

Public Document Pack

Mid Devon District Council

Cabinet

Tuesday, 4 April 2023 at 10.00 am
Phoenix Chamber, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 6 June 2023 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 B G J Warren
Cllr G Barnell
Cllr Mrs C P Daw
Cllr D J Knowles
Cllr A Wilce
Cllr Mrs N Woollatt

AGENDA

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

1. **Apologies**
To receive any apologies for absence.
2. **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
3. **Declarations of Interest under the Code of Conduct**
To record any interests on agenda matters.
4. **Minutes of the Previous Meeting** (*Pages 5 - 18*)
To consider whether to approve the minutes as a correct record of the meeting held on 7 March 2023.
5. **Financial Monitoring** (*Pages 19 - 22*)
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.
6. **Performance Update** (*Pages 23 - 52*)
To consider a report of the Director of Business Improvement and Operations providing Members with an update on the performance against the Corporate Plan and local service targets.
7. **Corporate Risk Update** (*Pages 53 - 64*)
To receive a report from the Corporate Manager for People, Performance and Waste.

8. **Car Parking and Permit Tariffs: Review and Way Forward** *(Pages 65 - 84)*

To consider a report from the Environment and Enforcement Manager.

Following a report of the Environment and Enforcement Manager, the Economy Policy Development Group made the following recommendations:

To adopt Appendix 3, option 2 in relation to Parking Fees with the below amendments;

- a) An increase on the 24 hour vend at the MSCP in Tiverton to £15.
- b) The removal of the free 15 minute vend at Phoenix House and the introduction of a 50p charge for a 30 minute vend at Phoenix House.
- c) The retention of the free 30 minute night time stay in all three towns.
- d) Overnight Parking, Sunday and Bank Holiday Parking should have a flat £2 rate for all sites.

To adopt Appendix 4, Option 1 in relation to Permit Fees with the below amendments;

- e) An increase of the annual Allocated Space charge to £460.
- f) An increase of the annual day/night permit to £460.

9. **Air Quality SPD** *(Pages 85 - 172)*

To receive a report from the Director of Place

10. **Communication and Engagement Strategy** *(Pages 173 - 202)*

To receive a report from the Communications and Engagement Manager

11. **Regulation of Investigatory Powers**

To receive a verbal update from the District Solicitor and Monitoring Officer

12. **Single Equalities Policy and Equality Objectives** *(Pages 203 - 224)*

To receive a report from Corporate Manager for People, Performance & Waste

13. **Notification of Key Decisions** *(Pages 225 - 228)*

To note the contents of the Forward Plan.

Stephen Walford
Chief Executive
Monday, 27 March 2023

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 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.

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 7 March 2023 at 10.00 am

Present

Councillors

B G J Warren (Leader)
G Barnell, Mrs C P Daw, D J Knowles, A Wilce and
Mrs N Woollatt

Also Present

Councillors

S J Clist, R J Dolley and B Holdman

Also Present

Officers:

Andrew Seaman (Member Services Manager), Richard Marsh (Director of Place), Maria De Leburne (District Solicitor and Monitoring Officer), Andrew Jarrett (Deputy Chief Executive (S151)), Sarah Lees (Member Services Officer), Dean Emery (Corporate Manager for Revenues, Benefits and Recovery) and Simon Newcombe (Corporate Manager for Public Health, Regulation and Housing)

145. **APOLOGIES**

No apologies were given.

146. **PUBLIC QUESTION TIME**

Paul Elstone:

Question 1

MDDC Officers seem to place a lot of credibility in the fact that Zed Pods constructed the developments at Hope Rise Bristol and in Bromley. Are Officers and Cabinet Members aware that these developments were in fact built and project managed by a company called impact modular to Enhanced Energy Performance Standards. Zed Pods are not a SWPA appointed company for this work-stream. That there are other questions worthy of asking in terms of the SWPA Procurement process and the required level of MDDC oversight and governance. Is this another 3 Rivers in waiting? Will this Cabinet implement a full investigation including in respect of project cost prior to committing to any further Zed Pods Projects being implemented?

Question 2

In a written reply to a question about the Zed Pod Module overspend of Four Hundred and Sixty-Seven Thousand Pounds (£467,000) related to the Shapland Place development. It is said that One Hundred and Twenty Five Thousand Pounds (£125,000) this overspend is mostly due replacing the wooden trellis with opaque glass screens. These are 4 screens each about 5 meters long. Planting semi mature trees which are just 1.8 to 2.4 meters tall. There being a total of 16 trees. Also adding a small clear glazed panels to just 3 windows. On checking these cost the figure of £125,000 seems to be a gross over statement being nearly five times market rates. Will MDDC Officers arrange for a detailed written cost breakdown to be provide to Cabinet Members and ideally myself? This to ensure full transparency.

Question 3

Even if cost is One Hundred and Twenty-Five Thousand Pounds (£125,000) it means an additional Three Hundred and Forty Two Thousand Pounds (£340,000) for foundation upgrades. Again, seems a massive price hike in foundation cost. Equivalent to nearly Forty-Three Thousand Pounds per apartment. Put another way conventional build cost at £150 per square foot would equate to around £708,000 for the 8 apartments measuring Four thousand seven hundred and nineteen (4,719) square feet in area, excluding stair towers. Zed Pods increased cost of £340,000 is for foundations alone. Will MDDC Officers arrange for a detailed written cost breakdown to be provided to Cabinet Members and ideally myself this to ensure full transparency?

Question 4

It is stated that reason for cost increase is after identifying foundation change requirements this after high-cost intrusive investigations. A site visit reveals that just four (4) small holes have been dug – now filled in. Holes not all in the location of module supporting pillars i.e. foundation locations. Will MDDC Officers arrange for a copy of the intrusive foundation report and recommendations to be provided to Cabinet and ideally to myself this for full transparency?

The Leader thanked Mr Elstone for his questions and noted that a written response would be given.

147. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

Members were reminded to make declarations on interest where appropriate.

Cllr Mrs N Woollatt declared a personal interest that she lived near Station Road Car Park.

148. MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting from 7 February 2023 were approved as a correct record and signed by the Leader.

149. FINANCIAL MONITORING

The Cabinet were presented, and **NOTED** a financial update in respect of the income and expenditure so far in the year. The following was highlighted:

- The General Fund position had not changed over the past month.
- A planning appeal costing had been received which was a six-figure sum.
- After a Government consultation, planning fees were likely to be increased next year.
- Energy costs remained to be a significant pressure on Mid Devon District Council, bills had risen by 33%.
- The Leisure Centres had a positive month following the post-Christmas campaign.
- Investments in the South West Mutual Bank were likely to be lost but had already been written off in 2022.
- Congratulations to the Leisure Centre staff was given.

150. **UPDATE FROM THE CABINET MEMBER FOR CONTINUOUS IMPROVEMENT**

The Cabinet **NOTED** a verbal update from the Member for Continuous Improvement.

The following was highlighted:

- 'Low' cases made up 90.35% of the caseloads.
- Work had commenced on the replacement of the Customer Relationship Management (CRM) system replacement.
- Parking enforcement performance remained at a good level.
- To date, 95 complaints had been received in 2022/2023.

The following was discussed:

- There was a need for Councillors to be kept up to date on enforcement cases within their wards.
- Thanks was given in relation to the work done on business rates.
- Officers explained that complaints followed the necessary processes that were in place which were available on Mid Devon District Council's website.

151. **CULLOMPTON TOWN CENTRE RELIEF ROAD**

Cabinet received a report* which informed Members of the outcome of Mid Devon's application to the second round of the Levelling Up Fund (LUF2) to support delivery of the Cullompton Town Centre Relief Road (CTCRR).

The following was discussed:

- The cost of submitting bids, to which the Director of Place explained that funds were drawn against the Housing Infrastructure Fund (HIF) fund, which therefore meant there was no direct cost for Mid Devon District Council.
- The life span of the s106 monies, to which the Director of Place explained that these funds had a long lifespan and could be used for other transport intervention projects if needed.
- Concern over the HIF deadline, to which the Director of Place explained that an announcement was due in spring 2023 and that bids would be submitted towards the end of 2023.
- It was suggested that a 50 year loan be used, to which the Deputy Chief Executive advised that would put Mid Devon District Council under additional cost pressure and was not recommended. In addition the Deputy Chief Executive noted that the cost of the project had doubled since 2019.
- A road north of Cullompton would be beneficial.
- That lobbying Government was important.

RESOLVED:

1. That Cabinet consider the contents of this report and instructs Officers to:
 - i. Continue to investigate and negotiate additional funding opportunities to support timely delivery of the Cullompton Town Centre Relief Road
 - ii. If an additional funding mechanism to support timely delivery of the relief road project (working with the existing HIF grant) can be negotiated and agreed in detail, to bring this back to Cabinet as soon as possible for consideration and decision, as appropriate.
2. That delegated authority be given to the Director of Place to develop and submit a bid to the third round of the Levelling Up Fund in respect of the gap funding required to enable or support delivery of the Cullompton Town Centre Relief Road, should the scheme still qualify for a District Council submission and should the LUF3 fund be confirmed.

(Proposed by Cllr G Barnell and seconded by Cllr Mrs N Woollatt)

Reason for Decision: As stated in the report

Note: *report previously circulated and attached to the minutes

152. LOCAL AUTHORITY HOUSING FUND

The Cabinet received a report* which sought agreement with the Department of Levelling Up, Housing Communities (DLUHC) for the provision of affordable housing under the Local Authority Housing Fund (LAHF).

The following was highlighted:

- Mid Devon District Council had recently welcomed people from countries suffering from conflict such as Ukraine and Afghanistan, however, these support schemes had a limited time frame.
- It was expected that Mid Devon District Council's homelessness programme would be under significant pressure when these schemes end, however a funding programme from the Government had been introduced. This Government scheme provided 40-50% of the funding and there was an aim to provide as much accommodation as possible.
- This accommodation could be used within the wider homelessness accommodation programme.
- Modular developments provided a higher volume of units for this programme.
- This would become a long-term asset that would de-risk the homelessness cost pressures.

The following was considered:

- That there should be a degree of flexibility in regards to the location for this scheme.
- Station Road Car Park may not be the most appropriate location.
- If modular housing was not used, Mid Devon District Council could only house 50% of the original target. It was acknowledged that there would be some long term pressures using Station Road Carpark, but the cost of using hotels as well as Bed and Breakfasts were rising.
- There would be pressures and compromises for any location for this programme.
- The lifespan of the pods was raised and what would happen to them when they were no longer fit for purpose. The Corporate Manager for Public Health, Regulation and Housing explained that this accommodation had a 100 year life expectancy.

RESOLVED:

1. That delegated authority be given to the S151 Officer to sign the LAHF Memorandum of Understanding (MOU) between the DLUHC and Mid Devon District Council as set out in Annex A
2. Subject to recommendation 1, that under the LAHF the Council purchase Property 1 and 2 described within the report and set out further in Annex B
3. Subject to planning permission being granted for the proposed affordable rent modular housing development at a suitable location within the district, yet to be identified:
 - i. A bid for the Phase1 and Phase 2 work be accepted under the terms of the South West Procurement Alliance (SWPA)
 - ii. This will therefore be a direct award under the SWPA NH2 modular housing framework
4. If a suitable location for the development set out in recommendation 3 cannot be found or planning permission is not granted, the Council purchase suitable additional market properties within the district to include at least one 4-bed property and do so within the terms of the LAHF funding and additional match-funding budget as set out within the report.
5. Delegated authority be granted to the S151 Officer to complete the associated property purchases and the Phase 1 and Phase 2 contracts as required.

(Proposed by Cllr A Wilce and seconded by Cllr Mrs N Woollatt)

Reason for Decision: As stated in the report

Note: *report previously circulated and attached to the minutes

153. MEETING HOUSING NEEDS SPD

The Cabinet received a report* which sought approval for the draft Mid Devon Meeting Housing Needs Supplementary Planning Document for Public Consultation, with the following highlighted:

- This report related to the adopted local plan.
- Included a broader scope of guidance when compared to the previous version.
- This document would need to be published for a 6 week public consultation.
- The adopted local plan had not considered today's housing needs within Mid Devon.
- There was a need for the availability of social and affordable rented housing to be improved.
- There was a need for a wider range of house sizes, particularly housing for families.

The following was discussed:

- Whether the target for affordable housing could be met. The Director of Place explained that the nature of the planning process had meant that changes to the quantity of housing delivered could change over the course of the application's lifetime.

RESOLVED:

1. The draft Mid Devon Meeting Housing Needs Supplementary Planning Document (Appendix 1 to this report), the Strategic Environmental Assessment Screening Report (Appendix 2 to this report) and the Habitat Regulations Assessment Screening Report (Appendix 3 to this report) be 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 material and arrangements for consultation.
3. That officers consider the options available to Mid Devon to enable the authority to achieve significant improvements in housing mix for the District as set out within Table 1 (page 6) of the SPD document and as established through the Local Housing Needs Assessment, with particular emphasis on improving the availability of social and affordable rented accommodation and of lower cost family housing. While noting that further work on housing mix will be undertaken through the development of our new Local Plan; Plan Mid-Devon. Cabinet requests that the Director of Place reports to Cabinet on the outcome of this work by October 2023.

(Proposed by Cllr G Barnell and seconded by Cllr A Wilce)

Reason for Decision: As stated in the report

Note: *report previously circulated and attached to the minutes

154. **VOIDS MANAGEMENT POLICY**

The Cabinet received a report* which provided an updated, draft policy on the management of void properties within the Council's housing stock. This had been developed following an in-depth review of voids management and with an aim that ensured properties which become void continued to be re-let as quickly and efficiently as possible. The policy also sought to balance this approach with the needs of tenants and the requirement to maintain properties to an appropriate, safe lettings standard, whilst retaining a sustainable stock and Housing Revenue Account.

The following was discussed:

- Regarding the use of working days as a measurement for void performance and whether time taken for allocations to tenants made would look to be reduced. The Corporate Manager for Public Health, Regulation & Housing and Public Health explained that working days needed to be used as a measurement as it was accurate, but could report in different measurements. In addition, it was aimed for these targets to be reduced.
- Whether officers could cope with this extra work. The Corporate Manager for Public Health, Regulation & Housing and Public Health explained that the team was fully staffed and that the team had been fully staffed since the second quarter of 2023.
- Long-term voids were sometimes intentional, for example, when developments were needed.

RESOLVED:

That Cabinet adopt the updated Voids Management Policy contained in Annex B. With a review after one year.

(Proposed by Cllr A Wilce and seconded by Cllr D J Knowles)

Reason for Decision: As stated in the report

Note: *report previously circulated and attached to the minutes

155. **RESIDENT SURVEY RESULTS**

The Cabinet were presented, and **NOTED** a report* which provided an insight into the results of the resident survey. The following was highlighted:

- Results had shown that positive feedback had been received, the results had also identified opportunities for improvement and that these would be considered.

The following was discussed:

- That 39% of residents felt that the Council acted on concerns of residents and that 41% of residents were fairly or very satisfied with Mid Devon District Council's street cleaning service.
- Whether this survey should be done earlier in the municipal year.
- That areas other than Tiverton should be invested in.

- That more public engagement could be done, and that not all carparks were well used.
- Although there was not a timeframe for setting out action plans, this would be discussed.
- That it was important that local businesses were supported, to which the Director of Place explained that there were a number of initiatives that supported local businesses.

Note: *report previously circulated and attached to the minutes

156. DRAFT NON-STATUTORY INTERIM PLANNING POLICY STATEMENT: CLIMATE EMERGENCY (POST CONSULTATION)

The Cabinet received a report* which asked Cabinet to adopt the Non-Statutory Interim Planning Policy Statement.

The following was highlighted:

- This document had been through public consultation. It aimed to enable a focus on tackling climate change.
- Enabled planning tools to be more in line with climate goals.
- Could be applied to the local planning process.
- A new zero carbon toolkit and net zero housing assessment tool was also introduced.
- Members should be offered training in the use of the new climate change policy statement.

RESOLVED:

1. The proposed amendments to the draft Non-Statutory Interim Planning Policy Statement: Climate Emergency detailed in the Statement of Public Participation (Appendix 4) and in section 4.0 of this report be approved and these are included in the finalised version of the Non-Statutory Interim Planning Policy Statement: Climate Emergency (Appendix 1).
2. The amendments made to the Net Zero Carbon Toolkit detailed in the Statement of Public Participation (Appendix 4) and the schedule at paragraph 2.13 in this report be approved.
3. The Non-Statutory Interim Planning Policy Statement: Climate Emergency (Appendix 1), including the Net Zero Carbon Toolkit (Appendix 2) and the Net Zero Housing Assessment Tool (Appendix 3) be adopted, published on the Council's website, and brought into effect in the council's development management process.
4. The Council's validation checklist "4 – Application for Planning Permission" be amended to include the local validation requirement for the completion of the "Climate Emergency –Planning Applications Checklist".
5. Applicants for planning permission be encouraged to use the Net Zero Carbon Toolkit and the Net Zero Housing Assessment tool where these are relevant to the proposed development.

6. Delegated authority be given to the Director of Place in consultation with the Cabinet Member for Planning and Economic Regeneration to approve future amendments to the Non-Statutory Interim Planning Policy Statement: Climate Emergency (Appendix 1 including the Climate Emergency – Planning Applications Checklist), the Net Zero Carbon Toolkit (Appendix 2) and the Net Zero Housing Assessment Tool (Appendix 3) and where these are factual and are in relation to updated national policy and guidance, regulations and legislation.
7. That members are offered training in the use of the new climate change policy statement in order to ensure their familiarity of the document, and the use of it in supporting the determination of planning applications

(Proposed by Cllr G Barnell and seconded by Cllr Mrs C P Daw)

Reason for Decision: As stated in the report

Note: *report previously circulated and attached to the minutes

157. 2023/24 CAPITAL STRATEGY AND CAPITAL PROGRAMME

The Cabinet were presented a report* which proposed the 2023/24 Capital Strategy which also sought approval of the 2023/24 Capital Programme and requested the Cabinet noted the indicative Capital Programmes for 2024/25 to 2027/28.

The Deputy Chief Executive explained that 3 Rivers could not enter into any development opportunities prior to business cases being presented to Cabinet for approval, before any lending could be made.

RESOLVED to Recommend to Full Council:

1. That the proposed 2023/24 Capital Strategy is approved.
2. To approve in principal the current estimated amounts of Slippage of £6,201k from the 2022/23 Deliverable Capital Programme and £33,231k of 2022/23 Capital Programme expenditure profiled over the life of the MTFP. This will be finalised and formal approval sought as part of 2022/23 Outturn report.
3. The overall Capital Programme for projects commencing in 2023/24 of £98,375k be approved and the indicative Capital Programmes across the four remaining years of this Medium Term Financial Plan covering 2024/25 to 2027/28 be noted.
4. To approve the 2023/24 Deliverable Budget based on the forecast spend profile of £64,826k, this will include elements of amounts detailed in recommendations 2 & 3 above and will form the budget to monitor against in 2023/24, subject to any changes referred to in recommendation 2 at Outturn.

(Proposed by Cllr B G J Warren and seconded by Cllr A Wilce)

Reason for Decision: As stated in the report

Note: *report previously circulated and attached to the minutes

158. **2023/24 TREASURY MANAGEMENT STRATEGY**

The Cabinet were presented a report* which presented the Treasury Management Strategy and Annual Investment Strategy for 2023/24.

RESOLVED to recommend to Full Council:

That Cabinet recommends to Full Council that the proposed Treasury Management Strategy and Annual Investment Strategy for 2023/24, including the prudential indicators for the next 3 years and the Minimum Revenue Provision Statement (Appendix 1), be approved.

(Proposed by Cllr B G J Warren and seconded by Cllr D J Knowles)

Reason for Decision: As stated in the report

Note: *report previously circulated and attached to the minutes

159. **NATIONAL NON DOMESTIC RATES**

The Cabinet were presented a report* which provided an update of the income generation and financial implications of the number of Business Rate properties in Mid Devon. The report sought to approve the NNDR1 (estimated income to be generated in 2023/24 from business rates). There was a statutory deadline for notifying Precepting Authorities and the Government by 31 January 2023 of their appropriate shares in accordance with the Non Domestic Rating (Rates Retention) Regulations 2013 Regulation 2(b). The Government return had been submitted and Preceptors informed of the estimated income.

RESOLVED to recommend to Full Council:

1. That the calculation of the NNDR1 net yield of £16,921,552 from 3,519 Business Rated properties is noted for 2023/24;
2. That the proportions distributed to the respective authorities and Central Government be allocated as per the statutory regulations; and
3. That Members note that Central Government will reimburse the Council through a Section 31 grant to compensate it for the reduction in collectable business rates as a result of introducing various reliefs under section 47.

(Proposed by Cllr B G J Warren and seconded by Cllr G Barnell)

Reason for Decision: As stated in the report

Note: *report previously circulated and attached to the minutes

160. REVISED 2023/24 BUDGET

The Cabinet were presented a report* which provided revised budgets for the General Fund and the Housing Revenue Account for the year 2023/24.

The Deputy Chief Executive explained that recommendations 7 and 8 were added as a revision to the budget following recommendations made by Full Council.

The following was considered:

- That the budget for open spaces increased by £145k. The Deputy Chief Executive explained that this was due to maintenance costs for those services.
- That the waste collection budget increased by nearly £249k. The Deputy Chief Executive explained this was due to the increase in the national living wage and that this service was hit hard by the increased cost of fuel and utilities. In addition income had decreased.
- Administration building had seen an increase of nearly £230k, but the building was not fully utilised. The Deputy Chief Executive explained that utility costs had increased and the commercial property rate value had changed. However, negotiations were underway with Devon Police to utilise part of the building.
- The increased budget for the 3 leisure centres. The Deputy Chief Executive explained that the increased national living wage and utility spend were contributing factors. In addition, this service had still not recovered to pre-pandemic levels.
- The paddling pools within Mid Devon District Council were raised, with potentially a need to review the funding options for the Paddling Pools within Mid Devon. The Deputy Chief Executive explained that the total costs for this service was circa £40k. In addition, it was felt that it was possible for the pools to be kept open.
- Corporate functions covered Mid Devon District Council's technical teams such as performance management and data protection.
- Whether the savings outlined had been considered as deliverable and whether the increased costs were justified. The Leader explained, the increased costs were challenged and noted that officer advice was taken on the potential savings.
- 3 Rivers Developments Ltd was raised, the Corporate Manager for Finance and Procurement explained that the interest from 3 Rivers Developments Ltd had been removed from the revised budget and had been replaced with estimates from temporary treasury investments.
- Whether the use of reserves could be justified and if there was a plan to replenish the reserves. The Deputy Chief Executive explained that this had put the next administration into a difficult position and that this was the situation Mid Devon District Council was in, with an aim for reserves to be replenished.
- Whether new homes bonus could be used as temporary funding, to which the Deputy Chief Executive explained that all new homes bonuses were already allocated and that there was a plan for it to be replenished.

RESOLVED to recommend to Full Council:

1. A Council Tax Requirement of £6,724,350 calculated using a Council Tax of £225.40 for a Band D property, an increase of £6.56 or 2.99% from 2022/23 and a Tax Base of 29,832.98, in accordance with the Local Authorities (Calculation of Tax Base) Regulation 1992, as amended, after the relevant adjustments in respect of the Council tax support scheme approved by Cabinet on 3 January 2023;
2. The overall budgeted Cost of Services within the General Fund of £16,830,364 for 2023/24 is approved as detailed across Appendices 1 – 2 and inclusive of the adjustments included within Table 1 in paragraph 5.1 of the Cabinet Report for 7 February 2023;
3. The 2023/24 budget requires no transfer from the General Fund Balance and a further temporary transfer of £57,657 from the New Homes Bonus EMR in order to balance and agree all of the transfers to and from Earmarked Reserves as detailed in Appendix 3;
4. HRA budget for 2023/24 be approved – Appendix 4;
5. HRA fees/charges are approved based on the attached Appendix 5;
6. Work on strategic planning for delivering a balanced budget for 2024/25 is commenced immediately. This work will need to include provision to replenish the General Fund Balance and re-examine the overarching level of Reserves that is required.

(Proposed by Cllr B G J Warren and seconded by Cllr A Wilce)
(Cllr D J Knowles abstained as he had left the room)

Additional recommendations arising from Full Council, 22 February 2023:

7. Cabinet are asked to agree the inclusion within the budget the implications of the recommendations from Full Council as outlined in Section 2.1;
8. Cabinet agree to temporarily reduce the minimum level of General Reserves by £610k from its existing level (c.£2.2m) in order to balance the 2023/24 Budget and agree to identify a plan to replenish back to the £2m recommended minimum balance, as referenced in Section 2.3.

(Proposed by Cllr B G J Warren and seconded by Cllr A Wilce)

A further recommendation made included:

9. That a further temporary reduction of circa £15k be made to the general reserve whilst the proposal to mothball the paddling pools in Crediton and Tiverton is urgently reviewed to explore sourcing the necessary funding to keep these facilities available during the summer months, be that through finding room in existing budgets and/or town council support and/or business sponsorship.

(Proposed by Cllr Mrs N Woollatt and seconded by Cllr G Barnell)

Reason for Decision: As stated in the report

Note: *report previously circulated and attached to the minutes

161. **NOTIFICATION OF KEY DECISIONS**

The Cabinet had before it, and **NOTED**, the notification of *Key Decisions

Note: *Key Decisions previously circulated and attached to the minutes

(The meeting ended at 1.57 pm)

CHAIRMAN

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CABINET
4 April 2023

FINANCIAL UPDATE FOR THE TWO MONTHS TO 28 February 2023

Cabinet Member Cllr Barry Warren, Leader and Cabinet Member for Finance

Responsible Officer Andrew Jarrett – Deputy Chief Executive (S151)

Reason for Report: To present a financial update in respect of material movements in income and expenditure since the last report.

RECOMMENDATION(S):

The Cabinet are asked to note the financial monitoring update to 28 February 2023.

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 2022. 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 provide a high level update on any material changes since the last report – Quarter 3 presented to February Cabinet.

2.0 Executive Summary

- 2.1 There has been very little movement since the Q3 update in respect of the General Fund, HRA or Capital Programme. In summary, there have been minor movements in the following areas within the General Fund:
- Waste – higher staffing costs through both a reduction in the salary underspend and increased agency costs. However this is largely offset by lower fuel costs and lower costs within the rollout of Bin-it 123;
 - Salary saving within IT Services;
 - Planning – reduced salary costs and increased income;
 - Higher utilities costs resulting from the cold snap affecting all sites such as the Leisure Centres, Phoenix House and Carlu;
 - Increased income from car parking.
- 2.2 This results in a small reduction in the previously forecast over spend, which now indicates it will be below £400k.
- 2.3 There are a number of grants outstanding in respect of Covid-19 income claims and New Burdens funding to offset the costs incurred by the Council in delivering government support schemes, such as the Energy Rebates. These could further reduce the over spend, but as yet their value and timing are unknown.

3.0 Future Update

- 3.1 There have been several key announcements over the last month or so that will have a dramatic impact on the Councils finances. Full details are not yet known so it's not possible to be precise on their impact. The announcements include:
- Leisure Services – HMRC has accepted the long standing challenge lodged by the sector that local authority leisure services are non-business activities. This follows years of litigation by Chelmsford City Council, Midlothian Council, and Mid-Ulster District Council. The Council will be able to submit substantial back dated claims to recover the VAT that was previously accounted for on leisure services income. This will also impact the future income.
 - Planning – a long awaited consultation has been launched on planning fees and capacity and capability in local authorities, with highlights as follows:
 - increase planning fees by 35% for major applications and 25% for all other applications;
 - additional fees for bespoke or 'fast track' services;
 - make an annual inflation-related adjustment to planning fees;

- ring-fence additional fees income;
- double fees for retrospective applications;
- remove the 'free-go' for repeat applications;
- build planning capacity and capability within local authorities, including challenges in recruitment and retention, and how these can be addressed;
- reduce the Planning Guarantee from 26 weeks to 16 weeks for non-major applications;
- improve the quality of the local authority planning service by monitoring more performance measures.

It is hoped that these benefits could be introduced from 2024/25.

- Extended Producer Responsibility (EPR) - EPR is intended to move the full cost of dealing with packaging waste from councils to producers. Councils will receive funds via EPR to pay for the costs of recycling and disposal. As yet there is very little detail on the financial impact or the timing of its introduction. However, this could provide additional grant funding / income, depending on the impact this has on recycle and the income the Council receives from this.

4.0 Summary

4.1 Members are asked to note the update.

Contact for more information: Andrew Jarrett,
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ajarrett@middevon.gov.uk

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

Circulation of the Report: Cllr Barry Warren, Cabinet, Leadership Team

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CABINET
04 APRIL 2023:

AGENDA ITEM:

CORPORATE PERFORMANCE REPORT

Cabinet Member Cllr Barry Warren, the Leader of the Council.
Responsible Officers Dr Stephen Carr, Corporate Performance and Improvement Manager.
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 quarter 3 (2022/23).

RECOMMENDATION: That the Cabinet reviews and scrutinises the Performance Indicators detailed in this report.

Relationship to Corporate Plan: Corporate Plan priorities and targets are managed and scrutinised on a regular basis using appropriate performance indicators as detailed in this report.

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 improve performance.

Legal Implications: There are no direct legal implications arising from this report. However, if the performance of some indicators is not at required levels, there is a risk of legal challenge.

Risk Assessment: If performance is not managed we may not meet our corporate and local service plan targets or take appropriate corrective action.

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 reviewing performance and making recommendations on priorities, the Council should be mindful to consider how services might impact on different sections of the community.

Impact on Climate Change: Several performance indicators are related to our corporate ambition to reduce carbon emissions. Managing 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 The council's Corporate Plan was adopted in February 2020. It sets out the council's aims and priorities, and provides an explanation of the council's thinking and the key actions it would deliver on these priorities.
- 1.2 Appendices 1-5 provide Members with details of performance against the Corporate Plan and local service targets for quarter 3, financial year 2022/23. This spans the period April 2022 to December 2022. Where available, information up to February 2023 has been included.

2.0 Performance Analysis

Environment Appendix 1A

- 2.1 Levels of residual waste collected per household continues to perform ahead of target for the year to date (Figure 1). Between April and December, the level of residual waste collected has decreased by almost 10% from 2021/22 to 2022/23.

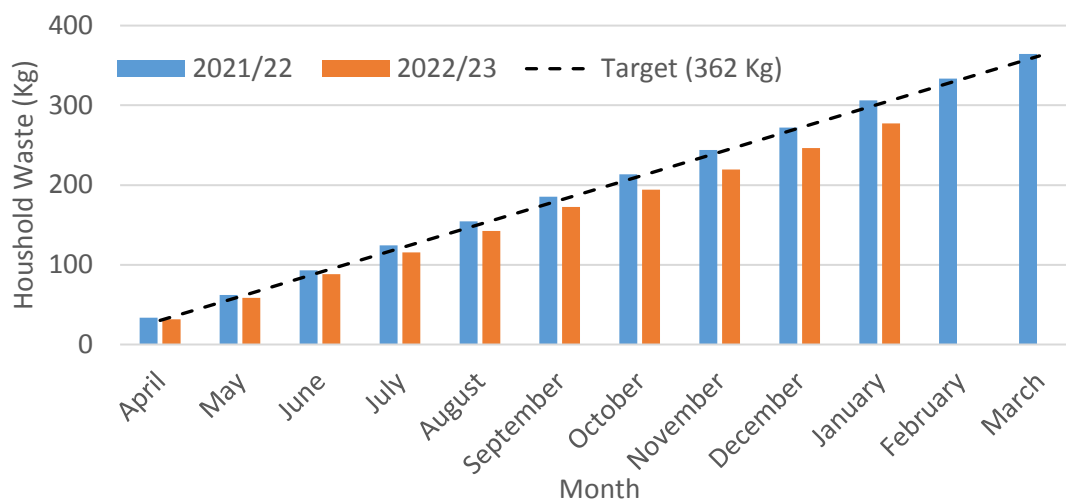


Figure 1: Residual Waste per Household (Kg), 2021/22 to present.

- 2.2 Household waste recycled in the financial year to date is 55.2% (April to December 2022), and is above target (54.5%). The recycling rate for January 2023 was 55.27%, an increase of 2.67 percentage points compared to January 2022.
- 2.3 Households opted into chargeable Garden Waste collections is 11,872 (December 2022) compared to 11,695 last year (December 2021).
- 2.4 Levels of missed bin collections increased over the winter as bad weather affected the waste collection schedule, missed refuse and organic waste collections and missed recycling collections are both performing below target.
- 2.5 The Council introduced the Bin-It 123 collection cycle in Autumn 2022 which should improve recycling rates, decrease the amount of waste collected and in turn reduce the carbon impact, and decrease emissions from our collection vehicles. It will also help the Council to meet Government guidelines to recycle 65% of household waste by 2035 and Devon's proposed 60% target rate by 2025.
- 2.6 Seventeen fixed penalty notices (Environment) have been issued (April to December 2022). One of the objectives for the Environment and Enforcement service is to educate the public and ensure a balanced and proportionate approach to enforcement activity. This will enable the service to build public confidence in our enforcement practice.

Climate Change Appendix 1B

- 2.7 To date, the Council has installed three electric vehicle charger units, each with two charging points. A further five charger units are due to be installed by the end of the financial year, taking the total to eight (16 charging points). The number of charging point uses continues to increase, Figure 2.

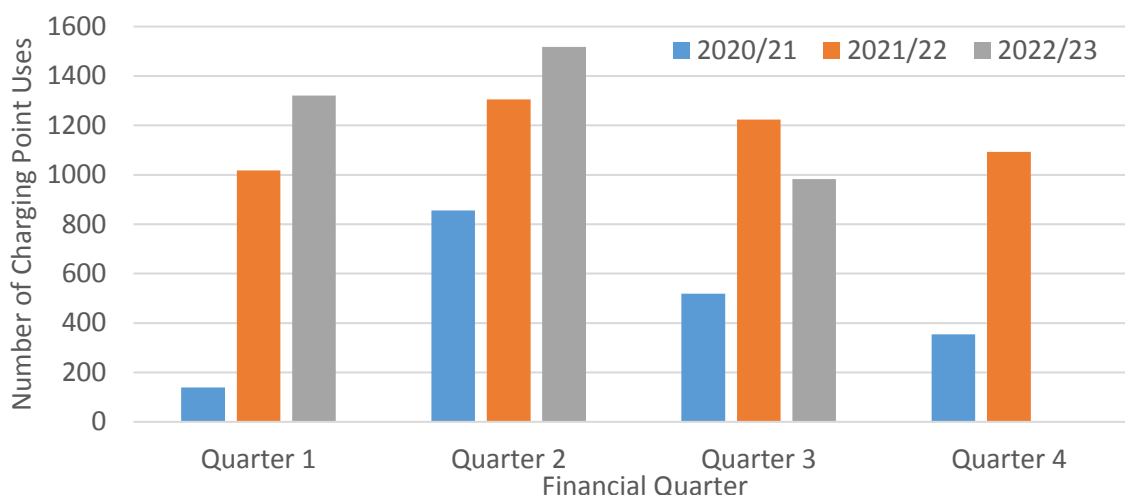


Figure 2: Electric Vehicle Charge Point uses per quarter, 2020/21 to present

- 2.8 Approximately half of Mid Devon District Council's building electricity supply is on a 100% renewable electricity tariff (Phoenix House, Exe Valley, and Tiverton Pannier Market. A proposal for a hydro project on the River Exe is a live planning application at present.

Homes Portfolio - Appendix 2

- 2.9 The number of empty houses brought back into use for the year to date is 12 (April to December 2022). A new Housing Initiatives Officer has been appointed and this post will focus on empty houses, as well as other projects. It is expected that more homes will be brought back into use later in 2022/23.
- 2.10 The number of households who considered themselves as homeless that approached the Council's housing advice service for Quarter 3 was 190 (633 households year to date), Figure 3.

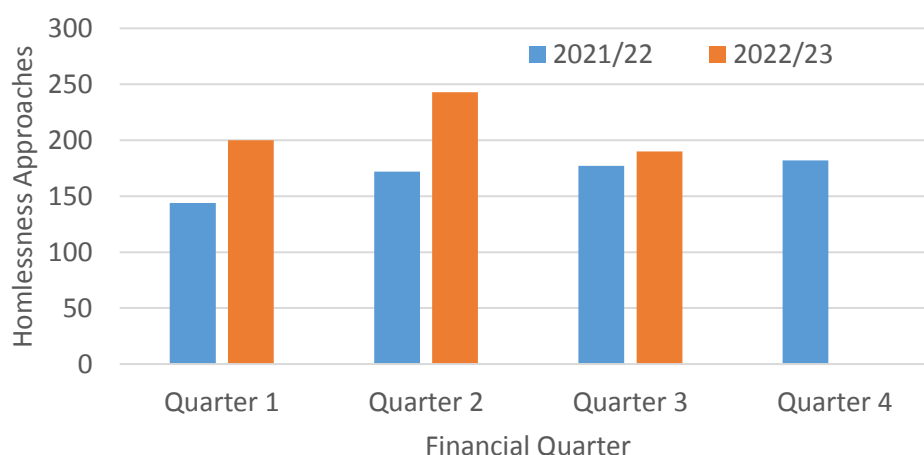


Figure 3: Homelessness approaches per quarter, 2021/22 to present.

- 2.11 The data for Council Housing shows overall good performance for Quarter 3, 2022/23 (October to December), Table 1.

Table 1: Council housing performance indicators, October to December 2022.

Indicator	Oct	Nov	Dec
Emergency repairs completed on time	100%	100%	99.7%
Urgent repairs completed on time	99%	99%	99%
Routine repairs completed on time	98%	98%	98%
Properties with a valid gas safety certificate	99%	99%	99%
Housing complaints responded to on time	100%	100%	100%

Economy Portfolio - Appendix 3

- 2.12 The number of empty business properties is measured by the number of national non-domestic rates (NNDR) accounts receiving empty property relief. There were 249 empty business properties in December 2022, Figure 4.

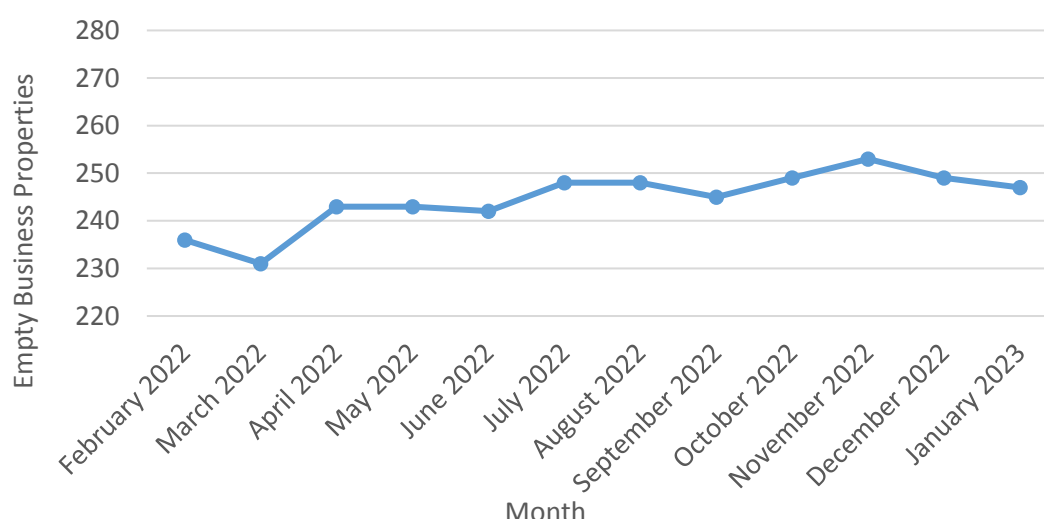


Figure 4: Number of empty business properties, last 12 months.

- 2.13 The number of regular traders at the Pannier market is 86% for Quarter 3, ahead of a target of 85%. This represents a steady increase, Table 2.

Table 2: Regular Traders at the Tiverton Pannier market, 2021/22 to present

Financial Year	Quarter	Regular Traders
2021/22	1	75%
	2	80%
	3	82%
	4	82%
2022/23	1	85%
	2	86%
	3	86%

Community Portfolio - Appendix 4

- 2.14 There have been 337 complaints this financial year (April 2022 to January 2023). The performance of resolving complaints within the target timescale is detailed at Figure 5.

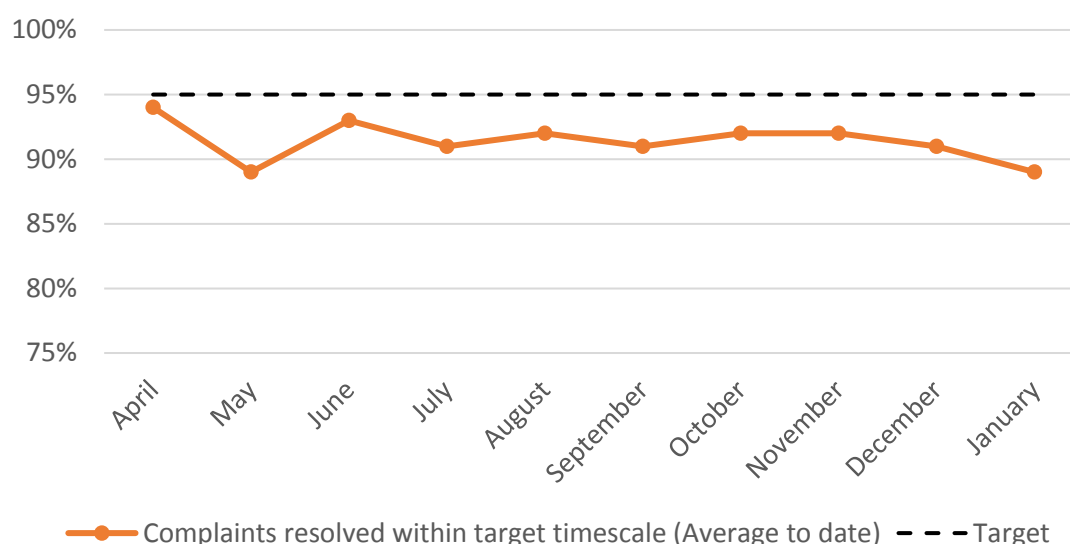


Figure 5: Complaints resolved within the target timescale (10 days – 12 weeks), 2022/23.

- 2.15 Health Referral Initiative starters is 111 for the year to date (April 2022 to January 2023), higher than at the same point in 2021/22 (74). The number of Health Referral Initiative Completers is currently 56 (January 2023) and the number of Health Referral Initiative Conversions is 28.

Corporate - Appendix 5

- 2.16 Council Tax collected on a monthly basis is currently at 91.0% (January 2023), and the National Non Domestic Rate (NNDR) collected on a monthly basis is 86.9% (January 2023).
- 2.17 The number of working days/ shifts lost due to staff sickness absence per full time equivalent employee is 3.76% for the financial year to date (December 2022). This is higher than at the same point last year, 2.96% (December 2021).
- 2.18 Staff turnover at the Council for the year to date is 15.88% (December 2022), Figure 6.

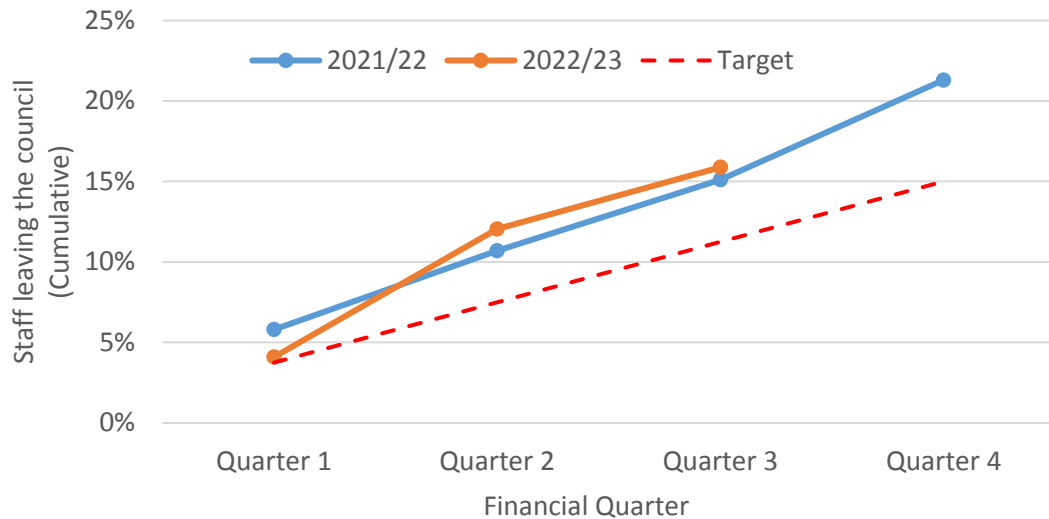


Figure 6: Staff Turnover per financial quarter (Cumulative year to date), 2021/22 to present.

3.0 Conclusion and Recommendation

- 3.1 That the Cabinet reviews and scrutinises the Performance Indicators detailed in this report.

Contact for more Information: Matthew Page, Corporate Manager for People, Performance & Waste mpage@middevon.gov.uk; Dr Stephen Carr, Corporate Performance & Improvement Manager scarr@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

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 Waste per Household (Kg; figures have to be verified by DCC)</u>	364.5	362.0	31.6	58.6	88.4	115.5	142.6	172.6	194.0	219.3	246.4	277.3			Darren Beer	(April - January) A reduction of 10% compared to January 2022 (LD)
<u>Fixed Penalty Notices Issued (Environment)</u>	0		0	0	2	2	4	6	12	16	17	28	31		Matthew Page	(June) Two FPNs relate to the abandonment of vehicles on a public highway. Both were issued in accordance with the Refuse Disposal (amenity) Act 1978. This type of FPN is a first for MDDC and are in line with the relevant legislation and put us on par with many other English authorities. As an authority, we are looking

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
																to balance our enforcement of environmental crimes with an educational approach. This is supported by Defra guidance who encourage proportionate, targeted, consistent, effective and transparent approaches to environmental crime enforcement. (LH)
<u>Household Waste Reused, Recycled and Composted (%: figures have to be verified by DCC)</u>	53.4%	54.5%	51.9%	54.5%	54.3%	54.9%	54.6%	54.7%	55.3%	55.7%	55.2%	55.1%			Darren Beer	(January) The recycling rate of 55.27% has increased by 2.67 percentage points compared to January 2022. There has been an increase in leaf sweepings/garden waste and card collected this year compared to January 2022. (LD)
<u>Households on Chargeable Garden Waste</u>	11,882	11,300	11,800	12,051	11,961	11,893	11,980	12,018	11,985	11,927	11,872	11,950			Darren Beer	(January) An additional 259 customers compared to January 2022 (LD)
<u>Missed refuse and organic waste collections reported (%)</u>	0.02%	0.03%	0.02%	0.02%	0.02%	0.02%	0.02%	0.02%	0.03%	0.04%	0.04%	0.04%			Darren Beer	(January) Bad weather seriously affected the waste collection schedule during January 2023 (LD)
<u>Missed Recycling Collections logged (%)</u>	0.03%	0.03%	0.03%	0.03%	0.02%	0.03%	0.02%	0.02%	0.03%	0.03%	0.03%	0.04%			Darren Beer	(January) Bad weather seriously affected the waste collection schedule during January 2023 (LD)

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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

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>Electric Car Charger usage (Number of uses)</u>	4,639	2,300	n/a	n/a	1,321	n/a	n/a	2,839	n/a	n/a	3,822	n/a	n/a		Andrew Busby	(Quarter 4) January = 297; February TBC; March TBC. (JB)
<u>Electric Car Charger Units</u>	3	8	n/a	n/a	3	n/a	n/a	3	n/a	n/a	3	n/a	n/a		Andrew Busby	(Quarter 2) During 2020 Instavolt installed 3x 'rapid' charger units (each with 2 chargepoints) at MDDC leisure centres. Sites: Lords Meadow, Exe Valley and Culm Valley. Instavolt is the operator and leaseholder. More units are due to be installed at 5 MDDC car parks this financial year (2022-2023) by Gamma Energy (operator and leaseholder) as part of the Deletti partnership project. (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	0	n/a	n/a		Andrew Busby	(Quarter 4) On MDDC land, 92. (JB)

Corporate Plan PI Report Climate Change

Priorities: Climate Change

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>Community climate and biodiversity grants</u>	No		n/a	n/a	No	n/a	n/a	No	n/a	n/a	No	n/a	n/a		Andrew Busby	(Quarter 3) Submitted as a priority for budget spend. (JB)

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		n/a	n/a	3	n/a	n/a	3	n/a	n/a		Andrew Busby	(Quarter 4) 2020/2021: > Carlu Close solar PV project completed. 2021/2022: > Retrofit of Air Source Heat Pump (ASHP) at Lords Meadow Leisure Centre. > Retrofit energy saving light installations at all 3 leisure centres. > Retrofit energy saving lighting measures installed at Tiverton multi-storey car park. 2022/2023: > 100% renewable electricity tariff (REGO backed) for approximately half of MDDC buildings supply (comprising 3 supply locations: Phoenix House; Exe Valley; Pannier Market). > The proposal for a hydro project in the River Exe is a live planning application at present. >

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
																Retrofit LED lighting units installation in progress for all-weather pitches at leisure centres. > February 2023. Progress update. The £2.8m Phase 3 project at Exe Valley Leisure Centre and Lords Meadow Leisure Centre is nearing completion. So far the retrofit installation of Air Source Heat Pump (ASHP) and Ground Source Heat Pump (GSHP) has been completed; a new, larger buffer vessel has been installed to optimise the biomass boiler contribution to the heating system; solar PV panel arrays will be extended; the combination of heating/cooling systems and final commissioning is yet to be done. (JB)
<u>Housing Assistance Policy (Retro-fit schemes supported)</u>	28	5	0	3	7	7	8	9	9	9	9	9	9		Simon Newcombe	
<u>Home Improvement Loans sanctioned</u>	5	10	n/a	n/a	2	n/a	n/a	4	n/a	n/a	7	n/a	n/a		Simon Newcombe	

Page 13

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 (Environmental)</u>	8	4	n/a	n/a	8	n/a	n/a	17	n/a	n/a	17	n/a	n/a		Andrew Busby	(Quarter 2) No allocated budget for this work. Actively engaging with community networks / groups / individuals - also local farmers and other enterprises with a green agenda / project / exemplar. Proactively promoting the sustainability projects and activities of community schemes on the Sustainable Mid Devon website (resource map, events and news, etc.). Community groups /networks / projects e.g.:

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
																<p>Blackdown Hills Transition; Connecting the Culm; Exeter Community Energy; Mid Devon Parish Wildlife Warden Scheme; New Prosperity Devon; Sustainable Bradninch; Sustainable Crediton; Sustainable Tiverton; Uffculme Green Team; Liaison with Community Action Groups (CAG) Devon to help reach out to groups and pick up on opportunities.</p> <p>Liaison with Exeter Community Energy to help promote their services and voluntary role training.</p> <p>The Climate and Sustainability Specialist was actively involved in the concept stages of the 'Net Zero Visions' public artwork project hosted near the Pannier Market (led by Sustainable Tiverton).</p> <p>The Climate and Sustainability Specialist developed and coordinated the MDDC 2022 State of the District Debate - this involved pre-event engagement with networks / groups / individuals / local farmers / farming advisors / enterprises / partnerships. Pre-event workshops and event debate involved e.g. Carbon Savvy, Heathcoat Fabrics Ltd, Exeter Community Energy, bike shops, tourism sector, Co-Cars, growers and farmers, farming advisors, the Soil Association, community food growing and composting, local food suppliers, and several of community groups listed earlier.</p> <p>Devon County Show: worked with Recycle Devon and Devon Climate Emergency. Topical theme: re-use, repair, exchange, upcycle.</p> <p>Mid Devon Show: Councillors joined multiple staff teams to promote sustainability messages on: sustainable farming</p>

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
																<p>and landscapes (nature-based solutions for climate adaptation and flood resilience at a landscape scale); housing (passivhaus design in proposed affordable and social housing); waste and recycling (Bin-It 123); active travel; what the Council is doing to shrink its carbon footprint; what makes up your carbon footprint. Teamwork with Westcountry Rivers Trust, Connecting the Culm, FreeTrike, Mid Devon Housing.</p> <p>The Climate and Sustainability Specialist joined the launch event of the Mid Devon Parish Wildlife Warden Scheme.</p> <p>Sustainability in procurement promoted to staff and communities e.g. by highlighting workshops and joint funding bid opportunities by New Prosperity Devon. (JB)</p>
Council Carbon Footprint (tCO2e)	20,503		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		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
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* Indicates that an entity is linked to the Aim by its parent Service

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>Additional homes provided (net)</u>	237		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Simon Newcombe, Tristan Peat	(2022 - 2023) This is an annual KPI therefore data is not due until 31 March 2023 (TP)
<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	(Quarter 4) The officer who collects and manages this data is on long term sick leave. Alternative arrangements are being put in place to collate this data, but it might not be available until Autumn 2023 at the earliest. (SC)
<u>Gypsy & Traveller Pitches delivered</u>	1	2	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Tristan Peat	(Quarter 4) The officer who collects and manages this data is on long term sick leave. Alternative arrangements are being put in place to collate this data, but it might not be available until Autumn 2023 at the earliest. (SC)
<u>Number of affordable homes delivered (gross)</u>	24		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) This is an annual KPI therefore data is not due until 31 March 2023. The officer who collects and manages this data is on long term sick leave. Alternative arrangements are being put in place to collate this data, but it might not be available until Autumn 2023 at the earliest. (TP)

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>Number of Homelessness Approaches</u>	675		n/a	n/a	200	n/a	n/a	443	n/a	n/a	633	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	0	n/a	n/a		n/a	n/a		Tristan Peat	(Quarter 2) The Council's Housing Enabler is currently engaged with local communities at Silverton, Shobrooke and Thorverton that are considering setting up CLTs. (TP)

Aims: Private Sector Housing

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Deliver homes by bringing Empty Houses into use</u>	54	72	3	3	5	7	9	12	12	12	12	13	13		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%	88%	90%	92%	93%	94%	94%	95%	95%		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	6	n/a	n/a	8	n/a	n/a		Simon Newcombe	(Quarter 2) 3x Pin point 1x Joint event with Exeter (TW)

Aims: Council Housing

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>Emergency Repairs Completed on Time (%)</u>	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	99.7%	99.7%			Simon Newcombe	
<u>Urgent Repairs Completed on Time (%)</u>	99.3%	95.0%	98.3%	99.3%	99.5%	99.0%	98.9%	99.1%	99.1%	99.1%	99.0%	98.9%			Simon Newcombe	
<u>Routine Repairs Completed on Time (%)</u>	98.8%	95.0%	98.8%	99.0%	99.1%	98.7%	97.2%	97.6%	97.9%	98.1%	98.2%	98.1%			Simon Newcombe	
<u>Properties With a Valid Gas Safety Certificate (%)</u>	99%	100.0%	99.1%	99.0%	98.9%	98.8%	98.7%	98.6%	99.0%	99.2%	99.3%	99.6%			Simon Newcombe	(September) We are working to address some performance issues that we are experiencing with the new Contractor. (AH)
<u>Council Housing Complaints Responded to On Time (%)</u>	98.8%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%		Simon Newcombe	

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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

Corporate Plan PI Report Economy

Priorities: Economy

Aims: Incubator and start-up space

Performance Indicators

Page 41

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	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a		Adrian Welsh	(Quarter 3) Work being de over the next three years.
<u>Sites for Commercial Development</u>	0	1	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a		Andrew Busby	(Quarter 3) The same as t

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
<u>Business rate accounts (Number)</u>	3,426	3,150				3,424	3,431	3,444	3,454	3,493	3,512	3,5
<u>Business</u>	£46,305,114		£46,272,564	£46,272,554	£46,227,164	£46,329,664	£46,341,514	£46,396,964	£46,448,519	£46,659,839	£46,808,389	£46,997,8

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 .
<u>Rates (Rateable Value)</u>												
<u>Empty Business Properties</u>	231		243	243	242	248	248	245	249	253	249	2
<u>Tiverton Town Centre Masterplan</u>			n/a	n/a		n/a	n/a		n/a	n/a		1
<u>Cullompton Town Centre Masterplan</u>	Yes		n/a	n/a		n/a	n/a		n/a	n/a		1

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 .
<u>Crediton Town Centre Masterplan</u>			n/a	n/a		n/a	n/a		n/a	n/a		
<u>Pannier Market Regular Traders (%)</u>	82%	85%	n/a	n/a	85%	n/a	n/a	86%	n/a	n/a	86%	

Page 43

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	0	n/a	n/a		n/a	n/a		Tristan Peat	(Quarter 2) The Council's 1 communities at Silverton, 5 setting up CLTs. (TP)

Aims: Digital Connectivity

Corporate Plan PI Report Economy

Priorities: Economy

Aims: Digital Connectivity

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Digital connectivity</u>	0		n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 2) This project is contract through CDS. (JB

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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

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	0	0	1	3	3	6	9	9	9	9	11		Simon Newcombe	(February) Warm spaces project; initial review of safeguarding policy (TW)

Aims: Community Involvement

Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Complaints resolved within timescales (%; 10 days - 12 weeks)</u>	91%	95%	94%	89%	93%	91%	92%	91%	92%	92%	92%	92%	89%		Lisa Lewis	(February) 50 closed at 1st check (RT)
<u>Complaints (Number)</u>	404		33	66	94	136	179	201	226	262	301	339	404		Lisa Lewis	

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	48	53	65	71	88	97	111			Corinne Parnall	(January) 14 (K)
<u>Health Referral Initiative completers</u>	58	10	7	19	27	30	39	44	46	50	51	56			Corinne Parnall	(January) 5 (K)
<u>Health Referral Initiative conversions</u>	33	5	3	6	7	10	18	20	21	24	25	28			Corinne Parnall	(January) 3 (K)

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Print Date: 13 March 2023 10:14

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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

* indicates that an entity is linked to the Aim by its parent Service

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>	No		n/a	n/a	No	n/a	n/a	No	n/a	n/a	No	n/a	n/a		Paul Deal, Andrew Jarrett	(Quarter 3) After a recent strategic review of progress light of the changing macro-economic environment, decision has been taken by the SW Mutual Board to suspend all current activities. Therefore it looks increasingly likely that the company will need to be wound up. (F

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>Industrial Units Cullompton-Kings Mill Industrial Estate (Unit Occupancy)</u>	14	15	n/a	n/a	14	n/a	n/a	14	n/a	n/a	14	n/a	n/a		Andrew Busby	(Quarter 3) Unit 4 a void at present (KA)

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	Offi Not
<u>Sickness Absence (%)</u>	2.73%	2.78%	n/a	n/a	2.73%	n/a	n/a	3.11%	n/a	n/a	3.76%	n/a	n/a		Matthew Page	
<u>Appraisals Completed (%)</u>	62%	100%	n/a	n/a	n/a	n/a	n/a	94%	n/a	n/a	n/a	n/a	n/a		Matthew Page	(Ap Sep At 5 Sep the corr app sho the syst incr 94.4 Awz few hav corr and corr (MF
<u>Total Council Tax Collected - monthly (%)</u>	96.69%	97.50%	11.33%	20.07%	28.75%	37.76%	46.72%	55.57%	64.75%	73.74%	82.21%	91.02%	96.37%		Dean Emery	
<u>Total NNDR collected - monthly (%)</u>	98.62%	97.00%	19.41%	32.24%	41.11%	48.10%	54.65%	62.56%	67.86%	74.62%	80.03%	86.90%	94.68%		Dean Emery	
<u>New Performance Planning Guarantee determine</u>	100%	100%	n/a	n/a	100%	n/a	n/a	100%	n/a	n/a	99%	n/a	n/a		Dean Emery	(Qu This yea peri

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	Offi Not
<u>within 26 weeks</u>																
<u>Major applications overturned at appeal (over last 2 years)</u>	5.53%	10%	n/a	n/a	5%	n/a	n/a	4%	n/a	n/a	3%	n/a	n/a		Dean Emery	
<u>Major Applications Overturned at Appeal (% of Appeals)</u>	2.26%	10%	n/a	n/a	5%	n/a	n/a	4%	n/a	n/a	3%	n/a	n/a		Dean Emery	(Qu 2 of App that App wer ove by t the Insp (CC
<u>Minor applications overturned at appeal (over last 2 years)</u>	0%	10%	n/a	n/a	1%	n/a	n/a	1%	n/a	n/a	1%	n/a	n/a		Dean Emery	
<u>Minor Applications Overturned at Appeal (% of Appeals)</u>	0.78%	10%	n/a	n/a	1%	n/a	n/a	1%	n/a	n/a	1%	n/a	n/a		Dean Emery	(Qu 11 c App that App wer ove by t

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	Offi Not
																the Insp (CC
Response to FOI/EIR Requests (within 20 working days)	100%	100%	98%	99%	99%	99%	99%	99%	99%	99%	99%	99%			Lisa Lewis	(No One nee exte the reqi was con abo exte (EG
Working Days Lost Due to Sickness Absence	7.80days	7.00days	0.53days	1.08days	1.63days	2.47days	3.35days	4.10days	5.02days	6.02days	7.30days	8.14days	8.86days		Matthew Page	(Jur Q1, nun wor day due • Si incl CO' • C(132 • Lo othe rea: 699 (JH
Staff Turnover	21.3%	15.00%	n/a	n/a	4.09%	n/a	n/a	12.05%	n/a	n/a	15.88%	n/a	n/a		Matthew Page	

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CABINET
04 APRIL 2023:

AGENDA ITEM:

CORPORATE RISK REPORT

Cabinet Member Cllr Barry Warren, the Leader of the Council.
Responsible Officers Dr Stephen Carr, Corporate Performance and Improvement Manager.
Matthew Page, Corporate Manager for People, Performance & Waste.

Reason for Report: To provide Members with an update on Corporate risk for quarter 3 (2022/23).

RECOMMENDATION: That Cabinet reviews the Corporate Risk Register and feeds back any areas of concern.

Relationship to Corporate Plan: Effective risk management is crucial to enable the council to mitigate risks to achieving Corporate Plan priorities.

Financial Implications: There are no direct financial implications arising from this report. However, risks which are not mitigated may have financial implications for the council. Equally, the treatment of risk may require resources to be (re)allocated. Having a robust approach to risk management will continue to help the council minimise future financial risks and implications.

Budget and Policy Framework: Produced in accordance with the Risk Management Policy.

Legal Implications: Risk management is an integral part of the Council's Corporate Governance arrangements and there is a statutory responsibility under the Account and Audit Regulations (2015) to put in place risk management arrangements.

Risk Assessment: Failure to take advantage of opportunities and mitigate risks could impact on the Council's ability to deliver its strategic objectives. Assessment of the effectiveness of the framework for identifying and managing risks and for demonstrating clear accountability is a key element of the Council's governance arrangements.

Equality Impact Assessment: Having a council which is resilient to risk means that it is better positioned to support its communities. No issues identified for this report.

Impact on Climate Change: Corporate Risk 3 relates directly to the council meeting its climate change targets.

1.0 Introduction

1.1 Appendix 1 and 2 detail the Corporate Risk Register. These risks have been determined by the council's Leadership Team in consultation with Corporate Managers.

1.2 In a change to previous reporting, corporate risk is now presented as a standalone report to support its effective scrutiny.

2.0 Background

- 2.1 The Corporate Risk Register contains the strategic risks which are most likely to impact the corporate priorities of Mid Devon District Council. It is reviewed at least quarterly by Corporate Managers and the Leadership Team and updated as required. It is then presented to the Audit committee and to Cabinet. Risks are managed on the council's corporate performance and risk management system, SPAR.
- 2.2 The presentation of risk has been updated to bring it in line with best practice, improve accessibility, and to meet the recommendations of internal audit. The risks are now coded and presented on a risk matrix (heat map), Appendix 1. Information on each risk is presented in a standard template, Appendix 2.

3.0 Summary of Corporate Risk

- 3.1 There are currently 10 risks on the Corporate Risk Register:

Risk Name		Risk Owner	Risk Rating
CR1	Culm Garden Village	Adrian Welsh	16
CR2	Cyber Security	Brian Trebilcock	20
CR3	Failure to meet Climate Change Commitments by 2030	Andrew Busby	15
CR4	Homes for Ukraine Scheme	Simon Newcombe	9
CR5	Information Security	Giovanni Wallace	12
CR6	National shortage of chlorine and other chemicals	Lee Chester	4
CR7	Financial Sustainability	Paul Deal	25
CR8	Quality of Planning Committee Decisions	Angharad Williams	16
CR9	SPV – 3 Rivers – Failure of the Company	Paul Deal	25
CR10	Cullompton Town Centre Relief Road	Adrian Welsh	25

- 3.2 For each risk the following information is given in Appendix 2:

- Risk name
- Risk description
- Current risk severity and likelihood
- Current risk rating
- Risk Owner
- Risk Type
- Mitigating actions (including name, description, responsible officer, current effectiveness and when it was reviewed)
- Notes.

- 3.3 Since this report was last presented to committee in November, the following significant changes have been made to the corporate risks being managed:

- The risk rating of CR1 Culm Garden Village has been increased from 12 to 16.

- The risk rating of CR3 Failure to meet Climate Change commitments by 2030 has decreased from 20 to 15 following an evaluation of the risk by Leadership Team.
- The risk rating of CR4 Homes for Ukraine Scheme has decreased from 20 to 9.
- The risk rating of CR6 National shortage of chlorine and other chemicals has decreased from 15 to 4.
- Two financial risks (“Overall Funding Availability” and “Reduced Funding – Budget Cuts”) have been combined as Corporate Risk 7 Financial Sustainability.
- CR8 Quality of Planning Committee Decisions has been added.
- The risk rating of CR9 SPV – 3 Rivers – Failure of the company has been increased from 16 to 25.
- CR10 Cullompton Town Centre Relief Road has been added.

4.0 Conclusion and Recommendation

- 4.1 That Cabinet reviews the Corporate Risks detailed 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; Dr Stephen Carr, Corporate Performance & Improvement Manager scarr@middevon.gov.uk

Circulation of the Report: Leadership Team and Cabinet Member

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Corporate Risk Matrix

<div><div></div><div></div><div></div><div></div><div></div></div> <div>Risk Severity</div>	5	5	10	15	20	25
	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
		1	2	3	4	5

Corporate Risk Register

Page 5 of 8

CR1	Culm Garden Village	Current Severity	Current Likelihood	Current Risk Rating
		4	4	16
Risk Description: Possible discontinuance of Government funding support.				
Risk Owner: Adrian Welsh		Risk Type: Economic/ Financial		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR1.1	Funding opportunities : Lobby for the creation of further funding opportunities and for further rounds of the garden communities capacity funding	Adrian Welsh	Satisfactory	10/03/2023
CR1.2	Further bids for capacity funding: To continue to secure external funding to support the project	Tristan Peat	Satisfactory	10/03/2023
Notes: Current uncertainty with regard to future capacity funding support. Discussions are ongoing with Homes England				
CR2	Cyber Security	Current Severity	Current Likelihood	Current Risk Rating
		5	4	20
Risk Description: 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.				
Risk Owner: Brian Trebilcock		Risk Type: Data Protection/Information Security		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR2.1	Audit of Cyber Security: Devon Audit Partnership will be carrying out a cyber security audit during August and September.	Lisa Lewis	Fully Effective	03/03/2023
CR2.2	Awareness training and desktop cyber event testing: National Cyber Security Centre (NCSC) staff/ Member training now mandatory. Cyber SharePoint site created. A cyber desktop exercise planned summer to test Disaster Recovery/Cyber planning/response with Local Government Association/Emergency Planning College will include participation at Director/Member level - schedule tbc.	Lisa Lewis	Satisfactory	03/03/2023

	An ICT/InfoGovernance board to commence after the May local elections which will meet quarterly to monitor cyber/data related activities and manage/monitor risk at senior levels.			
Notes:				

CR3	Failure to meet Climate Change Commitments by 2030	Current Severity	Current Likelihood	Current Risk Rating	
		3	5	15	
Risk Description: Due to a variety of factors, there is a risk that the Council will not meet its goal of becoming carbon neutral by 2030.					
Risk Owner: Andrew Busby		Risk Type: Environmental			
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date	
Page 59	CR3.1	Policy and Strategy: Published policy relevant to the climate emergency includes: <ul style="list-style-type: none">• The MDDC Corporate Plan 2020-2024 with a number of aims relevant to the Climate and Sustainability agenda;• Climate Strategy and Handbook 2020-2024;• The Mid Devon Housing Strategy 2021-2025;• The MDDC Sustainable Procurement Strategy (2023);• The Local Plan (an interim planning policy statement responding to the climate emergency has undergone public consultation and will be presented for adoption).	Jason Ball	Satisfactory	08/03/2023
	CR3.2	Oversight and decision-making: To embed a consistent approach to committee reports, project reports and decision-making, considering the potential climate impacts and opportunities and adaptation needs linked to the climate crisis.	Jason Ball	TBC	08/03/2023
Notes: Based on an evaluation of all the corporate risks at a Leadership Team meeting, the current severity was reduced from 4 to 3, resulting in the overall current risk rating decreasing from 20 to 15. Climate and Sustainability (C&S) strategy and action plans in place, adopted by Council. Actions in the Climate Action Plan (CAP) 2020-2030 involves all Corporate and Operations Managers and includes estimates of costs and savings in tCO2e and financial terms. The CAP enables the Council to identify, evaluate and prioritise measures for implementation and monitoring.					

Page 60

CR4	Homes for Ukraine Scheme	Current Severity	Current Likelihood	Current Risk Rating
		3	3	9
Risk Description: 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.				
Risk Owner: Simon Newcombe		Risk Type: Social		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR4.1	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	Satisfactory	08/03/2023
CR4.2	Finance: 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. 60% of £10.5k per refugee (DCC 25%, 15% contingency for all) which includes £200 subsistence payment per head. 100% payment of £640k banked. Committed spend to date inc. some Q2 expenditure and existing staff time is around one-third of funding received so far @ £235k	Simon Newcombe	Satisfactory	08/03/2023
CR4.3	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 requirement to be closer to employment, services and schools.	Simon Newcombe	Satisfactory	08/03/2023
CR4.4	Team Devon: 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. 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).	Simon Newcombe	Satisfactory	08/03/2023
CR4.5	Team Devon resettlement strategy: Devon strategy agreed with L&Cs to prevent homelessness presentations & TA costs [Existing host support (host monthly payments top-ups)/Re-matching/utilisation of EOIs/Transition to private rental sector (quest and landlord grants, rent assurance)]. Costs within Q1&2	Simon Newcombe	Satisfactory	08/03/2023

	budget-contingency & Q3/4 funds headroom. 12-mths CHAT contract + MDDC PSH/homeless teams. Support beyond formal HfU scheme end (March 23) to Oct. 23. HfU funds c/f into 2023/24. 215 guests/ 92 hosts – new arrivals now 1-2 families per month.			
Notes: Local Authority Housing Fund decision in place with Cabinet to provide additional, dedicated temporary accommodation. Devon County Council/Team Devon agreement on contingency match-fund support also in place. Contingency adequately in place (EMR) to deliver existing arrangement with full recharge for internal costs and external contracts for 2023/24. PRS transition arrangements and external contracts working well (MDDC/CHAT and CAB). Payment from Government now £5.9k per person but adequate to support delivery on top of EMR. Host payment monies continue to be covered directly by Government irrespective of per person payment.				

CR5	Information Security	Current Severity	Current Likelihood	Current Risk Rating
		4	3	12
Risk Description: Inadequate data protection could lead to breaches of confidential information and ultimately enforcement action by the ICO.				
Risk Owner: Giovanni Wallace		Risk Type: Data Protection/Information Security		
Page 1	Mitigating Actions	Responsible Officer	Current Effectiveness	Review Date
Notes: Recently appointed to the role of Data Protection officer – Instantly highlighted areas for improvement and have put a frameworks in place to improve data quality, compliance and data protection. Framework is being built and will be imbedded at all levels with training being given to all levels of MDDC.				

CR6	National shortage of chlorine and other chemicals	Current Severity	Current Likelihood	Current Risk Rating
		2	2	4
Risk Description: 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.				
Risk Owner: Lee Chester		Risk Type: Economic/Financial		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR6.1	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.	Lee Chester	Satisfactory	10/03/2023

CR6.2	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 increased by 50-60%.	Lee Chester	Fully Effective	10/03/2023
Notes: As of March 2023, the supply chain for chlorine and acid chemicals required for maintain pool water quality has been consistently meeting purchase order volumes required and delivery timescales. This is consistent since the early autumn, and will be continued for risk updates during the seasonal peaks when outdoor pools and holiday parks are in greater use across the country				

CR7	Financial Sustainability	Current Severity	Current Likelihood	Current Risk Rating
		5	5	25
Risk Description: The council faces a range of financial challenges. We are subject to ongoing budget reductions whilst the cost of providing services continues to increase due to a range of inflationary pressures. We are also subject to single year budget settlements which impacts on the ability for medium term financial planning. We need to be able to plan and meet these challenges so that we can continue to deliver effective services and achieve the priorities we wish to.				
Risk Owner: Paul Deal		Risk Type: Economic/Financial		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR7.1	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	Satisfactory	08/03/2023
CR7.2	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	Satisfactory	08/03/2023
CR7.3	Reserves: Cabinet have taken the decision to recommend a minimum general reserve balance of £2m.	Paul Deal	Action Required	08/03/2023
CR7.4	Set Budget: Each year as part of the budget setting process, members are consulted via PDGs in time to evaluate savings proposals.	Paul Deal	Satisfactory	08/03/2023
CR7.5	Medium term planning: Work to close the budget gap 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. To close the budget gap and maintain services: We continue to work with managers to reduce costs and explore new income streams.	Paul Deal	Action Required	08/03/2023

Notes: This risk was established in February 2023. It consists of two previously identified financial risks (“Overall funding availability”, and “Reduced funding – budget cuts”). Following recommendations to remove income from the original budget agreed on 7 February requiring the utilisation of reserves, there is a need to identify over £1m of ongoing savings in 2023/24 to balance the in-year budget and avoid increasing the medium term financial plan gap still to be identified. Work is underway to identify savings towards the vacancy target. Cabinet have been tasked with identifying options to replenish reserves.

CR8	Quality of Planning Committee Decisions	Current Severity	Current Likelihood	Current Risk Rating
		4	4	16
Risk Description: Planning decisions are monitored at Government level nationally – the risk is to stay significantly below 10%. Over 10% could put a Local Planning Authority into special measures. Links to Performance Indicator measures 11a, 11b, 12a and 12b.				
Risk Owner: Angharad Williams		Risk Type: Reputation		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR8.1	Planning Advisory Service Committee Review being undertaken: To minimise risk associated with decision making and Government targets	Angharad Williams	TBC	08/03/2023
CR8.2	Planning Advisory Service Training being undertaken: To minimise risk associated with Government targets and decision making	Angharad Williams	TBC	08/03/2023
CR8.3	Regular informal planning committee meetings: Keeping planning committee informed of all appeals and upcoming planning policy, and any actions the Council is making.	Angharad Williams	Satisfactory	08/03/2023
Notes:				

CR9	SPV – 3 Rivers – Failure of the Company	Current Severity	Current Likelihood	Current Risk Rating
		5	5	25
Risk Description: This will depend on Economic factors and the Company’s success in the marketplace commercially. For MDDC the impacts will be: <ul style="list-style-type: none">• 3 Rivers are unable to service and repay the loan from MDDC• Not receiving the forecast additional income• Not supporting corporate objectives.				
Risk Owner: Paul Deal		Risk Type: Economic/Financial		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date

CR9.1	Cabinet: Regular meetings with Shareholder Representatives and updates to Cabinet on progress with the recommendations action plan and projects.	Andrew Jarrett	Satisfactory	08/03/2023
CR9.2	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	Satisfactory	08/03/2023
Notes: Failure to approve a business plan has resulted in the company only being able to continue on existing developments. Full Council have requested an external review, for which the scope is being developed.				

CR10	Cullompton Town Centre Relief Road	Current Severity	Current Likelihood	Current Risk Rating
		5	5	25
Risk Description: Inability to deliver the Cullompton Town Centre Relief Road				
Risk Owner: Adrian Welsh		Risk Type: Economic/Financial		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR10.1	Alternative Funding: Alternative funding opportunities continually being explored.	Adrian Welsh	Action Required	23/02/2023
Notes: This risk was added to the Corporate Risk Register in February 2023.				

CABINET 4 APRIL 2023

CAR PARKING AND PERMIT TARIFFS; REVIEW AND WAY FORWARDS

Cabinet Member(s): Barry Warren, Cabinet Member for Finance
Responsible Officer: Luke Howard, Environment and Enforcement Manager

Reason for Report: This report provides the Cabinet with Economy PDG recommendations for pay and display charges as well as permit tariffs for consideration. Cabinet to approve or reject these recommendations with awareness of the assumed additional income included within the agreed 2023/24 budget and there is an implementation timetable of 21 calendar days from time of public advert.

Recommendation:

That Cabinet review and agree the Economy PDG recommendations (16 March 2023) regarding pay and display and permit tariffs (Appendix 1).

Financial Implications: The report highlights varying impacts on additional financial income determined by each option. Vend predictions are estimated and have the potential to have a higher or lesser effect.

Budget and Policy Framework: The Council has an annual legal requirement to set a balanced budget. The options provided assist in the Council being able to broadly achieve the assumed additional income included within the agreed 2023/24 budget.

Legal Implications: The Authority is required to comply with regulations set out in Section 35C Road Traffic Regulation Act 1984. These regulations include guidance from the secretary of state set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (Regulation 25). There are also legal obligations for the Authority to set a balanced budget.

Risk Assessment: The options provided make several financial assumptions based on previous data and specialist knowledge on likely impacts of each option.

Equality Impact Assessment: There are no equality issues identified in this report.

Relationship to Corporate Plan: Parking provides financial resources which are made available to deliver the Council's ongoing Corporate Plan priorities.

Impact on Climate Change: Decisions surrounding parking can be identified as having an impact on the Districts carbon footprint. Identifying car parks specifically used for long stay and short stay help members of the public decide which is more appropriate based on their activity. In turn, this will reduce CO2 emissions through prevention of reduced journey times and movement.

1.0 Introduction/Background

- 1.1 Following a decision at full Council on the 22 February, the advanced notice on car parking and permit fee rises that was due to come in on the 7 March 2023 was cancelled. Agreement was reached that options for future consideration,

including the original options recommended by the Economy PDG to Cabinet for decision, were to be put forward to the next meeting of the Economy PDG.

- 1.2 The Economy PDG meeting took place on Thursday March 16 and the attached paper (Appendix 2) was submitted for debate with two options for consideration. This included the original option recommended by the Economy PDG to Cabinet for decision and an additional option based on inflationary rises occurred since fees and charges were last raised in 2016 (permits) and 2019 (parking charges) respectively.
- 1.3 At the meeting a number of different amendments to the options were put forward for consideration by the committee. These were as follows;
- 1.4 **Car Parks to adopt Appendix 3, option 2 in relation to Parking Fees with the below amendments;**
 - 1.4.1 An increase on the 24 hour vend at the MSCP in Tiverton to £15.
 - 1.4.2 The removal of the free 15 minute vend at Phoenix House and the introduction of a 50p charge for a 30 minute vend at Phoenix House.
 - 1.4.3 The retention of the free 30 minute night time stay in all three towns.
 - 1.4.4 Overnight Parking, Sunday and Bank Holiday Parking should have a flat £2 rate for all sites.
- 1.5 **Permits to adopt Appendix 4, Option 1 in relation to Permit Fees with the below amendments;**
 - 1.5.1 An increase of the annual Allocated Space charge to £460.
 - 1.5.2 An increase of the annual day/night permit to £460.
- 1.6 These proposals were unanimously supported by the committee and are detailed in Appendix 1 for final decision by Cabinet.
- 1.7 The original report considered by the Economy PDG on the 16 March is detailed in Appendix 2 with the draft minutes of the meeting detailed in Appendix 3.

2.0 Considerations

- 2.1 There are a few potential anomalies which have been identified since the PDG which require consideration before implementation. These include:
 - 2.1.1 To address the resulting anomaly between Annual Day and Annual Day & Night permits, it is recommended to have one annual day/night flat permit rate which allows residents to park in any long stay car park owned by Mid Devon District Council. These include the multi-story car park in Tiverton, Station Road Cullompton, High Street (St Saviours Way) Crediton and Wellbrook Street Tiverton.

- 2.1.2 Half yearly and quarterly day and night permit costs need to be reflective of the overall annual cost of the permit. The attached spreadsheets reflect this change.
- 2.1.3 Consideration in the next consultation to implement a five hour parking tariff in Station Road Cullompton. This would require legislative consultation to be carried out in accordance with the Road Traffic Regulation Act 1984.

Contact for more Information:

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Circulation of the Report:

Cllr Barry Warren, Matthew Page (Corporate Manager HR, Waste and Governance),
Darren Beer (Operations Manager Street Scene and Open spaces)

List of Background Papers:

Appendix 1; Amended Proposals from the Economy PDG Meeting for consideration and decision.

Appendix 2; Parking Options Paper presented to Economy PDG on the 16 March 2023. [\(Public Pack\)Agenda Document for Economy Policy Development Group, 16/03/2023 17:30 \(middevon.gov.uk\)](#)

Appendix 3: Draft Minutes outlining key questions, points from the discussion and the proposed amendments submitted to Cabinet for consideration. [Minutes Template \(middevon.gov.uk\)](#)

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Pay & Display Car Park Pricing Proposals 2023/24

* Note that all charges shown include 20% VAT

Car Park	Duration	Vends	Current Tariff	Option 2 ECON PDG agreed option on 16/03/2023	£
Market Place, Tiverton	1 Hour	83,702	1.25	1.50	125,553.00
	2 Hours	37,349	2.20	2.70	100,842.30
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-
	Overnight 18:00 - 08:00	5,865	1.00	2.00	11,730.00
	BH & Sunday Parking	6,919	1.00	2.00	13,838.00
	Totals				251,963.30
Beck Sq, Tiverton	1 Hour	25,418	1.25	1.50	38,127.00
	2 Hours	14,508	2.20	2.70	39,171.60
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-
	Overnight 18:00 - 08:00	3,216	1.00	2.00	6,432.00
	BH & Sunday Parking	2,575	1.00	2.00	5,150.00
	Totals				88,880.60
Phoenix House, Tiverton	15 Mins	16,297	Free	0.50	4,074.25
	1 Hour	4,262	1.00	1.50	6,393.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-
	Overnight 18:00 - 08:00	65	1.00	2.00	130.00
	BH & Sunday Parking	56	1.00	2.00	112.00
	Totals				10,709.25
MSCP, Tiverton	2 Hours	7,570	2.00	2.70	20,439.00
	5 Hours	12,475	3.00	4.00	49,900.00
	10 Hours	7,034	5.00	6.00	42,204.00
	24 Hours	5,896	10.00	15.00	88,440.00
	2 Days	814	20.00	24.00	19,536.00
	3 Days	222	30.00	36.00	7,992.00
	4 Days	116	40.00	48.00	5,568.00
	5 Days	48	50.00	60.00	2,880.00
	7 Days	34	70.00	84.00	2,856.00
	Totals				239,815.00
William Street, Tiverton	30 Mins	6,923	0.50	1.00	6,923.00
	1 Hour	7,122	1.25	1.50	10,683.00
	2 Hours	6,936	2.20	2.70	18,727.20
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-
	Overnight 18:00 - 08:00	2,233	1.00	2.00	4,466.00
	BH & Sunday Parking	1,415	1.00	2.00	2,830.00
	Totals				43,629.20
High Street (St Saviour's Way), Cridton	2 Hours	14,268	1.80	2.70	38,523.60
	5 Hours	8,667	2.50	4.00	34,668.00
	10 Hours	9,584	3.00	6.00	57,504.00
	24 Hours	735	5.00	12.00	8,820.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-
	Overnight 18:00 - 08:00	1,350	1.00	2.00	2,700.00
	BH & Sunday Parking	1,254	1.00	2.00	2,508.00
	Totals				144,723.60
Station Road, Cullompton	1 Hour	4,785	1.00	1.50	7,177.50
	2 Hours	5,522	1.80	2.70	14,909.40
	10 Hours	7,931	3.00	6.00	47,586.00
	24 Hours	380	5.00	12.00	4,560.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-
	Overnight 18:00 - 08:00	1,290	1.00	2.00	2,580.00
	BH & Sunday Parking	977	1.00	2.00	1,954.00
	Totals				78,766.90
Market Street, Cridton	1 Hour	9,290	1.25	1.50	13,935.00
	2 Hours	13,435	2.20	2.70	36,274.50
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-
	Overnight 18:00 - 08:00	911	1.00	2.00	1,822.00
	BH & Sunday Parking	920	1.00	2.00	1,840.00
	Totals				53,871.50
Westex South, Tiverton	30 Mins	5,793	0.50	1.00	5,793.00
	1 Hour	11,978	1.25	1.50	17,967.00
	2 Hours	9,210	2.20	2.70	24,867.00
	3 Hours	4,918	2.80	4.00	19,672.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-

This will become 30 Mins at a charge of 0.50p - Assumed 50% of the free vends will pay the new tariff

	Overnight 18:00 - 08:00	4,671	1.00	2.00	9,342.00
	BH & Sunday Parking	4,346	1.00	2.00	8,692.00
	Totals				86,333.00
Wellbrook Street, Tiverton	1 Hour	1,286	1.25	1.50	1,929.00
	2 Hours	1,208	2.20	2.70	3,261.60
	3 Hours	725	2.80	4.00	2,900.00
	24 Hours	1,663	5.00	12.00	19,956.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-
	Overnight 18:00 - 08:00	879	1.00	2.00	1,758.00
	BH & Sunday Parking	550	1.00	2.00	1,100.00
	Total Current P&D income based on the number of vends		728,793.10		30,904.60

Gross Income	1,029,596.95
10% Vend reduction	- 102,959.70
Total Gross Income	926,637.26

Total Current Vend income	728,793.10
Income from Above proposal	926,637.26
Additional P&D Income	197,844.16

Permit Car Park Pricing Proposals 2023/24

* Note that all charges shown include 20% VAT

Permit Type	Current Price	No of permits	Current Income	Equivalent Daily Charge	Option 1 ECON PDG agreed option on 16/03/2023	£	Equivalent Daily Charge	% change in Tariff
Annual Day Permit	310.00	66	20,460.00	0.85	465.00	30,690.00	1.27	50%
Half Yearly Day Permit	170.50	20	3,410.00	0.93	255.75	5,115.00	1.40	50%
Quarterly Day Permit	93.00	55	5,115.00	1.02	139.50	7,672.50	1.53	50%
Annual Day & Night Permit	400.00	37	14,800.00	1.10	460.00	17,020.00	1.26	15%
Half Yearly Day & Night Permit	220.00	25	5,500.00	1.21	250.00	6,250.00	1.37	14%
Quarterly Day & Night Permit	120.00	76	9,120.00	1.32	140.00	10,640.00	1.53	17%
Annual Overnight Permit	100.00	8	800.00	0.27	150.00	1,200.00	0.41	50%
Quarterly Overnight Permit	54.00	-	-	0.59	81.00	-	0.89	50%
Monthly Overnight Permit	10.00	44	440.00	0.33	15.00	660.00	0.49	50%
Allocated Space Permit	425.00	123	52,275.00	1.16	460.00	56,580.00	1.26	8%
Discounted Day Permits	225.00	56	12,600.00	0.62	337.50	18,900.00	0.92	50%
Annual Mid Devon Rover Permits	475.00	-	-	1.30	712.50	-	1.95	50%
Half Yearly Mid Devon Rover Permits	261.25	-	-	1.43	392.00	-	2.15	50%
Quarterly Mid Devon Rover Permits	142.50	-	-	1.56	213.75	-	2.34	50%
Additional 40 Allocated space permits in the MSCP 23/24	-	40	-	-	460.00	18,400.00	1.26	100%
Total Permit Income based on above permit number			124,520.00		Gross Income	173,127.50		

Loss Assumptions 0 %	-
Total Gross Income	173,127.50

Total Current Permit Income	124,520.00
Income from Above proposal	173,127.50
Additional Permit Income	48,607.50

* Half Yearly & Quarterly permit prices have changed to reflect the change in Annual Day & Night permit

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Car Parking and Permit Tariffs; Review and Way Forwards

Cabinet Member(s): Cllr Barry Warren, Leader and Cabinet Member for Finance

Responsible Officer: Luke Howard, Environment and Enforcement Manager

Reason for Report: This report provides options for Economy PDG to determine pay and display and permit tariff increases for the financial year 2023-2024.

Recommendation:

1. The PDG review the options in this report for both pay and display and permit tariffs
2. Recommend to Cabinet the preferred option for:
 - a) Pay and display tariffs
 - b) Permit tariffs

Financial Implications: The report highlights varying impacts on additional financial income determined by each option. Vend predictions are estimated and have the potential to have a higher or lesser effect.

Budget and Policy Framework: The Council has an annual legal requirement to set a balanced budget. The options provided assist in the Council being able to achieve this in relation to the Medium Term Financial Plan.

Legal Implications: The Authority is required to comply with regulations set out in Section 35C Road Traffic Regulation Act 1984. These regulations include guidance from the secretary of state set out in The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (Regulation 25). There are also legal obligations for the Authority to set a balanced budget.

Risk Assessment: The options provided make several financial assumptions based on previous data and specialist knowledge on likely impacts of each option.

Equality Impact Assessment: There are no equality issues identified in this report.

Relationship to Corporate Plan: In order to set a balanced budget by 11 March 2023 a decision on the options will be forthcoming. Parking provides financial resources, which are made available to deliver the Council's ongoing Corporate Plan priorities.

Impact on Climate Change: Decisions surrounding parking can be identified as having an impact on carbon footprint. Identifying car parks specifically used for long stay and short stay help members of the public decide which is more appropriate based on their activity. In turn, this will reduce CO₂ emissions through prevention of reduced journey times and movement.

1.0 Introduction/Background

- 1.1 On the 10 November 2022, Economy PDG recommended a set of charges to be introduced and identified Option 3 (Appendix 1 – Car Parking Pay and Display Options, Economy PDG Nov 22) and Option 1 (Appendix 2 – Car Parking Permits Options, Economy PDG Nov 22) of the attached proposals regarding parking fee and permit rises. These were then reviewed by Cabinet on the 29 November 2022 who decided to implement Option 2 of Appendix 1 and Option 3 of Appendix 2, which had a higher set of tariffs for long-term stays (e.g. 10 hours costing £10 instead of £6). These decisions were published as required.
- 1.2 Following debate at a meeting of full Council on the 22 February 2023, which was attended by various residents and business advocates, a decision was taken to withdraw the notice and reconsider parking charges at a future meeting. The planned increase in fees and charges will therefore not be coming into practice after the notice was due to expire on the 7 March 2023.
- 1.3 The Economy Policy Development Group will now consider how best to adjust parking fees before making recommendations to Cabinet in due course at their meeting on the 16 March 2023.
- 1.4 Due to the legal requirements for advance notice and the impending pre-election period restrictions for elections in May 2023, the service is looking to implement these changes on 1 June 2023.

2.0 Findings

- 2.1 Key findings from the advanced notice of car parking fee rises include; several business owners proposed to cease purchases of permits. The anticipated loss of such permits on the whole is likely to sit around circa £25-£30k for the Council.
- 2.2 Many everyday users utilising the long stay parking for pay and display in Tiverton MSCP, Wellbrook Street and particularly High Street Crediton (St Saviour's Way), expressed disappointment at having to pay an additional £35 per week/£140 a month to park for work.
- 2.3 Given the level of feedback, the previous levels of sales activity, and therefore income is considered to be overstated. Therefore, the 2023/24 budget is proposed to be reduced by £120k to reflect the original PDG recommendations.

3.0 Way forward

- 3.1 The current set of charges for car parking and permits have not been changed since 2016 (permits) and 2019 (car parking) respectively. There has been a steady increase in car parking activity since COVID-19 restrictions have been relaxed but charges are overdue in terms of being revised as costs have risen sharply during that period. Also, other neighbouring Councils have raised their fees since COVID-19 restrictions have been lifted including North Devon, East Devon and Plymouth.

- 3.2 There are two options for consideration in each of the Car Parking Tariffs (Appendix 3) and Car Parking Permits (Appendix 4). These are a projected inflationary increase on current tariffs compared to the original PDG Economy recommendation put forward by Members on the 10 November 2022.
- 3.3 The expenditure budget covering the period 2016/17 to 2023/24 has been reviewed which has shown an average increase in costs of 6.81% pa. Therefore, a new recommended tariff option has been calculated using this average annual increase covering 2019-2020 to 2023-2024 for pay and display charges (4-years or 30.15%) and covering 2016-2017 to 2023-2024 for permits (7-years or 58.59%). This can be compared to the tariff recommended by the PDG in November.
- 3.4 This calculation excludes significant infrastructure works where it has been necessary to invest in the upkeep of car parks. For example, costs for works on Tiverton MSCP during 2019-2021 totalled £811k with another £122k spent on surfacing works in 2020-2021.
- 3.4 The uplift is further supported by the response to the recent Residents Survey 2022, which asked questions on spending and budget setting. Fifty percent said when making spending plans the Council should protect services even if it means it will need to increase council tax and fees and charges.

4.0 Recommendation

- 4.1 A decision is required to recommend to Cabinet either the proposed inflationary increase or the original option put forward by the Economy PDG on 10 November for both pay and display and permit models. Cabinet will then decide what the proposed 2023/24 tariffs should be.
- 4.2 Both decisions will be subject to a prior advanced public notice of 21 days, which will need publicising in all of our pay and display car parks and in the local press. The upcoming pre-election period due to commence on the 17 March 2023 for the local elections held on the 4 May 2023 needs to be factored in to the forthcoming implementation period regarding the decision taken by Members.

Contact for more Information:

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Circulation of the Report:

Cllr Barry Warren, Matthew Page (Corporate Manager HR, Waste and Governance), Darren Beer (Operations Manager Street scene and Open spaces), Leadership Team

List of Background Papers:

Appendix 1 – Car Parking Pay and Display Options, Economy PDG Nov 22

Appendix 2 – Car Parking Permits Options, Economy PDG Nov 22

Appendix 3 – Car Parking Pay and Display Pricing Proposals 2023-2024

Appendix 4 – Car Parking Permit Pricing Proposals 2023-2024

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Pay & Display Car Park Pricing Proposals 2023/24

Car Park	Duration	Vends	Current Tariff	Option 1	£	Option 2	£	Option 3	£
Market Place	1 Hour	83,702	1.25	-	-	2.00	167,404.00	1.50	125,553.00
	2 Hours	37,349	2.20	3.00	363,153.00	3.00	112,047.00	2.70	100,842.30
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-	Free	-	scrap	-
	Overnight 18:00 - 08:00	5,865	1.00	2.00	11,730.00	2.00	11,730.00	2.00	11,730.00
	BH & Sunday Parking	6,919	1.00	2.00	13,838.00	2.00	13,838.00	2.00	13,838.00
Totals					388,721.00		305,019.00		251,963.30
Beck Sq	1 Hour	25,418	1.25	-	-	2.00	50,836.00	1.50	38,127.00
	2 Hours	14,508	2.20	3.00	119,778.00	3.00	43,524.00	2.70	39,171.60
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-	Free	-	scrap	-
	Overnight 18:00 - 08:00	3,216	1.00	2.00	6,432.00	2.00	6,432.00	2.00	6,432.00
	BH & Sunday Parking	2,575	1.00	2.00	5,150.00	2.00	5,150.00	2.00	5,150.00
Totals					131,360.00		105,942.00		88,880.60
Phoenix House	15 Mins	16,297	Free	Free	-	Free	-	Free	-
	1 Hour	4,262	1.00	1.00	4,262.00	2.00	8,524.00	1.50	6,393.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-	Free	-	scrap	-
	Overnight 18:00 - 08:00	65	1.00	2.00	130.00	10.00	650.00	6.00	390.00
	BH & Sunday Parking	56	1.00	2.00	112.00	2.00	112.00	2.00	112.00
Totals					4,504.00		9,286.00		6,895.00
MSCP	2 Hours	7,570	2.00	3.00	22,710.00	3.00	22,710.00	2.70	20,439.00
	5 Hours	12,475	3.00	5.00	62,375.00	5.00	62,375.00	4.00	49,900.00
	10 Hours	7,034	5.00	10.00	70,340.00	10.00	70,340.00	6.00	42,204.00
	24 Hours	5,896	10.00	15.00	88,440.00	15.00	88,440.00	12.00	70,752.00
	2 Days	814	20.00	30.00	24,420.00	30.00	24,420.00	24.00	19,536.00
	3 Days	222	30.00	45.00	9,990.00	45.00	9,990.00	36.00	7,992.00
	4 Days	116	40.00	60.00	6,960.00	60.00	6,960.00	48.00	5,568.00
	5 Days	48	50.00	75.00	3,600.00	75.00	3,600.00	60.00	2,880.00
	7 Days	34	70.00	105.00	3,570.00	105.00	3,570.00	84.00	2,856.00
Totals					292,405.00		292,405.00		222,127.00
William Street	30 Mins	6,923	0.50	-	-	-	-	1.00	6,923.00
	1 Hour	7,122	1.25	-	-	2.00	28,090.00	1.50	10,683.00
	2 Hours	6,936	2.20	3.00	62,943.00	3.00	20,808.00	2.70	18,727.20
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-	Free	-	scrap	-
	Overnight 18:00 - 08:00	2,233	1.00	2.00	4,466.00	2.00	4,466.00	2.00	4,466.00
Totals					70,239.00		56,194.00		43,629.20
High Street	2 Hours	14,268	1.80	3.00	42,804.00	3.00	42,804.00	2.70	38,523.60
	5 Hours	8,667	2.50	4.00	34,668.00	4.00	34,668.00	4.00	34,668.00
	10 Hours	9,584	3.00	10.00	95,840.00	10.00	95,840.00	6.00	57,504.00
	24 Hours	735	5.00	15.00	11,025.00	15.00	11,025.00	12.00	8,820.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-	Free	-	scrap	-
	Overnight 18:00 - 08:00	1,350	1.00	2.00	2,700.00	2.00	2,700.00	2.00	2,700.00
	BH & Sunday Parking	1,254	1.00	2.00	2,508.00	2.00	2,508.00	2.00	2,508.00
Totals					189,545.00		189,545.00		144,723.60
Station Road	1 Hour	4,785	1.00	-	-	2.00	9,570.00	1.50	7,177.50
	2 Hours	5,522	1.80	3.00	30,921.00	3.00	16,566.00	2.70	14,909.40
	10 Hours	7,931	3.00	10.00	79,310.00	10.00	79,310.00	6.00	47,586.00
	24 Hours	380	5.00	15.00	5,700.00	15.00	5,700.00	12.00	4,560.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-	Free	-	scrap	-
	Overnight 18:00 - 08:00	1,290	1.00	2.00	2,580.00	2.00	2,580.00	2.00	2,580.00
Totals					120,465.00		115,680.00		78,766.90
Market Street	1 Hour	9,290	1.25	-	-	2.00	18,580.00	1.50	13,935.00
	2 Hours	13,435	2.20	3.00	68,175.00	3.00	40,305.00	2.70	36,274.50
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-	Free	-	scrap	-
	Overnight 18:00 - 08:00	911	1.00	2.00	1,822.00	2.00	1,822.00	2.00	1,822.00
	BH & Sunday Parking	920	1.00	2.00	1,840.00	2.00	1,840.00	2.00	1,840.00
Totals					71,837.00		62,547.00		53,871.50
Westex South	30 Mins	5,793	0.50	-	-	-	-	1.00	5,793.00
	1 Hour	11,978	1.25	-	-	2.00	35,542.00	1.50	17,967.00
	2 Hours	9,210	2.20	3.00	80,943.00	3.00	27,630.00	2.70	24,867.00
	3 Hours	4,918	2.80	4.00	19,672.00	4.00	19,672.00	4.00	19,672.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-	Free	-	scrap	-
	Overnight 18:00 - 08:00	4,671	1.00	2.00	9,342.00	2.00	9,342.00	2.00	9,342.00
Totals					118,649.00		100,878.00		86,333.00
Wellbrook Street	1 Hour	1,286	1.25	-	-	2.00	2,572.00	1.50	1,929.00
	2 Hours	1,208	2.20	3.00	7,482.00	3.00	3,624.00	2.70	3,261.60
	3 Hours	725	2.80	4.00	2,900.00	4.00	2,900.00	4.00	2,900.00
	24 Hours	1,663	5.00	15.00	24,945.00	15.00	24,945.00	12.00	19,956.00
	Overnight 18:00 - 08:00 30 mins	-	Free	Free	-	Free	-	scrap	-
	Overnight 18:00 - 08:00	879	1.00	2.00	1,758.00	2.00	1,758.00	2.00	1,758.00
Totals					38,185.00		36,899.00		30,904.60

					1,425,910.00		1,274,395.00		1,008,094.70
				25% Vend reduction	- 356,477.50	15% Vend reduction	- 191,159.25	10% Vend reduction	- 100,809.47
					1,069,432.50		1,083,235.75		907,285.23
Additional Income					- 340,639.40		- 354,442.65		- 178,492.13

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Permit Pricing 2023/24

Permit Type	Current Price (including VAT)	No of permits	Current Income	Equivalent Daily Charge	Option 1 (including VAT)	£	Equivalent Daily Charge	Option 2 (including VAT)	£	Equivalent Daily Charge	Option 3 (including VAT)	£	Equivalent Daily Charge	
Annual Day Permit	310.00	66	20,460.00	0.85	465.00	30,690.00	1.27	542.50	35,805.00	1.49	547.50	36,135.00	1.50	
Half Yearly Day Permit	170.50	20	3,410.00	0.93	255.75	5,115.00	1.40	298.50	5,969.90	1.64	300.00	6,000.00	1.64	
Quarterly Day Permit	93.00	55	5,115.00	1.02	139.50	7,672.50	1.53	162.75	8,951.25	1.78	175.00	9,625.00	1.92	
Annual Day & Night Permit	400.00	37	14,800.00	1.10	600.00	22,200.00	1.64	700.00	25,900.00	1.92	730.00	27,010.00	2.00	
Half Yearly Day & Night Permit	220.00	25	5,500.00	1.21	330.00	8,250.00	1.81	385.00	9,625.00	2.11	400.00	10,000.00	2.19	
Quarterly Day & Night Permit	120.00	76	9,120.00	1.32	180.00	13,680.00	1.97	210.00	15,960.00	2.30	225.00	17,100.00	2.47	
Annual Overnight Permit	100.00	8	800.00	0.27	150.00	1,200.00	0.41	175.00	1,400.00	0.48	182.50	1,460.00	0.50	
Quarterly Overnight Permit	54.00	-	-	0.59	81.00	-	0.89	94.50	-	1.04	60.00	-	0.66	
Monthly Overnight Permit	10.00	44	440.00	0.33	15.00	660.00	0.49	17.50	770.00	0.58	20.00	880.00	0.66	
Allocated Space Permit	425.00	123	52,275.00	1.16	637.50	78,412.50	1.75	743.75	91,481.25	2.04	912.50	112,237.50	2.50	
Discounted Day Permits	225.00	56	12,600.00	0.62	337.50	18,900.00	0.92	393.75	22,050.00	1.08	456.25	25,550.00	1.25	
Annual Mid Devon Rover Permits	475.00	-	-	1.30	712.50	-	1.95	831.25	-	2.28	1,002.00	-	2.75	
Half Yearly Mid Devon Rover Permits	261.25	-	-	1.43	392.00	-	2.15	457.25	-	2.51	547.50	-	3.00	
Quarterly Mid Devon Rover Permits	142.50	-	-	1.56	213.75	-	2.34	249.50	-	2.73	290.00	-	3.18	
Additional 40 Allocated space permits in the MSCP 23/24	-	40	-	-	637.50	25,500.00	-	743.75	29,750.00	-	912.50	36,500.00	2.50	
			124,520.00			212,280.00			247,662.40			282,497.50		
						0% Vend reduction	-	10% Vend reduction	-	24,766.24	25% Vend reduction	-	70,624.38	
						212,280.00			222,896.16			211,873.13		
Additional Income						- 87,760.00			- 98,376.16			- 87,353.13		

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Appendix 3 - Pay & Display Car Park Pricing Proposals 2023/24

* Note that all charges shown include 20% VAT

Car Park	Duration	Vends	Current Tariff	Option 1 with Inflation Increase (4 Years)	£	Option 2 ECON PDG agreed option	£
Market Place, Tiverton	1 Hour	83,702	1.25	1.60	133,923.20	1.50	125,553.00
	2 Hours	37,349	2.20	2.90	108,312.10	2.70	100,842.30
	Overnight 18:00 - 08:00 30 mins	-	Free	-	-	-	-
	Overnight 18:00 - 08:00	5,865	1.00	1.40	8,211.00	2.00	11,730.00
	BH & Sunday Parking	6,919	1.00	1.40	9,686.60	2.00	13,838.00
Totals				-	260,132.90		251,963.30
Beck Sq, Tiverton	1 Hour	25,418	1.25	1.60	40,668.80	1.50	38,127.00
	2 Hours	14,508	2.20	2.90	42,073.20	2.70	39,171.60
	Overnight 18:00 - 08:00 30 mins	-	Free	-	-	-	-
	Overnight 18:00 - 08:00	3,216	1.00	1.40	4,502.40	2.00	6,432.00
	BH & Sunday Parking	2,575	1.00	1.40	3,605.00	2.00	5,150.00
Totals				-	90,849.40		88,880.60
Phoenix House, Tiverton	15 Mins	16,297	Free	Free	-	Free	-
	1 Hour	4,262	1.00	1.40	5,966.80	1.50	6,393.00
	Overnight 18:00 - 08:00 30 mins	-	Free	-	-	-	-
	Overnight 18:00 - 08:00	65	1.00	1.40	91.00	6.00	390.00
	BH & Sunday Parking	56	1.00	1.40	78.40	2.00	112.00
Totals				-	6,136.20		6,895.00
MSCP, Tiverton	2 Hours	7,570	2.00	2.50	18,925.00	2.70	20,439.00
	5 Hours	12,475	3.00	3.80	47,405.00	4.00	49,900.00
	10 Hours	7,034	5.00	6.50	45,721.00	6.00	42,204.00
	24 Hours	5,896	10.00	13.00	76,648.00	12.00	70,752.00
	2 Days	814	20.00	26.20	21,326.80	24.00	19,536.00
	3 Days	222	30.00	39.00	8,658.00	36.00	7,992.00
	4 Days	116	40.00	52.00	6,032.00	48.00	5,568.00
	5 Days	48	50.00	65.00	3,120.00	60.00	2,880.00
	7 Days	34	70.00	91.10	3,097.40	84.00	2,856.00
Totals				-	230,933.20		222,127.00
William Street, Tiverton	30 Mins	6,923	0.50	0.60	4,153.80	1.00	6,923.00
	1 Hour	7,122	1.25	1.60	11,395.20	1.50	10,683.00
	2 Hours	6,936	2.20	2.90	20,114.40	2.70	18,727.20
	Overnight 18:00 - 08:00 30 mins	-	Free	-	-	-	-
	Overnight 18:00 - 08:00	2,233	1.00	1.40	3,126.20	2.00	4,466.00
Totals				-	40,770.60		43,629.20
High Street (St Saviour's Way), Creden	2 Hours	14,268	1.80	2.20	31,389.60	2.70	38,523.60
	5 Hours	8,667	2.50	3.30	28,601.10	4.00	34,668.00
	10 Hours	9,584	3.00	3.80	36,419.20	6.00	57,504.00
	24 Hours	735	5.00	6.50	4,777.50	12.00	8,820.00
	Overnight 18:00 - 08:00 30 mins	-	Free	-	-	-	-
Totals				-	104,833.00		144,723.60
Station Road, Cullompton	1 Hour	4,785	1.00	1.40	6,699.00	1.50	7,177.50
	2 Hours	5,522	1.80	2.20	12,148.40	2.70	14,909.40
	10 Hours	7,931	3.00	3.80	30,137.80	6.00	47,586.00
	24 Hours	380	5.00	6.50	2,470.00	12.00	4,560.00
	Overnight 18:00 - 08:00 30 mins	-	Free	-	-	-	-
Totals				-	54,629.00		78,766.90
Market Street, Creden	1 Hour	9,290	1.25	1.60	14,864.00	1.50	13,935.00
	2 Hours	13,435	2.20	2.90	38,961.50	2.70	36,274.50
	Overnight 18:00 - 08:00 30 mins	-	Free	-	-	-	-
	Overnight 18:00 - 08:00	911	1.00	1.40	1,275.40	2.00	1,822.00
	BH & Sunday Parking	920	1.00	1.40	1,288.00	2.00	1,840.00
Totals				-	56,388.90		53,871.50
Westex South, Tiverton	30 Mins	5,793	0.50	0.60	5,793.60	1.00	5,793.00
	1 Hour	11,978	1.25	1.60	19,164.80	1.50	17,967.00
	2 Hours	9,210	2.20	2.90	26,709.00	2.70	24,867.00
	3 Hours	4,918	2.80	3.60	17,704.80	4.00	19,672.00
	Overnight 18:00 - 08:00 30 mins	-	Free	-	-	-	-
Totals				-	81,996.00		86,333.00
Wellbrook Street, Tiverton	1 Hour	1,286	1.25	1.60	2,057.60	1.50	1,929.00
	2 Hours	1,208	2.20	2.90	3,503.20	2.70	3,261.60
	3 Hours	725	2.80	3.60	2,610.00	4.00	2,900.00
	24 Hours	1,663	5.00	6.50	10,809.50	12.00	19,956.00
	Overnight 18:00 - 08:00 30 mins	-	Free	-	-	-	-
Totals				-	20,980.90		30,904.60
Total Current P&D income based on the number of vends			728,793.10				

Gross Income	947,650.10	Gross Income	1,008,094.70
5% Vend reduction	- 47,382.51	10% Vend reduction	- 100,809.47
Total Gross Income	900,267.60	Total Gross Income	907,285.23

Total Current Vend income	728,793.10	Total Current Vend income	728,793.10
Income from Above proposal	900,267.60	Income from Above proposal	907,285.23
Additional P&D Income	171,474.50	Additional P&D Income	178,492.13

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Appendix 4 - Car Park Permit Pricing Proposals 2023/24

* Note that all charges shown include 20% VAT

Permit Type	Current Price	No of permits	Current Income	Equivalent Daily Charge	Option 1	£	Equivalent Daily Charge	Option 2 with Inflation increase (7 Years)	£	Equivalent Daily Charge
Annual Day Permit	310.00	66	20,460.00	0.85	465.00	30,690.00	1.27	490.00	32,340.00	1.34
Half Yearly Day Permit	170.50	20	3,410.00	0.93	255.75	5,115.00	1.40	270.00	5,400.00	1.48
Quarterly Day Permit	93.00	55	5,115.00	1.02	139.50	7,672.50	1.53	150.00	8,250.00	1.64
Annual Day & Night Permit	400.00	37	14,800.00	1.10	600.00	22,200.00	1.64	635.00	23,495.00	1.74
Half Yearly Day & Night Permit	220.00	25	5,500.00	1.21	330.00	8,250.00	1.81	350.00	8,750.00	1.92
Quarterly Day & Night Permit	120.00	76	9,120.00	1.32	180.00	13,680.00	1.97	190.00	14,440.00	2.08
Annual Overnight Permit	100.00	8	800.00	0.27	150.00	1,200.00	0.41	285.00	2,280.00	0.78
Quarterly Overnight Permit	54.00	-	-	0.59	81.00	-	0.89	85.00	-	0.93
Monthly Overnight Permit	10.00	44	440.00	0.33	15.00	660.00	0.49	15.00	660.00	0.49
Allocated Space Permit	425.00	123	52,275.00	1.16	637.50	78,412.50	1.75	675.00	83,025.00	1.85
Discounted Day Permits	225.00	56	12,600.00	0.62	337.50	18,900.00	0.92	355.00	19,880.00	0.97
Annual Mid Devon Rover Permits	475.00	-	-	1.30	712.50	-	1.95	750.00	-	2.05
Half Yearly Mid Devon Rover Permits	261.25	-	-	1.43	392.00	-	2.15	415.00	-	2.27
Quarterly Mid Devon Rover Permits	142.50	-	-	1.56	213.75	-	2.34	225.00	-	2.47
Additional 40 Allocated space permits in the MSCP 23/24	-	40	-	-	637.50	25,500.00	1.75	675.00	27,000.00	1.85
Total Permit Income based on above permit number			124,520.00		Gross Income	212,280.00		Gross Income	225,520.00	
					Loss Assumptions 0 %	-		Loss Assumptions 5%	- 11,276.00	
					Total Gross Income	212,280.00		Total Gross Income	214,244.00	
					Total Current Permit Income	124,520.00		Total Current Permit Income	124,520.00	
					Income from Above proposal	212,280.00		Income from Above proposal	214,244.00	
					Additional Permit Income	87,760.00		Additional Permit Income	89,724.00	

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CABINET
4TH APRIL 2023

MID DEVON AIR QUALITY SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Cabinet Member(s): Councillor Graham Barnell, Cabinet Member for Planning and Economic Regeneration

Responsible Officer: Richard Marsh, Director of Place

Reason for Report and Recommendations: To adopt the Mid Devon Air Quality Supplementary Planning Document

RECOMMENDATION:

To Cabinet that

- 1) The Mid Devon Air Quality Supplementary Planning Document (Appendix 1 to this report) is adopted and this is published on the Council's website together with its Strategic Environmental Assessment screening report (Appendix 2), Habitats Regulation Assessment Screening report (Appendix 3), Air Quality Supplementary Planning Document Summary Guide (Appendix 4) and Air Quality Supplementary Planning Document Consultation Statement (Appendix 5) and its Adoption Statement (Appendix 6).**
- 2) The existing Supplementary Planning Document on Air Quality and Development (May 2008) is revoked, removed from the Council's website and is no longer made publicly available.**

Financial Implications: There is existing budgetary provision for the preparation of the Air Quality SPD.

Legal Implications: The process of preparing the Air Quality Supplementary Planning Document (SPD) will need to comply with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. Adoption of the Mid Devon Air Quality SPD will help provide direction on the relevant policies adopted in the Mid Devon Local Plan 2013-2033 in relation to air quality in development proposals that are submitted to the Council for determination and help guide planning decisions made on these.

Risk Assessment: The Air Quality SPD will provide guidance on the Mid Devon Local Plan 2013-2033 policies on air quality. The document will reduce the risk of costs being awarded against the Council where decisions are based on its content.

Budget and Policy Framework: Once the Air Quality SPD has been completed and adopted it will form guidance that will be capable of being used to inform decisions take on planning applications submitted to the Council for determination.

Equality Impact Assessment: A full Equality Impact Assessment has been prepared as part of the Mid Devon Local Plan Review evidence base.

The assessment undertaken for relevant policies with regard to Air Quality including S1 Sustainable Development Priorities, S2 Amount and Distribution of Development, S8 Infrastructure, S11 Cullompton and S12 Crediton as well as site allocation policies and DM3 Transport and Air Quality and DM4 Pollution. The Equality Impact Assessment identified the probability of a positive or neutral impact for these policies.

Relationship to Corporate Plan: The Air Quality SPD will contain guidance on the Mid Devon Local Plan 2013-2033 policies on air quality. It will particularly help deliver the Corporate Plan objectives on Environment and Community.

Impact on Climate Change: New development has a direct influence on local air quality and therefore the health of people and ecosystems. Although the purpose of the Air Quality SPD is focussed on the impact on the health of people, by minimising emissions and reducing the exposure of people to air pollution this in turn helps minimise the impact of development on climate change and support the Council's commitment to achieving net zero carbon emissions by 2030.

1.0 Introduction

- 1.1 Supplementary Planning Documents (SPDs) build on and provide more detailed guidance on policies in an adopted Local Plan. They do not form part of the development plan and cannot introduce new planning policies into the development plan. However, they are a material consideration in decision-making.
- 1.2 A draft Air Quality Supplementary Planning Document has been prepared by consultants Ricardo and was reported to the Cabinet meeting on the 6th September 2022. The Cabinet approved the draft to be published for public consultation, together with its Strategic Environmental Assessment and Habitat Regulation Assessment screening reports (Minute 52).
- 1.3 The Air Quality SPD seeks to:
 - 1) Provide direction on the relevant policies adopted in the Mid Devon Local Plan 2013-2033 in relation to air quality.
 - 2) Assist developers in determining when an air quality assessment is required for a new development.
 - 3) Provide guidance through the emissions and air quality assessment procedures.
 - 4) Identify suitable mitigation measures to be included at the planning stage.
- 1.4 The Air Quality SPD was prepared in accordance with Part 5 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. The Mid Devon Local Plan Review 2013 – 2033 Policies that provide the policy baseline for the Air Quality SPD include S1 Sustainable Development Priorities, S2 Amount and Distribution of Development, S8 Infrastructure, S11 Cullompton, S12 Crediton, site allocation policies referencing air quality in Cullompton, Crediton and Tiverton, DM3 Transport and air quality, and DM4 Pollution.

- 1.5 The consultation on the Air Quality SPD was held from the 24th October to the 16th December 2022. A total of 12 valid responses were received. **Appendix 5** Air Quality SPD Consultation Statement sets out the details of the consultation process, the main comments/issues raised during the consultation and how these comments/issues have been addressed in the Air Quality SPD. One amendment has been made to the Air Quality SPD following the careful consideration of all of the comments received, which is as follows:

On page 2 under the heading 'Planning policy guidance', the following additional wording has been inserted:

"As such, development that has a 'larger potential impact' as indicated by this SPD will be considered to be 'significant' for the purposes of policy".

This change has been included for the avoidance of doubt of how the Air Quality SPD relates to the relevant policies in the Local Plan.

- 1.6 Through the application of the Air Quality SPD the Council aims to:
- 1) Sustain and contribute toward the compliance with the national air quality objectives with consideration given to the presence of Air Quality Management Areas (AQMAs) in Crediton and Cullompton, and the cumulative impacts from individual sites in local areas.
 - 2) Encourage early engagement in the development process to identify the points that need to be considered and addressed prior to making a planning application and decrease the risk of any potential delays during the assessment process.
 - 3) Set out a clear and consistent method for developers to provide the relevant information that will be required to be submitted with planning applications for developments that are likely to have an impact on local air quality.
 - 4) Ensure better regulation by setting out the approach to undertaking air quality assessments and determining mitigation; and applying these consistently in planning decisions.

2.0 Strategic Environmental Assessment / Habitats Regulation Assessment Screening

- 2.1 The Air Quality SPD has been 'screened' to establish whether it requires a Strategic Environmental Assessment (SEA). The SEA Screening Report (**Appendix 2**) has identified that the Air Quality SPD is unlikely to have significant negative effects on the environment. The SEA Screening Report has also found that there is no requirement for the Air Quality SPD to be subject to a full SEA.
- 2.2 The Air Quality SPD has been 'screened' for the purpose of the Habitat Regulations Assessment (HRA) to assess whether it may affect the protected features of a European 'habitats site' identified under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Conservation

of Offshore Marine Habitats and Species Regulations 2017 (as amended). The HRA Screening Report (**Appendix 3**) identifies that the Air Quality SPD is not likely to have significant adverse effects on the integrity of Habitat sites, either alone or in-combination with other plans or projects, and therefore further 'Appropriate Assessment' is not required.

- 2.3 Comments received on the SEA and HRA were largely supportive of the findings which included supportive responses from Statutory Consultees Historic England and Natural England. **Appendix 5** Air Quality Consultation Statement sets out the main comments/issues raised on the SEA and HRA during the consultation and how these comments/issues have been addressed in the Air Quality SPD. No changes are recommended to the SEA and HRA in response to the comments received during the public consultation.

3.0 Groups Consulted

- 3.1 Planning Policy Advisory Group (PPAG) Members have been consulted on the finalised Air Quality SPD and the recommendations in this report.

4.0 Next steps

- 4.1 Once adopted, the Air Quality SPD will be published on the Council's website, together with its adoption statement (**Appendix 6**) and other supporting documents referred to in this report, and will be made available for inspection at the Council's offices.
- 4.2 A copy of the adoption statement will be sent to any person who has asked to be notified of the adoption of the Air Quality SPD.
- 4.3 The Air Quality SPD will replace an existing SPD on Air Quality and Development that was adopted in May 2008. The SPD on Air Quality and Development (May 2008) once revoked, will be removed from the Council's website and will no longer be publicly available.

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List of Background Papers:

Appendix 1: Air Quality Supplementary Planning Document

Appendix 2: SEA Screening Report

Appendix 3: HRA Screening Report

Appendix 4: Air Quality Supplementary Planning Document Summary Guide

Appendix 5: Air Quality Supplementary Planning Document Consultation Statement

Appendix 6: Adoption Statement

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Supplementary Planning Document on Air Quality and Development

Report for Mid Devon District Council

Customer:

Mid Devon District Council

Customer reference:

ED 14677

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15/06/2022

Summary: SPD on Air Quality and Development

Background

The 2008 Ambient Air Quality Directive¹ sets legally binding limits for concentrations in outdoor air of major air pollutants including particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂). The planning of a new development has a direct influence on local air quality and therefore the health of people and ecosystems. Air quality should therefore be a material consideration when planning new developments to ensure they are designed and constructed in ways to minimise emissions and reduce the exposure of people to air pollution.

Purpose

The purpose of this guidance is to:

1. Provide direction on the relevant policies adopted in the Mid Devon Local Plan 2013 – 2033² in relation to air quality
2. Assist developers in determining when an air quality assessment is required for a new development
3. Provide guidance through the emissions and air quality assessment procedures
4. Identify suitable mitigation measures to be included at the planning stage

Through application of this guidance the Council aims to:

1. Sustain and contribute towards compliance with the national air quality objectives, with consideration given to the presence of AQMAs in Crediton and Cullompton, and the cumulative impacts from individual sites in local areas.
2. Encourage early engagement in the development process to identify the points that need to be considered and addressed prior to making a planning application and decrease the risk of any potential delays during the assessment process.
3. Set out a clear and consistent method for developers to provide the relevant information that will be required to be submitted with planning applications for developments that are likely to have an impact on local air quality.
4. Ensure better regulation by setting out the approach to undertaking air quality assessments and determining mitigation; and applying these consistently in planning decisions.

Who should use this document?

This guidance is designed to be used by developers, consultants and the MDDC Planning Department in support of applications for proposed developments. The guidance should be used to determine the necessary assessments of air quality impacts to complete in support of applications for new developments.

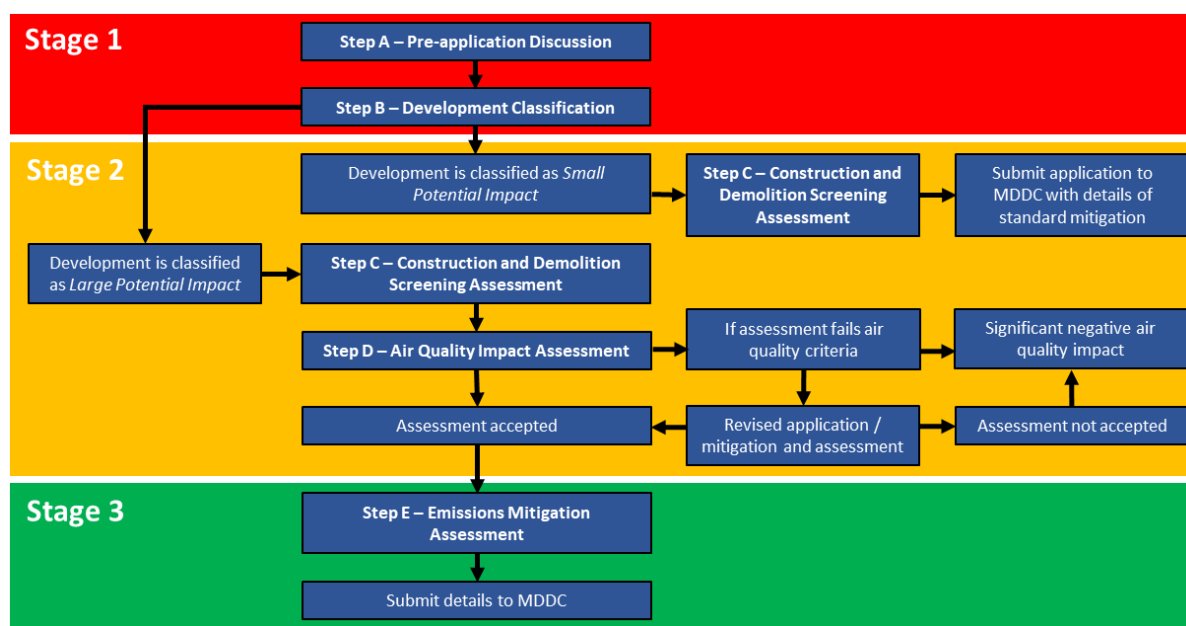
What the guidance includes

The guidance sets out a process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts. A summary of the process is set out below.

¹ Ambient Air Quality Directive (2008/50/EC) <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:152:0001:0044:EN:PDF>

² MDDC Adopted Local Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan/>

Figure 1.1: Process for evaluating new developments



The guidance explains each stage of the above process and offers worked examples to illustrate how the guidance should be applied to individual development types.

Please contact Mid Devon District Council if you have any questions regarding this guidance document.

Table of Contents

Summary: SPD on Air Quality and Development	iii
Table of Contents	v
Glossary	vi
1 Introduction.....	1
1.1 Air quality in Mid Devon	1
1.2 Supplementary planning guidance.....	1
2 Air Quality Impact Classification Process	3
2.1 Stage 1: Classifying the development as Small or Large Potential Impact	5
2.1.1 Step A – Pre-application Discussion	5
2.1.2 Step B – Development Type Classification	5
2.2 Stage 2: Assess and quantify the impact of your development on local air quality	8
2.2.1 Step C – Construction and demolition screening assessment	8
2.2.2 Step D – Air quality Impact Assessment	8
2.2.3 Calculation of Damage Costs.....	11
2.3 Stage 3: Determining the mitigation to be applied	11
2.3.1 Step E – Mitigation measures	11
2.4 Worked examples	13
A1 Air quality guidance within planning policy context	18
A1.1 National planning context.....	18
A1.2 Regional planning context.....	20
A1.3 Local planning context	20
A2 Relevant Receptors for Air Quality Objectives	24

Glossary

Abbreviation	Definition
AADT	Annual Average Daily Traffic
AIDPD	Allocations and Infrastructure Development Plan Document
AQ	Air Quality
AQIA	Air Quality Impact Assessment
AQAP	Air Quality Action Plan
AQMA	Air Quality Management Area
DEFRA	Department for Environment, Food and Rural Affairs
DfT	Department for Transport
EFT	Emissions Factors Toolkit
IAQM	Institute of Air Quality Management
LAQM	Local Air Quality Management
MDDC	Mid Devon District Council
NO ₂	Nitrogen dioxide
NO _x	Oxides of nitrogen
NPPF	National Planning Policy Framework
PM ₁₀ and PM _{2.5}	Particulate matter with an aerodynamic diameter of less than 10 microns (µm) (PM ₁₀) or less than 2.5µm (PM _{2.5}), expressed in units of µg/m ³
SPD	Supplementary Planning Document
SPG	Supplementary Planning Guidance

1 Introduction

1.1 Air quality in Mid Devon

Poor air quality can be damaging to health and reduce quality of life. Mid Devon District Council (MDDC) is committed to minimising the impacts of air pollution on local residents and visitors to the area. Long-term exposure to air pollution has many harmful effects and reduces life expectancy by increasing the incidence of lung, heart and circulatory conditions. Recent estimates have shown that long-term exposure to anthropogenic emissions or man-made air pollution in the UK has an annual impact on shortening lifespans, equivalent to between 28,000 and 36,000 deaths.³ Air pollution also exacerbates existing conditions including asthma, chronic bronchitis, chronic heart disease, and strokes. The economic cost from the impacts of air pollution in the UK is estimated at £9 – 19 billion every year, which is comparable to the economic cost of obesity (over £10 billion).⁴

The main source of air pollution in Mid Devon are road traffic emissions from major roads – notably the M5, A373, A361, A377, A396 and A3126. Traffic emissions contribute to levels of nitrogen dioxide (NO₂) and particulate matter (PM₁₀ and PM_{2.5}). Other pollution sources include commercial, industrial and domestic activities.

Currently there are two Air Quality Management Areas (AQMAs) declared within the district. Both AQMAs are related to traffic emissions; the Crediton AQMA has been designated for exceedances of the NO₂ annual mean objective as well as the PM₁₀ 24-hour mean objective, and the Cullompton AQMA has been designated for exceedances of the NO₂ annual mean objective.

During 2019, no exceedances of the annual mean objective for NO₂ were reported within the district. However, two NO₂ monitoring locations reported concentrations within 10% of the objective, one was reported within the Cullompton AQMA and one within the Crediton AQMA. At present, ambient concentrations of particulate matter in Mid Devon comply with air quality standards, hence there are plans for the Crediton PM₁₀ AQMA to be revoked. However, the Council will still consider measures to reduce exposure to PM.

1.2 Supplementary planning guidance

This document provides more detailed advice and guidance on policies in the current adopted Local Plan and references the latest technical guidance to be followed for air quality assessments. This document is intended to be applied as a material consideration in the decision-making process and should not add unnecessarily to the financial burdens on development.

This Supplementary Planning Document (SPD) on Air Quality and Development provides an update on the previous issue⁵ and sets out the Council's preferred approach to applying development plan policies in relation to air quality. The document is designed to aid developers to prevent or minimise adverse impacts on local air quality associated with their development and highlights suitable methods of mitigation expected by the Council.

Through application of this guidance the Council aims to:

1. Sustain and contribute towards compliance with the national air quality objectives, considering the presence of AQMAs in Crediton and Cullompton, and the cumulative impacts from individual sites in local areas.

³ The Mortality Effects of Long-Term Exposure to Particulate Air Pollution in the United Kingdom. The Committee on the Medical Effects of Air Pollutants (COMEAP) (2010) www.gov.uk/government/publications/comeap-mortality-effects-of-long-term-exposure-to-particulate-air-pollution-in-the-uk

⁴ www.defra.gov.uk/environment/quality/air/air-quality/impacts/ 11 IARC Scientific Publication No. 161 Air Pollution and Cancer, Editors: K. Straif, A. Cohen, and J. Samet, 2013, Lyon

⁵ Supplementary Planning Document on Air Quality and Development (2008), Mid Devon District Council

2. Encourage early engagement to identify the points that need to be considered and addressed prior to making a planning application and decrease the risk of any potential delays during the assessment process.
3. Set out a clear and consistent method for developers to provide the relevant information that will be required to be submitted with planning applications for developments that are likely to have an impact on local air quality.
4. Ensure better regulation by setting out the approach to undertaking air quality assessments and determining mitigation; and applying these consistently in planning decisions.

Planning policy guidance

This SPD has been developed to align with existing plans and policies that influence air quality impacts. Appendix A1 provides a summary of relevant air quality guidance within planning policy context. Under the Council's Local Plan, Policy DM3 (Transport and air quality) states that: 'Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment.'

Under DM3 these assessments are only required where there are significant levels of vehicular movement. Whereas in following this SPD, large potential impact can include smaller developments in planning terms, particularly where they are within or adjoining an Air Quality Management Area (AQMA). Under this SPD, 'significant levels of vehicular movement' in relation to air quality is defined by its potential impact, as per Figure 2.2. ***As such, development that has a 'large potential impact' as indicated by this SPD will be considered to be 'significant' for the purposes of policy.*** Furthermore, the 'traffic pollution assessment' and 'low emission assessment' in DM3, can be considered equivalent to the Air Quality Impact Assessment and Emissions Mitigation Assessment referred to in this SPD.

2 Air Quality Impact Classification Process

The following section details the Air Quality Impact Classification Process required for all proposed developments in Mid Devon. The Process sets out when an assessment of air quality impacts is required in support of a proposed development, what type of assessment to undertake and whether the inclusion of mitigation measures is required. The Process involves three stages, and five steps – as presented below.

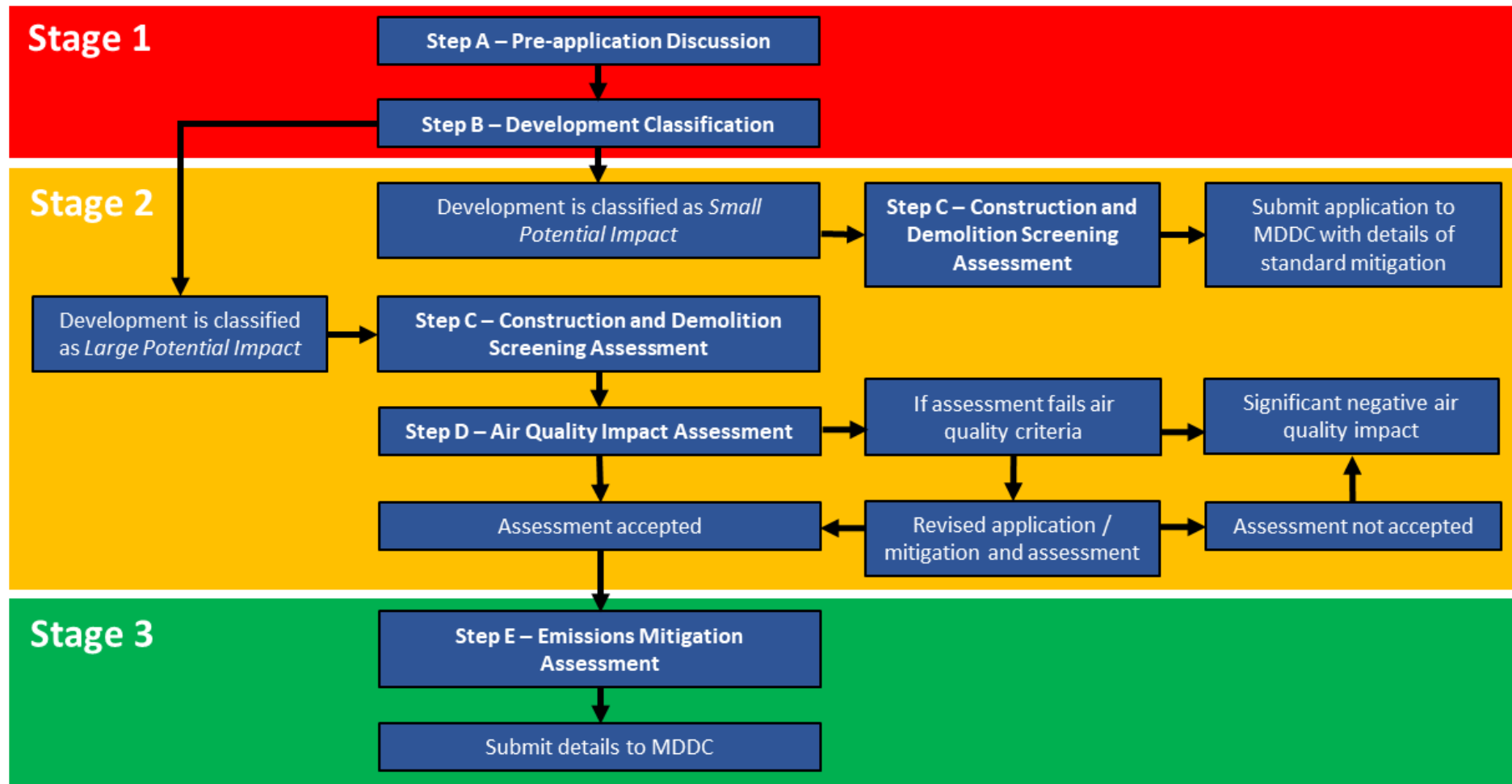
Table 2.1: Air Quality Impact Classification Process

Stage	Step
Stage 1. Determine if the development proposal should be classified as Small or Large Potential Impact dependent on an identified set of thresholds	Step A: Pre-application Discussion
	Step B: Development Classification
Stage 2. Assess and quantify the impact on local air quality and whether any mitigation is required	Step C: Construction and Demolition Screening Assessment
	Step D: Air Quality Impact Assessment
Stage 3. Determine if the proposal can be made acceptable by applying mitigation measures	Step E: Emissions Mitigation Assessment

Figure 2.1 presents a flow diagram which illustrates how the Stages and Steps of the Air Quality Impacts Classification Process interrelate.

Throughout this chapter, **Pointers** are provided which offer simple instructions on how this guidance relates to your proposed development.

Figure 2.1: Procedure for evaluating new developments



2.1 Stage 1: Classifying the development as Small or Large Potential Impact

2.1.1 Step A – Pre-application Discussion

As outlined in the NPPF (see Appendix A1 of this report), early engagement improves the efficiency and effectiveness of the planning application system for all parties and a good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community. Preapplication discussions should therefore be coordinated where possible and appropriate (visit <https://www.middevon.gov.uk> for contact details) to confirm the scale of development and ensure that the appropriate assessment requirements are undertaken.

The discussion will consider whether the planned development is within, near to, or will likely have an impact on an AQMA and which categorisation the site should be assigned (see Section 2.1.2).

Pointer

It is recommended that you arrange a discussion with the Council at the earliest opportunity to outline your proposed development and to confirm the scope of the air quality assessment to be undertaken.

2.1.2 Step B – Development Type Classification

The development type classification should be used to identify which of the following three air quality related actions should be applied to the new development:

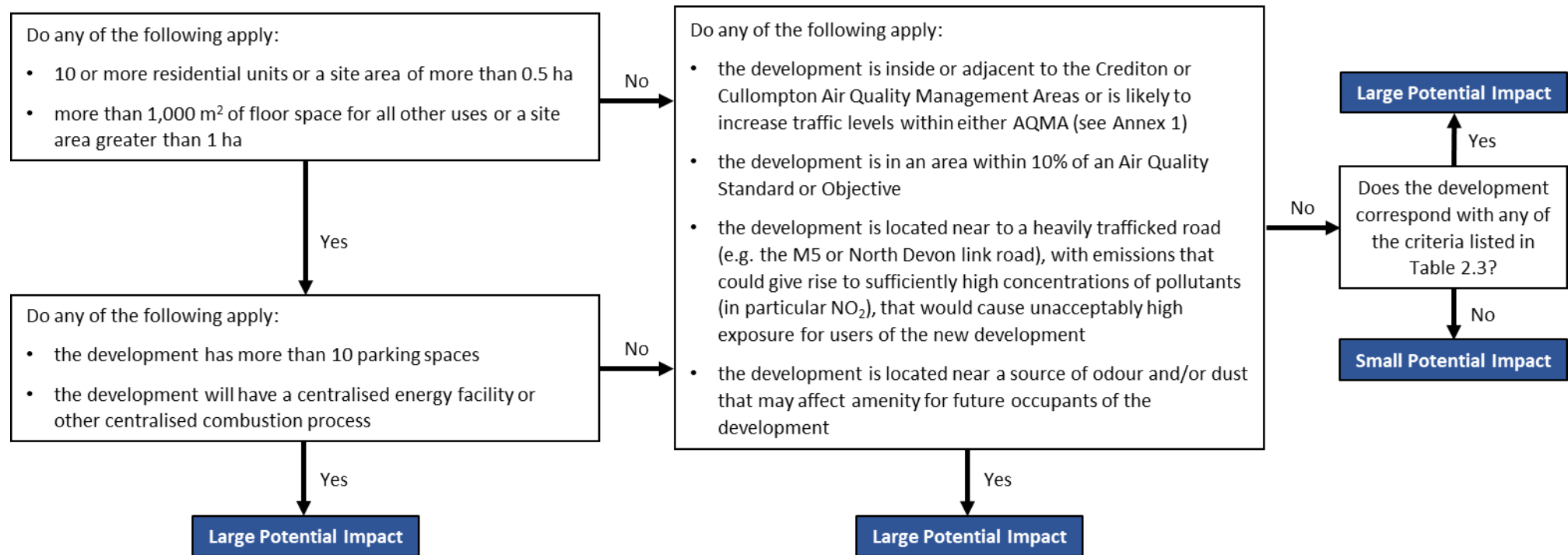
1. **No action required:** the development is considered unlikely to have an impact on local air quality. This will only be the case if the development is identified as having a Small Potential Impact, and it is decided by the Council that no further action is required to determine the impacts on air quality.
2. **Construction and Demolition Screening Assessment required:** This should determine the emissions arising from demolition and construction site activities e.g. gases and dust. The outputs should inform subsequent steps to mitigate the impact of the development associated activities on local air quality.
3. **Air Quality Impact Assessment required:** The AQIA should quantify the predicted impact of a development on local air quality. This is typically carried out by an air quality consultant.

The size classification of the proposed development should be determined using the screening procedure outlined in Figure 2.2. Schemes can be classified as having a **Small or Large Potential Impact** based on a number of predefined thresholds. Small Potential Impact development proposals should undergo a Construction and Demolition Screening Assessment (Section 2.2) to identify whether they will introduce new exposure and the level of mitigation required. Large developments will be required to undergo a Construction and Demolition Screening Assessment, AQIA and a quantification of pollutant emission costs (for traffic generation only) based on a set of defined assumptions and using Defra's damage cost approach.

Table 2.2: Development size classification and required assessment

Development size classification	Required assessment
Large Potential Impact	Construction and demolition screening assessment (see Section 2.2), Air Quality Impact Assessment (see Section 2.2.2) and Emissions Mitigation Assessment (see Section 2.3)
Small Potential Impact	Construction and demolition screening assessment (see Section 2.2)

Figure 2.2: Development size classification screening procedure



A development will also be considered Large Potential Impact if it meets any of the following criteria in Table 2.3:

Table 2.3 Indicative criteria for requiring an air quality assessment⁶

The development will:	Indicative Criteria to Proceed to an Air Quality Assessment
1. Cause a significant change in Light Duty Vehicle (LDV) traffic flows on local roads with relevant receptors*. (LDV = cars and small vans <3.5 t gross vehicle weight).	A change of LDV flows of: <ul style="list-style-type: none"> more than 100 AADT within or adjacent to an AQMA more than 500 AADT elsewhere.
2. Cause a significant change in Heavy Duty Vehicle (HDV) flows on local roads with relevant receptors. (HDV = goods vehicles + buses >3.5 t gross vehicle weight).	<ul style="list-style-type: none"> A change of HDV flows of: more than 25 AADT within or adjacent to an AQMA more than 100 AADT elsewhere.
3. Realign roads, i.e. changing the proximity of receptors to traffic lanes.	Where the change is 5 m or more and the road is within an AQMA.
4. Introduce a new junction or remove an existing junction near to relevant receptors.	Applies to junctions that cause traffic to significantly change vehicle accelerate/decelerate, e.g. traffic lights, or roundabouts.
5. Introduce or change a bus station.	Where bus flows will change by: <ul style="list-style-type: none"> more than 25 AADT within or adjacent to an AQMA more than 100 AADT elsewhere.
6. Have an underground car park with extraction system.	<p>The ventilation extract for the car park will be within 20 m of a relevant receptor.</p> <p>Coupled with the car park having more than 100 movements per day (total in and out).</p>
7. Have one or more substantial combustion processes, where there is a risk of impacts at relevant receptors. NB. this includes combustion plant associated with standby emergency generators (typically associated with centralised energy centres) and shipping.	<p>Typically, any combustion plant where the single or combined NO_x emission rate is less than 5 mg/sec is unlikely to give rise to impacts, provided that the emissions are released from a vent or stack in a location and at a height that provides adequate dispersion.</p> <p>In situations where the emissions are released close to buildings with relevant receptors, or where the dispersion of the plume may be adversely affected by the size and/or height of adjacent buildings (including situations where the stack height is lower than the receptor) then consideration will need to be given to potential impacts at much lower emission rates.</p> <p>Conversely, where existing nitrogen dioxide concentrations are low, and where the dispersion conditions are favourable, a much higher emission rate may be acceptable.</p>

*Appendix A2 provides a list of relevant receptors for air quality objectives

Pointer

Use the screening procedure set out in Figure 2.2 and the criteria in Table 2.3 to determine whether your development should be classified as having a **Small** or **Large Potential Impact**.

Move on to Stage 2 – Step C.

⁶ Land-Use Planning & Development Control: Planning for Air Quality (2017). Available from: www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf

2.2 Stage 2: Assess and quantify the impact of your development on local air quality

2.2.1 Step C – Construction and demolition screening assessment

All proposed developments classified as having either a Small or Large Potential Impact in Stage 1 require a Construction and Demolition Screening Assessment, unless instructed otherwise by the Council.

Demolition and construction processes cause emissions, including gases and dust, which, if not adequately controlled may impact local air quality beyond the site boundary. The assessment methodology should consider⁷:

1. Annoyance due to dust soiling
2. Risk of health impacts due to increased PM₁₀ exposure
3. Harm to ecological receptors

A typical construction and demolition screening assessment is outlined below:

Further information on how to complete steps 1 to 5 is available from the following sources:

- IAQM Guidance on the assessment of dust from demolition and construction (2014). Available from: <https://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>
- Mayor of London The Control of Dust and Emissions during Construction and Demolition SPG: <https://www.london.gov.uk/file/18750/download?token=zV3ZKTpP>

Pointer

If your proposed development has been classified as having a Small Potential Impact, and the Council have not indicated that no further action is required, complete a Construction and Demolition Screening Assessment in accordance with the IAQM Guidance, and proceed to Step E.

If your proposed development has been classified as having a Large Potential Impact, complete a Construction and Demolition Screening Assessment in accordance with the IAQM Guidance, and proceed to Step D.

2.2.2 Step D – Air quality Impact Assessment

An Air Quality Impact Assessment (AQIA) is required for developments categorised as Large Potential Impact in Stage 1. The assessment should quantify the predicted impact of the proposed development on air quality.

The key guidance referenced for air quality assessment methodologies is Defra's Technical Guidance Note (TG16)⁸, and the IAQM Planning for Air Quality Guidance⁹. Assessments may require dispersion modelling, which use air quality monitoring data, traffic data and meteorological data to determine concentrations of pollutants in accordance with TG16.

A typical outline for what the assessment will comprise is as follows:

1. Assessment of the existing air quality in the study area for the baseline year with agreed receptor points including the validation of any dispersion model
2. The prediction of future air quality without the development in place (typically referred to as the future baseline or do-nothing scenario)

⁷ IAQM Guidance on the assessment of dust from demolition and construction (2014). Available from: <https://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

⁸ Department for Environment, Food and Rural Affairs (DEFRA) - Local Air Quality Management Technical Guidance (TG16) (April 2016). Available at <https://iaqm.defra.gov.uk/documents/LAQM-TG16-April-16-v1.pdf>

⁹ IAQM Land-Use Planning & Development Control: Planning for Air Quality (2017). Available from: <https://iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf>

3. The prediction of future road transport emissions and air quality with the development in place (typically referred to as the with development or do-minimum scenario)
4. The prediction of future road transport emissions and air quality with the development and with identified mitigation measures in place (typically referred to as the do-something scenario)

According to the latest IAQM guidance, a report should be prepared detailing the results of the AQIA including:

- Details of the proposed development relevant to the assessment
- The policy context (national and local) of the assessment including the relevant Air Quality Objective (AQO)
- The assessment methodology including model verification and identification of sensitive receptors
- Baseline conditions
- Assessment of impacts
 - Construction phase
 - Cumulative impacts and effects
- Mitigation measures
- Results summary

The following table is taken from the IAQM Planning for Air Quality guidance and provides an approach to determining the impact of the proposed development on air quality, by comparing the percentage change in concentration with the long-term average concentration at a given location. The assigned magnitude of change in air quality provides an approach to determining the impact of the proposed development on air quality, by comparing the percentage change in concentration with the long-term average concentration at a given location.

Table 2.4: Impact descriptors for individual receptors

Long term average concentration at receptor in assessment year	% Change in concentration relative to Air Quality Assessment Level (AQAL)			
	1	2 – 5	6 – 10	>10
75% or less of AQAL	Negligible	Negligible	Slight	Moderate
76 – 94% of AQAL	Negligible	Slight	Moderate	Moderate
95 – 102% of AQAL	Slight	Moderate	Moderate	Substantial
103 – 109% of AQAL	Moderate	Moderate	Substantial	Substantial
110% or more of AQAL	Moderate	Substantial	Substantial	Substantial

The magnitude of change assigned to the development using **Table 2.4** should then be applied to **Table 2.5** to determine the required level of mitigation and action required.

Table 2.5: Recommended outcomes of the impact descriptors

Magnitude of change in air quality from Table 2.4	Recommendation	Action
Substantial	Require mitigation to remove very high air quality impacts. Strong presumption for recommendation for refusal on air quality grounds.	Likely refusal, in some cases mitigation may be possible to remove very high air quality impacts.
Moderate	Recommend refusal unless mitigation measures implemented to the satisfaction of the planning authority. Mitigations to include reducing exposure through various measures, emissions reduction technologies and/or development redesign.	Refusal, unless recommended mitigation is maximised.
Slight	Seek mitigation to reduce air quality impacts. Mitigations to include reducing exposure through various measures, emissions reduction technologies and/or development redesign.	Ensure on-site mitigation options are maximised.
Negligible	Recommend the minimum mitigation for development scheme type.	Recommend minimum mitigation.

Applications for proposed developments that are identified as having a Large Potential Impact should also include calculate Damage Costs, which are used to determine the required investment in mitigation measures. Further detail is provided in Section 2.2.3.

2.2.3 Calculation of Damage Costs

For proposed developments with a Large Potential Impact, additional pollutant population exposure emissions costs (otherwise referred to as 'Damage Costs') should also be calculated for the transport element of the development.

Damage Costs are a set of impact values, measured per tonne of emission by pollutant, which are used to estimate the societal costs associated with small changes in pollutant emissions. They were developed by Defra to enable proportionate analysis when assessing impacts on air quality. Damage costs should be used to determine the scale of the required investment in air quality mitigation measures.

Damage costs for a 'Large Potential Impact' development should be calculated through the following steps:

1. Estimate the total vehicle trips from the development over a period of five years.
2. Use the Defra Emission Factor Toolkit¹⁰ to estimate emissions of NO_x, PM₁₀ and/or PM_{2.5} as required, for five years of scheme operation, based on the total trips and split by vehicle type. Assume an average trip distance of 10 km¹¹.
3. Use the Defra Air quality appraisal: damage costs toolkit¹² to multiply the total emission values (tonnes) by the applicable damage cost value. The toolkit will provide a damage cost (£) for each pollutant and for each of the five years of scheme operation.
4. Present the total calculated damage cost (£) and proposed mitigation to the Council. Mitigation should relate to MDDC Air Quality Action Plan where possible.

Section 2.4 provides worked examples of the Air Quality Impact Classification Process, included calculated damage costs.

Pointer

If your proposed development has been classified as having a Large Potential Impact, you will be required to prepare an Air Quality Impact Assessment in accordance with TG16 and the IAQM Planning for Air Quality Guidance.

The methodology for this assessment (including the scope of the study, the dispersion model to be used, the assumptions for the assessment and the method for determining significance) should be agreed in with the Council in advance of the assessment being undertaken.

The AQIA should be accompanied by an estimation of the Damage Costs and a Mitigation Statement – proceed to Stage 3 – Step E for further detail.

2.3 Stage 3: Determining the mitigation to be applied

2.3.1 Step E – Mitigation measures

2.3.1.1 What mitigation is required?

All developments should incorporate air quality mitigation where necessary. The type of mitigation measures that are appropriate to reduce air quality impacts are dependent on the impact of the development, as determined by the development type classification outlined in Phase 1.

Small Potential Impact developments should include mitigation measures which minimise impacts on air quality associated with demolition and construction processes, as set out in Stage 2 – Step C, whilst Large Potential Impact developments will require both mitigation applicable to demolition and

¹⁰ Defra Emissions Factors Toolkit. Available from: <https://laqm.defra.gov.uk/review-and-assessment/tools/emissions-factors-toolkit.html>

¹¹ Department for Transport National Travel Survey. Available from: <https://www.gov.uk/government/collections/national-travel-survey-statistics>

¹² Defra Air quality appraisal: damage costs toolkit. Available from: <https://www.gov.uk/government/publications/assess-the-impact-of-air-quality>

construction, as well as the operational phases. The value of the mitigation measures for the operational phases should reflect the calculated Damage Cost for the development, as set out in Section 2.2.3.

2.3.1.2 Mitigation Statements

Applications submitted in support of proposed developments will be required to submit a Mitigation Statement, which confirms the type and expected impact of the mitigation measures selected.

Small Potential Impact Developments

For Small Potential Impact developments, the Mitigation Statement is expected to include the mitigation measures identified through the construction and demolition screening assessment.

Large Potential Impact Developments

For Large Potential Impact developments, the Mitigation Statement is expected to include the mitigation measures identified through the construction and demolition screening assessment, confirmation of the calculated damage costs and confirmation of the measures to be implemented in support of the development, equal to or greater than the value of the damage costs.

The mitigation measures proposed must be agreed with the Council. This may include contributions towards measures set out in the Council's AQAP, or be specific to the individual development. The following table provides a list of example additional air quality mitigation measures. The list should not be considered exhaustive and further options may be suggested depending on the scale of development and air quality issues within an area.

Table 2.6 Mitigation measures

Type	Measure
Residential	EV charging infrastructure within the development (wall mounted or free standing in-garage or off-street points).
	Car club provision or support to local car club/eV car club.
	Designation of parking spaces for car club vehicles
	Designation of parking spaces for low emission vehicles.
	Vouchers for alternatives to private car use
	Provision of electric bikes
	Improved cycle paths to link cycle network
	Adequate provision of secure cycle storage
	Use of green infrastructure to absorb dust and other pollutants
Commercial / Industrial	Differential parking charges depending on vehicle emissions
	All commercial vehicles should comply with current European Emission Standards
	Fleet operations should provide a strategy for considering reduced emissions, low emission fuels and technologies.
	Use of ultra-low emission service vehicles.
	Support local walking and cycling initiatives
	On-street EV recharging
	Public transport subsidy for employees
	Contribute to funding measures identified in the MDDC Air Quality Action Plan
	Low emission strategies designed to offset the impact of air quality arising from new development

Type	Measure
Additional measures	Contribution to low emission vehicle refuelling infrastructure
	Low emission bus service provision or waste collection services
	Bike/e-bike hire schemes
	Contribution to renewable fuel and energy generation projects
	Incentives for the take-up of low emission technologies and fuels

2.4 Worked examples

The following provides two worked examples for applying the Air Quality Impact Classification Process [NB. these examples do not follow Planning policy and are only provided for the purposes of providing a worked example in air quality terms]:

Example 1: Large Potential Impact

In this example (Figure 2.5), a new development with 20 residential units and 20 parking spaces located outside of the Crediton and Cullompton AQMAs has been proposed. Therefore, because there are more than 10 residential units, the development would be described as having a Large Potential Impact. Once the pre-application discussion has taken place, the applicant can proceed to Step C and Step D, to complete the Construction and Demolition Screening Assessment and Air Quality Impact Assessment, respectively. Once the assessments are complete, the developer submits the application to the Council, including an estimation of the Damage Cost and the proposed mitigation measures equivalent to the value of the Damage Costs.

The following outlines how these damage costs are calculated, assuming an average distance travelled of 10 km, and provides an example mitigation statement.

Step 1

Use the Emission Factor Toolkit¹³ to calculate the annual emissions of NO_x and PM_{2.5} (tonnes per year) for each of the first five years from the development opening. In the example scenario, the traffic flow and speed would be informed by a transport assessment. A trip length of 10 km is an average derived from the DfT National Travel Surveys estimation of trip length.

¹³ Defra Emissions Factors Toolkit. Available from: <https://laqm.defra.gov.uk/review-and-assessment/tools/emissions-factors-toolkit.html>

Figure 2.3 Screenshot of example EFT input data

Select Pollutants		Select Outputs		Additional Outputs		Advanced Options		Click the button to:	
<input checked="" type="checkbox"/> NOx	<input type="checkbox"/> CO2	<input type="checkbox"/> Air Quality Modelling (g/km/s)	<input type="checkbox"/> Breakdown by Vehicle	<input type="checkbox"/> Euro Compositions	<input type="checkbox"/> NOx Annual Emissions Euro Split	<input type="button" value="Run EFT"/> <input type="button" value="Clear Input Data"/>			
<input type="checkbox"/> PM10	<input checked="" type="checkbox"/> PM2.5	<input type="checkbox"/> Emissions Rates (g/km)	<input type="checkbox"/> Source Apportionment	<input type="checkbox"/> Simple Entry Euro Compositions	<input type="checkbox"/> PM10 Annual Emissions Euro Split				
Please Select from the Following Options: Area England (not London) Year 2021 Traffic Format Basic Split <small>Select 'Basic Split' or 'Detailed Option 1 to 3' or 'Alternative Technologies' above</small>		Export Outputs <input type="checkbox"/> Save Output to New Workbook File Name <input type="text"/>		<input type="checkbox"/> PM2.5 Annual Emissions Euro Split <input type="checkbox"/> Primary NO2 Fraction <input type="checkbox"/> Fleet Projection Tool					
SourceID	Road Type	Traffic Flow	% HDV	Speed(kph)	No of Hours	Link Length (km)	% Gradient	Flow Direction	% Load
ID_1	Urban (not London)	54	0	50	24	10			

Figure 2.4 Screenshot of example EFT output

Source Name	Pollutant Name	All Vehicles (Annual Emissions (kg/yr except CO2 tonnes/yr))	All LDVs (Annual Emissions (kg/yr except CO2 tonnes/yr))	All HDVs (Annual Emissions (kg/yr except CO2 tonnes/yr))
ID_1	NOx	49.61054	49.61054	
ID_1	PM2.5	3.58728	3.58728	

Table 2.7 Example EFT output showing NOx and PM_{2.5} emissions (kg/yr) calculated for 2021 to 2025

Year	2021	2022	2023	2024	2025
NOx	49.61	44.82	40.73	36.88	33.28
PM _{2.5}	3.59	3.53	3.49	3.46	3.44

Step 2

Using the Defra Air quality appraisal damage costs toolkit¹⁴, multiply the emissions (t/yr) for each pollutant by the relevant damage cost price (£/t) for each year (Table 2.8) and provide a cumulative total cost (£) for five years.

Table 2.8 Road transport damage costs (central value used, £/t) for NOx and PM_{2.5} in years 2021 to 2025

Year	2021	2022	2023	2024	2025
NOx	9813	10010	10210	10414	10622
PM _{2.5}	88238	90002	91803	93639	95511

Table 2.9 Cumulative total damage costs (£) calculated for NOx and PM_{2.5} in years 2021 to 2025

Year	2021	2022	2023	2024	2025
NOx	486.83	448.69	415.87	384.10	353.45
PM _{2.5}	316.53	318.04	320.63	324.16	328.45
Cumulative total	803	1570	2307	3015	3697

Total damage costs = £3697

Step 3

Propose appropriate mitigation measures to a value greater or equivalent to the calculated cumulative damage costs, based on the example mitigation measures in Table 2.6.

Example 2: Small Potential Impact

In this example (Figure 2.6), a new development with 10 residential units and no parking spaces located outside of the Crediton and Cullompton AQMAs. As the development does not correspond with any of the criteria outlined in Table 2.3, it can be classified as having a Small Potential Impact. The applicant would then be required to complete the Construction and Demolition Screening Assessment, and confirm the appropriate mitigation measures in their application. As the development is not located within the AQMAs, mitigation for the operational phase impacts would be not be required.

¹⁴ Defra Air quality appraisal: damage costs toolkit. Available from: <https://www.gov.uk/government/publications/assess-the-impact-of-air-quality>

Figure 2.5: Worked example – Large Potential Impact

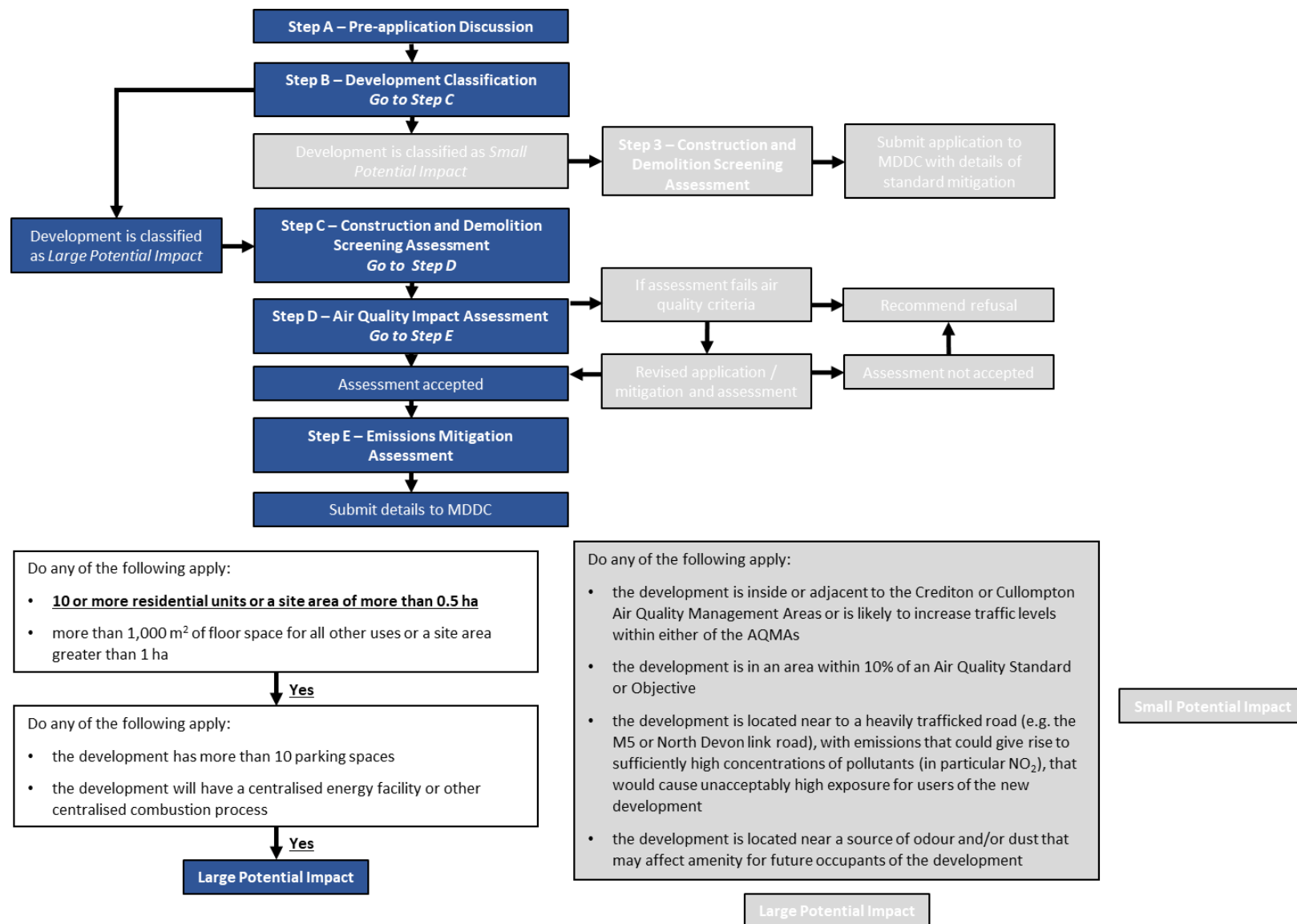
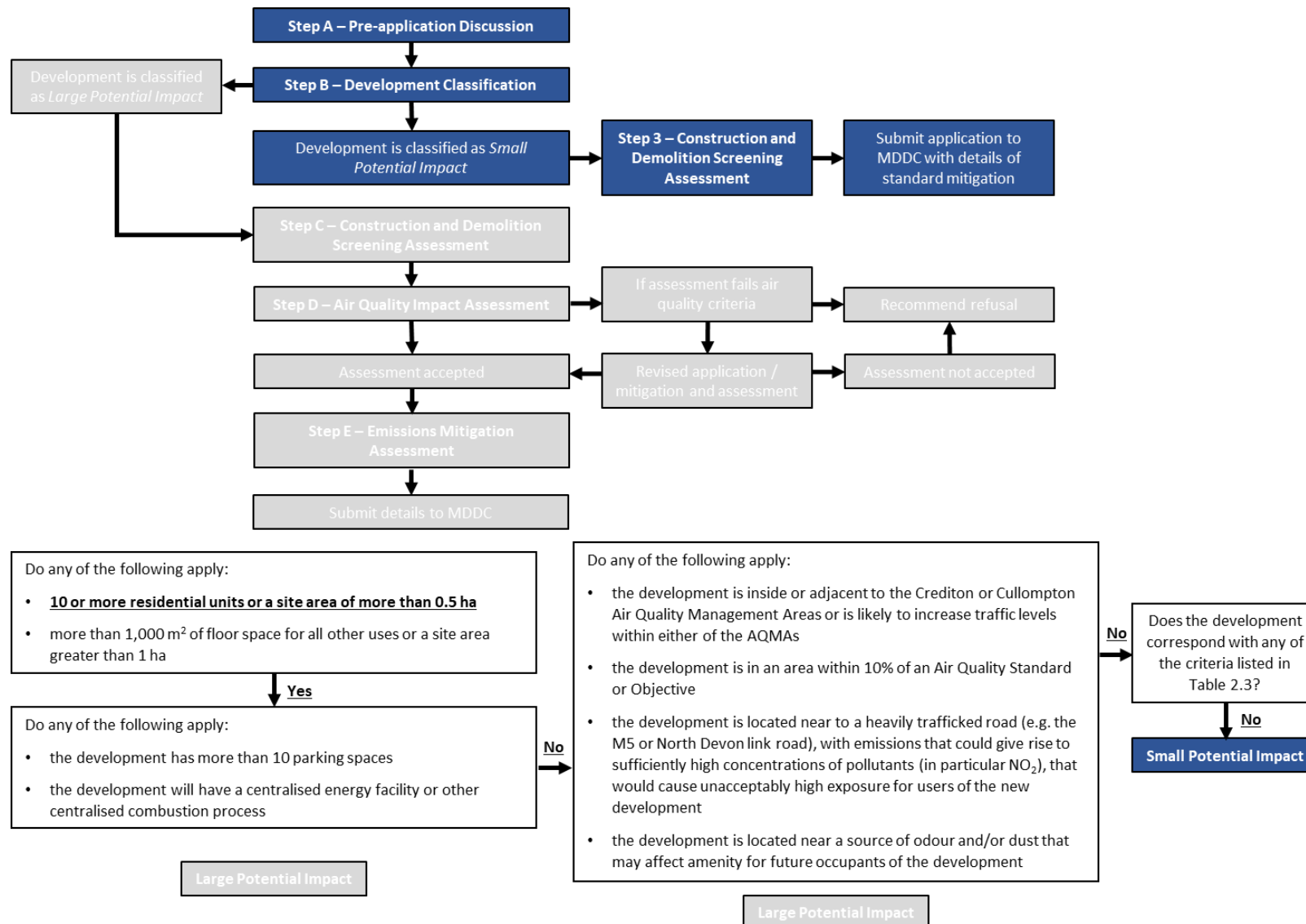


Figure 2.6: Worked example – Small Potential Impact



A1 Air quality guidance within planning policy context

A1.1 National planning context

The UK and EU air quality limits¹⁵ set out target values for ten pollutants: PM₁₀, PM_{2.5}, NO₂, ozone (O₃), sulphur dioxide (SO₂), polycyclic aromatic hydrocarbons (PAHs), benzene (C₆H₆), 1,3-butadiene, carbon monoxide (CO) and lead (Pb). The pollutants of specific concern in Mid Devon are NO₂ and particulates (PM₁₀ and PM_{2.5}), the primary source of which is road transport emissions. In 2019, concentrations within 10% of the annual mean objective for NO₂ were identified on the High Street in Crediton (within Crediton AQMA) and Fore Street in Cullompton (within Cullompton AQMA). As discussed in Section 1.1, there are currently two AQMAs declared within the district; the Crediton AQMA for exceedances of the NO₂ annual mean objective and the PM₁₀ 24-hour mean objective, and the Cullompton AQMA for exceedances of the NO₂ annual mean objective.

This guidance is aligned with the National Planning Policy Framework¹⁶ (NPPF) and aims to provide a consistent approach to assessing air quality impacts from planning proposals. The NPPF contains the Government's planning policies for England and is designed in favour of sustainable development, stressing the importance of local development plans, and states that the planning system should perform an environmental role to minimise pollution. The Framework also emphasises the importance of local development plans and early engagement as part of the process.

The Institute of Air Quality Management (IAQM) air quality planning guidance¹⁷ summarises the NPPF guidance on planning policies in relation to national objectives and AQMAs, and states that:

"Planning policies should sustain compliance with, and contribute towards, meeting EU limit values or national objectives for air pollutants, taking into account the presence of Air Quality Management Areas (AQMAs) and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in an Air Quality Management Area is consistent with the local Air Quality Action Plan."

Key paragraphs in the NPPF that relate to air quality include:

- **NPPF paragraph 7 (Sustainable development)**
"The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs."
- **NPPF paragraph 39 (Early engagement)**
"Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community."
- **NPPF paragraph 92 (Promoting healthy and safe communities)**
"Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs."
- **NPPF paragraph 174 (Promoting healthy and safe communities)**
"Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water

¹⁵ National air quality objectives and European Directive limit and target values for the protection of human health. Available from: https://uk-air.defra.gov.uk/assets/documents/Air_Quality_Objectives_Update.pdf

¹⁶ National Planning Policy Framework (2012, last updated 2021). Available from: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹⁷ Land-Use Planning & Development Control: Planning for Air Quality (2017). Available from: www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf

or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.”

- **NPPF paragraph 185 (Promoting healthy and safe communities)**
“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.”
- **NPPF paragraph 105 (Promoting sustainable transport)**
“The planning system should actively manage patterns of growth in support of the (sustainable transport) objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”
- **NPPF paragraph 107 (Promoting sustainable transport)**
“If setting local parking standards for residential and non-residential development, policies should take into account: the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.”

The IAQM published a Position Statement on the Mitigation of Development Air Quality Impacts¹⁸, (last updated in June 2018). The statement advised that an *“appropriate mitigation solution for the air quality impact of any given individual general development scheme should be principle-led rather than specified by detailed prescription.”* Basic hierarchy principles were proposed to be applied as the basis for the mitigation of air quality impacts associated with development schemes. This hierarchy is based on well-established mitigation hierarchies used for EIA development¹⁹ and pollution exposure in workplace/occupational situations^{20,21}.

Prevention or avoidance
“Preference should be given to preventing or avoiding exposure/impacts to the pollutant in the first place by eliminating or isolating potential sources or by replacing sources or activities with alternatives. This is usually best achieved through taking air quality considerations into account at the development scheme design stage.”
Reduction and minimisation
<p><i>“Reduction and minimisation of exposure/impacts should next be considered, once all options for prevention/avoidance have been implemented so far as is reasonably practicable (both technically and economically). To achieve this reduction/minimisation, preference should be given first to:</i></p> <p><i>a. mitigation measures that act on the source; before</i></p> <p><i>b. mitigation measures that act on the pathway; which in turn should take preference over</i></p> <p><i>c. mitigation measures at or close to the point of receptor exposure all subject to the efficacy, cost and practicability of the available solutions. In each case, measures that are designed or engineered to operate passively are preferred to active measures that require continual intervention, management or a change in people's behaviours.”</i></p>
Off-setting
“Off-setting a new development's air quality impact by proportionately contributing to air quality improvements elsewhere (including those identified in air quality action plans and low emission strategies) should only be considered once the solutions for preventing/avoiding, and then for reducing/minimising, the development-specific impacts have been exhausted. Even then, offsetting should be limited to measures that are likely to have a beneficial impact on air quality in the vicinity

¹⁸ IAQM Position Statement – Mitigation of Development Air Quality Impacts (2018)

http://iaqm.co.uk/text/position_statements/mitigation_of_development.pdf

¹⁹ Institute of Environmental Management & Assessment (IEMA), Guidelines for Environmental Impact Assessment (2004).

²⁰ The Management of Health and Safety at Work Regulations 1999, Regulation 4

²¹ COSHH Regulation 7, Prevention or control of exposure to substances hazardous to health.

of the development site. It is not appropriate to attempt to offset local air quality impacts by measures that may have some effect remote from the vicinity of the development site."

In addition, the IAQM Guidance on the assessment of dust from demolition and construction²² provides guidance on minimising dust and other emissions to atmosphere during the construction phase and should be considered in the planning phase of a new development.

A1.2 Regional planning context

Devon and Torbay Local Transport Plan 3

The Devon and Torbay Local Transport Plan 3 (LTP3)²³ is a 15-year plan, covering the period 2011 – 2026. The plan aims to deliver a transport system that can meet economic, environmental, and social challenges. The five key objectives of the plan, which aim to develop a low carbon transport system that offers choice and encourages sustainable travel behaviour, are:

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

The Strategic Connections Strategy aims to:

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

Devon Climate Emergency

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

It was agreed that the Policy Development Group (PDG) for Environment would act as the initial owner of policy activity regarding Climate Change Emergency within the Council.²⁴

A1.3 Local planning context

The SPD has been designed to build on the air quality and sustainability policy headings within the MDDC local plans and policies, as outlined below and aims to clarify the specific actions required to make schemes sustainable in terms of air quality.

Air Quality Action Plan

The current MDDC AQAP outlines the actions that the Council will take to improve air quality in Mid Devon 2021 – 2025. This plan aims to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the

²² Guidance on the assessment of dust from demolition and construction (2014)
<https://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

²³ Devon and Torbay Local Transport Plan 5, 2011 – 2026. Available from:
<https://www.devon.gov.uk/roadsandtransport/traffic-information/transport-planning/devon-and-torbay-local-transport-plan-3-2011-2026/>

²⁴ Devon Climate Emergency. Available from: <https://www.middevon.gov.uk/residents/devon-climate-emergency/>

Mid Devon District area. Some AQAP priorities to be considered in the planning of future developments are:

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

Mid Devon Local Plan 2013 – 2033

As discussed, this document is designed to provide guidance to relevant policies in the adopted Mid Devon Local Plan 2013 – 2033²⁵ in relation to air quality. The Local Plan which was adopted in July 2020 supersedes the previous Local Plan which was adopted in three parts: The Core Strategy 2026 (Local Plan Part 1) adopted in 2007, the Allocations and Infrastructure Development Plan Document (AIDPD) (Local Plan Part 2) adopted in 2010 and the Local Plan Part 3: Development Management Policies, adopted in 2013.

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

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

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

The new Local Plan includes key policies which explore the relationship between the Local Plan and air quality impacts and mitigation. The policies can be split up into strategic policies, specific site allocation policies and sustainable development principles.

²⁵ MDDC Adopted Local Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan/>

Strategic policies

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

Site allocation policies

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

Sustainable development principles

There are two sustainable development principles which relate to air quality in the Local Plan; DM3 Transport and Air Quality and DM4 Pollution. DM3 encompasses developments which give rise to vehicular movement. If this is the case, the following documents are required to be submitted: Integrated Transport Assessment, Travel Plan, Traffic Pollution Assessment, and a Low Emissions Assessment. DM4 stipulates that any proposals that may negatively impact the environment must be accompanied by a Pollution Impact Assessment and implement mitigation schemes where necessary.

DM3 Transport and air quality

Policy DM3 states that “Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment. The traffic pollution assessment must consider the impact of traffic-generated nitrogen oxides on environmental assets including protected sites listed in Policy DM28, and propose mitigation measures where appropriate. The Low Emission Assessment shall include the following:

- a) Assessment of the impact on existing Air Quality Management Areas, or an impact likely to result in the declaration of an additional Air Quality Management Area, in cases where a demonstrable negative impact on ambient concentrations of air pollutants is considered likely;
- b) Modelling of local residual road transport emissions from the development without mitigation measures; and
- c) Onsite mitigation measures to reduce negative impacts on local air quality.

[NB: ‘Significant levels of vehicular movement’ in relation to air quality is defined by its potential impact as per Figure 2.2 in this SPD]

DM4 Pollution

Policy DM4 states that “Applications for development that risks negatively impacting on the quality of the environment through noise, odour, light, air, water, land and other forms of pollution must be accompanied by a pollution impact assessment and mitigation scheme where necessary. Development will be permitted where the direct, indirect and cumulative effects of pollution will not have an unacceptable negative impact on health, the natural environment and general amenity.”

Cullompton Neighbourhood Plan

The Cullompton Neighbourhood Plan²⁶ now forms part of the statutory development plan for the Cullompton area, alongside the Mid Devon Local Plan and the Devon Waste and Minerals Plans, and carries full weight for guiding planning applications submitted to the Council for determination and the decisions made on these.

The Plan outlines Policy SD01, which is consistent with the Cullompton Air Quality Management Area Action Plan 2009 which recognised the need to bring effective traffic relief to the town centre and introduce town centre traffic management measures.

Policy SD01 Traffic Impact of Major Development

Proposals for major development which are required to provide a Traffic Impact Assessment must demonstrate how the proposal will mitigate any negative impacts of the traffic generation associated with the proposed development on Cullompton town centre, including vehicular access/egress and circulation arrangements. Road infrastructure requirements should be in place in good time so as to prevent an unacceptable impact on the existing road network, and the town centre in particular, as a result of the development.

²⁶ Cullompton Neighbourhood Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/cullompton-neighbourhood-plan/>

A2 Relevant Receptors for Air Quality Objectives

Averaging period	Objectives should apply at:	Objectives should not generally apply at:
Annual mean	<p>All locations where members of the public might be regularly exposed.</p> <p>Building façades of residential properties, schools, hospitals, care homes etc.</p>	<p>Building facades of offices or other places of work where members of the public do not have regular access.</p> <p>Hotels, unless people live there as their permanent residence.</p> <p>Gardens of residential properties.</p> <p>Kerbside sites (as opposed to locations at the building façade), or any other location where public exposure is expected to be short term.</p>
Short term	<p>All locations where the annual mean objectives apply, together with hotels and gardens of residential properties, and:</p> <p>Kerbside sites (for example, pavements of busy shopping streets).</p> <p>Those parts of car parks, bus stations and railway stations etc. which are not fully enclosed, where members of the public might reasonably be expected to spend one hour or more.</p> <p>Any outdoor locations where members of the public might reasonably be expected to spend one hour or longer.</p>	<p>Kerbside sites where the public would not be expected to have regular access.</p>



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Supplementary Planning Document on Air Quality and Development

Strategic Environmental Assessment Screening Report

June 2022

Contents

Title	Page
1.0 Introduction to SPD on Air Quality and Development	2
2.0 SEA and SEA Screening	10
3.0 Conclusion	16
4.0 Next steps	16

1.0 Introduction to Supplementary Planning Document (SPD) on Air Quality and Development

Purpose, scope and content

1.1 The 2008 Ambient Air Quality Directive¹ sets legally binding limits for concentrations in outdoor air of major air pollutants including particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂). The planning of a new development has a direct influence on local air quality and therefore the health of people and ecosystems. Air quality should therefore be a material consideration when planning new developments to ensure they are designed and constructed in ways to minimise emissions and reduce the exposure of people to air pollution.

1.2 The purpose of this guidance is to:

1. Provide direction on the relevant policies adopted in the Mid Devon Local Plan 2013 – 2033² in relation to air quality.
2. Assist developers in determining when an air quality assessment is required for a new development.
3. Provide guidance through the emissions and air quality assessment procedures.
4. Identify suitable mitigation measures to be included at the planning stage.

1.3 Through application of this guidance the Council aims to:

1. Sustain and contribute towards compliance with the national air quality objectives, with consideration given to the presence of AQMAs in Crediton and Cullompton, and the cumulative impacts from individual sites in local areas.
2. Encourage early engagement in the development process to identify the points that need to be considered and addressed prior to making a planning application and decrease the risk of any potential delays during the assessment process.
3. Set out a clear and consistent method for developers to provide the relevant information that will be required to be submitted with planning applications for developments that are likely to have an impact on local air quality.
4. Ensure better regulation by setting out the approach to undertaking air quality assessments and determining mitigation; and applying these consistently in planning decisions.

1.4 This SPD has been developed to align with existing plans and policies that influence air quality impacts. Appendix A1 provides a summary of relevant air quality guidance within planning policy context. Under the Council's Local Plan, Policy DM3 (Transport and air quality) states that: 'Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment.'

1.5 Under DM3 these assessments are only required where there are significant levels of vehicular movement. Whereas, in following this SPD, large potential impact can include smaller developments in planning terms, particularly where they are within or adjoining an Air Quality Management Area (AQMA). Under this SPD, 'significant levels of vehicular movement' in relation to air quality is defined by its potential impact, as per Figure 2.2. Furthermore, the 'traffic pollution

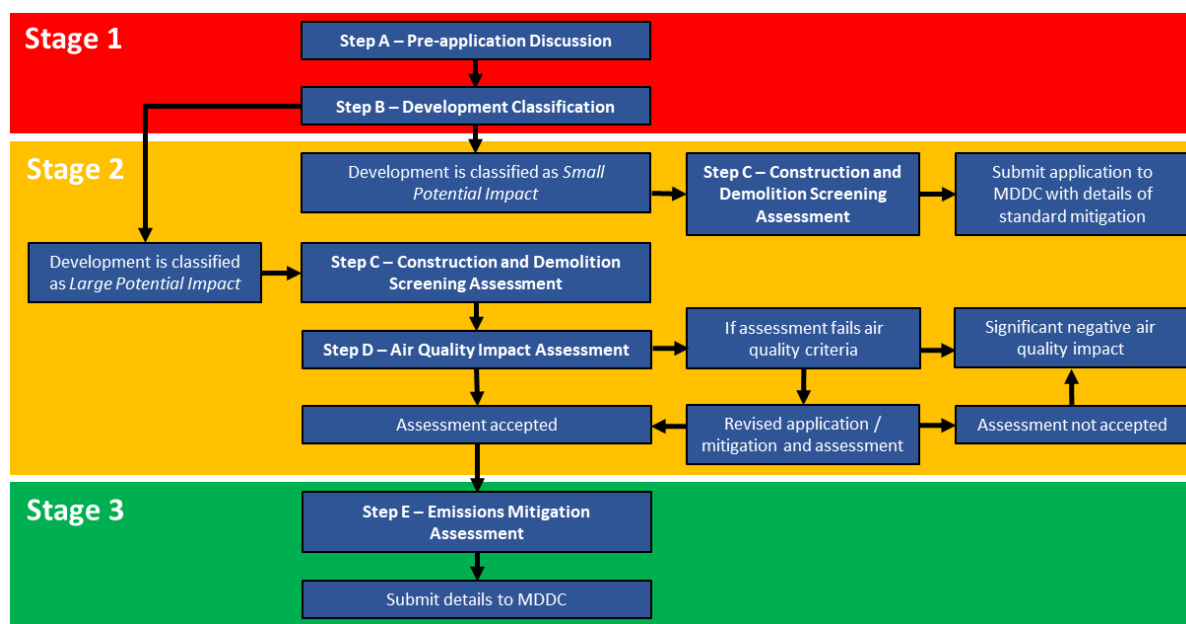
¹ Ambient Air Quality Directive (2008/50/EC) <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:152:0001:0044:EN:PDF>

² MDDC Adopted Local Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan/>

assessment' and 'low emission assessment' in DM3, can be considered equivalent to the Air Quality Impact Assessment and Emissions Mitigation Assessment referred to in this SPD.

- 1.6 The guidance sets out a process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts. A summary of the process is set out below.

Figure 1.1: Process for evaluating new developments



National Planning context

- 1.7 The UK and EU air quality limits³ set out target values for ten pollutants: PM₁₀, PM_{2.5}, NO₂, ozone (O₃), sulphur dioxide (SO₂), polycyclic aromatic hydrocarbons (PAHs), benzene (C₆H₆), 1,3-butadiene, carbon monoxide (CO) and lead (Pb). The pollutants of specific concern in Mid Devon are NO₂ and particulates (PM₁₀ and PM_{2.5}), the primary source of which is road transport emissions. In 2019, concentrations within 10% of the annual mean objective for NO₂ were identified on the High Street in Crediton (within Crediton AQMA) and Fore Street in Cullompton (within Cullompton AQMA). There are currently two AQMAs declared within the district; the Crediton AQMA for exceedances of the NO₂ annual mean objective and the PM₁₀ 24-hour mean objective, and the Cullompton AQMA for exceedances of the NO₂ annual mean objective.
- 1.8 This guidance is aligned with the National Planning Policy Framework⁴ (NPPF) and aims to provide a consistent approach to assessing air quality impacts from planning proposals. The NPPF contains the Government's planning policies for England and is designed in favour of sustainable development, stressing the importance of local development plans, and states that the planning system should perform an environmental role to minimise pollution. The Framework also

³ National air quality objectives and European Directive limit and target values for the protection of human health. Available from: https://uk-air.defra.gov.uk/assets/documents/Air_Quality_Objectives_Update.pdf

⁴ National Planning Policy Framework (2012, last updated 2021). Available from: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

emphasises the importance of local development plans and early engagement as part of the process.

1.9 The Institute of Air Quality Management (IAQM) air quality planning guidance⁵ summarises the NPPF guidance on planning policies in relation to national objectives and AQMAs, and states that:

“Planning policies should sustain compliance with, and contribute towards, meeting EU limit values or national objectives for air pollutants, taking into account the presence of Air Quality Management Areas (AQMAs) and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in an Air Quality Management Area is consistent with the local Air Quality Action Plan.”

1.10 Key paragraphs in the NPPF that relate to air quality include:

- **NPPF paragraph 7 (Sustainable development)**

“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

- **NPPF paragraph 39 (Early engagement)**

“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.”

- **NPPF paragraph 92 (Promoting healthy and safe communities)**

“Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.”

- **NPPF paragraph 174 (Promoting healthy and safe communities)**

“Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.”

- **NPPF paragraph 185 (Promoting healthy and safe communities)**

“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.”

- **NPPF paragraph 105 (Promoting sustainable transport)**

“The planning system should actively manage patterns of growth in support of the (sustainable transport) objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and

⁵ Land-Use Planning & Development Control: Planning for Air Quality (2017). Available from: www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf

improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

- **NPPF paragraph 107 (Promoting sustainable transport)**

“If setting local parking standards for residential and non-residential development, policies should take into account: the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.”

- 1.11 The IAQM published a Position Statement on the Mitigation of Development Air Quality Impacts⁶, (last updated in June 2018). The statement advised that an *“appropriate mitigation solution for the air quality impact of any given individual general development scheme should be principle-led rather than specified by detailed prescription.”* Basic hierarchy principles were proposed to be applied as the basis for the mitigation of air quality impacts associated with development schemes. This hierarchy is based on well-established mitigation hierarchies used for EIA development⁷ and pollution exposure in workplace/occupational situations^{8,9}.

Prevention or avoidance
“Preference should be given to preventing or avoiding exposure/impacts to the pollutant in the first place by eliminating or isolating potential sources or by replacing sources or activities with alternatives. This is usually best achieved through taking air quality considerations into account at the development scheme design stage.”
Reduction and minimisation
<p><i>“Reduction and minimisation of exposure/impacts should next be considered, once all options for prevention/avoidance have been implemented so far as is reasonably practicable (both technically and economically). To achieve this reduction/minimisation, preference should be given first to:</i></p> <ul style="list-style-type: none"> <i>a. mitigation measures that act on the source; before</i> <i>b. mitigation measures that act on the pathway; which in turn should take preference over</i> <i>c. mitigation measures at or close to the point of receptor exposure all subject to the efficacy, cost and practicability of the available solutions. In each case, measures that are designed or engineered to operate passively are preferred to active measures that require continual intervention, management or a change in people's behaviours.”</i>
Off-setting
“Off-setting a new development's air quality impact by proportionately contributing to air quality improvements elsewhere (including those identified in air quality action plans and low emission strategies) should only be considered once the solutions for preventing/avoiding, and then for reducing/minimising, the development-specific impacts have been exhausted. Even then, offsetting should be limited to measures that are likely to have a beneficial impact on air quality in the vicinity of the development site. It is not appropriate to attempt to offset local air quality impacts by measures that may have some effect remote from the vicinity of the development site.”

⁶ IAQM Position Statement – Mitigation of Development Air Quality Impacts (2018)

http://iaqm.co.uk/text/position_statements/mitigation_of_development.pdf

⁷ Institute of Environmental Management & Assessment (IEMA), Guidelines for Environmental Impact Assessment (2004).

⁸ The Management of Health and Safety at Work Regulations 1999, Regulation 4

⁹ COSHH Regulation 7, Prevention or control of exposure to substances hazardous to health.

- 1.12 In addition, the IAQM Guidance on the assessment of dust from demolition and construction¹⁰ provides guidance on minimising dust and other emissions to atmosphere during the construction phase and should be considered in the planning phase of a new development.

Regional Planning Context

Devon and Torbay Local Transport Plan 3

- 1.13 The Devon and Torbay Local Transport Plan 3 (LTP3)¹¹ is a 15-year plan, covering the period 2011 – 2026. The plan aims to deliver a transport system that can meet economic, environmental, and social challenges. The five key objectives of the plan, which aim to develop a low carbon transport system that offers choice and encourages sustainable travel behaviour, are:

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

The Strategic Connections Strategy aims to:

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

Devon Climate Emergency

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

- 1.15 It was agreed that the Policy Development Group (PDG) for Environment would act as the initial owner of policy activity regarding Climate Change Emergency within the Council.¹²

Local Planning context

- 1.16 The SPD has been designed to build on the air quality and sustainability policy headings within the MDDC local plans and policies, as outlined below and aims to clarify the specific actions required to make schemes sustainable in terms of air quality.

Air Quality Action Plan

- 1.17 The current MDDC AQAP outlines the actions that the Council will take to improve air quality in Mid Devon 2021 – 2025. This plan aims to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the Mid Devon District area. Some AQAP priorities to be considered in the planning of future developments are:

¹⁰ Guidance on the assessment of dust from demolition and construction (2014) <https://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

¹¹ Devon and Torbay Local Transport Plan 5, 2011 – 2026. Available from: <https://www.devon.gov.uk/roadsandtransport/traffic-information/transport-planning/devon-and-torbay-local-transport-plan-3-2011-2026/>

¹² Devon Climate Emergency. Available from: <https://www.middevon.gov.uk/residents/devon-climate-emergency/>

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

Mid Devon Local Plan 2013 – 2033

1.18 This SPD is designed to provide guidance to relevant policies in the adopted Mid Devon Local Plan 2013 – 2033¹³ in relation to air quality. The Local Plan which was adopted in July 2020 supersedes the previous Local Plan which was adopted in three parts: The Core Strategy 2026 (Local Plan Part 1) adopted in 2007, the Allocations and Infrastructure Development Plan Document (AIDPD) (Local Plan Part 2) adopted in 2010 and the Local Plan Part 3: Development Management Policies, adopted in 2013.

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

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

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

¹³ MDDC Adopted Local Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan/>

- 1.21 The new Local Plan includes key policies which explore the relationship between the Local Plan and air quality impacts and mitigation. The policies can be split up into strategic policies, specific site allocation policies and sustainable development principles.

Strategic policies

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

Site allocation policies

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

Sustainable development principles

- 1.24 There are two sustainable development principles which relate to air quality in the Local Plan; DM3 Transport and Air Quality and DM4 Pollution. DM3 encompasses developments which give rise to vehicular movement. If this is the case, the following documents are required to be submitted: Integrated Transport Assessment, Travel Plan, Traffic Pollution Assessment, and a Low Emissions Assessment. DM4 stipulates that any proposals that may negatively impact the environment must be accompanied by a Pollution Impact Assessment and implement mitigation schemes where necessary.

DM3 Transport and air quality

- 1.25 Policy DM3 states that “Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment. The traffic pollution assessment must consider the impact of traffic-generated nitrogen oxides on environmental assets including protected sites listed in Policy DM28, and propose mitigation measures where appropriate. The Low Emission Assessment shall include the following:

- a) Assessment of the impact on existing Air Quality Management Areas, or an impact likely to result in the declaration of an additional Air Quality Management Area, in cases where a demonstrable negative impact on ambient concentrations of air pollutants is considered likely;
- b) Modelling of local residual road transport emissions from the development without mitigation measures; and
- c) Onsite mitigation measures to reduce negative impacts on local air quality.

DM4 Pollution

- 1.26 Policy DM4 states that “Applications for development that risks negatively impacting on the quality of the environment through noise, odour, light, air, water, land and other forms of pollution must be accompanied by a pollution impact assessment and mitigation scheme where necessary. Development will be permitted where the direct, indirect and cumulative effects of pollution will not have an unacceptable negative impact on health, the natural environment and general amenity.”

Cullompton Neighbourhood Plan

- 1.27 The Cullompton Neighbourhood Plan¹⁴ now forms part of the statutory development plan for the Cullompton area, alongside the Mid Devon Local Plan and the Devon Waste and Minerals Plans, and carries full weight for guiding planning applications submitted to the Council for determination and the decisions made on these.
- 1.28 The Plan outlines Policy SD01, which is consistent with the Cullompton Air Quality Management Area Action Plan 2009 which recognised the need to bring effective traffic relief to the town centre and introduce town centre traffic management measures.

Policy SD01 Traffic Impact of Major Development

- 1.29 Proposals for major development which are required to provide a Traffic Impact Assessment must demonstrate how the proposal will mitigate any negative impacts of the traffic generation associated with the proposed development on Cullompton town centre, including vehicular access/egress and circulation arrangements. Road infrastructure requirements should be in place in good time so as to prevent an unacceptable impact on the existing road network, and the town centre in particular, as a result of the development.

Status of the Mid Devon SPD on Air Quality and Development

- 1.30 The SPD on Air Quality and Development 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.

¹⁴ Cullompton Neighbourhood Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/cullompton-neighbourhood-plan/>

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 undertaken 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.

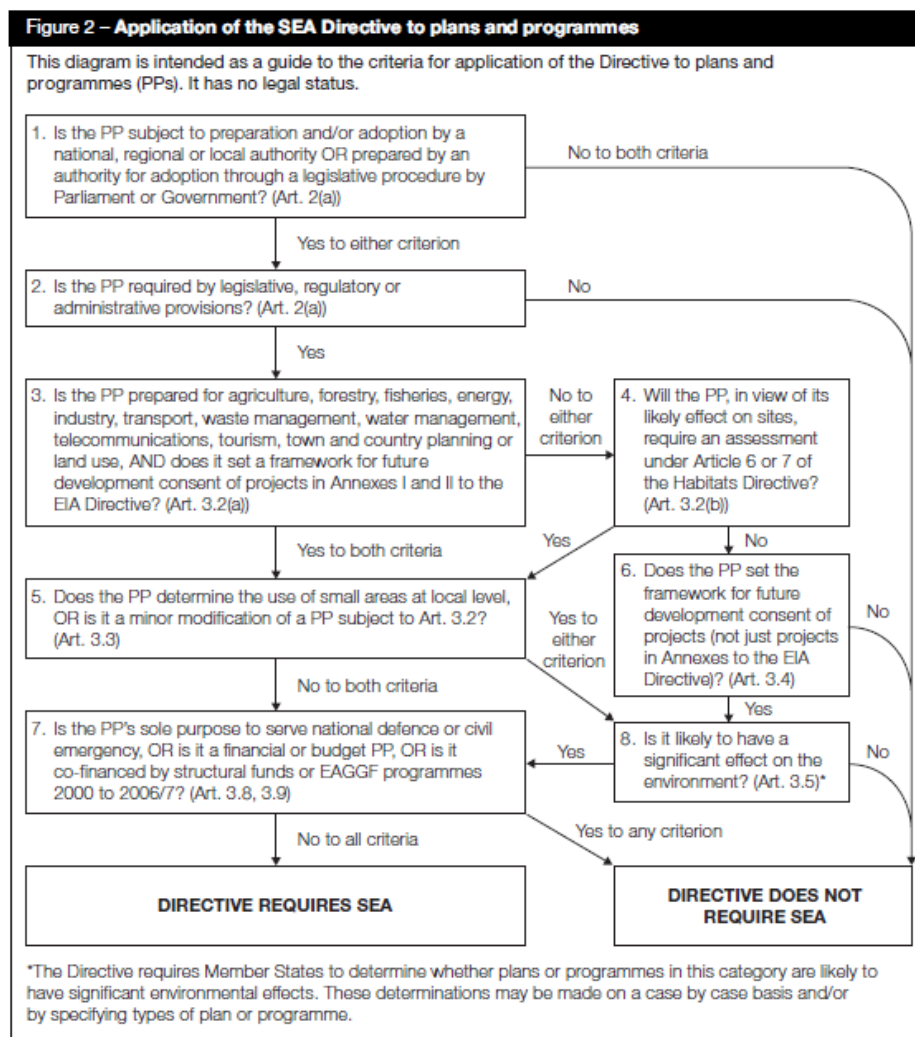


Diagram 1: Application of the SEA Directive to plans and programmes (Figure 2 extracted from 'A practical guide to the Strategic Environmental Assessment Directive')

- 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 SPD on Air Quality and Development to be subject a full SEA.
- 2.6 Table 2 provides the Council's assessment of likely significant effects of the SPD on Air Quality and Development on the environment, in accordance with the screening report process in Table 1.

Table 1: Screening of the Mid Devon SPD on Air Quality and Development

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 procedure by Parliament or Government? (Art.2(a))	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. Go to STAGE 2
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	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. Go to STAGE 3.
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	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 Air Quality. As this SPD would relate to all development within Mid Devon District it will in some cases set a framework for future development consent of projects in Annex I and II to the EIA Directive. Go to STAGE 5
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))	Not Applicable 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.	
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	The SPD will be material consideration in planning applications for new developments. It provides detailed guidance to adopted Local Plan policy (minor modification).' Go to STAGE 8

Stage	Y/N	Reason
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)	Not applicable	
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 programmes 2000 to 2006/7? (Art. 3.8, 3.9)	Not applicable	
8. Is it likely to have a significant effect on the environment? (Art. 3.4)	N	See Table 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. DIRECTIVE DOES NOT REQUIRE SEA of the SPD

Table 2: Determining the likely significance of effects of the Mid Devon

Criteria specified schedule 1 SEA Regulations	Likely significant negative 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 policies of the Local Plan and therefore contribute to the framework for future development consent. It does not however introduce a new framework or policies. The Local Plan has been subject to Sustainability Appraisal (SA) and therefore SEA in which likely significant negative environmental effects are not anticipated.
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 in which likely significant negative environmental effects are not anticipated.

Criteria specified schedule 1 SEA Regulations	Likely significant negative environmental effect (Y/N)	Reason
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 ensuring appropriate air quality mitigation is provided as part of development proposals. The impact of the SPD will be positive on this criterion.
d) Environmental problems relevant to the SPD; and	N	Planning policy in relation to air quality is principally established through the National Planning Policy Framework and the Mid Devon Local Plan Review. The SPD provides specific guidance on the process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts. The environmental problem this SPD seeks to mediate is air quality. Adverse impacts are not anticipated.
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 relates to the 2008 Ambient Air Quality Directive. It seeks to set out a process for determining the classification of a proposed development and assigning the appropriate level for mitigation for air quality impacts. The impacts are anticipated to be positive.
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 sets out of a process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts. This will ensure air quality impacts are mitigated and in some cases will lead to improvements. Long-term significant adverse effects are not anticipated.

Criteria specified schedule 1 SEA Regulations	Likely significant negative environmental effect (Y/N)	Reason
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 through mitigating air quality impacts and in some cases lead to improvements in air quality. Adverse impacts are not anticipated.
c) The transboundary nature of the effects	N	There may be some positive transboundary effects in which mitigation may lead to improvements in travel in relation to air quality which may go beyond the boundaries of Mid Devon District. Adverse effects are not anticipated.
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 through ensuring mitigation for air quality impacts and in some cases improving air quality. Adverse effects are not anticipated.
e) The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	N	The SPD is relevant for the Mid Devon District area. Adverse effects are not anticipated.
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	The SPD is relevant for the Mid Devon District area. Currently there are two Air Quality Management Areas designated within Mid Devon District. The SPD seeks to mitigate the impacts of development on air quality and in some cases lead to improvements in air quality. Adverse effects are not anticipated.
g) The effects on areas or landscapes which have a recognised natural, Community or international protection status.	N	The SPD is relevant for the Mid Devon District area in which there are landscapes of recognised natural, community or international protection. The SPD seeks to mitigate the impacts of development on air quality. Adverse effects are not anticipated for these landscapes.

3.0 Conclusion

3.1 This SEA screening has identified that the SPD on Air Quality and Development is unlikely to have significant negative effects on the environment.

3.2 The SEA screening has found that there is no requirement for the SPD on Air Quality and Development 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 SPD on Air Quality and Development, and will also be subject to public consultation.

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Supplementary Planning Document on Air Quality and Development

Habitat Regulations Assessment Screening and Appropriate Assessment Report

June 2022

Contents

Title	Page
1.0 Introduction to SPD on Air Quality and Development	2
2.0 Habitat Regulations Assessment (HRA)	10
3.0 Habitats site	11
4.0 Mid Devon Local Plan 2013 – 2033 HRA	12
5.0 SPD on Air Quality and Development HRA Screening	14
6.0 Appropriate Assessment	16
7.0 Conclusion	19
8.0 Next Steps	19

1.0 Introduction to Supplementary Planning Document (SPD) on Air Quality and Development

Purpose, scope and content

1.1 The 2008 Ambient Air Quality Directive¹ sets legally binding limits for concentrations in outdoor air of major air pollutants including particulate matter (PM₁₀ and PM_{2.5}) and nitrogen dioxide (NO₂). The planning of a new development has a direct influence on local air quality and therefore the health of people and ecosystems. Air quality should therefore be a material consideration when planning new developments to ensure they are designed and constructed in ways to minimise emissions and reduce the exposure of people to air pollution.

1.2 The purpose of this guidance is to:

1. Provide direction on the relevant policies adopted in the Mid Devon Local Plan 2013 – 2033² in relation to air quality.
2. Assist developers in determining when an air quality assessment is required for a new development.
3. Provide guidance through the emissions and air quality assessment procedures.
4. Identify suitable mitigation measures to be included at the planning stage.

1.3 Through application of this guidance the Council aims to:

1. Sustain and contribute towards compliance with the national air quality objectives, with consideration given to the presence of AQMAs in Crediton and Cullompton, and the cumulative impacts from individual sites in local areas.
2. Encourage early engagement in the development process to identify the points that need to be considered and addressed prior to making a planning application and decrease the risk of any potential delays during the assessment process.
3. Set out a clear and consistent method for developers to provide the relevant information that will be required to be submitted with planning applications for developments that are likely to have an impact on local air quality.
4. Ensure better regulation by setting out the approach to undertaking air quality assessments and determining mitigation; and applying these consistently in planning decisions.

1.4 This SPD has been developed to align with existing plans and policies that influence air quality impacts. Appendix A1 provides a summary of relevant air quality guidance within planning policy context. Under the Council's Local Plan, Policy DM3 (Transport and air quality) states that: 'Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment.'

1.5 Under DM3 these assessments are only required where there are significant levels of vehicular movement. Whereas, in following this SPD, large potential impact can include smaller developments in planning terms, particularly where they are within or adjoining an Air Quality Management Area (AQMA). Under this SPD, 'significant levels of vehicular movement' in relation to air quality is defined by its potential impact, as per Figure 2.2. Furthermore, the 'traffic pollution

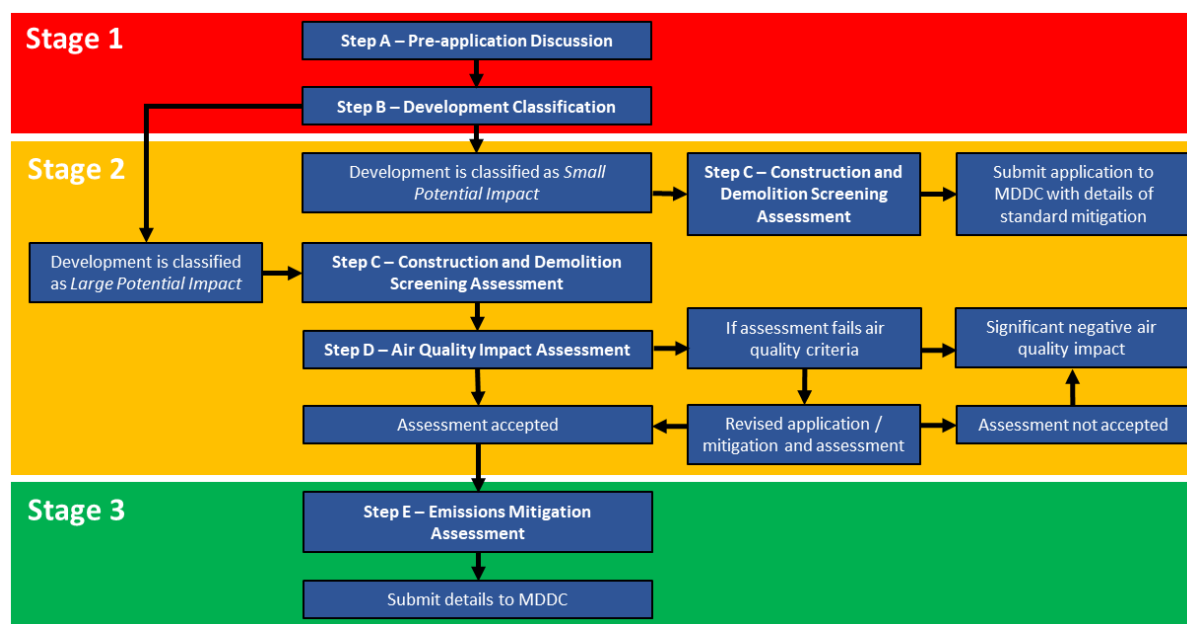
¹ Ambient Air Quality Directive (2008/50/EC) <https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:152:0001:0044:EN:PDF>

² MDDC Adopted Local Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan/>

assessment' and 'low emission assessment' in DM3, can be considered equivalent to the Air Quality Impact Assessment and Emissions Mitigation Assessment referred to in this SPD.

- 1.6 The guidance sets out a process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts. A summary of the process is set out below.

Figure 1.1: Process for evaluating new developments



National Planning context

- 1.7 The UK and EU air quality limits³ set out target values for ten pollutants: PM₁₀, PM_{2.5}, NO₂, ozone (O₃), sulphur dioxide (SO₂), polycyclic aromatic hydrocarbons (PAHs), benzene (C₆H₆), 1,3-butadiene, carbon monoxide (CO) and lead (Pb). The pollutants of specific concern in Mid Devon are NO₂ and particulates (PM₁₀ and PM_{2.5}), the primary source of which is road transport emissions. In 2019, concentrations within 10% of the annual mean objective for NO₂ were identified on the High Street in Crediton (within Crediton AQMA) and Fore Street in Cullompton (within Cullompton AQMA). There are currently two AQMAs declared within the district; the Crediton AQMA for exceedances of the NO₂ annual mean objective and the PM₁₀ 24-hour mean objective, and the Cullompton AQMA for exceedances of the NO₂ annual mean objective.
- 1.8 This guidance is aligned with the National Planning Policy Framework⁴ (NPPF) and aims to provide a consistent approach to assessing air quality impacts from planning proposals. The NPPF contains the Government's planning policies for England and is designed in favour of sustainable development, stressing the importance of local development plans, and states that the planning system should perform an environmental role to minimise pollution. The Framework also

³ National air quality objectives and European Directive limit and target values for the protection of human health. Available from: https://uk-air.defra.gov.uk/assets/documents/Air_Quality_Objectives_Update.pdf

⁴ National Planning Policy Framework (2012, last updated 2021). Available from: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

emphasises the importance of local development plans and early engagement as part of the process.

1.9 The Institute of Air Quality Management (IAQM) air quality planning guidance⁵ summarises the NPPF guidance on planning policies in relation to national objectives and AQMAs, and states that:

“Planning policies should sustain compliance with, and contribute towards, meeting EU limit values or national objectives for air pollutants, taking into account the presence of Air Quality Management Areas (AQMAs) and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in an Air Quality Management Area is consistent with the local Air Quality Action Plan.”

1.10 Key paragraphs in the NPPF that relate to air quality include:

- **NPPF paragraph 7 (Sustainable development)**

“The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

- **NPPF paragraph 39 (Early engagement)**

“Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality preapplication discussion enables better coordination between public and private resources and improved outcomes for the community.”

- **NPPF paragraph 92 (Promoting healthy and safe communities)**

“Enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.”

- **NPPF paragraph 174 (Promoting healthy and safe communities)**

“Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality.”

- **NPPF paragraph 185 (Promoting healthy and safe communities)**

“Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment.”

- **NPPF paragraph 105 (Promoting sustainable transport)**

“The planning system should actively manage patterns of growth in support of the (sustainable transport) objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and

⁵ Land-Use Planning & Development Control: Planning for Air Quality (2017). Available from: www.iaqm.co.uk/text/guidance/air-quality-planning-guidance.pdf

improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.”

- **NPPF paragraph 107 (Promoting sustainable transport)**

“If setting local parking standards for residential and non-residential development, policies should take into account: the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.”

- 1.11 The IAQM published a Position Statement on the Mitigation of Development Air Quality Impacts⁶, (last updated in June 2018). The statement advised that an *“appropriate mitigation solution for the air quality impact of any given individual general development scheme should be principle-led rather than specified by detailed prescription.”* Basic hierarchy principles were proposed to be applied as the basis for the mitigation of air quality impacts associated with development schemes. This hierarchy is based on well-established mitigation hierarchies used for EIA development⁷ and pollution exposure in workplace/occupational situations^{8,9}.

Prevention or avoidance
“Preference should be given to preventing or avoiding exposure/impacts to the pollutant in the first place by eliminating or isolating potential sources or by replacing sources or activities with alternatives. This is usually best achieved through taking air quality considerations into account at the development scheme design stage.”
Reduction and minimisation
<p><i>“Reduction and minimisation of exposure/impacts should next be considered, once all options for prevention/avoidance have been implemented so far as is reasonably practicable (both technically and economically). To achieve this reduction/minimisation, preference should be given first to:</i></p> <ul style="list-style-type: none"> <i>a. mitigation measures that act on the source; before</i> <i>b. mitigation measures that act on the pathway; which in turn should take preference over</i> <i>c. mitigation measures at or close to the point of receptor exposure all subject to the efficacy, cost and practicability of the available solutions. In each case, measures that are designed or engineered to operate passively are preferred to active measures that require continual intervention, management or a change in people's behaviours.”</i>
Off-setting
“Off-setting a new development's air quality impact by proportionately contributing to air quality improvements elsewhere (including those identified in air quality action plans and low emission strategies) should only be considered once the solutions for preventing/avoiding, and then for reducing/minimising, the development-specific impacts have been exhausted. Even then, offsetting should be limited to measures that are likely to have a beneficial impact on air quality in the vicinity of the development site. It is not appropriate to attempt to offset local air quality impacts by measures that may have some effect remote from the vicinity of the development site.”

⁶ IAQM Position Statement – Mitigation of Development Air Quality Impacts (2018)

http://iaqm.co.uk/text/position_statements/mitigation_of_development.pdf

⁷ Institute of Environmental Management & Assessment (IEMA), Guidelines for Environmental Impact Assessment (2004).

⁸ The Management of Health and Safety at Work Regulations 1999, Regulation 4

⁹ COSHH Regulation 7, Prevention or control of exposure to substances hazardous to health.

- 1.12 In addition, the IAQM Guidance on the assessment of dust from demolition and construction¹⁰ provides guidance on minimising dust and other emissions to atmosphere during the construction phase and should be considered in the planning phase of a new development.

Regional Planning Context

Devon and Torbay Local Transport Plan 3

- 1.13 The Devon and Torbay Local Transport Plan 3 (LTP3)¹¹ is a 15-year plan, covering the period 2011 – 2026. The plan aims to deliver a transport system that can meet economic, environmental, and social challenges. The five key objectives of the plan, which aim to develop a low carbon transport system that offers choice and encourages sustainable travel behaviour, are:

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

The Strategic Connections Strategy aims to:

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

Devon Climate Emergency

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

- 1.15 It was agreed that the Policy Development Group (PDG) for Environment would act as the initial owner of policy activity regarding Climate Change Emergency within the Council.¹²

Local Planning context

- 1.16 The SPD has been designed to build on the air quality and sustainability policy headings within the MDDC local plans and policies, as outlined below and aims to clarify the specific actions required to make schemes sustainable in terms of air quality.

Air Quality Action Plan

- 1.17 The current MDDC AQAP outlines the actions that the Council will take to improve air quality in Mid Devon 2021 – 2025. This plan aims to reduce concentrations of air pollutants and exposure to air pollution; thereby positively impacting on the health and quality of life of residents and visitors to the Mid Devon District area. Some AQAP priorities to be considered in the planning of future developments are:

¹⁰ Guidance on the assessment of dust from demolition and construction (2014) <https://iaqm.co.uk/text/guidance/construction-dust-2014.pdf>

¹¹ Devon and Torbay Local Transport Plan 5, 2011 – 2026. Available from: <https://www.devon.gov.uk/roadsandtransport/traffic-information/transport-planning/devon-and-torbay-local-transport-plan-3-2011-2026/>

¹² Devon Climate Emergency. Available from: <https://www.middevon.gov.uk/residents/devon-climate-emergency/>

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

Mid Devon Local Plan 2013 – 2033

1.18 This SPD is designed to provide guidance to relevant policies in the adopted Mid Devon Local Plan 2013 – 2033¹³ in relation to air quality. The Local Plan which was adopted in July 2020 supersedes the previous Local Plan which was adopted in three parts: The Core Strategy 2026 (Local Plan Part 1) adopted in 2007, the Allocations and Infrastructure Development Plan Document (AIDPD) (Local Plan Part 2) adopted in 2010 and the Local Plan Part 3: Development Management Policies, adopted in 2013.

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

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

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

¹³ MDDC Adopted Local Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/adopted-local-plan/>

- 1.21 The new Local Plan includes key policies which explore the relationship between the Local Plan and air quality impacts and mitigation. The policies can be split up into strategic policies, specific site allocation policies and sustainable development principles.

Strategic policies

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

Site allocation policies

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

Sustainable development principles

- 1.24 There are two sustainable development principles which relate to air quality in the Local Plan; DM3 Transport and Air Quality and DM4 Pollution. DM3 encompasses developments which give rise to vehicular movement. If this is the case, the following documents are required to be submitted: Integrated Transport Assessment, Travel Plan, Traffic Pollution Assessment, and a Low Emissions Assessment. DM4 stipulates that any proposals that may negatively impact the environment must be accompanied by a Pollution Impact Assessment and implement mitigation schemes where necessary.

DM3 Transport and air quality

- 1.25 Policy DM3 states that “Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment. The traffic pollution assessment must consider the impact of traffic-generated nitrogen oxides on environmental assets including protected sites listed in Policy DM28, and propose mitigation measures where appropriate. The Low Emission Assessment shall include the following:

- a) Assessment of the impact on existing Air Quality Management Areas, or an impact likely to result in the declaration of an additional Air Quality Management Area, in cases where a demonstrable negative impact on ambient concentrations of air pollutants is considered likely;
- b) Modelling of local residual road transport emissions from the development without mitigation measures; and
- c) Onsite mitigation measures to reduce negative impacts on local air quality.

DM4 Pollution

- 1.26 Policy DM4 states that “Applications for development that risks negatively impacting on the quality of the environment through noise, odour, light, air, water, land and other forms of pollution must be accompanied by a pollution impact assessment and mitigation scheme where necessary. Development will be permitted where the direct, indirect and cumulative effects of pollution will not have an unacceptable negative impact on health, the natural environment and general amenity.”

Cullompton Neighbourhood Plan

- 1.27 The Cullompton Neighbourhood Plan¹⁴ now forms part of the statutory development plan for the Cullompton area, alongside the Mid Devon Local Plan and the Devon Waste and Minerals Plans, and carries full weight for guiding planning applications submitted to the Council for determination and the decisions made on these.
- 1.28 The Plan outlines Policy SD01, which is consistent with the Cullompton Air Quality Management Area Action Plan 2009 which recognised the need to bring effective traffic relief to the town centre and introduce town centre traffic management measures.

Policy SD01 Traffic Impact of Major Development

- 1.29 Proposals for major development which are required to provide a Traffic Impact Assessment must demonstrate how the proposal will mitigate any negative impacts of the traffic generation associated with the proposed development on Cullompton town centre, including vehicular access/egress and circulation arrangements. Road infrastructure requirements should be in place in good time so as to prevent an unacceptable impact on the existing road network, and the town centre in particular, as a result of the development.

Status of the Mid Devon SPD on Air Quality and Development

- 1.30 The SPD on Air Quality and Development 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.

¹⁴ Cullompton Neighbourhood Plan. Available from: <https://www.middevon.gov.uk/residents/planning-policy/neighbourhood-planning/cullompton-neighbourhood-plan/>

2.0 Habitat Regulations Assessment

2.0 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.

- 2.1 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.
- 2.2 Where the potential for likely significant effects cannot be excluded, an appropriate assessment of the implications of the plan or project must be undertaken, in view the relevant Habitats Sites conservation objectives. 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 over-riding public interest and if the necessary compensatory measures can be secured.
- 2.3 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 require, 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 (or European 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.

Special Areas of Conservation (SACs)	Special Protection Areas (SPAs)	Ramsar Sites
<ul style="list-style-type: none">• East Devon Pebblebed Heaths• Culm Grasslands• South Dartmoor Woods• Holme Moor and Clean Moore• Dartmoor• Exmoor Heaths• Quants• Exmoor and Quantock Oakwoods	<ul style="list-style-type: none">• Exe Estuary• East Devon Heaths	<ul style="list-style-type: none">• Exe Estuary

Table 1: Habitats Sites within 10km of Mid Devon District

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 was required to assess its Local Plan 2013-2033 as part of the HRA process. 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.
- 4.2 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.
- 4.3 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.
- 4.4 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
- 4.5 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 SPD on Air Quality and Development HRA Screening

- 5.1 In taking into account the Mid Devon Local Plan 2013-2033 HRA screening and the policies relevant to the SPD on Air Quality and Development. S1 Sustainable Development Priorities was screened out on the basis it included measures designed to protect or enhance the quality of the natural environment. The Development Management policies included in the Local Plan 2013-2033 were largely brought forward from the adopted Local Plan Part 3: Development Management Policies. Although most of the policies were unchanged, a number were deleted or amended and those policies were included in the HRA screening. It was screened that these policies would have no likely significant effect. A screening process was carried out by Mid Devon District Council during 2016 to determine the requirement for an Appropriate Assessment HRA for the Cullompton Neighbourhood Plan. The screening opinion which involved consulting appropriate statutory consultees concluded an Appropriate Assessment HRA would not be required given the unlikely significant effects in relation to European sites. On the basis of these findings above, these policies are not considered further during the Appropriate Assessment Stage.
- 5.2 Uncertain effects were identified for some of the strategic policies and all of the site allocations as part of the Local Plan 2013-2033. Of relevance to the SPD on Air Quality and Development the policies where screening effects were uncertain were:
- S3 Amount and distribution of development
 - S9 Infrastructure
 - S11 Cullompton
 - S12 Crediton
 - All site allocations
- 5.3 In most cases the reason why screening effects were uncertain were because a proposal made provision for development on a scale which may result in the effects on European sites (either alone or in combination). The potential effects of these policies were broad ranging. All could result in increased recreation pressure which may result in erosion/trampling and disturbance at European sites. This effect could potentially be experienced at any of the European sites around Mid Devon. Increased air pollution from vehicle traffic may also result, which could affect the European sites that lie within 200m of the strategic road network (Culm Grasslands SAC, Exe Estuary SPA and Exe Estuary Ramsar site). In the case of S3 and S9 it was possible that effects relating to the physical loss of offsite habitat as well as non-physical disturbance (such as noise/vibration and light pollution) could occur at the Culm Grasslands SAC as these policies could result in development anywhere in the District, including potentially along the north western edge of Mid Devon in close proximity of the SAC. However S11 and S13 would not be expected to result in non-physical disturbance or loss of offsite habitat at the Culm Grasslands SAC or any other European sites as development under those policies would be focussed in locations that are too far from the nearest European sites to occur.
- 5.4 All of the site allocation policies at Tiverton, Cullompton and Crediton, as well as the site allocations in rural areas were identified as potentially having significant effects on European sites. The allocations in combination will deliver development of a scale that may result in increased vehicle traffic and associated air pollution, and increased pressure for recreation that could result in disturbance at European sites. The allocation of development sites in

rural areas may be particularly likely to generate additional vehicle traffic as a result of the relatively poorer public transport provision in those areas. The site allocations at Tiverton, Cullompton and Crediton and in the rural areas would not be expected to result in the loss of offsite habitat or non-physical disturbance from noise/vibration or light pollution due to the distance of all the site allocations from the nearest European sites.

- 5.5 On the basis of the screening conclusion for the Mid Devon Local Plan 2013-2033, these policies were considered in more detail during Stage 2 of the HRA, the Appropriate Assessment and are considered below in the Appropriate Assessment stage of this HRA for the SPD on Air Quality and Development.

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 SPD on Air Quality and Development does not introduce new policies or proposals outside the scope of the Local Plan. The SPD on Air Quality and Development does not result in development itself but seeks to guide development across Mid Devon within the parameters of the policies within the Mid Devon Local Plan. For the above reasons the findings of the HRA for the Local Plan 2013-2033 are applicable for the Appropriate Assessment of the SPD on Air Quality and Development.

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 SPD on Air Quality and Development, 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.

Air Pollution

- 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_x) are considered to be the key pollutants from traffic emissions. Deposition of nitrogen compounds may lead to both soil and freshwater acidification, and NO_x 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_x 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, 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 The SPD on Air Quality and Development seeks to provide a process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts, as such the SPD provides a positive outcome in minimising air pollution. Therefore, it is concluded that the SPD on Air Quality and Development, 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.

Physical loss or damage to habitat and noise/vibration or light pollution

- 6.13 Only the Culm Grasslands SAC is within close enough proximity of Mid Devon to be affected by physical loss of, or disturbance to, offsite habitat, or noise, vibration and light pollution as a result of development within the District. While some of the qualifying features of the SAC are habitats that are not vulnerable to these effects, the qualifying marsh fritillary butterfly is a transient species which may make use of offsite areas for breeding and other activities and is

also potentially vulnerable to the effects of noise/vibration. It is not likely to be affected by light pollution.

- 6.14 However, the area of the District in which development would need to occur for these effects to be possible is small and peripheral and does not include any major towns/villages or locations where site allocations are included in the Local Plan. Any such development in that area is therefore expected to comprise only individual rural dwellings in exceptional circumstances and is not expected to be of a scale that is likely to affect the integrity of the SAC in relation to offsite loss of habitat or noise/vibration, particularly taking into account mitigation.
- 6.15 There is already some mitigation in the Local Plan Review in relation to the potential effects on offsite areas of importance to the integrity of the SAC or disturbance from construction, including the implementation of policies S1: Sustainable Development Priorities and S9: Environment, both of which aim to ensure that new development conserves and enhances the natural environment including biodiversity. In particular, policy S1 requires developments to minimise impacts on biodiversity by protecting European designated wildlife sites.
- 6.16 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.
- 6.17 The SPD on Air Quality and Development does not introduce new policies or proposals outside the scope of the Local Plan. It is concluded that there will be no likely significant effect from the new Local Plan on the integrity of the Culm Grasslands SAC in relation to the loss of or damage to offsite habitat or noise/vibration or light pollution

Appropriate Assessment Conclusion

- 6.18 The Appropriate Assessment considers in detail the potential impact identified at the HRA screening stage for recreation pressure, air pollution and physical loss or damage to habitat and noise/vibration or light pollution given these were elements identified for the Local Plan policies relevant to this SPD that had an uncertain effect on European sites. The SPD on Air Quality and Development does not introduce new policies or proposals outside the scope of the Local Plan. From these findings it is concluded that the SPD on Air Quality and Development, 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 SPD on Air Quality and Development does not introduce new policies or proposals outside the scope of the Local Plan. It seeks to add guidance and detail on the process for determining the classification of a proposed development and assigning the appropriate level of mitigation for air quality impacts. However, a wide range of policies within the Local Plan are relevant to this SPD, of which uncertain effects on European sites were identified as part of the Local Plan screening process. For this reason an Appropriate Assessment for the SPD on Air Quality and Development has been undertaken in which the findings and results of the HRA for the Local Plan 2013-2033 were applicable for the Appropriate Assessment of the SPD on Air Quality and Development 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 within the parameters Mid Devon Local Plan policies.
- 7.2 The Appropriate Assessment considered in detail the areas where uncertain effects were identified at the HRA screening stage for some of the policies relevant to this SPD i.e. recreation pressure, air pollution and physical loss or damage to habitat and noise/vibration or light pollution. It concluded that the SPD on Air Quality and Development 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, air pollution or physical loss or damage to habitat and noise/vibration or light pollution. From these findings it is concluded that the SPD on Air Quality and Development proposals, alone or in-combination with other plans and proposals will not have an adverse effect on the integrity of European sites.

8.0 Next Steps

- 8.1 This HRA report will be published alongside the SPD on Air Quality and Development and will be subject to public consultation including consultation with the Statutory Nature Conservation Body in England, Natural England.

Air Quality Supplementary Planning Document (SPD)

Summary Guide

The Air Quality Supplementary Planning Document ('SPD') includes guidance to support policies in the adopted Mid Devon Local Plan Review 2013 – 2033, where the planning proposals for the development and use of land and buildings can have a detrimental impact on air quality. The SPD will be capable of being used as a material consideration to help inform the preparation of planning applications submitted to the Council for determination and the decisions made on these.

The SPD aims to:

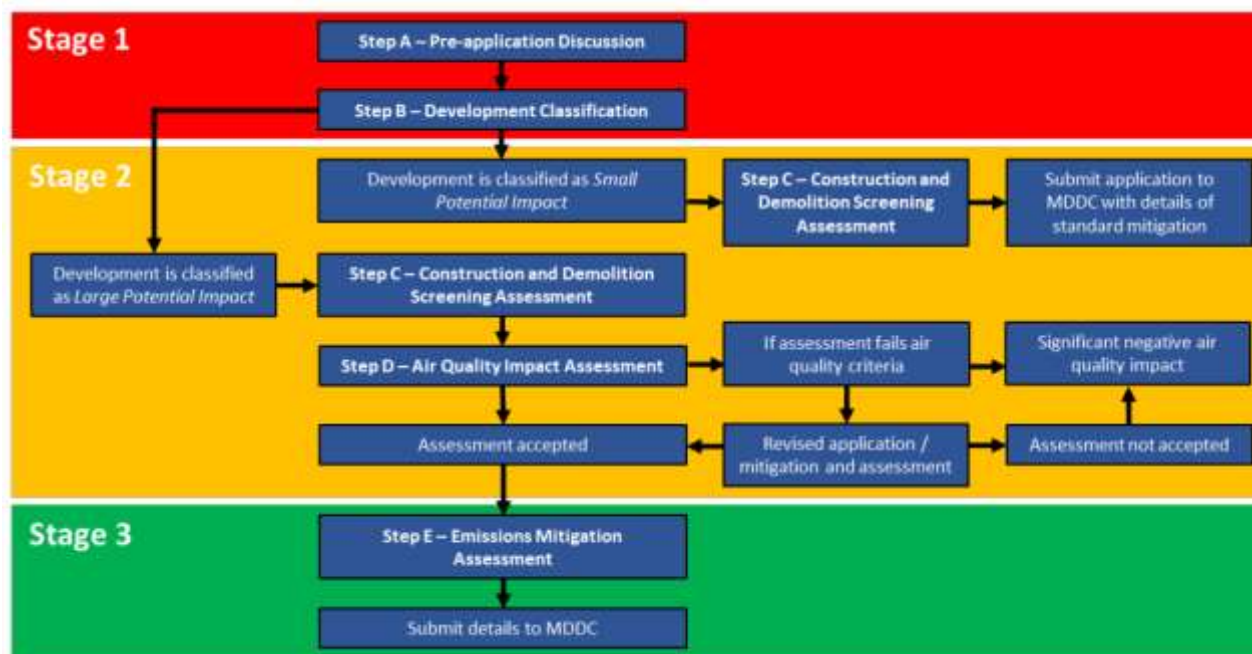
- Sustain and contribute toward the compliance with the national air quality objectives with consideration given to the presence of Air Quality Management Areas (AQMAs) in Crediton and Cullompton, and the cumulative impacts from individual sites in local areas.
- Encourage early engagement in the development process to identify the points that need to be considered and addressed prior to making a planning application and decrease the risk of any potential delays during the assessment process.
- Set out a clear and consistent method for developers to provide the relevant information that will be required to be submitted with planning applications for developments that are likely to have an impact on local air quality.
- Ensure better regulation by setting out the approach to undertaking air quality assessments and determining mitigation; and applying these consistently in planning decisions.

The SPD sets out three stages for how its guidance will be used:

Stage one will be to classify the development as having a small or large potential impact. Within this stage, there are two steps. Step A recommends early engagement through pre-application discussion to confirm the scale of development and ensure that the appropriate assessment requirements are undertaken. The discussion will consider whether proposed development is within, near to, or will likely have an impact on an AQMA and which categorisation a site will fall into ('large potential impact' or 'small potential impact'). Step B will identify what actions are required to assess the new development ('no action required', 'construction and demolition screening assessment required' or 'air quality assessment required')

Stage two sets out how to assess and quantify the impact of the development on local air quality. The type of assessment is dependent on the outcomes from stage one. The level of impact identified will range from 'negligible' to 'substantial'. For large potential impact developments, additional pollutant exposure emissions cost (otherwise referred to as 'Damage Costs') should be calculated for the transport element of the development. 'Damage Costs' are values which are used to estimate the costs associated with changes in pollutant emissions. The process has been developed by DEFRA to enable a proportionate analysis when assessing impact on air quality. Damage Costs should be used to determine the scale of the required investment in air quality mitigation measures.

Stage three determines the mitigation that should be applied. All developments should incorporate air quality mitigation where necessary. The type of mitigation measures that are appropriate to reduce air quality impacts will be dependent on the impact of the development that has been identified in the previous two stages.



The SPD explains each stage in more detail and provides worked examples to show how its guidance should be applied to different types of proposed development.

Mid Devon Air Quality – Supplementary Planning Document Consultation Statement

Planning and Compulsory Purchase Act 2004

**The Town and Country Planning (Local Planning) (England) Regulations 2012
Regulation 12**

Public Consultation (2022)

The Council carried out a public consultation on a new Air Quality Supplementary Planning Document (SPD). The SPD has a number of purposes which aim to:

- Support relevant policies in the adopted Mid Devon Local Plan 2013 – 2033 in relation to air quality.
- Engage with developers earlier on in the planning process and assist in determining when an air quality assessment is required for a new development.
- Set out a clear method for developers to provide air quality information as part of their applications.
- Identify suitable mitigation measures to be included at the planning stage.

The consultation took place from 24 October – 16 December 2022.

The Council wrote to all consultees on the Forward Planning Consultation database at the time of the consultation. These comprised:

- Mid Devon elected members
- Mid Devon parish/town councils
- Adjoining parishes, neighbouring local authorities and statutory groups (including specific and general consultation bodies)
- General consultation bodies and other consultees including database groups defined as individuals, businesses, landowners and voluntary organisations.

In addition the following methods were used to notify consultees:

- Press releases
- Information on the Council's website
- Social media updates

The SPD has been screened for the purpose of Strategic Environmental Assessment and Habitat Regulations Assessment. The Environment Agency, Historic England and Natural England have been

consulted and have confirmed that no further Strategic Environmental Assessment or Habitat Regulations Assessment is required. Historic England and Natural England confirmed that they concur with the Council's determination. No response was received from the Environment Agency.

The Council invited people to make representations in writing by post, email or through an online survey on the Council's website. A total of 12 valid responses were received. The following table sets out a summary of the main comments/issues raised during the consultation, along with a response and where appropriate explaining how these comments/issues have been addressed in the draft Supplementary Planning Document.

General Comments

Summary of Representation	Response
Historic England has considered the draft SPD and given its subject matter do not wish to comment.	Comment noted.
Devon County Council welcomes Table 2.6 that will assist in reducing PM10. Suggest it would be beneficial for Section A1.2 to describe how the climate emergency is linked to air quality.	No change is required to the SPD. The Local Plan includes policy content in relation to the climate emergency including Policy S1 Sustainable development priorities which seeks to support a low carbon future and reduce the need to travel. The Council alongside this SPD has also prepared a Non-Statutory Interim Climate Change Planning Policy Statement: Climate Emergency.
<p>Devon County Council (DCC) welcome and would encourage further emphasis around the impacts of air pollution on human health. In finalising the document Mid Devon District Council may wish to include:</p> <ul style="list-style-type: none"> - The clean air strategy (2019) - Reference to the Devon Carbon Plan - Indicators such as those in Public Health Outcomes Framework - Refer to updated reports such as Air Quality Statement Reports - Updating SPD when the Statutory Instrument is produced, designating National Highways as designated authority to consider the importance of the strategic road network in the 	No change is required to the SPD. MDDC acknowledge the items listed by DCC, however these do not form part of the operation of the SPD in relation to the guidance of planning applications, but recognise they are related outcomes as a result of improved air quality.

Summary of Representation	Response
document.	
Hallam Land Management Ltd overall support aims of Air Quality SPD and mitigation options proposed. However the SPD needs to have due regard to ensuring that the viability of new development is not detrimentally affected.	Support noted. With regard to the comment on viability, as set out in paragraph 58 of the NPPF it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Local Plan policy DM3 sets out the requirements for assessments and where required mitigation in relation to transport and air quality, the Air Quality SPD supports this policy by providing more detailed advice and guidance on this policy.
Hallam Land Management Ltd argue the draft SPD goes beyond the role of an SPD beyond the remit of adopted Local Plan Policy DM3 'Transport and Air Quality'. This is contrary to para 008 of the Plan Making NPPG which limits the role of an SPD to clarify advice or guidance on adopted policies. The SPD would alter DM3 from only requiring development proposals that 'give rise to significant levels of vehicle movements' to requiring all sizes of development to be accompanied by a traffic pollution and low emission assessment. The aims and objectives of the draft SPD can only be delivered as part of a Local Plan Review.	It is not agreed the SPD goes beyond the role of an SPD or beyond the remit of the adopted Local Plan Policy DM3 'Transport and Air Quality'. DM3 identifies that 'Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment'. Para 4.11 of the supporting text to DM3 in the Local Plan explains that 'Whether or not an application's traffic impact is considered 'significant' will depend on a range of factors such as the location of the development, its relationship to an Air Quality Management Area, its intended use and the capacity of the road network....occasionally a development not classed as 'major' may still have a significant impact'. The SPD does not alter DM3 or the supporting text but seeks to provide clarity on the meaning of significant in DM3 as such is the purpose of an SPD as set out in 008 of the Plan Making NPPG. The relationship of the SPD to DM3 is set out on p.2 of the SPD under the heading 'Planning policy guidance' this includes the following sentence "Under this SPD, 'significant levels of vehicular movement' in relation to air quality is defined by its potential impact, as per Figure 2.2". However, given the misunderstanding raised by this representation, an additional sentence following this has been included for clarity "As such, development that

Summary of Representation	Response
	has a 'large potential impact' as indicated by this SPD will be considered to be 'significant' for the purposes of policy".
Hallam Land Management Ltd support the provision of sustaining and contributing toward national air quality objectives in line with Cullompton AQMA requirements, but do not support the stringent requirements set out within this consultation document. Applications outside of the AQMA should be determined on a case-by-case basis in terms of Air Quality, as per the current intention of Policy DM3.	The SPD does not alter DM3. The policy identifies that 'Development proposals that would give rise to significant levels of vehicular movement must be accompanied by an integrated Transport Assessment, Travel Plan, traffic pollution assessment and Low Emission Assessment'. Para 4.11 of the supporting text to DM3 in the Local Plan explains that 'Whether or not an application's traffic impact is considered 'significant' will depend on a range of factors such as the location of the development, its relationship to an Air Quality Management Area, its intended use and the capacity of the road network....occasionally a development not classed as 'major' may still have a significant impact'. Each application outside of an AQMA will still be determined on a case-by-case basis. What the SPD does is identify developments which may have a 'large potential impact' or 'significant' air quality impact and in which further assessment will be required to determine that impact. This may include developments outside an AQMA. As set out as a response for the above comment, for clarity an additional sentence on p.2 of the SPD has been included as follows "As such, development that has a 'large potential impact' as indicated by this SPD will be considered to be 'significant' for the purposes of policy". Only where necessary, mitigation will be required.
Hallam Land Management Ltd support the early engagement in the development process to decrease the risk of any potential delays during the assessment process. Throughout the Air Quality SPD, there is a statement that 'large potential impact can include smaller developments in planning terms, particularly where they are within or adjoining an Air Quality Management Area'. Hallam Land consider that the wording here to be subjective and therefore	No change required to the SPD. The Air Quality SPD includes Annex 1 which provides clarity on what developments would be considered within or adjoining an Air Quality Management Area. This removes the subjectivity raised in the term 'adjoining' that the representation is referring to.

Summary of Representation	Response
ineffective and consider that reference to 'adjoining an AQMA' be omitted from the SPD.	
Hallam Land Management Limited state that noting the mitigation measured proposed in table 2.6 of the SPD, the mitigation measures must be specific to the individual development the Council must provide support in ensuring the measures are appropriate on a case by case basis.	As noted in the SPD table 2.6 provides 'a list of example additional air quality mitigation measures. The list should not be considered exhaustive and further options may be suggested depending on the scale of development and air quality issues within an area'. This demonstrates that mitigation measures will be specific to the individual development and will be appropriate on a case by case basis.
Hallam Land Management Limited state that Cullompton is a strategic location for development, therefore providing measures for Air Quality cannot afford to prevent new development and should have due regard to any potential impacts on development viability.	As set out in paragraph 58 of the NPPF it is up to the applicant to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage. Local Plan policy DM3 sets out the requirements for assessments and where required mitigation in relation to transport and air quality, the Air Quality SPD supports this policy by providing more detailed advice and guidance on this policy.
Hallam Lane Management Limited support the aims of the SPD in its approach to scheme design, reduction and minimisation of Air Quality impact and providing the opportunity to off-set this.	Support noted.
National Highways welcomes the SPD signposting to the adopted Policy SD01 which makes clear that development must demonstrate how it will mitigate any negative impacts associated with its traffic impact.	Support noted.
Natural England advises that the SPD should provide guidance on how the authority will assess the impacts of air quality on sensitive designated nature conservation sites under Habitat Regulations 2017 and Wildlife & Countryside Act 1981.	No change is required to the SPD. The purpose of the SPD is not specific to this requirement although there would be wider benefits of the SPD including the air quality on sensitive designated nature conservation sites.
Natural England suggests that in addition to providing guidance on assessing and mitigating	No change is required to the SPD. The purpose of the SPD is not specific to this requirement. There

Summary of Representation	Response
the impacts of air quality changes due to traffic increases and commercial/industrial development, the SPD should include guidance on assessing and mitigating the impacts of air quality changes due to agricultural and combustion developments, in particular, on sensitive wildlife sites.	are other mechanisms and regulations to support these measures which are outside of planning policy.
The Coal Authority was consulted as a Statutory Consultee. Their response states that Mid Devon District lies outside the defined coalfield and so they have no specific comments to make on any stages of Mid Devon's Local Plans or SPDs.	Comment noted.
Holcombe Rogus Parish Council welcomes the proposal for supplementary guidance on air quality for new developments, both residential and industrial units. The Parish Council also welcomes the mitigation measures listed in table 2.6.	Supported noted.
Holcombe Rogus Parish Council suggests an expansion of monitoring sites on air quality beyond that of Cullompton and Crediton. They suggest monitoring sites should include schools.	No change is required to the SPD. Comment relates to the monitoring of air quality rather than the measures set out in the Air Quality SPD. The monitoring of air quality is managed through the Local Air Quality Management (LAQM) process. Mid Devon District Council follows DEFRA technical guidance which determines the location of monitoring sites.
Holcombe Rogus Parish Council suggest that the screening criteria for potential impacts could be adjusted to include any new property or industrial unit to require mitigation measures for any anticipated course of matter detrimental to air quality. This would remove the opportunity for developers to minimise their site size below the threshold. They also suggest small or singular developments should be expected to install air quality mitigation measures or design their development to avoid the requirement of these measures.	No change is required to the SPD. Both the Local Plan the and SPD do make reference to the consideration of cumulative impacts. However, this requirement would go beyond the role of the SPD which is to provide more detail advice or guidance on policies in an adopted Local Plan. The Council also has responsibilities under the Local Air Quality Management responsibilities in which it reviews emerging or new areas for designation as an Air Quality Management Area across the district.
Holcombe Rogus Parish Council suggest that rural locations would benefit from better infrastructure to support walking and cycling	No change is required to the SPD. Walking and cycling initiatives are mitigation measures supported in the Air Quality SPD. Whether a

Summary of Representation	Response
between nodes and towns. The Parish Council would recommend any new development should contribute to fund the delivery of rural networks which increase the preference of these transport choices.	development is required to provide a contribution to such an initiative will be decided on a case by case basis.
An individual provides their support for the Air Quality SPD in recognising the impacts of air pollution on Devon roads, the need to quantify the impact, costs, mitigation and the relationship to the NPPF.	Support noted.
An individual states their concern about the air quality in Fordton Crediton from heavy traffic, lorries and farm vehicles especially. With traffic backing up preventing two way traffic when the Crediton railway crossing gates shut and argues that air quality needs looking at here.	No change is required to the SPD. Crediton is an Air Quality Management Area, the SPD gives particular consideration to the presence of an AQMA when considering the impacts of development proposals. The monitoring of air quality is managed through the Local Air Quality Management (LAQM) process. Mid Devon District Council follows DEFRA technical guidance which determines the location of monitoring sites.
An individual makes reference to the collecting of S106 contributions for air quality improvements in Crediton and their specific views on works encroaching St. Lawrence Green.	No change is required to the SPD. Comment does not directly relate to the content of or suggest a change to the SPD.
An individual states that the SPD is a very complete plan however the area surveyed needs to include roads that supply the development. For example, development beyond Crediton.	No change is required to the SPD. Figure 2.2 determines whether a development has a large or small potential impact. Annex 1 helps to demonstrate the areas outside of the AQMAs that may likely increase traffic levels in an AQMA and therefore may lead to a large potential impact. Taking into account the example provided by the representation, this demonstrates that developments beyond Crediton will be considered.
An individual questions who undertakes the initial assessment, whether this is quantifiable, who checks the assessment and action and who enforces the action.	It would be expected that the applicant would undertake the initial assessment which would be quantified by following the steps within the Air Quality SPD and where appropriate DEFRA's damage cost approach. This would be checked by Mid Devon District Council with actions agreed between the applicant and the Council.

Summary of Representation	Response
	The Council would then monitor the actions and where required enforcement action taken where the application is not adhered to.

Strategic Environmental Assessment Comments

Summary of Representation	Response
Historic England in relation to SEA Screening Report we are satisfied with the findings.	Support noted.
Natural England with regard to the SEA Screening Report concur that there are unlikely to be significant environmental effects from the proposed SPD.	Support noted.
Hallam Land management Ltd based on their general comment (above) regarding the subjectivity of the words 'adjoining an AQMA' suggest the SEA should be reviewed to allow for the omission of the wording 'adjoining an AQMA' to reflect recommended changes to the SPD.	A response has been provided above with regard to the general comment on the subjectivity of the words 'adjoining an AQMA'. There would be no need to review the SPD to omit the words 'adjoining an AQMA' and therefore no need to amend the associated SEA.

Habitat Regulation Assessment Comments

Summary of Representation	Response
Natural England in relation to the HRA we agree with the conclusions of the appropriate assessment and advise that further HRA is not required.	Support noted.
Hallam Land Management Ltd support the purpose, scope and content of the HRA.	Support noted.



Planning and Compulsory Purchase Act 2004

The Town and Country Planning (Local Planning) (England) Regulations 2012

Notice of adoption of the Mid Devon Air Quality Supplementary Planning Document

In accordance with Regulations 11, 14 and 35 of the Town and Country Planning (Local Planning) (England) regulations 2012, notice is given that Mid Devon District Council adopted its Mid Devon Air Quality Supplementary Planning Document on [INSERT DATE].

Under Section 23(1) of the Planning and Compulsory Purchase Act 2004 the Council has modified the SPD to take account of representations made in relation to the document, and any other relevant matters (which are set out in the Statement of Consultation).

Mid Devon Air Quality Supplementary Planning Document

The SPD has a number of purposes which aim to:

- Support relevant policies in the adopted Mid Devon Local Plan 2013 – 2033 in relation to air quality.
- Engage with developers earlier on in the planning process and assist in determining when an air quality assessment is required for a new development.
- Set out a clear method for developers to provide air quality information as part of their applications.
- Identify suitable mitigation measures to be included at the planning stage.

Any person with sufficient interest in the decision to adopt the SPD may apply to the High Court for permission to apply for a judicial review of that decision. Any such application must be made promptly and in any event not later than 3 months after the date on which the SPD was adopted.

The adopted SPD and its adoption statement, statement of consultation, Strategic Environmental Assessment screening statement and Habitats Regulations Assessment screening statement can be viewed on the Council's website at:

[Air quality - MIDDEVON.GOV.UK](http://MIDDEVON.GOV.UK)

For further information please contact the Forward Planning Team:

Email: planningconsultations@middevon.gov.uk

Telephone: 01884 255255

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COMMUNITY PDG
28 MARCH 2023

COMMUNICATION AND ENGAGEMENT STRATEGY AND MEDIA POLICY

Cabinet Member(s): Cllr Dennis Knowles
Responsible Officer: Jane Lewis, Communications and Engagement Manager

Reason for Report: The purpose of this report is to provide members with the revised Communication and Engagement Strategy and accompanying Media and Social Media Policy.

Recommendation: To recommend to Cabinet the content of the revised Communication and Engagement Strategy and the Media and Social Media Policy

Financial Implications: The revised strategy does not have any specific financial implications. Should the Council wish to implement larger scale communication changes, such as to develop a new intranet or carry out a full rebranding exercise, this would involve a financial cost and these would be accompanied by a business case.

Budget and Policy Framework: This is a review of the existing Communication and Engagement Strategy.

Legal Implications: To ensure that all communication and methods of consultation are GDPR compliant and adhere to the Council's Single Equality Scheme.

Risk Assessment: Failure to engage with the Council's stakeholders could mean the Council's actions and objectives are not understood, risking reputational damage.

Equality Impact Assessment: Any consultation and communication channels would have regard to the Council's Single Equality Scheme.

Relationship to Corporate Plan: To ensure that our customers, staff, members and stakeholders are informed about Council services, news and changes through appropriate and varied channels.

Impact on Climate Change: The Communication and Engagement Strategy includes work to support the Council's ambition to become carbon neutral by 2030. By maximising our digital communication and engagement channels we contribute to a reduction of our carbon footprint from printing and postage.

1.0 Summary

1.1 The Council has a duty to consult and engage effectively with residents, partners, employees and other stakeholders when deciding about future changes to services and new developments.

- 1.2 As a council we must offer value for money and customer satisfaction, therefore two way engagement is an essential part of delivering our services.
- 1.3 This engagement must be delivered in an open and transparent way that is accessible to our audience.
- 1.4 Since the last strategy was revised in 2021 the communications team has continued to support services across the Council.
- 1.5 Notably in the past year the team has contributed to the successful launch of the Bin-IT-123 scheme leading on the branding, advertising, and interaction with residents.
- 1.6 The team has also supported the elections service, notably with the Tiverton and Honiton bi-election which saw more than 50 members of the media present at the count. We will also continue to support the elections team with the upcoming roll out of voter ID and the district wide elections this May.
- 1.7 Each year the communications team organises the Council's stand at the Mid Devon Show, which in 2022 focused on sustainability and our environment, and highlighted the Council's work in this area with support from our Climate Specialist Jason Ball.
- 1.8 A drive to improve engagement with our residents has also seen our social media presence grow and we now have more than 34,000 followers across our platforms.

Channel	Jan 2021	Jan 2022	Jan 2023
Facebook	2,272	3,562	5,171
LinkedIn	-	2,109 (March 2022)	2,452
Twitter	4,243	4,435	4,573
Next Door	-	-	10,024 (March 2023)
Gov Delivery	9,754	10,954	12,329

- 1.9 The team has also launched two full resident surveys, which in both 2021 and 2022 saw more than 1400 people respond to us each time.
- 2.0 **Future**
- 2.1 The communications team will continue to support services across the authority.
- 2.2 Upcoming projects in 2023 include supporting the delivery of the new CRM project and the implementation of Engagement HQ, an online consultation

platform. The team will also continue to share the positive news and achievements to both our residents and our staff.

Contact for more Information: Jane Lewis Communications and Engagement Manager Tel. 01884 234953 email: jlewis@middevon.gov.uk

Circulation of the Report: Councillor Dennis Knowles, Leadership Team

List of background papers: Communication and Engagement Strategy 2021.

Appendices:

Appendix one: Communication and Engagement Strategy 2023.

Appendix two: Media and Social Media Policy 2023

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Appendix One

Version Control Sheet

Title: Communication and Engagement Strategy
Purpose: To set out how the Council will inform, engage and listen to our communities, in order for the Council to provide services which are fit for purpose for our customers and provided in a cost effective and transparent way.

Owner: Communications & Engagement Manager
jlewis@middevon.gov.uk

Date: March 2023

Version Number: 1.0

Status: DRAFT

Review Frequency: Every two years or sooner if required

Next review date: March 2025

Consultation: This document will be sent out for consultation to the following:
Community PDG
Cabinet

Document History

This document obtained the following approvals.

Title	Date	Version Approved
Community PDG*		
Cabinet		

*- Delete if not applicable

1.0 Introduction

The Communications and Engagement Strategy sets out how the Council will inform, engage and listen to our communities, in order for the Council to provide services which are fit for purpose for our customers and provided in a cost effective and transparent way.

Communication within the Council supports the Council's values which are People, Pride, Performance and Place as well as and sharing the objectives and successes detailed in our Corporate Plan.

The Communication function is split into three key areas. These functions are:

- Community engagement
- Media relations
- Internal communication

This strategy works in conjunction with the Media and Social Media Policy, the Corporate Branding Guidelines and the Single Equality Scheme.

2.0 What we do

The core functions of the communication team are:

- Media relations and media monitoring
- Social media management
- Staff communication
- Community consultation and engagement
- Stakeholder consultation and engagement
- Branding and corporate campaigns
- Communication advice and training
- Website editing

The current structure of the Communication Team is a part time Communication and Engagement Manager, a part time Communications Officer and a full time Digital Communications Officer. The team sits within the Digital Transformation and Customer Engagement service and works closely with all service areas of the Council to provide a more effective approach to communication and engagement with our customers.

3.0 Who we communicate with

The Council has a wide audience in terms of demographics with a population of 82,800 spread over an area over a largely rural area.

The majority of the work carried out by the Communication Team is with our customers who live in the district and with our staff who run our services.

This communication may be directly with these audiences or via the local media, partners or stakeholders such as local charities, parish and town councils, MPs and schools, as well as visitors to the area.

Communication with Mid Devon businesses is an important part of the Council's work, but this strand of communication is led by the Growth and Economic Development Team.

4.0 Our aim

The Council aims to provide communication which is:

- accessible and clear
- planned and proactive
- creative and engaging
- cost-effective
- positive and transparent

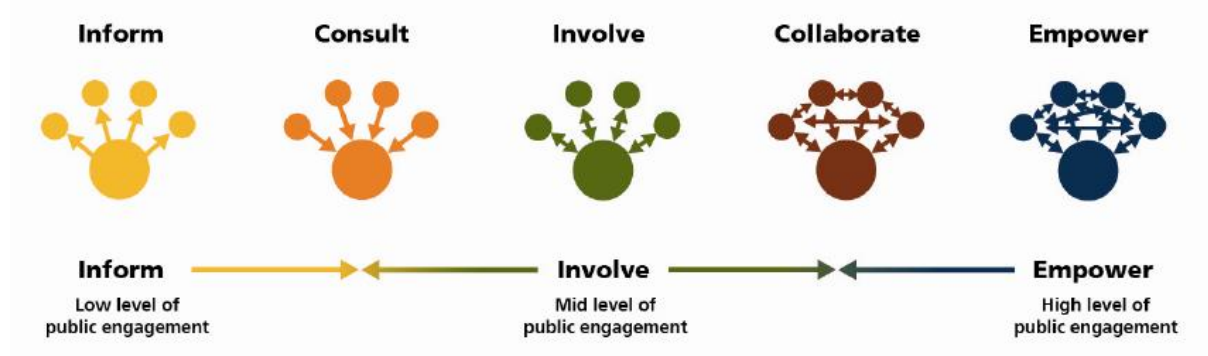
5.0 Community Engagement

The Communications Team provides effective engagement channels which aim to give the local community a greater say and impact on the delivery of local services, while being better informed about the Council's work.

Community engagement is about putting communities at the heart of their own local services. Effective community engagement is essential to ensure the services the Council operates are fit for the communities they serve.

In some areas of the Council there is a statutory consultation requirement when the Council has a duty to engage with the public, such as Planning and Licensing, which is supported by the Council's adopted Statement of Community Involvement 2020. At other times the Council voluntarily and actively seeks out the views of the community to ensure the Council is delivering a high quality, cost effective service which meets the needs of the customer.

There are different levels of engagement and this should be considered when embarking on any form of engagement. The most appropriate method of engagement will depend on the desired outcome and audience.



To develop and improve community engagement the Council should:

- understand and respond to the needs of our customers
- plan and deliver better and more efficient services
- take transparent decisions based on evidence and be held accountable for these decisions
- build relationships with the local community
- test out ideas and explore local issues
- measure the performance of the Council in delivering services

The Communications Team will support this by:

- Sharing information via multiple channels in multiple formats
- Exploring new partnerships, particularly with community and voluntary groups, as well as statutory/public sector partners
- Working with Members to promote the work of the Council and to receive feedback from constituents
- Encouraging service areas to share news and upcoming events and consultation
- Giving the community and stakeholders a means to express their views
- Listening to the feedback from our customers

Our community engagement methods will also support and adhere to our Single Equality Scheme 2021.

6.0 Media relations

The Communications Team works closely with existing and emerging media (local and national) to inform and engage the public about the work of the Council, ensuring the reputation of the Council is upheld and enhanced.

We will do this by:

- Generating news content
- Generating photo and video content
- Monitoring local and national news and sharing this information internally

- Liaising regularly with local reporters and editors
- Linking trending articles to the Council's work on social media
- Working closely with Members on issues that matter to them
- Using paid for adverts, when budget allows, particularly for campaigns

7.0 Media Training

The Communications Team can support Members and officers who wish to learn or improve their interview skills and media handling, as well as support them with the setting up of social media pages. The team can also support Members by utilising external training providers for media training, particularly as part of the Member Induction programme.

8.0 Internal communications

The Communications Team works closely with the Leadership Team, Corporate Management Team, Operations Managers and Human Resources to support staff communication across the organisation.

Our aim is to provide an internal communication system which promotes interaction and ensures staff and elected members, at all levels, feel valued and informed, giving them the best position to support the objectives and values of the Council.

We will do this by:

- Ensuring communication is shared with staff in a timely, easily accessible way, especially during periods of change, so that they feel better informed and engaged
- Help employees see the connection between their job and the organisation's aims and objectives
- Recognising that different methods of communication are needed depending on the audience and message
- Encouraging staff to share good practice and expertise
- Encouraging senior management to listen to staff feedback and questions and respond accordingly, creating a climate of two-way communication and improved levels of trust
- Facilitating free flowing communication

9.0 Emergency Planning

The Communications Team is on hand to support the Council during an emergency ensuring residents, staff, visitors and businesses are kept up to date in a time of crisis. The team is part of the Local Resilience Forum and liaises regularly with other local authorities within Devon. There is a mutual aid agreement in place with Devon County Council for use during an emergency if further communications resources are need.

10.0 Corporate Branding

The Council recognises the importance of communicating in a way that is clear, consistent and uses plain English. The Council has Corporate Branding Guidelines which should be adhered to when undertaking communications.

11.0 Accessibility

The Council must follow WCAG 2.1 AA standards on all public facing websites and business applications that the public can use such as apps. The standards required can be found here: <https://www.w3.org/TR/WCAG21/>

Any software procured / commissioned by the authority should be checked to ensure it meets WCAG 2.1 AA standards. We would be breaking the law if we purchase publicly visible apps / websites that don't meet this criteria.

The Communications team and web developer manage a team of content editors/uploaders who are responsible for the accessibility of the content they upload to any Council run website or where a website is hosted by a third party supplier such as ModernGov.

Officers in the Council have a responsibility to ensure content they would like in the public domain is accessible following WCAG 2.1 AA Standards.

Appendix Two:

Media & Social Media Policy

February 2023

Media and Social Media Policy

Version Control Sheet

Title: **Media and Social Media Policy**

Purpose: **To outline how we deal with media and social media and to provide advice and guidance to officers and elected Members**

Owner: **Communications & Engagement Manager**
jlewis@middevon.gov.uk

Date: **February 2023**

Version Number: **1.0**

Status:

Review Frequency: **Every two years or sooner if required**

Next review date: **February 2025**

Consultation: **This document will be sent out for consultation to the following:**
Community PDG
Cabinet

Document History

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Title	Date	Version Approved
Community PDG*		
Cabinet		

*- Delete if not applicable

Contents

1 Introduction

- 1.1 Our strategic aim
- 1.2 Our policy statement

2 Proactive media relations

- 2.1 Press releases
 - 2.1.1 Press release content
 - 2.1.2 Who should be quoted in a press release?
 - 2.1.3 Contact details on press releases
 - 2.1.4 Press release approval
 - 2.1.5 Press release distribution
- 2.2 Other ways of generating coverage

3 Reputational issues

- 3.1 Imbalanced or inaccurate media coverage
- 3.2 Confidential information
- 3.3 Issues relating to employee relations
- 3.4 Protecting the Council's reputation

4 Media enquiries

- 4.1 Points of contact for media enquiries
 - 4.1.1 Communications
 - 4.1.2 Officers and Members
- 4.2 Media interviews and comments
 - 4.2.1 Officers
 - 4.2.2 Members
- 4.3 Freedom of Information (FOI) requests

5 Social media

- 5.1 Main corporate accounts
- 5.2 Other service-specific accounts
- 5.3 Dealing with detractors
- 5.4 Deleting abusive or discriminatory comments
- 5.5 Social media guidelines
 - 5.5.1 Do
 - 5.5.2 Don't
- 5.6 Training

6 Other issues and special circumstances

- 6.1 Emergencies and out-of-hours contact
- 6.2 Court cases

- 6.3 Photography and child protection
- 6.4 Data protection
- 6.5 Elections
- 6.6 Filming, recording and use of social media at council meetings

7 Media monitoring and evaluation

- 7.1 Monitoring
 - 7.1.1 Newspaper mentions
 - 7.1.2 Online mentions
- 7.2 Press cuttings
- 7.3 Social media monitoring
- 7.4 Web Alerts

1 Introduction

This policy outlines procedures for Mid Devon District Council officers and elected Members who may come into contact with the media. It supports the Council's **Communication and Engagement Strategy**.

With the growth of social media, online versions of newspapers, blogging and citizen journalism, any media policy must now take into account both the traditional media (newspapers, magazines, radio and TV) and online digital media (including websites, blogs and social media).

It explains processes in relation to: proactive media relations; dealing with media enquiries; and dealing with posts on social media. It also provides guidance on a range of other media-related issues.

1.1 Our strategic aim

To work closely with existing media, and to develop relationships with new media channels, to inform and engage the public about the work of the Council, ensuring the reputation of the Council is upheld and enhanced.

1.2 Our policy statement

Mid Devon District Council recognises the value of the media and social media, as a means of communicating information and messages to the public. We are committed to:

- transparent government;
- a positive working relationship with the media;
- always being open, honest and proactive in our dealings with the media and on social media, and;
- respecting the right of the media to report all views on any given topic.

2 Proactive media relations

Positive media coverage comes from pro-active media relations and the recognition of a good news story. Ideas for stories can come from both officers and elected Members. The drafting of press releases is undertaken primarily by the Communications team. Creative and editorial support is also offered to services; however they are free to submit their own drafts where appropriate sign-off has already been sought.

2.1 Press releases

Media coverage is predominantly generated through the publication and distribution of press releases to:

- Increase public awareness of services provided by the Council and the functions we perform
- Explain to residents and council taxpayers the reasons for particular policies and priorities
- Improve local accountability
- Publicise forthcoming events
- Encourage participation in public consultations
- Explain changes to services
- Explain how the Council is dealing with issues of particular interest to local communities
- Share good news

2.1.1 Press release content

For advice on writing a press release, see **Phoenix Portal >> Communication >> Media Relations**:

- [How to write a good press release](#)
- [Quick checklist when writing a press release](#)

Tip: Make sure that the relevant Cabinet Member(s) – and, for local issues, any Ward Members – are informed about what is happening and that a press release is being prepared (even if those Members are not actually quoted in the press release).

2.1.2 Who should be quoted in a press release?

Quote attribution depends on the nature of the press release, for example:

- The relevant Cabinet Member and the officer most directly involved in the subject may both be quoted – this gives the media a strategic/policy viewpoint, as well as the day-to-day operational viewpoint
- An officer
- A Member
- An external partner

If the press release provides only straightforward information, there's no need to include a quote.

2.1.3 Contact details on press releases

Only contact details for the Communications team are included in the 'ENDS' of all press releases for follow-up enquiries from the press. This is to prevent journalists from contacting officers directly with future enquiries and to ensure all contact with the press is directed through, and logged with Communications.

Specific contact details may only be included in relation to consultations, where a 'return path' is required for respondent enquiries.

Tip: Where a press release covers a specialist subject for which follow-up inquiries from the press can only be answered confidently by a specific officer or Member, he/she should ensure they're available for contact by the Communications team, the following few days after release

2.1.4 Press release approval

For press releases written by the Communications team, sign-off is sought from the relevant Corporate Manager and Cabinet Member. Where a press release has been written by a service directly, it's up to the author to agree sign-off with the relevant Service Manager or Corporate Manager and Cabinet Member before submitting to communications@middevon.gov.uk, for publication and distribution.

Before issuing to the media, the Communications team will undertake checks for spelling, language and grammar.

Tip: Depending on the complexity of the subject matter, various people may need to agree the wording of a press release, such as:

- Any quoted elected Member/officer(s)
- The relevant service manager
- The Chief Executive, Director or Corporate Manager (for important corporate issues or important operational issues)
- The Leader of the Council or the relevant Cabinet Member (for important strategic issues or policy decisions)
- Relevant partner organisations

2.1.5 Press release distribution

Press releases from services which are time-sensitive and sent in advance, must contain *****EMBARGOED***** within the subject line, along with the specified date for release. Press releases must also be accompanied with an appropriate image at an industry standard resolution of ~300dpi. This is not

only for publication online, but also for reprinting by the press, should they choose to cover the article.

All press releases are published onto the Council's website and then distributed via email to all media contacts, town and parish councils, and internally to Corporate Managers, Members and Customer First for info.

Press releases are further promoted through:

- social media posts published on the corporate [Facebook](#) and [Twitter](#) , LinkedIn and Nextdoor pages, which link back to the story on www.middevon.gov.uk/news and;
- via e-bulletin to GovDelivery subscribers subscribed to the Council's email subscription service.

2.2 Other ways of generating coverage

The Communications team can be consulted for advice on other aspects of media relations including:

- Planning media campaigns
- Setting up photo opportunities
- Media briefings and media launches
- Use of embargos (where the media is given advance notice but cannot publish until a specified date)
- Negotiating special features
- Improving web pages to support publicity
- Making better use of social media
- Increasing community engagement through GovDelivery

3 Reputational issues

3.1 Imbalanced or inaccurate media coverage

When media coverage of a particular issue is unduly negative and imbalanced, services can liaise with the Communications & Engagement Manager about how best to try to redress the balance. Action taken in response may involve:

- A letter to the press
- A request for a correction
- Communications & Engagement Manager, Chief Executive and/or Leader to meet and discuss with the Editor
- Generating further media coverage to move the story on in a more positive way

If we judge the following coverage to still be unfair or not based on fact, a complaint may be made to the Independent Press Standards Organisation (IPSO).

3.2 Confidential information

Leaking of confidential information, exempt agenda items and minutes to the media, is viewed seriously by the Council. The [Freedom of Information Act 2000](#) (see also 4.3 below), allows certain information to be available on request to anyone including the media, unless the Council has a valid reason for not releasing it. Please refer to the [Freedom of information Policy](#) on SharePoint for further information.

Occasionally, issues come to the notice of the media that involve staff or Members and aspects of their private lives or employment contracts. Our policy is not to comment upon such issues. Factual responses are permitted, for example: *'I can confirm that the employee is no longer in employment with Mid Devon District Council, but I am not able to discuss the situation in any greater detail'*.

The Communications Team will liaise with a member of the Leadership Team to discuss any response to the leaking of sensitive information.

3.3 Issues relating to employee relations

It is recognised that there will be occasions where the Unions wish to comment to the media in relation to issues rather than individual cases, on behalf of itself and its members.

There are mechanisms for complaining about issues or situations arising in the workplace and individual employees should refer to the procedures laid out in the appropriate policies (e.g. [grievance](#), [dignity at work/harassment](#) and [appeals procedure](#), [whistle-blowing](#)), available on SharePoint. If in doubt about how to raise concerns or which policy would be most appropriate for their needs, employees should seek advice and guidance from [Human Resources](#).

3.4 Protecting the Council's reputation

While it is recognised that elected Members will want to comment on particular issues such as Council policies and decisions, neither officers nor Members should bring the Council into disrepute or publicly criticise individual officers or associates.

4 Media enquiries

Every media enquiry can be used as a positive opportunity to get a message across to the public. Failure to provide a response explaining 'our side of the story' is an opportunity missed to ensure the subsequent reporting is fair and balanced. Our preference is to provide a response rather than a reply of 'no comment', which can come across as aloof, uncaring or that we have something to hide. If, for some reason we cannot comment in detail, for example, in relation to case work which is ongoing, we can usually provide a general comment and an explanation as to why we cannot go into detail.

4.1 Points of contact for media enquiries

4.1.1 Communications

The press and media personnel are encouraged to contact the Communications team with any requests for comments, supporting information or interviews. Communications will liaise with the relevant Corporate Manager or service spokesperson to coordinate a response. The enquiry and proposed response is also Cc'd to the relevant:

- generic department email;
- Cabinet Member;
- Leader of the Council (if controversial), and;
- Committee Chair (if in relation to an incident or comment made at a committee meeting).

The Communications team will ensure all statements received are well written and submitted within the media's deadline. Final statements will be appropriately attributed, ensuring staff names and job titles are correct. Care is also taken to ensure that direct contact details for staff are not disclosed in any replies sent to the press.

Where a response from the relevant service is outstanding, we will respond to acknowledge receipt of the journalist's enquiry and to ask whether he/she is willing to extend the deadline for their enquiry. If no one is available, we will reply stating that the appropriate officer is currently unavailable for comment.

All contact between the press and staff is currently documented on the media reporting system CommsFlow for future reference and month end analysis. This system will be replaced in the new CRM.

4.1.2 Officers and Members

The media may contact officers or Members directly. If the enquiry is straightforward, requiring only a factual answer, this can be answered there and

then. However, the responding officer or Member must notify the Communications team to record the enquiry onto CommsFlow.

With the immediacy of news now being published predominantly online, Officers and Members should be aware of the urgent need to respond within the deadline set by the enquiring journalist. It is within our mutual interest to respond positively and on time. The forging of good relations with the press allows us to build favours and any future coverage will likely be more favourable, or at least less critical if the story is negative. Similarly, journalists will be more willing to amend or withdraw a story if it's been reported inaccurately.

Note: Nothing in this policy precludes Members or political groups from speaking to or contacting the media. Members should make it clear to the media whether they are speaking:

- officially on behalf of the Council – in this case the Communications team should be kept informed, *or*;
- officially on behalf of their particular political group, *or*;
- in a personal capacity.

Media training will be offered to all Members who are likely to be called on to speak to the media.

4.2 Media interviews and comments

4.2.1 Officers

It is up to Operations Manager and Corporate Managers to make arrangements for which officers in their teams can act as a spokesperson to provide comments or be interviewed by journalists.

The relevant Cabinet Members, should be consulted for advice at any time and be involved in drafting any media statements or preparing for interviews that are highly controversial or where this is a significant reputational risk to the Council.

Officers are likely to be called on to comment on these issues:

Chief Executive Leadership Team /	Major corporate issues (and in situations where the Leader would normally respond but is not available within the timescale)
Corporate Managers	Corporate issues within their service areas (and in situations where the Cabinet Member would normally respond but is not available within the timescale)

Officers	To answer questions of fact and/or technical information within their areas of expertise and in relation to projects and initiatives they are involved in, but they will not be expected to do live on-air interviews unless they have received appropriate media training
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4.2.2 Members

Members are likely to be called on to comment on these issues:

Leader	Strategic issues, key policy decisions, and other major corporate issues affecting the Council
Cabinet Members	Issues that come under their remit
Chairmen of PDGs	Issues their PDG is involved in
Chairmen and Vice-Chairmen of committees	Recent committee decisions
Chairman and Vice-Chairman of Scrutiny	Issues that Scrutiny raise and reviews that they are working on
Local Ward Members	Issues of particular local concern
Group Leaders	Issues that transcend politics, for example obituaries

4.3 Freedom of Information (FOI) requests

Some media enquiries are submitted as FOI requests, in which case the Performance, Governance and Health & Safety team will coordinate the response in accordance with the applicable legislation. See [Freedom of Information Policy](#) in the Governance area within 'Policies & Strategies' on SharePoint.

5 Social media

In addition to posting proactive stories on [Facebook](#), [Twitter](#), LinkedIn, Nextdoor, and You Tube social media is now also used as a customer service channel, where we can respond directly to customers' questions, comments or complaints.

Customer enquiries are currently dealt with via the Communications team but in future this area of social media may fall to the Customer Services team. The

new CRM may also affect how direct messages are answered by the Council and by whom.

5.1 Main corporate accounts

The Communications team maintains and administers the corporate [Facebook](#), [Twitter](#), [LinkedIn](#) and Nextdoor accounts. Where applicable, notifications in the form of questions, complaints and comments are dealt with directly by a member of the Communications team. If the query is more complex, or concerns service policy, the relevant service is approached for information and guidance when forming an appropriate response.

Services should be aware there is no such thing as a deadline on social media; customer expectation is for a quick response – certainly hours rather than days – and leaving a post (particularly a negative comment or complaint) unanswered for more than a few hours gives the impression we are ignoring it.

5.2 Other service-specific accounts

A number of services have their own specific social media accounts and these include:

- Mid Devon Housing
- Tiverton Pannier Market
- Electric Nights Streetfood
- Mid Devon Leisure (one main page and three separate pages, one for each site)
- Culm Garden Village
- Mid Devon Business
- Visit Mid Devon

Staff within these services respond to their own notifications, however, with the use of Meta Business Suite for Facebook, the Communications team can access and publish posts onto these pages, where urgent action is required and the relevant page editor is absent. (This does not apply to Twitter, for which there is no Business Manager equivalent).

Any service wishing to set up a new social media account must discuss this with the Communications & Engagement Manager first. An officer/ service must prepare a business case in conjunction with the Communication and Engagement Manager before setting up any new channel/page. This must include details about clear aims and reason for the channel, methods of management control and responsibility for content creation and direct messaging. The overall approval for a new social media page/channel lies with the Corporate Manager for Digital Transformation & Customer Engagement & Digital Services.

The relevant service Operations Manager (or equivalent post) has overall responsibility for their social media content and users.

Two factor authentication must also be used on all social media channels. This will have implications for users who access pages using personal devices. Under Facebook T&Cs all pages must be linked to a personal profile meaning personal accounts must use two factor authentication.

All users must be included in the Council's Register of Social Media Access document. Each department will be limited to a maximum of five registered social media users per team/site, unless the Operations Manager (or equivalent role) has put a case forward for more users to Communications team

It is also mandatory for all registered users to read the latest Media and Social Media policy each year via the LMS.

As a commercial arm of the Council, Mid Devon Leisure also runs a number of social media pages and channels. The leisure social media pages, and those staff accessing these pages and platforms, will follow this policy and it is recognised the overall governance of those accessing these pages is the accountability and responsibility of the leisure management team.

5.3 Dealing with detractors

When dealing with detractors, ALL page editors and administrators using social media business accounts should avoid getting into an argument or inflaming a discussion. Officers will try to help in the first instance; if the user continues to post without engaging our offer of help, their posts will be ignored.

5.4 Deleting abusive or discriminatory comments

As a general principle we do not attempt to moderate posts on social media, as to do so could also open us up to accusations of censorship. However, we will remove any posts from our social media accounts that are abusive (for example, use of language or personal attacks on a particular named officer or Member) or discriminatory (for example, racist or homophobic).

5.5 Social media guidelines

The following guidelines set out the responsibilities, standards of behaviour and provide guidance to employees and Members using social media in a professional capacity, and things to consider when using social media for personal purposes.

All employees and Members should be aware of and adhere to the following policies, whichever is applicable:

- [Dignity at Work](#)

- [Single Equality Scheme](#)
- [Member Code of Conduct](#)
- [Officer Code of Conduct](#)
- [MDDC safeguarding policy](#)

5.5.1 Do

- **be responsible and respectful** at all times by adhering to the existing policies listed above
- **trust yourself** to use social media – the Council already trusts you to send an email on behalf of the organisation and the same applies for social media
- check your **privacy** settings – understand who can see the information you publish and your personal information
- **chat** informally with other users – use language and tone of voice that's consistent with your target audience
- **credit** other people's work, ideas and links
- **respond** to all comments and private messages as quickly and honestly as possible. Be personal and professional in your response – show empathy and a desire to find a resolution to problems where appropriate
- Drive the conversation **offline if it's sensitive** in nature or likely to escalate – ask the individual to message you privately with more details and include your name so the customer knows who he or she is talking to.
- **listen** in on other pages to what's being said about the Council, its services and the local area, then join in on discussions, and;
- **share** helpful content and links signposting people to the appropriate service or authority to inform & grow your audience. If you're in any doubt about sharing any particular content, the best rule-of-thumb to follow is don't share it!
- **seek** [legal advice](#), it's there to help you
- **add value** by creating content that educates and spreads awareness about Council services. Include positive stories encountered whilst on the 'day job' and news-bites with perspective to show the human side to public services
- align your posts with the **Council's purpose and values** as summarised in the [Corporate Plan 2020-2024](#)
- **seek permission** to publish any information, report or conversation that is not already in the public domain. Do not cite or reference customers, partners or suppliers without their approval
- **respect copyright** when linking to images or other online material – obtain owner permission and provide appropriate attribution when using images that aren't your own, and make sure you purchase the correct license for any stock images used
- respect the pre-election period known as '**Purdah**' (see local.gov.uk/our-support/purdah)

- **ask** your followers questions to glean valuable insights (but ensure there's a clear and resourced return path for respondents to leave their feedback and make sure you share the results with them)
- **monitor and evaluate** the success of your activity.

5.5.2 Don't

- post content which will **embarrass** the Council or yourself
- **reduce your credibility** by posting your every personal thought – especially if you're complaining
- **moderate posts** unless they are abusive – blocking someone or deleting their posts without just cause will incur accusations of “censorship”
- use council **jargon** or corporate speak
- **ignore comments** and private messages (unless engaging will inflame a situation or the comment is clearly politically motivated, or the person commenting has received an answer multiple times to the same question)
- say anything you **cannot substantiate** – if you don't know the answer, let the individual know you're looking into the matter
- **argue** with customers or inflame a discussion
- refer customers to **another channel** such as email or telephone – if they've contacted you via Twitter, you should respond in kind. The exception would be sensitive topics such as comments in relation to planning applications, etc.
- follow or share **political opinions** or groups which could otherwise compromise the Council's impartial service to the government
- **broadcast** or talk at people. Users who post information which is mostly information-sharing have twice as many followers than those who post mostly relating to themselves
- **cover up** mistakes, be honest and you'll get more respect for it in the long run
- disclose **personal information** – to do so would be in contravention of the [Information Security Incident Policy](#) and the social media platform's rules
- **assume** that social media will look after itself – you will need to invest time, enthusiasm and energy to make it work.
- **share your passwords** with anyone other than the Communications Team.

5.6 Training

One-to-one staff or Member training to use social media can be provided by the Communications team on request. Such requests should be emailed to communications@middevon.gov.uk. [A Social Media Guide for Members and Staff](#) is available.

6 Other issues and special circumstances

6.1 Emergencies and out-of-hours contact

In the event of an emergency situation affecting multiple agencies, a Media Cell will be setup by the lead agency to manage communications and the press. For more information, please refer to the [Devon Emergency Planning Service \(DEPS\) Incident Response & Recovery Plan](#) on SharePoint.

In the event of the media contacting the Council outside normal office working hours and if deemed an emergency, contact details for the Communications & Engagement Manager and Communications Officers are listed in Part 5 of the DEPS Incident Response and recovery Plan. The Communications & Engagement Manager will decide if and what response is required. If a response is required, she will contact the relevant officer (Chief Executive or head of service) and/or lead Member.

6.2 Court cases

The Council will occasionally launch prosecutions and will want to use successful outcomes of court cases to deliver a message to the public. The best way of doing this is by issuing a press release, or prior notification to the media of an impending court case. The relevant Corporate Manager should be consulted.

6.3 Photography and child protection

As outlined in our [Safeguarding Children and Adults at Risk Policy and Procedures](#), Officers, Members and volunteers should be vigilant at all times. Any person using cameras or videos within Council premises and at events or activities which involve children and young people, should be approached and asked to complete a [Photography Consent Form](#) (see **SharePoint >> Communications >> External Communications**).

Guidance for commissioning professional photographers or inviting the press to cover Council services, events and activities

- Ensure that you make your expectations clear in relation to child protection
- Check credentials of any photographers and organisations used
- Ensure identification is worn at all times, if they do not have their own – provide it
- Do not allow unsupervised access to children or young people or one-to-one photographic sessions

- Parents must be informed when photographs of their child or young person may be taken at activities or events, and parental consent forms need to be signed agreeing to this
- It is recommended that the names of children or young people should not be used in photographs or video footage, unless with the express permission of the child or young person's parent

6.4 Data protection

Personal information and data protection

The Data Protection Act 2018 (DPA) determines the way in which the Council obtains, holds, uses, releases and disposes of personal information. Under the DPA you are entitled to request copies of your personal information that is held by us. For more information please see Personal information.

Freedom of information

The Freedom of Information Act 2000 (FOIA) provides a right of access to information held by Public Authorities. Under the FOIA you are entitled to request disclosure of any information that is held by us. However, some of the information held may be exempt. The FOIA also places an obligation to proactively publish certain information through the Council's Publication Scheme. For more information please see Freedom of information.

For guidance, see [Data Protection Policy](#) or contact our Corporate Performance and Improvement Manager.

6.5 Elections

During elections, all publicity referring to a political party or anyone standing for election will – except as in the following paragraph – be suspended between the publication of a notice of election and polling day.

Members will not be quoted in press releases during this period unless it is a Member holding a key political or civic position commenting on an emergency or an important event outside the Council's control and where there is a genuine need for a response by a Member. For further information concerning the publicity restrictions observed by Local Authorities during the pre-election period previously known as 'purdah', please refer to local.gov.uk/our-support/purdah.

6.6 Filming, recording and use of social media at Council meetings

All media, including radio and TV journalists, and members of the public may attend Council, Cabinet, PDG and committee meetings (apart from items where

the public is excluded). They may record, film or use social media before, during or after the meeting, so long as this does not distract from or interfere unduly with the smooth running of the meeting. Anyone proposing to film during the meeting is requested to make this known to the Chairman in advance. The Council also makes audio recordings of meetings which are published on our website.

7 Media monitoring and evaluation

7.1 Monitoring

7.1.1 Newspaper and online mentions

The Communications team monitors local media, notably Mid Devon Gazette, Crediton Courier and Devon Live and the BBC.

Any articles referencing the Council, its staff or Members are summarised and sent to the Leadership Team, relevant Corporate Managers and Members for information.

For any printed or online reporting which is found to be baseless, either the Communications & Engagement Manager or relevant Corporate/Service Manager can decide whether any follow-up action is required in response (see also 3.1 above). Any coverage generated – whether from a press release or by responding to a media enquiry – is collated and reported monthly to the Leadership Team for evaluation.

7.2 Hard copy press cuttings

Because it is prohibitively expensive, we do not have the necessary NLA Media Access licence to permit us to photocopy or electronically scan press cuttings. Officers and Members should therefore not make or store any copies of press cuttings for any purpose, as to do so would be breaking copyright law. The originals of articles may, however, be cut out from newspapers and kept.

7.3 Social media monitoring

The social media channels for the following areas are monitored by the Communications team:

- Media organisations (both local and national)
- Community news and forums (including some groups members may be part of)
- Local what's on pages, partners and charities
- National partners, charities and government organisations

References to the Council or Members are flagged and reported as above where seen. Note that social media monitoring can be a full time role and there is not currently the capacity within the Council to carry out this task in this way.

7.4 Web Alerts

Monitoring of the web for accessibility is carried out on a quarterly basis using Sort Site.

The Communications team receive Google Alerts to detect changes in content for predefined search terms. Terms have been entered for the Council, its premises, ongoing plans/developments, and names of key staff, Members and vexatious complainers. Additional search terms are added as and when appropriate, or the need arises. Any detections are automatically emailed to communications@middevon.gov.uk, then forwarded to the relevant staff and/or Members, as above.

**COMMUNITY PDG
28 MARCH 2023**

AGENDA ITEM:

SINGLE EQUALITY SCHEME

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

Responsible Officer: Matthew Page, Corporate Manager for People, Performance & Waste

Reason for Report: To provide Members with an update on action taken to help meet the Council's statutory duties under the Equality Act (2010).

RECOMMENDATION(S): That Members recommend to Cabinet that they approve the Single Equality Scheme together with the Equality Objectives for 2023/24.

Relationship to Corporate Plan: The Equality Objectives reflect Corporate Plan aims under the Community and Corporate priorities.

Financial Implications: The Single Equality Scheme does not have any financial implications itself beyond those identified in individual service's equality impact assessments.

Legal Implications: The Single Equality scheme contributes to the Council's complying with the Equality Act (2010). Failure to adopt Equality Objectives or to collect relevant data could lead to the Council being in breach of the Equality Act 2010.

Risk Assessment: Approving the Single Equality Scheme and Equality Objectives helps to ensure the council meets its legal responsibilities in relation to equality.

Equality Impact Assessment: The adoption and monitoring of Equality Objectives helps to ensure that the needs of all protected groups are taken into account in service delivery.

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

1.0 Introduction

1.1 The Equality Act (2010) replaced previous anti-discrimination laws with the aim of simplifying the law and removing inconsistencies. The Act places a requirement on public bodies to demonstrate compliance with each part of the Public Sector Equality Duty (PSED).

1.2 Under the Equality Act 2010 local authorities have a duty to have 'due regard' to:
Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 1.3 Underpinning the General Duties are Specific Duties which require public authorities to:
- Publish information that demonstrates how the authority is meeting the General Duty (updating this at least annually).
 - Publish one or more specific and measurable objectives to achieve the General Duty (updating these at least every four years).
 - Publish the information and objectives in an accessible way, so that the public can see for themselves how the authority is performing.
- 1.4 'Information' includes that relating to the protected characteristics of employees and other people affected by policies and practices:
- Workforce profiles (this can include data about recruitment, training, promotion, flexible working, maternity returners, grievance/issues, dismissal, leavers, service, pay, satisfaction, Members). Only applies where the organisation has more than 150 employees.
 - Service user/community profiles (this can include information about outcomes such as health, safety and wellbeing, achievement such as skills and education, access to services, satisfaction, complaints, feedback, demographics).
- 1.5 Case law has clarified that considerations of equality should not only be placed at the centre of policy development but that bodies subject to the Public Sector Equality Duty must apply this duty to the carrying out of any functions of a public body not just statutory functions.
- 1.6 Local authorities also have specific duties under the Act to publish Equality Information annually and 'Equality Objectives' at least every four years. All such information is either included in this report or signposted to. The council's [Equality webpages](#) will be updated in 2023/24 to better promote this information.
- 1.7 The Single Equality Scheme has been reviewed and updated by officers (Appendix 1). This is a detailed policy document which sets out the council's approach to Equality, Diversity, and Inclusion. This document has been revised and updated for 2023/24. Significant changes have been made to Section 3 "Understanding Our Community" given the most recent data releases at a district level from the Census 2021.
- 1.8 Mid Devon District Council is a member of the [Devon Joint Declaration for Equality](#). The declaration demonstrates our commitment to the achievement of equality and fairness for all people in the county and our district and recognises the importance and benefits of an equal society and will behave in ways that reflect an equal society.
- 1.9 The Council wants to understand the needs and views of our residents and people working in our district. We have a dedicated [web page](#) to access all our consultations and welcome residents to participate.
- 1.10 Whilst we aim to provide high-quality services to all who live or work in the Mid Devon area, we recognise people may wish to complain, or pay a compliment to our officers or give us suggestions on how we could improve a service. Full details are available on our [website](#) using a number of different mediums.

2.0 Progress to meet our Equality Objectives

- 2.1 In 2022/23, the council had five Equality Objectives, these were:
1. Meeting the needs of an aging population
 2. Overcoming the problems faced by vulnerable individuals caused by rural isolation
 3. Overcoming the effects of multiple disadvantage in families with complex needs
 4. To continue to concentrate on mental health issues within MDDC and the wider community
 5. Secure decent digital connectivity for all of Mid Devon (Corporate Plan aim).
- 2.2 Progress to meet these Equality Objectives in 2022/23 is detailed at Appendix 2.
- 2.3 There are no proposed changes to the Equality Objectives for 2023/24. An action plan will be developed in year by the Equality, Diversity, and Inclusion Group.
- 2.4 We publish information on our website about our [pay policy](#) and [pay supplement policy](#). Within our pay policy we include reporting on the council's gender pay gap, this is included below for ease of reference:

	Mean Average Hourly Rate	Median Average Hourly Rate
Male	£14.38	£12.92
Female	£14.36	£12.92
HMRC % Gap	0.14%	0%

- 2.5 The mean gender pay gap for the whole economy (according to the October 2022 Office for National Statistics (ONS) Annual Survey of Hours and Earnings (ASHE) figures) is 15.4%. At 0.14% Mid Devon District Council's mean gender pay gap is significantly lower than that for the whole economy

3.0 Further Updates on Equalities, Diversity, and Inclusion

- 3.1 The Equality Forum was reformed as the Equality, Diversity and Inclusion (EDI) Group in 2022. This group contains both council officers and elected members. It met in December 2022 and February 2023 and has principally been focussed on the review of the Single Equality Scheme and the Equality Objectives. The EDI Group will meet quarterly and is chaired by the Corporate Performance and Improvement Manager.
- 3.2 The EDI Group has responsibility for delivering three recommendations from the Spotlight review "Does Local Government Work for Women". Following discussions with the Local Government Association (LGA), the recommendation is that the Member Champion role is adopted as part of a cabinet position (following elections in May 2023). A role description has been drafted. Two other recommendations will be worked upon once a Member Champion is identified:
- That the Council supports and facilitates the building of councillor networks, in particular between women councillors and councillors with families or caring responsibilities to grow peer to peer support.
 - That further research is carried out into member experience of equality in the Council

- 3.3 In 2023, Mid Devon District Council has signed up to the Disability Confident Scheme to be recognised as a Disability Confident Committed employer.
- 3.4 Following a recommendation from an internal audit, the Equality Impact Assessment process will be reviewed in 2023/24 to ensure it meets current best practice.
- 3.5 Through the Changing Places grant fund, the council has been awarded more than £150,000 to improve our existing disabled toilet provision at each of our leisure centres.

Contact for more Information: Matthew Page, Corporate Manager for People, Performance & Waste mpage@middevon.gov.uk; Dr Steve Carr, Corporate Performance and Improvement Manager, scarr@middevon.gov.uk

Circulation of the Report: Members of Community PDG, Cabinet Members, Leadership Team

Single Equality Scheme

Mid Devon District Council's Single Equality Scheme sets out how we are working to implement the equality duties that are set out in the Equality Act (2010).

The Equality Act (2010) protects us all from unfair treatment because of a physical or other specific characteristic that is fundamental to our being. It also requires public authorities to observe the need to eliminate discrimination, advance equality and foster good relations.

Through the Equality Act (2010) legislation, we are all legally protected against discrimination on the basis of:

- Age
- Gender reassignment
- Being married or in a civil partnership
- Being pregnant or on maternity leave
- Disability
- Race including colour, nationality, ethnic or national origin
- Religion or belief
- Sex
- Sexual orientation

Section 149 of the Act imposes a duty on 'public authorities' and other bodies when exercising public functions to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other prohibited conduct.
- Advance equality of opportunity (remove or minimise disadvantage; meet people's needs; take account of disabilities; and encourage participation in public life).
- Foster good relations between people (tackle prejudice and promote understanding).

These three parts of the Duty are complementary but must also be considered separately. The protected characteristic of marriage and civil partnership only applies in relation to Work.

Underpinning the General Duties are Specific Duties which require public authorities to:

- Publish information that demonstrates how the authority is meeting the General Duty (updating this at least annually).
- Publish one or more specific and measurable objectives to achieve the General Duty (updating these at least every four years).
- Publish the information and objectives in an accessible way, so that the public can see for themselves how the authority is performing.

'Information' includes that relating to the protected characteristics of employees and other people affected by policies and practices:

- Workforce profiles (this can include data about recruitment, training, promotion, flexible working, maternity returners, grievance/issues, dismissal, leavers, service, pay, satisfaction, Members). Only applies where the organisation has more than 150 employees.
- Service user/community profiles (this can include information about outcomes such as health, safety and wellbeing, achievement such as skills and education, access to services, satisfaction, complaints, feedback, demographics).

1.0 Our Vision

Mid Devon District Council is committed to providing quality services delivered in a fair and equitable way and to promoting good relations between different groups within the community. We value the positive contribution that all our residents bring to the district, and want to work with individuals and groups to continue to improve our services and to promote equality, diversity, and inclusion.

2.0 How will we achieve this?

In order to achieve our vision we will:

- Seek to understand the needs of our community
- Know our customers and their specific needs
- Involve the community in changes that might affect them
- Develop services that can respond to the requirements of different residents
- Develop an inclusive working environment
- Ensure equality in procurement and commissioning
- Promote equality through working with others
- Recognise the needs of specific equality groups

3.0 Understanding our Community

In order to provide services that meet the needs of people who live, work and study in our region, we must first understand our community. The following gives a brief profile of the district. This data is drawn from a range of published sources including from the 2021 Census, the Office for National Statistics (ONS), Public Health England and various Government Departments. Wherever possible, the most recent data has been used.

Mid Devon is a rural district lying equidistant between the north and south coasts. Covering an area of 91,290.07 hectares, Mid Devon has three principle towns – Tiverton, Cullompton and Crediton. These towns provide services for surrounding rural communities, Figure 3.1.



Figure 3.1: A map of Mid Devon showing electoral boundaries and major settlements.

3.1 Population

In 2021, the population of Mid Devon was 82,852 (51.2% female and 48.8% male, data derived from the 2021 Census). This is a 6.5% increase since the 2011 Census when the population was 77,750. This increase in population is lower than the average for the South West overall (7.8%). Mid Devon ranked 281st out of 309 local authority areas in England for total population, an increase of two places in a decade.

The population pyramid for Mid Devon for 2021 indicates that the region has an aging population (Figure 3.2).

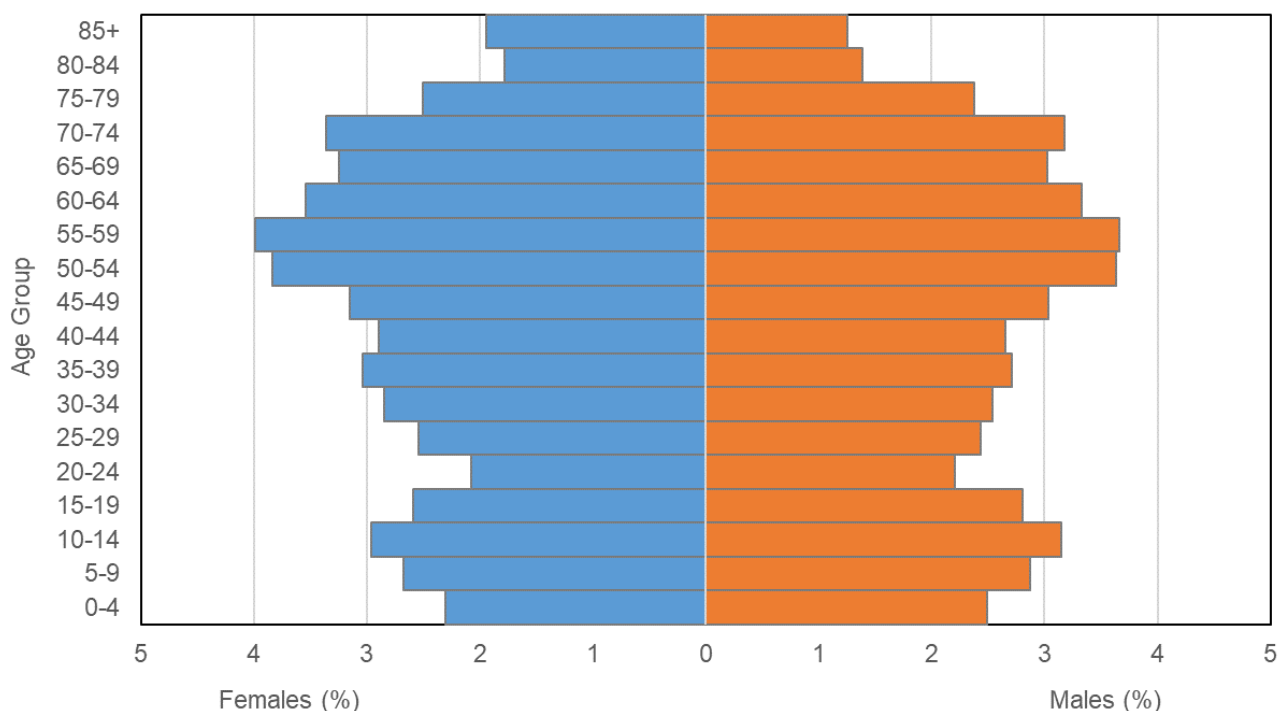


Figure 3.2: Population Pyramid for Mid Devon, 2021. Data from the Office for National Statistics.

The population distribution for Mid Devon shows a number of key differences to the South West (average), Figure 3.3:

- Mid Devon has more people aged 0-14 than the South West
- Mid Devon has fewer people aged 20-34 than the South West
- Mid Devon has slightly more people aged 50-54 than the South West

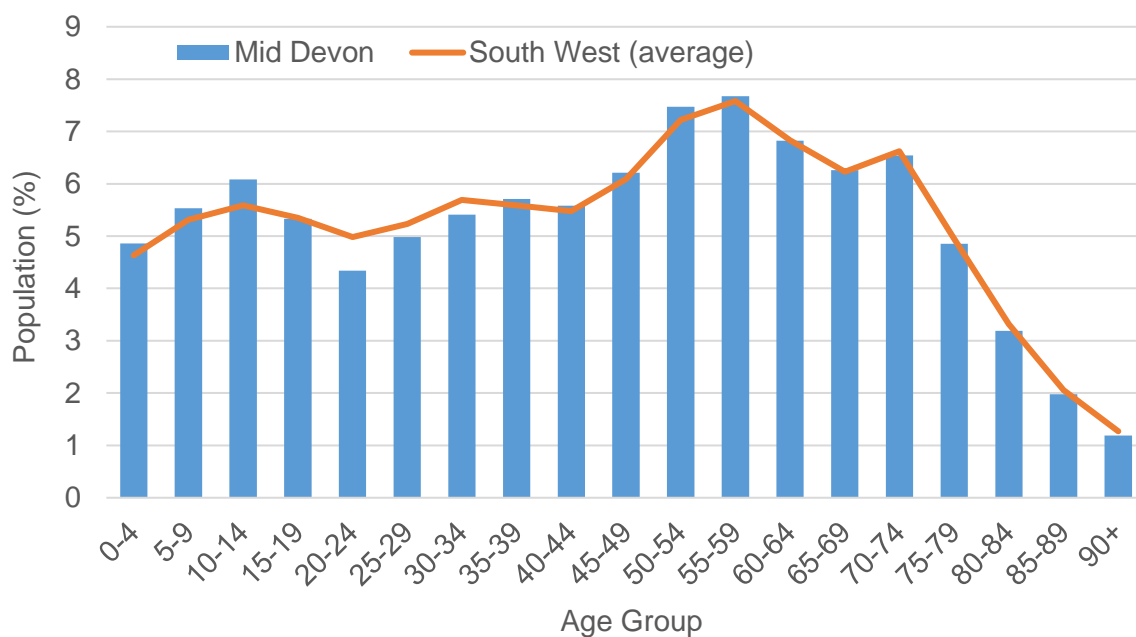


Figure 3.3: Population Distribution by age for Mid Devon and the South West of England, 2021. Data derived from the 2021 Census, LG Inform Plus.

The median age of Mid Devon residents has increased from 44 years old (2011) to 46 years old (2021). The median age in 2021 is higher than the South West (44 years old) and England as a whole (40 years old).

In Mid Devon there has been an increase of 25.4% in people aged 65 years and over in the past ten years, Figure 3.4. There has also been an increase of 1.8% in people aged 15 to 64 years, and an increase of 1.1% in children aged under 15 years.

When considering five year age bands, there has been a decrease in populations in six groups, most notably those aged 40-44 (-19%), age band 45-49 (-14%), and 0-4 year olds (-11%). The largest increases are for those aged 70-74 (+45%), 75-79 year olds (+39%), and those aged 90 years old and above (+32%).

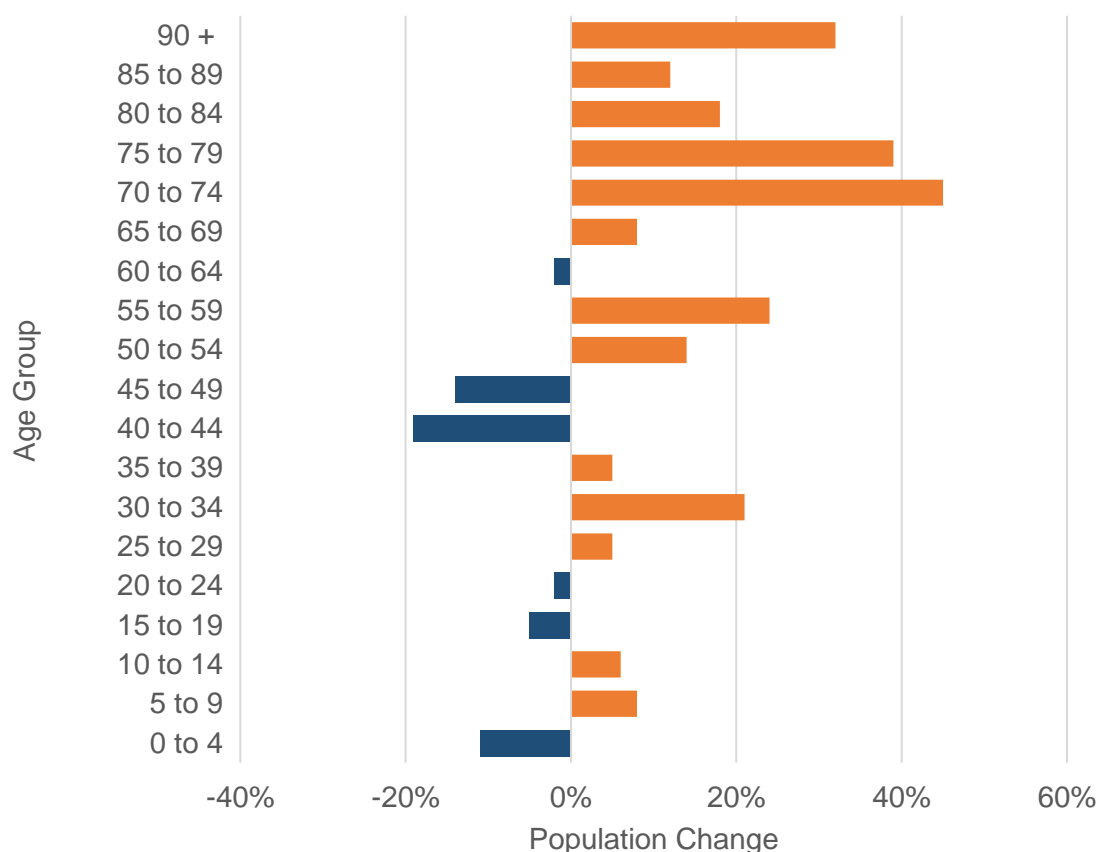


Figure 3.4: Population Change (%) by Age Group in Mid Devon, 2011 to 2021. Data derived from the 2011 and 2021 census.

Mid Devon has a comparatively low population density. As of 2021, Mid Devon is the fourth least densely populated of the 30 local authority areas in the South West, with an area equivalent to two football pitches per resident.

3.2 Ethnicity

In the 2021 Census, 81,068 (97.8%) residents in Mid Devon identified as White, with 1.1% identifying as Mixed/ Multiple ethnic groups, 0.7% as Asian/ Asian British, 0.3% selecting “Other ethnic group”, and 0.1% identifying as Black/ African/ Caribbean/ Black British, Figure 3.5.

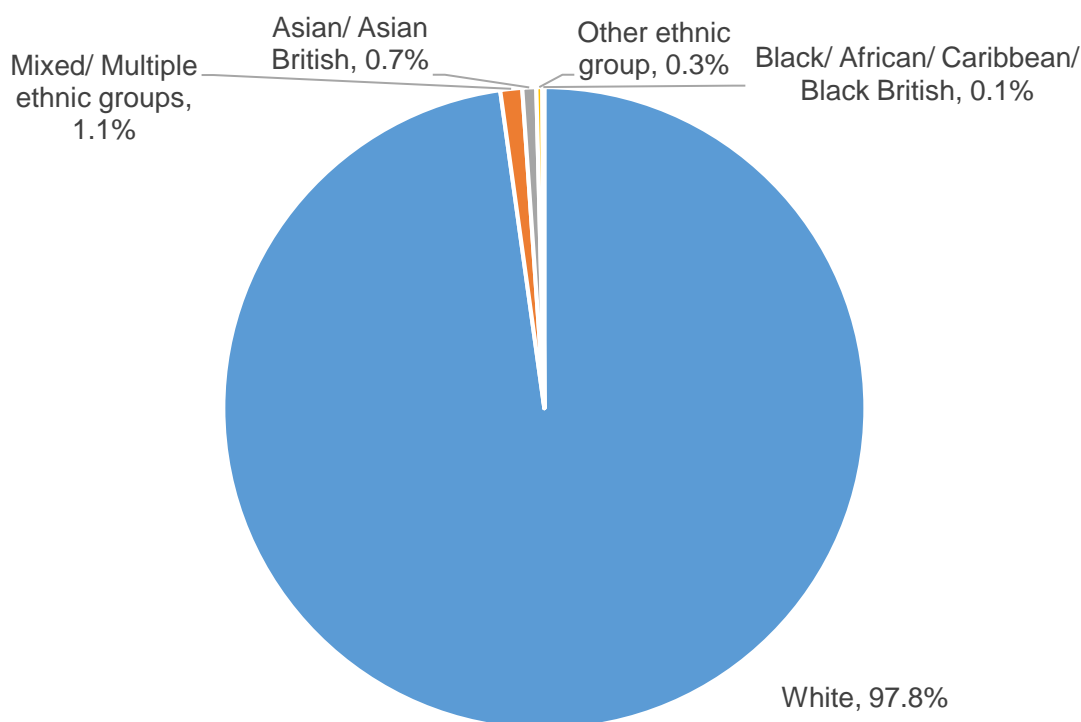


Figure 3.5: The ethnic split of Mid Devon residents in 2021. Data derived from the 2021 Census, LG Inform Plus.

In the 2021 census, around 75,700 Mid Devon residents said they were born in England. This represented 91.4% of the local population. The figure has risen from just under 71,900 in 2011, which at the time represented 92.4% of Mid Devon's population.

Wales was the next most represented country of birth, with just under 1,000 Mid Devon residents reporting this country of birth (1.2%). This figure has remained relatively unchanged from 2011.

The number of Mid Devon residents born in Poland rose from just over 650 in 2011 (0.9% of the local population) to just over 850 in 2021 (1.0%).

3.3 Disability

The age-standardised proportion of non-disabled residents decreased in Mid Devon between the 2011 and 2021 censuses, but rose across England. Age-standardised proportions enable comparisons between populations over time and across geographies, as they account for differences in the population size and age structure. In Mid Devon, the proportion of non-disabled residents fell from 83.3% in 2011 to 82.4% in 2021, while across England it rose from 80.7% to 82.3%.

The percentage of people who identified as being “disabled and limited a lot” in Mid Devon decreased from 7.1% to 6.6%, while the percentage of people who identified as being “disabled and limited a little” increased from 9.6% to 10.9%.

The census in 2021 was undertaken during the coronavirus (COVID-19) pandemic. This may have influenced how people perceived their health status and activity limitations, and therefore may have affected how people chose to respond.

3.4 Religion

In the 2021 census, 45.0% of Mid Devon residents reported having "No religion", an increase from 28.5% in 2011, Figure 3.6. This question is voluntary in the census and as such there can be varying response rates between different areas or censuses.

Across the South West, the percentage of residents who described themselves as having "No religion" increased from 29.3% to 44.1%, while across England the percentage increased from 24.8% to 36.7%.

In 2021, 47.3% of people in Mid Devon described themselves as Christian (62.1% in 2011), while 6.3% did not answer this question (8.4% in 2011).

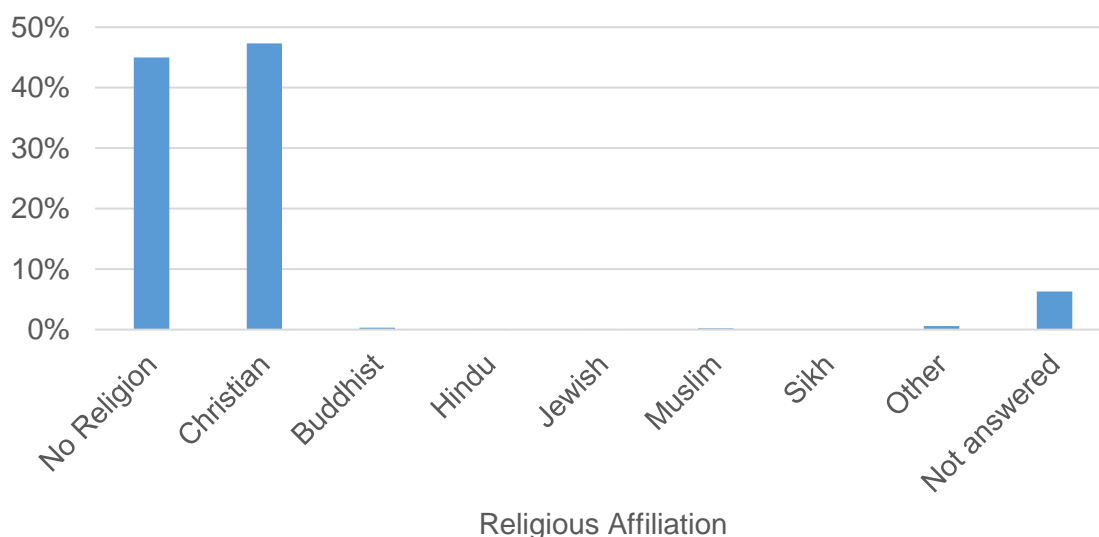


Figure 3.6: Religious Affiliation of residents in Mid Devon, 2021. Data from the 2021 Census.

3.5 Economy

Strategically located on South West England's main transport and communication corridor, Mid Devon is mid-way between Taunton and Exeter. New employment sites are being developed in Tiverton and Cullompton and a major new development of up to 5,000 houses planned for the 'Culm Garden Village'. Key employment sectors in Mid Devon include Manufacturing (specialist/light industrial), Agriculture, Food and Drink, and (Green) Tourism.

Of Mid Devon residents aged 16 years and over, 57.9% said they were employed (excluding full-time students) in the 2021 census, down from 59.9% in 2011.

The total number of residents that were "economically active" was 61.1% in 2021, a decrease from 2011 (64.2%), Figure 3.7.

In 2021, 1.7% said they were unemployed, compared with 2.4% in 2011. The percentage of retired Mid Devon residents increased from 25.3% to 26.5%.

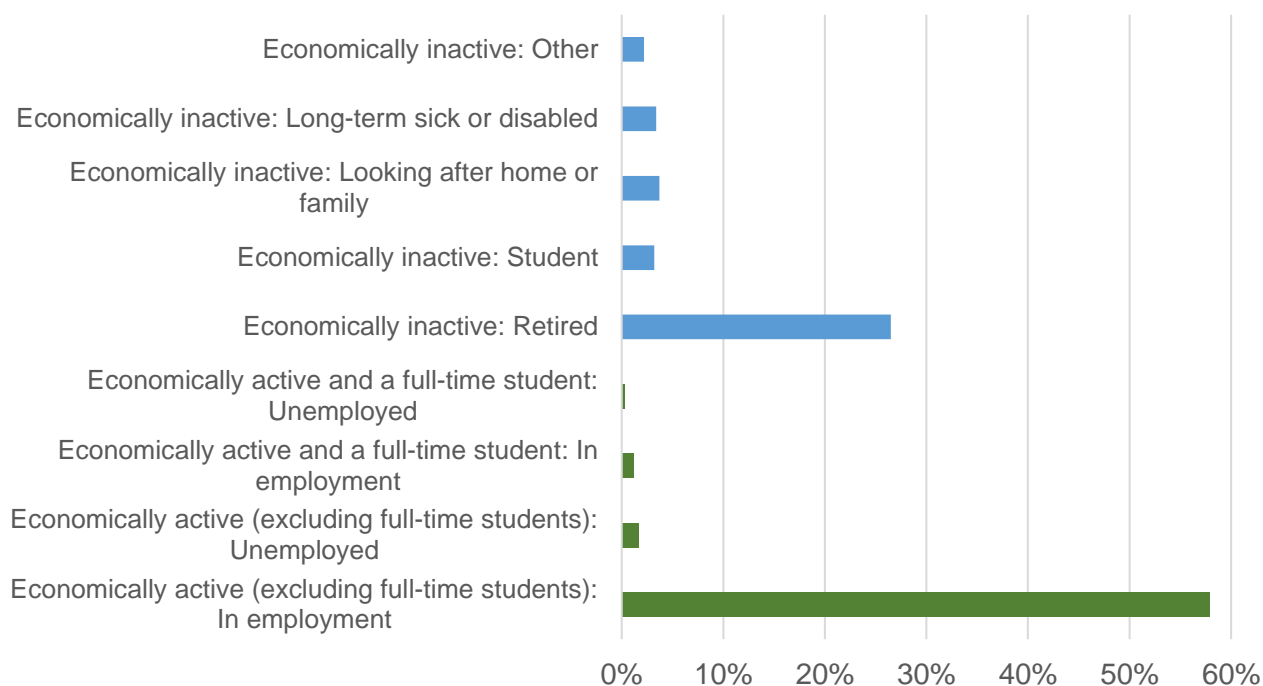


Figure 3.7: Employment status of Mid Devon residents, 2021.

The occupations of Mid Devon residents are shown in Figure 3.8. The most common occupation is classified as “Professional”, with this replacing “skilled trades” as the top profession in the district between 2011 and 2021. There has been the largest increase in the “Managers, directors and senior officials” category (+1,067), with the largest decrease (-533) for “Skilled trades”.

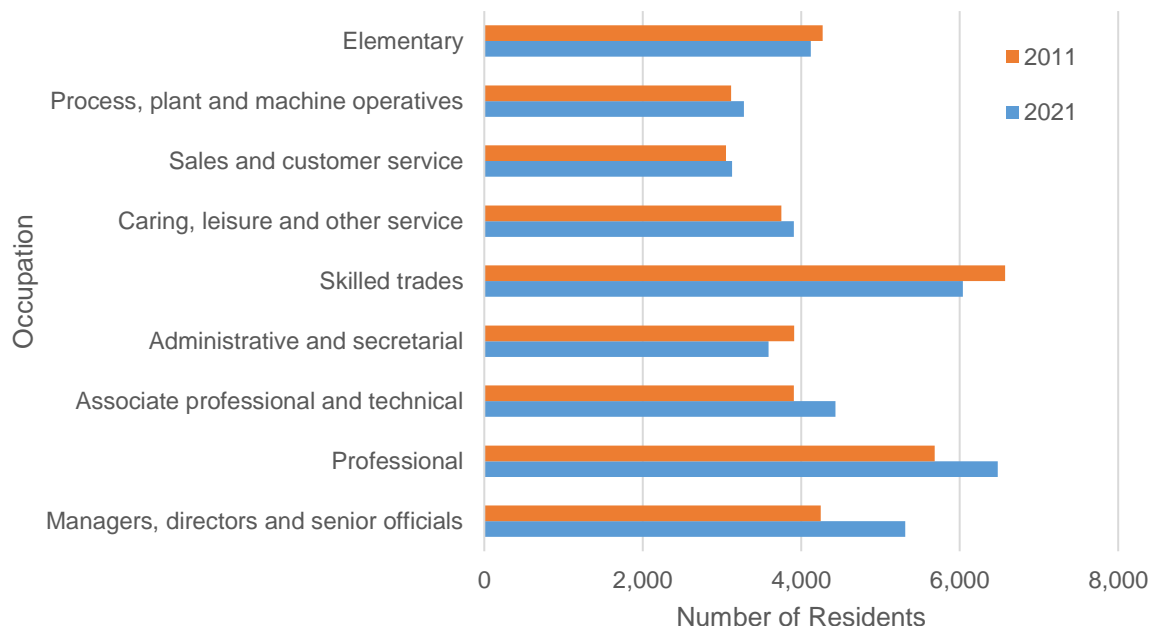


Figure 3.8: Occupations of the residents of Mid Devon, 2011 and 2021. Data from Census 2011 and 2021.

3.6 Housing

According to the 2021 Census, there are 35,633 households in Mid Devon. Mid Devon District Council currently has a social housing stock of 2,965 properties. Household tenure in Mid Devon is:

- Owned outright (39.6%)
- Owned with a mortgage or a loan (28.0%)

- Rented from a private landlord or letting agency (16.0%)
- Rented from Council or equivalent (7.9%)
- Rented from other social landlords (4.7%)
- Rented from other private owners, including from relative or employer (2.5%)
- Shared Ownership (1.0%)
- Occupiers living rent free (0.1%)

The largest number of households live in properties owned outright (39.6%). This compares with 42.2% for Devon County and 37.7% for the South West.

The second largest number of households live in properties owned with a mortgage or loan (28.0%). This compares with 26.0% for Devon County and 28.2% for the South West.

In 2020 it was estimated that 11.8% of Mid Devon households were in fuel poverty (Department for Business, Energy and Industrial Strategy) compared to 13.2% of households in England. It is expected that a much higher number of households will be classified as in fuel poverty in 2022/23 given the increased cost of energy.

3.7 Deprivation

When considering multiple deprivation, the Index of Multiple Deprivation (IMD) is a useful tool. IMD is a combined measure of deprivation based on 37 indicators that have been grouped into seven domains. Each domain reflects a different aspect of deprivation experienced by individuals living in an area. Using the IMD produced using 2019 data, Mid Devon is ranked 9th (out of 18) districts in the South West, and 174th out of 317 authorities in England. When calculating the IMD, England is broken down into 32,844 small geographical areas called LSOAs (Lower Super Output Areas). Mid Devon has no LSOAs that are within the 10% most deprived in England. Figure 3.9 shows the distribution of Mid Devon LSOAs according to levels of multiple deprivation.

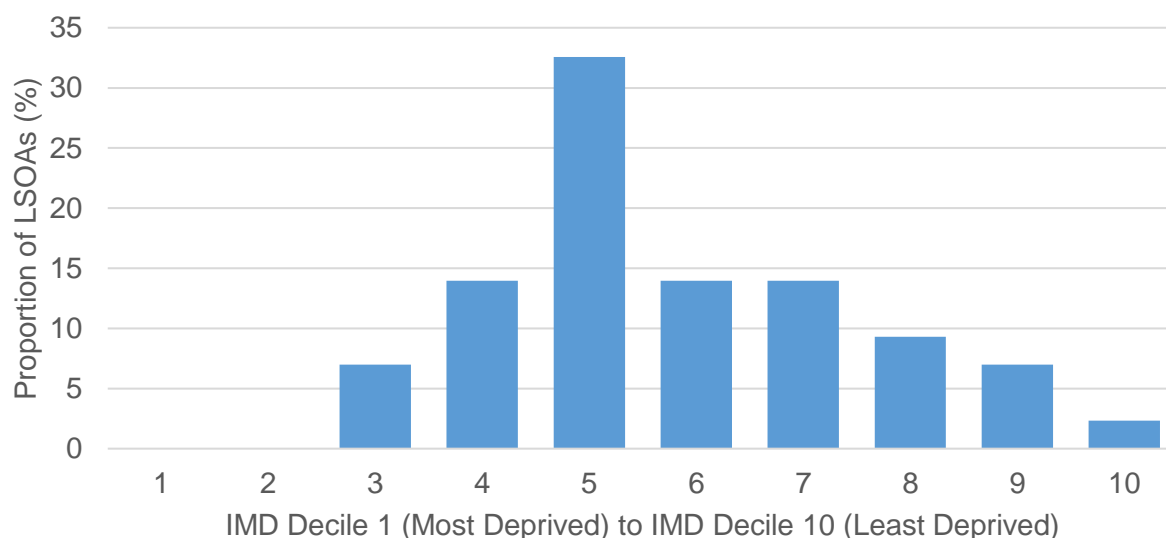


Figure 3.9: Proportion of Mid Devon LSOAs in each IMD decile, data from LG Inform for 2019.

When considering the seven domains which make up the IMD tool, Mid Devon achieves the following rank position in 2019 for each (where rank 1 is the most deprived district in England, and rank 317 is the least deprived):

- Living Environment (24th)
- Barriers to Housing and Services (68th)
- Education, Skills and Training (147th)
- Employment (186th)
- Income (198th)

- Health and Disability (259th)
- Crime (284th)

This shows that using the IMD tool, the lowest scoring domain for Mid Devon is “Living Environment” which is calculated based on the quality of housing, air quality, and road traffic accidents.

3.8 Education

The Census asks residents about their highest level of educational qualification, Figure 3.10. There has been an increase in residents having higher levels of qualifications in Mid Devon, with the number of residents with a qualification at level 3 or above increasing from 39% (2011) to 49% (2021). The number of residents indicating they have no qualifications has decreased from 23% (2011) to 17% (2021).

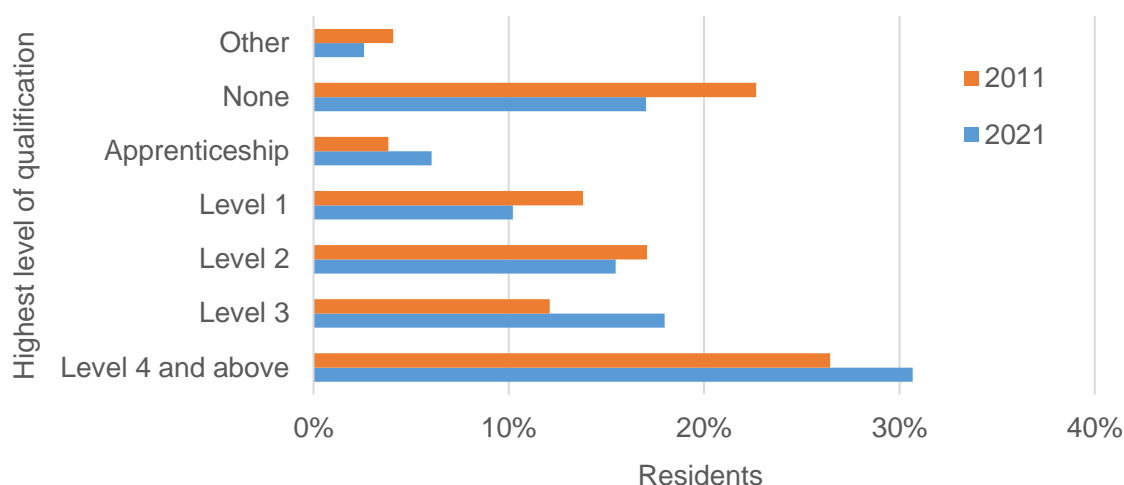


Figure 3.10: Highest level of qualification for residents of Mid Devon for 2011 and 2021, from Census data.

3.9 Access

Being a rural district, a large percentage of residents live in rural areas. This brings challenges for residents to access a variety of services, including employment opportunities. The average travel time to access key services by car in Mid Devon is 15.4 minutes (2019, Department for Transport), compared to 10.3 minutes for England. The average travel time to access key services in Mid Devon has increased from 12.8 minutes in 2014. Journey times are likely to be considerably longer when considering alternative forms of transport.

The need to be digitally connected in rural areas is also high. In 2022, 81.3% of homes in Mid Devon have superfast broadband available, ranked 17th out of 18 districts in the South West (data from Connected Nations, Ofcom).

3.10 Health

In the 2021 census, 48.9% of Mid Devon residents described their health as "very good", increasing from 47.2% in 2011. Those describing their health as "good" fell from 35.5% to 34.5%. These are age-standardised proportions.

The proportion of Mid Devon residents describing their health as "very bad" was 1.0% (similar to 2011), while those describing their health as "bad" remained at 3.4%. This data reflects people's own opinions in describing their overall health on a five point scale, from very good to very bad.

Census 2021 was conducted during the coronavirus (COVID-19) pandemic. This may have influenced how people perceived and rated their health, and therefore may have affected how people chose to respond.

Life expectancy has increased across the UK over the past 40 years, but has remained fairly stable over the past decade. Life expectancy (at birth) is higher in Mid Devon than the average for the South West and for the UK, Table 3.11. There is some evidence for a slight decline in life expectancies for 2018-20 due to COVID-19 pandemic leading to a greater number of deaths than normal in 2020.

	Female	Male
Mid Devon	84.7 years	80.8 years
South West	84.2 years	80.4 years
UK	82.9 years	79.0 years

Table 3.11: Life Expectancy at Birth, 2018-2020. Data from LG Inform.

Obesity levels are lower in children in Mid Devon than in England when measured at both reception year and in year 6. For the academic years 2019/20 and 2020/21, the obesity levels were:

- Reception year: Mid Devon (5.4%), England (9.9%)
- Year 6: Mid Devon (15.4%), England (21.6%)

Obesity levels have decreased in Mid Devon when measured at the reception year, from 7.9% (2014/15 and 2015/16) to the current figure (5.4%), despite an increasing national trend.

3.11 Marriage and Civil Partnerships

Of Mid Devon residents aged 16 years and over, 30.0% said they had never been married or in a civil partnership in 2021, up from 26.4% in 2011 (Data from the 2011 and 2021 censuses).

In 2021, 50.7% said they were married or in a registered civil partnership, compared with 53.9% in 2011. The percentage of adults in Mid Devon that had divorced or dissolved a civil partnership increased from 9.7% to 10.0%.

3.12 Equality Priorities

Mid Devon District recognises that there are five main equality priorities for the district:

1. Meeting the needs of an aging population
2. Overcoming the problems faced by vulnerable individuals caused by rural isolation
3. Overcoming the effects of multiple disadvantage in families with complex needs
4. To continue to concentrate on mental health issues within MDDC and the wider community
5. Secure decent digital connectivity for all of Mid Devon (Corporate Plan aim).

4.0 Knowing Our Customers – Equality Monitoring

Mid Devon District Council believe that it is important to know who uses our services. By comparing this with what we know about the community as a whole, we can see if there are any groups who are underrepresented, highlighting where there may be barriers to overcome.

Where customers are prepared to share information regarding equality, data is captured to inform and shape services and customer engagement based on customer needs. For example, the Housing service has been undertaking work to better understand its residents, and it holds data on 53% of tenants.

Our [Complaints and Feedback policy](#) was reviewed in October 2021. It details our commitment to encourage and accept customer feedback of all types. This will enable the identification of recurring issues and support us to learn from any mistakes. It also sets standards for all staff in recording and managing feedback received.

As part of the complaints process within the Council, complainants are asked if they believe they have been discriminated against because of protected characteristics. If yes is selected, they are asked to provide details of their reasoning for this. This process enables the Council to identify any equality issues that may contribute to the complaint or problem. The equality information collected can be used to:

- Review service delivery
- Compare our performance over time
- Assist in the development of services in line with people's needs
- Monitor the impact of any service changes

Under current legislation, we will publish relevant equality information this information includes:

- An equality profile of the district
- Workforce information

5.0 Involving the community

As part of our commitment to good consultation, the Communications and Engagement Strategy and Action Plan were reviewed and approved during 2018/19. The Council is keen to make sure that people from different equality groups take part in consultation, and will try to find the most appropriate way to consult with them according to their needs.

The communications team uses multiple channels to engage and inform our communities to ensure we reach as many people as possible, with the resources available. We acknowledge that engaging with minority groups can be difficult in Mid Devon, particularly due to the limited diversity within the district. However, the communication team will engage with groups on an issues basis and will ensure all our communications are provided in multiple formats and channels. This is through Language Line, by ensuring our website is (WCAG)2 compliant and through our multiple channels – print, online, in person, social media, sign up notification systems and through our many stakeholders.

Mid Devon District Council will:

- work with groups representing the interests of people from different equality groups to get feedback on proposed service changes particularly relevant to them
- develop and support forms of consultation that are appropriate to the communication needs of different groups within the community
- monitor and assess the consultation methods used and where necessary adapt them to meet the needs of different participants
- publish the results of these consultations and feed them back into our decision-making processes in an open and responsible way.

Customer feedback

Mid Devon District Council positively welcomes feedback. We want to ensure residents' views, whether positive or negative, are noted and their concerns are addressed. We are aware that the Council's formal feedback process may be inaccessible to those sections of the community who have difficulties in accessing services. The Council encourages helper organisations to act as advocates for a complainant if necessary.

6.0 Developing responsive services

A primary factor in making a service accessible is providing information and advice in a usable and convenient format.

We seek to ensure that all users:

- know about the relevant services they might need
- are given support where necessary e.g. with completing forms
- are confident about using and contacting a service and, if necessary, complaining about it

We will do this by:

- communicating clearly both internally and externally
- providing information in plain English
- making as many services as internet accessible as possible
- offering information in different formats on request
- providing interpretation and translation services where possible
- ensuring that buildings that are open to the public, including leisure and community facilities, can be accessed and used by all residents
- making sure that our employees are trained and supported to deliver the highest possible levels of customer service in line with this policy.

Accessibility

Mid Devon District Council will endeavour to make online services compliant with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.

Website(s) or mobile app(s) will be made accessible by making them 'perceivable, operable, understandable and robust'.

Changing services and policies

Mid Devon District Council has a responsibility to assess the likely impact on residents and employees of policies or services it is proposing to change or introduce before they are adopted. This is to make sure that any changes do not disproportionately affect any particular group, and any adverse impacts can be reduced as much as possible.

Policies, in particular, are frequently adapted or replaced to reflect changes in the legal, social and political environment. Our objective is to build equality and diversity into the policy making process and to make that process clear, open and inclusive.

The Council undertakes detailed Equality Impact Assessments on those changes most likely to impact on the wellbeing of certain individuals or groups. The impact assessment process asks how the service or policy affects the different groups in the community. Each Equality Impact Assessment includes an action plan for describing what actions can be taken to mitigate any negative impacts identified. The template includes the consideration of rurality which is identified as a specific issue in Mid Devon.

In 2023, we will undertake a review of our Equality Impact Assessment process to ensure it meets current best practice.

7.0 Developing an inclusive working environment

The Council considers equality and diversity in all aspects of employment, from advertising vacancies, recruitment and selection, terms and conditions of employment, training and personal development, to reasons for ending employment.

We will promote equality in recruitment by:

- advertising jobs as widely as possible
- providing job details and accepting job applications in alternative formats on request as appropriate to the needs of the applicant
- monitoring recruitment processes and taking action as a result of the findings
- acknowledging that recruitment and selection decisions should be based upon objective, measurable and reasonable selection criteria
- asking only for the skills and qualities actually needed to do the job
- commitment to equality in employment and in service delivery will be reinforced in staff induction programmes for new staff
- training managers on how to recruit in a non-discriminatory way, making sure that all job applicants, whether redeployment candidates, existing employees or people who do not currently work for the District Council, demonstrate that they are qualified, motivated and competent to do the job.

We will promote equality in disciplinary procedures by:

- regularly reviewing our disciplinary and grievance procedures to ensure an appropriate mechanism is in place to deal with bullying and harassment at work.

We will promote equality in pay and conditions by:

- using a pay structure that makes sure employees are treated fairly and equitably.

We publish information on our website about our pay policy and gender pay gap.

We will promote equality in training and development by:

- providing training programmes for staff to raise awareness of equality issues and assist them in applying equality principles to their role within the Council
- recognising and supporting the potential of all employees by offering opportunities for training and personal development
- monitoring employee development to make sure that training and development opportunities continue to be open to all employees.

8.0 Ensuring equality in procurement and commissioning

Mid Devon District Council is a major purchaser of services. Every year we spend over £5 million with businesses so that we can deliver our services. We recognise that our spending power gives us the chance to influence how others work and to promote equality. We will:

- require any company or business that wishes to be one of our contractors or suppliers to demonstrate appropriate consideration in their policies on equality in relation to employment and service delivery
- seek to encourage any company, business or individual wishing to provide goods or services to Mid Devon District Council, to contribute to our policy by implementing fair practices in employment and training
- review our own policies and practices and where necessary make changes to them to ensure they do not discriminate or place unfair requirements on small businesses from Mid Devon
- cease issuing contracts to, purchasing from or commissioning any contractor, business or organisation, where we believe they fail to comply with our values in relation to equality and diversity
- follow good practice by having a procurement strategy that gives a clear commitment to equality of opportunity and to tackling discrimination and disadvantage.

9.0 Promoting equality through working with others

The Council recognises that it cannot meet its equality responsibilities without working closely with other public bodies, community groups and individuals. Mid Devon District Council will:

- use our standing in the area to help shape public opinion to promote understanding between different sections of the community
- work with other public, private, voluntary and community groups in Mid Devon to ensure that equality and diversity policies and plans similar to our own are adopted and implemented more widely
- share information, experience and examples of good practice on equality through links with other public, private, voluntary and community organisations in the region
- promote equality and diversity within partnership working and in our dealings with the media
- involve people from different equality groups in influencing our work and progress on equality
- learn from the equality and diversity policies and plans of other local authorities and organisations.

10.0 Meeting the needs of specific equality groups

The Council is aware that certain groups within society are particularly vulnerable to discrimination because of a particular protected characteristic (e.g. age, disability, gender, etc.). In order to

eliminate discrimination and promote equality we recognise the need to work with representatives who can advocate on behalf of particular equality groups in order to develop services that meet their specific requirements. We also recognise that people are individuals, and that although they may be included within a particular equality group they also have individual needs that may differ from the rest of the group. We are committed to dealing with every resident as an individual with their own particular needs.

11.0 Monitoring

Monitoring Impact and Acting on Results

Mid Devon District Council recognises that monitoring is an important way of assessing the effects of policies in practice and is a vital part of any strategy to promote equality.

Monitoring will help us check whether our policies, operations and organisational culture are discriminating against some groups and individuals. This will help us find out why and how discrimination takes place. Where we see that any of our policies or procedures have a negative impact we will investigate the reasons for this and revise them accordingly.

Publishing Results

If Mid Devon District Council is to be successful and keep public confidence, we need not only to promote equality but also to be seen to be doing so. The Council will therefore publish the results of its monitoring, assessment and consultation activities. This includes our Equalities Impact Assessments, an annual report on the Single Equality Scheme, and our pay policy and data on the gender pay gap.

12.0 Concerns

If there are any concerns about any matter regarding equality of opportunity or discrimination is suspected, you are referred to the following related policies:

Whistleblowing Policy
Dignity at Work and
Grievance Policy

Equality Objective	Progress in 2022/23
Meeting the needs of an aging population	<p>The Mid Devon Meeting Housing Needs Supplementary Planning Document (SPD) was approved at Cabinet in March 2023 for public consultation. This planning document highlights the growing need for housing for older persons and people with disabilities. It includes sections on accessible and adaptable homes, wheelchair accommodation, and bungalow provision.</p> <p>Where a tenant or household member has a disability or a long term illness, the council may provide equipment or adaptations to their home to enable them to remain living in that property. The council will provide minor adaptations for works under £250 where the tenant feels that they may help them or their household member to live more independently.</p> <p>The council requires a referral from the Occupational Therapist for adaptations costing between £250- £1,000. Examples of adaptations include: ramps, safety glass or minor internal alterations to the kitchen or bathroom. The council will provide major adaptations to help eligible tenants and household members to live independently. A referral from an Occupational Therapist will be required before carrying out any works.</p> <p>Major adaptations can involve extensive structural alterations and will normally cost more than £1,000. Examples of major adaptations include: property access (ramps, drop kerbs) widening doorways, level access showers, change of heating or lighting controls, stair lifts or changes to the configuration of the bathroom or kitchen and extensions to the property.</p> <p>Mid Devon Housing started running a 'Winter Warmth Club' in 2022/23. This is predominantly attended by older people. Due to the value in offering tenants a meeting place, the Tenant Involvement team are looking into widening the offer and perhaps expanding to Cullompton and Crediton too.</p>
Overcoming the problems faced by vulnerable individuals caused by rural isolation	<p>At the Community PDG meeting (7th June 2022), Members agreed that it would be of interest to them to look into effective community integration and engagement focusing on topical experiences of refugee or asylum seekers in moving to the district given international conflicts. The members also agreed to broaden the scope of the project to include new residents in new housing estates.</p> <p>In 2022, the Council agreed to identify a Member Champion for Equalities and Accessibility. This remit has now been widened out to Equality, Diversity and Inclusion, and following engagement with the Local Government Association a role description has been drafted and it is recommended that this responsibility is part of a cabinet position. The Member Champion will be identified after the May 2023 elections. Working with other councillors, they will help to provide a more local level insight on rural isolation and vulnerable individuals</p> <p>Neighbourhood Officers signpost and refer Mid Devon Housing tenants where appropriate so tenants know where to go to receive the help they may require.</p>

Equality Objective	Progress in 2022/23
<p>Overcoming the effects of multiple disadvantage in families with complex needs.</p>	<p>Since October 2021, the council has appointed a Customer Engagement Coordinator who works to support tenants' involvement.</p> <p>In 2022, Mid Devon Housing adopted a revised Tenant Involvement and Empowerment Standard Policy. The aim of this policy is to ensure that our tenants live good quality lives in a place where people come together and contribute as one community, where people value decency and dignity and where neighbourhoods are clean, safe and well maintained.</p> <p>The Homes PDG received an update in September 2022 on the Homes for Ukraine Scheme. Members were informed that the family scheme was proving to be challenging but a lot was being done to provide support and signpost to helpful agencies. Consideration was also given to the complexities in having to support individuals and families experiencing trauma</p> <p>Becoming a Trauma Informed Council will ensure that MDDC services accommodate the needs of service users, including those facing multiple disadvantage. This proposal was taken to Cabinet in September 2022, paper entitled 'Mid Devon as a Trauma Informed Council'. Members of the Cabinet resolved to recommend to Full Council that the degree of investment the Council would be required to make towards becoming Trauma Informed as set out in the report and that a stepped approach be adopted. On 26th October 2022, Full Council voted for the motion to be carried.</p> <p>Neighbourhood Officers work with vulnerable tenants on a daily basis and signpost to further support as necessary.</p> <p>A new Customer Relationship Manager (CRM) System is being implemented at MDDC. This will aim to provide a more complete record of our residents and customers so that we can provide even better levels of support. The new CRM system will make it easier for residents and customers to access council services. Work on the implementation of the new CRM started in January 2023.</p>
<p>To continue to concentrate on mental health issues within MDDC and the wider community.</p>	<p>Regular articles have been posted in the council staff newsletter (The Link) regarding wellbeing and mental health. Examples from 2022/23 include:</p> <ul style="list-style-type: none"> • Signposting to wellbeing support from an organisation called 'Wellbeing Works' • Signposting to the Mental Health Foundation website regarding help and advice on how to cope with loneliness and improve mental health • Details of Mental Health First Aiders with a link to the SharePoint page published in the Link (4th July 2022) • Information relating to specific things relating to mental health – for example, information and signposting to Mind for further support relating to Seasonal Affective Disorder (SAD) • Tips and advice on how to look after your mental wellbeing during winter months while working from home • Information about 'Brew Monday' by the Samaritans – encouraging people to look at 'Blue Monday' in a new way and to reach out to someone for a cuppa and catch-up on any day, not just this one.

Equality Objective	Progress in 2022/23
	<p>MDDC currently has 10 officers trained as Mental Health first aiders. Their details are available on the intranet and noticeboards so that staff are able to contact them.</p> <p>A number of officers have been trained as workplace coaches to support colleagues with personal or work related concerns. There are currently eight workplace coaches, details of whom are available on the Learning and Development SharePoint page.</p> <p>Details of organisations who can support mental health are available on the council's website. Details of community support across the district are available on our website and there is a community support helpline.</p> <p>In view of the pandemic, Devon County Council were able to offer a Covid-19 Counselling Service specifically for our BAME communities and details are available on our website.</p> <p>The council's Reasonable Adjustment policy includes mental health impairments (this includes mental health issues). Examples of adjustments that can be made under this policy are – time off for counselling, extra breaks to help cope with fatigue (which can be a symptom of mental illness), additional supervision or mentoring, and allowing an employee to work in a private room instead of being in an open plan office (could be good for those who suffer with anxiety,etc.).</p> <p>The council can flag the account of someone who may be struggling to pay their council tax due to mental health issues so that officers are aware and can treat the individual accordingly.</p> <p>In 2022/23 Mid Devon Leisure Centres ran a pilot offering free leisure access to unpaid adult carers, parent carers and young carers. The scheme ran at all three MDDC leisure centres (Culm Valley, Exe Valley and Lords Meadow. Unpaid carers had access to all activities, excluding swimming lessons, and in order to access this scheme, all they had to do was show identification that they are an unpaid carer (a 'Carers Passport'). The purpose of this scheme is to enable unpaid carers to exercise freely and boost their own physical and mental wellbeing.</p>
Secure decent digital connectivity for all of Mid Devon (Corporate Plan aim).	<p>Airband is doing work in rural areas regarding digital connectivity and updates are provided regularly by Devon County Council through press releases, e.g. Airband rolls out full fibre broadband to another 1,700 homes and businesses.</p> <p>Orion was appointed in 2021 to look into a free-to-use Wi-Fi network for Tiverton and Cullompton town centres and have been progressing with establishing the necessary infrastructure. The Council is due to receive an update very soon.</p> <p>Within the council, a working group has been established to support the transition to hybrid working and hot-desking. In 2022/23, the first hot-desking areas have been established enabling staff to work in a more agile manner.</p>

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MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

June 2023

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)
Schedule of Meetings 2023 - 2024 To consider the Schedule of Meetings for 2023/24	Cabinet Council	7 Feb 2023 26 Apr 2023	District Solicitor and Monitoring Officer	Cabinet Member for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
Cullompton Town Centre Masterplan and Delivery Plan SPD To consider the masterplan	Cabinet Council	7 Feb 2023 26 Apr 2023	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open
East Cullompton (Culm Garden Village) Masterplan SPD	Cabinet Council	7 Feb 2023 26 Apr 2023	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Graeme Barnell)	Open

Agenda Item 13.

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)
Pay Policy To consider the Pay Policy	Cabinet Council	7 Feb 2023 26 Apr 2023	Matthew Page, Corporate Manager for People, Governance and Waste	Leader of the Council (Councillor Barry Warren)	Open
Policy Framework To consider the Policy Framework	Cabinet Council	7 Feb 2023 26 Apr 2023	Stephen Walford, Chief Executive Tel: 01884 234201	Leader of the Council (Councillor Barry Warren)	Open
Establishment To receive the annual review of the Establishment	Cabinet Scrutiny Committee Council	7 Feb 2023 20 Feb 2023 26 Apr 2023	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for the Working Environment and Support Services (Councillor Nikki Woollatt)	Open
2023/24 Budget	Cabinet Council	7 Mar 2023 8 Mar 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Barry Warren)	Open
Car Parking	Economy Policy Development Group Cabinet	16 Mar 2023 4 Apr 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Barry Warren)	

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)
Air Quality SPD	Cabinet	4 Apr 2023	Tristan Peat, Forward Planning Team Leader		Open
Communication and Engagement Strategy Outlines interactions with customers and how communities will be informed and engaged.	Community Policy Development Group Cabinet	28 Mar 2023 4 Apr 2023	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	
Regulation of Investigatory Powers To receive the Annual Review of the Regulation of Investigatory Powers	Community Policy Development Group Cabinet	28 Mar 2023 4 Apr 2023	Maria De Leburne, District Solicitor and Monitoring Officer	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
Single Equalities Policy and Equality Objectives To receive the annual review of the Single Equalities Policy and Equality Objectives	Community Policy Development Group Cabinet	28 Mar 2023 4 Apr 2023	Corporate Manager for People, Governance and Waste	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	

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)
Makeup of the senior officer structure in light of posts held vacant To consider a report from the Chief Executive on the makeup of the senior officer structure in light of posts held vacant	Cabinet	6 Jun 2023	Stephen Walford, Chief Executive Tel: 01884 234201		Open