and external grant funding	(52,610)	Homes
		<b>(12,610)</b>	
<b>N</b>	<b>Property Services</b>		
	Staffing underspends due to vacant posts	(80,000)	Environment
	Utility contracted rates are renewed in Oct and early indications are predicting a big increase in unit prices - overspends across the Property portfolio	187,500	Homes
		<b>107,500</b>	

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2022**

Note	Description of Major Movements or those above £20k	2022/23 Full year variance (net of transfer to EMR) £	PDG
<b>O</b>	<b>Customer Services</b>		
	Salaries - underspend due to 3 secondments to Ctax Energy scheme (only 1 post successfully backfilled through agency) plus other vacancies	(36,150)	Community
	Supplies and Services - underspend switch charges & telephones	(7,900)	Community
		<b>(44,050)</b>	
<b>P</b>	<b>Human Resources</b>		
	Salaries - Acting up & secondment pay, additional apprentice and pay award	47,000	Cabinet
	Saving achieved by alteration to Zellis upgrade plan	(30,000)	Cabinet
		<b>17,000</b>	
<b>Q</b>	<b>Legal &amp; Democratic Services</b>		
	Agency staff - Legal Services	14,800	Cabinet
		<b>14,800</b>	
<b>FORECAST (SURPLUS)/DEFICIT AS AT 31/03/2023</b>		<b>1,584,058</b>	

Note the sum of the explanations above do not equal the full variance - they are only those key variances or above £20k

Cabinet	537,640
Community	(11,572)
Homes	174,890
Environment	903,100
Economy	(20,000)
	<b>1,584,058</b>

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2022**

<b>Fees and Charges</b>	<b>2022/23 Annual Budget £</b>	<b>2022/23 P3 Profiled Budget £</b>	<b>2022/23 P3 Actual £</b>	<b>2022/23 P3 Variance £</b>	<b>2022/23 Full Year Forecast Variation</b>	
					<b>£</b>	<b>%</b>
Building Control Fees	(252,350)	(63,088)	(82,575)	(19,488)	0	0%
Planning Fees	(828,000)	(207,000)	(299,786)	(92,786)	(100,000)	12%
Land Search Fees	(120,000)	(30,000)	(33,682)	(3,682)	0	0%
Car Parking Fees - See Below	(732,330)	(175,103)	(183,147)	(8,044)	(20,000)	3%
Leisure Fees & Charges	(2,827,485)	(594,901)	(439,183)	155,718	110,000	-4%
Trade Waste Income	(830,860)	(458,635)	(505,073)	(46,438)	(47,000)	6%
Garden Waste	(547,100)	(149,903)	(137,012)	12,891	0	0%
Licensing	(137,200)	(25,755)	(24,602)	1,153	0	0%
Market Income	(82,290)	(21,851)	(23,403)	(1,552)	(3,000)	4%
	<b>(6,357,615)</b>	<b>(1,726,236)</b>	<b>(1,728,462)</b>	<b>(2,226)</b>	<b>(60,000)</b>	<b>0.9%</b>

<b>Car Parking Fees</b>	<b>2022/23 Annual Budget £</b>	<b>2022/23 P3 Profiled Budget £</b>	<b>2022/23 P3 Actual £</b>	<b>2022/23 P3 Variance £</b>	<b>Spaces</b>	<b>2022/23 Budgeted Income pa per space £</b>
Beck Square, Tiverton	(65,000)	(16,250)	(16,246)	4	40	(1,625)
William Street, Tiverton	(25,000)	(6,500)	(6,851)	(351)	45	(556)
Westex South, Tiverton	(45,000)	(11,700)	(14,464)	(2,764)	51	(882)
Wellbrook Street, Tiverton	(15,000)	(3,750)	(3,386)	364	27	(556)
Market Street, Crediton	(35,000)	(9,100)	(9,720)	(620)	39	(897)
High Street, Crediton	(70,000)	(16,800)	(18,176)	(1,376)	190	(368)
Station Road, Cullompton	(40,000)	(9,600)	(9,563)	37	112	(357)
Multistorey, Tiverton	(175,000)	(36,750)	(36,632)	118	631	(277)
Market Car Park, Tiverton	(175,000)	(42,000)	(44,739)	(2,739)	122	(1,434)
Phoenix House, Tiverton	(3,000)	(630)	(1,124)	(494)	15	(200)
P&D Shorts & Overs	0	0	2	2	-	0
<b>Total Pay and Display</b>	<b>(648,000)</b>	<b>(153,080)</b>	<b>(160,899)</b>	<b>(7,819)</b>	<b>1,272</b>	<b>(7,153)</b>
Day Permits	(22,000)	(6,849)	(6,849)	0		
Allocated Space Permits	(37,600)	(4,696)	(4,696)	0		
Overnight Permits	(600)	(84)	(308)	(224)		
Day & Night Permits	(16,500)	(4,283)	(4,283)	0		
Other Income	(7,630)	(6,111)	(6,111)	0		
<b>Total Permits</b>	<b>(84,330)</b>	<b>(22,023)</b>	<b>(22,247)</b>	<b>(224)</b>		
<b>Total Car Parking</b>	<b>(732,330)</b>	<b>(175,103)</b>	<b>(183,147)</b>	<b>(8,043)</b>		
<b>Standard Charge Notices (Off Street)</b>	<b>(43,200)</b>	<b>(10,368)</b>	<b>(10,240)</b>	<b>128</b>	<b>0</b>	<b>0%</b>

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**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2022**

Employee Costs	2022/23 Annual Budget £	2022/23 P1 - P3 Profiled Budget £	2022/23 P1 - P3 Actual £	2022/23 P1 - P3 Variance £	2022/23 Full Year Forecast Variation £	%
<b>General Fund</b>						
Cemeteries & Bereavement Services	25,760	6,440	6,308	(132)	0	0.0%
Community Development	85,180	21,295	20,309	(986)	0	0.0%
Corporate Management	679,074	169,769	150,937	(18,832)	16,800	2.5%
Customer Services	688,318	172,080	130,068	(42,012)	(45,730)	-6.6%
Enforcement & CCTV	132,950	33,238	29,147	(4,091)	0	0.0%
Public Health	754,400	188,600	150,366	(38,234)	(147,390)	-19.5%
Financial Services	556,620	139,155	135,185	(3,970)	0	0.0%
General Fund Housing	405,057	101,264	76,113	(25,151)	(52,610)	-13.0%
Grounds Maintenance	473,510	118,378	96,557	(21,821)	(30,000)	-6.3%
Human Resources	452,520	113,130	117,009	3,879	47,000	10.4%
I.T. Services	700,990	175,248	156,447	(18,801)	0	0.0%
Legal & Democratic Services	685,940	171,485	154,766	(16,720)	0	0.0%
Open Spaces	14,090	3,523	3,204	(319)	0	0.0%
Planning & Regeneration	1,972,719	493,180	398,413	(94,767)	(191,000)	-9.7%
Property Services	727,970	181,993	145,292	(36,701)	(80,000)	-11.0%
Recreation & Sport	2,183,747	545,937	528,319	(17,618)	0	0.0%
Revenues & Benefits	790,670	197,668	224,193	26,525	73,000	9.2%
Waste Services	2,713,700	678,425	642,361	(36,064)	23,000	0.8%
<b>Total General Fund</b>	<b>14,043,215</b>	<b>3,510,808</b>	<b>3,164,992</b>	<b>(345,816)</b>	<b>(386,930)</b>	<b>-2.8%</b>
<b>Housing Revenue Account</b>						
BHO09 Repairs & Maintenance	1,021,456	255,364	207,380	(47,984)	(70,000)	-6.9%
BHO10 Supervision & Management	2,047,454	511,864	435,555	(76,309)	(78,000)	-3.8%
BHO11 Special Services	0	0	0	0	0	0.0%
<b>Total Housing Revenue Account</b>	<b>3,068,910</b>	<b>767,228</b>	<b>642,935</b>	<b>(124,293)</b>	<b>(148,000)</b>	<b>-4.8%</b>
<b>Total Employee Costs</b>	<b>17,112,125</b>	<b>4,278,036</b>	<b>3,807,928</b>	<b>(470,108)</b>	<b>(534,930)</b>	<b>-3.1%</b>

Agency Staff (within Employee costs)	2022/23 Annual Budget £	2022/23 P1 - P3 Profiled Budget £	2022/23 P1 - P3 Actual £	2022/23 P1 - P3 Variance £	2022/23 Full Year Forecast Variation £	%
<b>General Fund</b>						
Car Parks	0	0	0	0	0	0.0%
Cemeteries & Bereavement Services	0	0	0	0	0	0.0%
Community Development	0	0	0	0	0	0.0%
Corporate Management	0	0	0	0	0	0.0%
Customer Services	0	0	4,741	4,741	9,580	0.0%
Enforcement & CCTV	0	0	0	0	0	0.0%
Public Health	0	0	10,952	10,952	15,000	0.0%
Financial Services	0	0	0	0	0	0.0%
General Fund Housing	0	0	18,973	18,973	20,000	0.0%
Grounds Maintenance	10,500	2,625	11,907	9,282	32,000	304.8%
Human Resources	0	0	0	0	0	0.0%
I.T. Services	0	0	0	0	0	0.0%
Legal & Democratic Services	0	0	0	0	14,800	0.0%
Open Spaces	0	0	0	0	0	0.0%
Planning & Regeneration	0	0	81,524	81,524	394,000	0.0%
Property Services	0	0	3,257	3,257	3,257	0.0%
Recreation & Sport	0	0	0	0	0	0.0%
Revenues & Benefits	0	0	10,896	10,896	11,000	0.0%
Waste Services	171,880	42,970	77,855	34,885	202,500	117.8%
<b>Total General Fund</b>	<b>182,380</b>	<b>45,595</b>	<b>220,106</b>	<b>174,511</b>	<b>702,137</b>	<b>385.0%</b>
<b>Housing Revenue Account</b>						
BHO09 Repairs & Maintenance	0	0	0	0	0	0.0%
BHO10 Supervision & Management	0	0	2,336	2,336	0	0.0%
BHO11 Special Services	0	0	0	0	0	0.0%
<b>Total Housing Revenue Account</b>	<b>0</b>	<b>0</b>	<b>2,336</b>	<b>2,336</b>	<b>0</b>	<b>0.0%</b>
<b>Total Agency Costs</b>	<b>182,380</b>	<b>45,595</b>	<b>222,442</b>	<b>176,847</b>	<b>702,137</b>	<b>385.0%</b>

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**HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD  
FROM 01 APRIL TO 30 JUNE 2022**

Housing Revenue Account (HRA)	Note	2022/23 Annual Budget £	2022/23 Full Year Forecast Variance £	%
<b>Income</b>				
SHO01 Dwelling Rents Income	A	(12,673,660)	0	0%
SHO04 Non Dwelling Rents Income	B	(488,360)	0	0%
SHO07 Leaseholders' Service Charges	D	(29,000)	0	0%
SHO08 Contributions Towards Expenditure	E	(80,920)	(10,000)	12%
SHO10 H.R.A. Investment Income	G	(25,000)	(123,000)	492%
SHO11 Miscellaneous Income	H	(7,000)	0	0%
<b>Services</b>				
SHO13A Repairs & Maintenance	I	3,825,730	(31,000)	-1%
SHO17A Housing & Tenancy Services	J	1,730,710	(53,000)	-3%
<b>Accounting entries 'below the line'</b>				
SHO29 Bad Debt Provision Movement	L	150,000	0	0%
SHO30 Share Of Corporate And Democratic	M	173,900	0	0%
SHO32 H.R.A. Interest Payable	N	1,077,320	0	0%
SHO34 H.R.A. Transfers between earmarked reserves	O	1,311,720	0	0%
SHO37 Capital Receipts Reserve Adjustment	Q	(20,800)	0	0%
SHO38 Major Repairs Allowance	R	2,465,000	0	0%
SHO45 Renewable Energy Transactions	S	(105,000)	0	0%
<b>FORECAST (SURPLUS)/DEFICIT AS AT 31/03/2023</b>		<b>(2,695,360)</b>	<b>(217,000)</b>	<b>(0)</b>

Note	Description of Major Movements	2022/23 Full Year Forecast Variance £
E	<b>Rechargeable Repairs</b> estimated to generate income slightly above budget	(10,000)
G	<b>Investment Income</b> due to the improvement on interest rates	(123,000)
I	<b>Building Services:</b> <b>-Staffing</b> -the service is carrying a significant number of vacancies due to the difficulties in recruiting at present, subject to filling these at various points during the year, salary savings of £109k (inclusive of budgeted pay award) are estimated <b>-Vehicles</b> -due to the increase in fuel costs and a few minor repair charges and vehicle hire, the service is estimated to exceed budget by £34k <b>-Overheads</b> -forecast overspend on various smaller budget areas £20K <b>-Provision</b> - additional Pay Award assumption £24k	(31,000)
J	<b>Tenancy Services:</b> <b>-Staffing</b> -there has been delays to service filling posts therefore are carrying an underspend across their establishment (inclusive of budgeted pay award) £73k <b>-Other</b> minor variances £10k <b>-Provision</b> - additional Pay Award assumption £10k	(53,000)
<b>FORECAST (SURPLUS)/DEFICIT AS AT</b>		<b>(217,000)</b>

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Code	Scheme	Approved Capital Programme	Total Slippage B/Fwd from 2021/22	Adjustment to Approved Capital Programme	Total Budgeted Capital Programme	Total Deliverable Programme 2022/23	Actual Expenditure 2022/23	Committed Expenditure 2022/23	Forecast spend for remainder of 2022/23	Total Actual, Committed & Forecast Expenditure 2022/23	Variance (Underspend) / Overspend to Deliverable Programme 2022/23	Forecast Slippage against Deliverable Programme 2022/23	Forecast (Underspend) / Overspend to overall Capital Programme	Capital Programme Forecast spend in 2023/24 to 2026/27	Notes
		£	£	£	£	£	£	£	£	£	£	£	£	£	
General Fund Projects															
Leisure															
CA642	Reception infrastructure review - All sites		120,000		120,000	40,000	-	-	40,000	40,000	0	0		80,000	Projected completion Q3 23/24
CA643	All Leisure Etarmis - Security Swipe - (linked to security project)		30,000		30,000	10,000	-	-	10,000	10,000	0	0		20,000	Projected completion Q3 23/24
CA644	EVLC - Boilers and CHP		30,000		30,000	-	-	-	-	-	0	0	(30,000)	-	This sum (funded by UCR) will be used to partially offset MDDC contribution for Salix projects on CA650 & CA651
CA645	EVLC - Fitness Studio renewal of equipment		153,000		153,000	153,000	-	-	163,000	163,000	10,000	0	10,000	-	Projected completion Q3 22/23. Budget shortfall to be covered by sale of existing equipment
CA646	CVSC - Remodelling of Ground Floor		204,000		204,000	30,000	-	-	30,000	30,000	0	0		174,000	Feasibility & Procurement exercise in 22/23. Project delivery likely in 24/25
CA649	CVSC - Sports Hall Ceiling asset review	260,000			260,000	30,000	-	-	30,000	30,000	0	0		230,000	Procurement exercise in 22/23. Project delivery in 23/24 once expenditure under dual use agreement agreed
CA650	EVLC - ASHP - Salix Round 3 Funding			818,000	818,000	752,770	-	231,500	521,270	752,770	0	0	(65,230)		Link to Cabinet report 30/11/21 & Full Council approval 15/12/21 - ASHP reduced in Salix change request (15/07/2022)
CA651	EVLC - GSHP - Salix Round 3 Funding			351,000	351,000	927,694	-	30,000	897,694	927,694	0	0	576,694	-	Link to Cabinet report 30/11/21 & Full Council approval 15/12/21 - GSHP increased in Salix Change Request (15/07/2022)
CA652	MLMC - ASHP - Salix Round 3 Funding			656,000	656,000	912,315	-	100,000	812,315	912,315	0	0	256,315	-	Link to Cabinet report 30/11/21 & Full Council approval 15/12/21 - Includes both ASHP & GSHP
CA653	EVLC - Solar - Salix Round 3 Funding			750,000	750,000	228,400	-	-	228,400	228,400	0	0	(521,600)	-	Link to Cabinet report 30/11/21 & Full Council approval 15/12/21 - Salix change request (15/07/2022) reduced from PSDS3 agreed value
CA654	MLMC - Solar - Salix Round 3 Funding			350,000	350,000	52,928	-	15,872	37,056	52,928	0	0	(297,072)	-	Link to Cabinet report 30/11/21 & Full Council approval 15/12/21 - reduced from PSDS3 agreed value
Phoenix House															
CA487	Etarmis - Security Swipe - (linked to security project)		50,000		50,000	20,000	-	-	20,000	20,000	0	0		30,000	Projected completion Q3 23/24
Play Areas															
CA472	Open Space Infrastructure (incl Play Areas)		40,000		40,000	35,216	-	-	35,216	35,216	0	0	(4,784)	-	£4.8k used towards play area contribution please see note on CA648 below. Remaining Project delivery expected in Q4 22/23
CA632	Play area refurbishment - Amory Park Tiverton		74,000	56,000	130,000	130,000	-	129,999	1	130,000	0	0		-	Additional £56k approved at S106 Project Board. Expected project completion Q3 22/23
CA648	Play Area Chestnut Drive Willand		25,000		25,000	-	-	-	-	-	0	0	(25,000)	-	£25k Play area contribution coded to Revenue & will be funded by NHB (also see comment on CA472 above)
MDDC Shops & Industrial Units															
CA584	Market Walk Unit 17 - remodelling options		510,000		510,000	80,000	-	-	80,000	80,000	0	0		430,000	Current lease agreement until 31/03/23. Feasibility & Procurement exercise in 22/23. Project delivery in 23/24
CA574	36 & 38 Fore Street including Flat above structure & cosmetic works	150,000	47,000		197,000	90,000	-	-	90,000	90,000	0	0		107,000	Feasibility & Procurement exercise in 22/23. Project delivery in 23/24
Other Projects															
CA491	Fire Dampeners - Corporate sites		80,000		80,000	80,000	-	-	80,000	80,000	0	0		-	Projected completion Q4 22/23
CA490	West Exe South - Remodelling - additional parking spaces		90,000		90,000	30,000	-	-	30,000	30,000	0	0		60,000	Feasibility & Procurement exercise in 22/23. Project delivery in 23/24
CA473	Land drainage flood defence schemes - St Marys Hemyock		50,000		50,000	-	-	-	-	-	0	0		50,000	Environment Agency are the lead organisation on this project
CA420	Land drainage flood defence schemes - Ashleigh Park Bampton		87,000		87,000	20,000	-	-	20,000	20,000	0	0		67,000	Environment Agency are the lead organisation on this project
CA576	Tiverton Town Centre improvements		140,000		140,000	-	-	-	-	-	0	0	(140,000)	-	This expenditure will be revenue in nature
CA832	Land acquisition for operational needs		1,000,000		1,000,000	-	-	-	-	-	0	0		1,000,000	This project is dependent on availability of land in the appropriate location
CA835	Depot Design & Build - Waste & Recycling	250,000			250,000	-	-	-	-	-	0	0		250,000	This project is likely to be commence in 24/25
CA497	Cemetery Lodge - Structural solution for damp	62,000			62,000	-	-	-	-	-	0	0		62,000	This project is likely to be delivered in 24/25
CA511	Regeneration Project 2	500,000			500,000	-	-	-	-	-	0	0		500,000	This project is likely to be commence in 23/24
HIF Schemes															
CA719	Cullompton Town Centre Relief Road (HIF bid)	8,414,000	3,638,000		12,052,000	4,044,000	4,225	3,575	4,036,200	4,044,000	0	0		8,008,000	This project is subject to a Levelling-up bid as per previous Cabinet report 28/06/22
CA720	Tiverton EUE A361 Junction Phase 2 (HIF bid)	4,640,000			4,640,000	115,000	-	1,200	113,800	115,000	0	0		4,525,000	This project is currently under review as outlined in the Cabinet report of 12/07/22
Economic Development Schemes															
CA582	Hydromillis Electricity generation Project - Tiverton Weir	420,000	800,000		1,220,000	20,000	-	-	20,000	20,000	0	0		1,200,000	Feasibility & Procurement exercise in 22/23. Project delivery in 23/24
* All Economic Development schemes are subject to acceptable Business Case															
ICT Projects															
CA425	Server farm expansion/upgrades		74,000		74,000	74,000	-	-	74,000	74,000	0	0		-	Forecast project completion Q4 2022/23. This has a dependency on the reliability of the supply chain which is & will be effected for the foreseeable future due to the shortage in availability of various components.

Code	Scheme	Approved Capital Programme	Total Slippage B/Fwd from 2021/22	Adjustment to Approved Capital Programme	Total Budgeted Capital Programme	Total Deliverable Programme 2022/23	Actual Expenditure 2022/23	Committed Expenditure 2022/23	Forecast spend for remainder of 2022/23	Total Actual, Committed & Forecast Expenditure 2022/23	Variance (Underspend) / Overspend to Deliverable Programme 2022/23	Forecast Slippage against Deliverable Programme 2022/23	Forecast (Underspend) / Overspend to overall Capital Programme	Capital Programme Forecast spend in 2023/24 to 2026/27	Notes
		£	£	£	£	£	£	£	£	£	£	£	£	£	
CA433	Additional Unified Communications budget		96,000		96,000	-	-	-	-	-	0	0	(96,000)	-	Forecast project completion Q4 2022/23. This Project will be cloud based and will be charged to Revenue. This has a dependency on the reliability of the supply chain which is & will be effected for the foreseeable future due to the shortage in availability of various components.
CA456	CRM replacement		175,000		175,000	-	-	-	-	-	0	0	(175,000)	-	Forecast project completion Q4 2023/24. This Project will be cloud based and will be charged to Revenue. This has a dependency on the reliability of the supply chain which is & will be effected for the foreseeable future due to the shortage in availability of various components.
CA437	Digital Transformation		33,000		33,000	-	-	-	-	-	0	0	(33,000)	-	Forecast project completion Q4 2022/23. This Project will be cloud based and will be charged to Revenue. This has a dependency on the reliability of the supply chain which is & will be effected for the foreseeable future due to the shortage in availability of various components.
CA480	Lalpac Licensing System replacement		80,000		80,000	-	-	-	-	-	0	0	(80,000)	-	Forecast project completion Q4 2022/23. This Project will be cloud based and will be charged to Revenue. This has a dependency on the reliability of the supply chain which is & will be effected for the foreseeable future due to the shortage in availability of various components.
CA496	Hardware replacement of Network Core Switch				-	-	(80,902)	112,048	(0)	31,146	31,146	0	31,146	-	Forecast project completion Q4 2022/23. This has a dependency on the reliability of the supply chain which is & will be effected for the foreseeable future due to the shortage in availability of various components.
CA498	Laptop/desktop refresh - Workstation	150,000			150,000	150,000	1,677	-	148,323	150,000	0	0		-	Forecast project completion Q4 2022/23. This has a dependency on the reliability of the supply chain which is & will be effected for the foreseeable future due to the shortage in availability of various components.
CA463	Secure WIFI Replacement	60,000			60,000	60,000	-	-	60,000	60,000	0	0		-	Forecast project completion Q4 2022/23. This has a dependency on the reliability of the supply chain which is & will be effected for the foreseeable future due to the shortage in availability of various components.
CA499	Network Switch/Firewall Refresh (all sites except P/House)	50,000			50,000	50,000	-	-	50,000	50,000	0	0		-	Forecast project completion Q4 2022/23. This has a dependency on the reliability of the supply chain which is & will be effected for the foreseeable future due to the shortage in availability of various components.
Other General Fund Development Projects															
CA493	3 Rivers Scheme - Bampton	1,206,000	1,612,000	-	2,818,000	2,818,000	341,108.53	-	2,775,891	3,117,000	299,000	0	299,000	-	Project due to complete Q2 2022/23. Additional drawdown requests during Q2.
CA462	3 Rivers Scheme - Riverside Development (rear of Town Hall) Tiverton	99,000	613,000	-	712,000	712,000	938,023.89	-	1,634,976	2,573,000	1,861,000	0	1,861,000	-	Project due to complete Q2 2022/23. Additional drawdown requests during Q2.
CA486	* 3 Rivers scheme - Knowle Lane, Cullompton		7,954,000		7,954,000	255,580	5,580.00	-	250,000	255,580	0	0		7,698,420	
CA495	* 3 Rivers Schemes - Future Projects	2,229,000	1,700,000		3,929,000	3,929,000	-	-	3,929,000	3,929,000	0	0		-	A range of projects are currently being assessed
CA581	Post Hill Tiverton		4,460,000		4,460,000	500,000	-	-	500,000	500,000	0	0		3,960,000	Tender exercise to be completed - Assumption made contract will start towards end of Q4 22/23
CA494	Park Road (Delivery of this project is yet to be determined until conclusion of marketing exercise & therefore maybe a Capital Receipt)	1,265,000	875,000		2,140,000	60,547	35,547.40	-	25,000	60,547	0	0		2,079,453	Tender exercise to complete - Costs associated forecast for 22/23
	* These schemes require signed loan agreements before they can be progressed further														
Private Sector Housing Grants															
CG201	Disabled Facilities Grants-P/Sector	577,000			577,000	500,000	70,359	-	429,641	500,000	0	0	(77,000)	-	Forecast spend £500k during 22/23. Forecast underspend of £77k will remain in the EMR for future spending
Total General Fund Projects		20,332,000	24,840,000	2,981,000	48,153,000	16,910,450	1,315,619	624,194	17,171,783	19,111,596	2,201,146	-	1,489,469	30,530,873	

Code	Scheme	Approved Capital Programme	Total Slippage B/Fwd from 2021/22	Adjustment to Approved Capital Programme	Total Budgeted Capital Programme	Total Deliverable Programme 2022/23	Actual Expenditure 2022/23	Committed Expenditure 2022/23	Forecast spend for remainder of 2022/23	Total Actual, Committed & Forecast Expenditure 2022/23	Variance (Underspend) / Overspend to Deliverable Programme 2022/23	Forecast Slippage against Deliverable Programme 2022/23	Forecast (Underspend) / Overspend to overall Capital Programme	Capital Programme Forecast spend in 2023/24 to 2026/27	Notes
		£	£	£	£	£	£	£	£	£	£	£	£	£	
	HRA Projects - Existing Housing Stock														
CA100	Major Repairs to Housing Stock	2,465,000	359,000		2,824,000	2,824,000	591,883	1,138,100	1,094,017	2,824,000	0	0		-	Currently delivery assumed on budget - this will be closely monitored & further reviewed for Q2
CA111	Renewable Energy Fund	250,000			250,000	250,000	1,010	170,502	78,488	250,000	0	0		-	Currently delivery assumed on budget - this will be closely monitored & further reviewed for Q2
CG200	Home Adaptations - Disabled Facilities	300,000			300,000	300,000	75,716	-	224,284	300,000	0	0		-	Currently delivery assumed on budget - this will be closely monitored & further reviewed for Q2
	** Housing Schemes (1:4:1 Receipt) Projects														
CA147	Affordable Housing/ Purchase of ex RTB	400,000			400,000	400,000	-	-	400,000	400,000	0	0		-	Assumed to be fully spent in 22/23. 1 RTB buyback already in Q2
CA158	Housing 1-4-1 Scheme - Project 1	35,000			35,000	35,000	-	-	35,000	35,000	0	0		-	Projected completion Q4 22/23
CA159	Housing 1-4-1 Scheme - Project 2	150,000			150,000	150,000	67,300	3,483	79,217	150,000	0	0		-	Projected completion Q3 22/23
CA160	Future Housing schemes - 1:4:1 - Project 3 (15% enabling budget)	113,000			113,000	8,000	-	-	8,000	8,000	0	0		105,000	Projected project completion 23/24
CA161	Future Housing schemes - 1:4:1 - Project 4 (15% enabling budget)	21,000			21,000	5,000	-	-	5,000	5,000	0	0		16,000	Projected project completion 23/24
CA162	Future Housing schemes - 1:4:1 - Project 8 (15% enabling budget)	360,000			360,000	60,000	-	-	60,000	60,000	0	0		300,000	Projected project completion 24/25
CA155	Modular Housing - St Andrews, Culloompton		341,000		341,000	341,000	-	-	371,000	371,000	30,000	0	30,000	-	Projected completion Q4 22/23 - Additional costs associated with Planning Permission including mature planting & additional parking
	** Housing Development Schemes														
CA154	Modular Housing - Shapland Place, Tiverton	-	1,023,000		1,023,000	1,023,000	1,130	280	1,488,375	1,489,785	466,785	0	466,785	-	Projected completion Q4 22/23 - Additional costs associated with Planning Permission - including additional EV charging points & communal glazing
CA163	Housing Scheme - Project 11	1,500,000			1,500,000	84,000	73,633	-	10,367	84,000	0	0		1,416,000	Projected project completion 23/24
CA164	Housing Scheme - Project 14	800,000			800,000	49,000	40,500	-	8,500	49,000	0	0		751,000	Projected project completion 23/24
CA165	Housing Scheme - Project 16	900,000			900,000	2,000	2,000	-	-	2,000	0	0		898,000	Projected project completion 24/25
CA166	Housing Scheme - Project 18	900,000			900,000	49,000	40,905	-	8,095	49,000	0	0		851,000	Projected project completion 23/24
CA167	Housing Scheme - Project 19	1,400,000			1,400,000	-	-	-	-	-	0	0	(1,400,000)	-	This Project will be delivered as a traditional build 1:4:1 scheme as site not suitable for Pod construction - please see scheme CA160 above
CA168	Housing Scheme - Project 17 (15% enabling budget)	150,000			150,000	-	-	-	-	-	0	0		150,000	Projected project completion 25/26
CA169	Housing Scheme - Project 9 (15% enabling budget)	195,000			195,000	73,000	62,626	-	10,374	73,000	0	0		122,000	Projected project completion 23/24
CA170	Housing Scheme - Project 10 (15% enabling budget)	195,000			195,000	77,000	67,089	-	9,911	77,000	0	0		118,000	Projected project completion 23/24
CA171	Housing Scheme - Project 15 (15% enabling budget)	690,000			690,000	175,000	155,150	-	19,850	175,000	0	0		515,000	Projected project completion 23/24
CA172	Housing Scheme - Project 12 (15% enabling budget)	225,000			225,000	-	-	-	-	-	0	0		225,000	Projected project completion 24/25
CA173	Housing Scheme - Project 13 (15% enabling budget)	165,000			165,000	-	-	-	-	-	0	0		165,000	Projected project completion 25/26
CA174	Housing Scheme - Project 29 (15% enabling budget)	150,000			150,000	-	-	-	-	-	0	0		150,000	Projected project completion 24/25
CA175	Housing Scheme - Project 30 (15% enabling budget)	165,000			165,000	-	-	-	-	-	0	0		165,000	Projected project completion 25/26
	** Proposed Council House 1:4:1 & Housing Development schemes subject to full appraisal														
	HRA Other Projects														
CA176	Westexe - Structural Communal area work (stairwells, steps)	100,000			100,000	20,000	-	-	20,000	20,000	0	0	(80,000)	-	Projected completion Q3 22/23. Assessment of work/value on project completion - potentially revenue in nature
CA151	Garages Block - Redevelopment	92,000	408,000		500,000	300,000	-	-	300,000	300,000	0	0	(200,000)	-	Projected completion Q4 22/23. Estimated cost circa £300k
CA152	Post Hill, Tiverton	2,200,000	3,217,000		5,417,000	513,000	89,489	173,623	249,887	513,000	0	0		4,904,000	Tender exercise to be completed - Assumption made contract will start towards end of Q4 22/23
CA177	Old Road Depot remodelling options - forecast expenditure to maintain operations	50,000			50,000	50,000	-	-	50,000	50,000	0	0		-	Projected completion Q4 22/23
CA124	Queensway (Beech Road) Tiverton (3 units)		550,000		550,000	450,000	36,323	479,211	(65,534)	450,000	0	(0)		100,000	Projected completion Q1 23/24. Negative value shown as contract value correctly raised as a Commitment - in reality a proportion of actual spend will occur in 23/24
CA126	Sewerage Treatment Works - Washfield	-	25,000		25,000	25,000	-	-	25,000	25,000	0	0		-	Projected completion Q4 22/23
	Total HRA Projects	13,971,000	5,923,000	-	19,894,000	7,263,000	1,304,755	1,965,199	4,489,832	7,759,785	496,785	(0)	(1,183,215)	10,951,000	
	CAPITAL PROGRAMME GRAND TOTAL	34,303,000	30,763,000	2,981,000	68,047,000	24,173,450	2,620,374	2,589,393	21,661,614	26,871,381	2,697,931	(0)	306,254	41,481,873	

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CABINET  
9 AUGUST 2022

## PERFORMANCE AND RISK REPORT

**Cabinet Member** Cllr Bob Deed, the Leader of the Council  
**Responsible Officer** Matthew Page, Corporate Manager for People, Performance & Waste.

**Reason for Report:** To provide Members with an update on performance against the corporate plan and local service targets for 2022-23 as well as providing an update on the key business risks.

**RECOMMENDATION:** That the Cabinet reviews the Performance Indicators and Risks that are outlined in this report and feeds back any areas of concern.

**Relationship to Corporate Plan:** Corporate Plan priorities and targets are effectively maintained through the use of appropriate performance indicators and regular monitoring.

**Financial Implications:** There are no direct financial implications arising from this report. However, if performance is not at the expected or desired level then resources may need to be reviewed or redirected to enable more focused performance.

**Budget and Policy Framework:** Produced in accordance with the Risk Management Strategy.

**Legal Implications:** There are no direct legal implications arising from this report. However, if performance is not at satisfactory levels, the risk of legal challenge arising increases.

**Risk Assessment:** If performance is not monitored we may fail to meet our corporate and local service plan targets or to take appropriate corrective action where necessary. If key business risks are not identified and monitored they cannot be mitigated effectively.

**Equality Impact Assessment:** Customer feedback can help the council identify any groups of people who may potentially be experiencing a less satisfactory level of service when compared to the majority of our customers. When reviewing performance and making recommendations on priorities, the council should be minded to consider how services might impact on different sections of the community.

**Impact on Climate Change:** A number of performance indicators are either directly or indirectly related to our corporate ambition to reduce carbon emissions. Monitoring the performance of these can help evaluate the impact of Council interventions as well as guide future decisions on spend and investment.

### 1.0 Introduction

- 1.1 Appendices 1-5 provide Members with details of performance against the Corporate Plan and local service targets for quarter 1 in the financial year of 2022-23.
- 1.2 Appendix 6 shows the higher impact risks from the Corporate Risk Register. This includes Operational and Health & Safety risks where the score meets the criteria for inclusion. See 3.0 below.
- 1.3 All appendices are produced from the Corporate Service Performance and Risk Management system (SPAR).
- 1.4 When benchmarking information is available it is included.

## **2.0 Performance**

### Environment Appendix 1A

- 2.1 Regarding the Corporate Plan Aim: To increase recycling and reduce the amount of waste.

The number of households with chargeable garden waste collections remains above target with an additional 431 new customers compared to May 2021. The percentage of missed collections reported is on target at 0.02%.

The Local Authorities work together under the banner of the Devon Authorities Strategic Waste Committee. Devon is consistently in the top 5 two tier authorities in the country in terms of recycling and the new metric of carbon impact is also showing Devon to be at the cutting edge of waste management practices.

When the Devon Authorities are measured against other counties in respect of total waste collected per person (recycling and residual waste together) the county has not fared so well. A reduction in waste growth is at the core of the Devon Authorities Strategic Waste Strategy towards a more sustainable future. Promoting recycling, limiting volume of residual waste to 180L per household and reducing the frequency of collections will contribute to the government's objective of recycle 65% of household waste by 2035 and Devon's objective to recycle at least 60% of household waste by 2025 as well as supporting our journey to reduce our carbon footprint.

A full member briefing was provided on the 5 July to outline a soft enforcement and communication plan to ensure a smooth transition to three weekly bin collections on the 10 October 2022. A number of different questions arose from this which included how residents would request an additional bin or seagull sacks if these were merited.

A comprehensive list of Frequently Asked Questions is being compiled with all residents being written to ahead of their bin being received over the coming weeks. A short update paper will be taken to cabinet regarding the implementation of three weekly collections on the 9 August 2022.

- 2.2 Since May 2022, the Environment and Enforcement team have dealt with 74 abandoned vehicle reports. Six of these vehicles were removed and disposed

of by vehicle recovery contractors, with the remainder being moved by the registered keeper or subsequently being taxed and classified as road legal. This has seen significant savings to the service in relation to costs for recovery of caravans and trailers.

- 2.3 Significant progress has been made in enabling MDDC to issue penalty notices in relation to littering from vehicles. The team now have access to the Traffic Penalty Tribunal who have agreed to allow MDDC to utilise their online portal for issuance of these penalty notices. This has saved the service £6800, which was the quoted cost of having our handheld software updated to allow issuance via that means.
- 2.4 The service is now in a position to implement body worn video (BWV) cameras for health & safety purposes. The Environment and Enforcement Manager was successful in acquiring funding from the Police and Crime Commissioners office for three quarters of the cost in relation to this. Procurement are currently working on securing these devices via Procurement Services (ESPO), and a direct award to Reveal Media Ltd in relation to this. The devices will be user operated and therefore, will not be recording unless activated by the user when engaged in a confrontational situation.
- 2.5 Littering patrols are being conducted in all of our major communities. There will be a review into MDDC littering policy to determine if it meets the criteria defined by Defra. A further review into the proportionality element of our littering policy will be undertaken, this will ensure it is suitable for the Mid Devon area and its residents.
- 2.6 Mid Devon have 83 play areas (including skate parks and BMX track) in its direct control. The number of Play Area leased to Parish and Town Council is 17, there are a further 3 pending and the lease-in of land for 1 further site is to be taken over by the Parish Council on expiration. There are 3 closed sites with no equipment. It is anticipated that the total will reduce to 81 during the current year and further as the process to transfer to Town and Parishes (and other organisations) continues. Around 2000 inspections are undertaken annually.

#### Climate Change Appendix 1B

- 2.7 Monitoring the Council's carbon footprint is measured in tonnes of carbon dioxide equivalent (tCO<sub>2</sub>e) and based on the Global Warming Potential (GWP) of different greenhouse gases over a 100-year period in comparison to carbon dioxide (CO<sub>2</sub>).
- 2.8 Carbon Footprint assessments were carried out by the University of Exeter using internationally accepted methods. 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 <sub>2</sub> e)	Net (tCO <sub>2</sub> e)
------	----------------------------	--------------------------

Year	Gross (tCO2e)	Net (tCO2e)
Apr 2018 - Mar 2019	20,372	(TBC)
Apr 2019 - Mar 2020	19,754	19,439
Apr 2020 - Mar 2021	19,407	19,122

## Homes Portfolio - Appendix 2

### 2.9 Regarding the Corporate Plan Aim: Deliver Housing

Housing delivery against the Local Plan is monitored annually as part of the Annual Monitoring report published by Forward Planning and on the Government's DELTA system.

### 2.10 Regarding the Corporate Plan Aim: Council Housing

Repairs performance KPIs % of emergency repairs completed on time is currently at 100%, the % of urgent repairs completed on time is currently 99% and the % of routine repairs completed on time is currently 99% for quarter 1. The % of complaints responded on time is 100%

## Economy Portfolio - Appendix 3

### 2.11 Regarding the Corporate Plan Aim: Improve and regenerate our town centres

The government launched its UK Shared Prosperity Fund (UKSPF) Prospectus in April 2022 as part of its Levelling Up agenda.

The Government has allocated £1,064,159 to Mid Devon spread over a three year period. This is subject to the Government approving our Investment Strategy. In addition £20,000 of government funding has been made available to prepare an Investment Plan to inform expenditure decisions with regard to the Shared Prosperity Fund allocation. In year one a minimum of 10% is to be spent on capital projects. Similarly in year two a minimum of 13% is to be spent on capital, rising to a minimum of 20% in the last year.

4% (£42,566.36) of the UKSPF allocation can be spent on administration which leaves £1,021,592.64 for project delivery.

A breakdown of the allocation is prescribed by Government as follows:

L e a d a u t h o r i t i e s	Allocation		Revenue		Capital	(At Least)
	Year	Total	%	Amount	%	Amount
	22-23 (15%)	£153,238.90	90%	£137,915.01	10%	£15,323.89
	23-24 (27%)	£275,830.01	87%	£239,972.11	13%	£35,857.90
	24-25 (58%)	£592,523.73	80%	£474,018.98	20%	£118,504.75
	Total	<b>£1,021,592.64</b>				

authorities will be able to use funding in 2022/23 and 2023/24 for 'Communities and Places' and 'Supporting Local Businesses'. The 'People and Skills' interventions will commence in 2024/25, with lead authorities expected to collaborate with other stakeholders and tiers of local government.

Mid Devon District Council continues to enjoy 98% occupancy in its own units.

#### Community Portfolio - Appendix 4

- 2.11 Referrals under the NHS Cardiac Rehab phase 3 programmes at the leisure centres remain well above target. The Escape Pain programme funding from the NHS has ceased however patients were offered discounted rates to continue with the programme the participants decided to stop attending the programme. The NHS has funding for the Prevention of Falls programme and Leisure are looking into getting an instructor trained to deliver the programme. To note with the reduction in face to face appointments with GP's Leisure has seen a decline in referrals.

#### Corporate - Appendix 5

- 2.12 Recruitment and retention remains challenging given the rate of inflation rising,  
sometimes changing career leads to exciting opportunities and new people can  
bring fresh perspectives, ideas and expertise however when people move on employers can lose knowledge, experience and institutional memory. The workforce statistics all remain favourable with the exception of staff turnover which is at 4.09% for quarter 1.

As unemployment rates decline and job market confidence rises, employee turnover is more likely to increase. There is the added impact of growing inflation, energy price increases and increase in fuel prices and wider national industrial action across England as workers are seeking higher pay rises to deal with the cost of living may impact on service delivery. A second jobs fair event took place on 20 July 2022 in the Pannier Market, the free event was designed to help local residents looking for employment by bring businesses together to promote a range of jobs / careers that are available across the district.

- 2.13 The Response to FOI requests have been 99% in the first quarter.
- 2.14 Council Tax percentage rate collected on a monthly basis is currently at 28.75%  
in quarter 1, the National Non Domestic Rate (NNDR) is collected on a monthly  
basis at 41.11 % in quarter 1.

### **3.0 Risk**

**Some risk scores have increased due to the Covid 19 pandemic especially as regards financing, homelessness and the economic outlook.**

- 3.1 The Corporate risk register is regularly reviewed by Corporate Managers and Leadership Team and updated as required.
- 3.2 Risk reports to committees include strategic risks with a current score of 10 or more in accordance with the Risk and Opportunity Management Strategy. (Appendix 6)
- 3.3 Operational risk assessments are job specific and flow through to safe systems of work. These risks go to the Health and Safety Group biannually with escalation to committees where serious concerns are raised.

#### **4.0 Summary of current high risk status from SPAR**

- 4.1 The risks below are extracted from the SPAR the Corporate Service Performance and Risk Management system however the mitigation for each of these high risks can be found in the attached appendices.

- 4.2 Risk: Cyber Security

Inadequate Cyber Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service if the Council fails to have an effective ICT security strategy in place, there is a significant risk of monetary penalties and fines, and legal action by affected parties.

ICT have replaced the firewalls and upgraded anti-malware software and implemented new broadband. ICT will be rolling out Microsoft Office 365 it is a cloud based platform which allows for greater collaborative working across the business providing a huge benefit with the move to a hybrid working style.

- 4.3 Risk: Homes for Ukraine Scheme failing should the host relationship breakdown and re-matching is not an option.

The council has a homelessness duty there would be an increase in the need for our homelessness service to find suitable alternative safe temporary accommodation at a cost to the authority and that may be a distance from the location of the original hosting arrangement due to availability pressures.

- 4.4 Risk: Overall Funding Availability

This risk concerns changes to Revenue Support Grant, Business Rates, New Homes Bonus and other funding streams in order to finance ongoing expenditure needs.

The core funding elements only change on an annual basis. The 2023/24 budget process has begun with an initial review of the budget shortfall based on latest understanding of cost pressures and funding assumptions. The current cost of living / inflation pressure are adding additional pressure on the budget, both in-year and in future years. All options identified will be Cabinet and PDG's in the autumn 2022.

- 4.5 Risk: Reduced Funding

Budget Cuts are subject to continuing budget reductions. If the Council concentrates on short term cost savings, the adverse long term impact of decisions may well be increased.

The core funding elements only change on an annual basis. The 2023/24 budget process has begun with an initial review of the budget shortfall based on latest understanding of cost pressures and funding assumptions. All options identified will be Cabinet and PDG's in the autumn 2022.

#### 4.6 Risk: Resourcing Risk

If the Council fails to recruit and/or retain sufficient, suitable staff it may not be able to maintain essential and/or statutory services.

All local authorities including Mid Devon have a considerable challenge as we face the current cost of living crisis to recruit and retain our most vital asset; our people.

#### 4.7 Risk: SPV 3 Rivers Developments Ltd

Failure of the company is a potential risk, dependent upon economic factors and the company's success in the marketplace commercially. For MDDC the impacts would be an inability of the company to service and repay the loan from the Council; the Council not receiving the forecast additional income; and the company not supporting the corporate objectives which underlie its existence.

New HM Treasury regulations preventing out of District investment will clearly restrict the future development abilities. Discussion relating to the new issue are ongoing.

### 5.0 Conclusion and Recommendation

- 5.1 That the Cabinet reviews the performance indicators and risks that are outlined in this report and feeds back any areas of concern.

**Contact for more Information:** Matthew Page, Corporate Manager for People, Performance & Waste. [mpage@middevon.gov.uk](mailto:mpage@middevon.gov.uk); Nicola Cuskeran, Interim Corporate Performance & Improvement Manager [ncuskeran@middevon.gov.uk](mailto:ncuskeran@middevon.gov.uk)

**Circulation of the Report:** Leadership Team and Cabinet Member

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# Corporate Plan PI Report Environment

Monthly report for 2022-2023  
Arranged by Aims  
Filtered by Aim: Priorities Environment  
For MDDC - Services

## Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\* indicates that an entity is linked to the Aim by its parent Service

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## Corporate Plan PI Report Environment

### Priorities: Environment

### Aims: Increase recycling and reduce the amount of waste

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Residual household waste per household (measured in Kilograms) (figures have to be verified by DCC)</u>	364.5	362.0	31.4	58.3	84.5										Darren Beer	(April - May) A reduction of 6.14% compared to May 2021. This could be attributed to holiday season beginning with families away from the home. (LD)

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## Corporate Plan PI Report Environment

### Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<b>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</b>	0		0	0	2										Darren Beer	
<b>% of Household Waste Reused, Recycled and Composted (figures have to be verified by DCC)</b>	53.4%	54.5%	51.8%	54.4%	55.1%										Darren Beer	(May) An increase in garden waste tonnage has enabled an excellent result for May (LD)
<b>Number of Households on Chargeable Garden Waste</b>	11,882	11,300	11,800	12,051	11,961										Darren Beer	(May) An increase of 431 new customers compared to May 2021 (LD)
<b>% of missed collections reported (refuse and organic waste)</b>	0.02%	0.03%	0.02%	0.02%	0.02%										Darren Beer	(May) On target (LD)
<b>% of Missed Collections logged</b>	0.03%	0.03%	0.03%	0.03%	0.02%										Darren Beer	(May) On target (LD)

## Corporate Plan PI Report Environment

### Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
(recycling)																

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## Corporate Plan PI Report Climate Change

Monthly report for 2022-2023  
 Arranged by Aims  
 Filtered by Aim: Priorities Climate Change  
 For MDDC - Services

### Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\* indicates that an entity is linked to the Aim by its parent Service

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## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

### Aims: Green Sources of Energy

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>New Solar Initiatives</u>	253	250	n/a	n/a	1	n/a	n/a		n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	
<u>Electric Car Charger usage</u>	4,639	2,300	n/a	n/a	925	n/a	n/a		n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	(Quarter 1) April and May only (June data not available.) (JB)
<u>Electric Car</u>	0	8	n/a	n/a	3	n/a	n/a		n/a	n/a		n/a	n/a		Jason	(Quarter 1) 3 leisure centres

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## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

#### Aims: Green Sources of Energy

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Charger Units</u>															Ball, Andrew Busby	(Instavolt). (JB)

### Aims: Biodiversity

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Corporate Tree Planting Scheme</u>	650	500	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	
<u>Community climate and biodiversity grants</u>	No		n/a	n/a	No	n/a	n/a		n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	

### Aims: Retro-fitting measures

## Corporate Plan PI Report Climate Change

### Priorities: Climate Change

#### Aims: Retro-fitting measures

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Corporate Renewable Energy Projects</u>	8	4	n/a	n/a	3	n/a	n/a		n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	(Quarter 1) We have a 100% renewable electricity tariff (REGO backed) for approximately half of MDDC buildings supply (comprising 3 supply locations: Phoenix House, Exe Valley; Pannier Market). (JB)

### Aims: Other

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Community Schemes</u>	8	4	n/a	n/a	8	n/a	n/a		n/a	n/a		n/a	n/a		Jason Ball, Andrew Busby	(Quarter 1) No allocated budget for this work. Actively engaging with groups and individuals on work ranging from the Sustainable Mid Devon website (events, resource map, etc), to being involved in the 'Net Zero Visions' public artwork project at the Pannier Market (Sustainable Tiverton) and the 2022 State of the District Debate. Groups and networks e.g. Exeter Community Energy, Blackdown Hills Transition,

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## Corporate Plan PI Report Climate Change

**Priorities: Climate Change**

**Aims: Other**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																Sustainable Bradninch, Sustainable Crediton, Sustainable Tiverton, Uffculme Green Team. Liaison with CAG Devon e.g. to help reach out to groups and pick up on opportunities. Liaison with Exeter Community Energy to help promote their services and the voluntary role training. Worked with Recycle Devon and Devon Climate Emergency at Devon County Show. (JB)
<b><u>Council Carbon Footprint</u></b>			n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Jason Ball, Andrew Busby	(2022 - 2023) This is an annual KPI, data not available to the end of the financial year (JB)

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# Corporate Plan PI Report Homes

Monthly report for 2022-2023  
Arranged by Aims  
Filtered by Aim: Priorities Homes  
For MDDC - Services

## Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\* indicates that an entity is linked to the Aim by its parent Service

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## Corporate Plan PI Report Homes

### Priorities: Homes

### Aims: Deliver Housing

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Net additional homes provided</u>	235		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	(2022 - 2023) Data is not due until 31 March 2023 (NC)
<u>Self Build Plots</u>	12	5	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Tristan Peat	
<u>Gypsy &amp; Traveller Pitches delivered</u>	1	2	n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Tristan Peat	
<u>Number of affordable homes delivered (gross)</u>	22		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	(2022 - 2023) Data is not due until 31 March 2023 (NC)

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## Corporate Plan PI Report Homes

### Priorities: Homes

#### Aims: Deliver Housing

##### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>New Affordable Rent Council Houses</u>	n/a	100	n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Andrew Busby, Simon Newcombe	
<u>New Social Rent Council Houses</u>	6	17	n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Andrew Busby, Simon Newcombe	
<u>Number of Homelessness Approaches</u>	675		n/a	n/a	200	n/a	n/a		n/a	n/a		n/a	n/a		Simon Newcombe	

#### Aims: Community Land Trusts

##### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Community Land Trusts Assisted</u>	1	1	n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Tristan Peat	(Quarter 1) Ongoing liaison with Shobrooke Parish Council and Silverton Parish Council to discuss the potential for CLTs to be established. (TP)

## Corporate Plan PI Report Homes

### Priorities: Homes

#### Aims: Private Sector Housing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Deliver homes by bringing Empty Houses into use</u>	54	72	3	3	5										Simon Newcombe	(June) New Housing Initiatives Officer post appointed and due to start in July. Post will focus on empty homes as well as other projects. Expect to see more homes brought back into use later in the year (TW)
<u>Houses in Multiple Occupation (HMOs) investigations</u>	100%	100%	100%	75%	83%										Simon Newcombe	(May) The work on the Homes for Ukraine scheme has meant that other areas of work for the team have been put on hold (TW)
<u>Landlord engagement and Support</u>	14	9	n/a	n/a	2	n/a	n/a		n/a	n/a		n/a	n/a		Simon Newcombe	(Quarter 1) 2 Pin Point releases (TW)

#### Aims: Council Housing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>% Emergency Repairs Completed</u>	100.0%	100.0%	100.0%	100.0%	100.0%										Simon Newcombe	

## Corporate Plan PI Report Homes

### Priorities: Homes

#### Aims: Council Housing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>on Time</u>																
<u>% Urgent Repairs Completed on Time</u>	99.3%	95%	98%	99%	100%										Simon Newcombe	
<u>% Routine Repairs Completed on Time</u>	98.8%	95%	99%	99%	99%										Simon Newcombe	
<u>% Properties With a Valid Gas Safety Certificate</u>	99%	100.00%	99.10%												Simon Newcombe	
<u>% Complaints Responded to On Time</u>	98.8%	100.00%	100.00%	100.00%	100.00%										Simon Newcombe	

# Corporate Plan PI Report Economy

Monthly report for 2022-2023  
Arranged by Aims  
Filtered by Aim: Priorities Economy  
For MDDC - Services

## Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\* indicates that an entity is linked to the Aim by its parent Service

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## Corporate Plan PI Report Economy

### Priorities: Economy

### Aims: Incubator and start-up space

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Incubator and Start-up space</u>	0		n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	
<u>Sites for Commercial Development</u>	0		n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Andrew Busby	(Quarter 1) Sites for Commercial Development - will link up with the Local Plan (AB)

### Aims: Improve and regenerate our town centres

## Corporate Plan PI Report Economy

### Priorities: Economy

Aims: Improve and regenerate our town centres

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Number of business rate accounts</u>	3,426	3,150.00													Dean Emery	
<u>Business Rates RV</u>	£46,305,114		£46,272,564	£46,272,554	£46,227,164										Dean Emery	
<u>Empty Business Properties</u>	231		243	243	242										Dean Emery	
<u>Tiverton Town Centre Masterplan</u>			n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	
<u>Cullompton Town Centre Masterplan</u>	Yes		n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	
<u>Crediton Town Centre Masterplan</u>			n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	
<u>Pannier Market Regular</u>	82%	85%	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	

## Corporate Plan PI Report Economy

### Priorities: Economy

**Aims: Improve and regenerate our town centres**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<b>Traders</b>																
<b><u>West Exe North and South</u></b>	13		n/a	n/a	13	n/a	n/a		n/a	n/a		n/a	n/a		Andrew Busby	(Quarter 1) 100% occupancy in North and South Westexe (AB)
<b><u>Fore St Tiverton</u></b>	5		n/a	n/a	4	n/a	n/a		n/a	n/a		n/a	n/a		Andrew Busby	(Quarter 1) Fore Street has 1 void in this quarter (AB)
<b><u>Market Walk Tiverton</u></b>	15		n/a	n/a	15	n/a	n/a		n/a	n/a		n/a	n/a		Andrew Busby	(Quarter 1) 100% occupancy in Market Walk Tiverton (AB)

### Aims: Community Land Trusts

## Corporate Plan PI Report Economy

### Priorities: Economy

#### Aims: Community Land Trusts

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Community Land Trusts Assisted</u>	1	1	n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Tristan Peat	(Quarter 1) Ongoing liaison with Shobrooke Parish Council and Silverton Parish Council to discuss the potential for CLTs to be established. (TP)

#### Aims: Digital Connectivity

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Digital connectivity</u>	0		n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	

# Corporate Plan PI Report Community

Monthly report for 2022-2023

Arranged by Aims

Filtered by Aim: Priorities Community

Filtered by Flag: Exclude: Corporate Plan Aims 2016 to 2020

For MDDC - Services

## Key to Performance Status:

Performance Indicators:

No Data

Well below  
target

Below target

On target

Above target

Well above  
target

\*

indicates that an entity is linked to the Aim by its parent Service

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## Corporate Plan PI Report Community

### Priorities: Community

### Aims: Health and Wellbeing

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Annual Community Safety Partnership (CSP) Action Plan</u>	15	12.00													Simon Newcombe	

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## Corporate Plan PI Report Community

### Priorities: Community

#### Aims: Health and Wellbeing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Mental Health First Aiders</u>	15	5	n/a	n/a	7	n/a	n/a		n/a	n/a		n/a	n/a		Matthew Page	(Quarter 1) 7 officers in the council received training to become a Mental Health 1st Aider (NC)

#### Aims: Community Involvement

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>% of complaints resolved w/in timescales (10 days - 12 weeks)</u>	91%	95%	94%	89%	86%										Lisa Lewis	(June) 22 completed at 1st check (RT)
<u>Number of Complaints</u>	404		33	66	94										Lisa Lewis	

#### Aims: Leisure Centres

## Corporate Plan PI Report Community

**Priorities: Community**

**Aims: Leisure Centres**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Health Referral Initiative starters</u>	102	15	11	27	38										Corinne Parnall	(June) The NHS is hiring the dance studio at LMLC, Leisure have had enquiries about hiring more room space.  Low numbers being referred by GP's which may be down to less face to face appointments. (CP)
<u>Health Referral Initiative completers</u>	58	10	7	19	27										Corinne Parnall	
<u>Health Referral Initiative conversions</u>	33	5	3	6	7										Corinne Parnall	

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# Corporate Plan PI Report Corporate

Monthly report for 2022-2023

Arranged by Aims

Filtered by Aim: Priorities Delivering a Well-Managed Council  
For MDDC - Services

## Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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\* indicates that an entity is linked to the Aim by its parent Service

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Corporate Plan PI Report Corporate																
Priorities: Delivering a Well-Managed Council																
Aims: South West Mutual Bank																
Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>South West Mutual Bank</u>			n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Paul Deal, Andrew Jarrett	(Quarter 1) The latest update report went to 12 July Cabinet. It indicated slow progress and any change in direction for the set up of the company and roll out of products to the market. The first, product Agroecology, is expected to be launched this

## Corporate Plan PI Report Corporate

### Priorities: Delivering a Well-Managed Council

#### Aims: South West Mutual Bank

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																financial year. (PD)

#### Aims: Commercial Opportunities

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Tiverton Other</u>	7		n/a	n/a	7	n/a	n/a		n/a	n/a		n/a	n/a		Andrew Busby	(Quarter 1) 100% occupancy (AB)
<u>Industrial Units Cullompton-Kings Mill Industrial Estate</u>	14		n/a	n/a	14	n/a	n/a		n/a	n/a		n/a	n/a		Andrew Busby	(Quarter 1) Industrial Units at Kings Mill Cullompton has 1 void in this quater (AB)

#### Aims: Other

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Sickness</u>	2.73%	2.78%	n/a	n/a	2.73%	n/a	n/a		n/a	n/a		n/a	n/a		Matthew	

## Corporate Plan PI Report Corporate

**Priorities: Delivering a Well-Managed Council**

**Aims: Other**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>absence %</u>															Page	
<u>Appraisals completed</u>	62%	100%	n/a	n/a	n/a	n/a	n/a	89%	n/a	n/a	n/a	n/a	n/a		Matthew Page	(April - September) As of the 8th July the return of completed appraisals shown in the LMS system as 89.40% (NC)
<u>% total Council tax collected - monthly</u>	96.69%	97.50%	11.33%	20.07%	28.75%										Dean Emery	
<u>% total NNDR collected - monthly</u>	98.62%		19.41%	32.24%	41.11%										Dean Emery	
<u>New Performance Planning Guarantee determine</u>	100%	100%	n/a	n/a	100%	n/a	n/a		n/a	n/a		n/a	n/a		Angharad Williams	

## Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Other

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>within 26 weeks</u>																
<u>Major applications overturned at appeal (over last 2 years)</u>	5.53%	10%	n/a	n/a	0%	n/a	n/a		n/a	n/a		n/a	n/a		Angharad Williams	
<u>Major applications overturned at appeal % of appeals</u>	2.26%	10%	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Angharad Williams	
<u>Minor applications overturned at appeal (over last 2 years)</u>	0.43%	10%	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Angharad Williams	
<u>Minor applications overturned at appeal %</u>	0.78%	10%	n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Angharad Williams	

## Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Other

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
of appeals																
<u>Response to FOI/EIR Requests (within 20 working days)</u>	100%	100%	98%	99%	99%										Lynsey Chilcott	(June) 1 late response in June (NC)
<u>Working Days Lost Due to Sickness Absence</u>	7.80days	7.00days	0.53days	1.08days	1.63days										Matthew Page	
<u>Staff Turnover</u>	21.3%	15.00%	n/a	n/a	4.09%	n/a	n/a		n/a	n/a		n/a	n/a		Matthew Page	

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# Corporate Risk Management Report - Appendix 6 2022-2023

Report for 2022-2023

Filtered by Prefix: Exclude Risk Prefix: OP, PR, EV

Filtered by Flag: Include: \* Corporate Risk Register

For MDDC - Services

Filtered by Performance Status: Exclude Risk Status: Low

Not Including Risk Child Projects records, Including Mitigating Action records

## Key to Performance Status:

Mitigating Action:	Milestone Missed	Behind schedule	In progress	Completed and evaluated	No Data available
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Risks:	No Data (0+)	High (15+)	Medium (6+)	Low (1+)
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## Corporate Risk Management Report - Appendix 6 2022-2023

**Risk: Culm Garden Village** Possible discontinuance of Government funding support

Service: Planning

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Funding opportunities	Lobby for the creation of further funding opportunities and for further rounds of the garden communities capacity funding	Adrian Welsh	03/02/2021	08/07/2022	Satisfactory(2)
In progress	Further bids for capacity funding	To continue to secure external funding to support the project	Tristan Peat	29/03/2019	08/07/2022	Satisfactory(2)

Current Status: Medium (12)

Current Risk Severity: 4 - High

Current Risk Likelihood: 3 - Medium

Service Manager: Adrian Welsh

## Corporate Risk Management Report - Appendix 6 2022-2023

**Review Note:** 2022/2023 capacity funding secured; however other funding sources needed to advance the project - these are currently being explored.

**Risk: Cyber Security** Inadequate Cyber Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service. If the Council fails to have an effective ICT security strategy in place.

Risk of monetary penalties and fines, and legal action by affected parties

**Service: I C T**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
Completed and evaluated	Regular user awareness training	Staff and Member updates help to reduce the risk	Lisa Lewis	03/01/2019	15/07/2022	Fully effective(1)
Completed and evaluated	Technical controls in place	Required to maintain Public Sector Network certification	Lisa Lewis	03/01/2019	15/07/2022	Fully effective(1)

**Current Status: High (20)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 4 - High**

**Service Manager: Brian Trebilcock**

**Review Note:** Living risks. New firewall implemented with 2FA on outlook. Cyber security page on sharpint with information for users. Cyber risk mitigation plan is in place.

## Corporate Risk Management Report - Appendix 6 2022-2023

**Risk: Homes for Ukraine Scheme** There is a risk of the 'Homes for Ukraine scheme' failing should the host relationship breakdown and re-matching is not an option.

Where refugees cannot afford to pay for private accommodation the council has a Homelessness Duty.

**Service: Public Health**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Collaboration	Continue to engage with DLUHC, LGA and DCN on scheme roll-out, pressures and risks/updated national guidance etc.  Reviewing a Devon-wide exit strategy around pending housing/accommodation pressures once hostings end – joint solutions (work in progress)	Simon Newcombe	18/07/2022		Satisfactory (2)
In progress	Finance	<ul style="list-style-type: none"> <li>Funding for Q1 of the scheme received from DCC under agreed financial arrangement based on numbers and payments out. Further Q2-Q4 returns and payments in due course</li> <li>-60% of £10.5k per refugee (DCC 25%, 15% contingency for all) which includes £200 subsistence payment per head</li> <li>-100% of monthly £350 host 'thank you' payments</li> <li>-Q1 payment of £640K banked</li> <li>-Committed spend to date inc. some Q2 expenditure and existing staff time is around one-third of funding received so far @ £235k</li> </ul>	Simon Newcombe	18/07/2022		Satisfactory (2)
In progress	Re-matching demand	Re-matching demand is relatively low (host/guest arrangements ending early) and single figures but starting to see increase due to rurality of some hosts and	Simon Newcombe	18/07/2022		Satisfactory (2)

## Corporate Risk Management Report - Appendix 6 2022-2023

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
		requirement to be closer to employment, services and schools				
In progress	Team Devon	<p>Petroc offer a myriad of informal network events will help support transition to sustainable residency (employment, language, skills, accommodation, schools etc) and help during summer holiday period – likely to be testing for some host/guest relationships</p> <p>Negotiated strong Petroc offer for summer holidays and longer-term programme inc. Tiverton campus - Summer programme (get to know - family cookery, arts and crafts, physical activity, trips to local attractions)</p>	Simon Newcombe	18/07/2022		Satisfactory (2)

**Current Status: High (20)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 4 - High**

**Service Manager: Simon Newcombe**

**Review Note:** An increase in the need for our homelessness service to find suitable alternative safe temporary accommodation at a cost to the authority and that may be some distance from the location of the original hosting arrangement due to availability pressures.

**Risk: Information Security** Inadequate data protection could lead to breaches of confidential information and ultimately enforcement action by the ICO.

**Service: Governance**

### Mitigating Action records

No Mitigating Action records found.

**Current Status: Medium (12)**

**Current Risk Severity: 4 - High**

**Current Risk Likelihood: 3 - Medium**

**Service Manager: Giovanni Wallace**

**Review Note:** Data Protection Officer has commenced and following the induction process will be reviewing the policies

## Corporate Risk Management Report - Appendix 6 2022-2023

**Risk: National shortage of chlorine and other chemicals** A countrywide shortage of chlorine due to production issues in China and the war in Ukraine means some councils plan to close their swimming pool facilities and amend timetables.

**Service: Leisure Services**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Alternatives to using Chlorine in our swimming pools	To convert the disinfection systems to salt would cost EVLC and LMLC approximately £30K each.  A significant investment however if there is an agreement to change over to salt it would take time and resources.	Nicola Cuskeran	08/07/2022	08/07/2022	Satisfactory(2)
In progress	Challenges Nationally	Leisure pools are being "challenged nationally" with (sodium hypochlorite) chlorine shortages and while these have been building for some time. The ongoing crisis is due to a 'perfect storm' of supply chain issues, caused by Brexit, Covid, and the Ukraine war.  Currently our leisure service are able to get stocks of Chlorine by chasing suppliers.  The price of chlorine has also soared by 50-60%.	Nicola Cuskeran	08/07/2022	08/07/2022	Satisfactory(2)

**Current Status: High (20)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 4 - High**

**Service Manager: Lee Chester**

**Review Note:** The shortage is being attributed to a temporarily reduced supply in the UK, a backlog coming from China's supply chain caused by Covid, a significant fire in a US chemical plant in late 2020, and worldwide transportation issues, with prices of the chemical being driven up by 50% to 60%.

Leisure centres use Chlorine and Acid chemicals, to treat bacterial nasties in pool water, starts running out.

## Corporate Risk Management Report - Appendix 6 2022-2023

**Risk: Overall Funding Availability** Changes to Revenue Support Grant, Business Rates, New Homes Bonus and other funding streams in order to finance ongoing expenditure needs.

### Service: Financial Services

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Engaging in commercial activities	To provide additional revenue streams	Paul Deal	28/09/2017	23/06/2022	Satisfactory(2)
In progress	Medium term planning	Work to close is on-going. A range of options are being considered but Covid, business rates and uncertainty over fair funding review make the situation extremely challenging	Paul Deal	28/09/2017	23/06/2022	Satisfactory(2)
In progress	We continue to work with managers to reduce costs and explore new income streams	To close the budget gap and maintain services	Paul Deal	07/02/2019	23/06/2022	Satisfactory(2)

**Current Status: High (20)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 4 - High**

**Service Manager: Paul Deal**

**Review Note:** The core funding elements only change on an annual basis.

The 2023/24 budget process has begun with an initial review of the budget shortfall based on latest understanding of cost pressures and funding assumptions. The current cost of living / inflation pressure are adding additional pressure on the budget, both in-year and in future years. All options identified will be Cabinet and PDG's in the Autumn 2022.

## Corporate Risk Management Report - Appendix 6 2022-2023

**Risk: Reduced Funding - Budget Cuts** We are subject to continuing budget reductions. If we concentrate on short term cost savings, it may increase long term impact of decisions

**Service: Financial Services**

### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Business Plans	Service Business Plans are reviewed each financial year with suggestions for revised performance targets based on budget to be agreed by Cabinet Member and PDG.	Paul Deal	28/05/2013	23/06/2022	Satisfactory(2)
In progress	Identify Efficiencies	Taking proactive steps to increase income and reduce expenditure through efficiencies, vacancies that arise and delivering services in a different way.	Paul Deal	28/05/2013	23/06/2022	Satisfactory(2)
Completed and evaluated	Reserves	Cabinet have taken the decision to recommend a minimum general reserve balance of 25% of Net annual budget.	Paul Deal	28/05/2013	23/06/2022	Fully effective(1)
In progress	Set Budget	Each year as part of the budget setting process, members are consulted via PDGs in time to evaluate savings proposals, ahead of the November draft budget.	Paul Deal	28/05/2013	23/06/2022	Satisfactory(2)

**Current Status: High (20)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 4 - High**

**Service Manager: Paul Deal**

**Review Note:** The core funding elements only change on an annual basis.

The 2023/24 budget process has begun with an initial review of the budget shortfall based on latest understanding of cost pressures and funding assumptions. All options identified will be Cabinet and PDG's in the Autumn 2022.

## Corporate Risk Management Report - Appendix 6 2022-2023

**Risk: Resourcing Risk** If the Council fails to recruit and/or retain sufficient, suitable staff it may not be able to maintain essential and/or statutory services.

### Service: Human Resources

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Increase in cost of living	As unemployment rates decline and job market confidence rises, employee turnover is more likely to increase. There is the added impact of growing inflation, energy price increases and increase in fuel prices and wider national industrial action across England as workers are seeking higher pay rises to deal with the cost of living may impact on service delivery.	Matthew Page	18/07/2022	18/07/2022	Satisfactory(2)
In progress	Recruitment and retention remains challenging	the rate of inflation rising, sometimes changing career leads to exciting opportunities and new people can bring fresh perspectives, ideas and expertise however when people move on employers can lose knowledge, experience and institutional memory. The staff turnover is at 4.28% for quarter 1 in 2022/2023.	Matthew Page	18/07/2022	18/07/2022	Satisfactory(2)
In progress	Turnover Figure	The actual turnover figure came in as 21.23% which was an increase from 14% in the year 2020/2021. The council is currently able to continue business whilst carrying a number of vacancies.  You would expect to have a reasonable turnover during the financial year, it is natural to have a number of leavers and gives opportunities to bring in to the Council different skill set and knowledge	Matthew Page	14/04/2022	18/07/2022	Satisfactory(2)

## Corporate Risk Management Report - Appendix 6 2022-2023

**Current Status: Medium (12)**

**Risk: SPV - 3 Rivers - Failure of the Company** This will depend on Economic factors and the Company's success in the marketplace commercially.

For MDDC the impacts will be:

3 Rivers are unable to service and repay the loan from MDDC

Not receiving the forecast additional income

Not supporting corporate objectives.

### Service: Financial Services

#### Mitigating Action records

Mitigation Status	Mitigating Action	Info	Responsible Person	Date Identified	Last Review Date	Current Effectiveness of Actions
In progress	Cabinet	Regular meetings with Shareholder Representatives and updates to Cabinet on progress with the recommendations action plan and projects.	Andrew Jarrett	09/11/2020	23/06/2022	Satisfactory(2)
In progress	Regular monitoring	The Board of 3 Rivers deliver a half yearly report to the Cabinet which provides an update on their delivery against their business plan. We charge interest to them at a commercial rate in order to maintain an "arms-length" relationship and the interest provides some mitigation to the outstanding principal.	Andrew Jarrett	30/05/2019	23/06/2022	Satisfactory(2)

**Current Status: High (16)**

**Current Risk Severity: 4 - High**

**Current Risk Likelihood: 4 - High**

**Service Manager: Paul Deal**

**Review Note:** New HMT regulations preventing out of District investment will clearly restrict the future development abilities. Discussions relating to the new issue are ongoing.

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## **CABINET 9 AUGUST 2022**

### **3 Rivers Developments Limited – Annual Report**

**Cabinet Members:** Councillor Bob Deed – Leader  
Councillor Andrew Moore – Finance

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

**Reason for Report:** To provide Cabinet an Annual Report which also includes the company's Accounts as per the conditions of the Shareholder Agreement.

**RECOMMENDATION:** That Cabinet note the company's Annual Report (which includes their annual accounts).

**Relationship to Corporate Plan:** 3 Rivers Developments Limited's (3Rivers) primary objective is to generate future returns in order to grow the business and to recycle monies made back to the Council to mitigate some of the cuts in Government funding.

**Financial Implications:** The Council has a duty to obtain value for money. All financial interactions between the Council and 3Rivers are carried out at commercially evidenced rates and subject to individual loan agreements.

**Legal Implications:** This report is prepared in accordance with the Shareholder Agreement, Company's Memorandum and Articles of Association.

**Risk Assessment:** Detailed within the report.

**Equality impact assessment:** No equality issues identified for this report.

**Impact on climate change:** 3Rivers is a commercial organisation and where deliverable sustainable options are available they are utilised; however, as a commercial organisation it is acknowledged that where there is a significant cost differential and what the market will sustain that this plays heavily in the choices made.

## **1.0 Introduction**

- 1.1 This report is provided to the Council in compliance with the terms of the Shareholder Agreement and looks back at company performance during 2021/22 and in addition includes their company accounts. These accounts have been produced by Paul Steele – Chartered Accountants and have been fully consolidated in to the Council's accounts as per the prevailing accounting standards.

## **2.0 Annual Report and Accounts**

- 2.1 Attached to this report are the Company's Annual Report and Financial Statements for the period from 1 April 2021 to 31 March 2022.
- 2.2 This report also details the Company's progress and project performance for the 12 month period to 31 March 2022.
- 2.3 The attached Annual Report gives a detailed overview of company challenges and achievements, an update on governance matters, updates on project progress, gives a view on future sites and summarises overall financial performance.
- 2.4 In addition the appended Company accounts of 3Rivers have now been produced by Paul Steele, their external accountants, for the 12 month period ending 31 March 2022. These accounts show all the expenditure and income that has been incurred / generated based on the activities of a property development company. Clearly, the early years of trading are likely to show an operating loss whilst the Company is established and beginning to secure land assets and then moves forward to acquire a regular/sizable pipeline of developments.
- 2.5 The main highlights of the 2021/22 financial year were:
- Generated £0.676m in sales from units at The Orchard, Halberton
  - Ongoing delivery of St. Georges Court, Tiverton and took over direct management with effect from 1 April 2021
  - Commence start on site on Bampton project August 2021
  - Repaid the Council 1.064m of capital borrowing relating to the Threwstones, Tiverton and Orchard, Halberton sites.
  - The company has increased its overall borrowing by £3.4m to £13.5m
  - During 2021/22 the company paid the Council interest of £0.638m
- 2.6 In addition to the above the company has recently recruited a new Finance Director and has appointed Simpkins Edwards LLP as their external auditors.

## **3.0 Project Progress Update**

- 3.1 In addition to the Annual Report and Accounts the company continues to provide its usual update on individual project progress and an associated corporate risk assessment. To move this reporting process on to a more

business as usual methodology these reports are now included in the regular budget monitoring reports that go to Cabinet.

- 3.2 The remaining fall out from Covid19, other international impacts and now the cost of living pressures is all having a negative impact on potential business profitability. But careful purchasing and established contract arrangements and oversight is ensuring that any additional cost pressures are minimised.

#### **4.0 Conclusion**

- 4.1 During 2021/22 the company was informed that the Council could not support outside of District development due to changes to Treasury arrangements in allowing access to the Public Works Loan Board. This has resulted in a re-appraisal of development/projects included in the company's 2022/23 Business Plan.
- 4.2 How the company is planning to respond to this issue will be subject of a report to the next meeting of the Cabinet.
- 4.3 The company has recently appointed a land buyer in order to help maximise its pipeline of deliverable sites/projects within the Council's boundary and this is currently identifying a number of potential profitable opportunities.

Contact for more information: Andrew Jarrett, Deputy Chief Executive (S151)

Circulation of the report: Leadership Team and Cabinet

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# MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

August 2022

The Forward Plan containing key Decisions is published 28 days prior to each Cabinet meeting

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<b>Play Area Safety Inspection Policy</b> To receive the 3 yearly review of the Play Area Safety Inspection Policy and if appropriate make recommendations to Cabinet on 9 August 2022	Environment Policy Development Group	19 Jul 2022	Corporate Manager for Property, Leisure and Climate Change	Cabinet Member for the Environment and Climate Change (Councillor Colin Slade)	Open
	Cabinet	9 Aug 2022	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948		
<b>Purchase of Houses of Multiple Occupation</b> To consider a report regarding options in relation to the purchase of HMO's.	Homes Policy Development Group	26 Jul 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Part exempt
	Cabinet	9 Aug 2022			
<b>Tenancy Standard Policy</b> To receive the revised Tenancy Standard Policy.	Homes Policy Development Group	26 Jul 2022	Claire Fry, Housing Services Operations Manager Tel: 01884 234920	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
	Cabinet	9 Aug 2022			

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Mid Devon as a Trauma Informed Council</b> To receive details of how the Council can become Trauma Informed and the steps required and costs associated with this and whether to recommend the approach to the Cabinet.	Community Policy Development Group  Cabinet  Council	2 Aug 2022  6 Sep 2022  26 Oct 2022	Corporate Manager for Public Health, Regulation and Housing  Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>Recommendations of the Anti-Social Behaviour Working Group</b> To receive the recommendations of the Anti-Social Behaviour Working Group	Community Policy Development Group  Cabinet	2 Aug 2022  6 Sep 2022	Clare Robathan, Policy and Research Officer	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>3 Rivers Developments Limited - Annual Report</b> To receive the annual report from the company	Cabinet	9 Aug 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Part exempt
<b>Culm - Garden Village Masterplan</b> To consider a masterplan for consultation.	Cabinet	9 Aug 2022	Tina Maryan, Area Planning Officer	Cabinet Member for Planning and Economic Regeneration	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
				(Councillor Richard Chesterton)	
<b>Tiverton Neighbourhood Plan</b> To consider the examiners report	Cabinet	6 Sep 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Tiverton A361/HIF Scheme update</b> To receive an update.	Cabinet	6 Sep 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Air Quality Supplementary Planning Document for consultation</b> To consider an Air Quality SPD	Cabinet	6 Sep 2022	Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Cullompton Town Centre Masterplan and Delivery</b>	Cabinet	6 Sep 2022	Adrian Welsh, Strategic Manager	Cabinet Member for Planning and	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Plan SPD</b> To consider the masterplan	Council	26 Oct 2022	for Growth, Economy and Delivery Tel: 01884 234398	Economic Regeneration (Councillor Richard Chesterton)	
<b>Review of Development Management - Discretionary Fees</b> To consider a review of discretionary fees	Cabinet	6 Sep 2022	Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Shopfront Enhancement Scheme</b> To receive a report regarding the Shopfront Enhancement Scheme	Economy Policy Development Group  Cabinet	15 Sep 2022  4 Oct 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Market Environmental Strategy</b> To receive a report regarding the Market Environmental Strategy	Economy Policy Development Group  Cabinet	15 Sep 2022  4 Oct 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
				Chesterton)	
<b>Economic Recovery Plan</b> To receive the draft Local Economic Recovery Plan	Economy Policy Development Group  Cabinet	15 Sep 2022  4 Oct 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Asbestos Management Plan</b> To consider a revised plan.	Homes Policy Development Group  Cabinet	20 Sep 2022  4 Oct 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Housing Service Fees and Charges</b> To consider fees and charges.	Homes Policy Development Group  Cabinet	20 Sep 2022  4 Oct 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Housing Assistance Policy</b> To consider a revised policy.	Homes Policy Development Group  Cabinet	20 Sep 2022  4 Oct 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Private Sector Housing Fees and Charges</b> To consider revised fees and charges.	Homes Policy Development Group  Cabinet	20 Sep 2022  4 Oct 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Non Statutory Interim Planning Policy Statement: Climate Emergency</b> To consider the policy statement	Cabinet	4 Oct 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Meeting Housing Needs SPD</b> To recommend a draft for consultation to the Cabinet	Cabinet	4 Oct 2022	Director of Place	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Crediton Masterplan - Procurement</b> To consider the procurement of services for the Crediton Masterplan.	Cabinet	4 Oct 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Part exempt

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Tiverton Town Centre Masterplan</b> To agree the draft masterplan for public consultation.	Cabinet	4 Oct 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Tiverton EUE Area B Masterplan</b> To consider the outcome of the playing pitch and sports provision review	Cabinet	4 Oct 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Data Protection Policy</b> To consider a revised policy	Cabinet	4 Oct 2022	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open
<b>Freedom of Information Policy</b> To consider a revised policy	Cabinet	4 Oct 2022	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel:	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open

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Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
			01884 234981		
<b>Records Management Policy</b> To consider a revised policy	Cabinet	4 Oct 2022	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open
<b>Channel Access Policy</b> To consider a revised Policy	Cabinet	4 Oct 2022	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open
<b>Medium Term Financial Plan</b> To consider the Medium Term Financial Plan	Cabinet	4 Oct 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Infrastructure Funding Statement</b> To receive the annual statement	Cabinet	1 Nov 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>3 Rivers Developments Ltd - Business Plan</b> To consider a revised business plan.	Cabinet	1 Nov 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Part exempt
<b>Electric Vehicle Car Sharing Options</b> To receive an options paper on progressing Electric Vehicle Car Sharing options in the district and to make recommendations to the Cabinet to progress a scheme	Environment Policy Development Group  Cabinet	8 Nov 2022  29 Nov 2022	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for the Environment and Climate Change (Councillor Colin Slade)	
<b>3 Rivers Development Ltd Business Plan.</b> To receive the company business plan and if appropriate to make recommendations to Audit Committee on 22 November and / or Cabinet on 29 November.	Scrutiny Committee  Audit Committee  Cabinet	14 Nov 2022  22 Nov 2022  29 Nov 2022	Deputy Chief Executive (S151)  Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Part exempt
<b>Strategic Allocations Policy &amp; Strategic Tenancy Strategy</b>	Homes Policy Development Group	15 Nov 2022	Simon Newcombe, Corporate Manager for Public Health,	Cabinet Member for Housing and Property Services	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
To consider a revised strategy.	Cabinet	29 Nov 2022	Regulation and Housing Tel: 01884 244615	(Councillor Stuart Penny)	
<b>Neighbourhood &amp; Community Standard Policy</b> To consider a revised policy.	Homes Policy Development Group Cabinet	15 Nov 2022 29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Empty Homes Plan</b> To consider a revised plan.	Homes Policy Development Group Cabinet	15 Nov 2022 29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Housing Strategy update and annual review</b> To consider a review of the strategy.	Homes Policy Development Group Cabinet	15 Nov 2022 29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Town and Parish Charter</b> To receive the 3 yearly review of the Town and Parish Charter	Community Policy Development Group	22 Nov 2022	Forward Planning Team Leader  Tristan Peat, Forward Planning	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
	Cabinet	3 Jan 2023	Team Leader		
<b>The Council Tax Reduction Scheme &amp; Exceptional Hardship Policy</b> To receive a review of The Council Tax Reduction Scheme & Exceptional Hardship Policy	Community Policy Development Group  Cabinet	22 Nov 2022  7 Feb 2023	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Finance (Councillor Andrew Moore)	
<b>Mid Year Treasury Management Report</b> To receive the mid year report.	Cabinet	29 Nov 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Post Hill Tiverton–Tender results and project award for 70 Council homes</b> To consider the outcome of the tender process.	Cabinet  Council	29 Nov 2022  14 Dec 2022	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Part exempt

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