

# Public Document Pack

## Mid Devon District Council

### Scrutiny Committee

**Monday, 17 October 2022 at 2.15 pm**  
**Phoenix Chambers, Phoenix House, Tiverton**

**Next ordinary meeting**  
**Monday, 14 November 2022 at 2.15 pm**

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.

Join Zoom Meeting

<https://us06web.zoom.us/j/81585417492?pwd=cGoxbEl0RE5SV3pzekRLbE5DanF6Zz09>

Meeting ID: 815 8541 7492

Passcode: 792589

One tap mobile

08000315717,,81585417492#,,, \*792589# United Kingdom Toll-free

08002605801,,81585417492#,,, \*792589# United Kingdom Toll-free

Dial by your location

0 800 031 5717 United Kingdom Toll-free

0 800 260 5801 United Kingdom Toll-free

0 800 358 2817 United Kingdom Toll-free Meeting ID: 815 8541 7492

Passcode: 792589

## Membership

Cllr S J Clist

Cllr G Barnell

Cllr E J Berry

Cllr L J Cruwys

Cllr Mrs S Griggs

Cllr P J Heal

Cllr F W Letch

Cllr Mrs E J Lloyd

Cllr S Pugh

Cllr R F Radford

Cllr Mrs E J Slade

Cllr A Wilce

# AGENDA

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

- 1      **APOLOGIES AND SUBSTITUTE MEMBERS**  
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2      **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**  
To record any interests on agenda matters.
- 3      **PUBLIC QUESTION TIME**  
To receive any questions relating to items on the agenda from members of the public and replies thereto.  
  
Note: A maximum of 30 minutes is allowed for this item.
- 4      **MINUTES** (*Pages 5 - 18*)  
To consider whether to approve the minutes as a correct record of the meetings held on 25<sup>th</sup> July 2022 and 21<sup>st</sup> September 2022
- 5      **DECISIONS OF THE CABINET**  
To consider any decisions made by the Cabinet at its last meeting that have been called-in.
- 6      **CHAIRMAN'S ANNOUNCEMENTS**  
To receive any announcements that the Chairman of Scrutiny Committee may wish to make.
- 7      **ANNUAL REPORT OF COMPLAINTS AND COMPLIMENTS** (*Pages 19 - 32*)  
Annual Report of Complaints and Compliments
- 8      **S106 AGREEMENTS** (*Pages 33 - 38*)  
To receive an initial report from officers explaining the processes for formulating S106 agreements in applications for major developments especially those set out in the adopted Local Plan and the Housing Infrastructure Fund agreement, together with the amounts of money involved and the deployment of this money.
- 9      **DOES LOCAL GOVERNMENT WORK FOR WOMEN - UPDATE** (*Pages 39 - 42*)  
Update on 'Does Local Government Work for Women' Spotlight Review recommendations
- 10     **WORK PROGRAMME** (*Pages 43 - 58*)  
To review the existing Work Plan and consider items for the committee's future consideration, taking account of:

- (a) Any items within the Forward Plan for discussion at the next meeting;
- (b) The update from the Policy Research Officer on existing projects and forthcoming matters;
- (c) Suggestions of other work for the committee in 2022/23.

**Stephen Walford**  
Chief Executive  
Friday, 7 October 2022

### Meeting Information

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

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

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Carole Oliphant on:

Tel: 01884 234209

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

Public Wi-Fi is available in all meeting rooms.

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 25 July 2022 at 2.15 pm

### **Present**

#### **Councillors**

S J Clist (Chairman)  
G Barnell, E J Berry, L J Cruwys,  
Mrs S Griggs, F W Letch, Mrs E J Lloyd,  
S Pugh, R F Radford, Mrs E J Slade and  
A Wilce

### **Also Present**

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

J Buczkowski, R M Deed, R Evans and B G J Warren

### **Also Present**

#### **Officer(s):**

Jill May (Director of Business Improvement and Operations), Maria De Leburne (Operations Manager for Legal and Monitoring), Paul Deal (Corporate Manager for Finance), Dean Emery (Corporate Manager for Revenues, Benefits and Recovery), Lisa Lewis (Corporate Manager for Business Transformation and Customer Engagement), Matthew Page (Corporate Manager for People, Governance and Waste), Clare Robathan (Policy and Research Officer) and Carole Oliphant (Member Services Officer)

## **12 APOLOGIES AND SUBSTITUTE (0.03.55)**

There were no apologies or substitute Members.

## **13 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0.04.09)**

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

## **14 PUBLIC QUESTION TIME (0.04.18)**

There were no questions from members of the public present.

## **15 MINUTES OF THE PREVIOUS MEETING (0.04.27)**

A proposal to amend the wording of the minute of item 10 - Corporate Plan Mid Point Review of the minutes for 30<sup>th</sup> May 2022 was not supported.

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

A proposal to amend the wording of the minute of item 11 Work Plan (a) Forward Plan of the minutes 30<sup>th</sup> May 2022 was not supported.

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

Therefore:

The minutes of the last meeting held on 30<sup>th</sup> May were approved as a correct record and **SIGNED** by the Chairman.

(Proposed by the Chairman)

Notes:

- i. Cllrs G Barnell and A Wilce requested that their votes against the decision be recorded
- ii. Cllrs L J Cruwys, F W Letch and Mrs E J Lloyd requested that their abstention from voting be recorded

**16 DECISIONS OF THE CABINET (0.19.52)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 12<sup>th</sup> July 2022 had been called in.

**17 CHAIRMAN'S ANNOUNCEMENTS (0.20.05)**

The Chairman reminded the Committee of the next scheduled meeting on 22<sup>nd</sup> August 2022.

**18 WHISTLEBLOWING 6 MONTH UPDATE (0.20.27)**

The Committee **NOTED** that there had been no whistleblowing instances in the previous 6 months.

**19 LEADERS ANNUAL REPORT (0.21.23)**

The Committee had before it, and **NOTED**, the Leaders Annual Report for 2021-2022.

The Leader informed the Committee that he had not received any advance questions and that an updated report would be presented to the next Audit Committee.

Consideration was given to:

- There was currently no data available to confirm how many failures of the Homes for Ukraine's scheme had occurred in Mid Devon
- The Government had allowed Ukrainian refugees to move schemes if a breakdown in families occurred which enabled them to stay in the UK
- If any Ukrainian refugees became homeless in Mid Devon due to break down of relationships with their hosts that the Council had a statutory requirement to rehome them and officers remained committed to helping refugees
- Members request that data on affordable housing be updated and included in future reports
- Members gratitude to the Revenue and Benefits Service for the high collection rates of Business Rates and Council Tax

Note: \*report previously circulated and attached to the minutes

## 20 **PARTICIPATORY BUDGETING (0.35.49)**

The Committee had before it the Terms of Reference for a spotlight review into Participatory Budgeting.

Cllr Mrs E J Lloyd introduced the proposal and explained the review would look at how the Council could bring communities into the budget setting process.

The Corporate Manager for Finance explained that the review would need to be limited to smaller projects as the majority of the Council's budget was spent on mandatory services. He explained that some smaller projects were already open to public participation through the S106 Contributions process.

The Leader stated that the Members set the budget, not officers and that anything which brought the public into the process would be welcomed.

The Scrutiny Committee **AGREED** to the Terms of Reference for a spotlight review into Participatory Budgeting.

(Proposed by Cllr Mrs E J Lloyd and seconded by Cllr G Barnell)

It was therefore **AGREED** that the following Members of the Scrutiny Committee take part in the Spotlight Review:

- Cllrs Mrs E J Lloyd and S J Clist
- The Cabinet Member for Finance would also be invited to take part in the review

Note: \*Terms of Reference previously circulated and attached to the minutes

## 21 **WORK PROGRAMME**

The Committee reviewed the current \*Forward Plan and \*Scrutiny Work Plan and **NOTED** the following items:

- Forward Plan – no items were identified for pre Scrutiny
- An update from the Policy Research Officer who stated she would chase East Devon District Council for a commitment into a joint project to look into the Bio Energy Industry and would also extend an invitation to Somerset West and Taunton Council.
- There had been some suggestions for work highlighted at the informal meeting on 11<sup>th</sup> July 2022 which had been added to the Work Plan for the remainder of 2022-2023
- Members requested the voids report being prepared by the Cabinet Member for Housing and Property Services and the Cabinet Member for Continuous Improvement be presented to the Scrutiny Committee
- Members requested that a report on the Councils involvement in the Homes for Ukraine scheme be presented to the Scrutiny Committee

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

(The meeting ended at 3.22 pm)

**CHAIRMAN**



## **MID DEVON DISTRICT COUNCIL**

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 21 September 2022 at 2.15 pm

### **Present**

#### **Councillors**

S J Clist (Chairman)  
G Barnell, J Buczkowski, L J Cruwys,  
S Pugh, R F Radford, Mrs E J Slade and  
A Wilce

### **Apologies**

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

E J Berry, Mrs S Griggs and F W Letch

### **Also Present**

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

Mrs E J Lloyd, Mrs C P Daw, R M Deed, C J Eginton,  
B A Moore, B G J Warren and Mrs N Woollatt

### **Also Present**

#### **Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Richard Marsh (Director of Place), Jill May (Director of Business Improvement and Operations), Paul Deal (Corporate Manager for Finance), Matthew Page (Corporate Manager for People, Governance and Waste), James Hamblin (HR Business Partner), Fiona Keyes (Operations Manager for Revenues Benefits & Recovery), Carole Oliphant (Member Services Officer) and Jessica Rowe (Member Services Apprentice)

## **22 APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllrs Mrs S Griggs, E J Berry and F W Letch who was substituted by Cllr J Buczkowski.

Cllr Mrs E J Lloyd attended via ZOOM.

## **23 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0.03.18)**

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

## **24 PUBLIC QUESTION TIME (0.03.38)**

Mr Quinn, a local resident stated:

Regarding Agenda Item 6 – Decision of the Cabinet: 3 Rivers Funding

1. The wording of the Cabinet Decision does not make it clear where the funds for the increased loans, of £2.28M, will come from.

Question 1: Will the increased loans be funded by a reallocation within the agreed budget funding of £19.66M for 2022/23 - or an addition to that sum?

2. The level of public interest in 3 Rivers, and this decision, is high. Based on the published report, the public asked Cabinet some very pertinent questions about this funding request.

Question 2: Why have Scrutiny Committee only been provided with a Minute extract which contains the answers given to most of the Public Questions - but does not contain any of the Questions they asked?

3. Public questions were asked about the lack of Audit and Scrutiny input to this loan request and Risk. The only statement regarding risk was given verbally, at Cabinet, by Cllr Moore - who said: "Were Cabinet not to approve these loans, to cease funding the projects prior to completion, there would be a sudden and significant threat to the Council's investment".

Given the gravity of that statement, the lack of any mention of risk in the published report suggests that risks are not being properly acknowledged.

Question 3: Will Scrutiny please include, in any recommendation to Cabinet, a request for a proper consideration of risk before any re-appraisal of this funding decision is undertaken?

4. In the Cabinet Minute extract before you, Cllr Moore states that 3 Rivers' projected spend for 2022/23, including the extra loans, would be considerably less than the total figure budgeted by Council. You should note that Cllr Moore's figures were only "projected" and were only given verbally - his words are unsupported by any published information.

Cllr Moore also forgot to mention that the Council approved this budget total, on the basis of an agreed Business Plan for 6 development projects – some of which are now not being undertaken - and that this funding request covers more than 10% of that approved total.

Question 4: Will Scrutiny Committee please consider, in their deliberations, whether sufficient, reliable, information has been put forward to justify this significant Cabinet key decision?

Mr Elstone, a local resident stated:

#### QUESTION 1

Do the majority of this Scrutiny Committee agree with business focused members of the General Public?

That MDDC are becoming INCREASINGLY and UNACCEPTABLY exposed to a risk of 3 Rivers SUBSTANTIAL BAD DEBT  
Especially CONCERNING in these AUSTERE TIMES.

#### QUESTION 2

Why are MDDC Cabinet so easily prepared to lend a further near three million pounds to 3 Rivers and without an updated business plan in place?

Especially as it is understood that the revised Business Plan is due for release in October.

Additionally, without the results of the 3 Rivers Internal Audit being made available.

This with internal auditors being engaged on or before May 2022.

#### QUESTION 3

Can the Scrutiny Committee Members understand why members of the General Public find it totally unacceptable even outrageous that 3 Rivers supported by the MDDC Cabinet are wanting to borrow substantial additional funds due to the St Georges Court project overspend?

This given the extra funds to be in part used to pay for the construction of a parking court that has been completed yet does not have planning permission.

Additional funds that are it seems will be very likely to be added to the already seven hundred- and ninety-thousand-pound St Georges Court impairment amount.

#### QUESTION 4

Given the urgency in MDDC calling a special Cabinet Meeting tomorrow to discuss the out- come of this Scrutiny Committee Meeting with regards to 3 Rivers funding advance.

Can this Scrutiny Committee understand why members of the General Public now consider that 3 Rivers is a company in serious FINANCIAL DISTRESS and may even be trading INSOLVENTLY?

#### QUESTION 5

Will this Scrutiny Committee be minded to refer the 3 Rivers Funding request to a Special Full Council Meeting and as the MDDC Constitution, paragraph (i) of page 130 permits ?

This given the increasing concerns about the MDDC Cabinets apparent lack of proper due diligence in determining the full risk to lending a further substantial amount of funds to 3 Rivers and for the reasons given.

#### QUESTION 6

Do the majority of this Scrutiny Committee agree that 3 Rivers are causing MDDC significant reputational damage?

Reputational damage that the MDDC and 3 Rivers Shareholder Agreement said should not be allowed to happen.

Hannah Kearns, a local resident provided the following questions which were read out by the Chairman:

#### QUESTION 1

Given key purposes of the Scrutiny Committee are to “ensure the public are consulted where changes are proposed” and to “encourage public involvement by providing accessible information”.

CAN and WILL the Scrutiny Committee do anything to address the serious lack of OPENESS and TRANSPARENCY, including by way of incomplete or evasive answers to PUBLIC QUESTIONS or by way of no answers at all, in respect of MDDC’s business dealings with 3 Rivers?

This lack of transparency appears to have worsened over the last 2 years in line with MDDC's increasing exposure to very substantial, and potentially bad debt.

#### QUESTION 2

Is it appropriate that MDDC conceals just about anything of significance from the public in its dealings with 3 Rivers. MDDC appearing to hide behind 3 Rivers being a so-called "Arm's Length Company"? An assertion that is clearly at odds with the fact that MDDC is both the 100% shareholder of 3 Rivers, and by far and away its major, if not sole, creditor. (Currently £15 million pounds of credit extended and due to rise to £18 million if 3 Rivers latest funding request is fully agreed.)

#### QUESTION 3

Are the Committee Members aware that Croydon Council's Local Housing Company, Brick by Brick Limited, a 3 Rivers equivalent, was one of the main contributors to Croydon Council requiring a Section 114 notice and Government intervention, upon being brought to the verge of bankruptcy with Brick by Brick owing over £200 million to them?

Brick by Brick incurred gross project overspends and project delays, and operated with a lack of openness and transparency in not declaring the full extent of issues or taking recommendations fully on board.

Croydon Councils' Auditors – Grant Thornton – (the same auditors as retained by MDDC) stated that there was "Collective corporate blindness to both the seriousness of the financial position and the urgency with which actions needed to be taken".

Are the Committee aware that from the perspective of the general public, MDDC seem to be walking the same path?

#### QUESTION 4

Are Scrutiny Committee Members aware that several councils have wound up their Local Housing Companies, after various issues and concerns; amongst them Liverpool, Merton (Wimbledon), and East Devon?

The Chairman stated that all the questioners would receive a written response.

## 25 MINUTES OF THE PREVIOUS MEETING

The minutes of the last meeting were not approved and it was **RESOLVED** that:

The minutes of the meeting held on 25<sup>th</sup> July 2022 shall be amended at item 15 to include the exact form of the motion proposed and seconded as required by the Mid Devon constitution 20.2.

(Proposed by Cllr G Barnell and seconded by Cllr L J Cruwys)

It was **AGREED** that the minutes would be amended and be brought back to the next meeting for approval.

## 26 CHAIRMAN'S ANNOUNCEMENTS (0.20.59)

The Chairman asked for Members involvement in an up and coming Participatory Budgeting spotlight review.

## 27 DECISIONS OF THE CABINET (0.21.59)

Call in – 3RDL Funding Request – By Cllr S J Clist - Chairman

At the Cabinet on 6 September 2022, Members considered the funding request that has been received from 3 Rivers Development Ltd.

Following discussion with various Officers, including a detailed conversation with the Monitoring Officer on Thursday 8 September, I am requesting that this item is called into the next Scrutiny meeting. I believe the Cabinet did not take the decision in accordance with the principles set out in Article 15 (Decision Making).

Reason for call in:

Principles of Decision Making –

- Consideration of alternative options. The report presented to Cabinet did not set out alternative options or the option not to proceed. Cabinet did not therefore consider all options or viable alternatives.
- The report presented to Cabinet did not fully consider the risks involved. There was no detailed analysis of financial risk or otherwise. The report was not presented to Scrutiny or Audit in advance of the decision.
- I am therefore asking that Cabinet reconsider the decision, taking into account alternative options and a full risk analysis.

Advice from the Interim Monitoring Officer:

I have received a request for Call-In from Cllr Simon Clist as Chairman of Scrutiny Committee, thus meeting the threshold in rule 19(f) of the Scrutiny Committee etc. Procedure Rules.

The overarching rules of call-in must still be observed, namely:

1. Call-in by Scrutiny should only be used in exceptional circumstances. These are where members of Scrutiny Committee have evidence which suggests that the Cabinet did not take the decision in accordance with the principles set out in Article 15 (Decision-making) (rule 19 preamble);
2. Members who wish to call-in a decision are required to seek guidance from the Monitoring Officer on the veracity of their stated grounds for the call-in and demonstrate that they have been mindful of the advice they have received when deciding whether or not to proceed (rule 19 (f)); and
3. When the relevant Cabinet minutes are put before the Scrutiny Committee, together with the advice from the Monitoring Officer on the grounds for the call-in, the councillors who called in the decision shall have the right to attend and speak (rule 19 (h)).

The principles of decision of decision-making – Article 15

Article 15.2 provides that all decisions of the Council will be made in accordance with the following principles:

- (a) Proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) Due consultation and the taking of professional advice from officers;
- (c) Respect for human rights;
- (d) A presumption in favour of openness;
- (e) Clarity of aims and desired outcomes;
- (f) Consideration of any alternative options; and
- (g) The giving of reasons for the decision and the proper recording of those reasons

#### Call-In – 3 Rivers Developments Limited – Funding Request:

The above rules and principles apply. In this instance, from the reasons advanced, I can see that the first and primary reason put forward is that alternative options should have been considered (Article 15.2 (f)) i.e. the alternative option of not proceeding with the recommendation or viable alternatives. That is a principle of decision-making. As to whether the concern about alternative options for funding is an exceptional circumstance, I will leave that to the Committee. I would confirm that there is sufficient reason in accordance with the constitution for this decision to be called in.

There are other areas of concerns raised in the call-in that I will leave to be discussed by the Scrutiny Committee.

Discussion took place and consideration was given to:

- That the papers had been published within the 5 day requirement and the supplement papers had been published as a matter of urgency.

At this point the Committee wanted to discuss specific matters concerning the exempt information provided to the Cabinet and it was agreed that the matters would be discussed in closed session and therefore:

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

(Proposed by the Chairman)

Note: Cllr A Wilce requested that his vote against the decision be recorded.

Returning to open session the following was considered:

- A reminder of the decision made by the Cabinet
- The risks that were considered as part of the decision
- Alternative options considerations made by the Cabinet
- The lending funding levels
- That the Cabinet, with input from the Scrutiny and Audit Committees had previously agreed to 33 recommendations to ensure that tight governance was in place with the Council's dealings with 3 Rivers Developments Ltd

It was therefore **RESOLVED** that: The Scrutiny Committee were of the opinion that the updates contained in the Cabinet papers of 6th September were of such significance that the Committee believed that they constituted a new business plan rather than a simple update and therefore the Committee recommended that Cabinet, before reaching a decision on further borrowing, ensured that the agreed due diligence and governance steps were carried out, namely that the business plan was reviewed by the Audit Committee and that they were given the opportunity to comment on any risks and mitigations and that the opinion of the Audit Committee would be taken into account when making any further lending decisions.

(Proposed by Cllr J Buczkowski and seconded by Cllr L J Cruwys)

Note:

- A proposal that the decision by the Cabinet was accepted was not supported (Proposed by Cllr R F Radford and seconded by Cllr Mrs E J Slade)
- Cllr S J Clist requested that his abstention from voting be recorded.

## 28 **ESTABLISHMENT 6 MONTH UPDATE (2.04.59)**

The Committee had before it, and **NOTED**, a \*report from the Corporate Manager for People, Governance and Waste providing the 6 month Establishment update.

The Officer outlined the contents of the report and stated the increased lost days due to sickness, turnover and the increased vacancies.

Consideration was given to:

- The amount of vacancies nationally and the shortage of key workers
- A pay offer was being negotiated
- Staff engagement and development
- Skills analysis
- Whether the recruitment process could be improved
- The apprenticeship scheme was a credit to the council
- There were regular meetings with South West Councils to share best practice

Note: \*report previously circulated and attached to the minutes

## 29 **COLLECTION OF DEBT**

The Committee had before it, and **NOTED**, a \*Collection of Debt report from the Corporate Manager for Revenues, Benefits, Corporate Recovery, Planning (DM) and Corporate Fraud.

The Principal Officer for Revenues and Benefits outlined the contents of the report and stated that the collection of debt was governed by statute.

She explained that the Council was in the upper quartile of neighbouring districts and that every effort was made to contact customers before any enforcement action was taken.

Consideration was given to:



- Vulnerable customers were referred to welfare officers
- There was a balance in supporting customers and collecting the Council's debt.

It was agreed the Cllr G Barnell would liaise with officers to investigate the service and explore options that he would bring an update report back to Committee for consideration.

Note: \*report previously circulated and attached to the minutes

### 30 **PLANNING CONSULTANTS (2.32.41)**

The Committee had before it, and **NOTED**, a \*report from the Director of Place regarding Planning Consultants.

The Officer explained that the report had been prepared at the request of the Committee and that generally the Council employed consultants to carry out the best possible work.

He explained that there was an absolute shortage of skilled staff and that although the Council had joint working with Building Control, this hadn't alleviated the staff shortage issue.

He further explained that the Council would continue to grow talent through apprenticeship schemes and upskilling local residents.

Note: \*report previously circulated and attached to the minutes

### 31 **PLANNING ENFORCEMENT WORKING GROUP RECOMMENDATIONS - UPDATE (2.46.42)**

The Committee had before it and **NOTED**, the \*Planning Enforcement Officer Review of Recommendations report.

The Director of Place introduced the report and stated that it was a positive situation and that the team were working well. He agreed to bring a further update to Committee in 3 months time.

Note: \*report previously circulated and attached to the minutes

### 32 **EXAMINE THE SERVICE BEING PROVIDED BY THE LEGAL DEPARTMENT (2.50.46)**

The Chairman advised the Committee that he had deferred the item and that if Members wished to have an item added to the agenda that he expected a written report to be provided which outlined the matters to be discussed and a background of the item.

### 33 **WORK PROGRAMME (2.53.28)**



The Committee had before it, and **NOTED** the \*Forward Plan and the \*Scrutiny Work Plan.

The Scrutiny Officer gave the following updates:

- Bio-energy industry: The Chairman has requested that the Policy/Research Officer explore the option to visit an anaerobic digester plant. Further details will be sent by email.
- Spotlight Review on Participatory Budgeting: an all member email has been sent out to ask for other members to join the review group.

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

(The meeting ended at 5.13 pm)

**CHAIRMAN**

This page is intentionally left blank

SCRUTINY  
17<sup>TH</sup> OCTOBER 2022

## ANNUAL REPORT ON COMPLIMENTS, COMMENTS AND COMPLAINTS

**Cabinet Member(s):** Cllr C Daw  
**Responsible Officer:** Lisa Lewis, Corporate Manager for Business Transformation and Community Engagement

**Reason for Report:** Annual report on compliments, comments and complaints received as part of our 2 plus million contacts with customers in 2021/22.

**Recommendation:** to note the record of compliments, comments and complaints

**Financial Implications:** None

**Budget and Policy Framework:**  
*Approved by Finance:* No

**Legal Implications:** None

**Risk Assessment:** *Accurate recording and monitoring of complaints is good practice and ensures openness and accountability to all customers.*

**Equality Impact Assessment:** Compliments, comments and complaints are received by a variety of means which ensures that there is equality of opportunity for all customers. In addition, where there is a need Customer Services staff will always assist in the recording of these communications and complaints. There is also an interpretation service available.

**Relationship to Corporate Plan:** To ensure that the Council provides access to services for customers in whatever way they choose to transact with us. Ensuring extended access via digital means and improving the way that we hold information and deliver our services to customers, placing them at the centre of what we do.

**Impact on Climate Change:** None

### 1.0 Introduction/Background

- 1.1 The Council receives contact from customers in a variety of ways for all services. The table below shows the overall number of contacts for each method for the last 12 months covering September 2021 until August 2022

Contact Method	01 September 2020 – 31 August 2021	01 September 2021 – 31 August 2022
Number of visitors to the office for enquiries	1,259	4,066
Telephone Payments (including automated)	66,741	67,288
Calls to call centre	104,470	108,907
Calls to direct lines (not including calls to mobiles)*	280,063	In excess of 300,000
Emails Received	1,556,889	1,569,983
Digital Payments	105,904	103,244
Online- forms submitted	52,597	53,864
Planning applications and enquiries	2,464	2,303

\*Difference in figures due to change in telephony system, comparable figures will be available on the next annual review (300,000 has been estimated on average of figures which are available).

- 1.2 This report provides a summary of the number of complaints, compliments and comments received for each service from 1 Sep 2021 to 31 Aug 2022 (see **Appendix 1**). An official complaint is recorded when a customer has been unable to resolve their issues with the service concerned or where the issue is more serious than a normal service request that can be resolved by officers as part of their day to day activities.
  - 1.3 Compliments, comments and complaints are recorded on the CRM in accordance with our corporate complaints policy. The name, address and contact details of the complainant, the nature of the complaint and the outcome of the complaint investigation are all recorded.
  - 1.4 Feedback recorded is not the totality of the expression of dissatisfaction with service delivery. For example, Customer Services record many service requests and services also record contacts/service requests in their own ICT systems. These include routine enquiries, requests for service and logging service failures which can be resolved quickly to the customers' satisfaction.
  - 1.5 Members are provided with performance statistics for complaints via the six weekly PDG Performance Management reports and as part of the Audit cycle.
- 2.0 Performance Statistics**
- 2.1 Feedback is recorded on the CRM, based on the information recorded we are able to extract the number of complaints raised at each level. Level 1 complaints are investigated by the Service Manager and Level 2 Complaints are investigated by Operational/Corporate Managers or member of Leadership Team.
  - 2.2 Numbers of complaints upheld is recorded within the CRM.
  - 2.3 As a measure of performance with complaint handling, the number acknowledged within 3 working days and resolved within timescales is recorded and reported on monthly as mentioned at 1.5.
- 3.0 What does feedback tell us?**
- 3.1 As a result of complaints made, service managers are able to make changes to the working practices within service areas. These are also recorded in the CRM. Feedback where a change can be identified is an excellent way to improve services and respond to the needs of our customers.
  - 3.2 Compliments received are often for members of staff who customers feel have done a good job. These are fed back to staff by line managers and where appropriate in staff communications.
  - 3.3 What are the numbers telling us? We are actively encouraging feedback from customers and as we have seen an increase in customer activity and transactions, it is expected to have increased feedback.
  - 3.4 The context of the environment in which we are all working is important. Staffing issues, which Members are aware of, have affected services across the organisation and meant there has been a continued need to the need to provide some services differently which can lead to gaps between the ability to provide services and the customer expectation.
  - 3.5 Additionally, customer transactions increased as we came out of lockdowns and restrictions and we can see our customers moving away from the traditional telephony method of communication. Email has become an important tool and volumes of emails increase every year. But this can be a time consuming and inefficient way for customers to transact with us.

This will be something that we need to consider for the future as we review our customer based policies and consider the case for a new Customer Service approach.

- 3.6 We have seen a 10% increase in Complaints, compared to the year before. We have also seen decreases in Compliments (1.5%) and Comments (32%), indicating that our customer behaviours are returning to a 'near normal' and that their expectations and experience of services is returning to pre-Covid levels. Samples of compliments received can be found at **Appendix 5**.
- 3.7 There have been changes to the guidance in the management of Housing complaints and staff turnover which necessitates a requirement to review staff training. The authority will be reviewing complaints training for managers, and will be looking to monitor service performance with complaints and feedback to operations managers on a regular basis.
- 3.8 The Corporate Manager for Digital Transformation & Customer Engagement will instigate a regular quarterly review with the Portfolio Holder for Continuous Improvement on organisation wide complaints (separate from the tracker) to more effectively monitor service delivery issues.
- 4.0 **Referrals to the Ombudsman complaints service**
- 4.1 9 complaints were made to the ombudsman by residents. Two of these were investigated and only one of these was upheld by the ombudsman. A summary of complaints to the Ombudsman 2020-21 (the latest available) is provided at **Appendix 2**.
- 4.2 The Local Government Ombudsman Annual review letter is provided at **Appendix 3**.
- 4.3 For comparison, a table of neighbouring authorities and their ombudsman cases has been provided at **Appendix 4**.

**Contact for more Information:** Lisa Lewis, Corporate Manager for Business Transformation and Community Engagement. llewis@middevon.gov.uk

**Circulation of the Report:** Cabinet Member seen and approved [yes/no – name of Cabinet Member], Cabinet, Leadership Team seen and approved [yes/no]

## Appendix 1

### Compliments, Comments and Complaints

Fig.1

Feedback Received	01 September 2020 – 31 August 2021	01 September 2021 – 31 August 2022
Complaints received	354	391
Comments received	134	132
Compliments received	132	90
Number of complaints at level 2	40	50
Number of complaints at level 2 upheld	15	7
Number of complaints at level 1 upheld	82	106
Number where a change was made to the service procedures as a result of the complaint	6	22
Open at start of date range	170	213
Open at end of date range	233	290

Fig.2

### Percentage change 2020/21 – 2021/22 – Processed and/or Completed

Complaints	10%	INCREASE
Compliments	1.5%	DECREASE
Comments	32%	DECREASE

Fig.3

### Feedback by Service – Processed and/or Completed

Feedback Processed	01 September 2020 – 31 August 2021			01 September 2021 – 31 August 2022		
Service	Complaints	Compliments	Comments	Complaints	Compliments	Comments
Abandoned Vehicles	1				1	
Affordable Housing	3		1	1	1	1
Bulky Waste	1					
Building Control					2	1
Business Rates				1		
Car Parks	3			7		1
Community Alarms	2			1		

Feedback Processed	01 September 2020 – 31 August 2021		
Service	Complaints	Compliments	Comments
Community Housing Support			
Community Safety	1	1	
Council Tax Billing	6		3
Council Tax Recovery	8		1
Council Tax Reduction			1
Customer Services	18	7	10
Democracy and Members			
Dogs Stray or Fouling	3		
Electoral Register	1		
Environmental Issues	3		1
Environmental Services	6	2	
Finance	1		1
Fly Tipping	2	2	2
Garden Waste	7	1	6
Grants & Funding	1		
Grass Cutting	5	2	1
Health & Safety	5		
High Hedges	2		
Homelessness	6	6	
Housing Benefit	2	2	
Housing Repairs	74	51	74
Housing Tenancy	70	18	2
Human resources	2		1
Legal Services			
Leisure	4		
Licensing	1		
Planning	2		
Planning – Development Control	37	6	2

01 September 2021 – 31 August 2022		
Complaints	Compliments	Comments
1	1	
		1
14	2	2
6		
1		
13	6	2
7		
1		
6		1
1	4	
2	1	1
2	3	2
17	2	
7	3	2
98	22	79
103	13	13
1		
1		
4		
6		
27	1	1

Feedback Processed	01 September 2020 – 31 August 2021			01 September 2021 – 31 August 2022		
Service	Complaints	Compliments	Comments	Complaints	Compliments	Comments
Planning – Forward Planning	2			3	1	1
Play Areas		1				1
Pollution Incl. Noise	2			1		
Private Sector Housing	4			2		
Property Services	4		1	3		3
Recycling	26	13	10	23	14	10
Refuse Collection	36	14	14	28	12	9
Street Cleansing	3	6	3	1	3	
Street Naming				1		
Trade Waste				1		1
<b>Total</b>	<b>354</b>	<b>132</b>	<b>134</b>	<b>391</b>	<b>90</b>	<b>132</b>

Fig.4

\*Compliments not all recorded in CRM – recording process for all feedback to be amended going forward under a system replacement.



## Ombudsman Referrals 2021-2022

Reference	Authority	Category	Received
21017205	Mid Devon District Council	Planning & Development	22/02/2022
20014475	Mid Devon District Council	Planning & Development	19/07/2021
21003628	Mid Devon District Council	Housing	11/06/2021
21003802	Mid Devon District Council	Planning & Development	28/06/2021
21004554	Mid Devon District Council	Environmental Services & Public Protection & Regulation	29/06/2021
21005017	Mid Devon District Council	Corporate & Other Services	07/07/2021
21005284	Mid Devon District Council	Planning & Development	13/07/2021
21005716	Mid Devon District Council	Benefits & Tax	20/07/2021
21017100	Mid Devon District Council	Corporate & Other Services	18/02/2022

## Ombudsman Letter and Report

# Local Government & Social Care OMBUDSMAN

20 July 2022

*By email*

Mr Walford  
Chief Executive  
Mid Devon District Council

Dear Mr Walford

## Annual Review letter 2022

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2022. The information offers valuable insight about your organisation's approach to complaints. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

### Complaint statistics

Our statistics focus on three key areas that help to assess your organisation's commitment to putting things right when they go wrong:

**Complaints upheld** - We uphold complaints when we find fault in an organisation's actions, including where the organisation accepted fault before we investigated. We include the total number of investigations completed to provide important context for the statistic.

**Compliance with recommendations** - We recommend ways for organisations to put things right when faults have caused injustice and monitor their compliance with our recommendations. Failure to comply is rare and a compliance rate below 100% is a cause for concern.

**Satisfactory remedy provided by the authority** - In these cases, the organisation upheld the complaint and we agreed with how it offered to put things right. We encourage the early resolution of complaints and credit organisations that accept fault and find appropriate ways to put things right.

Finally, we compare the three key annual statistics for your organisation with similar authorities to provide an average marker of performance. We do this for County Councils, District Councils, Metropolitan Boroughs, Unitary Councils, and London Boroughs.

Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 27 July 2022. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

### **Supporting complaint and service improvement**

I know your organisation, like ours, will have been through a period of adaptation as the restrictions imposed by the pandemic lifted. While some pre-pandemic practices returned, many new ways of working are here to stay. It is my continued view that complaint functions have been under-resourced in recent years, a trend only exacerbated by the challenges of the pandemic. Through the lens of this recent upheaval and adjustment, I urge you to consider how your organisation prioritises complaints, particularly in terms of capacity and visibility. Properly resourced complaint functions that are well-connected and valued by service areas, management teams and elected members are capable of providing valuable insight about an organisation's performance, detecting early warning signs of problems and offering opportunities to improve service delivery.

I want to support your organisation to harness the value of complaints and we continue to develop our programme of support. Significantly, we are working in partnership with the Housing Ombudsman Service to develop a joint complaint handling code. We are aiming to consolidate our approaches and therefore simplify guidance to enable organisations to provide an effective, quality response to each and every complaint. We will keep you informed as this work develops, and expect that, once launched, we will assess your compliance with the code during our investigations and report your performance via this letter.

An already established tool we have for supporting improvements in local complaint handling is our successful training programme. We adapted our courses during the Covid-19 pandemic to an online format and successfully delivered 122 online workshops during the year, reaching more than 1,600 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training).

Yours sincerely,



Michael King  
Local Government and Social Care Ombudsman  
Chair, Commission for Local Administration in England

Complaints upheld		
	<p><b>50%</b> of complaints we investigated were upheld.</p> <p>This compares to an average of <b>51%</b> in similar organisations.</p>	<p><b>1</b> upheld decision</p> <p>Statistics are based on a total of <b>2</b> investigations for the period between 1 April 2021 to 31 March 2022</p>
Compliance with Ombudsman recommendations		
No recommendations were due for compliance in this period		
Satisfactory remedy provided by the organisation		
	<p>In <b>100%</b> of upheld cases we found the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman.</p> <p>This compares to an average of <b>20%</b> in similar organisations.</p>	<p><b>1</b> satisfactory remedy decision</p> <p>Statistics are based on a total of <b>1</b> upheld decision for the period between 1 April 2021 to 31 March 2022</p>

## Local Authority Benchmarking

Authority	Number of complaints Investigated	Complaints Upheld
East Devon	4	1
Mid Devon	2	1
North Devon	2	2
South Hams	5	2
Teignbridge	5	2
Torridge	2	1
West Devon	1	1

Local Authority Average upheld = 51%

Mid Devon upheld = 50%

Sample compliments received 01 September 2021 – 31 August 2022. Names and addresses have been removed but all other content is as received.

<b>Community Housing Support</b>
<p>We cannot thank you enough for your prompt response to our mum Mrs XXXXXX and organising the lifeline alarm for her. It is reassuring for her and for us. She was concerned that she was losing her independence but we said that by having this, she was maintaining her independence.</p> <p>Thank you so much. You have been so helpful.</p>
<b>Customer Services</b>
<p>Mrs XXXXXXXXXX called today and wanted to pass her thanks across to all of the Customer Service team. She said whenever she has had to call we are always so friendly and very helpful. She wanted to thank us and pass her comments across.</p> <p>I would like to say a big thank you to all you ladies in the call centre who have helped me thought the years. Youve always been so helpful, polite and gone the extra mile to help me. Im sorry i wasnt able to bring any chocolates into the office for you but please pass on my appreciaton to the rest of the ladies</p>
<b>Housing Repairs</b>
<p>Thank you all for your kindness and understanding this last year it is greatly appreciated. And for all the team do</p> <p>I would like to praise Jamie and Casper from the repairs team who boarded and plastered a new ceiling for me yesterday - they were very polite and have done an amazing job with the ceiling. It was a huge relief to come home from work to find that they had cleared and tidied up after themselves. Thank you very much</p>
<b>Housing Tenancy</b>
<p>Thank You soo much for Your message I very appreciate this. I need any reference number to pay rent online or by phone? Sorry for to many questions but for Me this is all new. Thank You soo much for Your help and support.</p> <p>Thank you for not getting upset with me, getting old seems that you say what you want to say but mean no harm as I think you are the number 1 Council.</p>
<b>Planning – Forward Planning</b>
<p>I just wanted to drop you a brief note to say thanks very much for coming to XXXXXX XXXXX to think about our application last week.</p> <p>I really appreciated your time and advice, and thank you for also looking at the back the of the property barn as well - that was very helpful even though off remit perhaps!</p> <p>I appreciated you being supportive of the project, and I am happy to provide any clarifications that are needed going forwards.</p>
<b>Recycling</b>
<p>Just wanted to say a huge Thankyou to our recycling chaps. My fob watch must have fallen off my uniform when I put the bins out and when I got home after shift today they'd found it and popped into the empty recycling box! Please pass on my thanks from a tired but very grateful nurse :)</p>

All the waste crews have been working very hard in recent circumstances and are always really helpful. It is very much appreciated

#### **Council Tax Billing**

Erin was very kind and helpful this morning when helping me with my council tax and has probably been the most helpful and empathetic person I've spoken to within the council. I wanted that to be shared with her supervisors so they know she is doing a great job.

Mr XXXXX called about his council tax today and wanted to say how efficiently the council dealt with the matters relating to the death of his partner and how quickly his council tax single discount was applied.

#### **Fly Tipping**

Mrs XXXXX calling to say thank you for the prompt collection of the fly tip at XXXXX from XXXXX. She says she reported it yesterday morning but every scrap of it had gone in the afternoon.

#### **Garden Waste**

We wish to record our appreciation for the excellent services, Council operatives provide to we customer throughout the year.

An excellent team arrived to day and emptied the old bin for me into the new one.

#### **Homelessness**

Ms XXXX wanted to say how grateful she is for all the help she received from Paul and the team, and also Sally Bloomfield and the housing tenancy team and Christine from Welfare. She feels everyone worked together and helped with her situation and referred her to other services and organisations outside of the council.

Ms XXXXX and her son now have their house back and is starting to get furniture and get her life back on track. You've all helped her get through a difficult time.

#### **Housing Benefits**

I would like to thank the two members of the Housing Benefit Team who I have dealt with over the past few days. Both of the ladies were kind, patient and very understanding of my situation and offered good support and advice. The advice given to me enabled me to resolve the situation, I appreciated their help so much and I just wanted to say thank you to both of you.

#### **Refuse Collection**

Can I please thank you for the excellent way you dealt with the recent bad weather. I appreciated your decision to delay the Friday collection and inform us of that. I am also grateful for the effort to catch up with collection today. Well done!

I just wanted to feedback what a great job the refuse and recycling teams do in Hemyock, in particular the people who service our road.

Irrespective of the weather, they are very professional and courteous, returning receptacles to the correct place, being polite and helpful to the public around them, and leaving the area clean and tidy when they finish. Having lived in different places, I know this isn't always the case. I appreciate that this job can sometimes be cold, wet and smelly, so it's an absolute credit to them that they perform their role so well and professionally.

I know this view is shared by many of my neighbours because positive comments are sometimes made on the community Facebook page. Please share our appreciation with them.

This page is intentionally left blank



## SCRUTINY COMMITTEE 17 October 2022

### S106 Majors

<b>Cabinet Member(s)</b>	<b>Cllr Richard Chesterton, Cabinet Member for Planning and Economic Regeneration.</b>
<b>Responsible Officer</b>	<b>Angharad Williams, Development Management Manager</b>

**Reason for the Report:** To advise Members on the process for formulating S106 agreements in applications for major developments together with the amounts of money involved and the deployment of the money gathered.

**RECOMMENDATION:** That the report is noted.

**Relationship to Corporate Plan:** The gathering of S106 monies contributes towards the support and enrichment of our communities, businesses and environment; to corporate priorities for housing delivery (Priority 1 & 8), caring for the environment (Priority 7 & 9), supporting a thriving economy (Priority 3 & 11) and local communities (Priority 1, 2, 3, 5, 6, 9, 11 & 12).

**Financial Implications:** S106 agreements will normally include clauses stating when the funds will be paid (by reference to some trigger in the development phase) and for what purpose they will be used, often project or location specific. There is also provision for the return of contributions if they remain unspent or uncommitted after an agreed period of time, typically 10 or 15 years depending on the nature of the contribution. All monies collected on applications submitted since April 2015 must be spent on the specific project that they were allocated to at the time the planning application is approved; which should be set out clearly in the S106 agreement. The financial contributions cannot be spent on any other project and will only become available for spending once a development has commenced on site. If the site is never developed the monies won't become available and equally if development of the site is delayed, some monies may not become available for some time. Payments are tracked to ensure funds are used before they have to be returned.

No financial implications arise directly as a result of this report.

**Legal Implications:** Planning obligations, also known as S106 agreements and procedures must comply with the following legislation and Government guidance:

1. The Town and Country Planning Act 1990 (as amended);
2. Community Infrastructure Levy regulations 2010 ('CIL Regulations');
3. National Policy Framework 2021; and
4. Ministry of Housing, Communities and Local Government Planning Practice Guidance.

**Risk Assessment:** A lack of transparency and understanding of the processes that need to be followed in order to comply with the aforementioned legislation and

guidance presents a potential risk to projects, with opportunities lost and return of monies gathered.

**Equality Impact Assessment:** No equality issues arise directly from this report upon people / groups with protected characteristics.

**Impact on Climate Change:** The Local Plan makes provision for sustainable development within the district up to 2033, as well as providing policies for the protection and enhancement of the natural and built environments. Developer contributions are a mechanism by which the impacts of a development can be mitigated in order to make it acceptable in planning terms.

No climate change issues arise directly from this report.

## **1. INTRODUCTION**

- 1.1. Mid Devon District Council like other Local Planning Authorities, collects financial contributions from new development through legal agreements signed under Section 106 of the Town and Country planning Act 1990 (as amended), sometimes also referred to as planning obligations.
- 1.2. Scrutiny Committee has requested a report on the process for formulating S106 agreements in major developments together with the amounts of money involved and the deployment of this money.

## **2. BACKGROUND**

- 2.1. Mid Devon District Council collects financial contributions from new development through legal agreements signed under Section 106 of the Town and Country Planning Act 1990 (as amended), sometimes also referred to as planning obligations.
- 2.2. The need for planning obligations are considered on a case by case basis and may only constitute a reason for granting planning permission if they meet the following statutory tests from the Community Infrastructure Levy (CIL) Regulations 122, namely that they are:
  - i) Necessary to make the development acceptable in planning terms;
  - ii) Directly related to the development; &
  - iii) Fairly and reasonable related in scale and kind.
- 2.3. Planning obligations must be fully justified (usually by reference to development plan policy requirements) including the mechanism by which they have been calculated, and evidenced to justify their collection.
- 2.4. Between April 2015 and October 2019, CIL Regulation 123 has placed a national restriction on the traditional approach of 'pooling' Section 106 contributions from numerous developments. Pooling, that allowed up to five separate planning obligations to gather monies for each infrastructure project, such as public open space, schools or roads, was removed by the Government. This was in an attempt to make development more 'permissible',

knowing that financial obligations could be pooled, subject to the CIL 122 Regulation tests.

- 2.5 Local planning authorities are expected to use all of the funding they receive through planning obligations in accordance with the terms of the individual planning obligation, with the emphasis being to mitigate the impact of the development in order to make it acceptable in planning terms. This can result in the delivery of benefits for local communities, businesses and the environment including support for the provision of local infrastructure.
- 2.6 Agreements should normally include clauses stating when and how the funds will be used and allow for their return, after an agreed period of time, where they are not spent. Equally, if monies are not spent in accordance with the terms of the S106 agreement, developers can request that their contribution is returned to them.
- 2.7 Following the introduction of CIL Regulation 201, the Government has 'scaled back' the use of planning obligations, with CIL being viewed as a replacement to the use of S106 planning agreements in some circumstances. However, the Government White Paper 'Planning for the Future' dated August 2020, indicates an intention to consolidate the existing separate systems of S106 agreements and CIL payments into a new infrastructure levy. Should this new legislation be introduced, Members will be accordingly advised.

### **3. FORMULATING S106 AGREEMENTS & LEVEL OF CONTRIBUTION**

- 3.1. As set out above, Paragraph 204 of the NPPF and Regulation 122 of the Community Infrastructure Levy 2010 (as amended) set tests in respect of planning obligations. Obligations should only be sought where they are:
  - Necessary to make the development acceptable in planning terms;
  - Directly related to the development; and
  - Fairly and reasonably related in scale and kind to the development.
- 3.2 Typical contributions may include public transport, cycle and footway enhancements, off-site highways works, community facilities contributions (such as a community hall), Gypsy and Traveller pitch facilities, affordable housing, Custom and Self Build plots and/or public open space.
- 3.3 Contributions are gathered through two primary mechanisms:
  - a) Mid Devon District Council; or
  - b) Third Party. Third party bodies may include Devon County Council (as, for example, the Highway Authority or the Education Authority) or others such as the NHS.
- 3.4 The level of contribution is established through two principle calculators:
  - i) Mid Devon District Council Planning Policy and Guidance calculator:

Example case: Public Open Space.

Policy S5 of the Adopted Mid Devon Local Plan sets out the standards for the provision for high quality public open space. It establishes that major developments will provide open space onsite or through off site financial contributions. On site provision is always preferential but should off site contributions be deemed necessary, Policy S5 is supported by the Mid Devon Open Space and Play Area Strategy 2014-2033 which sets out the methodology to calculate developer contributions with an amount (m<sup>2</sup> per person) and cost (£ per person). The costs (set out in the table below) are calculated using local information that has also been benchmarked against other Local Authorities providing similar facilities:

Typology	Standard (m <sup>2</sup> ) per person	Cost of provision	
		Cost / m <sup>2</sup>	Contribution per person
Allotments	2.5	£30.00	£75.00
Children's Play Areas	0.6	£170.00	£102.00
Teenage Facilities	0.2	£170.00	£34.00
Parks and Recreation grounds	15.0	£72.00	£1080.00
Amenity/Natural green space	10.0	£15.00	£150.00
<b>Total</b>	<b>28.3</b>		<b>£1,441</b>

Table 16 Costs for providing open space  
Mid Devon Open Space and Play Area Strategy

The table shows that, to meet the Mid Devon standard for open space, it costs £1,441 per person. The table also establishes the level of developer contribution that is required per open space typology. It is by such planning policy and guidance that Mid Devon District Council calculates contributions in major development.

ii) Third party calculator.

Example case: Education.

Policy S1 of the Adopted Mid Devon Local Plan sets out the strategic priority for the delivery of a strong and competitive economy including access to education. Devon County Council (DCC) is the statutory provider of education across Mid Devon District Council. As such, DCC collect contributions towards education (secondary, primary, early years and / or Special Educational Needs). DCC review every residential planning application with 4 or more 'family type dwellings' (more than 1 bedroom) to establish the educational need arising as a result of the development and the direct impact it would have on the school(s) in the catchment of the proposed development. If, for example, the number of primary school pupils likely to be generated by the proposed development can be accommodated within the catchment school(s) of the development, a primary school contribution

will not be gathered towards additional education infrastructure. If however, the local secondary school is forecast to have capacity for 91% of all the pupils likely to be generated by the proposed development, DCC would seek a contribution towards additional secondary education infrastructure, based on the remaining 9% of total number of pupils generated. At the time of writing this report, it would be based on a Department for Education rate of £23,540 per pupil and would relate directly to providing secondary education facilities for those living in the development.

- 3.5 Each statutory consultee is advised following the submission and validation of a planning application. They accordingly submit a consultee response setting out the required S106 contribution or otherwise. This is reported within the Planning Officer report with notification of the need for a S106 agreement and associated legal costs. Following approval of a planning application the case officer for the relevant planning application submits details to MDDC Legal Services to undertake the process for drafting the S106 legal agreement in association with any third party. The decision is then only released once the S106 has been agreed, signed and sealed.

#### **4.0 CONCLUSION**

- 4.1 This report seeks to advise Members on the process for formulating S106 agreements in major developments together with the amounts of money and its deployment. Members are invited to note the content of this report.

**Contact for more Information:**

Christie McCombe, Area Planning Officer, (Major Projects, Tiverton EUE)

Tel: 01884 234277 Email: [cmccombe@middevon.gov.uk](mailto:cmccombe@middevon.gov.uk)

**File Reference:** None

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

This page is intentionally left blank

## SCRUTINY 17 OCTOBER 2022

### UPDATE ON RECCOMENDATIONS FROM SCRUTINY SPOTLIGHT REVIEW – DOES LOCAL GOVERNMENT WORK FOR WOMEN

**Responsible Officer:** Maria De Leburne, Monitoring Officer

**Reason for Report:** to update the Scrutiny Committee on progress with recommendations made in the Scrutiny Spotlight Review 'Does Local Government Work for Women'.

**RECOMMENDATION:** The Committee is asked to note the information below.

**Financial Implications:** No financial risk.

**Budget and Policy Framework:** This report sits within the current budget and policy framework.

**Legal Implications:** No legal implications.

**Risk Assessment:** Enabling the right conditions to be in place to allow a diverse range of candidates to be empowered and supported to stand for election in the District, and to ensure those candidates are supported once elected, is vital to the effectiveness of the Council.

**Equality Impact Assessment:** Research published in September 2021 by the Fawcett Society showed that just 34% of the 4,980 councillors elected in May 2021 were women. Following the May 2021 elections, the total number of female members in MDDC was 24%, a decrease on the May 2019 elections after which 26% of members elected were women. Currently 9 of the MDDC 42 Members of Council are women.

Ensuring that councils are truly representative of our communities is a key challenge for local government. The LGA toolkit 'Enabling and Supporting Women, Parents and Carers to Stand and Serve in Local Government' stresses that the equal participation of women and men in local politics, as our elected councillors and as our leaders, is an important condition for effective democracy and good governance. Representative councils are best able to speak to, and for, their communities and to support the effective business of local government. Once elected, councillors need to be able to fulfil their duties, and be supported, regardless of gender or circumstances.

**Relationship to Corporate Plan:** This work is in addition to the Corporate Plan.

**Impact on Climate Change:** No climate change issues highlighted in this report.

#### 1.0 Introduction/Background

- 1.1 The purpose of this report is to give an update on how the organisation has advanced recommendations made by the Scrutiny Spotlight Review 'Does Local Government Work for Women'.

- 1.2 The report presented to Scrutiny in March 2022 made eight recommendations, and called for group leaders of political parties to take action in two further areas. The eight recommendations, and the two 'actions' are updated below. Each of the group leaders at MDDC were asked to respond to the two 'actions we call for'.
- 2.0 **Recommendation 1: That the Council considers ways to better promote the role of a Councillor.**
- 2.1 The Council is currently considering outreach work for prospective candidates in the run up to the District and Parish elections in May 2023. The Council plans to hold online information sessions (either live via Microsoft Teams or Zoom, at different times of the day, and/or pre-recorded) for people interested in standing as a candidate. This should enable people who may not otherwise be able to attend a specific day or evening session to explore and find out information about the role of a Councillor. The Council will look to do this in January/February 2023 in time for candidate nominations in March.
- 2.2 Alongside this, officers will work closely with the communications team to develop promotional material on the role of a Councillor.
- 3.0 **Recommendation 2: That all Chairs of Committees and PDGs are required to attend formal training.**
- 3.1 As per the constitution, Members of PDGs and Committees are expected to obtain necessary skills to carry out the role and work with officers in obtaining further specialist training where necessary. Chairs of Committees and PDGs are offered training on chairing skills. In addition to this offer, Member Services plan to develop training material, a 'Chairing Skills Guide', to be given to all Chairs and Vice Chairs of Committees and PDGs. This will be developed in time for the new council term.
- 3.2 The LGA have published a guide to Chairing Skills which will also be provided to all Chairs, and Vice Chairs of Committees and PDGs.
- 4.0 **Recommendation 3: That a councillor is identified to be the equalities and accessibility champion.**
- 4.1 This will be picked up by the Equality Forum. The newly appointed Corporate Manager for Performance and Risk will facilitate the Forum and ensure this work is taken forward.
- 5.0 **Recommendation 4: That the Council develops a mentoring scheme for (new) members of the Council.**
- 5.1 Member Services plans to develop a list of Members who would be willing to mentor a new Member of the Council. Mentors will be expected to share experience and knowledge of council functions and culture, offer help and advice if needed, and provide networking opportunities with other Members if required. Member Services aim to have this available for the new intake of Members in May 2023.



- 6.0 **Recommendation 5: 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.**
- 6.1 This work will be picked up by the Equality Forum. The newly appointed Corporate Manager for Performance and Risk will facilitate the Forum and ensure this work is taken forward.
- 7.0 **Recommendation 6: That the Council develops a (password protected) private members area on the Council website, in order to create a bank of shared training materials and documents for reference and ongoing learning.**
- 7.1 ICT and Member Services are currently developing a secure, shared channel for Members which should be available late Autumn 2022.
- 8.0 **Recommendation 7: That the Council ensures all officer roles are offered flexibly (unless there is a business need) and give consideration to the option and promotion of job shares for officers.**
- 8.1 Mid Devon District Council is a flexible employer and, where possible, offer roles on a full or part time basis, as well as being open to job shares. This is, however, shaped by the responsibilities of each post and how it is carried out.
- 9.0 **Recommendation 8: That further research is carried out into member experience of equality in the Council.**
- 9.1 This work will be picked up by the Equality Forum. The newly appointed Corporate Manager for Performance and Risk will facilitate the Forum and ensure this work is taken forward.
- 10.0 **Action 1: Leadership from the top of the political group is important. Group Leaders should be clear on their role regarding member development and conduct and actively encourage members to attend training and briefings.**
- 10.1 *Response from Cllr Bob Deed, Leader of the Council and Leader of the Independent Group:* I can confirm that I do and always have, encouraged all of my Group and others to attend all opportunities to further their personal training including Member Briefings. Member Services, in May 2019 (and I am sure for Members who have been elected subsequently) provided the most comprehensive training programme for Members. This has been the pattern since 2007 when I first joined the Council.
- 10.2 *Response from Cllr Clive Eginton, Leader of the Conservative Group:* As Group Leader, I encourage Members to attend all member briefings, but it often depends on the subject matter and interest of individual members. I would push any new Chair to attend training on Charing Skills, and would support a change to the constitution making it a requirement for all Chairs.

- 10.3 With regards to conduct, there is an important role for Group Leaders with regards to conduct of their members. In my role, I will take immediate action if there are conduct issues.
- 11.0 **Action 2: Political parties should work with the LGA political officers to understand best practice and what actions can be taken to encourage a diverse range of candidates to stand.**
- 11.1 *Response from Cllr Bob Deed, Leader of the Council and Leader of the Independent Group:* The second part I entirely agree with. However, in practical terms, it is hard enough to get any members of the public to stand, let alone have the benefit of having a list of candidates based on "a broad range" to stand.
- 11.2 *Response from Cllr Clive Eginton, Leader of the Conservative Group:* Ideally there would be a 50:50 split between male and female candidates. But at the end of the day it is down to the electorate on who gets elected. Currently within the Conservative party we have 6 female members and 12 male members.

**Contact for more Information:** Clare Robathan, Policy and Research Officer

**Circulation of the Report:** Cabinet Member for the Working Environment and Support Services.

# MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

November 2022

The Forward Plan containing key Decisions is published 28 days prior to each Cabinet meeting

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<b>Shopfront Enhancement Scheme</b> To receive a report regarding the Shopfront Enhancement Scheme 10.30p 43	Economy Policy Development Group  Cabinet	29 Sep 2022 4 Oct 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Tiverton A361/HIF Scheme - update</b> To receive an update.	Cabinet	4 Oct 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Non Statutory Interim Planning Policy Statement: Climate Emergency</b> To approve the interim policy statement for consultation.	Cabinet	4 Oct 2022	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Crediton Neighbourhood Plan - Decision to Adopt (subject to referendum result)</b> To adopt the Neighbourhood Plan.	Cabinet Council	4 Oct 2022 26 Oct 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Part exempt
<b>Data Protection Policy</b> To consider a revised policy	Cabinet	4 Oct 2022	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open
<b>Freedom of Information Policy</b> To consider a revised policy	Cabinet	4 Oct 2022	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open

Page 45

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Records Management Policy</b> To consider a revised policy	Cabinet	4 Oct 2022	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open
<b>Cullompton Town centre Relief Road - Update</b>	Cabinet	1 Nov 2022	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Electoral Review Committee - Parish Review</b>	Cabinet	1 Nov 2022	Jill May, Director of Business Improvement and Operations Tel: 01884 234381		
<b>Channel Access Policy</b> To consider a revised Policy	Cabinet	1 Nov 2022	Lisa Lewis, Corporate Manager for Business Transformation and Customer Engagement Tel: 01884 234981	Cabinet for the Working Environment and Support Services (Councillor Clive Eginton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Tiverton Town Centre Masterplan</b> To agree the draft masterplan for public consultation.	Cabinet	1 Nov 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Medium Term Financial Plan</b> To consider the Medium Term Financial Plan	Cabinet	1 Nov 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Review of Development Management - Discretionary Fees</b> To consider a review of discretionary fees	Cabinet	1 Nov 2022	Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Fees and Charges</b> A report from the Deputy Chief Executive on the level of fees and charges	Cabinet	1 Nov 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Monitoring Fees for Section 106 Agreements</b> To receive a report reviewing the charging schedule for S106 monitoring fees.	Cabinet	1 Nov 2022	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>3 Rivers Developments Ltd - Business Plan</b> To consider a revised business plan.	Cabinet	1 Nov 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Part exempt
<b>Crediton Master plan – procurement</b> To receive the Crediton Master plan – procurement	Cabinet	1 Nov 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Part exempt
<b>Electric Vehicle Car Sharing Options</b> To receive an options paper on progressing Electric Vehicle Car Sharing options in the district and to make recommendations to the Cabinet to progress a scheme	Environment Policy Development Group  Cabinet	8 Nov 2022  29 Nov 2022	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for the Environment and Climate Change (Councillor Colin Slade)	Open

Page 48

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Recycling Options Paper</b>	Environment Policy Development Group  Cabinet	8 Nov 2022  29 Nov 2022	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for the Environment and Climate Change (Councillor Colin Slade)	Open
<b>Parking Permits and Charges 23/24</b>	Environment Policy Development Group  Cabinet	8 Nov 2022  29 Nov 2022	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for the Environment and Climate Change (Councillor Colin Slade)	Open
<b>Economic Recovery Plan</b> To receive the draft Local Economic Recovery Plan	Economy Policy Development Group  Cabinet	10 Nov 2022  29 Nov 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open



<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>3 Rivers Development Ltd Business Plan.</b> To receive the company business plan and if appropriate to make recommendations to Audit Committee on 22 November and / or Cabinet on 29 November.	Scrutiny Committee  Audit Committee  Cabinet	14 Nov 2022  22 Nov 2022  29 Nov 2022	Deputy Chief Executive (S151) Andrew Jarrett, Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Part exempt
<b>Housing Service Fees and Charges</b> To consider fees and charges.	Homes Policy Development Group  Cabinet	15 Nov 2022  29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Strategic Allocations Policy &amp; Strategic Tenancy Strategy</b> To consider a revised strategy.	Homes Policy Development Group  Cabinet	15 Nov 2022  29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Neighbourhood &amp; Community Standard Policy</b> To consider a revised policy.	Homes Policy Development Group  Cabinet	15 Nov 2022  29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open

Page 50

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Housing Strategy update and annual review</b> To consider a review of the strategy.	Homes Policy Development Group  Cabinet	15 Nov 2022  29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Private Sector Housing Fees and Charges</b> To consider revised fees and charges.	Homes Policy Development Group  Cabinet	15 Nov 2022  29 Nov 2022	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Revised Procurement Strategy</b> To receive the refreshed Procurement Strategy	Audit Committee  Cabinet	22 Nov 2022  29 Nov 2022	Councillor Andrew Moore, Cabinet Member for Finance	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Infrastructure Funding Statement</b> To approve the Infrastructure List for publication.	Cabinet	29 Nov 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>S106 Monitoring Fees</b>	Cabinet	29 Nov 2022	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Mid Year Treasury Management Report</b> To receive the mid year report.	Cabinet	29 Nov 2022	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Wiverton Neighbourhood Plan - Decision to Adopt (subject to referendum result)</b> To receive areport from the Director Place regarding the results of the referendum.	Cabinet  Council	29 Nov 2022  14 Dec 2022	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	
<b>Cullompton Town Centre Masterplan and Delivery Plan SPD</b> To consider the masterplan	Cabinet  Council	3 Jan 2023  22 Feb 2023	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery Tel: 01884 234398	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Post Hill Tiverton–Tender results and project award for 70 Council homes</b> To consider the outcome of the tender process.	Cabinet  Council	3 Jan 2023  22 Feb 2023	Andrew Busby, Corporate Manager for Property, Leisure and Climate Change Tel: 01884 234948	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Part exempt
<b>Collumpton Town Centre Masterplan</b>	Cabinet	3 Jan 2023	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open
<b>Empty Homes Plan</b> To consider a revised plan.	Homes Policy Development Group  Cabinet	17 Jan 2023  7 Feb 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Housing Assistance Policy</b> To consider a revised policy.	Homes Policy Development Group  Cabinet	17 Jan 2023  7 Feb 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Town and Parish Charter</b> To approve a draft Town and Parish Charter for consultation.	Community Policy Development Group  Cabinet	24 Jan 2023  7 Mar 2023	Forward Planning Team Leader  Tristan Peat, Forward Planning Team Leader	Cabinet Member for Community Well Being (Councillor Dennis Knowles)	Open
<b>The Council Tax Reduction Scheme &amp; Exceptional Hardship Policy</b> To receive a review of The Council Tax Reduction Scheme & Exceptional Hardship Policy	Community Policy Development Group  Cabinet	24 Jan 2023  7 Feb 2023	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Finance (Councillor Andrew Moore)	Open
<b>Meeting Housing Needs SPD</b> To approve the draft SPD for consultation.	Cabinet	4 Apr 2023	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Housing and Property Services (Councillor Stuart Penny)	Open
<b>Tiverton EUE Area B Masterplan</b> To consider the outcome of the playing pitch and sports provision review	Cabinet	4 Apr 2023	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration (Councillor Richard Chesterton)	Open

This page is intentionally left blank

## SCRUTINY WORK PLAN 2022-2023 - 2022 TO 2023

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
<b>14th November 2022</b>				
14.11.22 22.11.22 29.11.22	<b>3 Rivers Development Ltd Business Plan.</b> To receive the company business plan and if appropriate to make recommendations to Audit Committee on 22 November and / or Cabinet on 29 November.		Deputy Chief Executive (S151)  Andrew Jarrett	
<b>12th December 2022</b>				
12.12.22	<b>Update on Planning Enforcement Working Group Recommendations</b> To receive a Progress Report on implementation and impact of recommendations		Director of Place Corporate Manager for Revenues, Benefits, Corporate Recovery, Development Management and Corporate Fraud	
<b>16th January 2023</b>				
16.01.23	<b>Whistleblowing 6 month update</b> To receive details of any Whistleblowing instances in the previous 6 months		Director of Business Improvement and Operations and Returning Officer Corporate Manager for People, Governance and Waste	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
16.01.23	<b>Budget Update</b> To consider the initial draft 2023/2024 Budget and options available in order for the Council to set a balanced budget and if appropriate make recommendations to Cabinet on 7 February 2023 and full Council on 22 February 2023		Deputy Chief Executive (S151) Corporate Manager for Finance	
16.01.23 7.02.23 22.02.23	<b>Establishment</b> To receive the annual review of the Establishment		Director of Business Improvement and Operations and Returning Officer  Corporate Manager for People, Governance and Waste  Matthew Page	
<b>20th February 2023</b>				
20.02.23	<b>Participatory Budgeting</b> To receive the final report and recommendations, if any from the Participatory Budgeting spotlight review		Clare Robathan	
<b>20th March 2023</b>				
<b>17th April 2023</b>				



Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
17.04.23	<b>Update on 3 Rivers Development Ltd Business Plan</b> To receive an update on the 3 Rivers Development Ltd Business Plan and if appropriate to make recommendations to Cabinet		Andrew Jarrett	

This page is intentionally left blank