

Public Document Pack

Mid Devon District Council

Cabinet

**Tuesday, 14 November 2023 at 5.15 pm
Phoenix Chambers, Phoenix House, Tiverton**

**Next meeting
Tuesday, 12 December 2023 at 5.15 pm**

Please Note: This meeting will take place at Phoenix House and members of the Public and Press are able to attend via Teams. 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.

[To join the meeting online, click here](#)

Meeting ID: 334 336 305 984
Passcode: SXkZAI

Membership

Cllr L Taylor	Leader of the Council
Cllr J Lock	
Cllr S Keable	
Cllr D Wulff	
Cllr S J Clist	
Cllr N Bradshaw	
Cllr J Wright	
Cllr J Buczkowski	

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 - 14*)
To consider whether to approve the minutes as a correct record of the meeting held on 17 October 2023.
5. **Guidance regarding climate and sustainability statements** (*Pages 15 - 32*)
To receive a report from the Climate and Sustainability Specialist and the Corporate Manager for Finance, Property and Climate Change.

The Environment PDG has **RECOMMENDED** to the Cabinet the adoption of the attached guidance for officers and Members regarding climate and sustainability statements. This guidance relates to business cases and committee reports. Guidance was developed in consultation with the Net Zero Advisory Group and Corporate Managers and should now be used and maintained to help shape decisions and delivery in line with policy and statutory obligations.

6. **2023/2024 Quarter 2 Budget Monitoring** (*Pages 33 - 60*)
To receive a report from the Deputy Chief Executive (S151) presenting the forecast Outturn position for the General Fund, Housing Revenue Account and Capital Programme for the financial year 2023/24.
7. **Treasury Management Strategy Mid Year Review Report 2023/2024** (*Pages 61 - 70*)
To receive a report from the Deputy Chief Executive informing the Cabinet of the treasury performance during the first six months of 2023/24, to agree the ongoing deposit strategy for the remainder of 2023/24 and a review of compliance with Treasury and Prudential Limits for 2023/24.
8. **Tax Base Calculation 2024/2025** (*Pages 71 - 76*)
To receive a report from the Deputy Chief Executive (S151) detailing the statutory calculations necessary to determine the Tax Base for the Council Tax.

9. **Meeting Housing Needs Supplementary Planning Document (Adoption)** *(Pages 77 - 194)*

To receive a report from the Director of Place informing members of the outcomes of the public consultation on the Meeting Housing Needs Supplementary Planning Document, the amendments that have been made in response to comments received and to formally adopt the Meeting Housing Needs Supplementary Planning Document (SPD).

10. **Annual Infrastructure Funding Statement: The Infrastructure List** *(Pages 195 - 202)*

To receive a report from the Director of Place presenting an Infrastructure List which the Council maintains for the purposes of identifying those items of infrastructure that it intends to fund, either wholly or partly, through development (developer contributions, also known as Section 106 (S106) agreements). The Cabinet are asked to consider approving this.

11. **Access to Information - Exclusion of the Press and Public**

Discussion with regard to the next items, may require the Cabinet to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Cabinet would need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

Recommended that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next items 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).

12. **Options report for 5 car parking spaces in Halberton** *(Pages 203 - 208)*

To receive a report from the Deputy Chief Executive (S151) considering options relating to a number of car parking spaces in Halberton, currently being marketed by the Council's development company.

13. **Leisure Policy and Pricing Strategy** *(Pages 209 - 214)*

To receive a report from the Corporate Manager for Council Tax, Business Rate, Benefits, Corporate Recovery, Planning & Leisure.

The Community Policy Development Group has **RECOMMENDED** that the Cabinet approve the strategy to change fees and charges as proposed in this report.

14. **Schedule of Meetings** (Pages 215 - 216)
To consider the Schedule of Meetings for 2024/2025 and make recommendation to Council.
15. **Notification of Key Decisions** (Pages 217 - 226)
To note the contents of the Forward Plan.

Stephen Walford
Chief Executive
Monday, 6 November 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 Teams.

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.

Residents, electors or business rate payers of the District may make a statement or shall be entitled to ask questions at a meeting which concerns the Council's powers / duties or which otherwise affects the District. If your question does not relate to an agenda item, the question must be submitted to the Democratic Services Manager two working days before the meeting to give time for a response to be prepared.

Please note that a reasonable amount of hardcopies at the meeting will be available, however this is a limited number. If you are attending the meeting and would like a hardcopy of the agenda we encourage that you notify Democratic Services in advance of the meeting to ensure that a hardcopy is available. Otherwise, copies of the agenda can be found on our website.

If you would like a copy of the Agenda in another format (for example in large print) please contact Sarah Lees on: slees@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 17 October 2023 at 5.15 pm

Present

Councillors

L Taylor (Leader)
J Buczkowski, S J Clist, J Lock, S Keable, D Wulff and
J Wright

Apology

Councillor

N Bradshaw

Also Present

Councillors

G Czapiewski, D Broom, E Buczkowski, F J Colthorpe,
R Gilmour, L Knight and S Robinson

Also Present

Online

A Cuddy, G DuChesne, A Glover, F Letch MBE and N
Letch

Present

Officers

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy
Chief Executive (S151)), Maria De Leiburne (District
Solicitor and Monitoring Officer), Paul Deal (Corporate
Manager for Finance, Property and Climate Change),
Simon Newcombe (Corporate Manager for Public Health,
Regulation and Housing), Dean Emery (Corporate
Manager for Revenues, Benefits and Recovery), Lisa
Lewis (Corporate Manager for Business Transformation
and Customer Engagement), Angie Howell (Democratic
Services Officer) and Sarah Lees (Democratic Services
Officer)

52. **Apologies**

Apologies were received from Cllr N Bradshaw.

53. **Public Question Time**

Mr Nick Quinn

Regarding Agenda Item 8 – Medium Term Financial Update.

Appendix 1 shows a Savings Options Summary Table, listing various areas and the potential savings which it is believed can be made.

I have questions about some of the items shown on the table:

Q1: Corporate Management shows no savings at all, but Staffing shows a Total Saving of £779k. Why? Is it easier to get rid of Workers than Managers?

Answer: Staffing savings is a generic savings figure and therefore aggregates all Council services including Corporate Management. At item 7 this evening we are actually looking at the makeup of the senior officer structure.

Q2: The Pannier Market shows a Budget of £79k but Total Savings of £100k. How can more money be saved than is budgeted?

Answer: The budget is net of income, plans are being considered to move this from a net cost to a net income generator for the Council.

Q3: Licensing is shown as a statutory function. How can a budget of £24k be reduced to just £4k and still provide the required Statutory service?

Answer: Again, the budget is net of income. The specific savings options are shown in Appendix 2, rows 15 and 17.

Q4: On the Staffing line, there are no figures in the Budget or the Percentage change columns. Why is this?

Answer: The budgets are included within the specific service lines above.

Q5: If Staffing, and possibly Services, are being reduced - why does the Council still need the same amount of Management?

Answer: Item number 7 this evening we are specifically looking at the make-up of the senior officer structure.

Mr Paul Elstone

My questions relate to Agenda Item 8 – Medium Term Financial Plan Update and associated financials.

Question 1

Appendix 1 - Savings Options Summary Lists Parks and Open Spaces, shows a £50K saving. This amount it is believed to be the money required to keep both the Westexe, Tiverton, and Crediton paddling pools open and maintained over a year, plus perhaps the children's play equipment. Additionally, the Pannier Market is showing a saving of £100K.

Appendix 2 Headline Savings Options Round 1: Row 5 says and specifically against these budget items:

"Therefore, as indicated previously some services will cease" and "Reputational risk are likely".

Will the Council Leader provide categorical assurance, this evening, that he fully supports both the Westexe Tiverton and Crediton Paddling pools being fully open for use next summer and in the 2024/25 budget year and that he is not in agreement with officer recommendations?

Question 2

Will the Council Leader also state that he is against the Tiverton Pannier Market being impacted irrespective of any Tiverton Town Council Funding decision?

Question 3

It has been stated, in answer to a previous question, that all 3 Rivers funding came from temporary cash flow treasury lending.

How precisely is this Treasury Account funded?

Question 4

The previous 3 Rivers loan impairment of £790,000 was required to be written off over a 5-year period. This despite the S151 Officer initially saying it was not necessarily a loss but prudent accounting.

How long will the additional £4.5 million 3 Rivers loan impairment take to be written off?

Question 5

When setting the budget for 2023/24 there was a requirement to draw down General Fund reserves by around £500K. This was justified by officers stating there was a requirement to compensate for lost interest payments due from 3 Rivers - given the then Full Council's decision not to approve future new developments.

Can it be explained, and in simple terms, that while the 3 Rivers receive loans from a Treasury Account, the interest is paid to support the General Fund.

Surely interest should be paid back to loan source account. If not, why not?

The Leader stated that a written response would be provided to the questioner following the meeting as he had not provided questions in advance. The Clerk would notify him when the answers had been provided.

Mr Barry Warren

My first questions relate to Agenda Item 7.

When I became Leader of the Council at the end of February 2023 a recruitment process had been commenced to replace the retiring Director. As the result of representations made to me I had discussions with the Chief Executive and put forward the idea of potential savings for the budget by not replacing the Director. Some of the savings could be used to reward other officers who had taken on more responsibilities. He was insistent that the post had to be filled and said he took this position as the result of advice obtained from the Local Government Association and South West Councils. I asked to see that advice but was never shown it. The Chief Executive advised Elected Members that he and I had agreed not to fill the post for an interim period before further review.

Is this current report the end result of that period of review?

Answer: Yes

1. The recommendation now is not to replace the retired Director and delete that post. The report states that advice has been sought from the Local Government Association and South West Councils who support the recommendation. This appears to be a complete 'U' turn from what I was told the previous external advice had been. What has changed to bring forward this different advice?

Answer: Time and context.

The advice had previously been given relating to that of the council's housing function, specifically in light of emerging changes to the regulatory framework arising from the need for quality assurance in social housing. In the time since Mr Warren was a councillor, things have moved on and it is now clear that housing functions can sit appropriately in the structure without the need to create a Director level post. Recent advice confirms this.

In the first paragraph of the report it states that this is being done to achieve financial savings. Under Financial Implications it states '*when implemented it will deliver financial savings as compared to the currently-budgeted structure.*

- a) If this recommendation is adopted when will it be implemented and what savings will be made?

Answer: As the report states; as soon as possible, and unknown at this point, hence making it clear that savings will be reported in the usual way.

- b) There has not been a Director in place since the previous one retired and so in simple terms what financial savings have been made to date?

Answer: Circa £25k.

2. If one looks at Agenda Item 8, Appendix 1 on page 81 of the papers on the top line against Corporate Management the annual budget for 2023/24 is shown as £1,338,000. The Total Savings are shown as Zero.

One report says there will be savings and another shows there will be none. Are Cabinet sure of what they are going to be agreeing to?

Answer: For Cabinet to consider during debate.

54. Declarations of Interest under the Code of Conduct

No interests were declared under this item. Members were reminded of the need to make declarations of interest where appropriate.

55. Minutes of the Previous Meeting

The minutes of the previous meeting held on 19 September 2023, were approved as a correct record and **SIGNED** by the Leader.

56. Mid Devon Housing Damp and Mould Policy (00:22:00)

Cabinet had before it a report * which set out how Mid Devon Housing would address issues of damp, mould and condensation within the Council's tenanted and leasehold housing stock.

This included how the Council intended to comply with its legal responsibilities and with the Housing Ombudsman's recommendations in 'The Spotlight on Damp and Mould' report as well as its wider health, safety and wellbeing requirements towards its tenants under the statutory Homes Standard published by the Regulator of Social Housing and the new Social Housing Regulation Act 2023.

Consideration was given to:

- How incredibly disappointing it was that it had taken the death of a child to bring this matter to the fore nationally.
- The responsibility of the Council to provide safe and healthy homes.
- A tenant/s 'lifestyle' being one of the causes of condensation and what the Council could do to help in terms of providing clear and helpful advice.
- In certain circumstances reasonable adjustments could be made such as triple venting, opening a window after a shower, using a kettle rather than heating up pans of water or regulating the temperature better by turning the thermostat down rather than completely turning it off and then up to maximum the next time it is switched on.
- Damp and mould rarely existed as a result of one particular issue, it was more complex than that. The cost of living crisis as well as mental health issues could also be having an impact.
- Advice packs to tenants had been very welcome and there was an ongoing dialogue regarding education and feedback.
- Many issues were picked up by Neighbourhood Officers.
- There were more issues with the older housing stock and this was a consideration when reaching a decision about whether or not it was cost effective to repair a property or replace the property altogether.
- The vulnerabilities of residents were taken into account. New tenants were invited to join a 'Getting to know you' project with housing officers making the most of every contact and opportunity.
- Further central Government legislation was due which would provide more detail on how private landlords and Registered Social Housing landlords should deal with damp and mould, including any complaints arising as a result of it. It was not clear whether there would be any funding to support local authorities with this issue but Government was being pressed on the financial challenges this issue presented.
- Neighbourhood walkabouts with Ward members were proving to be very helpful to all parties involved.

RECOMMENDED to Full Council that the new Damp and Mould Policy and Equality Impact Assessment contained in Annexes A and B be adopted subject to the inclusion of the following paragraph:

To ensure that treatment has been effective, and damp and mould has not reappeared, any improvement work will be accompanied by a follow up visit to the property. MDH will allow at least 6 weeks after the initial treatment to revisit the dwelling. Any issues reported by tenants in the meantime will be acted upon promptly. If damp and mould have reappeared, further investigation and intervention will be pursued.

(Proposed by Cllr S Clist and seconded by Cllr S Keable)

Reason for the decision:

The council has statutory responsibilities under the Landlord and Tenant Act 1985, the Decent Homes Standard, the Defective Premises Act and the Housing Health and Safety Rating System (HHSRS) to ensure that properties are maintained, meet the Decent Homes Standard and that, where appropriate, properties are assessed

and steps taken with a view to avoiding or minimising the risk of recurrence of damp and mould.

Note: * Report previously circulated.

57. **Recharges Policy (00:43:00)**

The Cabinet had before it a report * stating that Mid Devon Housing (MDH), as a social landlord, incurred costs that arose from works and other activities which were normally the responsibility of the tenant, including repair of deliberate damage, pest control and property cleans and clearances. The MDH Recharges Policy sought to define the circumstances where such recharges occurred and make clear MDH's intention to recover such costs.

Consideration was given to:

- Whether there was a link between the age of a property and the length of the void period. It was explained that often there was a link.
- Sometimes there was deliberate damage to a property which required repair but which came at a cost.
- Other costs incurred could include missed appointments, missed inspections including those related to gas safety and tenants who just disappeared with no forwarding address.
- It was a challenging area but people's vulnerabilities were always taken into account.

RESOLVED that the updated MDH Recharges Policy and Equality Impact Assessment contained in Annexes A and B respectively be approved.

(Proposed by Cllr S Clist and seconded by Cllr J Lock)

Reason for the decision:

The Council is (and must be) a registered provider of social housing and therefore is required to comply with the regulatory framework and consumer standards operated by the Regulator for Social Housing (RSH).

As such, it is necessary to ensure that the Recharges Policy addresses all the relevant legal obligations the Council has as a landlord for the housing estate. Consequently, the policy has been produced to ensure MDH has a clear basis for compliance with the relevant statutory consumer standard, which is it the Home Standard in this case.

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

58. **Makeup of the senior officer structure in light of posts held vacant (01:06:00)**

The Cabinet had before it a report * considering the makeup of the senior officer structure.

Consideration was given to:

- The fact that the Council had already been operating without the post in question since May 2023 under interim arrangements.
- There were no plans to reduce the amount of administrative support.
- The advice which had been sought from the Local Government Association had informed the proposal.
- The process would be reviewed by the regular Establishment reports presented to the Scrutiny Committee and the Cabinet.
- There were no undue concerns from the other members of the leadership team.

RESOLVED that:

- a. The senior officer (leadership team) structure be revised to delete one post, with responsibilities realigned across remaining posts as appropriate.
- b. The new leadership team structure be implemented as soon as possible, subject to consultation with those employees affected, and in accordance with the relevant national terms and conditions for local authority senior officers.

(Proposed by the Leader)

Reason for the report:

It is considered that the council can continue to meet its legal obligations with this reduced senior officer structure. The legal implications resulting from the decision will relate to the appropriateness of implementing the changes in accordance with relevant employment law. This will be done in accordance with MDDC policy and with advice from SW Councils as required in order to minimise any risk.

Note: * Report previously circulated.

59. 2024/25 – 2028/29 Medium Term Financial Plan Update (01:17:00)

The Cabinet had before it a report * which updated Member's on the Medium Term Financial Plan (MTFP) which covered the period 2024/25 to 2028/29 and which identified potential savings options for consideration / approval.

The following was brought to Members' attention:

- There was an estimated budget shortfall of £2.1m for 2024/2025 rising to £5.2m by 2028/2029, however there was a legal obligation to balance the budget.
- The three levels of risk in relation to the proposed savings was explained.
- The detail of proposed savings would be discussed by the Policy Development Groups, the Cabinet were being asked to accept the 'principles' of this approach and provide a corporate steer.
- All Members were encouraged to engage in the process.
- Further significant savings would need to be identified with some decisions being very difficult to make.
- Members would need to receive some advice as to what the proposed savings would mean in reality for service provision.

- It was hoped that the Government's Funding Settlement would be known by Christmas providing more financial certainty.
- Opportunities for partnership working and the sharing of services with other authorities continued to be explored.
- Conversations were also being had with Town and Parish councils.
- Decisions in relation to discretionary and non-discretionary services would need to be considered as part of closing the budget gap.

RESOLVED that:

- a) The updated MTFP for the General Fund covering the years 2024/25 to 2028/29 be **NOTED**.
- b) The savings options within Appendix 2, taking into account the recommendations from the Policy Development Groups, be approved.
- c) The Policy Development Groups be requested to identify further savings options and recommend back to Cabinet for approval.

(Proposed by Cllr J Buczkowski and seconded by Cllr S Clist)

Reason for the report:

The current budget for the General Fund shows a potential deficit of £765k, with an increasing funding deficit projected in future years. This highlights the need to take steps to plan for further reductions to the Council's ongoing expenditure levels.

Note: * Report previously circulated.

60. **Notification of Key Decisions (01:40:00)**

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

A suggestion was made that when the Cabinet were required to consider the Crediton Masterplan, consideration be given to holding the meeting in Crediton.

Note: * Notification of Key Decisions previously circulated.

(The meeting ended at 7.00 pm)

CHAIRMAN

MDDC CABINET MEETING 17TH OCTOBER 2023

QUESTIONS: PAUL ELSTONE (A local resident).

My questions relate to Agenda Item 8 – Medium Term Financial Plan Update and associated financials.

Question 1

Appendix 1 - Savings Options Summary Lists Parks and Open Spaces, shows a £50K saving. This amount it is believed to be the money required to keep both the Westexe, Tiverton, and Crediton paddling pools open and maintained over a year, plus perhaps the children's play equipment.

Additionally, the Pannier Market is showing a saving of £100K.

Appendix 2 Headline Savings Options Round 1, Row 5 says and specifically against these budget items.:

Quote:

"Therefore, as indicated previously some services will cease" and "Reputational risk are likely".

Unquote:

Will the Council Leader provide categorical assurance, this evening, that he fully supports both the Westexe Tiverton and Crediton Paddling pools being fully open for use next summer and in the 2024/25 budget year and that he is not in agreement with officer recommendations ?

Currently there are ongoing discussions with the relevant Town Councils as to how these activities could be funded in 2024/25. This will be fed in to the budget setting process along with all other considerations in order to reduce the estimated budget gap. This administration made a commitment to leisure services across the District and understand the need to residents of leisure items such as the paddling pools. Whilst savings need to be made to ensure a balanced budget, the Council will continue to work with Town and Parish Councils to ensure these vital services remain. We have no plans to close the paddling pools or any of our amenity facilities/services.

Question 2

Also, will the Council Leader also state that he is against the Tiverton Pannier Market being impacted irrespective of any Tiverton Town Council Funding decision ?

It would be inappropriate to reflect on current discussions/decisions of the Town Council that may directly or indirectly impact this Council's budget position.

As already indicated all budget decisions will be taken through the Policy Development Group meetings, which will reflect on affordability of service levels and overarching budget prioritisation before any formal decisions are taken by the Cabinet.

Question 3

It has been stated, in answer to a previous question, that all 3 Rivers funding came from temporary cash flow treasury lending.

How precisely is this Treasury Account funded ?

All Councils receive income and incur expenditure over irregular timing patterns during the financial year. If, and more often when, a Council has a surplus temporary funding position, it will invest these monies via treasury deposits, usually with banks, building societies and other public sector organisations (in accordance with an agreed treasury management policy).

Question 4.

The previous 3 Rivers loan impairment of £790,000 was required to be written off over a 5-year period. This despite the S151 Officer initially saying it was not necessarily a loss but prudent accounting.

How long will the additional £4.5 million 3 Rivers loan impairment take to be written off ?

This will be a decision for the Council to make at year end as part of its annual accounts process and will then be subject to review by the external auditors.

Question 5.

When setting the budget for 2023/24 there was a requirement to draw down General Fund reserves by around £500K. This was justified by officers stating there was a requirement to compensate for lost interest payments due from 3 Rivers - given the then Full Councils decision not to approve future new developments.

Can it be explained, and in simple terms, that while the 3 Rivers receive loans from a Treasury Account, the interest is paid to support the General Fund.

Surely interest should be paid back to loan source account. If not, why not ?

All interest earned from treasury lending is credited to the Council's General Fund. It is only the principle of a loan that is credited back to clear the loan account upon its maturity.



Report for: Environment Policy Development Group

Date of Meeting:	10 October 2023
Subject:	Climate and Sustainability Update
Cabinet Member:	Cllr Natasha Bradshaw - Cabinet Member for Climate Change.
Responsible Officer:	Jason Ball - Climate and Sustainability Specialist. Paul Deal - Corporate Manager for Finance, Property and Climate Change.
Exempt:	None. which are Exempt from publication under paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)
Wards Affected:	All.
Enclosures:	Annex A. Guidance: climate and environmental sustainability statements.

Section 1 – Summary and Recommendation(s)

To receive an update on the Climate Action Plan (CAP) and the wider Climate and Sustainability Programme.

Recommendation(s):

- 1. That the Environment PDG notes and accepts this report as an update on the Council’s response to the Climate Emergency, documenting progress with the Climate Action Plan (CAP) and the wider Climate and Sustainability Programme.**
- 2. That the Environment PDG recommends to Cabinet the adoption of the attached guidance for officers and Members regarding climate and sustainability statements. This guidance relates to business cases and committee reports. Guidance was developed in consultation with the Net Zero Advisory Group and Corporate Managers and should now be used and maintained to help shape decisions and delivery in line with policy and statutory obligations.**

Section 2 – Report

1.0 Introduction

- 1.1 The Council's Corporate Plan places a strong emphasis on environmental sustainability matters in all aspects of its work, linked to everything from procurement to promoting nature recovery.
- 1.2 The Climate and Sustainability (C&S) Specialist leads development of the Council's Climate and Sustainability Programme, working inclusively with all colleagues and Councillors, particularly the Corporate Manager for Finance, Property and Climate Change; and the Cabinet Member for Climate Change.
- 1.3 The Council has declared a Climate Emergency and aims to be climate neutral by 2030. The term 'climate neutrality' describes a balance achieved, for any given period, for carbon dioxide and other greenhouse gases released into or removed from the atmosphere; related to the actions taken by organisations, businesses or individuals. The goal of climate neutrality is to achieve a net zero climate impact.
- 1.4 The Council's work to address the climate change crisis aligns with the climate emergency declaration across Devon, and the Devon Carbon Plan. Council actions with regard to **climate mitigation** (reducing greenhouse emissions) and **climate adaptation** (resilience to climate change risks) can be split into two work streams:
 - an internal organisational / corporate focus for the Council;
 - the wider agenda to enable actions across Mid Devon communities.
- 1.5 Therefore this report is divided into **corporate** and **community** items (some overlap is possible). Clearly the Council can monitor and manage matters related to our own assets and operations to a significant degree. For the wider agenda linked to the whole Mid Devon area, we will work as a partner with local businesses, organisations, community groups and residents.
- 1.6 This report emphasises activity and progress updates for brevity. For background details, please refer to previous reports, all [available online](#).

2.0 Performance

- 2.1 Aims, Priorities and Performance Indicators
 - 2.1.1 Progress on Performance Indicators (PI) related to the Corporate Plan is provided separately; [available online](#).
- 2.2 The Council's Carbon Footprint
 - 2.2.1 Annual carbon footprint reports (greenhouse gas accounting) are published on the Council's [Sustainable Mid Devon](#) website: [Our Plan](#).

3.0 Community and partnership activities

3.1 Community engagement.

3.1.1 The C&S Specialist and the Cabinet Member for Climate Change welcome opportunities to liaise with local groups to understand their priorities and to seek partnership opportunities such as events, projects or community engagement. Recent interactions include being kindly invited to a Sustainable Tiverton meeting, and a Sustainable Crediton meeting.

3.1.2 Housing teams have worked with tenants on environmental sustainability through activities and topics that are engaging and important to residents. Such as:

- Energy saving advice.
- Mid Devon in Bloom. Tenants entered into our gardening competition (March-July). A wildflower garden with a pond and vegetable patch won the prize for most sustainable garden. Other category prizes included best communal garden, best baskets and containers and best overall garden.
- Willand Wildlife Garden. Surveys in spring and summer helped plan for new plants and bulbs to be planted this autumn. Wild flora recorded has included bluebell, cuckoo flower and Ficaria verna. Hedgehog houses have been built by a volunteer.

3.2 Promoting local events, exemplars and projects

3.2.1 Online promotion continues through the Council's social media channels, engagement platform and the [Sustainable Mid Devon](#) website. Examples:

- [Free energy efficiency upgrades](#)
- [Mapped - Devon's Community Fridges](#)
- [EV Charge Points at Home and Work](#)

3.3 Bin-it-123.

(CP aim: env06.)

3.3.1 Council teams are running a proactive educational campaign to inform households that recyclable and residual waste must be in the right containers (residual waste left on the side will not be taken). Since the Bin It 123 launch in October 2022, the district's recycling rate has increased by 9% compared to the same period last year. The amount of residual waste collected during the 12 month period up to May 2023 reduced by 1,491 tonnes; again a significant positive change achieved by Mid Devon households.

3.3.2 Anyone requiring more recycling containers can [request additional containers](#) online and can also [request additional black bins on the Council's website](#).

3.4 Devon Energy Planning Group

3.4.1 The C&S Specialist is involved in establishing a partnership approach to energy action planning and preparedness. By setting up a local modelling capability the Local Area Energy Plan (LAEP) will provide a pipeline of

investable projects that will act at a local level to achieve Net Zero energy systems for the full range of energy uses and types.

3.5 Sustainable Economy

(CP aims: Env01, Env02.)

3.5.1 The C&S Specialist supported the Economy Team bid for an extra £24k towards green business grants. This will, if approved, boost the Council's Shared Prosperity Fund from April 2024 so we can support local resource efficiency projects, energy saving investments and renewables.

3.6 Electric Vehicle Chargepoints: Delivery via the Deletti Partnership.

3.6.1 Leases have been agreed at the first 3 of 6 public car parks where the Council will host rapid vehicle chargers and will earn revenue as a small percentage of operator income. At no capital cost to the Council, these fully funded units will be owned and operated by Wenea / Gamma Energy (contract procured by lead partner Devon County Council).

3.6.2 The first phase is: Market Street at Crediton, Forge Way at Cullompton and William Street at Tiverton. The next phase will be: St Saviour's Way at Crediton, Westexe South at Tiverton and the Pannier Market at Tiverton.

3.7 Devon's Local Electric Vehicle Infrastructure (LEVI) working group.

3.7.1 We are actively involved in the Devon's county working group that will help deliver the [£7million LEVI funding](#) investment in more EV chargers (attended by the C&S Specialist). [The draft Devon EV strategy](#) 'solution hierarchy' prioritises different charger roles to meet local needs, and this will be reflected in the scheme.

3.7.2 The county council plans to run a consultation for town and parish councils. Therefore now seems a good time for local councils to consider how to influence 'best practice' and where communities would like to see investment targeted e.g. trials of on-street slow charger installations.

4.0 Corporate activities

4.1 The Net Zero Advisory Group (NZAG).

(CS priority: 1.)

4.1.1 An advisory group of the Environment PDG. NZAG met on the 22nd August and has a strong support from a wide range of Members, who expressed a wish for the NZAG to facilitate community engagement, local action and projects that link with other PDG committees. Cllr Beckett Fish agreed to be NZAG Chair.

4.2 Sustainability appraisals for decision-making and reports.

(CS priority: 1.)

4.2.1 Cabinet endorsed Environment PDG recommendations, for the PDG and NZAG to liaise with Corporate Management Team (CMT) to:

- formulate a method for a Climate and Sustainability Statement that can be consistently applied to all business cases

- devise a consistent approach to climate change impact statements noted on committee reports
- 4.2.2 This was carried out and final draft guidance was circulated to this PDG and all PDG Chairs. Environment PDG may now recommend it to Cabinet. The guidance would be a 'living' corporate reference document for the Council, helping to support and monitor delivery e.g. towards the 2030 net zero target.
- 4.3 Sustainability in Planning and Development.
(CS Priority 1.)
- 4.3.1 Zed Pod installations at Cullompton have begun. The Council was named Highly Commended in the "Client of the Year" in the Offsite Awards 2023, for its Zed Pod social housing schemes on brownfield sites. Zed Pods are superbly well-insulated and energy-efficient housing units with a Net Zero carbon performance powered by solar PV panels, constructed off-site and installed with the help of local contractors.
- 4.4 Project: Public Sector Decarbonisation Scheme (PSDS).
(CS priority: 2, 3. CP aims: env01, env02, ec01.)
- 4.4.1 A capital funding bid for PSDS funding for Culm Valley Sports Centre is being prepared. The Council had submitted a PSDS bid for funds to carry out a detailed design in advance of the capital bid, but this did not succeed due to over-subscription for PSDS on a national level.
- 4.5 Renewable Energy for Council Consumption
(CS Priority 2 and 3. CP aims: Env02, Ec01.)
- 4.5.1 The decision by [Cabinet 04 July 2023](#) sought to achieve 100% renewable electricity supply within 2 years, to avoid carbon emissions of circa 560 tCO₂e annually. Arrangements have been initiated to secure fully renewable supply when we commence the October 2024 to September 2028 contract.

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

Legal Implications: The Council's environmental sustainability duties are underpinned by legislation e.g. [Environment Act 2021](#). All local authorities have obligations under the [Climate Change Act 2008](#) with regard to climate change adaptation (resilience) and mitigation (emission reductions). [Full Council declared a Climate Emergency in June 2019](#).

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

Impact on Climate Change: The role of the Climate and Sustainability (C&S) Specialist in support of the corporate officer team is central to the Council's Climate

and Sustainability Programme by actions such as the development of strategic positions and delivery of projects through internal, community and partnership work.

Equalities Impact Assessment: There are no equality impacts associated with this report. Specific projects and policies are subject to the Public Sector Equality Duty. (Assessing the equality impacts of proposed changes to policies, procedures and practices is not only a legal requirement, but also a positive opportunity for authorities to make better decisions based on robust evidence.)

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

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date:

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date:

Chief Officer: Andrew Jarrett

Agreed by or on behalf of the Chief Executive/Corporate Director

Date:

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 28/09/2023

Cabinet member notified: Yes.

Section 4 - Contact Details and Background Papers

Contact: Jason Ball - Climate and Sustainability Specialist: Email:

JBall@MidDevon.gov.uk Tel: 01884 255255.

Background papers: Related papers: The previous report was provided to the [Environment Policy Development Group](#) on [15 August 2023](#).

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Background paper: Environment Policy Development Group. Topic: Climate Strategy priority 1, corporate culture etc. Title: **Guidance: climate and environmental sustainability statements.**

Date of Meeting: 10 October 2023.

1.0 Cabinet endorsed Environment PDG recommendations, for the PDG and NZAG to liaise with Corporate Management Team (CMT) to:

- formulate a method for a Climate and Sustainability Statement that can be consistently applied to all business cases
- devise a consistent approach to climate change impact statements noted on committee reports

2.0 Final draft guidance was circulated to this PDG and all PDG Chairs. Environment PDG may now recommend it to Cabinet. The guidance would be a 'living' corporate reference document for the Council.

Content is provided below. The guidance document will include a title page with a contents table and version control.

Contact details: Jason Ball - Climate and Sustainability Specialist: Email: JBall@MidDevon.gov.uk Tel: 01884 255255.

Related papers: none.

Guidance: climate and environmental sustainability statements

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- 4. Resources 7

Version Control

Version	Contributor initials:	Approval by:	Approval date:
Draft 0.1 03 March 2023	JPB. AB.	Corporate Management Team (CMT) consulted then circulated to Environment PDG.	in progress
Draft 0.2 14 June 2023	JPB. Cllr NB.	CMT approved for consideration by Environment PDG for approval.	in progress
QA Final Draft	CMT.		in progress
Final			

1. Background

“We will aim for Mid Devon to be carbon neutral by 2030 and all decisions made by the council will be considered in light of the climate crisis.”

Mid Devon District Council [Climate Emergency Declaration](#) June 2019.

This guidance supports a consistent approach to considering the climate change crisis in the way we manage and facilitate decision-making across all teams and work themes. Doing this well is part of delivering on the Council’s commitments made to Mid Devon’s communities and its obligations under UK law (such as the Climate Change Act 2008).

Cabinet has resolved the following:

- That Environment PDG and Net Zero Advisory Group (NZAG) consult with CMT and the C&S Specialist to devise a consistent approach to climate change impact statements noted on committee reports. Feedback to inform a Recommendation to Cabinet.
- That Environment PDG consult with Corporate Management Team (CMT) to formulate a method for a Climate and Sustainability Statement that can be consistently applied to all business cases. Feedback to inform a Recommendation to Cabinet.

2. Guidance: committee reports

Reports to committees such as cabinet and policy development groups require a summary paragraph “Impact on Climate Change” along with other assessments such as Equality.

Please note:

- A reduction or removal of greenhouse gas emissions is **climate change mitigation**.
- Action to improve resilience to climate change risks is **climate change adaptation**. Adaptation could relate to matters such as flood risk, raised temperatures or the frequency of extreme weather events.
- Typically climate change adaptation benefits are not easily quantified, but should be tangible e.g. reduced flood risk. Some aspects can be quantified e.g. land area (km²) managed to bring benefits and reduce flood risk.
- Activity at a strategic or programme level tends to deal with broad aims / outcomes, and might not lend itself to quantifiable measures.
- However, reports specific to a project or business case are expected to assess their climate change impact, and actions to address climate change (mitigation or adaptation) in a tangible manner.
- Whole life-cycle impact assessments are important for some projects such as construction, where often the biggest impact relates to embedded carbon in materials and methods.

Your climate change impact statements on a Committee report should have the following key elements:

1. Where there are quantifiable impacts (good or bad) these must be provided. Estimated emissions must be expressed as tCO₂e (tonnes of CO₂ equivalent).
2. Where there are no quantifiable impacts, but there are benefits or costs related to climate change, these must be provided.
3. Make it clear whether the impact is positive (beneficial) or negative (harmful) and the activity duration (short-term or long-term).
4. Please be clear on the scale / reach and the magnitude / weight of the effect.

Absence of a statement is not acceptable – please include something, even if you need to say there will be no impact or difference made. Estimates are fine, but please provide caveats. Keep assessments brief and give detail in the report or supporting material.

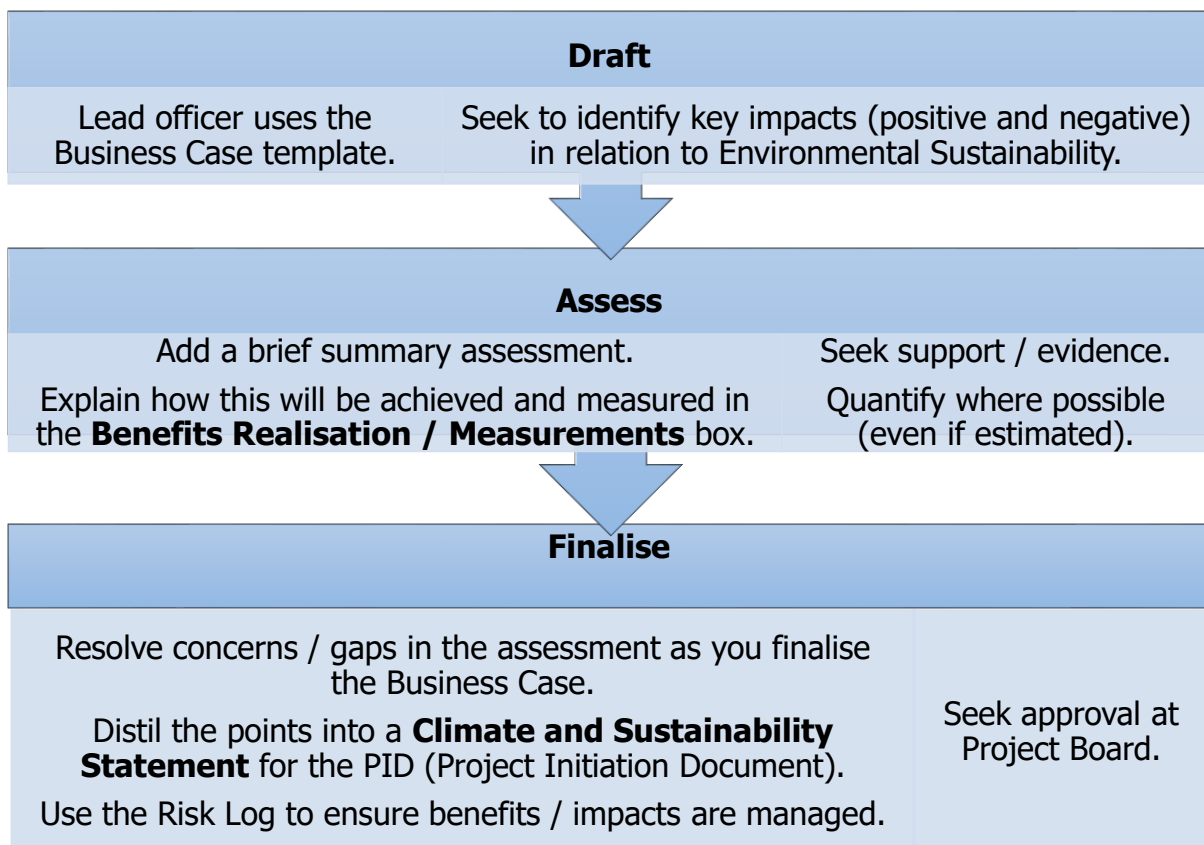
3. Guidance: Climate and Sustainability Statements for business cases

All business cases must use the PRINCE Business Case template on SharePoint. A business case or project proposal typically has a developmental phase as you prepare and submit it (before approval) and a delivery management phase (after approval) to ensure the approved goals are delivered and the benefits realised.

Add your Climate and Sustainability Statement as a brief summary assessment in the **Climate and Sustainability Statement** box on the Business Case form. Put relevant objectives in the **Benefits** box. Explain details - how this will be achieved and measured - in the **Benefits Realisation / Measurements** box. A process flowchart is shown below.

An approved project must be listed on the Council’s Climate Action Plan (where relevant), with emissions expressed as tCO₂e allocated to scopes 1, 2, or 3 (or a combination). The Project Manager should add a KPI (or an item on the Risk Log) as relevant to impact management and related goals and decisions. Project reporting could include e.g. Red-Amber-Green (RAG) indicators.

Process Flowchart (business case)



A Climate and Sustainability Statement should cover all the environmental benefits and impacts affected by your proposal. Climate change considerations might typically include:

- energy performance in buildings;
- renewable energy investment or procurement;

- improved efficiency in work arrangements or upgrades to systems;
- transport needs / modes / changes;
- embodied carbon linked to manufacture, transport and lifecycle of materials;
- embodied carbon linked to construction;
- preparations appropriate to the increased likelihood of extreme weather events.

Sustainability considerations additional to climate might include, for example:

- consumption of resources such as materials, chemicals, PPE, goods, water;
- water, land or air pollution, e.g. [air quality management](#) plans;
- natural capital;
- ecological effects on e.g. breeding habitats, hibernation sites, connectivity.

Climate change impacts, benefits and risks are often related to other issues such as landscapes and ecology, but even if those are assessed or managed separately or by other organisations, the climate-related aspects should still be given consideration (e.g. a project to avoid soil erosion could be considered with regard to climate change risks and 'climate change adaptation' in parallel to other bodies / partnerships concerned with farming and food security; whilst emissions from the loss of *sequestered carbon* held by soils and habitats comes under 'climate change impact').

Back your conclusions with background research, and indicate how you will provide evidence to shape and verify your assessment. Be proportionate to the project scope and Council requirements e.g. will you consult with colleagues to check assumptions and estimates, would hyperlinks to best-practice guidance suffice, or will the project require independent reports by suitably qualified consultants?

Key elements at each phase.

Developmental Phase (before approval)

- **Scope**
- **Purpose / Process / Activity**
- **Context**
- **Wider considerations e.g. procurement implications.**

Management Phase (after approval)

- **Monitor / verify the results.**
- **Report back to the Project Board on actual impacts/benefits.**

4. Resources

Seek help where needed. The Climate and Sustainability Specialist provides support across all teams. Colleagues are on hand to share project experience and expertise.

Why do we consider the climate impact of projects and the way we work?

Making decisions in a way that supports the Council's net zero 2030 target is vital, because the right choices can speed up our ability to cut the Council's carbon footprint.

Monitoring the Council's Carbon Footprint.

The Council reports its 'Carbon Footprint' or 'Greenhouse Gas Inventory' - an assessment of its climate change impact as an organisation, measured in tonnes of carbon dioxide equivalent (tCO_{2e}). The tCO_{2e} is based on the Global Warming Potential (GWP) of different greenhouse gases over a 100-year period in comparison to carbon dioxide (CO₂).

Carbon Footprint reports, a progress chart and headline figures are published at <https://sustainablemiddevon.org.uk/our-plan> and updated annually.

Does this really matter to the Council?

Yes, working to address climate change and environmental sustainability is a high priority to the Members, and surveys consistently show a huge majority of our communities care too. The Council's recognition of a climate emergency was widely welcomed in Mid Devon communities and this echoed the response across Devon.

The Council's environmental sustainability obligations are underpinned by legislation (e.g. [Environment Act 2021](#), [Climate Change Act 2008](#), [NERC Act 2006](#)). For example, [we must](#) seek to [conserve and enhance biodiversity](#). The Council's statutory duty to address climate change means adaptation and mitigation considerations are woven into the way we operate and how we work in partnership to influence Mid Devon as a whole. Sometimes communities or the Council can push further than minimum requirements, e.g. in Neighbourhood Plans and the Local Plan. The Council is a signatory partner to the [Devon Carbon Plan](#).

How can we find the right background information?

The UK Government website is a useful starting point.

- [Local government, climate change and the environment \(www.gov.uk\)](https://www.gov.uk/government/collections/local-government-climate-change-and-the-environment)

Some information is provided within the Council's own reports (e.g. Environment Policy Development Group), strategy documents (e.g. Housing Strategy), policies (e.g. climate emergency planning policy statement) and plans (e.g. Climate Action Plan).

- [Studies and Data – Devon Climate Emergency](#)
- [Greenhouse gas reporting: conversion factors 2023 \(www.gov.uk\)](https://www.gov.uk/government/collections/greenhouse-gas-reporting-conversion-factors-2023)
- [Energy and climate change: evidence and analysis \(www.gov.uk\)](https://www.gov.uk/government/collections/energy-and-climate-change-evidence-and-analysis)
- [Agriculture and climate change \(www.gov.uk\)](https://www.gov.uk/government/collections/agriculture-and-climate-change)

- [The UK climate change statistics portal](#)

Free data tools

- [Community carbon calculator \(impact-tool.org.uk\)](#) including Mid Devon data.
- [Greenhouse Gas Accounting Tool \(local authorities\) - Local Partnerships](#)

Official data and guidance on carbon footprints and the climate impact 'emissions factors' of different fuels, foods, transport types, activities, etc can be found via government agencies and government departments e.g. [Department for Energy Security and Net Zero](#) (DESNZ), Defra, Department of Transport.

The [Climate Change Committee](#) (CCC) is an independent review body for the UK which advises and challenges progress with policy and delivery.

Adaptation information and assessments of climate change risks can be found via the MetOffice, Environment Agency and advisory bodies.

- [Environment Agency and climate change adaptation \(www.gov.uk\)](#)
- [Flood risk assessments: climate change allowances \(www.gov.uk\)](#)
- [UK Climate Projections \(UKCP\) - Met Office](#)
- [UK climate maps and data - Met Office](#)

Useful research findings and facts can often be found published online by academic centres e.g. Centre for Alternative Technology, Grantham Institute, University of Exeter. External expertise and guidance could provide valuable reference material and there is a range of knowledge exchange hubs, partnerships and programmes out there.

- [Climate, environment and waste | Local Government Association](#)
- [Climate Adaptation Toolkit - Local Partnerships](#)
- [South West Net Zero Hub \(swnetzerohub.org.uk\)](#)

Examples of impact statements

A: Reports.

Impact on Climate Change: *For the homes in our management, repair and improvement strategies are informed by the need to reduce carbon emissions with a decarbonisation programme; the need to reduce fuel poverty is also a key consideration.*

The example above was appropriate for the scope of the report. (An assessment of the works programme would need to provide figures on the emissions reduction achieved.)

Impact on Climate Change: *The improvements made substantial energy savings of 3,975,431 kilowatt-hours (kWh) in electricity and a 1,854,450 kWh saving in gas. This saved a third on annual energy expenditure -*

approximately £95k. The council also benefitted from a reduction in maintenance costs, helping to free up budgets.

The poor example above quantified energy and cost savings, but the emissions figures should have been stated (kgCO₂e or tCO₂e) so this did not assess climate impact.

Impact on Climate Change: *The recommendation to seek to increase the proportion of renewable power consumption (currently circa 50%-55% of electricity on half-hourly metered supplies is on a renewable tariff) aligns with the Council's climate emergency policy and net zero 2030 target. The LASER framework offers green tariff options such as 'green basket' and renewable energy sources, and LASER can provide advisory and facilitation services for power purchase, trading and portfolio management. To continue the LASER framework would not preclude or prevent the Council from implementing measures to reduce and offset carbon emissions from gas and electricity consumption.*

The example above was used on a Cabinet report on energy procurement; it comments specifically on how the report recommendations would affect / enable Council policy. More detail in the report and annex provided estimates of associated greenhouse gas emissions. Such as:

Our standard tariff electricity has greenhouse gas emissions of 0.261 kilograms of CO₂ equivalent (kgCO₂e) per kWh unit. This would total circa 544 tonnes CO₂e per year if the Council had not sourced a renewable tariff for some sites (noted below).

Together the summary and further details enabled Members and Officers to evaluate the impact of the decisions and options in the report.

B: Project Proposals

A hypothetical example of a short summary statement for a project or decision:

Practical implementation of our policy could reduce climate impact by circa 28 tonnes of CO₂e by avoiding an additional 4,000 car commuter journeys per year.

A hypothetical example of more detailed explanation in the body of the report:

We estimated the climate impact (benefit) of avoiding 4,000 journeys based on commuting emissions of 7.0 kgCO₂e per day in an average car travelling 16.1 km each way. $4,000 \times 7 = 28,000$ kgCO₂e or 28 tCO₂e.

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Report for: Cabinet

Date of Meeting:	14 November 2023
Subject:	2023/24 QUARTER 2 MONITORING
Cabinet Member:	Cllr James Buczkowski, Cabinet Member for Finance
Responsible Officer:	Andrew Jarrett, Deputy Chief Executive (S151)
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix A – General Fund Summary Appendix B – General Fund Service Variances Appendix C – Employee Cost Summary Analysis Appendix D – Income Summary Analysis Appendix E – HRA Summary and detail variances Appendix F – Capital Programme Summary Appendix G – 3Rivers update (PART 2) Appendix H – 3Rivers Management Accounts (PART 2)

Section 1 – Summary and Recommendation(s)

To present the forecast Outturn position for the General Fund, Housing Revenue Account and Capital Programme for the financial year 2023/24.

Recommendation(s):

1. The Cabinet are asked to:

- a) **Note the financial monitoring information for the income and expenditure for the three months to 30 September 2023 and the projected outturn position;**
- b) **Note the use of Waivers for the Procurement of goods and services as included in Section 9;**
- c) **Note the estimated 2023/24 3Rivers write off of c£3.7m will be funded through a combination of Earmarked Reserves included New Homes Bonus and various sinking funds. The precise make up of this will be recommended within the Cabinet Outturn report.**

- d) **Agree the virement of the capital approval from the Hydromills project (currently deemed unviable) to be replaced by Investment in Solar Panels (once quantified) with the remainder being released.**

Section 2 – Report

1.0 Introduction

- 1.1 This report contains information relating to the Council's overall financial performance for the 2023/24 financial year. Monitoring the Budget is an important part of the Council's performance management framework. The aim is to keep a tight control on spending on services within a flexible budget management framework.
- 1.2 The purpose of this report is to highlight to Cabinet our current financial status and the likely reserve balances at 31 March 2024. It encompasses both revenue, in respect of the General Fund, the Housing Revenue Account (HRA), and Capital Programme. The detail underpinning these projections is included within the body of report in the following sections / appendices:
- The projected General Fund outturn position for 2023/24 (**Section 3 + Appendices A to D**);
 - The projected HRA Outturn position for 2023/24 (**Section 4 + Appendix E**);
 - The projected Capital Outturn position for 2023/24 (**Section 5 + Appendix F**);
 - Collection Fund Update (**Section 6**);
 - The projected Reserves Outturn position for 2023/24 (**Section 7**);
 - The Procurement Waivers utilised during the quarter (**Section 8**);
 - The latest position of 3Rivers (**Appendix G – Part 2**)
- 1.3 Favourable variances generating either increased income or cost savings are expressed as credits (negative numbers), whilst unfavourable overspends or incomes below budget are debits (positive numbers). Any variance against the agreed budget will impact on the Council's reserves. This monitoring focuses on significant budget variances (+/- £20k), including any remedial action where necessary leading to an estimated overall Outturn position.
- 1.4 The Council's financial position will be constantly reviewed to ensure its continued financial health and delivery of excellent Value for Money.
- 1.5 This report also includes Section 9 which updates Members on the use of Procurement Waivers during the first quarter of 2023/24. A procurement waiver is where contract procedure regulations have not been applied due to exceptional circumstances, such as urgency of the goods/services being required, or the specialist nature of the goods/services where there is no effective competition to provide it.
- 1.6 Members should note that officers have also identified areas where some unbudgeted expenditure can be mitigated through the use of earmarked

reserves. Therefore this is shown in Appendix A within the individual service areas enabling clarity on the overall forecast outturn variance that will affect General Reserves.

- 1.7 A summary of the Council's Treasury Management year end position is shown in Section 8. This now includes further detail as required by new regulations.

2.0 Executive Summary of 2023/24

- 2.1. The report indicates a projected General Fund outturn variance of £196k over spend (£527k in Qtr 1) and a HRA outturn variance of £485k under spend (£346k in Qtr 1). In respect of the Capital Programme, there is a variance of £52,917k against the 2023/24 Deliverable Budget, this is explained through a forecast £1,066k under spend, £1,720k over spend and slippage of £28,661k across various projects, with £24,910k is no longer required, the majority of which was funding for future development projects. These forecasts will continue to be refined during the year, which should result in more accurate year end forecasts.
- 2.2. The General Fund position must be considered against the position agreed by Full Council in March to draw £625k from General Reserves to balance the budget and the £400k vacancy saving target to be identified in-year. Therefore, to be forecasting to have reduced this £1,025k challenge down to £196k is a significant achievement. The workforce review group have, and continue to, consider each vacancy to ensure that we achieve and exceed the £400k vacancy target, and services have achieved significant budgetary savings in order to deliver a virtually balanced position. Work continues to ensure the position is maintained and pushed further towards fully offsetting the in-year savings targets set by Full Council.
- 2.3. Although overall targeted staffing savings are on track, the Council continues to struggle with recruitment and retention particularly within Waste requiring higher usage of agency staff than planned. Some service areas that were dependent upon agency support have reduced or removed this requirement through successfully filling roles. Therefore forecast outturn agency costs are less than half of what they were at this point last year.
- 2.4. In respect of income, there are significant reductions in Planning and Building Control income due to the increasingly depressed housing market leading to fewer planning applications and build sign offs. However, other income streams are tracking well above budget giving an overall credit to the bottom-line.
- 2.5. If the forecast level of over spend is required to be covered from General Reserves, this will reduce the balance to £1,828k rather than the planned £1,400k, thereby reducing the required draw by £428k. However, this revised balance is below the agreed minimum £2m balance and therefore action needs to be taken to address the matter, through the wider MTFP strategy.

2.6. All of the above positive budgetary achievements currently exclude any in-year write offs associated with the soft closure of 3Rivers which are currently expected to be in the region of £3.7m based on a range of prevailing assumptions and will need to be funded from a number of drawings from existing earmarked reserves – see Appendix H (Part 2). This will be formalised in the end of year outturn accounts.

3.0 The General Fund

3.1. The forecast General Fund over spend for the current year is £196k after transfers to and from Earmarked Reserves. A summary explanation of these key variances is shown in **Appendix A**, service by service. **Appendix B** also provides the detail of the key variances and those above £20k (+ or -) at individual service level to enable full transparency of the position. Similarly, for Appendix F (Capital Programme) the detail of the key variances and those above £50k (+ or -) at individual project level are included.

3.2. The table below shows the overall Budget, Forecast and Variance, summarised for 2023/24.

Table 1 – General Fund Summary

Financial Summary for 2023/24	2023/24 Budget £	2023/24 Forecast £	2023/24 Variance £
Total Net Cost of Services	15,664,819	15,770,069	105,250
Other Income and Expenditure	(3,201,584)	(3,022,194)	139,390
Total Net Budgeted Expenditure	12,463,235	12,747,875	284,640
Total Funding	(12,463,235)	(12,551,775)	(88,540)
Net Income and Expenditure	0	196,100	196,100

3.3. The current incomes from our major fee income streams are shown in **Appendix C**. It shows that the full year forecast Income variance is £290k above budget. The lower than forecast income in Planning and Building Control reflects the economic/market conditions, although has improved overall since Qtr 1. Within Waste, Garden and Trade waste is healthy and above forecasts, however recycle prices, which are excluded from Appendix C, have dropped and therefore this income stream is £151k lower than expected. Other Service income streams remain relatively close to expectations.

3.4. The current employee costs are shown at Appendix D. It shows a full year forecast under spend of £278k, after taking into account the £400k vacancy target included across Corporate Management and Leisure (with the actual savings shown against the respective service areas). Notable savings are being made in Property, Economic Development, Planning and IT due to vacancies not being filled. All vacancies are fully reviewed to consider if the position can

be removed permanently, or temporarily managed without. Within Public Health, the use of Homes for Ukraine funding is offsetting the administrative cost of operating the scheme on behalf of the government. The Waste service is showing a notable over spend on staff costs due to higher than expected absence, both through vacancies and sickness.

- 3.5. The forecast impact on the outstanding local government pay award has been amended from the assumed 5.5% budgeted uplift, to reflect the current (rejected) offer of the higher of £1,925k or 3.88%. This creates a relatively minor variance (+ or -) in each service area depending on the average pay in that area.
- 3.6. Agency Spend to date continues to be high following on from 2022/23. This is particularly applicable to Waste which has high levels of sickness in the year so far and is required to maintain the service. Overall, agency costs are largely offset by underspends on the staffing establishment, leading to a net additional cost of £25k. However, some vacancies have been filled, in planning and street scene for example, meaning that the forecast for the remainder of the year is lower than in Qtr 1. Some agency is funded by grant to undertake specific project work, such as economic development.
- 3.7. The Other Income and Expenditure variance shown in the table within para 3.2 above, includes the budgeted £625k draw from General Reserves, whereas the final outturn variance will be the actual transfer to or from General Reserves. It is fully offset by the increased return on investments due to continued increase in interest rates following setting the budget and a higher draw from Earmarked Reserves (largely S106). Therefore the £625k is not expected to be drawn at this time.
- 3.8. Following the rejection of business plans submitted by the Council's subsidiary company, 3 Rivers Developments Ltd, and the decision to only allow the company to complete their live developments, further impairments were processed at 2022/23. Depending on the route and closedown of the company, additional impairments and write offs will be required. Both live developments are entering their final stages with completion on St George's expected imminently and by the end of the year at Bampton. The latest position is shown in Appendices G and H – in Part 2.
- 3.9. The table below shows the opening position of key operational balances of the Council, the forecast in year movements and final predicted position at 31 March 2024:

Table 2 – Summary of Key Reserves

Usable Reserves	31/03/2023	Forecast In Year Movement	31/03/2024
REVENUE	£000's	£000's	£000's
General Fund (See above)	(2,025)	196	(1,828)
Earmarked Reserves	(18,160)	1,944	(15,983)
HOUSING REVENUE ACCOUNT (See Section 4)	(2,000)	(485)	(2,485)

However, the actual reserves will be increased or decreased by the surplus or deficit generated on the General Fund in the year.

4.0 Housing Revenue Account (HRA)

- 4.1. This is a ring-fenced reserve in respect of the Council's housing landlord function. It is increased or decreased by the surplus or deficit generated on the HRA in the year. At Quarter 2 2023/24 the forecast year end budget position is a net surplus of £485k (£346k in Qtr 1). An explanation of the key variances and those above £20k + or -) are highlighted within **Appendix E**.
- 4.2. A snapshot of a number of the more significant variances identified giving rise to the forecast surplus:
- £399k salary savings due to vacant posts and delays in filling vacancies, net of pay award;
 - £342k over spend on external contractors this largely as a consequence of staff shortages;
 - £250k under spend on DLO works;
 - £191k additional investment income on cash balances;
 - £259k underspend forecast on capital financing costs due to slippage to the 2023/24 projected capital spend;
- 4.3. It is anticipated that the forecast variance will increase the budgeted transfer to the Housing Maintenance Fund and so the HRA reserve balance will remain at £2m.
- 4.4. As Members are aware, a decision was taken not to move forward with the Post Hill development. Senior officers are currently investigating future options for the site and will provide an update on this once options are solidified. Embedded in this decision will be the consideration of sunk costs incurred within the initial development proposal.

5.0 Capital Programme

- 5.1. The Capital Quarter 2 summary is attached as Appendix F to this report. The total Capital Programme Approval is £139,277k, although much of this is planned to be spent in future years. Therefore a Deliverable Programme for 2023/24 of £66,296k has been set. These schemes will continue to be funded as before through a mix of unspent Capital Grants, Capital Earmarked Reserves or Prudential Borrowing.
- 5.2. At Quarter 2 the actual, committed and forecast spend for 2023/24 amount to £13,380k; leaving a variance of £52,917k against the 2023/24 Deliverable Budget. Of which, £1,066k is an under spend; £1,720k is an over spend, £28,661k will slip into future years and £24,910k is no longer required.
- 5.3. The main areas of slippage relate to HRA developments where the overall programme of works is regularly reviewed. As a result, some projects have slipped to later in the MTFP timetable, while others have been brought forward. The Cullompton Relief Road still awaits funding via a successful bid against the Government's Levelling-Up Scheme.
- 5.4. Significant capital approval is no longer required following the decision to soft close 3Rivers Developments Limited. Planned future developments will no longer proceed. Similarly, Cabinet decided to not progress with the Post Hill development. As such, the projected borrowing requirement over the lifetime of the MTFP will significantly reduce, lowering the financing costs assumed in the Revenue budget. This also removes the forecast income gains from the treasury lending and any development profit.
- 5.5. The £13,379k expenditure will be funded by the use of £1,288k of Capital Receipts (including 1-4-1 receipts), £3,357k grant funding, £4,828k Revenue Contributions such as S106 or utilisation of reserves and £3,905k through internal borrowing (including Lease finance). No further external borrowing has been required during the year.

6.0 Treasury Management

- 6.1. The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management 2021 introduced a new requirement for 2023/24 that members be updated on treasury management activities and indicators at least quarterly. Part of that reporting requirement is to provide a half-yearly update – this is included as a separate agenda item for this committee to consider.

7.0 Other – 3Rivers Developments Ltd

- 7.1. During the quarter ended 30 September 2023, a further £1,312k was loaned to 3 Rivers Developments Limited, a wholly owned subsidiary company of the Council. The total outstanding loan value at this date was £22,364k. Interest of £312k was charged by the Authority in respect of these loans for the period 1 July 2023 to 30 September 2023.
- 7.2. A summary by project is included within Appendix G – as Part 2 given the commercial nature of the business. The Management Accounts from the company of their developments are also included within Appendix H – again as Part 2.

8.0 The Collection Fund

- 8.1. Mid Devon is a Collection Authority for Council Tax and Non-Domestic Rates, and as such, is required to produce a Collection Fund Account for the Mid Devon area. The movement from the position reported at Qtr 1 is minimal.

9.0 Procurement Waivers

- 9.1. In exceptional circumstances, there are sometimes justifiable reasons to act outside the contract procedure regulations. These include the following reasons:
- I. The work, goods or materials are urgently required, and loss would be entailed by delay arising from advertising;
 - II. The work, goods or materials required are of such special nature that no advantage would accrue by inviting competitive tenders;
 - III. There is no effective competition for the goods or materials required by reason of the fixing of prices under statutory authority or that such goods or materials are patented or proprietary articles or materials;
 - IV. Transactions, which, because of special circumstances, may (either individually or as a class) be excepted from time to time by the Cabinet of the Council.
- 9.2. In such circumstances, prior written approval of the Deputy Chief Executive (S151) is required and Cabinet will be informed. Below is a list of the Procurement Waivers utilised during the first quarter of this financial year:

Table 3 – Summary of Procurement Waivers applied

Ref	Subject of the Waiver	Approximate Value £	Reason Code
1	Legal support for Planning Appeal public enquiry	£15k	I and II
2	Expert planning witness as part of the appeal process	£35k	I
3	Grant funding to property owner as part of the Cullompton High Street Heritage Action Zone Project	£94k - £118k	I and II
4	Three year SLA for ecological and Biodiversity Net Gain advice from Devon County Council to support the Planning Service	£60k (£20k pa)	II
5	Renewal of the Fire Alarm System at Culm Valley Leisure Centre following a retrospective fire strategy and fire risk assessment	£20k	I and II

10.0 Conclusion

- 10.1. Members are asked to note the Revenue and Capital Outturn figures for the financial year 2023/24 and the use of procurement waivers during the quarter.
- 10.2. We continue to closely monitor the financial position and amend our expectations accordingly. The budget process for 2024/25 is now underway and Managers are working hard to develop proposals to mitigate the future year's forecast shortfalls.

Financial Implications

Good financial management and administration underpin 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

None.

Risk Assessment

Regular financial monitoring information mitigates the risk of 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 (CR7).

Impact on Climate Change

The General Fund, Capital Programme and the Housing Revenue Account all contain significant investment in order to work towards the Council's Carbon Reduction Pledge.

Equalities Impact Assessment

No equality issues identified for this report

Relationship to Corporate Plan

The financial resources of the Council impact directly on its ability to deliver the Corporate Plan prioritising the use of available resources in 2023/24. The Monitoring Report indicates how the Council's resources have been used to support the delivery of budgetary decisions.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 31/10/2023

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 31/10/2023

Chief Officer: Stephen Walford

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 31/10/2023

Performance and risk: Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 31/10/2023

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Paul Deal, Corporate Manager for Finance, Property and Climate Change

Email: pdeal@middevon.gov.uk

Telephone: 01884 23(4254)

Background papers: 2023/24 Budget Report to Cabinet / Full Council
2023/24 Qtr1 Monitoring Report

GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2023

General Fund Summary	Appendix B Note Ref	2023/24	2023/24	2023/24	2023/24	2023/24	2023/24	2023/24	2023/24
		Annual Budget	P6 Actuals	Full Year Forecast	Full Year Variance	Variance Funded To/(From) Earmarked Reserves	Variance after EMRs	Full Year Variance	
		£	£	£	£	£	£	£	%
					(0 = On budget)				(0 = On budget)
Cllr Luke Taylor (Leader)									
Corporate Management	1a	1,337,539	339,623	1,552,539	215,000	0	215,000		16.1%
Performance & Improvement	1b	96,659	45,386	96,659	0	0	0		0.0%
Cllr Simon Clist									
Bereavement Services	2a	(32,239)	(3,550)	(2,239)	30,000	0	30,000		93.1%
Parks & Open Spaces	2b	340,379	66,774	360,379	20,000	(20,000)	0		0.0%
Commercial Estate	2c	(215,379)	(252,686)	(215,379)	0	0	0		0.0%
Property Services	2d	1,766,356	635,546	1,771,854	5,498	(8,998)	(3,500)		-0.2%
Community Alarms	2f	(95,482)	(55,534)	(76,592)	18,890	0	18,890		19.8%
Homelessness & Rough Sleeping	2g	22,923	(378,861)	(72,378)	(95,301)	0	(95,301)		-415.7%
Housing Options	2h	411,804	188,478	545,804	134,000	0	134,000		32.5%
Cllr James Buczkowski									
Financial Services	3a	843,489	344,277	843,489	0	0	0		0.0%
Revenues & Benefits	3b	849,153	1,173,663	828,883	(20,270)	55,270	35,000		4.1%
Cllr Jane Lock									
Human Resources	4a	582,915	282,803	562,915	(20,000)	0	(20,000)		-3.4%
Customer Services	4b	680,491	310,066	680,491	0	0	0		0.0%
Communications	4c	109,152	47,744	109,152	0	0	0		0.0%
Legal & Democratic Services	4d	1,327,690	695,099	1,316,690	(11,000)	0	(11,000)		-0.8%
Cllr Josh Wright									
Car Parks	5a	(545,510)	(231,609)	(565,510)	(20,000)	0	(20,000)		-3.7%
Street Scene	5b	1,237,767	592,017	1,237,607	(160)	(36,300)	(36,460)		-2.9%
Waste Services	5c	2,225,484	1,520,561	2,564,184	338,700	0	338,700		15.2%
Fleet Management	5d	54,112	25,686	54,112	0	0	0		0.0%
Cllr Steve Keable									
Economic Development	6a	973,502	446,388	1,475,425	501,923	(482,923)	19,000		2.0%
Planning	6b	1,023,604	517,538	1,082,138	58,534	(45,333)	13,201		1.3%
Cllr David Wulff									
Recreation & Sport	7a	1,401,716	854,784	989,716	(412,000)	0	(412,000)		-29.4%
IT Services & Digital Transformation	7b	1,378,629	709,970	1,383,629	5,000	38,000	43,000		3.1%
Pannier Market	7c	79,261	42,307	79,261	0	0	0		0.0%
Community Grants	7d	138,500	93,500	138,500	0	0	0		0.0%
Licensing	7e	24,378	(15,013)	24,378	0	0	0		0.0%
Public Health	7f	709,739	224,972	621,459	(88,280)	(55,000)	(143,280)		-20.2%
Cllr Natasha Bradshaw									
Climate change	8a	118,733	36,563	118,733	0	0	0		0.0%
All General Fund Services		16,845,365	8,256,490	17,505,899	660,534	(555,284)	105,250		0.6%
Net recharge to HRA		(1,883,810)	0	(1,883,810)	0	0	0		0.0%
Statutory Adjustments (Capital charges)		703,264	0	703,264	0	0	0		0.0%
Net Cost of Services		15,664,819	8,256,490	16,325,353	660,534	(555,284)	105,250		0.7%
Net Interest Payable / (Receiveable)		(851,487)	(857,501)	(1,260,486)	(409,000)	0	(409,000)		-48.0%
Transfers from General Reserves		(625,000)	0	0	625,000	0	625,000		100.0%
Transfers into / (from) Earmarked Reserves		(1,725,097)	(1,738,306)	(1,943,987)	(218,890)	182,280	(36,610)		-2.1%
Total Budgeted Expenditure		12,463,235	5,660,684	13,120,881	657,645	(373,004)	284,640		2.3%
FUNDED BY:									
Business Rates									
Retained Business Rates		(1,403,600)	2,295,621	(1,369,851)	33,749	0	33,749		2.4%
S31 Grant associated with Reliefs		(2,915,360)	(1,457,621)	(2,930,921)	(15,561)	0	(15,561)		-0.5%
Business Rates (Surplus)/Deficit		143,085	0	141,772	(1,313)	154,114	152,801		106.8%
Business Rates Benefit from Devon Pool		0	0	(150,000)	(150,000)	0	(150,000)		0.0%
Council Tax									
Council Tax		(6,724,350)	(6,724,354)	(6,724,350)	0	0	0		0.0%
Council Tax (Surplus)/Deficit (2022-23)		(24,680)	(48,807)	(24,680)	0	0	0		0.0%
Un-Ringfenced Grants									
New Homes Bonus Grant		(394,666)	(159,941)	(319,882)	74,784	0	74,784		18.9%
Lower Tier Services Grant		0	0	0	0	0	0		0.0%
Rural Services Delivery Grant		(489,742)	(273,680)	(547,359)	(57,617)	0	(57,617)		-11.8%
Council Tax Support Grant		0	(107,286)	(107,286)	(107,286)	0	(107,286)		0.0%
2023/24 Services Grant		(85,970)	(44,752)	(89,506)	(3,536)	0	(3,536)		-4.1%
Revenue Support Grant		(98,468)	(51,203)	(98,468)	0	0	0		0.0%
Funding Guarantee Grant		(469,484)	(242,668)	(485,358)	(15,874)	0	(15,874)		-3.4%
Total Budgeted Funding		(12,463,235)	(6,814,691)	(12,705,889)	(242,654)	154,114	(88,540)		-0.7%
Forecast in year (Surplus) / Deficit		0	(1,154,007)	414,992	414,991	(218,890)	196,100		
General Fund Reserve 31/03/23							(2,024,580)		
Forecast General Fund Balance 31/03/2024							(1,828,480)		

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GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2023

Note	Description of Major Movements or those above £20k	2023/24 Full year variance (net of transfer to EMR) £	PDG
1a	Corporate Management		
	Vacant Director Post and other salary variances	(85,000)	Cabinet
	Vacancy target - salary savings included within specific service lines	300,000	Cabinet
		215,000	
2a	Bereavement Services		
	Interments & Exclusive Burial Rights income down against budget	30,000	Environment
		30,000	
2b	Parks & Open Spaces		
	Tree works maintenance overspend across the District, funded by EMR release	10,000	Environment
	Play Area maintenance overspend, funded by EMR release	10,000	Environment
		20,000	
2d	Property Services		
	CCTV overspend on corporate buildings camera updates	10,000	Environment
	identification of in-fill sites	56,500	Environment
	Roof repairs to Old Rd depot, funded from EMR	8,998	Environment
	Salary underspend due to vacant posts with Property Services (CMT lead & Facilities Supervisor)	(70,000)	Environment
		5,498	
2f	Community Alarms		
	Equipment and Call Centre fees estimated to be under budget	(11,580)	Homes
	Income from lifelines is forecast to be under budget due to a decline in the number of customers	30,470	Homes
		18,890	
2g	Homelessness & Rough Sleeping		
	Homes for Ukraine income to help with Temp B&B accommodation increased budget	(32,000)	Homes
	Temporary Accommodation overspend - Off-set by additional Homelessness support grant	123,000	Homes
	Top-up Homelessness support & Domestic Abuse grant income - Remaining grant to off-set works to HMO's purchases	(186,301)	Homes
		(95,301)	
2h	Housing Options		
	Homes for Ukraine income to off-set budgeted staffing costs	(37,000)	Homes
	Works to HMO properties recently purchased to bring them up to standard to occupy - partially off-set by Homelessness & domestic abuse grants	190,000	Homes
	Salary savings from vacant post	(19,000)	Homes
		134,000	
3b	Revenues & Benefits		
	Unbudgeted grant receipts and contributions from DWP to be earmarked for service improvements	(55,270)	Cabinet
	Subsidy and Housing Benefits Overpayments less than budgeted	35,000	Cabinet
		(20,270)	
4a	Human Resources		
	Salary saving due to vacancy and opting out of pension scheme	(20,000)	Cabinet
		(20,000)	
4d	Legal & Democratic Services		
	Legal Services - Salary underspend due to 2 vacancies, offset by agency costs	(14,000)	Cabinet
	Legal Services - Additional income on fees and charges	(10,000)	Cabinet
	Legal Services - slight overspend on supplies and services	3,000	Cabinet
	Elections - Overspend on District Election	10,000	Cabinet
		(11,000)	
5a	Car Parks		
	Additional income received from Off-street fines	(20,000)	Economy
		(20,000)	
5b	Street Scene		
	Purchase of small plant equipment (EMR part-funded)	54,000	Environment
	Income from the sale of old small plant equipment (contribution to EMR)	(26,260)	Environment
	Fuel savings due to price per litre reducing	(10,000)	Environment
	Purchase of MaxWind street sweeper (EMR funded)	9,500	Environment
	Salary saving due to vacancies	(27,400)	Environment
		(160)	

GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2023

Note	Description of Major Movements or those above £20k	2023/24 Full year variance (net of transfer to EMR) £	PDG
5c	Waste Services		
	Driver pay - market supplements to recruit and retain drivers	45,000	Environment
	Estimated pay award pressure	65,000	Environment
	In year agreed additional posts	120,000	Environment
	Vacancy savings due to difficulty recruiting and retaining staff	(79,000)	Environment
	Additional agency to cover vacancies and sickness	182,300	Environment
	Fuel savings due to price per litre reducing	(24,600)	Environment
	Reduced recycling income due to price per tonne dropping despite tonnages increasing	151,000	Environment
	Increased garden waste income due to price increase and slight increase in permits	(100,000)	Environment
	Reduced sales of garden waste sacks	5,000	Environment
	Increased income from bulky waste collections due to price increase	(20,000)	Environment
	Trade waste income increase	(56,000)	Environment
	Waste disposal charges increased by £20 per tonne and increased tonnage	50,000	Environment
		338,700	
6a	Economic Development		
	J28 Feasibility spend, funded by EMR release	194,000	Economy
	Garden Village spend, funded by EMR release	21,000	Economy
	Growth & Economic Recovery savings from staff vacancies (partially offset by £17,000 contribution to EMR for 24/25 staffing)	(58,000)	Economy
	Growth & Economic Recovery projects funded by EMR release	10,603	Economy
	Crediton Masterplan spend, funded by EMR release	50,054	Economy
	Railway Project spend funded by EMR release	19,937	Economy
	Shared Prosperity match spend, funded by EMR release	75,922	Economy
	Shared Prosperity delayed Yr 1 spend, funded by EMR release	50,278	Economy
	Shared Prosperity Yr 2 spend, funded by DHLUC grant	182,772	Economy
	Shared Prosperity Yr 2 DHLUC grant	(182,772)	Economy
	Cullompton HAZ Project revised costs of which £70k is funded from earmarked reserves	130,000	Economy
	Cullompton HAZ Project funded by S106	8,129	Economy
		501,923	
6b	Planning		
	Building Control savings from staff vacancies	(52,500)	Cabinet
	Building Control underachievement of income	91,000	Cabinet
	Building Control reduced share of costs as a result of reduced share of income achieved	(33,000)	Cabinet
	Development Control savings from staff vacancies	(128,000)	Community
	Development Control agency spend (partially offset by £10,400 EMR release)	19,600	Community
	Development Control underachievement of income	158,000	Community
	S106 - net Public Open Space receipts and expenditure	228,593	Community
	Forward Planning savings from staff vacancies	(21,500)	Community
	Forward Planning consultancy costs funded by EMR releases	35,341	Community
	Local Plan reprofiled spend, based on new timetable and when technical evidence is needed (funds will be put back into EMR for spend in future years)	(179,000)	Cabinet
	Land Charges - HMLR Contribution to Data Migration Project (will be put into EMR)	(60,000)	Cabinet
		58,534	
7a	Recreation & Sport		
	Leisure income exceeding budget	(332,000)	Community
	Fitness income exceeding budget due to increase in membership numbers	(60,000)	Community
	Underspend on staffing in addition to budgeted £100k	(40,000)	Community
	Overspend on course running costs, materials & chemicals, and consultancy for service review	20,000	Community
		(412,000)	
7b	IT Services & Digital Transformation		
	Salary underspend due to vacant posts not being filled	(78,000)	Cabinet
	Alignment of IDOX contracts to single billing point	67,000	Cabinet
	Additional BT termination costs	16,000	Cabinet
		5,000	
7f	Public Health		
	Homes for Ukraine income to off-set budgeted staffing costs	(113,280)	Community
	Public Health agency overspend will be off-set by salary savings that are funded from COMF	55,000	Community
	Public Health salary savings due to vacant posts	(30,000)	Community
		(88,280)	
	FORECAST (SURPLUS)/DEFICIT AS AT 31/03/2024	660,534	

Note the sum of the explanations above do not equal the full variance - they are only those key variances or above £20k

Cabinet	(64,770)
Community	(208,246)
Homes	57,589
Environment	394,038
Economy	481,923
	660,534

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER
2023**

Fees and Charges	2023/24	2023/24	2023/24	2023/24	2023/24	
	Annual Budget £	P6 Profiled Budget £	P6 Actual £	P6 Variance £	Full Year Forecast £	Variation %
Building Control Fees	(266,328)	(133,164)	(83,050)	50,114	91,000	-34%
Planning Fees	(896,000)	(448,000)	(403,226)	44,774	158,000	-18%
Land Search Fees	(120,000)	(60,000)	(53,828)	6,172	16,000	-13%
Car Parking Fees - See Below	(966,870)	(422,248)	(427,668)	(5,421)	0	0%
Leisure Fees & Charges	(2,931,266)	(1,449,711)	(1,323,726)	125,985	(392,000)	13%
Trade Waste Income	(894,660)	(496,536)	(526,722)	(30,186)	(56,000)	6%
Garden Waste	(630,000)	(266,630)	(340,364)	(73,734)	(95,000)	15%
Licensing	(165,875)	(71,240)	(65,820)	5,420	0	0%
Market Income	(98,180)	(50,193)	(46,357)	3,836	3,800	-4%
	(6,969,179)	(3,397,722)	(3,270,762)	126,960	(274,200)	3.9%

Car Parking Fees	2023/24	2023/24	2023/24	2023/24	Spaces	2023/24
	Annual Budget £	P6 Profiled Budget £	P6 Actual £	P6 Variance £		Budgeted Income pa per space £
Beck Square, Tiverton	(65,070)	(33,836)	(39,922)	(6,086)	40	(1,627)
William Street, Tiverton	(34,510)	(17,600)	(19,980)	(2,380)	45	(767)
Westex South, Tiverton	(61,960)	(33,458)	(34,508)	(1,049)	51	(1,215)
Wellbrook Street, Tiverton	(22,660)	(10,877)	(7,145)	3,732	27	(839)
Market Street, Crediton	(38,410)	(20,357)	(22,898)	(2,541)	39	(985)
High Street, Crediton	(116,410)	(57,041)	(45,736)	11,305	190	(613)
Station Road, Cullompton	(71,050)	(33,394)	(25,810)	7,584	112	(634)
Multistorey, Tiverton	(179,590)	(82,611)	(80,562)	2,049	631	(285)
Market Car Park, Tiverton	(187,330)	(93,665)	(103,128)	(9,463)	122	(1,535)
Phoenix House, Tiverton	(5,700)	(2,622)	(4,147)	(1,525)	15	(380)
P&D Shorts & Overs	0	0	1	1	-	0
Total Pay and Display	(782,690)	(385,462)	(383,834)	1,628	1,272	(8,880)
Day Permits	(50,590)	(5,678)	(6,978)	(1,300)		
Allocated Space Permits	(90,670)	(19,707)	(9,032)	10,676		
Overnight Permits	(1,470)	(683)	(137)	545		
Day & Night Permits	(33,820)	(4,103)	(4,003)	100		
Day & Night Permits (LS)	0	0	(17,874)	(17,874)		
Other Income	(7,630)	(6,615)	(5,810)	805		
Total Permits	(184,180)	(36,786)	(43,834)	(7,048)		
Total Car Parking	(966,870)	(422,248)	(427,668)	(5,421)		
Standard Charge Notices (Off Street)	(50,000)	(22,500)	(34,920)	(12,420)	(20,000)	40%

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GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 SEPTEMBER 2023

Employee Costs	2023/24	2023/24	2023/24	2023/24	2023/24	
	Annual Budget £	P1 - P6 Profiled Budget £	P1 - P6 Actual £	P1 - P6 Variance £	Full Year Forecast Variance £	%
General Fund						
Corporate Management	331,200	165,600	282,864	117,264	215,000	64.9%
Performance & Improvement	95,190	47,595	45,052	(2,543)	0	0.0%
Bereavement Services	29,230	14,615	11,898	(2,717)	0	0.0%
Parks & Open Spaces	15,880	7,940	7,042	(898)	0	0.0%
Commercial Estate	0	0	0	0	0	0.0%
Property Services	715,080	357,540	298,784	(58,756)	(70,000)	-9.8%
Community Alarms	32,445	16,223	15,344	(879)	0	0.0%
Homelessness & Rough Sleeping	114,890	57,445	54,470	(2,975)	0	0.0%
Housing Options	387,790	193,895	171,837	(22,058)	(19,000)	-4.9%
Financial Services	621,560	310,780	291,974	(18,806)	0	0.0%
Revenues & Benefits	956,200	478,100	447,446	(30,654)	12,000	1.3%
Human Resources	473,250	236,625	206,858	(29,767)	(20,000)	-4.2%
Customer Services	646,360	323,180	296,963	(26,217)	0	0.0%
Communications	96,520	48,260	45,746	(2,514)	0	0.0%
Legal & Democratic Services	688,610	344,305	266,345	(77,960)	(35,000)	-5.1%
Car Parks	0	0	0	0	0	0.0%
Street Scene	1,017,120	508,560	424,734	(83,826)	(27,400)	-2.7%
Waste Services	2,952,170	1,476,085	1,316,124	(159,961)	151,000	5.1%
Fleet Management	48,360	24,180	23,474	(706)	0	0.0%
Economic Development	434,230	217,115	163,840	(53,275)	(88,000)	-20.3%
Planning	1,785,845	892,923	713,086	(179,837)	(249,000)	-13.9%
Recreation & Sport	2,453,225	1,226,613	1,206,594	(20,019)	(40,000)	-1.6%
IT Services & Digital Transformation	767,860	383,930	329,398	(54,532)	(78,000)	-10.2%
Pannier Market	95,850	47,925	45,081	(2,844)	0	0.0%
Community Grants	0	0	0	0	0	0.0%
Licensing	160,610	80,305	44,497	(35,808)	(35,000)	-21.8%
Public Health	648,090	324,045	288,318	(35,727)	(30,000)	-4.6%
Climate change	56,890	28,445	26,926	(1,519)	0	0.0%
Total General Fund	15,624,455	7,812,229	7,024,696	(787,533)	(313,400)	-5.0%
Housing Revenue Account						
BHO09 Repairs & Maintenance	1,999,700	999,850	835,575	(164,275)	(169,740)	-8.5%
BHO10 Supervision & Management	2,338,830	1,169,415	971,110	(198,305)	(229,900)	-9.8%
BHO11 Special Services	0	0	0	0	0	0.0%
Total Housing Revenue Account	4,338,530	2,169,265	1,806,685	(362,580)	(399,640)	-9.2%
Total Employee Costs	19,962,985	9,981,494	8,831,381	(1,150,113)	(713,040)	-3.6%
				-882750		
Agency Staff (within Employee costs)	2023/24 Annual Budget £	2023/24 P1 - P6 Profiled Budget £	2023/24 P1 - P6 Actual £	2023/24 P1 - P6 Variance £	2023/24 Full Year Forecast Variance £ %	
General Fund						
Corporate Management	0	0	0	0	0	0.0%
Performance & Improvement	0	0	0	0	0	0.0%
Bereavement Services	0	0	0	0	0	0.0%
Parks & Open Spaces	0	0	0	0	0	0.0%
Commercial Estate	0	0	0	0	0	0.0%
Property Services	0	0	0	0	0	0.0%
Community Alarms	0	0	0	0	0	0.0%
Homelessness & Rough Sleeping	0	0	0	0	0	0.0%
Housing Options	0	0	0	0	0	0.0%
Financial Services	0	0	0	0	0	0.0%
Revenues & Benefits	0	0	0	0	0	0.0%
Human Resources	0	0	0	0	0	0.0%
Customer Services	0	0	0	0	0	0.0%
Communications	0	0	0	0	0	0.0%
Legal & Democratic Services	0	0	16,741	16,741	20,000	0.0%
Car Parks	0	0	0	0	0	0.0%
Street Scene	40,660	20,330	32,383	12,053	0	0.0%
Waste Services	89,000	44,500	206,596	162,096	182,300	204.8%
Fleet Management	0	0	0	0	0	0.0%
Economic Development	0	0	5,209	5,209	20,000	0.0%
Planning	0	0	36,086	36,086	36,000	0.0%
Recreation & Sport	0	0	0	0	0	0.0%
IT Services & Digital Transformation	0	0	0	0	0	0.0%
Pannier Market	0	0	0	0	0	0.0%
Community Grants	0	0	0	0	0	0.0%
Licensing	0	0	13,586	13,586	13,586	0.0%
Public Health	0	0	24,909	24,909	45,000	0.0%
Climate change	0	0	0	0	0	0.0%
Total General Fund	129,660	64,830	335,510	270,680	316,886	208.8%
Housing Revenue Account						
BHO09 Repairs & Maintenance	0	0	0	0	0	0.0%
BHO10 Supervision & Management	0	0	0	0	0	0.0%
BHO11 Special Services	0	0	0	0	0	0.0%
Total Housing Revenue Account	0	0	0	0	0	0.0%
Total Agency Costs	129,660	64,830	335,510	270,680	316,886	244.4%
Overall Staffing Variance	20,092,645	10,046,324	9,166,891	(879,433)	(396,154)	-2.0%

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**HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO
30 SEPTEMBER 2023**

Appendix F Note	Housing Revenue Account (HRA)	2023/24	2023/24	%
		Annual Budget	Full Year Forecast Variance	
		£	£	
	Income			
A	SHO01 Dwelling Rents Income	(13,556,440)	(56,000)	0.4%
B	SHO04 Non Dwelling Rents Income	(487,570)	(17,000)	3.5%
	SHO07 Leaseholders' Service Charges	(29,000)	0	0.0%
C	SHO08 Contributions Towards Expenditure	(190,500)	2,000	-1.0%
D	SHO10 H.R.A. Investment Income	(400,000)	(191,000)	47.8%
	SHO11 Miscellaneous Income	(6,000)	0	0.0%
	Services			
E	SHO13A Repairs & Maintenance	4,190,330	291,000	6.9%
F	SHO17A Housing & Tenancy Services	2,089,960	(265,000)	-12.7%
	Accounting entries 'below the line'			
	SHO29 Bad Debt Provision Movement	300,000	0	0.0%
	SHO30 Share Of Corporate And Democratic	161,170	0	0.0%
G	SHO32 H.R.A. Interest Payable	1,232,280	(259,000)	-21.0%
H	SHO34 H.R.A. Transfers between Earmarked Reserves	1,447,630	45,000	3.1%
I	SHO37 Capital Receipts Reserve Adjustment	(20,800)	10,000	-48.1%
	SHO38 Major Repairs Allowance	2,535,000	0	0.0%
J	SHO45 Renewable Energy Transactions	(160,000)	(45,000)	28.1%
		(2,893,940)	(485,000)	16.8%

Note	Description of Major Movements	2023/24 Full Year Forecast Variance £
A	Dwelling Rent Income: Forecast surplus of 0.3% or £41k, due to projected Right To Buy sales being lower than budgeted and Void levels being marginally lower than expected. Additionally the estimate for dwelling rent debt write-off is better than budgeted with £15k saving expected.	(56,000)
B	Garage and Garage Ground Rents: Based on projections there could be a £17k surplus at year-end. This is due to a greater number of units being made available for rent.	(17,000)
C	Contributions towards Expenditure: this is ancillary works conducted by Building Services which is generally reactive in nature. The year-end forecast at Q2 is a shortfall of £2k on the annual budget.	2,000
D	Investment Income: As per the forecast surplus reported on the General Fund.	(191,000)
E	Repairs and Maintenance: The last financial year proved a struggle for the service to fill vacancies, this has continued to 2023. The service has struggled to fill a significant number of posts to the extent that they'll likely be vacant for the majority of the year. The resulting estimated salary underspend will be circa £243k. External Contractors as a consequence is forecast to overspend by £342k (this includes Voids, Adaptations and Responsive Maintenance) and DLO works forecast to be under budget circa £250k. Materials spend is likely to be below budget by 8%, £45k. Another impact of staff shortages is the Planned Maintenance budget not being fully spent, £37k. Smaller costs outside the budget: Procurement Consortium £13k, Homes England audit costs £6k and other ad-hoc variances totalling £5k.	291,000
F	Housing & Tenancy: Vacant posts and delays in filling roles has generated a forecast underspend of £156k, a slight increase from Q1. Additionally there will be an underspend on various areas, such as Council Tax £30k and a range of other areas within Estates Management, £48k. There is an anticipated £15k underspend on utilities for the year. Other minor underspends aggregating £16k in Tenancy.	(265,000)
G	Interest Payable: This is likely to be below budget due to slippage on the 2023/24 Capital Programme. This number is likely to move before year-end.	(259,000)
H	Transfers between earmarked reserves: See J (below).	45,000
I	Capital Receipts Reserve Adjustment: Estimated shortfall on administration income from right-to-buy sales.	10,000
J	Renewable Energy Transactions: Any surplus is a contribution to the reserve for future capital works.	(45,000)
	FORECAST (SURPLUS)/DEFICIT AS AT 31/03/2024	(485,000)

Note that some of the budgets will not be utilised until year-end therefore will not be able to provide any commentary at this point

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2023/24 Capital Programme

Cost Centre	Project Title	Prior Year	Total 2023/24	Total 2023/24	Actual	Forecast for	Total Forecast	Variance to	Variance Reason	Notes	
		Project Costs	Approved Capital Programme	Deliverable Programme	Expenditure	Remainder of Year	Spend for 2023/24	Deliverable Programme			
		£000's	£000's	£000's	£000's	£000's	£000's	£000's			
	General Fund										
CA645	EVLC - Fitness Studio renewal of equipment	144	9	9	-	14	14	5	Overspend	Slight adjustment to mix of expenditure - overall project slightly underspent	
CA650	EVLC - ASHP - Salix Round 3 Funding	517	12	12	176	35	141	153	Underspend		
CA651	EVLC - GSHP - Salix Round 3 Funding	1,078	12	12	115	-	115	103	Overspend		
CA653	EVLC - Solar - Salix Round 3 Funding	240	60	60	156	230	74	14	Overspend		
CA658	Spin bikes	-	32	32	-	21	21	11	Underspend		
CA661	Leisure - Improved Disabled Toilet facilities	-	51	51	-	51	51	-			
CA642	Reception infrastructure	-	160	160	-	-	-	160	Slippage	Funding obtained, design being developed This project is linked with CA655 - spend now anticipated in 2024/25 as new leisure management system required	
CA652	LMLC - ASHP - Salix Round 3 Funding	863	42	42	22	-	22	20	Underspend	Funding obtained, design being developed	
CA654	LMLC - Solar - Salix Round 3 Funding	78	11	11	5	8	13	2	Overspend		
CA656	Fitness Studio renewal of equipment	-	125	125	-	136	136	11	Overspend		
CA657	Spin bikes including environment improvements	-	32	32	-	21	21	11	Underspend		
CA662	Leisure - Improved Disabled Toilet facilities	-	46	46	-	46	46	-			
CA646	CVSC - Remodelling of Ground Floor	-	204	30	-	5	5	25	Slippage		
CA649	CVSC - Sports Hall Ceiling asset review	-	260	30	1	30	31	1	No Longer Required		
CA659	Spin Bikes	-	40	40	-	21	21	19	Underspend		
CA663	Leisure - Improved Disabled Toilet facilities	-	56	56	-	56	56	-			
CA655	All leisure sites replacement management/site access system (Hardware Element)	-	200	200	-	-	-	200	Slippage		
CA660	CVSC -Phase 3B Salix funding energy saving	-	396	396	-	-	-	396	No Longer Required	Review undertaken, no works required. Underspend helps offset additional costs on CA645 & CA656	
CA582	Hydromills Electricity generation Project - Tiverton Weir	-	1,220	20	-	-	-	20	No Longer Required	Funding obtained, design being developed This project is linked with CA642 - spend now anticipated in 2024/25 as new leisure management system required Bid unsuccessful Hydromills not considered viable at the present time. Feasibility works to be undertaken on alternative solar options	
CA487	Etarmis - Security Swipe - (linked to security project)	-	80	80	-	80	80	-		Continuation of the search for a suitable site. This project would commence following a land acquisition & not expected to be undertaken until at least 24/25	
CA907	Building Mgmt System for Heating Control	-	103	103	-	103	103	-			
CA832	Land acquisition for operational needs	-	1,000	1,000	-	-	-	1,000	Slippage		
CA835	Depot Design & Build - Waste & Recycling	-	250	-	-	-	-	-			
CA584	Market Walk Unit 17 - remodelling options	-	510	80	-	10	10	70	Slippage	Options currently being assessed	
CA574	36 & 38 Fore Street including Flat above structure & cosmetic works	14	197	197	-	-	-	197	Slippage		
CA490	West Exe South - Remodelling - additional parking	-	90	90	-	-	-	90	Slippage	The Environment Agency are the lead organisation on these projects. Not expected until at least 24/25	
CA472	Open Space Infrastructure (incl Play Areas)	-	35	35	-	35	35	-			
CA491	Fire Dampeners - Corporate sites	-	80	80	-	80	80	-			
CA473	Land drainage flood defence schemes - St Marys Hemyock	-	50	-	-	-	-	-			
CA420	Land drainage flood defence schemes - Ashleigh Park Bampton	-	87	87	-	-	-	87	Slippage		
CA497	Cemetery Lodge - Structural solution for damp	-	62	-	-	-	-	-			
CA719	CA719 Cullompton Town Centre Relief Road (HIF)	1,569	29,680	13,139	-	1	1	13,138	Slippage	Project on Hold. This project is subject to securing additional funding - LUF3 Bid	
CA587	Shared Prosperity Fund	-	143	143	79	64	143	-		Forecast Project completion Q3 23/24	
CA588	Rural England Prosperity Fund	-	204	204	50	154	204	-			
CA462	3 Rivers Scheme - Riverside Development (rear of Town Hall) Tiverton	10,728	1,911	1,911	554	650	1,204	707	Underspend		
CA486	3 Rivers Scheme - Knowle lane, Cullompton	3,088	7,819	7,819	17	-	17	7,802	No Longer Required		
CA494	3 Rivers Scheme - Park Road Tiverton	85	2,055	2,055	-	-	-	2,055	No Longer Required		
CA493	3 Rivers Scheme - Bampton	2,895	1,817	1,817	925	850	1,775	42	Underspend		
CA906	3 Rivers Schemes - Funding envelope	-	12,196	12,196	-	-	-	12,196	No Longer Required		
CG201	DFG and other private sector grants	-	525	525	103	475	579	54	Overspend		
CA303	HMO Scheme 1	327	26	26	-	10	10	16	Underspend		Forecast Project completion Q3 23/24 No further spend assumed on this project Based on grant cases in the system that are likely to complete this financial year but does not take account of new cases that may complete in year. Additional staff cost for delivery of the programme did not include salary uplift.
CA304	HMO Scheme 2	300	36	36	-	43	43	7	Overspend		
CA305	HFU Scheme 1	-	202	202	191	-	191	11	Underspend		
CA306	HFU Scheme 2	-	169	169	165	-	165	4	Underspend		
CA307	HFU Scheme 3	-	-	-	220	-	220	220	Overspend		
CA425	Server farm expansion/upgrades	7	67	67	-	67	67	-			
CA463	Secure WIFI Replacement	-	60	60	53	7	60	-			
CA499	Network Switch/Firewall Refresh (all sites except P/House)	-	50	50	35	15	50	-			
CA901	Server hardware/software Citrix Replacement	-	50	50	-	50	50	-			
CA902	VM/Storage Area Network	-	120	120	-	120	120	-			
CA903	UPS Replacements	-	20	20	-	20	20	-			
CA904	Laptop/Desktop Refresh	-	150	150	44	100	144	6	Underspend		
CA905	Audio/Video replacement for Phoenix House	-	120	120	-	120	120	-			
OA800	Leasing - Vehicles - Environmental Enforcement	-	78	78	78	-	78	-			
OA800	Leasing - Vehicles - Grounds Maintenance	-	109	109	76	33	109	-			
OA800	Leasing - Vehicles - Caretaking Services	-	53	53	53	-	53	-			
OA800	Leasing - Vehicles - Property Services	-	81	81	81	-	81	-			
OA800	Leasing - Vehicles - Collection of Council Tax	-	26	26	26	-	26	-			
General Fund Subtotals		21,933	63,279	44,342	2,561	3,761	6,323	-	38,019		

Cost Centre	Project Title	Prior Year	Total Budgeted	Total	Actual	Forecast for	Total Forecast	Variance to	Variance Reason	Notes
		Project Costs	Capital Programme	Deliverable Programme	Expenditure	Remainder of Year	Spend for 2023/24	Deliverable Programme		
		£000's	£000's	£000's	£000's	£000's	£000's	£000's		
	HRA									
CA100	Decent Homes	-	2,489	2,489	1,173	1,430	2,602	113	Overspend	2 Invoices received for QTR4 22/23 were put through in QTR1 23/24 - Totalling £91k. Forecast Project completion Q3 24/25
CA161	Project 4	-	210	210	-	-	-	210	Slippage	
CA158	Project 1	-	45	45	4	-	4	41	Slippage	Forecast project completion Q4 24/25
CA160	Project 3	-	1,500	1,500	2	-	2	1,498	Slippage	
CA174	Project 29	-	1,100	110	62	-	62	48	Slippage	
CA155	Modular Housing - St Andrews, Cullompton	920	80	80	128	324	452	372	Overspend	
CA171	Project 15	188	4,712	4,712	-	10	10	4,702	Slippage	
CA166	Project 18	53	1,047	1,047	-	-	-	1,047	Slippage	Forecast project completion Q4 24/25
CA170	Project 10	89	1,611	1,611	-	110	110	1,501	Slippage	
CA164	Project 14	49	951	951	-	53	53	898	Slippage	
CA169	Project 9	83	1,217	1,217	-	72	72	1,145	Slippage	
CA163	Project 11	79	1,821	1,821	-	107	107	1,714	Slippage	
CA162	Project 8	-	2,600	60	371	-	371	311	Overspend	
CA154	Modular Housing - Shapland Place, Tiverton	855	645	645	173	825	998	353	Overspend	
CA152	Post Hill, Tiverton	2,204	20,054	2,393	737	800	62	2,331	No Longer Required	
CA177	Old Road Depot remodelling options - forecast expenditure to maintain operations	-	50	50	-	-	-	50	Slippage	
CA124	Queensway (Beech Road) Tiverton (3 units)	330	236	236	168	40	208	28	Underspend	
CA126	Sewerage Treatment Works - Washfield	-	25	25	-	-	-	25	Slippage	
CA111	Renewables	-	250	250	96	147	244	6	Underspend	
CG200	Adaptations	-	305	305	155	151	306	1	Overspend	
CA180	Project 7	-	220	220	118	103	220	-		
CA181	Project 41	111	140	140	-	29	29	111	Slippage	
CA182	Project 28	-	1,100	110	-	-	-	110	Slippage	
CA183	Project 51	-	400	40	-	2	2	38	Slippage	
CA184	Project 52	-	220	22	6	1	7	15	Slippage	
CA185	Project 53	-	230	23	-	-	-	23	Slippage	
CA186	Project 5	-	220	22	-	-	-	22	Slippage	
CA187	Project 25	-	2,600	260	160	-	160	100	Slippage	
CA188	Project 37	-	1,800	180	270	-	270	90	Overspend	
CA189	Project 33	-	1,300	130	162	-	162	32	Overspend	
CA190	Project 36	-	1,700	170	-	-	-	170	Slippage	
CA191	Project 20	-	24,940	700	363	-	363	337	Slippage	
OA800	Leasing - Vehicles - HRA	-	180	180	106	74	180	-		
	HRA Subtotals	4,961	75,998	21,954	2,780	4,278	7,056	-	14,898	
	Grand Totals	26,894	139,277	66,296	5,341	8,039	13,379	-	52,917	

Variance Analysis	GF	HRA	Total
Underspend	-1,000	-66	-1,066
Overspend	416	1,304	1,720
Slippage	-14,967	-13,694	-28,661
No Longer Required	-22,468	-2,442	-24,910
Total Variance	-38,019	-14,898	-52,917

Capital Funding Summary		Total 2023/24 Approved Capital Programme £000's	Total 2023/24 Deliverable Programme £000's	Actual Funding £000's	Forecast for Remainder of Year £000's	Total Forecast Funding for 2023/24 £000's	Variance to Deliverable Programme £000's
Funding Type	Funding Description						
General Fund							
Revenue	RCCO - From Revenue EMR's - Other	129	129	-	53	53	76
Revenue	RCCO - From Revenue EMR's - Leisure	137	137	189	273	83	54
Revenue	RCCO - From Revenue EMR's - Econ Development	80	20	-	-	-	20
Revenue	RCCO - From Revenue EMR's - ICT	545	545	132	413	545	-
Revenue	RCCO - From Revenue EMR's - Capital	120	72	-	30	30	42
Revenue	RCCO - From Revenue EMR's - Waste Infrastructure EMR	250	-	-	-	-	-
Revenue	New Homes Bonus	1,122	467	-	207	207	260
Capital Grants	Capital Grants Unapplied - DCC	20	20	-	-	-	20
Capital Grants	Govt Grant (DCLG passported from DCC)	525	525	104	476	580	55
Capital Grants	DCC Funding - HIF Project	1,500	153	-	-	-	153
Capital Grants	Salix Round 3b Funding	265	265	-	-	-	265
Capital Grants	HIF Funding	6,890	3,235	-	1	1	3,234
Capital Grants	Govt Grants - Levelling - up Funding	17,975	6,436	-	-	-	6,436
Capital Grants	Salix Funding or Equivalent - to be identified	-	-	-	-	-	-
Capital Grants	DLUHC - Changing Places Fund bid	153	153	-	153	153	-
Capital Grants	LAHF (Homeless Properties)	188	188	253	-	253	64
Capital Grants	Homes for Ukraine	183	183	323	-	323	140
Capital Grants	SPF Funding (DLUHC)	143	143	79	64	143	-
Capital Grants	REPF Funding (DLUHC)	204	204	50	154	204	-
Capital Receipts	Usable Capital Receipts	413	400	-	251	251	149
Borrowing	Borrowing 3 Yrs	25,823	25,823	1,496	1,519	3,015	22,808
Borrowing	Borrowing 5 Yrs	103	103	-	103	103	-
Borrowing	Borrowing 10 Yrs	3,686	3,686	-	-	-	3,686
Borrowing	Borrowing 25 Yrs	1,478	108	1	30	31	77
Borrowing	Borrowing 50 Yrs	1,000	1,000	-	-	-	1,000
Borrowing	GF - Lease Finance	347	347	314	33	347	-
General Fund Subtotals		63,279	44,342	2,563	3,760	6,322	38,021

Capital Funding Summary		Total 2023/24 Approved Capital Programme £000's	Total 2023/24 Deliverable Programme £000's	Actual Funding £000's	Forecast for Remainder of Year £000's	Total Forecast Funding for 2023/24 £000's	Variance to Deliverable Programme £000's
Funding Type	Funding Description						
Revenue	S106 (Revenue) Contributions	1,000	200	78	1	77	123
Revenue	MRA Reserve	2,489	2,489	1,173	1,430	2,602	113
Revenue	RCCO - From HRA Revenue EMR's - Other	25	25	-	-	-	25
Revenue	RCCO - From HRA Revenue EMR's - Renewable Energy	250	250	96	147	244	6
Revenue	RCCO - From HRA Revenue EMR's - Afford Rents Surplus	342	342	-	135	135	207
Revenue	RCCO - From HRA Revenue EMR's - HMF	310	310	178	675	852	542
Capital Grants	Capital Grants Unapplied - S106 Afford Housing	-	-	-	-	-	-
Capital Grants	Government Grants - Homes England Funding	24,964	4,404	1,348	352	1,700	2,704
Capital Grants	One Public Estate Funding	3,285	240	-	-	-	240
Capital Receipts	Usable Capital Receipts	1,238	741	257	385	642	99
Capital Receipts	UCR 1:4:1 Replacement Homes	1,873	704	195	200	395	309
Borrowing	Borrowing 25 Yrs	50	50	-	-	-	50
Borrowing	Borrowing 50 Yrs	39,992	12,019	-	652	229	11,790
Borrowing	HRA - Lease Finance	180	180	106	74	180	-
HRA Subtotals		75,998	21,954	2,779	4,279	7,056	14,898
Grand Totals		139,277	66,296	5,342	8,039	13,378	52,919

Variance Analysis	GF	HRA	Total
Underspend	1,026	66	1,092
Overspend	-441	-1,509	-1,950
Slippage	14,967	13,901	28,868
No Longer Required	22,468	2,441	24,909
Total Variance	38,020	14,899	52,919

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Report for: Cabinet

Date of Meeting:	14 November 2023
Subject:	Treasury Management Strategy Mid-Year Review Report 2023/24
Cabinet Member:	Cllr James Buczkowski, Cabinet Member for Finance
Responsible Officer:	Andrew Jarrett, Deputy Chief Executive (S151)
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix A – Economic Commentary from our Treasury Advisors (Link Group)

Section 1 – Summary and Recommendation(s)

To inform the Cabinet of the treasury performance during the first six months of 2023/24, to agree the ongoing deposit strategy for the remainder of 2023/24 and a review of compliance with Treasury and Prudential Limits for 2023/24.

Recommendation(s):

- 1. The Cabinet are asked to recommend to Council approval of:**
 - a) a continuation of the current policy outlined at paragraphs 4.0 – 4.5 be agreed; and**
 - b) the changes to the Capital Financing Requirement, Operational Boundaries and Authorised Limits for the current year at paragraphs 5.4 – 5.5.**

Section 2 – Report

1.0 Introduction

- 1.1 CIPFA's Code of Practice for Treasury Management recommends the annual setting of a Treasury Management Strategy and best practice dictates a half yearly update on treasury performance. This report will not only update Members on the treasury performance over the first six months of 2023/24, but will also seek approval for the ongoing deposit strategy.

2.0 Treasury Performance 01/04/2023 to 30/09/2023

2.1 The table below shows the Council's overall treasury management position for the first six months of 2023/24.

Treasury Position	Average Interest	Total Interest as at 30/09/2023	Forecast Year-End Position
Temporary Investments and Deposits	4.90%	£510k	£1,183k
CCLA Dividends	4.63%	£116k	£216k
Loans to Subsidiary Company	5.96%	£601k	£1,200k
Loans to Redlands Primary Care*	3.51%	£37k	£73k
Total		£1,264k	£2,672k
Split Between:			
General Fund		£1,009k	£2,081k
Housing Revenue Account		£255k	£591k

*The Council made two loans in 2021 totalling £2.175m towards the construction of a new GP surgery in Crediton.

2.2 The General Fund 2022/23 budget for all investment activity is £1,073k and for the Housing Revenue Account is £400k.

3.0 Economic Update

3.1 The Council's treasury advisor, Link Group, provided the following forecasts on 25 September 2023 (PWLB rates are certainty rates, gilt yields plus 80bps):

Link Group Interest Rate View	25.09.23												
	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26
BANK RATE	5.25	5.25	5.25	5.00	4.50	4.00	3.50	3.00	2.75	2.75	2.75	2.75	2.75
3 month ave earnings	5.30	5.30	5.30	5.00	4.50	4.00	3.50	3.00	2.80	2.80	2.80	2.80	2.80
6 month ave earnings	5.60	5.50	5.40	5.10	4.60	4.10	3.60	3.10	2.90	2.90	2.90	2.90	2.90
12 month ave earnings	5.80	5.70	5.50	5.20	4.70	4.20	3.70	3.20	3.00	3.00	3.00	3.00	3.00
5 yr PWLB	5.10	5.00	4.90	4.70	4.40	4.20	4.00	3.90	3.70	3.70	3.60	3.60	3.50
10 yr PWLB	5.00	4.90	4.80	4.60	4.40	4.20	4.00	3.80	3.70	3.60	3.60	3.50	3.50
25 yr PWLB	5.40	5.20	5.10	4.90	4.70	4.40	4.30	4.10	4.00	3.90	3.80	3.80	3.80
50 yr PWLB	5.20	5.00	4.90	4.70	4.50	4.20	4.10	3.90	3.80	3.70	3.60	3.60	3.60

3.2 Bank Rate now appears to have peaked at 5.25%, as weaker August CPI inflation, the recent loosening in the labour market and the downbeat activity surveys appear to have convinced the Bank of England that it has already raised rates far enough. It is expected that Bank Rate will remain at 5.25% until the second half of 2024.

3.3 Please refer to Appendix 1 for the economic commentary provided by the Council's treasury advisors (Link Group).

4.0 Investment Portfolio

- 4.1 In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite (SLY Principle). Increases to Bank Rate throughout the last two years led to large increases in rates offered by banks and building societies, with current rates far exceeding levels seen over recent years. These increases appear to have levelled off, with the full benefit of the higher interest rates to be seen in the second half of 2023/24.
- 4.2 The Council's investment portfolio as at 30 September 2023 was made up of short term investments/deposits to the value of £25.26m, comprising of £25.00m in fixed term investments and £0.26m in NatWest call accounts. In addition to this, the Council also holds £5.00m in the CCLA commercial property fund.
- 4.3 Short term investments/deposits held as at 30 September 2023 are as follows:

Institution	Principal (£)	Rate	Start Date	Maturity Date
Thurrock Council	2,000,000	3.55%	25/10/2022	24/10/2023
NBK International PLC	2,000,000	5.02%	02/05/2023	02/11/2023
NBK International PLC	1,000,000	4.97%	15/05/2023	15/11/2023
Lloyds Bank PLC	4,000,000	5.35%	01/08/2023	01/11/2023
NBK International PLC	2,000,000	5.87%	02/08/2023	02/02/2024
Santander	2,000,000	5.45%	15/08/2023	15/11/2023
Goldman Sachs International Bank	2,500,000	5.84%	29/08/2023	29/02/2024
Goldman Sachs International Bank	2,500,000	5.64%	01/09/2023	01/12/2023
DMO	5,000,000	5.17%	28/09/2023	02/10/2023
City of Liverpool	2,000,000	5.70%	29/09/2023	31/05/2024

- 4.4 The Council received an average return of 4.90% on investments during the first six months of 2023/24, up from 0.89% at the same point in the previous year. Returns during the early part of 2023/24 were slightly weakened by maturing investments made before Bank Rate hit its current high of 5.25%, and so this rate isn't representative of the interest rates on offer during that time. Performance is expected to improve slightly in the second half of 2023/24 following increases to interest rates throughout the first half of the year.
- 4.5 The Council currently has £5m deposited with the CCLA (Churches, Charities and Local Authorities) Local Authorities' Property Fund, which pays dividends quarterly. For the first two quarters of 2023/24, dividends of £116k (4.63%) were received, up from £92k (3.68%) for the same period in 2022/23. The dividend payout has risen in the first two quarters of 2023/24, having remained consistent since early 2021, and there has been a small decrease in fund value of £61k during the first half of 2023/24. The Council's share in the fund is now valued at £4.578m.

5.0 Borrowing Requirements and Prudential Indicators

- 5.1 The Council has no short-term borrowing but has existing PWLB loans of £32.349m as at 30 September 2023, in addition to £1.981m in finance leases.
- 5.2 The Council's revised capital financing requirement (CFR) for 2023/24 is £49.475m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. Table 5.6 shows the Council has forecast borrowings at 31 March 2024 of £33.450m, and so will have utilised £16.025m of cash flow funds in lieu of borrowing to finance the CFR of £49.475m shown in table 5.5.
- 5.3 There has so far been no new borrowing in 2023/24, and it is expected that there will not be a need for new borrowing before the end of the financial year. This is a reduction in the level of borrowing forecast at the start of the year, which originally stood at £12.500m, and is mainly due to slippage in the Capital Programme.
- 5.4 The Treasury Management Strategy Statement (TMSS) for 2023/24 was approved by Cabinet on 07 February 2023. The underlying TMSS approved previously requires revision in light of a revised deliverable Capital Programme for 2023/24. The proposed changes are set out below:

Prudential Indicator 2023/24	Original £000	Q1 Updated Forecast £000	Revised Prudential Indicator £000
Authorised Limit	107,000	67,000	60,000
Operational Boundary	98,000	58,000	51,000
Capital Financing Requirement	96,793	56,147	49,475

- 5.5 The table below shows a breakdown of the revised CFR.

Prudential Indicator – Capital Financing Requirement	2023/24 Original Estimate £000	Q1 Updated Forecast £000	2023/24 Revised Estimate £000
CFR – Non Housing	14,223	9,832	9,508
CFR – Housing	51,934	43,791	39,967
CFR – Loans to Subsidiary Company**	30,636	2,523	0
Total CFR	96,793	56,147	49,475
Net movement in CFR*	25,814	(8,446)	(15,117)

*In-year movement calculated against 2022/23 CFR (estimated at £70,979k when the original 2023/24 estimate was calculated, now known to be £64,592k – 2022/23 Treasury Outturn).

**Following the decision to soft close 3 Rivers Developments Limited (Full Council 06 September 2023), all future financing assumptions have been removed from the CFR.

- 5.6 The table below shows the expected debt position at 31 March 2024, which determines the Operational Boundary and Authorised Limit shown in 5.4 above.

Prudential Indicator – External Debt	2023/24 Original Estimate £000	2023/24 Revised Estimate £000
Borrowing	43,873	31,373
Other Long Term Liabilities*	2,037	2,077
Total Debt (Year End Position)	45,910	33,450

* Includes finance leases

6.0 Annual Investment Strategy

- 6.1 Any fixed term investments in the market place (except Debt Management Office [DMO]) are restricted to a maximum term of two years (previously one year). The Council's substantial commitments (particularly the monthly precepts to Devon County Council, the Police and Fire Authority) constrain the term of investments. The Cabinet of 7 February 2019 resolved to diversify the investment portfolio to include non-UK banks with a minimum Sovereign Fitch rating of AAA (highest possible rating).
- 6.2 The Council will continue to have regard to the MHCLG's Guidance on Local Government Investments ("the Guidance") issued in April 2018 (3rd Edition) and CIPFA's Treasury Management in Public Services Code of Practice and Cross Sectorial Guidance Notes ("the CIPFA Treasury Management Code").

7.0 Lending Criteria and Counterparty Limits

- 7.1 The current policy allows the lending of funds to be deposited with major UK banks and building societies with an investment period no longer than two years and where the counterparty is required to meet the following ratings requirements: Banks (Fitch F1, F1+) and for building societies based upon a minimum Fitch rating of F1 and an asset base level of at least £1bn. The maximum lending limit to any group counterparty is £5m. The policy includes investments with CCLA property fund and money market funds with a limit of £2m on this option. Note that delegation was provided to the S151 officer and Finance Portfolio Holder in 2011/12 to make reactive decisions when market conditions changed due to volatility in rating changes when our own bankers, NatWest, were downgraded, along with other part nationalised banks. We do not invest any term deposits with the Royal Bank of Scotland Group and only have our call accounts with them.
- 7.2 Officers would recommend a continuation of the existing policy for investments with banks and building societies, property funds and money market funds.
- 7.3 In addition to these fixed term deposits, the Council also uses an instant access liquidity account with NatWest (the Council's banker) to sweep any small surplus funds which cannot be placed by our brokers. Again, this account will be subject to the same £5m maximum deposit level, plus the balance of any grant fund.

- 7.4 The Council will also continue to lend to:
- Local Authorities, Police, Fire & Rescue, Parish Councils and other Public Bodies
 - UK Government (including gilts, Treasury Bills and the DMADF)
 - Other Bodies.

7.5 The investments that can be made to the organisations stated in paragraph 7.4 will not be constrained to a maximum deposit of £5m due to their lower level of risk. However, other bodies have a monetary limit of £3m.

8.0 Conclusion

8.1 The first half-year performance has seen a significant improvement on 2022/23, with slight increases expected through the second half of the year as interest rates on temporary investments and deposits reach their peak. Investment income continues to be bolstered by the interest received from 3 Rivers Developments Limited, which still outstrips interest rates available elsewhere. The Council's investment in the CCLA property fund has seen quarterly dividends exceed pre-pandemic levels, having declined at the start of the Covid-19 pandemic.

8.2 The positive Treasury performance reported above currently excludes any implications associated with the soft closure of 3Rivers. This will be formalised in the end of year outturn accounts.

Financial Implications: Good financial management and administration underpins the entire strategy. The Council's Treasury Management Strategy should attempt to maximise investment return commensurate with minimum risk to the principal sums invested.

Legal Implications: The Council is under a statutory duty to "have regard" to the 2011 CIPFA Treasury Management Code of Practice. The Council's own Financial Regulations include requirements as to the reporting of treasury management information.

Risk Assessment: The Council considers deposit security as the paramount function in any treasury dealings or activities. It should be noted that any investment decisions will always be subject to a degree of risk. However, in complying with an agreed Treasury Management Strategy, these risks would be kept to an acceptable level.

Impact on Climate Change: There are no Climate Change implications relating to the content of this report.

Equality Impact Assessment: It is considered that the impact of this report on equality related issues will be nil.

Relationship to Corporate Plan: Maximising investment return whilst minimising risk of credit default enables the Council to finance the delivery of its Corporate Plan objectives.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 06/11/2023

Statutory Officer: Maria De Leiburne

Agreed on behalf of the Monitoring Officer

Date: 06/11/2023

Chief Officer: Stephen Walford

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 06/11/2023

Performance and risk: Dr Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 06/11/2023

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Kieran Knowles, Principal Accountant & Procurement Manager

Email: kknowles@middevon.gov.uk

Telephone: 01884 24(4624)

Background papers: Treasury Management Strategy Statement 2023/24 (Council 08/03/2023)

Appendix 1

1.0 Economic Commentary from our Treasury Advisors (Link Group)

1.1 The first half of 2023/24 saw:

- Interest rates rise by a further 100bps, taking Bank Rate from 4.25% to 5.25% and, possibly, the peak in the tightening cycle.
- Short, medium and long-dated gilts remain elevated as inflation continually surprised to the upside.
- A 0.5% m/m decline in real GDP in July, mainly due to more strikes.
- CPI inflation falling from 8.7% in April to 6.7% in August, its lowest rate since February 2022, but still the highest in the G7.
- Core CPI inflation declining to 6.2% in August from 7.1% in April and May, a then 31 years high.
- A cooling in labour market conditions, but no evidence yet that it has led to an easing in wage growth (as the 3myy growth of average earnings rose to 7.8% in August, excluding bonuses).

1.2 The 0.5% m/m fall in GDP in July suggests that underlying growth has lost momentum since earlier in the year. Some of the weakness in July was due to there being almost twice as many working days lost to strikes in July (281,000) than in June (160,000). But with output falling in 10 out of the 17 sectors, there is an air of underlying weakness.

1.3 The fall in the composite Purchasing Managers Index from 48.6 in August to 46.8 in September left it at its lowest level since COVID-19 lockdowns reduced activity in January 2021. At face value, it is consistent with the 0.2% q/q rise in real GDP in the period April to June, being followed by a contraction of up to 1% in the second half of 2023.

1.4 The 0.4% m/m rebound in retail sales volumes in August is not as good as it looks as it partly reflected a pickup in sales after the unusually wet weather in July. Sales volumes in August were 0.2% below their level in May, suggesting much of the resilience in retail activity in the first half of the year has faded.

1.5 As the growing drag from higher interest rates intensifies over the next six months, we think the economy will continue to lose momentum and soon fall into a mild recession. Strong labour demand, fast wage growth and government handouts have all supported household incomes over the past year. And with CPI inflation past its peak and expected to decline further, the economy has got through the cost-of-living crisis without recession. But even though the worst of the falls in real household disposable incomes are behind us, the phasing out of financial support packages provided by the government during the energy crisis means real incomes are unlikely to grow strongly. Higher interest rates will soon bite harder too. We expect the Bank of England to keep interest rates at the probable peak of 5.25% until the second half of 2024. Mortgage rates are likely to stay above 5.0% for around a year.

1.6 The tightness of the labour market continued to ease, with employment in the three months to July falling by 207,000. The further decline in the number of job vacancies from 1.017m in July to 0.989m in August suggests that the labour market has

loosened a bit further since July. That is the first time it has fallen below 1m since July 2021. At 3.0% in July, and likely to have fallen to 2.9% in August, the job vacancy rate is getting closer to 2.5%, which would be consistent with slower wage growth. Meanwhile, the 48,000 decline in the supply of workers in the three months to July offset some of the loosening in the tightness of the labour market. That was due to a 63,000 increase in inactivity in the three months to July as more people left the labour market due to long term sickness or to enter education. The supply of labour is still 0.3% below its pre-pandemic February 2020 level.

- 1.7 But the cooling in labour market conditions still has not fed through to an easing in wage growth. While the monthly rate of earnings growth eased sharply from an upwardly revised +2.2% in June to -0.9% in July, a lot of that was due to the one-off bonus payments for NHS staff in June not being repeated in July. The headline 3myy rate rose from 8.4% (revised up from 8.2%) to 8.5%, which meant UK wage growth remains much faster than in the US and in the Euro-zone. Moreover, while the Bank of England's closely watched measure of regular private sector wage growth eased a touch in July, from 8.2% 3myy in June to 8.1% 3myy, it is still well above the Bank of England's prediction for it to fall to 6.9% in September.
- 1.8 CPI inflation declined from 6.8% in July to 6.7% in August, the lowest rate since February 2022. The biggest positive surprise was the drop in core CPI inflation, which declined from 6.9% to 6.2%. That reverses all the rise since March and means the gap between the UK and elsewhere has shrunk (US core inflation is 4.4% and in the Euro-zone it is 5.3%). Core goods inflation fell from 5.9% to 5.2% and the further easing in core goods producer price inflation, from 2.2% in July to a 29-month low of 1.5% in August, suggests it will eventually fall close to zero. But the really positive development was the fall in services inflation from 7.4% to 6.8%. That also reverses most of the rise since March and takes it below the forecast of 7.2% the Bank of England published in early August.
- 1.9 In its latest monetary policy meeting on 20 September, the Bank of England left interest rates unchanged at 5.25%. The weak August CPI inflation release, the recent loosening in the labour market and the downbeat activity surveys appear to have convinced the Bank of England that it has already raised rates far enough. The minutes show the decision was "finely balanced". Five MPC members (Bailey, Broadbent, Dhingra, Pill and Ramsden) voted for no change and the other four (Cunliffe, Greene, Haskel and Mann) voted for a 25bps hike.
- 1.10 Like the US Fed, the Bank of England wants the markets to believe in the higher for longer narrative. The statement did not say that rates have peaked and once again said if there was evidence of more persistent inflation pressures "further tightening in policy would be required". Governor Bailey stated, "we'll be watching closely to see if further increases are needed". The Bank also retained the hawkish guidance that rates will stay "sufficiently restrictive for sufficiently long".
- 1.11 This narrative makes sense as the Bank of England does not want the markets to decide that a peak in rates will be soon followed by rate cuts, which would loosen financial conditions and undermine its attempts to quash inflation. The language also gives the Bank of England the flexibility to respond to new developments. A rebound in services inflation, another surge in wage growth and/or a further leap in oil prices

could conceivably force it to raise rates at the next meeting on 2nd November, or even pause in November and raise rates in December.

- 1.12 The yield on 10-year Gilts fell from a peak of 4.74% on 17th August to 4.44% on 29th September, mainly on the back of investors revising down their interest rate expectations. But even after their recent pullback, the rise in Gilt yields has exceeded the rise in most other Developed Market government yields since the start of the year. Looking forward, once inflation falls back, Gilt yields are set to reduce further. A (mild) recession over the next couple of quarters will support this outlook if it helps to loosen the labour market (higher unemployment/lower wage increases).
- 1.13 The pound weakened from its cycle high of \$1.30 in the middle of July to \$1.21 in late September. In the first half of the year, the pound bounced back strongly from the Truss debacle last autumn. That rebound was in large part driven by the substantial shift up in UK interest rate expectations. However, over the past couple of months, interest rate expectations have dropped sharply as inflation started to come down, growth faltered, and the Bank of England called an end to its hiking cycle.
- 1.14 The FTSE 100 has gained more than 2% since the end of August, from around 7,440 on 31st August to 7,608 on 29th September. The rebound has been primarily driven by higher energy prices which boosted the valuations of energy companies. The FTSE 100's relatively high concentration of energy companies helps to explain why UK equities outperformed both US and Euro-zone equities in September. Nonetheless, as recently as 21st April the FTSE 100 stood at 7,914.



Report for: CABINET

Date of Meeting:	14 th November 2023
Subject:	Tax Base Calculation 2024/25
Cabinet Member:	Cllr James Buczkowski Cabinet Member for Finance
Responsible Officer:	Andrew Jarrett s151 & Deputy CEO
Exempt:	None
Wards Affected:	All
Enclosures:	None

Section 1 – Summary and Recommendation(s)

This paper details the statutory calculations necessary to determine the Tax Base for the Council Tax. The calculations made follow a formula laid down in Regulations.

Recommendation(s): Cabinet recommend to Council:

- 1. That the calculation of the Council’s Tax Base for 2024/25 be approved in accordance with The Local Authorities (Calculation of Tax Base) (England) Regulations 2012 at 30,222.1 an increase of circa 389.12 Band D equivalent properties from the previous financial year.**
- 2. That the current collection rate of 96.5% be increased to 97.5% detailed in Section 2.**

Section 2 – Report

1.0 Introduction

- 1.1 Every year each billing authority is required to calculate and approve its Band ‘D’ Equivalent Council Tax base. For 2024/25 this technical calculation is as follows:**

2.0 The Collection Rate calculation (A)

- 2.1 It is necessary to estimate a 'collection rate', which is the proportion of Council Tax due that will actually be paid. It is recommended that a collection rate of 97.5% be estimated for the year 2024/25, which is an increase on the previous year's collection rate.
- 2.2 Any variation from the collection rate of 97.5% is pooled in a collection fund, which is distributed in the next financial year to all Precepting Authorities.

3.0 Calculation of the relevant amount (B)

- 3.1 **Number of Properties per Valuation Band.** The starting point will be the total number of properties within Mid Devon set out in the Valuation List.
- 3.2 **Less Exemptions.** Properties are exempt from Council Tax under certain circumstances. The calculated tax base uses the information currently held in deciding the level of exempt properties that are likely to apply for 2024/25.
- 3.3 **Add Appeals, new properties and deletions from the Valuation List.** The Valuation Officer has dealt with the vast majority of Council Tax appeals to date and so no further allowance is believed to be necessary at this time. At the **02 October 2023** we have estimated a net increase in properties within Mid Devon of **103** properties to go live on or before 1st April 2024 and a further **326.4** properties during the financial year, totalling **429.4**. This estimate is based on the current number of reports outstanding with the Valuation Officer.
- 3.4 **Disabled Allowance (move down a Band).** Where a disabled resident has made structural alterations to their property to help with their disability or they use a wheelchair internally at the premises, the property is entitled to a reduction and is afforded by moving the property to the next lowest band. Existing Band A properties are also entitled to a reduction by reducing the 6/9ths charge down to 5/9ths Charge.
- 3.5 **Less 25% Discounts - Single Persons Discounts.** If only one (adult) person lives in the dwelling as their "sole & main residence" then a discount of 25% is allowed.
- 3.6 **Less 50% discount.** A discount of 50% is allowed where two or more persons who can be disregarded for Council Tax purposes occupy the property, e.g. care workers.
- 3.7 **Second homes.** Second Homes now pay full Council tax.
- 3.7.1 The Levelling up and Regeneration Bill has received Royal Assent, this gives Billing Authorities the ability to charge a premium of up to 100% on second homes so the Charge Payer will have to pay 200% of the Council Tax Charge with effect from the 1st April 2024. If Cabinet approve the premium, an advert will need to be put in the public domain to comply with the terms of the bill.

3.8 **Long Term Empties.** After a three month free period no further discount is allowed.

3.8.1 However, if a property remains empty of furniture and residents for two years or more, the Council is allowed to apply an additional 100% premium to the Council tax charge, so the Charge payer will have to pay 200% of the Council Tax charge in that area. With effect from the 1st April 2020 a premium of 200% can be levied so the Charge payer will have to pay 300% of the Council Tax in that area after a period of five years and with effect from the 1st April 2021 a premium of 300% can be levied so the Charge payer will have to pay 400% of the Council Tax in that area. The Regulations detailing the additional premium are Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

With effect from 1st April 2019 an additional 100% premium after 2 years

With effect from 1st April 2020 an additional 200% premium after 5 years

With effect from 1st April 2021 an additional 300% premium after 10 years

3.8.2 The Bill extends the current Empty Home Premium to properties empty of furniture and residents for twelve months to 100% so the Charge Payer will have to pay 200% of the Council Tax Charge with effect from the 1st April 2025. If approved an advert will need to be put in the public domain to comply with the terms of the bill.

4.0 Estimated cost of the Council Tax Reduction Scheme (CTR)

4.1 Before we convert the properties to Net Band D equivalents we must reduce the total properties by the estimated cost of the Council Tax Reduction (CTR) Scheme

4.2 The criteria for the CTR scheme is that those claimant's in the lowest income band do not have to pay anything; thereafter the percentage payable ranges from 35 to 75% on the charge (with the exception of those protected by legislation namely pensioners in receipt of guaranteed pension credit).

4.3 The main criteria of the scheme are:

- Support is increased up to 100% i.e. those claimants who are least able to pay due to the current financial crisis.
- Support is limited to Band D charges so claimants in a higher banded property will receive CTR up to 100% of a band D and be required to pay the balance of the additional banding in full.
- Savings limited to £6,000.
- Changes were made to the CTRS in April 2017 to align it with Universal Credit.

- 4.4 For your information Mid Devon’s CTR scheme for 2024/25, is estimated to cost in the region of **£4,802m**, based on the scheme criteria.
- 4.5 CTR has been included within the tax base calculation and applied to each band and parish individually then a band D equivalent calculation has been used to arrive at a final figure.
- 4.6 The cost of the CTR scheme must be reflected in the Tax Base calculation so the following calculation is carried out for each valuation band to arrive at the net chargeable Dwellings:

Calculation of the Relevant Amount

	2023/24 *Restated	2024/25
Number of properties per valuation list	37,519.00	37,894.00
Exemptions	-605.00	-604.00
Single occupiers and 25% disregards	-3,036.75	-3,049.25
50% discount	-34.00	-41.00
Empty property 50% exempt	-26.00	-30.00
Empty property 100% exempt	-188.00	-238.00
Additional long term empty at 100%	+90.00	+86.00
Additional long term empty at 200%	+60.00	+48.00
Additional long term empty at 300%	+51.00	+69.00
Family Annexe Discount	-22.00	-25.00
Chargeable dwellings before conversion to Band D equivalent	33,808.25	34,109.75
Additional net new properties	+632.25	+429.40
**Local council tax support adjustment and local discounts	+142.50	+173.00
Chargeable dwellings after growth and before conversion to Band D equivalent	34,583.00	34,712.15

*Values restated to reflect the CTB1, no change to the overall chargeable dwellings figure.

**Adjustment reflects part year support only and additional premiums charged.

Conversion to Band D equivalents

- 4.7 The net chargeable dwellings are then converted to Band D equivalents. This is carried out by multiplying the Net chargeable dwellings by the appropriate factor (A=6, B=7, C=8, D=9, E=11, F=13, G=15, H=18) for the band and dividing by that for Band D (9). The Table below details the Net Chargeable Dwellings converted to Band D equivalents.
- 4.8 The calculation shows the estimated annual cost of the CTR scheme, shown as the number of Band D equivalents. For the 2024/25 year this is estimated as 2,092.17 Band D equivalent properties.
- 4.9 The Tax Base is finally calculated by applying the collection rate to the total Band D equivalents when summarised below for the 2024/25 financial year.
- 4.10 An @ band dwelling is a band A property with a disabled banding reduction applied:

Band	Chargeable Dwellings	Multiplier	Band D equivalent properties	Less CTR properties	Revised properties
@	9.25	5/9	5.15	-3.15	2.00
A	5,397.82	6/9	3,598.55	-828.11	2,770.44
B	8,324.70	7/9	6,474.81	-681.01	5,793.80
C	6,735.87	8/9	5,987.42	-319.00	5,668.42
D	6,181.06	9/9	6,181.06	-147.47	6,033.59
E	4,662.93	11/9	5,699.14	-72.15	5,626.99
F	2,439.77	13/9	3,524.13	-32.59	3,491.54
G	907.75	15/9	1,512.94	-7.71	1,505.23
H	53.00	18/9	106.00	-0.99	105.01
	34,712.15		33,089.20	-2,092.17	30,997.03

4.11 To clarify the table detailing the **Calculation of the Relevant Amount** is based on actual properties and the final calculation above is based on a Band D equivalent of actual properties.

5.0 Assumptions

5.1 In line with current Council Tax Referendum limits the impact of any changes to the assumptions used in the calculations are shown below:

Variable Assumption	Assumption	Change	Impact on budget
Collection rate	97.5%	+0.5%	£35,714
Growth	16% of 2040 properties with planning permission	+1%	£4,150
Band D charge	£5.00 increase	2% increase	-£14,956

6.0 Calculation of the Tax Base

6.1 Based on the above detailed calculations in accordance with SI 2914 of 2012 the Tax Base is to be calculated as: Total relevant amounts (A) **30,997.03** multiplied by the estimated collection rate (B) (97.5%)

6.2 Mid Devon District Council's Council Tax Base for 2024/25 will be **30,222.10**.

Financial Implications

Mid Devon District Council is a Statutory Billing Authority and must set its Council Tax each year. If it were not to set a Council Tax then the Authority and all Precepting Authorities would be unable to raise money to pay for all the services they provide.

Legal Implications

This is a statutory function and is a legal requirement. The Council must now set its budget annually using Council Tax information each year in accordance with The Local Authorities(Calculation of Council Tax Base)(England) Regulations 2012 calculating the relevant amount by applying the formula set out in the above regulations

Risk Assessment

If the Council fails to carry this duty out then the Council Tax cannot legally be set. In accordance with the LGF Act 2012 above and SI 2914 of 2012 The Local Authorities(Calculation of Council Tax Base)(England) Regulations 2012,

Impact on Climate Change

No implications arising from this report.

Equalities Impact Assessment

The Council Tax Base calculation includes a deduction for the Council Tax Reduction scheme within its Tax Base calculation.

Relationship to Corporate Plan

This report sets out how the Tax Base is calculated for 2024/25. This calculation is then used as a basis to set the Council's budget for the forthcoming year in line with the Council's Corporate Plan objectives.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 31 October 2023

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 31 October 2023

Chief Officer: Stephen Walford

Agreed by or on behalf of the Chief Executive/Corporate Director

Date: 31 October 2023

Performance and risk: Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 31 October 2023

Cabinet member notified: yes

Section 4 - Contact Details and Background Papers

Contact: Paul Deal - Corporate Manager for Finance, Property & Climate Change

Email: pdeal@middevon.gov.uk

Telephone: 01884 234254

Background papers: CTB1 and supporting documentation



Report for: Cabinet

Date of Meeting:	14 November 2023
Subject:	Meeting Housing Needs Supplementary Planning Document (Adoption)
Cabinet Member:	Cllr Steven Keable, Cabinet Member for Planning and Economic Regeneration
Responsible Officer:	Richard Marsh, Director of Place
Exempt:	None
Wards Affected:	All Wards
Enclosures:	Appendix 1 – Meeting Housing Needs Supplementary Planning Document Appendix 2 – Strategic Environmental Assessment Screening Report Appendix 3 – Habitats Regulations Assessment Screening Report Appendix 4 – Statement of Consultation Appendix 5 – Adoption Statement

Section 1 – Summary and Recommendation(s)

To inform members of the outcomes of the public consultation on the Meeting Housing Needs Supplementary Planning Document, the amendments that have been made in response to comments received and to formally adopt the Meeting Housing Needs Supplementary Planning Document (SPD).

Recommendation(s):

To Cabinet that

- 1. The Mid Devon Housing Needs Supplementary Planning Document (Appendix 1 of this report) is adopted and is published on the Council's website together with the Strategic Environmental Assessment**

Screening Report (Appendix 2), the Habitats Regulations Assessment Screening Report (Appendix 3), the Statement of Consultation (Appendix 4), and its Adoption Statement (Appendix 5).

Section 2 – Report

1.0 Introduction

- 1.1 The current Mid Devon Meeting Housing Needs SPD was adopted in June 2012. It contains guidance intended to support policies for housing development that were included in the Council's Core Strategy 2026 (adopted 2007) and the Allocations and Infrastructure Development Plan Document (AIDPD) (adopted 2010) that were in force as part of the statutory development plan for Mid Devon at that time.
- 1.2 The Core Strategy, and the Allocations and Infrastructure Development Plan Document (AIDPD) have now been replaced by the Mid Devon Local Plan 2013 – 2033. This follows the adoption of the Local Plan on 29th July 2020. As such, there is a need to update and replace the guidance included in the existing SPD so that it reflects the policies of the adopted local plan, and is consistent with current national planning policy and practice guidance. Additionally, this update reflects the Council's current policy framework, including the Corporate Plan 2021 – 2024 and the Housing Strategy for Mid Devon 2021 – 2025.
- 1.3 Officers have prepared a new Meeting Housing Needs SPD which provides guidance that supports relevant housing policies of the adopted Mid Devon Local Plan, principally:
- Policy S3 Meeting Housing Needs
 - Policy S14 Countryside
 - Policy DM1 High Quality Design
 - Policy DM6 Rural Exception Sites
 - Policy DM7 Traveller Sites
 - Policy DM8 Rural Workers Dwellings
- 1.4 It also reflects more recent technical evidence and studies, including the Mid Devon Local Housing Needs Assessment (LHNA) completed September 2022 (noting there are limitations in taking forward recommendations in the LHNA since this technical evidence post-dates the preparation of the adopted local plan, which was informed by a Strategic Housing Market Assessment and a viability appraisal). It also reflects current good practice in relation to planning and facilitating the delivery of housing to meet the needs of different parts of the community, including drawing from casework in relation to development proposals in Mid Devon. It should be noted that at the time of the preparation, a Gypsy and Traveller Accommodation Needs

Assessment is being undertaken for Mid Devon by consultant Opinion Research Services.

1.5 The Meeting Housing Needs SPD has been 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 and will be adopted by the Council as a Supplementary Planning Document (SPD). The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

2.0 Content of the Meeting Housing Needs SPD

2.1 The scope and content of the new Meeting Housing Needs SPD is broader than the current version. It reflects national planning policy (NPPF paragraph 62) through the inclusion of guidance on "the size, type and tenure of housing needed for different groups in the community ...(including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes)".

2.2 The scope and content has also been shaped through the development of in-house expertise and experience in housing enabling through the work of the Principal Housing Enabling and Policy Officer and with support from the Council's Housing Services team. It should be noted this includes the Principal Housing Enabling and Policy Officer's work with the national Right to Build Task Force. The draft SPD also incorporates recommendations from research undertaken on behalf of Team Devon, to encourage, enable and support Community Land Trusts and address the barriers to securing high quality affordable housing for local people.

2.3 The scope and content of the new Meeting Housing Needs SPD is as follows:

- i. Introduction
- ii. Affordable Housing
- iii. Housing for Older Persons and People with Disabilities
- iv. Community Led Housing
- v. Homes for Gypsies and Travellers
- vi. Homes for Travelling Showpeople
- vii. Custom and Self-Build
- viii. Modern Methods of Construction

3.0 Strategic Environmental Assessment / Habitats Regulations Assessment Screening

- 3.1 The Meeting Housing Needs SPD has been 'screened' to establish whether it requires a Strategic Environmental Assessment (SEA). The SEA Screening Report (**Appendix 2**) has identified that the Meeting Housing Needs 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 Meeting Housing Needs SPD to be subject to a full SEA.
- 3.2 The Meeting Housing Needs 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 Meeting Housing Needs 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.

4.0 Public Consultation

- 4.1 In accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement, a public consultation exercise took place between 17 July and 25 August 2023.
- 4.2 A total of 11 duly made responses were received. A summary of the main comments / issues raised during the consultation, along with a response and where appropriate and explanation of how these comments / issues have been addressed in the final adopted version of the Meeting Housing Needs SPD is set out in a Statement of Consultation at **Appendix 4**.
- 4.3 In general, the scope and content of the SPD was supported. Consultees particularly welcomed the Council's proposed guidance on co-housing, community led housing and custom and self-build as a way of diversifying the supply of housing in Mid Devon. A number of comments were received on how the SPD can contribute towards achieving net-zero, concerns around future development and infrastructure provision. There were also some concerns raised regarding the proposed approach for First Homes and that the SPD may introduce additional financial burdens to development.
- 4.4 A number of amendments have been made to the SPD in response to detailed consultation comments received. The principal changes are:
- **Additional flexibility regarding the provision of First Homes.** Whilst, the Government requires that 25% of all affordable homes

should be delivered as First Homes, the Mid Devon Local Housing Needs Assessment shows a need for only 4.4% of the affordable homes to be First Homes. The revised approach sets out that on the basis of current need for First Homes, they are unlikely to be the preferred form of affordable homes. Provision will therefore be considered on a case by case basis and the Council will continue to monitor need for, and delivery of, First Homes and continue to negotiate the most appropriate mix of housing types to meet local needs.

- **Additional guidance on the design and location of affordable housing.** An amendment has been incorporated to reflect the principles for affordable housing set out in the National Design Guide to make clear that there should be no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external façade or materials.

5.0 Planning Policy Advisory Group

5.1 The Planning Policy Advisory Group (PPAG) considered the Meeting Housing Needs SPD at its meeting on 25th October 2023 and agreed that the SPD be recommended to the Cabinet for approval subject to the following amendments being made to it:

Paragraph 2.40 at the end of the paragraph add the sentence “There is a need to make homes climate-resilient through the planning process and the application of national Building Regulations, recognising that poor quality design and standards of construction can have implications for the condition of those properties and the quality of life of their occupiers.”

Principle 11 remove the words “age restricted”

Paragraph 7.19 add the words “(the phasing out of gas will be encouraged)” after the word “Gas”

Financial Implications

There is existing budgetary provision for the preparation of the Meeting Housing Needs SPD. As this report commends to Cabinet the final version for adoption, there are no additional financial implications.

Legal Implications

The process of preparing the Meeting Housing Needs Supplementary Planning Document has complied with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. Adoption of the Meeting Housing Needs SPD will provide direction and amplification on the relevant policies of the adopted Mid Devon Local Plan 2013 – 2033 in relation to housing development proposals that are submitted to the Council for determination and help guide planning decisions made on these.

Risk Assessment

The Meeting Housing Needs SPD provides guidance on the Mid Devon Local Plan 2013 – 2033 policies on housing. The document will reduce the risk of costs being awarded against the Council where decisions are based on its content.

Impact on Climate Change

The Meeting Housing Needs SPD is underpinned by a strong commitment to having 'low carbon, accessible and adaptable homes'. It will therefore help facilitate positive impacts on climate change.

Equalities Impact Assessment

A full Equality Impact Assessment (2017) was prepared as part of the Mid Devon Local Plan review evidence base. An additional EqIA screening was prepared for this SPD. The assessment included relevant policies with regard to housing and found that many have a positive impact on persons with protected characteristics, in particular against the backdrop of equalities issues, including ethnicity (Gypsies and Travellers), and persons with mobility impairment or other disabilities.

Relationship to Corporate Plan

The Meeting Housing Needs SPD contains guidance on the Mid Devon Local Plan 2013 -2033 policies on housing. It helps to deliver the Corporate Plan priorities for 'Sustainable and Prosperous communities' and 'Objectives for homes'.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151
Date: 31 Oct 2023

Statutory Officer: Maria De Leiburne
Agreed on behalf of the Monitoring Officer
Date: 31 Oct 2023

Chief Officer: Richard Marsh
Agreed by or on behalf of the Chief Executive/Corporate Director
Date: 31 Oct 2023

Performance and risk: Steve Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 06 Nov 2023

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Arron Beecham, Principal Housing Enabling and Forward Planning Officer
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Telephone: 01884 234221

Background papers:

Cabinet meeting 7 March 2023 – Mid Devon Housing Needs Supplementary Planning Document

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MEETING HOUSING NEEDS SUPPLEMENTARY PLANNING DOCUMENT

Adopted – November 2023





Explanatory Note: This Supplementary Planning Document contains a series of Core Principles. These are intended to expand upon, and provide further detail to the policies contained in the Mid Devon Local Plan 2013 – 2033 to demonstrate how these policies can be taken forward. They are not planning policies and they do not seek to supersede development plan policy in any way. This SPD is capable of being a material consideration in the Council's determination of planning applications for the development of new homes in Mid Devon.

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Introduction

- 1.1 Having a home is a basic necessity that provides shelter, security and can support health and well-being. Whether homes are owned, rented, in single occupancy or shared with others, the simple fact is that for many their home is not suitable to meet their needs and having a suitable home may not be affordable.
- 1.2 Nationally, for many years there have not been enough new homes being built to meet our needs, and there has been an increasing gap between the price of those homes and being able to afford to buy or rent them – the cost of new homes has risen higher than wages. In Mid Devon (2019) full time employees can typically expect to spend around 9.3 times their workplace – based annual earnings on purchasing a home, higher than the England average ratio of 7.8. Average income in Mid Devon also remains below the national average with a relatively low-pay economy, which means that local house prices are too high for many on low-medium incomes to afford. High house prices and a lack of homes that are affordable and suitable to meet housing needs in Mid Devon is part of what has been declared as a national housing emergency. The charity Shelter argues that 17.5 million people nationally are trapped by the housing emergency and the high cost of housing is at the heart of this crisis.
- 1.3 The Council’s Corporate Plan 2022 – 2024 recognises that our villages and towns need affordable housing for local people. It establishes ‘Homes’ as one of four key priorities for the Council with a series of specific objectives as follows:

Deliver more affordable housing and greater numbers of social rented homes.

Work with Community Land Trusts and other organisations to deliver homes retained in perpetuity for local need.

Work with landlords to ensure the high quality of homes in the private rented sector

Lobby to see the abolition of the ‘Right to Buy’ or the development of discounting powers to individual local housing authorities.

Promote the regeneration of our town centres by working with landlords and property developers to improve and increase the supply of quality housing.

Introduce zero carbon policies for new development.

Encourage the piloting of Modern Methods of Construction (MMC) and self-build opportunities.

Use new development as opportunities to help communities to become increasingly sustainable and self-sustaining at neighbourhood level (district heating, energy use, recycling/re-use systems etc).

Work with local stakeholders to initiate delivery of the new garden village at Culm.

Support and grow active tenancy engagement.

Support the establishment of Community Land Trusts in partnership with parish councils and other local bodies

- 1.4 In addition, the Council's Housing Strategy 2021 - 2025 sets out a clear direction, to offer more housing with more choice by developing new homes and improving existing homes and communities. There is particular focus on affordable and social rent properties alongside a strong commitment to having low carbon, accessible and adaptable homes. The Housing Strategy is a framework; setting direction for each of our partners and stakeholders involved in housing; residents, ward members, housing associations, developers, government bodies, investors, private landlords, charities, voluntary groups and the Council – to provide the right type of homes that are needed.
- 1.5 The Mid Devon Local Plan 2013 – 2033 contains a number of planning policies related to housing, all contributing to the delivery of a vision that *'Mid Devon will be a prosperous and sustainable rural district, where individuals, families and communities can flourish as a result of access to good quality local employment, housing and services and a clean, green safe environment.'*
- 1.6 This Meeting Housing Needs Supplementary Planning Document, contains guidance to support the implementation of relevant policies in the adopted Mid Devon Local Plan 2013 – 2033 for securing the delivery of new homes through the planning process. It will help achieve many of the objectives and priorities set out in the Council's Corporate Plan 2022 - 2024 and Housing Strategy 2021 - 2025. It is intended to inform consideration of housing needs and is a material consideration in the determination of planning applications.



Affordable Housing

Defining Affordable Housing

- 2.1 Affordable Housing is defined as housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential workers). A full definition of affordable housing is provided in the National Planning Policy Framework but broadly, it includes two forms:
- **Affordable housing for rent** – means housing managed by a Registered Provider or Build to Rent landlord and let at subsidised levels. The Local Housing Allowance sets a rent level which can be covered by Housing Benefit or Universal Credit and is therefore affordable to all households. It is therefore an appropriate maximum rental level for new affordable housing for rent. It is important to define the difference between affordable homes (those let at an affordable rent) and social rent homes:
 - o **Social rent** – Homes let at below the market rent by a registered provider. The rent level is calculated on a legal basis according to a formula based on property values and local earnings (target rent). This is set out in the Regulator of Social Housing’s Rent Standard. Typically these rents are around 50% of the local market rate.
 - o **Affordable rent** – Homes let at below market rent by a registered provider. The rent (including service charge) is set at up to 80% of the local market rent for an equivalent home.
 - **Affordable home ownership** – products give a household the option to purchase at a subsidised price in various different ways, either immediately or after some years of living in a property.

Housing Tenures and Dwelling Mix

- 2.2 The Local Plan 2013 – 2033 Policy S3 stipulates that a mix of affordable dwelling size and types should be provided, appropriate to the evolving needs of Mid Devon’s population. Planning applications will need to be tailored to the affordable housing needs of the area. Clause b) of the policy states:

“Unless otherwise stated in a site allocation policy, on open market housing sites (i.e. excluding exception sites provided under Rural Exception Sites under policy DM6) of 11 dwellings or more in Tiverton, Cullompton and Crediton a target of 28% affordable dwellings, and on sites elsewhere of 6 dwellings or more, a target of 30% affordable dwellings will be applied to the total number of dwellings, depending on viability and providing a mix of dwelling sizes and types appropriate to the evolving needs of Mid Devon’s population. Sites of between 6-10 dwellings outside Tiverton, Cullompton and Crediton will be permitted to make a financial contribution sufficient to provide the affordable dwellings in another location.”

2.3 The Mid Devon Local Housing Needs Assessment (LHNA, completed September 2022, or any subsequent update) provides evidence of housing mix requirements, by bedroom size that would enable both affordable and market housing need to be met. Table 1 below provides the starting point for establishing an appropriate tenure mix, together with dwelling size requirements.

Table 1: (Based on Figure 53 'Overall need' of the LHNA, completed September 2022)

	Affordable Dwellings				Total Affordable Housing	Total Market Housing	Total Housing
	Unable to afford market rents		Unable to afford market ownership				
	Social Rent	Affordable Rent	Unable to afford 70% First Homes	Able to afford 70% First Homes			
1 bedroom	1.6%	0.1%	0.1%	0.4%	2.2%	3.5%	5.7%
2 bedrooms	6.7%	2.2%	0.6%	1.6%	11.1%	8.8%	19.9%
3 bedrooms	6.9%	2.7%	0.9%	1.7%	12.2%	37.1%	49.3%
4+ bedrooms	2.1%	0.5%	0.3%	0.6%	3.6%	18.9%	22.5%
Dwellings	17.3%	5.5%	1.9%	4.4%	29.2%	68.2%	97.4%
C2 Dwellings	-	-	-	-	-	2.6%	2.6%
LHN	17.3%	5.5%	1.9%	4.4%	29.2%	70.8%	100.0%
%age of total affordable	59.2%	18.9%	6.6%	15.2%	100.0%		

2.4 The above table is based on the assumption that 29.2% of the total housing requirement will be provided as affordable housing. However, not every site in Mid Devon will necessarily deliver affordable housing at 29.2%. Nevertheless, as the current adopted Local Plan 2013 – 2033 establishes a target of between 28-30%, these assumptions remain appropriate.

2.5 In order to inform tenure mix and dwelling size assumptions, the overall need figures presented in Table 1 can be translated into target percentages. They suggest that 60% of affordable homes should be provided in the form of social rented units.

- Social Rent (60%)
- Affordable Rent (19%)
- Affordable Home Ownership (excluding First Homes) (6%)
- First Homes (discounted by 30%) (15%)

2.6 However, the delivery of social rented homes can have viability and funding challenges, and might require significant public subsidy to support schemes coming forward. The current Local Plan was informed by a plan-wide viability assessment which assumed a tenure mix comprising 60% affordable rent / 40% intermediate tenures. This SPD does not seek to supersede existing development plan policy but does refer to the latest housing needs evidence to ensure that an appropriate mix of types and tenures of affordable housing are provided.

First Homes

- 2.7 Recent changes to Government policy require that planning applications going forward will need to support the delivery of First homes. First Homes are a specific kind of discounted market sale housing, where the discount remains in perpetuity via restrictions on the property title, and it falls within the definition of ‘affordable housing’ for planning purposes. Specifically, First Homes are discounted market sales units which:
- a) Must be discounted by a minimum of 30% against the market value;
 - b) Are sold to a person or persons meeting the First Homes eligibility criteria;
 - c) On their first sale, will have a restriction registered on the title at HM Land Registry to ensure this discount (as a percentage of current market value) and certain other restrictions are passed on at each subsequent title transfer; and
 - d) After the discount has been applied, the first sale price must be at a price no higher than £250,000.
- 2.8 The Government has made it clear that First Homes are the preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. This national requirement will need to be factored into development proposals and planning applications. Of the remaining 75% of affordable housing secured through development contributions, the Written Ministerial Statement published on 24 May 2021 makes clear that local authorities should prioritise securing their policy requirements on social rent, once they have secured the 25% First Homes requirement.
- 2.9 The Mid Devon LHNA (Figure 53) shows a calculation based purely on ability to access the product, which assumes a 70% First Homes discount results in only 4.4% of affordable homes being First Homes. This is significantly less than the Government’s requirement of 25%. The Mid Devon LHNA undertakes additional sensitivity testing in order to meet the Government’s First Homes target, although these will be matters which will be investigated further as part of the preparation of a new local plan for Mid Devon (“Plan Mid Devon”). In the interim, the Council will adopt a flexible approach to the delivery of First Homes. Whilst the Council recognises that the Written Ministerial Statement is a material consideration in planning decisions, on the basis of current need for First Homes, they are unlikely to be the Council’s preferred form of affordable housing. Provision of First Homes will therefore be considered on a case by case basis. The Council will monitor need for, and delivery of, First Homes and continue to negotiate the most appropriate mix of housing types to meet local needs.
- 2.10 The Council will expect that development proposals for new homes will reflect the following mix of affordable housing tenures for the purpose of determining planning applications, where relevant, in relation to the adopted Local Plan Policy S3:
- Affordable Rent (including social rented housing) (60%)
 - Affordable Home Ownership (including a proportion of First Homes) (40%)
- The Council will explore with applicants on a case by case basis the potential for an element of social rented housing as part of the affordable rent proportion, including impact on viability of a scheme and opportunities for funding support.

Principle 1

In accordance with adopted Local Plan Policy S3, the Council will seek the provision of affordable housing in accordance with the following proportions:

- Affordable Rent*: 60%
- Affordable Home Ownership (including a proportion of First Homes): 40%

* The Council will work with applicants to explore the potential for an element of social rent housing to be included within affordable housing proposals, subject to viability and local housing need

Dwelling Size Mix

- 2.11 The Mid Devon LHNA recommends mixes of dwelling size across housing tenures. Development proposals for new homes will be expected to reflect these mixes, which will be the Council's start point for the determination of planning proposals for new homes in relation to adopted Local Plan Policy S3. However, where more localised data is available (e.g. through an up to date parish housing needs survey) this can be taken into consideration, alongside other technical information in relation to viability and other relevant matters. As part of the pre-application and/or planning application process, the Council's Housing Enabling service will be able to provide data on local housing needs and dwelling sizes, at the parish level and provide advice on an appropriate tenure and dwelling size mix, as well as phasing and timing considerations.

Principle 2

A mix of dwelling sizes should be provided throughout new housing development in accordance with Policy S3 of the Local Plan 2013 – 2033, reflecting the target percentages of the Mid Devon Local Housing Needs Assessment 2022 and any local housing need survey or demand information from Devon Home Choice:

Social Rent

1 bedroom (10%)
2 bedroom (39%)
3 bedroom (40%)
4+ bedrooms (12%)

Affordable Rent

1 bedroom (1%)
2 bedroom (39%)
3 bedroom (50%)
4+ bedrooms (10%)

Affordable Home Ownership

(e.g. Shared Ownership, First Homes)

1 bedroom (7%)
2 bedroom (35%)
3 bedroom (42%)
4+ bedrooms (16%)

Market housing

1 bedroom (5%)
2 bedroom (13%)
3 bedroom (54%)
4+ bedrooms (28%)

Principle 3

The Council's Housing Enabling Service will work positively with applicants to help achieve suitable and optimal mix of housing types, sizes and tenures in development proposals submitted for determination to meet identified affordable housing needs. The Council will have regard to:

- Relevant national and local planning policy
- Available technical evidence (strategic and local housing need, and viability evidence)

This will include exploring potential options for alternative mixes of house types and tenures, and for the phasing of delivery, including in relation to infrastructure requirements and with regard to the viability of the scheme being maintained.

Developers should engage with the Council's housing enabling team at the earliest possible opportunity to discuss affordable housing proposals.

First Homes Local Eligibility Criteria and Planning Obligation Requirements

- 2.12 Planning Practice Guidance makes clear that 'First Homes are designed to allow people to get on the housing ladder in their local area, and in particular to ensure that key workers providing essential services are able to buy homes in the areas where they work. Authorities can therefore prioritise key workers for First Homes, and are encouraged to do so.' The Local Housing Needs Assessment 2022 suggests that it may be appropriate to for some affordable properties to be set aside solely for essential local workers in need. Principle 4 defines what is meant by 'key worker' for the purpose of guidance in this SPD and which can support Policy S14 Countryside and Policy DM8 Rural workers' dwellings in the adopted Local Plan. This definition takes a broader approach than 'essential local workers' defined in national planning policy, to reflect the Office for National Statistics definition for 'key worker' and in recognition that other worker roles can have play an important, and potentially vital part in supporting local shops and services across the district for sustainable communities and a prosperous rural economy.

Principle 4

First Homes will be prioritised for key workers for 3 months from when a home is first marketed. If a suitable buyer has not reserved a home after 3 months, the eligibility criteria will revert to the national criteria, to widen the consumer base.

“Key Worker” means a person employed or with a confirmed job offer in one of the following categories of employment:

- Health and social care
- Education and childcare
- Key public services – e.g. Justice system
- Local and national government
- Food and other necessary goods
- Public safety and national security
- Transport
- Utilities, communication and financial services

A full list of key worker occupations is provided at Appendix 2.

Such other categories of employment as may be published by the Council from time to time as the “First Homes Key Worker criteria” and is in operation at the time of the relevant disposal of the First Home.

- 2.13 To secure the delivery of First Homes, the Council will seek a legal agreement securing the necessary restrictions on the use and sale of the property, and a legal restriction on the title of the property to ensure that these restrictions are applied to the property at each future sale. The landowner will be required to enter into a planning obligation under section 106 of the Town and Country Planning Act 1990 that:
- a) Secures the delivery of the First Homes; and
 - b) Ensures that a legal restriction is registered onto a First Home’s title on its First Sale.
- 2.14 Mortgagee Exclusion Clauses should also be present in all planning obligations in order to ensure that a regulated financial institution which has provided the finance necessary to support the purchase of a First Home is not bound by the requirement to sell the home under the First Homes criteria.
- 2.15 Finally, it will also be necessary to include provisions to allow a developer or First Home owner to sell a first home on the open market and remove the title restriction in the event that a suitable buyer for a First Home cannot be met. This will need to be subject to certain conditions being met. There should be a requirement, within the agreement, that the home is marketed for at least 6 months in total and that all reasonable steps have been taken to sell the property.

Standards of affordable housing

- 2.16 Policy DM1 'High Quality Design' of the adopted Local Plan 2013 – 2033 establishes additional housing standards in respect of accessibility and space. Clause h) requires *'Suitably sized rooms and overall floorspace which allows for adequate storage and movement within the building together as set out in the Nationally Described Space Standard and principal windows'*.
- 2.17 The policy ensures that adequate internal space is provided, particularly for smaller dwelling sizes (where historically, failure to comply with space standard requirements has been more commonplace). The Council expects full compliance with the Nationally Described Space Standard and no exceptions are made for affordable housing.

Table 8: Nationally Described Space Standards (2016)

Minimum gross internal floor areas and storage (m2)					
Number of bedrooms	Number of bed spaces (persons)	1 storey dwellings	2 storey dwellings	3 storey dwellings	Built-in storage
1b	1p	39 (37)*			1.0
	2p	50	58		1.5
2b	3p	61	70		2.0
	4p	70	79		
3b	4p	74	84	90	2.5
	5p	86	93	99	
	6p	95	102	108	
4b	5p	90	97	103	3.0
	6p	99	106	112	
	7p	108	115	121	
	8p	117	124	130	
5b	6p	103	110	116	3.5
	7p	112	119	125	
	8p	121	128	134	
6b	7p	116	123	129	4.0
	8p	125	132	138	

Electric Vehicle Charging Point Provision

- 2.18 Policy DM5 of the adopted Local Plan 2013 – 2033 stipulates that within the towns of Tiverton, Cullompton and Cridton, infrastructure for electric vehicles should be built into the development in accordance with set standards, the variation of which must be justified on a case-by-case basis. It is important to ensure that EV charging provision is distributed equitably throughout the development and therefore the Council will expect some provision to be made within the affordable housing.

Principle 5

The requirements of Policy DM5 in respect of electric vehicle charging provision should be applied equitably across both the open market and affordable housing provision, to ensure that the latter is indistinguishable from the former.

Financial implications of affordable housing Development Viability

2.19 Adopted Local Plan 2013 – 2033 Policy S3 provides targets for the provision of affordable housing as follows:

“Unless otherwise stated in a site allocation policy, on open market housing sites (i.e. excluding exception sites provided under Rural Exception Sites under policy DM6) of 11 dwellings or more in Tiverton, Cullompton and Crediton a target of 28% affordable dwellings will be applied to the total number of dwellings, and on sites elsewhere of 6 dwellings or more a target of 30% affordable dwellings will be applied to the total number of dwellings, depending on viability and providing a mix of dwelling sizes and types appropriate to the evolving needs of Mid Devon’s population. Sites of between 6 – 10 dwellings outside Tiverton, Cullompton and Crediton will be permitted to make a financial contribution sufficient to provide the affordable dwellings in another location”

2.20 The Local Housing Needs Assessment demonstrates a continued significant need for affordable homes in Mid Devon. The target percentages for affordable homes set out in Policy S3 will be the Council’s start point in the determination of planning applications for new homes and a key material consideration. However, a flexible approach may be taken on a case by case basis where there is evidence to prove the policy target would make a development unviable, and without a flexible approach a development would not be able to proceed. Developers will be required to robustly justify any level of provision below the required target.

2.21 Where a developer considers that development is rendered unviable by the provision of policy compliant affordable housing targets, they should contact the Local Planning Authority at an early stage, in order to present their evidence. An “open book” approach will be necessary, with viability evidence submitted a part of documentation for planning applications for the Council to evaluate. Without sufficient detail being presented, the Council will assume that viability is not an issue and pursue affordable housing requirements accordingly.

2.22 The Council may request that viability evidence is independently tested by a suitably qualified consultant. Where the need for independent testing arises, the Council will inform the applicant at the earliest possible opportunity. It is expected that the applicant will bear the full cost of any such assessments.

Off-site affordable housing contributions

- 2.23 The Council's strong expectation is that affordable housing will be delivered on-site as completed dwellings. However, on sites of between 6-10 dwellings outside Tiverton, Cullompton, and Crediton, adopted Local Plan Policy S3 permits off-site financial contributions sufficient to provide the affordable dwellings in another location.
- 2.24 It is important to ensure that onsite and off-site planning obligations are genuinely equivalent. Otherwise a developer will be able to avoid meeting the full requirements of providing an appropriate form of affordable housing and increase their financial benefit from a development.
- 2.25 Offsite provision may be in the form of a commuted sum of the equivalent value or serviced plots on an alternative site within the vicinity of the application site, along with a commuted sum for construction of the affordable housing. A financial contribution may also be required where the affordable housing provision required by policy generates a fraction.
- 2.26 Where off-site provision is proposed, it is important that applicants discuss the matter with the Council at the earliest possible opportunity and preferably demonstrate through the pre-application process the reasons for such an approach.
- 2.27 The Council will negotiate a phased payment programme with the developer to ensure the timely payment of contributions. The Council will also index the agreed financial contribution from the date of the agreement to the date of payment. This will be by an amount equal to the proportionate upward only change in the All in Tender Price Index of the Building Costs Information Service (BCIS) of the Royal Institute of Chartered Surveyors.

Principle 6

Where a financial contribution is proposed in lieu of affordable housing provision on-site, the Council will commission an independent viability assessment, the cost of which shall be met by the developer prior to the application being determined.

Financial contributions in lieu of on-site affordable homes will be subject to the same test of viability as on-site affordable housing. Off-site provision will be in the form of either:

- a) A commuted sum of the equivalent value; or
- b) Serviced plots on an alternative site within the vicinity of the application site, along with a commuted sum for construction of the affordable housing.

Financial contributions towards the off-site delivery of affordable housing will be subject to a negotiated phased payment schedule. Usually this will be 50% payment on commencement of the development and the remaining 50% payment when 50% of the open market units have been occupied.

Timing of affordable housing

- 2.28 Affordable housing should be provided broadly in-step with market housing as the development progresses and should be inter-mixed with it across the site. Any deviation to these requirements will need to be fully justified.
- 2.29 A legal agreement (Section 106 / Unilateral Undertaking) will control the progression of the development to ensure the affordable housing is delivered in phases in parallel with the development of market housing.

Rural Exception Sites

- 2.30 To encourage the delivery of affordable and low-cost housing in rural areas, the adopted Local Plan makes clear that exceptions can be made to the normal restrictions on housing development outside defined settlements. Policy DM6 establishes the appropriate policy tests that rural exception sites need to meet.
- 2.31 Government policy states that First Homes exception sites can come forward on unallocated land outside of a defined settlement. However, they cannot come forward in designated rural areas as defined in Annex 2 of the NPPF. In these areas, rural exception sites are the sole permissible type of exception site.
- 2.32 Under Section 157 of the Housing Act 1985, the entire district of Mid Devon (with the exception of the towns of Crediton, Cullompton and Tiverton) is a designated rural area. Therefore outside of the Main Towns, rural exception sites are the sole permissible type of exception site.

Layout and Design

- 2.33 By definition, it is likely that affordable housing provision will be occupied by households on low incomes. It is important that affordable housing provision does not exacerbate social tensions and increase social exclusion. Social and other affordable housing which is segregated from other housing provision, and has a distinguishing design approach, can lead to such problems. It is the role of planning to try to ensure that such problems do not occur.
- 2.34 It is therefore important that the design of new housing areas which include affordable housing take a “tenure neutral” approach to location and design. As set out in the National Design Guide, there should be no segregation or difference in quality between tenures by siting, accessibility, environmental conditions, external façade or materials. Homes of all tenures should be represented in equally attractive and beneficial locations, with no differentiation in the positions of entrances. Shared open or play spaces should also be accessible to all residents around them, regardless of tenure.
- 2.35 The Mid Devon Design Guide provides a readily accessible and easily usable tool to facilitate better quality design across the district. It provides detailed guidance on urban, village and rural design issues in Mid Devon.

<https://www.middevon.gov.uk/residents/planning-policy/supplementary-planning-documents/mid-devon-design-guide/>

Registered Providers

- 2.36 Affordable housing must be retained as such in perpetuity. The Council's strong preference is for affordable housing to be provided and managed by a Registered Provider. The Council does not have a preferred list of Registered Providers, although will seek to work collaboratively to ensure that certain requirements are met. For example, letting should be through Devon Home Choice or in accordance with specific local lettings arrangement as agreed with the Council.
- 2.37 Early discussion with the Council's Planning and Housing Enabling officers is strongly encouraged.

Net zero and the Climate Emergency

- 2.38 In May 2019, Devon County Council agreed to declare a climate emergency and to initiate a country-wide partnership to ensure Devon becomes carbon neutral by 2050. Mid Devon District Council formally signed up to the Devon Climate Declaration in June 2019, but will aim to become carbon neutral by a more ambitious date of 2030.
- 2.39 The CCC's Report 'UK Housing: Fit for the Future?' stipulates that we cannot meet out climate objectives without a major improvement in UK housing and a near complete decarbonisation of the housing stock. At the local level, Mid Devon currently has the highest per capita emissions of anywhere in the Greater Exeter Housing Market Area and the highest proportion of households in fuel poverty at 13.6%, higher than the South West Region (11.4%) and England (11%).
- 2.40 The Council's Non-statutory Interim Planning Policy Statement for the climate emergency makes clear that **'Tacking climate change is a material consideration to the planning process, to which significant weight should be attached. Therefore the Council will view and interpret development plan policies for Mid Devon in light of the climate change emergency.'** The Council has prepared a [Net Zero Carbon Toolkit](#) and a [Net Zero Housing Assessment Tool](#) in order to assist developers in designing proposals that will result in lower emissions, and inform decisions taken by Mid Devon District Council when determining planning applications. There is a need to make homes climate-resilient through the planning process and the application of national Building Regulations, recognising that poor quality design and standards of construction can have implications for the condition of those properties and the quality of life of their occupiers.

Principle 7

In accordance with the Council's local validation requirements, applications for planning permission submitted to the Council for determination will be expected to have regard to the principles and objectives included in the Mid Devon Non-statutory Interim Planning Policy Statement: Climate Emergency – Planning Applications Checklist. This will be the Council's preferred format for a Carbon Reduction Statement in major applications, and for the submission of information on the estimated carbon emissions impact of development proposals.

Assessing Rural Need

2.41 There are a number of methods for assessing needs in a particular local area, including a local housing needs survey as well as analysis of data provided by Devon Home Choice.

Principle 8

The Council will consider the following forms of information when assessing the level and type of need for affordable housing in a local rural areas:

- A housing needs survey specific to the parish and no more than two years old;
- The Council Housing Register / Devon Home Choice;
- The housing register of any registered provider.





Housing for Older Persons and People with Disabilities

- 3.1 The proportion of people over 60 is likely to increase significantly over the next 20 years. Mid Devon's ageing population will give rise to the need for proposals for elderly person's accommodation including sheltered accommodation, care homes and nursing homes. In general terms, care and support needs increase with age. However, more people are staying in their properties longer with support and care being provided by external agents in their homes.
- 3.2 In order to meet the diverse needs of older people, there will be a need to provide a range of types of specialist housing. This may include:
- Age restricted general market housing - generally for people aged over 55 and over and the active elderly.
 - Retirement living or sheltered housing – this usually consists of purpose built flats or bungalows with limited communal facilities.
 - Extra care housing or housing-with-care – this usually consists of purpose built flats or bungalows with a medium to high level of care available. There are often extensive communal areas such as space to socialise or a well-being centre.
 - Residential care homes and nursing homes – These have individual rooms within a residential building and provide a high level of care meeting all activities of daily life.

Accessible and adaptable homes

- 3.3 Clause j) of adopted Local Plan Policy DM1 stipulates that *'On sites of 10 houses or more the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings'*.
- 3.4 The Mid Devon LHNA identifies that the numbers of households with a limiting long-term illness or disability affecting housing (both existing and projected) that are likely to need to move comprises a significant proportion when compared to the total Local Housing Need for Mid Devon. Furthermore, the rates of limiting long-term illness or disability affecting housing needs are much higher in the affordable tenures and therefore there is evidence to support a higher proportion of affordable homes being built to at least M4 (2) standards where viability allows.

Principle 9

In line with clause i) of Policy DM1, on sites of 10 houses or more, the provision of 20% of dwellings built to Level 2 of Building Regulations Part M 'access to and use of dwellings' is required.

The Council will work with applicants to explore the potential for a higher proportion of affordable homes being built to at least M4 (2) standards, subject to the scheme being viable.

Wheelchair accommodation

- 3.5 The Mid Devon LHNA supports at least 10.5% of all new affordable rented housing to be wheelchair adapted, as the Council will be able to allocate affordable rented households with wheelchair needs to appropriate homes. In market housing, the evidence supports at least 5.5% of all market housing being fully (and simply) adaptable to the needs of a wheelchair occupant. The adopted Local Plan 2013 – 2033 does not have a policy on wheelchair housing provision.

Principle 10

The Council will work with applicants to explore opportunities to ensure at least 10.5% of all new affordable rented housing and 5.5% of market is wheelchair adapted, in accordance with the findings of the Mid Devon LHNA.

Bungalow Provision

- 3.6 The number of new bungalows being built in the UK has collapsed, despite an ageing population and their popularity. The national property portal Rightmove has reported a significant increase in the number of enquires for bungalows, following the COVID-19 pandemic as buyers and renters are seeking more suitable properties to meet their needs.
- 3.7 Research undertaken by McCarthy Stone has found that demand for one-level living is on the rise and that 70% of over-65s would consider moving to more suitable properties, such as bungalows. Respondents to the research showed that their appeal lies in the ability to live on one level (57%); easier maintenance (43%) and being much better suited to older people (39%). Also, 36% of respondents said that they would be able to keep their independence while downsizing, therefore freeing up larger family homes. The importance of building more suitable housing for older people in Mid Devon has been brought to the fore by the coronavirus pandemic. There is therefore a need to consider how best to support Mid Devon's ageing population.



Principle 11

The Council will support the inclusion of bungalow provision on development sites and encourages developers to consider the demand for this form of housing when designing development proposals.

Planning for dementia

- 3.8 The Alzheimer's Society estimates that there are currently around 900,000 people living with dementia in the UK. This is projected to reach 1.6 million people in 2040. The majority of people with dementia in the UK and Ireland live at home in the community. Only 39% of people with dementia aged over 65 live in care homes according to Alzheimer's Research UK. Of those who live in their own homes, 120,000 live alone and this is predicted to double to around 240,000 by 2039.
- 3.9 The Alzheimer's Society believes people with dementia who want to remain in their own homes should be supported to do so for as long as possible. People with dementia may go into residential care homes earlier than they want to because their own homes are not designed to enable them to live independently and can be expensive to adapt to meet their needs. This is despite 85% of people saying they would choose to live at home for as long as possible if diagnosed with dementia.

Home and dementia

- 3.10 Whilst the internal layout of buildings is usually beyond the scope of the role of planners, the key principles of good design include:
- **Safety** – avoid trip hazards; or changes in depth; provide contrasting handrails and good lighting;
 - **Visual cues** – clear signage, sightlines and routes around the building;
 - **Clearly defined rooms** – activities that take place in each room can be easily understood;
 - **Interior design** – avoid reflective surfaces and confusing patterns. Use age and culturally appropriate designs;
 - **Noise** – reduce noise through location of activities and soundproofing. Provide quiet areas as people with dementia can be hyper-sensitive to noise or have hearing loss;
 - **Natural light or stronger artificial light** – many people with dementia have visual and perception difficulties, sight loss impairments or problems interpreting what they see;
 - **Outside space** – access to safe outside space, with good views from inside the building as daily exposure to daylight improves health and circadian rhythm.

Built and natural environment and dementia

3.11 The built and natural environment also has an important role to play in maintaining the wellbeing and independence of people living with dementia. This can be outlined in some simple design principles that can be applied to a large number of settings – urban or rural, new development or existing settlements. These principles are based on '[Designing dementia-friendly outdoor environments](#)' by Oxford Brookes University:

- **Familiar** – functions of places and buildings are obvious, any changes are small scale and incremental;
- **Legible** – a hierarchy of street types, which are short and fairly narrow. Clear signs at decision points;
- **Distinctive** – a variety of landmarks, with architectural features in a variety of styles and materials to distinguish them from one another. There is a variety of practical features, e.g. trees and street furniture; but these are not cluttered;
- **Accessible** – land uses are mixed with shops and services within a 5-10 minute walk from housing. Entrances to places are obvious and easy to use and conform to disabled access regulations;
- **Comfortable** – open space is well defined, with toilets, seating, shelter and good lighting. Background and traffic noise should be minimised through planting and fencing. Street clutter is minimal to aid walking and focus attention;
- **Safe** – footpaths are wide, flat and non-slip, development is orientated to avoid creating dark shadows or bright glare, use of shared spaces is avoided.

Principle 12

Developers should demonstrate how they have included dementia friendly principles of design as part of the proposal.

Developers should engage with the Council at the earliest possible opportunity (at scoping/pre-application stage) to consider design opportunities for people living with dementia.



Community Led Housing

- 4.1 Community led housing is housing that has been built or brought back into use by local people where:
- Open and meaningful community participation and consents take place through the process;
 - The community group or organisation owns, manages or stewards the homes in whichever way they decide to.
 - The housing development is of true benefit for the local community, a specific group of people (an intentional community) or both. These benefits should also be legally protected in perpetuity.

- 4.2 There are a number of different types of community led housing. [Community Led Homes](#) defines the different concepts as follows:

Community Led Housing:

Cohousing

Cohousing is a design methodology used by intentional community to create spaces that promote connectivity and togetherness.

Housing Co-Operatives

A housing co-operative is a housing organisation that is controlled, managed and owned by its members.

Community Land Trusts (CLTs)

CLTs are legal entities set up by communities to provide and protect assets of community value like genuinely affordable housing.

Self-help housing

Self-help housing is where empty properties are refurbished and brought back, often creating opportunities for training and volunteering.

- 4.3 The Council's Housing Strategy 2021 – 2025 outlines a clear commitment to providing more affordable housing for local people. A key priority for the Council is to build more social rented housing and housing for purchase that is truly affordable. The Council is therefore committed to working with Community Land Trusts ('CLTs') and other organisations to deliver homes retained in perpetuity for local need.
- 4.4 Similarly, the delivery of more affordable housing is a key strategic priority set out within the Local Plan 2013 – 2033. Policy S1(g) includes a clear commitment to *'Delivering a wide choice of high quality homes through a diverse housing mix and meeting the housing needs of all sectors of the community including through the provision of accessible housing for elderly and disabled, those wishing to build their own home, affordable housing and gypsy and traveller pitches.'* The Local Plan sets out a number of policies to support affordable housing delivery including Policy DM6 'Rural Exception Sites'. This policy creates an exception to the normal restrictions on housing development outside defined settlements in order to encourage the delivery of affordable and low-cost housing in rural areas.
- 4.5 The Council recognises the benefits of community led housing in providing genuinely affordable housing in perpetuity, diversifying the local housebuilding market, enhancing local community cohesion and delivering high quality, beautiful homes and neighbourhoods.

- 4.6 Community-led housing is capable of delivering various types and tenures of housing. The size and tenure mix will need to be determined by what the community identifies as its need. Community Groups may choose to develop the homes themselves, taking responsibility for all aspects: putting together a business plan, raising the finance, carrying out viability assessments, submitting the planning application and, managing the build contract. Others choose to work in partnership with an existing Registered Provider (RP) who takes responsibility for the pre-development and build, but takes its lead from and involves the CLH group throughout the process. In the case of CLTs they will own the freehold and lease the land to an RP on a long lease (60-125 years). Others may work in partnership with a private developer on a market site. At completion the CLH organisation will buy the homes and take them into their control.

Principle 13

Considerable positive weight will be given to proposals where it is clear that the proposal is genuinely community-led and genuinely has community support.

The Council will work proactively and positively to support local communities where there is an aspiration to bring forward a scheme that will provide affordable homes to meet an identified housing need.

Support for community-led housing groups

- 4.7 The Council has a strong track record of supporting community-led housing initiatives across Mid Devon and are keen to identify and provide support to a range of additional community-led housing initiatives where there is a need for affordable housing.
- 4.8 The Council can provide support through commissioning a local housing needs survey (see section above) and also through its Community Housing Fund:

Housing Need Surveys to support community housing schemes

- 4.9 Mid Devon District Council is a partner of the Devon Rural Housing Partnership. The aim of the partnership is to support rural communities in developing sufficient affordable housing to meet the needs and aspirations of local people and to support the sustainability of those communities.
- 4.10 As part of our partnership agreement, the Council is able to commission up to three Housing Need Surveys each year. As there is limited capacity for surveys, the Council will prioritise those parishes who are interested in progressing community-led housing projects and would therefore benefit from an updated survey. The Council will prioritise those parishes who meet the following criteria:
- There is strong interest in community-led housing in your parish;
 - There is no up-to-date (last five years) housing needs survey and/or local circumstances have changed significantly since the last survey was completed; and
 - Community-led housing development in your parish would be in conformity with the development strategy set out within the adopted Local Plan 2013 – 2033.

Community Housing Fund

- 4.11 The Council has a limited fund available towards supporting community housing. This is following the aware of £131,359.00 from Government in order to help bring social and economic benefits to local communities through the provision of housing developed by members of the local community with support. The Fund is available to develop new housing and/or purchase, refurbish and bring back into effective use, empty properties. Any funding provided is used to benefit the local area and/or specific community in a clearly defined and legally protected way in perpetuity. Communities will be expected to work with Registered Providers as development partners. However, there may also be situations where the community works with another development partner to deliver a community-led scheme.
- 4.12 The Council currently has three grants available:
- **Community Development / Set-Up Grant (Stage 1)** – Up to £3,000 per community to develop a group to the stage where it is constituted and to undertake initial community consultation.
 - **Feasibility Grant (Stage 2)** – from £5,000 to up to £15,000 per scheme to support a feasibility appraisal and to develop a project plan.
 - **Development Grant (Stage 3)** – Grants up to £15,000 available either to top up public subsidy or provide gap funding for capital costs to contribute towards project management and construction costs.
- 4.13 If you would like to discuss the Community Housing Fund in more detail or wish to understand the application process, please contact housingenabling@middevon.gov.uk

Section 106 Affordable Housing Funding for Community Housing Schemes

- 4.14 Mid Devon District Council currently collects financial contributions from new development through legal agreements signed under Section 106 of the Town and Country Planning Act 1990 (as amended), sometimes referred to as planning obligations. The Council is expected to use all of the funding it receives through planning obligations in accordance with the terms of the individual planning obligation agreement with the emphasis being to mitigate the impact of development in order to make it acceptable in planning terms. 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. The Council, from time to time, has limited funding available for affordable housing schemes in Mid Devon. Where this is the case, the Council is keen to work collaboratively with local communities to support schemes coming forward.

Involving community housing groups in the provision of Affordable Housing on allocated sites

- 4.15 The Council welcomes the inclusion of CLTs in the provision of affordable housing on allocated housing sites. Whilst this would not deliver any additionally in terms of the quantum of affordable housing delivered, it would:
- 1 Encourage communities to support new developments in exchange for securing a genuine stake in them, and;
 - 2 Ensure that affordable rented homes are protected from the various current forms of right to buy.
- 4.16 Most housing is provided by private developers on sites that are allocated in the adopted Local Plan (or through a Neighbourhood Plan), or through development on windfall sites. Under Local Plan policies, most of these developments will be required to provide a percentage of affordable housing, either for rent or for sale. If CLTs were to become involved in the provision of affordable homes on these sites, it would make no difference to the number of affordable homes being provided, but it could make a difference to the level of local support for these projects and to their long term benefit to the community. This is because freehold ownership of affordable rented homes by a CLT confers exemptions from the various rights of tenants to buy their homes. Whereas affordable rented homes provided on developer-led sites under S106 agreements would normally be transferred freehold to RPs and then subject to the Right to Shared Ownership, the Voluntary Right to Buy and the Right to Acquire. The intervention of a CLT as freeholds confers exemptions from all these rights.

The Right to Acquire – this has long been a right for RP tenants but doesn't apply in Designated Rural Areas or *where the freehold interest is owned by a non-public sector body, such as a CLT*. See item 2.4.1

<https://www.gov.uk/guidance/capital-funding-guide/10-right-to-acquire>

The Voluntary Right to Buy – this was introduced by the Cameron government as a variation from the Right to Acquire for HA tenants. It's not enshrined in primary legislation like the Statutory Right to Buy for LA tenants (hence 'voluntary') and RPs can use their discretion to *exempt homes where the CLT owns the freehold*. For a belt and braces approach, Middlemarch includes a clause in leases between CLTs and RPs which specifically *prevents RPs from using their discretion without a CLT's consent*. See 'exemptions' on pages 31 and 32:

<https://researchbriefings.files.parliament.uk/documents/CBP-7224/CBP-7224.pdf>

The new Right to Shared Ownership – this was introduced in 2020 by the present government and gives RP tenants the right to convert their tenancy to a shared ownership lease, starting with as little as a 10% stake and buying further increments if they wish. However, there are exemptions for properties in Designated Protected Areas or on a Rural Exception Site *or where the freehold is held by a CLT*. See here – item 2.3, bullet points 2 and 6:

<https://www.gov.uk/government/publications/right-to-shared-ownership-initial-guidance-for-registered-providers/right-to-shared-ownership-initial-guidance-for-registered-providers>

- 4.17 The involvement of a CLT's can have associated additional costs for affordable housing schemes than affordable homes simply being sold to an RP. Under the partnership model (CLTs working in partnership with an RP), the RP's offer will be affected by the legal costs it incurs in taking a lease from the CLT, in the payment of a ground rent to the CLT and in underwriting the cost of the CLT's technical adviser. Sometimes these costs can be met from the Council's Community Housing Fund, but would be subject to the availability of that potential source of financial support. They may also be offset where the Council seeks to agree to an alternative tenure mix, depending on whether the CLT is involved or not. In practice, this may mean a higher proportion of intermediate homes which would generate a higher value, thus providing CLTs with a competitive advance in making an offer for the affordable homes, whether in partnership with an RP or not. This approach can be set out within a s106 agreement. A template approach is provided below:

Draft Clauses for a S106 to incentivise the involvement of a CLT

"Affordable Housing Dwellings" means:

those Dwellings forming part of the Affordable Housing Provision to be provided as Affordable Housing in accordance with the Registered Provider Tenure Split or the Approved Community Body Tenure Split

"Approved Community Body Tenure Split" means:

x% of the Affordable Housing Provision to be Affordable Rented Housing;
(100-x)% of the Affordable Housing Provision to be Intermediate Housing or such other alternative tenure split which the District Council may approve

"Registered Provider Tenure Split" means:

(x-y)% of the Affordable Housing Provision to be Affordable Rented Housing;
(100-x-y)% of the Affordable Housing Provision to be Intermediate Housing

1.1 Mechanics of Offer

- 1.1.1 The Owners shall not offer the Affordable Housing Dwellings in a Reserved Matters Area to an Affordable Housing Provider until notice of the availability of Affordable Housing Dwellings in a Reserved Matters Area has been served on an Approved Community Body fifty six (56) Working Days prior to making of any offer
- 1.1.2 The Owners shall offer the Affordable Housing Dwellings in a Reserved Matters Area to:
- 1.1.2.1 an Affordable Housing Provider in accordance with the Affordable Housing Provider Tenure Split, and
- 1.1.2.2 an Approved Community Body in accordance with the Approved Community Body Tenure Split

Source: Team Devon Research on 'encouraging, enabling and supporting Community Land Trusts, prepared by Middlemarch CIC.

Principle 14

The Council will encourage developers to explore opportunities to work with local community housing groups, in partnership with Registered Providers to assist with the delivery of affordable housing on allocated sites.

The Council will provide a supportive role, including through its Community Housing Fund depending on the nature of support needed and subject to funds being available, and consideration of alternative tenure mixes to incentivise the involvement of a CLT.

Neighbourhood planning and community-led housing

- 4.18 It is recognised that one of the most significant challenges facing community led housing groups is the availability of land. Neighbourhood planning is a powerful tool that empowers local communities to shape how development comes forward in their areas. Planning Practice Guidance is clear that *‘Neighbourhood Plans can support the provision of affordable homes for sale that meet the needs of local people by including relevant policies and site allocations. Depending on the content of relevant strategic policies in the local plan or spatial development strategy, neighbourhood plans may be able to vary the types of affordable housing that will be expected to allocate additional sites that will provide affordable housing, where this will better meet the needs of the neighbourhood area.’*
- 4.19 The [Planner’s Guide to Community Led Housing](#) provides guidance on how local communities can facilitate community-led housing opportunities through the neighbourhood plan process.

Principle 15

The Council will support neighbourhood plan groups to facilitate community-led housing provision within neighbourhood plans. This may include dedicated site allocations for community-led housing, as well as policy to support community led housing as a delivery mechanism for affordable homes.



Homes for Gypsies and Travellers



Another form of housing for part of our community

- 5.1 Everyone has a right to a decent home, and not everyone's housing needs are the same. The provision of pitches for Gypsies and Travellers is just another form of housing that is needed by a specific part of the community, alongside homes that are built and sold on the open market, or homes that are built for rent or which are 'affordable', or where plots are laid out, serviced and made available for people wishing to commission or build their own homes. The National Planning Policy Framework requires Councils to assess the needs of different groups in the community and reflect these in planning policies. This forms part of holistic and inclusive approach towards achieving communities that are balanced and which are mixed.

Who are Gypsies and Travellers - definition for planning purposes

- 5.2 The national "Planning Policy for traveller sites" (DCLG, 2015) includes a definition for "gypsies and travellers". The Council will have regard to this, or any subsequent national policy superseding that document, in relation to planning for and determining planning applications in relation to development proposals for Gypsy and Traveller accommodation.

Planning Policy for Traveller Sites

For the purpose of that planning policy "gypsies and travellers" means:

"Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such."

- 5.3 However, this definition has been subject to legal challenge resulting in the Court of Appeal (*Lisa Smith v The Secretary of State for Housing, Communities and Local Government and others* [2021] EWHC 1650 (Admin)) decision which has found the 2015 planning definition of gypsies and travellers discriminatory against the elderly and disabled, since it requires them to demonstrate that they are able to continue to travel to look for work.
- 5.4 The Council will have regard to the Court of Appeal decision in respect of the planning proposals for gypsy and traveller sites and pitches that are submitted for determination, and in the assessment of need for additional gypsy and traveller sites and pitches.

- 5.5 Gypsies and Travellers are not a homogenous group, but is diverse, including Romany (English) Gypsies, Scottish Travellers, Welsh Travellers, Irish Travellers and New Travellers.
- 5.6 The national “Planning Policy for traveller sites” (DCLG, 2015) set out the Government’s planning policy for traveller sites and should be read in conjunction with the National Planning Policy Framework.

Confirmation of Gypsy and Traveller status

- 5.7 Where planning applications for new Gypsy and Traveller sites and pitches are submitted to the Council for determination, the Council may take advice from Devon County Council Services to Communities Team where an applicant has identified as having gypsy or traveller status. Devon County Council undertakes an assessment of status, which can include an investigation of travelling history (patterns, purpose and duration), the intention to travel again and purpose (if settled temporarily, and also noting the Court of Appeal decision), and where this is in relation to a site can include the proposed use of the site and who this is needed for (family or extended family).

What is meant by a Gypsy and Traveller Pitch?

- 5.8 The national “Planning Policy for traveller sites” (DCLG, 2015) refers to “pitch” as meaning a pitch on a Gypsy and Traveller site. The 2015 Mid Devon Gypsy and Traveller Accommodation Needs Assessment (GTAA) defines a “pitch” as an “Area on a site developed for a family unit to live. On socially rented sites, the area let to a tenant for stationing caravans and other vehicles”. The GTAA has assumed that “a pitch is occupied by a single household or family unit although it acknowledges that this may also include ... extended family members or hidden households”. A pitch may typically include a static residential unit, a touring van and space for a vehicle, an amenity block, and potentially space for on-site storage or operation of a business.

Occupancy restrictions

- 5.9 Where planning permission is granted for a Gypsy and Traveller site or pitch the occupancy may be restricted to Gypsies and Travellers meeting the definition of a Gypsy or Traveller. The restriction may also be for occupation by a specific family (named persons and their dependent family) where due to the circumstances there is a need to do so. This could include where the family is already residing on the site and there being no alternative site upon which the applicant and their family could be accommodated at that time or within a reasonable timescale. Occupancy restrictions will be necessary so that the development will meet the housing needs of Gypsies and Travellers as intended, and where permission may have been granted in a location (e.g. open countryside) where permission for residential development would have been refused had it not been for the special needs for Gypsy or Traveller accommodation.
- 5.10 Where permission is granted for pitches for transit purposes a restriction may be placed to limit the period (e.g. 6 months in any calendar year) in which a Gypsy or Traveller shall reside on the site.

Meeting identified needs for pitches

- 5.11 The Council's monitoring records at December 2022 indicate the existing provision of private owned sites and pitches in Mid Devon includes:
- 23 consented and 1 unauthorised (tolerated) sites for Gypsies and Travellers. These include about 90 permanent residential static caravans or pitches, and 8 transit pitches.
 - 4 Traveller households in bricks and mortar accommodation

There are no Local Authority sites (permanent residential, transit or emergency stopping places) for Gypsies, Travellers and Travelling Showpeople in Mid Devon.

- 5.12 The 2015 Mid Devon Gypsy and Traveller Accommodation Needs Assessment (GTAA) recommends that 35 new permanent residential pitches for Gypsies and Travellers, and 11 plots for Travelling Showpeople are provided in Mid Devon in the period 2014 – 2034. 15 new pitches are needed in the period 2014 – 2019 and 6 pitches are needed in the period 2019 – 2024 i.e. a total of 21 pitches (2014 – 2019). Monitoring records show that in the period 2014 – 2022, 12 pitches have been completed and planning permission exists for a further 15 pitches on deliverable sites (capable of being implemented in the next 5 years). Planning permission (outline and a reserved matters application) and provision through site allocations in the adopted Mid Devon Local Plan give potential for a further 26 pitches on other sites, which are considered developable (i.e. not within the next 5 years).
- 5.13 A new GTAA is currently being prepared and is expected to be completed in the early spring 2023. The findings of this study will be reflected in this Supplementary Planning Document where feasible.
- 5.14 The Council maintains a waiting list for Gypsies and Travellers to register a need for a pitch in Mid Devon. This can be completed on-line. The register will be used by the Council to better understand the level of current need for pitches in Mid Devon and can also be used to help inform the allocation of pitches where these may become available through a Registered Provider.
[Register your need for a pitch](#)

Unauthorised encampments

- 5.15 In the two year period 2021 – 2022 there were four instances of unauthorised encampments reported to the Council. The occurrence of unauthorised encampments in Mid Devon appears to be related to travelling households and groups in transit or moving through the area, and is not believed to be related to a need for permanent residential sites and pitches in the district. This may be related to the location of the district in the south west in which there is likely to be seasonal work / opportunities for casual labour, and the district being accessible from the M5 motorway via junctions 27 and 28, and the A361 North Devon Link Road.

5.16 The Council has an established procedure in such cases where Council owned land or privately owned land is affected:

Annex A	Procedure for Managing and Enforcing Unauthorised Encampments
Annex B	Unauthorised Encampments Flowchart
Annex C	Unauthorised Encampments Five Stage Procedure
Annex D	NPCC Operational Advice on Unauthorised Encampments

Adopted Local Plan

5.17 The adopted Mid Devon Local Plan includes provision for 35 new pitches to provide homes for Gypsies and Travellers (which is the need identified in the 2015 GTAA), including 25 pitches on planned urban extensions at the district's three towns - Tiverton, Cullompton and Crediton. The plan also includes flexibility for new pitches on suitable sites elsewhere in the district. A summary is as follows :

Policy TIV1	Tiverton Eastern Urban Extension – at least 5 pitches
Policy CU1	North West Cullompton – at least 5 pitches
Policy CU7	East Cullompton (part of proposed Culm Garden Village) – at least 10 pitches
Policy CRE5	Pedlerspool, Exhibition Road, Crediton – at least 5 pitches
Policy S14	Flexibility to allow Gypsy and Traveller accommodation in the countryside

5.18 Other relevant local plan policies include:

Policy S3 Meeting housing needs, clause e)

“A five year supply of gypsy and traveller pitches will be allocated on deliverable sites within Mid Devon to ensure that the predicted need for traveller sites will be met. A further supply of developable sites or broad locations for growth will be identified equivalent to a further ten years of predicted growth. The Housing Authority will seek to provide a public site for gypsy and traveller pitches within Mid Devon, subject to the availability of funding.”

Policy DM7 Traveller sites, which includes site location and occupation criteria. The policy requires provision for suitable on-site facilities and environmental quality for residents, no unacceptable landscape or ecological impact, no risk of flooding, safe and convenient access to local facilities, and that occupation restricted to travellers. Policy DM7 places a priority for pitches on allocated sites unless it is demonstrated that off-site provision will achieve an acceptable outcome for Gypsies and Travellers taking into account:

- i) Pitch numbers
- ii) Site facilities;
- iii) Accessibility to services, including health and education;
- iv) Early delivery of serviced pitches or plots which are available for occupation; and
- v) The provision of an effective mechanism for delivery.

Policy S14 Countryside clause a) which includes gypsy and traveller accommodation.

Application of local plan policies, and components of S106 planning agreements

- 5.19 The Mid Devon Local Plan takes a proactive approach to help bring forward sites and pitches for Gypsies and Travellers through the planning process. This is by means of requiring provision as part of mixed use planned urban extensions at the three main towns in the district (which are the most sustainable locations for meeting the housing needs of the travelling community, being close to local shops, jobs, education, healthcare and other services. However, Local Plan Policies DM7 and S13 provide some flexibility for provision to be made in suitable off-site locations, including in the countryside.
- 5.20 The approach taken for the inclusion of Gypsy and Traveller sites as part of mixed use developments has been supported through Local Government Association funded research commissioned by the Council and undertaken by De Montfort University.

[LGA funded research on Gypsy and Traveller sites completed for the Council](#)

- 5.21 De Montfort University completed a 9 month investigation of the challenges facing Local Authorities in seeking to include Gypsy and Traveller sites in planned urban extensions. The 20 page report “Negotiating the delivery of Gypsy & Traveller sites through local planning” has found no substantive evidence to support the assertions made by some developers that the inclusion of pitches in housing schemes can impact on the viability of the development. This follows efforts to engage with mortgage lenders in the UK. The report has been informed by a survey of Local Authorities and an investigation of how residential property prices may be affected by the proximity of other land uses. The report concludes that ‘certainty increases viability’ and points to how the well-scoped plans can decrease the risk and uncertainty felt by developers and lenders.

On-site provision

- 5.22 Where provision of sites and pitches are required as part of a planned urban extension and provision is made on-site it will be expected that planning applications (outline, reserved matters, full details or in hybrid form) will identify where those sites and pitches are located in the proposed development. This might be supported through a land use illustrative masterplan. The identification of where sites and pitches will be located and their juxtaposition with other land uses will help to provide greater certainty about what development is proposed and its potential impacts (assisting the Council and community understanding). This can help de-risk public engagement and the decision making process, and improve the viability of a scheme.
- 5.23 Planning applications may need to be supported by a **S106 planning agreement** between the applicant and the Council as local planning authority, which can include detailed provisions so as to make sure the S106 planning agreement secures the delivery of serviced pitches that are ready for occupation (i.e. not just a site with planning permission). This Supplementary Planning Document does not prescribe a model Section 106 planning agreement for proposals for the development of Gypsy or Travellers sites. However, a recent Section 106 planning agreement in relation to delivering on-site Gypsy and Traveller pitches in proposed development at **Policy CRE5** Pedlerspool, Exhibition Road, Crediton has included the following provisions:

- Making clear the sites and pitches are for the sole purpose of occupation and ancillary business by Gypsies and Travellers
- Travellers Pitches Scheme – location, plan and layout of the phasing of delivery of sites and pitches to be submitted and approved by ‘X %’ occupation of dwellings. For example, this can specify matters such as site area and where this is situated in a proposed development, the number of serviced pitches to be provided and built, and what each serviced pitch comprises (e.g. an amenity building, a hardstanding sufficient to accommodate a large trailer, a touring caravan and parking spaces for two vehicles (2.4m x 4.8m) with the balance seeded to grass, boundary treatment, works to provide services for each serviced pitch to suitable connection points).
- Travellers pitch works – a requirement specifying when a Travellers Pitches Scheme will be completed e.g. prior to the occupation of ‘Y %’ dwellings in the development
- If provision is to be made off-site, justification for this must be provided in relation to Local Plan Policy DM7, and to include where the provision is to be made off-site
- Travellers pitch management scheme – required, with details of the basis for letting / licensing pitches / freehold or long leasehold purchasers
- Provision for the transfer of land (if applicable) to the Council or an affordable housing provider for £1

5.24 Applicants are encouraged to engage with the Council at an early stage to discuss their planning proposal and requirements. This can help the Council provide relevant advice needed, and could include, for example, introduction to a potential suitable Registered Provider in relation to making sites and pitches available for occupation by members of the Travelling community and for their ongoing maintenance. It might also include the involvement of a suitable Registered Provider in helping with the design and layout of a site and pitches, where that Registered Provider may be able to bring their experience about this form of housing, and arrangements for the transfer of land.

Off-site provision

5.25 The Mid Devon Local Plan Policy DM7 is supported by Local Plan paragraphs 4.28 and 4.29 which help to identify a way to ensure that where provision of sites and pitches is made off-site these will be delivered in such a way to achieve an acceptable outcome for the travelling community. Paragraph 4.29 makes clear this will usually be through a **S106 planning agreement** which, as part of or addition to detailed provisions identified above (e.g. Travellers Pitch Scheme, Travellers pitch works and Travellers pitch management scheme) will:

- require the developer to identify and obtain planning permission (which will not be unreasonably withheld by the Council) for the required number and standard of pitches
- ensure the pitches will be provided by the development itself or where the land is transferred for a nominal value, by an agreed third party Registered Provider or other agreed private provider
- ensure the pitches are for the sole purpose of occupation and ancillary business by Gypsies and Travellers
- ensure the off-site provision of pitches must be provided and made available for occupation before the occupation of a specified proportion of the provision of on-site open market dwellings as part of the larger housing proposal (at TIV1, CU1, CU7 or CRE5)

- make sure that where off-site provision of pitches generates additional infrastructure needs, developers of the larger housing proposal at TIV1, CU1, CU7 or CRE5 will be expected to contribute fairly towards the cost in accordance with Policies S8 and DM7 of the adopted Local Plan.

Part of affordable housing provision

5.26 Local Plan paragraph 4.29 makes clear that where gypsy and traveller pitches are provided on- or off-site on housing allocations, these are to be counted against the affordable housing targets for that site. This will apply to:

- Policy TIV1** Tiverton Eastern Urban Extension – at least 5 pitches
- Policy CU1** North West Cullompton – at least 5 pitches
- Policy CU7** East Cullompton (part of proposed Culm Garden Village) – at least 10 pitches
- Policy CRE5** Pedlerspool, Exhibition Road, Crediton – at least 5 pitches

Community Land Trust provision

5.27 Forming a community land trust may provide an opportunity for Gypsies and Travellers to group together to purchase land and live together. It is understood that the CLT model is being considered by Bristol City Council and Mendip Council. While there are currently no such examples in Mid Devon the Council will provide appropriate support where there is interest from the Gypsy and Traveller community in bring forward a proposal in the district.

Design of sites and pitches

5.28 Local Plan Policy DM7 includes criteria that point towards making sure Gypsy and Traveller sites are well designed, including the layout of pitches, suitable on-site facilities and amenity buildings, space for children’s play, suitable environmental quality for residents, non-isolating boundary treatments, and where there is specific justification there is associated employment or storage elements. Other design considerations could parking, visitor’s space for friends and relatives, connection to services and utilities, and waste disposal.

5.29 This Supplementary Planning Document does not include detailed guidance for the design of sites and pitches. Each development proposal may present its own opportunities and challenges in terms of site characteristics and constraints to development and there is a need to avoid being over prescriptive and inflexible in the design of proposals submitted for determination. However, useful start points for helping shape development proposals might include:

- [Government guidance on site design](#) (note this was withdrawn in 2015)
- Welsh Government guidance on designing and managing sites (May 2015) [Managing Gypsy and Traveller Sites Easy Read \(gov.wales\)](#)

Principle 16

The Council will make sure that necessary and satisfactory measures are put in place through the planning process to secure sites and pitches to meet the housing needs of the gypsy and traveller community.



Image supplied by Broadland Housing Association



Homes for Travelling Show People

Who are Travelling Show People - definition for planning purposes

- 6.1 The national “Planning Policy for traveller sites” (DCLG, 2015) includes a definition for “travelling showpeople” as meaning:

“Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or their family’s or dependants’ more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above [in the Planning Policy for traveller sites]”.

Travelling show people accommodation

- 6.2 The national “Planning Policy for traveller sites” (DCLG, 2015) uses the term “plot”, which means a pitch on a travelling showpeople site (often called a “yard”). Travelling show people yards may include mixed uses such as space to allow for the storage of commercial vehicles and equipment.

Meeting identified needs for plots and yards

- 6.3 The Council’s monitoring records at December 2022 indicate the existing provision of private owned sites and pitches in Mid Devon includes 5 sites for Travelling Showpeople.
- 6.4 The 2015 Mid Devon Gypsy and Traveller Accommodation Needs Assessment (GTAA) recommends that 11 plots for Travelling Showpeople are provided in Mid Devon in the period 2014 – 2034. The Council’s monitoring records show that permissions has been granted for 1 new plot in Mid Devon for Travelling showpeople in the period to 2014 – 2022.

Occupancy restrictions

- 6.5 Where planning permission is granted for a travelling showpeople site or plot the Council may include a restriction requiring that the site or plot shall not be occupied by persons other than Travelling Showpeople as defined in the national “Planning Policy for traveller sites” (DCLG, 2015) or any subsequent national policy superseding that document. This may also include restriction of occupancy to a specific family (named persons and their dependent family) where due to the circumstances there is a need to do so.

Adopted Local Plan

- 6.6 The adopted Mid Devon Local Plan does not identify any suitable site/s for Travelling show people accommodation. However. The Policy DM7 Traveller Sites includes criteria that are applicable for the determining of planning applications for Travelling showpeople plots.

Principle 17

The Council will make sure that necessary and satisfactory measures are put in place through the planning process to secure sites and pitches to meet the housing needs of the travelling showpeople community.

Image supplied by Broadland Housing Association

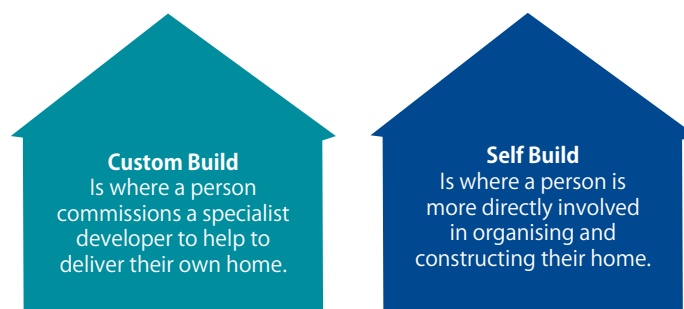




Custom and Self-Build

- 7.1 Mid Devon District Council wants to enable more people to build their own home. Currently, only 8% of new homes are built this way in the UK, but this form of Custom and Self-Build housing is growing in popularity.
- 7.2 The Council recognises the benefits of Custom and Self-Build in meeting the housing needs of Mid Devon residents. It provides opportunities to reduce costs by sourcing your own materials and being involved in the construction and fitting yourself and create high quality, well-designed buildings bespoke to your needs. Custom and Self-Build Housing is also more likely to draw upon local tradespeople and suppliers, supporting the local economy.

What is Self-Build and Custom Housebuilding?



- 7.3 A legal definition of Custom and Self-Build housing for the purposes of applying the Council's policies, is contained within the Self-Build and Custom Housebuilding Act 2015 (amended by the Housing and Planning Act 2016):

“Self-build and custom housebuilding” means the building or completion by

- a) Individuals, b) associations of individuals, or c) persons working with or for individuals or associations of individuals, of housing to be occupied as homes by those individuals.**

But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.

- 7.4 Speculative market housing delivered by a developer, off-plan sales, or circumstances where developers give clients limited fit-out choices does not comply with the legislation and accompanying Government guidance.

Types of Custom and Self-Build

7.5 Serviced Plots can be delivered in a number of ways. The key routes are set out below:

Multiple individual serviced plots

Plots will generally be located within larger sites which are generally allocated in the Local Plan Review 2013 - 2033.

Single plots or small sites delivering market plots

These are likely to be windfall sites and not allocated in the Local Plan.

Single plots or small sites delivering affordable plots

These include delivering affordable plots, including on rural exception sites in accordance with Policy DM6 of the Local Plan Review.

These sites may also come forward as windfall sites delivered primarily by organisations such as Housing Associations and Community Land Trusts.

Sites delivered by Town or Parish Councils

Sites delivered by Town or Parish Council's via their Neighbourhood Plans or Neighbourhood Development Orders.

7.6 Other forms of 'self-finish' Custom Build where the dwelling is not built or commissioned by the occupant may not be considered by the Council to be true self-build and are not recognised as such by the CIL regulations.

Demand for Custom and Self-Build Plots

- 7.7 Sites allocated in the Mid Devon Local Plan Review 2013 – 2033 are expected to deliver more than 200 serviced custom and self-build plots over the plan period.
- 7.8 The Council also holds a register of people interested in Custom and Self-Building in Mid Devon. This information is available upon request and will give a broad indication of demand.

[Mid Devon Self-Build Register](#)

- 7.9 The Council also has a longer term [Custom and Self-Build Demand Assessment Framework](#)

Policy Context

- 7.10 The National Planning Policy Framework (NPPF) paragraph 62 includes the following specific reference to Self-Build and Custom housing:

“...the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).”

- 7.11 The Mid Devon Local Plan Review 2013 – 2033 includes policy S3 (Meeting Housing Needs) which sets out the Council’s approach to ensuring sufficient delivery of land for people wishing to build their own homes, as follows:
- c) To support self-build and custom dwellings meeting the needs of local communities, such dwellings will be permitted as affordable housing in locations outside settlement limits in accordance with Policy DM6
 - e) To support self-build and custom housing on sites of 20 dwellings or more developers will supply at least 5% of serviced dwelling plots for sale to self-builders for a period of 12 months per plot and any plots subsequently developed for self-build must be completed within 3 years of purchase by a self-builder.

7.12 Policy DM6 (Rural Exceptions Sites) stipulates that:

“The development of a site for predominately affordable or low-cost housing, including self-build housing, to meet proven local need in rural areas will be permitted where:

- There is up-to-date evidence of housing need secured through a housing need survey or, in the case of a self-build proposal, evidence of eligibility for shared ownership through ‘Help to Buy’ or an equivalent scheme;
- Each house will be occupied by at least one person with a strong local connection to the parish;
- The site adjoins a settlement and is in a suitable location which takes account of the potential for any visual impact and other relevant planning issues;
- The type and scale of affordable or low cost housing will remain affordable for and available to local people in perpetuity, limited to not more than 80% of its market value upon resale.

The inclusion of a proportion of market housing within exception sites will be permitted where the proportion of market housing will be less than the provision of affordable or low-cost housing and the market housing will be at the lowest level necessary to ensure that the development is deliverable.”

Delivery on larger sites

What is the 5% policy requirement?

7.13 As set out in Policy S3, large sites of more than 20 dwellings should provide at least 5% of dwelling plots for sale to self-builders. Generally, these plots will be sold with outline planning permission, services to the boundary and access to the highway, as set out below.

7.14 Where the total number of plots to be provided includes part of a whole number then the number of Self-Build and Custom Build plots shall be rounded up where the part of the whole number is 0.5 or more and shall be rounded down where the part of the whole number is less than 0.5.

Planning Applications

7.15 The Council will expect sites delivering self-build and custom build plots, including those required via Policy S3, to seek a planning permission for the self-build element of the scheme.

7.16 The suitability of different planning application routes will vary depending on the circumstances of the proposal. A description of the different application routes and their suitability for self-build and custom housebuilding is provided below:

Type of Development	Application Route				Commentary
	Permission in Principle / Technical Details Consent	Full	Outline / Reserved Matters	Hybrid Applications	
Single Self-Build Dwelling (including affordable housing)	✓	✓	✓	x	Outline, Full or PP/TDC all acceptable routes. In some cases, the permission in principle route may be preferable as the scope of the permission is limited to location, land use and amount of development. All other matters will be considered at the Technical Details Consent stage.
Any larger residential site involving multiple self-build plots (including windfalls to those coming forward through the 5% policy)	x	x	✓	✓	The Hybrid application route would include outline permission granted for the whole site (with appropriate conditions for site wide landscaping, boundary treatments, contaminated land survey, habitat survey, etc.) Each plot to be identified as a separate phase. Full permission granted for access works including any necessary drainage and services. Separate Reserved Matters application for each plot.

7.17 The Council may also encourage the use of a Local Development Order to streamline the consent process for self-build and custom housebuilding on larger sites and is open to considering how these could be prepared by applicants in discussion with the Council for adoption.

7.18 When planning for the self-build and custom housebuilding as part of larger sites, proposals will be expected to make specific provision for the following components:

- That plots will need to be serviced and have legal access to the public highway;
- Avoid fixing the details concerning the appearance of the dwellings, beyond any matters agreed via a design code. Design details should be applied for via reserved matters to be determined by the occupants or if necessary through a variation to a planning application.

Serviced Plots

- 7.19 The Council will expect plots to be sold with the minimum service connections available at the boundary. There are usually four common utility connections:
- Water and sewage connections
 - Electricity
 - Gas (the phasing out of gas will be encouraged)
 - Telecoms
- 7.20 The definition of a serviced plot of land as set out in the Housing and Planning Act 2016 (9) (4) is:

A serviced plot of land is a plot of land that either has access to a public highway and has connections for electricity, water and waste water, or, in the opinion of a relevant authority, can be provided with access to those things within the duration of a development permission granted in relation to that land.

- 7.21 It is desirable that plots also have surface water drainage, telecommunications services, and gas. The cost of servicing plots may therefore be reflected in the plot value. Servicing of plots may be carried out in phases, with key services required for plot sale and construction (water, electricity and access) provided before services requirement for occupation (sewerage, telecommunications and gas).



An example of services/ utilities provision at Graven Hill, Bicester providing ease of access for self-builders/ contractors. Service boxes are then removed post-construction.

- 7.22 A straightforward site should cost between £10,000 and £30,000 per plot to provide the access roads and utilities depending on the size of all sites of development.

Providing a mix of plot sizes for different types of homes

- 7.23 The Council will expect plot providers to provide a range of serviced plot sizes and types to meet the range of demand types and price ranges.
- 7.24 This may include plots suitable for bungalows for people with limited mobility, smaller plots which provide opportunities for households seeking lower cost market housing, and larger plots suitable for semi-detached properties to cater for extended families wishing to build together.
- 7.25 Applicants will be expected to have regard to the Council's Right to Build Register. Plot providers may also choose to consult with the local community and consider the immediate demand.
- 7.26 Applicants will be expected to be clear about the market they are seeking to service and to provide information which demonstrates how this has informed the mix of plots provided.

Achieving Quality Design and the role of Design Codes and Plot Passports

- 7.27 When considering self-build and custom housebuilding projects, the Council will expect the design to be of high quality which takes full account of the Mid Devon Design Guide Supplementary Planning Document (SPD).
- 7.28 To secure high quality urban design and afford design flexibility to people who want to build their own homes, proposals for sites involving five or more serviced building plots are strongly encouraged to be supported by a design code, prepared in discussion between the Council and the applicant. Such codes are unlikely to be needed for community-led housing projects unless it is intended to sell service plots as part of the development. To secure the design code and enable development to come forward more quickly the Council will seek to link a code to a planning permission via a planning condition.
- 7.29 Design codes should be kept as simple as possible to avoid stifling the ability of self and custom builders to build innovative and creatively designed homes and undermine market demand. If a code is too restrictive it will be more challenging for a landowner to sell the plots. Key design code considerations should typically focus on the site/plots and the acceptable form of development on each plot (for example scale, massing, materials, height, layout, amenity and landscaping). A mix of plot sizes to enable different types of homes to be built, including smaller, lower cost plots which can accommodate smaller homes are encouraged and the proposed housing mix should take account of the local demand on the Council's statutory Self-Build and Custom Housebuilding Register.
- 7.30 Codes should be clear about what aspect of a design is mandatory and what is optional and how this applies to the plot and/or wider site. Menus of alternative design solutions for specific elements are encouraged.
- 7.31 For larger sites codes will need to be consistent with the design principles and masterplan for the site as a whole, including the design of the public realm, highway treatments and the serviced of a site by a contractor, developer or other third party.

- 7.32 The Council also encourages the use of a 'Plot Passport' when self-build plots are marketed to buyers. Such documents can help translate the design code into a series of easily understood principles and they are becoming more widely used as part of site marketing. Plot passports are not normally needed where a Custom Build developer manages the build out of a site and homes are built for the homeowner to complete themselves or built to their specification, ready to move in. This includes community-led housing not involving serviced plots for sale to the public.
- 7.33 The location of self-build and custom housebuilding projects on larger housing sites also requires careful consideration.
- 7.34 Although there may be several potential locations for service plots on a site the desirability and value of plots, design quality of the development, the management of site build-out and its brand will be influenced by the location and design of the custom and self-build offer. Where possible, different self-build and custom housebuilding models should also be considered to attract a wide customer base.
- 7.35 Any self-build and/or custom housebuilding parcel on a larger site should be located in prominent location. Plots located exclusively on less prominent parts of the site will reduce their value and could pose sales risks and reduce site viability. The Council is therefore unlikely to accept scheme layouts which locate plots in remote corners of a site and in locations that will be developed at the end of the build out phase.
- 7.36 A phased approach linked to a suitable marketing strategy is considered essential to keep interest high, secure steady build out and minimise site disruption for local residents.
- 7.37 Self-build and/or custom housebuilding projects on larger sites are best arranged in a series of parcels clustered in an allocated hub or 'quarter' within one or more phases of the development, taking account of local demand and viability. This ensures that the design character and wider housing offer across a site is not compromised.
- 7.38 Arranging custom and Self-Build housing in clusters will also enable construction traffic and different build out rates to be better managed and better align with the design aspirations, constraints and design quality expectations. Clustering of plots/properties would also help in terms of management of sales and marketing. Clusters of five or more homes in a parcel is recommended.

Principle 18

Custom and Self-Build provision should be phased in a timely manner. On larger sites, the Council will expect the early delivery of parcels of self and custom built plots. The Council will work positively with the developer to ensure appropriate phasing of plots via a legal agreement such as a section 106 agreement.

Design Codes

- 7.39 As set out above design codes are a useful tool to help achieve consistently higher quality development.
- 7.40 A design code is a set of written and illustrative requirements that provide specific, detailed parameters for the physical development of a site or area. Their content should be informed by the 10 characteristics of good places set out in the National Design Guide and the Mid Devon Design Guide Supplementary Planning Document to ensure high quality, locally distinctive design and the achievement of memorable and desirable places where people choose to live. They are not intended to address every eventuality but will focus on the basic design requirements that are essential to get right. Ultimately however, whilst the design code should specify what is mandatory and what is optional, it should also allow for design variation, creativity, innovation and originality.
- 7.41 The table below sets out the parameters that could be helpfully agreed through a Design Code, although this may vary depending on the level of detail.

Design Code Parameter	Guidance
Plot form	Plot size and width
Building forms	Bulk, massing, height, storey heights
Building orientation	Solar masterplanning, position on plot, overlooking, natural surveillance.
Density	Site coverage, dwellings per hectare, plot ratios, higher or lower density nodes.
Developable footprint	Maximum proportion of plot that may be developed; parameters of dwelling position on plot.
Building lines	Frontage continuity, roof-line parameters, setbacks, boundary treatments.
Building types	Detached, semi-detached, terraced / town house, flats.
Street network	Urban grain – street and building pattern and connectivity.
Views and vistas	Relationship to heritage assets, topography, corridors and backdrops.
Soft landscaping	Standards, species planted, biodiversity (net gain), lawns and verges, planters.
Building frontage	Active frontage, frequency of building features such as windows and entrances, architectural styles, features, proportions, materials, colours, balconies, porches.
Townscape features	Eave lines, rooflines, chimneys, corner treatments, focal points, advertising.
Street trees	Species, numbers, placements.
Parking standards	On-street and off-street, on-plot parking, courtyard parking, treatments, overlooking, lighting and garages, having regard to the Council's Parking SPD.
Waste facility	Refuse and recycling bin storage having regard to the Councils 'Refuse storage for new residential properties' SPD.
Infrastructure	Community energy facilities such as combined heat.

7.42 A range of design code examples are provided below:

[Trevenson Park Design Code](#)

[Derwent Forest](#)

[Norwich Self-Build Design Code](#)

[Graven Hill Design Code](#)

Principle 19

Design Codes submitted to the Council for consideration should provide clear, illustrative requirements that specify what is mandatory and what is optional, allowing for design variation, creativity, innovation and originality.

Plot Passports

7.43 A plot passport is a simple and succinct summary of the design parameters for a given plot. The add value as a key reference point for the purchaser, capturing relevant information from the planning permission, design constraints and procedural requirements in an easily understandable and readily accessible format.

7.44 It should include clear and concise information on the plot, include the total plot size (m²), any design and siting parameters, as well as cost and location of the plot. An example plot passport is provided below:

[Graven Hill Sample Plot Passport](#)

7.45 The use of Plot Passports are helpful where the developer allows buyers to build their own homes on serviced plots without a design and build contract. They are not normally needed where a Custom Build developer manages the build out of a site and homes are built for the homeowner to complete themselves or built to their specification, ready to move in. This includes community-led housing that do not involve serviced plots for sale to the public.

Use of Planning Conditions and obligations when the Council grants consent for projects

7.46 Planning conditions and obligations are an important tool to ensure that projects are delivered in a timely and policy compliant manner. However, the Council will seek to avoid imposing too many conditions on projects. This is particularly important for outline schemes where individual plot purchasers may be submitting their own proposals at the reserved matters stage of the planning process.

7.47 Notwithstanding this, the Council will consider including planning obligations and conditions to ensure the following key issues are addressed:

- Appropriate marketing mechanisms
- Design Code requirements
- Plot Passports and Costs
- Securing custom and self-build as part of a larger site
- Delivery of infrastructure to create serviced plots
- Phasing and CIL
- Occupancy conditions linked to self and custom builders
- Marketing periods and restrictions on occupations of non-self-build dwellings
- Restrictions on disposing of more than 1 plot to the same purchaser
- Build out obligations
- Mortgagee exclusion
- Affordable self-build and custom build

Marketing

- 7.48 Self-build and custom build plots being delivered under adopted Local Plan Policy S3 will be expected to be marketed for a minimum period of 12 months. A marketing strategy will need to be agreed which specifies the minimum 12 month period for advertising plots, the appropriate means of doing so and based on an independent valuation.
- 7.49 The marketing of plots may begin sooner, but the 12 month marketing period should only begin from when the serviced plot(s) are first available for purchase, and ideally available for purchasers to view with the plot boundary fenced or demarked as appropriate. The plot provider shall notify the Council that the formal 12 month marketing period has begun.
- 7.50 The marketing strategy should set out how plots will be marketed including through advertisement; an active local marketing campaign including consideration of targeted marketing to potential self-builders and local community groups and; roadside marketing boards.

Principle 20

Marketing Strategies submitted to the Council for approval should include the following requirements:

- Marketing agent contact details
- High quality downloadable and printable sales brochures
- An appropriate Design Code for the site
- An appropriate Plot Passport for each plot
- Details of all websites and portals upon which the plots will be listed
- CGI images promoting the development
- Proposed draft purchase agreements complete with any step in rights or buy back clauses
- Evidence of mortgage availability
- A development for sale board erected at site entrance.
- Appropriate advertising within the onsite marketing suite.
- The media and PR strategy
- The sales process including timeline
- The plot viewing process
- A monitoring method statement setting out how information on plot sales will be monitored and fed back to the Council at 3 monthly intervals from commencement of marketing.

7.51 Once plots have been marketed for the appropriate period, they may then remain on the market as self-build plots, be offered for purchase to the Council or partner Housing Associations, or be built out by the landowner/developer as appropriate.

Alternative off-site delivery of Custom and Self-build plots

7.52 Adopted Local Plan Policy S3 requires that custom and self-build plots on sites of 20 or more dwellings will be delivered on-site. However, where an applicant proves the provision of custom and self-Build Plots would prejudice the delivery of the wider scheme, and/or where it can be demonstrated that an alternative site would be more suitable and satisfactory arrangements can be made to secure the delivery of the custom and self-build plots on that alternative site, then off-site delivery of serviced plots on an alternative site may be considered on a case by case basis. The Council will require the developer to secure the alternative serviced site prior to commencement, with delivery and marketing of the alternative plots prior to the occupation of the final 10% of homes on the main development site, although delivery should be sought sooner wherever possible.

7.53 Financial contributions in lieu of on-site provision will only be considered acceptable where the number of plots to be delivered is 2 or less or where sites cannot reasonably deliver self-build plots such as constrained town centre urban sites delivering higher density flats and townhouses. Financial contributions will be based on the most up-to-date evidence on custom build plot values.

Delivery of Affordable Custom and Self-Build

Rural Exception Sites for Affordable Custom and Self-Build Housing

7.54 The Council supports the delivery of low cost self-build and custom build on Rural Exception Sites subject to satisfying the provisions of adopted Local Plan Policy DM6.

There are various forms of self-build and custom homebuilding that can come forward via rural exceptions sites including:

- **Discounted serviced plots – Sold at below market value with restrictions applied to maintain affordability in perpetuity.**
- **Self-finish housing – This could be provided by a Housing Association and sold at below market value to local people in housing need, or on a shared ownership basis.**
- **Community-led group self-build and custom build projects – These could be delivered by a wide range of organisations (e.g. community land trusts, neighbourhood plan groups) provided they meet the provisions of Policy DM6.**

A proportion of higher value custom build homes could also come forward, where these would help cross-subsidise the provision of other affordable self-build and custom build homes or indeed, conventional affordable housing products.

7.55 Policy DM6 seeks to apply the Government's Help to Buy eligibility criterion to establish housing need. Whilst this guidance has been updated since this policy was drafted, it is considered that it is still an appropriate way of assessing eligibility. Therefore Housing Need is demonstrated where the applicant:

- Cannot afford to purchase a home suitable for their housing needs within a reasonable travel distance of their work place and have a household income not exceeding £60,000;
- Have sufficient savings or funds to pay, if required, a deposit (which may be 5% or more of the purchase price), legal fees, stamp duty and other costs of moving;
- Can sustain home ownership in the longer term; and
- Are not already a home owner or named on a home mortgage.

7.56 In addition, each house will be occupied by at least one person with a strong local connection to the parish. A planning obligation will be required to ensure that the affordable or low cost housing remains available for local people in perpetuity.





Modern Methods of Construction



8.1 The Council recognises that Modern Methods of Construction (MMC) can provide a wide range of benefits including faster construction, higher environmental standards and reduced costs compared to traditional building techniques. MMC can also help diversify the housing offered across Mid Devon, improve customer choice and affordability, and secure sustainable design. The Town and Country Planning Association outlines a number of benefits and challenges associated with MMC as follows:

Benefits:

- Speed of delivery
- Amenity during construction
- Build Cost
- Build quality
- Environmental Performance
- Sustainability

Challenges

- Evidence of durability
- Procurement
- Integrating planning and MMC
- Funding and mortgage availability
- Place-making and design concerns



Carbon neutral, modular homes granted planning permission for 6 social rented homes at Shapland Place, Tiverton. Designed and build in partnership with modular house builder Zed Pods Ltd.

- 8.2 Modern Methods of Construction encompasses a wide range of construction techniques, all of which differ from 'traditional' building methods. Research undertaken by the National House Building Council (NHBC) Foundation defines MMC as including the following approaches:
- Volumetric (modular) manufactured units
 - Pods (particularly bathroom and kitchen)
 - Panelised systems (including open and closed panel timber systems, open and closed panel timber frame systems, open and closed panel steel frame panels, structural insulated panels (SIPs), cross-laminated timber (CLT))
 - Sub-assemblies and components (including door sets, timber I-beams, prefabricated chimneys, prefabricated dormers, floor cassettes, rood cassettes).
 - Site-based MMC (including thin-joint masonry and insulated structural framework (ICF))
- 8.3 The Council is keen to support a wide range of MMC and their implementation within Mid Devon, and the Corporate Plan 2020-2040 encourages the piloting of MMC in Mid Devon. The Council will also seek to engage with the development industry and its strategic partners to identify, and pilot opportunities in the district.

Principle 21

The Council will work collaboratively with developers and other stakeholders to pilot Modern Methods of Construction schemes in the district.

Appendix 1

[Affordable Housing Allocations Criteria 2017](#)

Appendix 2

Key Worker Occupations – as specified in [\[Withdrawn\] Children of critical workers and vulnerable children who can access schools or educational settings - GOV.UK \(www.gov.uk\)](#)

Note on eligibility: The definition requires reference to both a specific occupation and a relevant occupational sector. Individuals may hold a specific occupation while working in an occupational sector outside of the key works scope.

Key Worker Occupations - as specified in [\[Withdrawn\] Children of critical workers and vulnerable children who can access schools or educational settings](#)

- Health and social care
- Education and childcare
- Key public services
- Local and national government
- Food and other necessary goods
- Public safety and national security
- Transport
- Utilities, communications and financial services

Social services managers and directors
Higher education teaching professionals
Further education teaching professionals
Secondary education teaching professionals
Primary and nursery education teaching professionals
Special needs education teaching professionals
Senior professionals of educational establishments
Education advisers and school inspectors
Teaching and other educational professionals
n.e.c.
Social workers
Youth and community workers
Child and early years officers
School secretaries
Nursery nurses and assistants
Childminders and related occupations
Playworkers
Teaching assistants
Educational support assistants
Caretakers
School midday and crossing patrol occupations
Production managers and directors in manufacturing
Managers and directors in retail and wholesale

Managers and proprietors in agriculture and horticulture
Managers and proprietors in forestry, fishing and related services
Shopkeepers and proprietors – wholesale and retail
Stock control clerks and assistants
Farmers
Agricultural and fishing trades n.e.c.
Butchers
Bakers and flour confectioners
Fishmongers and poultry dressers
Sales and retail assistants
Retail cashiers and check-out operators
Roundspersons and van salespersons
Sales supervisors
Customer service occupations n.e.c.
Customer service managers and supervisors
Food, drink and tobacco process operatives
Routine inspectors and testers
Agricultural machinery drivers
Farm workers
Fishing and other elementary agriculture occupations n.e.c.
Packers, bottlers, canners and fillers
Shelf fillers
Elementary sales occupations n.e.c.

Elementary storage occupations
 Chief executives and senior officials
 Production managers and directors in manufacturing
 Health services and public health managers and directors
 Health care practice managers
 Residential, day and domiciliary care managers and proprietors
 Biological scientists and biochemists
 Research and development managers
 Medical practitioners
 Psychologists
 Pharmacists
 Ophthalmic opticians
 Dental practitioners
 Veterinarians
 Medical radiographers
 Podiatrists
 Health professionals n.e.c.
 Physiotherapists
 Occupational therapists
 Speech and language therapists
 Therapy professionals n.e.c.
 Nurses
 Midwives
 Laboratory technicians
 Paramedics
 Pharmaceutical technicians
 Medical and dental technicians
 Health associate professionals n.e.c.
 Counsellors
 Public services associate professionals
 Medical secretaries
 Veterinary nurses
 Animal care services occupations n.e.c.
 Nursing auxiliaries and assistants
 Ambulance staff (excluding paramedics)
 Dental nurses
 Houseparents and residential wardens
 Care workers and home carers
 Senior care workers
 Care escorts
 Cleaning and housekeeping managers and supervisors
 Pharmacy and other dispensing assistants
 Cleaners and domestics
 Hospital porters
 Barristers and judges
 Solicitors
 Legal professionals n.e.c.
 Clergy
 Welfare professionals n.e.c.
 Journalists, newspaper and periodical editors
 Housing officers

Welfare and housing associate professionals n.e.c.
 Authors, writers and translators
 Actors, entertainers and presenters
 Arts officers, producers and directors
 Photographers, audio-visual and broadcasting equipment operators
 Legal associate professionals
 Local government administrative occupations
 Officers of non-governmental organisations
 Records clerks and assistants
 Legal secretaries
 Printers
 Print finishing and binding workers
 Undertakers, mortuary and crematorium assistants
 Printing machine assistants
 Chief executives and senior officials
 Elected officers and representatives
 Functional managers and directors n.e.c.
 Business, research and administrative professionals n.e.c.
 Public services associate professionals
 National government administrative occupations
 Local government administrative occupations
 Chief executives and senior officials
 Officers in armed forces
 Senior police officers
 Senior officers in fire, ambulance, prison and related services
 Managers and proprietors in other services n.e.c.
 Business and related research professionals
 Probation officers
 NCOs and other ranks
 Police officers (sergeant and below)
 Fire service officers (watch manager and below)
 Prison service officers (below principal officer)
 Police community support officers
 Protective service associate professionals n.e.c.
 Public services associate professionals
 National government administrative occupations
 Security guards and related occupations
 Managers and directors in transport and distribution
 Managers and directors in storage and warehousing
 Garage managers and proprietors
 Air traffic controllers
 Aircraft pilots and flight engineers
 Ship and hovercraft officers
 Transport and distribution clerks and assistants
 Vehicle technicians, mechanics and electricians
 Aircraft maintenance and related trades
 Boat and ship builders and repairers

Rail and rolling stock builders and repairers	Finance and investment analysts and advisers
Air travel assistants	Financial and accounting technicians
Rail travel assistants	Financial accounts managers
Vehicle and parts salespersons and advisers	Credit controllers
Road construction operatives	Book-keepers, payroll managers and wages clerks
Rail construction and maintenance operatives	Bank and post office clerks
Large goods vehicle drivers	Finance officers
Van drivers	Financial administrative occupations n.e.c.
Bus and coach drivers	Pensions and insurance clerks and assistants
Fork-lift truck drivers	Metal machining setters and setter-operators
Train and tram drivers	Metal working production and maintenance fitters
Marine and waterways transport operatives	Telecommunications engineers
Air transport operatives	
Rail transport operatives	
Elementary construction occupations	
Chief executives and senior officials	
Production managers and directors in manufacturing	
Production managers and directors in mining and energy	
Financial managers and directors	
Information technology and telecommunications directors	
Financial institution managers and directors	
Managers and directors in transport and distribution	
Waste disposal and environmental services managers	
Mechanical engineers	
Electrical engineers	
Electronics engineers	
Engineering professionals n.e.c.	
IT specialist managers	
IT project and programme managers	
IT business analysts, architects and systems designers	
Programmers and software development professionals	
Web design and development professionals	
Information technology and telecommunications professionals n.e.c.	
Chartered and certified accountants	
Management consultants and business analysts	
Actuaries, economists and statisticians	
Engineering technicians	
IT operations technicians	
IT user support technicians	
Estimators, valuers and assessors	
Insurance underwriters	

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Supplementary Planning Document on Meeting Housing Needs

Strategic Environmental Assessment Screening Report

January 2023

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1.0 Meeting Housing Needs Supplementary Planning Document

Purpose, scope and content

- 1.1 Mid Devon District Council has prepared a new Meeting Housing Needs SPD for Mid Devon District. This is currently in a Draft form, intended for public consultation.
- 1.2 The purpose of the Meeting Housing Needs SPD is to provide detailed guidance on the type and tenure of housing being provided across the district to ensure the timely delivery of open market, affordable, gypsy and traveller accommodation, community led housing and custom and self-build. The SPD can be used to help assist consideration of proposals submitted to the Council for determination and inform the decisions made on these.
- 1.4 The Meeting Housing Needs SPD comprises a number of key sections including affordable housing, homes for older people and people with disabilities, homes for gypsies and travellers, homes for travelling showpeople, custom and self-build, community-led housing and Modern Methods of Construction.

Relationship with the National Planning Policy Framework

- 1.6 The National Planning Policy Framework (2019) paragraph 60 makes clear that ‘to support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 62 adds that ‘within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.

Relationship with the Mid Devon Local Plan

- 1.8 The Mid Devon Local Plan 2013 2033 contains a number of planning policies related to housing, all contributing to the delivery of a vision that ‘Mid Devon will be a prosperous and sustainable rural district, where individuals, families and communities can flourish as a result of access to good quality local employment, housing and services and a clean, green safe environment.’
- 1.9 The Local Plan Review Policy S3 ‘Meeting housing needs’ provides the principal policy baseline for the more detailed guidance included in the Meeting Housing Needs Supplementary Planning Document:

Policy S3 Meeting housing needs

- a) *The diverse housing needs of Mid Devon will be met through the provision of a minimum of 7,860 dwellings between 1st April 2013 and 31st March 2033. In line with the predicted continuing need for new housing the expected annual rate of new housing development will be 393 dwellings per annum;*
- b) *Unless otherwise stated in a site allocation policy, on open market housing sites (i.e. excluding exception sites provided under Rural Exceptions Sites under Policy DM6) of 11 dwellings or more in Tiverton, Cullompton and Crediton a target of*

28% affordable dwellings, and on sites elsewhere of 6 dwellings or more a target of 30% affordable dwellings will be applied to the total number of dwellings, depending on viability and providing a mix of dwelling sizes and types appropriate to the evolving needs of Mid Devon's population. Sites of between 6 – 10 dwellings outside Tiverton, Cullompton and Crediton will be permitted to make a financial contribution sufficient to provide the affordable dwellings in another location;

- c) To support self-build and custom dwellings meeting the needs of local communities, such dwellings will be permitted as affordable housing in locations outside settlement limits in accordance with Policy DM6;*
- d) To support self-build and custom housing on sites of 20 dwellings or more developers will supply at least 5% of serviced dwelling plots for sale to self-builders for a period of 12 months per plot and any plots subsequently developed for self-build must be completed within 3 years of purchase by a self-builder; and*
- e) A five year supply of gypsy and traveller pitches will be allocated on deliverable sites within Mid Devon to ensure that the predicted need for traveller sites will be met. A further supply of developable sites or broad locations for growth will be identified equivalent to a further ten years of predicted growth. The Housing Authority will seek to provide a public site for gypsy and traveller pitches within Mid Devon, subject to the availability of funding.*

Status of the Mid Devon Design Guide SPD

- 1.12 The Meeting Housing Needs SPD will be adopted by the Council as a Supplementary Planning Document (SPD). The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

2.0 SEA and SEA Screening

Strategic Environmental Assessment

- 2.1. The requirement for a Strategic Environmental Assessment (SEA) arises from the European Directive 2001/42/EC “on the assessment of the effects of certain plans and programmes on the environment” (hereafter referred to as the SEA Directive). This has been transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004 (referred to as the ‘SEA Regulations’). This legislation places an obligation on local authorities to undertake SEA on any plan or programme prepared for town and country planning or land use purposes and which sets the framework for future development consent of certain projects.

Screening

- 2.2. The 2008 Planning Act has removed the requirement to undertake a Sustainability Appraisal (SA) for an SPD. However, this has not replaced the requirement to establish whether an SPD requires Strategic Environmental Assessment (SEA). SEA is required in some limited situations where a Supplementary Planning Document (SPD) could have significant environmental effects.
- 2.3. In order to establish whether SEA is required the fundamental consideration is whether the document is likely to have ‘significant environmental effects’. This is 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.

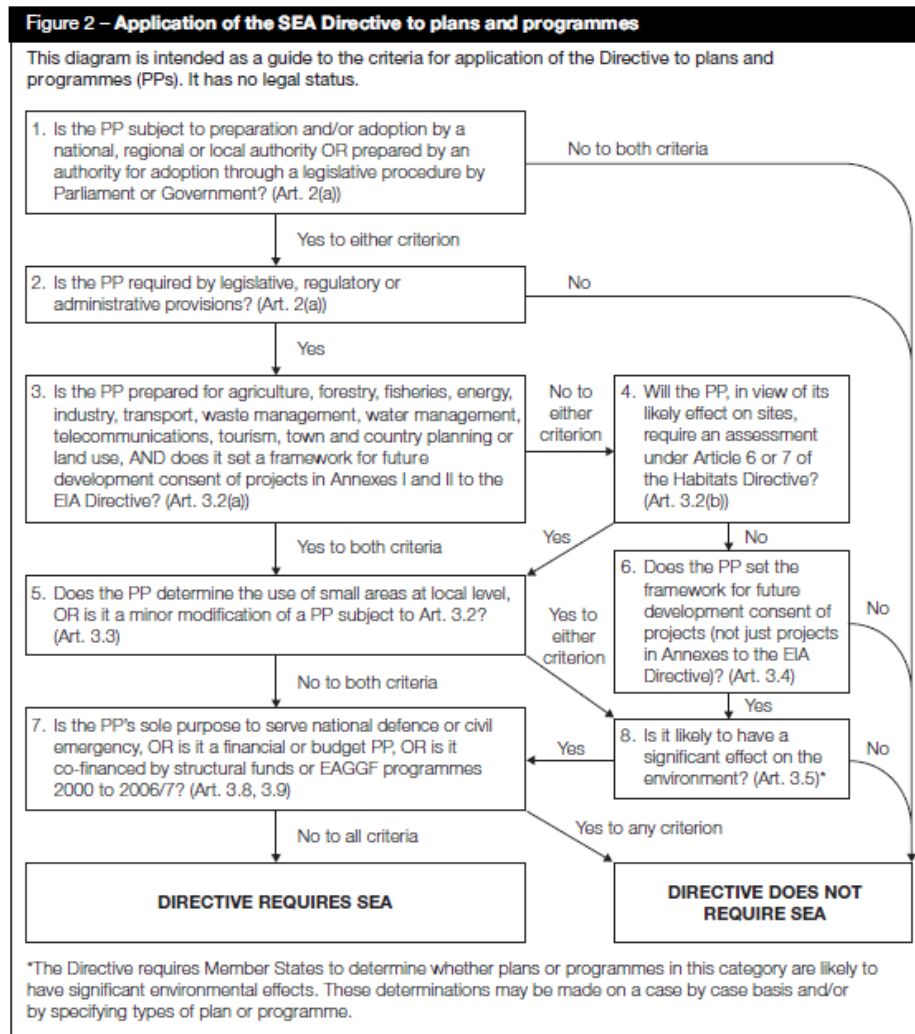


Diagram 1: Application of the SEA Directive to plans and programmes (Figure 2 extracted from 'A practical guide to the Strategic Environmental Assessment Directive')

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

Table 1: Screening of the Mid Devon SPD on Meeting Housing Needs

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	<p>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.</p> <p>Go to STAGE 2</p>
2. Is the SPD required by legislative, regulatory or administrative provisions? (Art.2(a))	Y	<p>Although the SPD is not a requirement under the provisions of the Town and Country Planning Act 1990, if adopted it will add further detail to the policies in the Local Plan and will be a material consideration in planning decisions. It is therefore important that the screening process is precautionary and considers whether it is likely to have significant environment effects and hence whether SEA is required under the Directive.</p> <p>Go to STAGE 3.</p>
3. Is the SPD prepared for agriculture, forestry, fisheries, energy, industry, transport, waste management, water management, telecommunications, tourism, town and country planning or land use, AND does it set a framework for future development consent of projects in Annexes I and II to the EIA Directive? (Art. 3.2(a))	Y	<p>The SPD has been prepared for the purposes of town and country planning. It supplements policies in the Mid Devon Local Plan (2013-2033) by providing detailed guidance as to how these policies are interpreted in relation to meeting housing needs</p> <p>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.</p> <p>Go to STAGE 5</p>
4. Will the SPD, in view of this likely effect on sites require an assessment under Article 6 or 7 of the Habitats Directive? (Art.3.2(b))		<p>Not Applicable</p> <p>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.</p>

Stage	Y/N	Reason
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
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.

Criteria specified schedule 1 SEA Regulations	Likely significant negative environmental effect (Y/N)	Reason
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.
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 consideration of housing needs and delivering an appropriate mix of types and tenures of affordable housing. 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 housing needs is principally established through the National Planning Policy Framework and the Mid Devon Local Plan Review. The SPD provides specific guidance to ensure an appropriate mix of types and tenures of affordable housing are provided, and to secure local plan policy requirements with regards to gypsies and travellers and custom and self-build. 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 is not directly relevant to the implementation of community legislation on the environment including legislation relating to waste management or water protection.
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to -		

Criteria specified schedule 1 SEA Regulations	Likely significant negative environmental effect (Y/N)	Reason
a) The probability, duration, frequency and reversibility of the effects;	N	The SPD provides specific guidance to ensure an appropriate mix of types and tenures of affordable housing are provided, and to secure local plan policy requirements with regards to gypsies and travellers and custom and self-build. Long-term significant adverse effects are not anticipated.
b) The cumulative nature of the effects;	N	The SPD is in conformity with the strategic policies in Local Plan 2013-2033 and it is intended that the effects will have a positive cumulative effect in the area.
c) The transboundary nature of the effects	N	There are not expected to be any significant trans-boundary effects. The SPD provides specific guidance to ensure an appropriate mix of types and tenures of affordable housing are provided within Mid Devon District.
d) The risks to human health or the environment (for example, due to accidents);	N	The SPD is likely to have a positive impact on human health by encouraging high quality and affordable accommodation and development. There are no significant risks to human health
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. The SPD provides specific guidance to ensure an appropriate mix of types and tenures of affordable housing are provided, and to secure local plan policy requirements with regards to gypsies and travellers and custom and self-build. Adverse effects are not anticipated.

Criteria specified schedule 1 SEA Regulations	Likely significant negative environmental effect (Y/N)	Reason
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 provides specific guidance to ensure an appropriate mix of types and tenures of affordable housing are provided, and to secure local plan policy requirements with regards to gypsies and travellers and custom and self-build. Adverse effects are not anticipated for these landscapes.

3.0 Conclusion

3.1 This SEA screening has identified that the SPD Meeting Housing Needs 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 Meeting Housing Needs 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 Meeting Housing Needs, and will also be subject to public consultation.

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Draft Meeting Housing Needs Supplementary Planning Document

Habitat Regulations Assessment Screening Report

January 2023

1.0 Mid Devon Design Guide

Purpose, scope and content

- 1.1 Mid Devon District Council has prepared a new Meeting Housing Needs SPD for Mid Devon District. This is currently in a Draft form, intended for public consultation.
- 1.2 The purpose of the Meeting Housing Needs SPD is to provide detailed guidance on the type and tenure of housing being provided across the district to ensure the timely delivery of open market, affordable, gypsy and traveller accommodation, community led housing and custom and self-build. The SPD can be used to help assist consideration of proposals submitted to the Council for determination and inform the decisions made on these.
- 1.4 The Meeting Housing Needs SPD comprises a number of key sections including affordable housing, homes for older people and people with disabilities, homes for gypsies and travellers, homes for travelling showpeople, custom and self-build, community-led housing and Modern Methods of Construction.

Relationship with the National Planning Policy Framework

- 1.6 The National Planning Policy Framework (2019) paragraph 60 makes clear that ‘to support the government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. Paragraph 62 adds that ‘within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes.

Relationship with the Mid Devon Local Plan

- 1.8 The Mid Devon Local Plan 2013 2033 contains a number of planning policies related to housing, all contributing to the delivery of a vision that ‘Mid Devon will be a prosperous and sustainable rural district, where individuals, families and communities can flourish as a result of access to good quality local employment, housing and services and a clean, green safe environment.’
- 1.9 The Local Plan Review Policy S3 ‘Meeting housing needs’ provides the principal policy baseline for the more detailed guidance included in the Meeting Housing Needs Supplementary Planning Document:

Policy S3 Meeting housing needs

- a) *The diverse housing needs of Mid Devon will be met through the provision of a minimum of 7,860 dwellings between 1st April 2013 and 31st March 2033. In line with the predicted continuing need for new housing the expected annual rate of new housing development will be 393 dwellings per annum;*
- b) *Unless otherwise stated in a site allocation policy, on open market housing sites (i.e. excluding exception sites provided under Rural Exceptions Sites under Policy*

DM6) of 11 dwellings or more in Tiverton, Cullompton and Crediton a target of 28% affordable dwellings, and on sites elsewhere of 6 dwellings or more a target of 30% affordable dwellings will be applied to the total number of dwellings, depending on viability and providing a mix of dwelling sizes and types appropriate to the evolving needs of Mid Devon's population. Sites of between 6 – 10 dwellings outside Tiverton, Cullompton and Crediton will be permitted to make a financial contribution sufficient to provide the affordable dwellings in another location;

- c) To support self-build and custom dwellings meeting the needs of local communities, such dwellings will be permitted as affordable housing in locations outside settlement limits in accordance with Policy DM6;*
- d) To support self-build and custom housing on sites of 20 dwellings or more developers will supply at least 5% of serviced dwelling plots for sale to self-builders for a period of 12 months per plot and any plots subsequently developed for self-build must be completed within 3 years of purchase by a self-builder; and*
- e) A five year supply of gypsy and traveller pitches will be allocated on deliverable sites within Mid Devon to ensure that the predicted need for traveller sites will be met. A further supply of developable sites or broad locations for growth will be identified equivalent to a further ten years of predicted growth. The Housing Authority will seek to provide a public site for gypsy and traveller pitches within Mid Devon, subject to the availability of funding.*

Status of the Mid Devon Design Guide SPD

- 1.12 The Meeting Housing Needs SPD will be adopted by the Council as a Supplementary Planning Document (SPD). The SPD will not be part of the development plan and does not introduce new planning policies into the development plan. However, it will be capable of being a material consideration in determining planning applications.

2.0 Habitat Regulations Assessment

2.0 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 Mid Devon Design Guide SPD HRA Screening

5.1 The Meeting Housing Needs SPD expands upon policies within the Mid Devon Local Plan Review 2013-2033. The SPD does not introduce new policies or proposals outside the scope of the Local Plan Review. Policies in the Mid Devon Local Plan Review, including Policy S3 Meeting Housing Needs have already been subject to HRA with the conclusion that the Mid Devon Local Plan Review 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. The Meeting Housing Needs SPD does not result in development itself but seeks to guide development in providing good design. The Meeting Housing Needs SPD is therefore not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.

6.0 Conclusion

6.1 This screening report has identified that the draft Meeting Housing Needs SPD is not likely to have significant adverse effects on the integrity of Habitats sites, either alone or in-combination with other plans or projects and further 'Appropriate Assessment' is not required.

7.0 Next steps

7.1 This screening opinion will be subject to consultation with the three designated consultation bodies – Historic England, Natural England, and the Environment Agency.

7.2 The screening opinion will be published alongside the Draft Meeting Housing Needs SPD and will also be subject to public consultation.

Meeting Housing Needs 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 2023

The Council carried out a public consultation on a new Meeting Housing Needs 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 housing and communities
- Engage with developers early in the planning process to include affordable and social rent properties in new development
- Set out a clear process for communities to lead on delivering new homes
- Encourage a wider range of approaches to delivery, including self-build and Modern Methods of Construction (MMC)
- Support design of low carbon, accessible and adaptable homes

The consultation took place from Monday 17 July to Friday 25 August 2023.

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 and ‘Let’s Talk Mid Devon’ website
- Social media updates
- Display of documents in public libraries within the district (including the mobile library)

The SPD has been screened for the purpose of Strategic Environmental Assessment, and Habitat Regulations Assessment. As statutory consultees, the Environment Agency, Historic England, and Natural England have been consulted, but no response has been received from any of these organisations.

The Council invited people to make representations in writing by post or via email. A total of 11 duly made responses were received from 3 individuals and 8 organisations. 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 final Supplementary Planning Document.

Representations received outside of the published consultation period do not form part of this summary as they are not deemed to have been duly made.

The Council has considered all consultation responses received to the Meeting Housing Needs SPD. Amendments made to the SPD, which are also set out in the table below are expressed either in the conventional form of ~~striketrough~~ for deletions and underlining for additions of text, or by specifying the modification in words in *italics*.

General Comments

No.	Representation from	Summary of Representation	Response
01	Individual	<p>What exactly do you mean by zero carbon/carbon neutral? Is this in terms of insulation, solar panels, how homes will be heated? Provision of car chargers? Access to public transport (so not just access to a motorway - that is not a carbon neutral option)? There is a lot in this.</p>	<p>Principle 7 of the Meeting Housing Needs Supplementary Planning Document states that planning applications will be expected to have regard to the Council’s adopted ‘Non-statutory Interim Planning Policy Statement: Climate Emergency’, as this is now a material consideration when determining planning applications.</p> <p>The Statement introduces three tools to guide development to help realise Mid Devon’s ambition to become carbon neutral by 2030. In order to achieve this aim and to attain Net Zero carbon for development, each of the tools advocates a fabric first approach, which takes into account embodied carbon, which involves constructing buildings to a high level of fabric standards, including insulation. In addition, the tools give consideration to the need for operational buildings to achieve Net Zero carbon through the principles of: energy efficiency, low carbon heat and renewable energy.</p> <p>Principle 5 of the SPD refers to Policy DM5 of the adopted Local Plan 2013 - 2033, in regard to electric vehicle charging point provision, and should be considered in conjunction with the current requirements set out in Part S of the Building Regulations.</p> <p>Policy S8 addresses the need for ‘development and transport planning to improve accessibility for the whole community and promote the use of sustainable modes of transport’, which includes access to public transport.</p>
		<p>With respect to nutrient neutrality. My understanding is that the NE letter relates to adverse effects (ie adverse effect cannot be ruled out) and not to likely significant effect. I would question the decision to</p>	<p>As the statutory body responsible for issuing guidance regarding prevention of phosphate pollution from new development, Natural England were consulted on the Meeting Housing Needs SPD, along with its supporting Habitats Regulations Assessment (HRA) and</p>

No.	Representation from	Summary of Representation	Response
		<p>screen out nutrients from the HRA process with respect to the Culm and the downstream Exe Estuaries SAC. Because how can potential for LSE be ruled out for the SAC on the basis of the information available? Plus as I note that '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.' As this is the case, I don't understand how a decision on no LSE has been made as there is no evidence to show any consideration of potential connectivity to that site and therefore no evidence to rule out potential LSE.</p>	<p>Strategic Environmental Assessment (SEA), but have not raised concerns.</p> <p>The Council recognises that small parts of the district fall within the Somerset Levels and Moor Ramsar Tone Catchment area. However, the SPD does not introduce new proposals for development, although it is acknowledged that it does make reference to four existing site allocations within the adopted Mid Devon Local Plan 2013 – 2033. Paragraph 4.5 of the Meeting Housing Needs HRA further states that: 'No relevant types of development that could affect the Somerset Levels and Moors Ramsar are allocated within the Mid Devon Local Plan and Policy 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.'</p> <p>To clarify, the HRA process can comprise of up to 3 key stages to assess the potential harm from development plans and projects to International Sites of nature conservation. There are three types of International Sites designations: Special Area of Conservation (SAC); Special Protection Area (SPA); and Ramsar. The first stage of the HRA process involves 'screening' to establish if the development proposals are likely to produce significant effects (LSE).</p> <p>If it is considered that a risk is considered likely, then a second stage is undertaken. This involves carrying out an appropriate assessment (AA) to consider the likely significant effects in greater detail in order to understand what adverse effects the development plan or project would cause. Ways to avoid or minimise any adverse effects would also be considered at this stage.</p>

No.	Representation from	Summary of Representation	Response
Page 167			If it is not possible to either avoid or to reduce the impact of the development proposals then they cannot progress. However, there may be exceptional circumstances that may justify development plans. In this instance, a third stage is embarked upon to determine if imperative reasons of overriding public interest (IROPI) exist.
		Housing need - please can you confirm if this is for mid Devon housing need only. It is not sustainable to place housing need from other areas of the county or country in mid Devon. Houses should be provided where needed - otherwise you increase their carbon footprint by commuting and increase demands on infrastructure such as water/sewage, doctors, schools. Putting hte plan at odds with other policies locally and nationally.	A Local Housing Needs Assessment was completed in September 2022 which sets out the housing requirement within Mid Devon for the period between 2020 and 2040. The Council will engage with neighbouring authorities to discuss any implications of 'unmet need' in other areas as part of the forthcoming plan review process. It is therefore beyond the scope of this SPD.
		Is there an option for community energy as per the community housing option?	The Council is supportive of community energy initiatives, however energy schemes fall beyond the remit of the Meeting Housing Needs SPD. Local energy systems are covered within the scope of Policy DM2 of the adopted Mid Devon Local Plan 2013 – 2033.
		Where do utilities get taken into consideration? The need for water/sewage? Schools? Doctors? Non road based transport? The dependence on the M5 corridor and the road network is unsustainable. The limited supply of 6th form provision already means public transport is insufficient. More is needed, not less and certainly not more dependence on the car.	Additional infrastructure may be needed to support new development although this is principally a matter for development plan policy . Policy S8 of the adopted Mid Devon Local Plan 2013 – 2033, sets out how this will be delivered, subject to viability assessment. Policy S1 supports the creation of sustainable communities, promoting sustainable transport through the delivery of appropriate infrastructure, reducing the need to travel by car. The Council's adopted 'Non-statutory Interim Planning Policy Statement: Climate Emergency' provides guidance on how to achieve this.

No.	Representation from	Summary of Representation	Response
02	Individual	The new housing should be in the Council ownership. They can then influence rents and, if necessary, selling prices and thereby bring housing into affordable prices and availability.	Comments noted. However this would not be attainable for all new affordable housing.
03	Halberton Parish Council	The Parish Council believe that it is essential to provide affordable homes and low-cost social renting for residents of Mid Devon. Demand currently outweighs supply and whilst there is significant housing development being undertaken in both Tiverton and Cullompton the number of affordable homes is often reduced over the time of the build and quite often the cost is beyond those who are seeking an affordable option.	Comments noted. The intention of the SPD is to provide additional guidance to support the delivery of affordable housing within the district, including social rent. Nevertheless, establishing affordable housing targets is a development plan policy matter, informed by local housing needs and viability assessments. As such, it is beyond the scope of supplementary planning documents. However, the SPD does provide guidance on viability assessment.
		In line with providing an affordable option, it does not rest at the cost of purchasing or renting a home. The homes must be built with a view to being carbon net zero – solar panels on the rooves to reduce costs etc. The infrastructure must be present in terms of shops, schools, doctors and dentist surgeries, leisure facilities, walking routes, cycle routes and, most importantly, public transport.	Principle 7 of the SPD states that planning applications will be expected to have regard to the Council’s adopted ‘Non-statutory Interim Planning Policy Statement: Climate Emergency’, as this capable of being a material consideration when determining planning applications. The Statement provides guidance and is a resource which can be used by applicants to help inform the preparation of planning applications submitted to the Council for determination within the Mid Devon area. The Statement can help clarify how the requirements of existing development plan policies can be met in relation to climate change, which can assist the assessment of planning applications, and it underlines that tackling climate change is a material consideration. The Statement introduces three tools to guide development to help realise Mid Devon’s ambition to become carbon neutral by 2030. In order to achieve this aim and to attain Net Zero carbon for development, each of the tools advocates a fabric first approach,

No.	Representation from	Summary of Representation	Response
			<p>which takes into account embodied carbon, which involves constructing buildings to a high level of fabric standards, including insulation. In addition, the tools give consideration to the need for operational buildings to achieve Net Zero carbon through the principles of: energy efficiency, low carbon heat and renewable energy.</p> <p>Additional infrastructure may be needed to support new development. Policy S8 of the adopted Mid Devon Local Plan 2013 – 2033, sets out how this will be delivered, subject to viability assessment. Policy S1 supports the creation of sustainable communities, promoting sustainable transport through the delivery of appropriate infrastructure, reducing the need to travel by car. The Council’s adopted ‘Non-statutory Interim Planning Policy Statement: Climate Emergency’ provides guidance on how to achieve this.</p>
		<p>With both DCC and MDDC looking to reach carbon net zero building homes in rural locations where car transport is essential to reach the required facilities makes no sense and most families would be required to run two cars at significant cost and pollution as well as wear and tear on roads that are already under strain from the current traffic levels and often have no pavements.</p>	<p>Comments noted, although infrastructure provision is principally a matter for development plan policy and not this SPD. Additional infrastructure may be needed to support new development. Policy S8 of the adopted Mid Devon Local Plan 2013 – 2033, sets out how this will be delivered, subject to viability assessment. Policy S1 supports the creation of sustainable communities, underpinning both Councils’ commitments to achieving net zero carbon development. The policy promotes sustainable transport through the delivery of appropriate infrastructure, reducing the need to travel by car. The Council’s adopted ‘Non-statutory Interim Planning Policy Statement: Climate Emergency’ provides guidance on how to achieve this.</p>
		<p>Halberton with its limited public transport network does have a number of affordable homes and approved a development to provide four more but</p>	<p>Comments noted and agreed.</p>

No.	Representation from	Summary of Representation	Response
		criteria must be set that ensures that these homes remain affordable and for local residents.	
		A survey of residents throughout MDDC might highlight the area's most in need.	A Local Housing Needs Assessment was completed in September 2022, which sets out the housing requirement within Mid Devon for the period between 2020 and 2040. This assessment was based on a detailed review of past trends and current estimates, in accordance with the Government's standard method for calculating local housing need.
04	Hemyock Parish Council	<p>Hemyock Parish Council believes that current levels of affordable housing in Mid Devon both in terms of property to buy and to rent were insufficient to meet the needs of local residents many of whom were on low incomes. This was resulting in young people leaving the area where they had grown up.</p> <p>The Parish Council is given to believe that there is a growing number of families living in temporary accommodation and in the number of registered homeless.</p>	<p>Comments noted.</p> <p>The intention of the SPD is to provide additional guidance to support the delivery of affordable housing within the district.</p> <p>The Council's Housing department are responsible for arranging temporary accommodation and for recording homelessness. The Council's Housing Enabling Officer's role is to co-ordinate the work of between the Housing and Planning departments in order to establish the quantity and types of housing required within the district.</p>
		It was also noted that Mid Devon had several 'unstainable' villages where new builds could not take place as they did not have access to public transport and amenities.	Comments noted. Policy S1 of the adopted Mid Devon Local Plan 2013 – 2033 details the requirements for sustainable communities.
		The 'Right to Buy' introduced in 1984 had given people the opportunity to get onto the property ladder with funding from the resulting sale going to central government thus the policy had diminished council stock and here was now a shortage.	Comments noted.

No.	Representation from	Summary of Representation	Response
		Affordable homes produced by developers were often outside the financial means of local residents and co-ownership solutions often became problematically when selling a property. Rental properties were also becoming increasingly expensive.	Comments noted. The intention of the SPD is to provide additional guidance to support the delivery of affordable housing within the district, including social rent. However, establishing affordable housing targets is a development plan policy matter, informed by local housing needs and viability assessments. As such, it is beyond the scope of supplementary planning documents.
		The possibility of a 'residency' clause was discussed to keep some property available to those who were already living and working in the area.	Comments noted.
		<p>Affordable did not only relate to the cost of the property or the rent being asked but also the ability to be able to access local amenities. Limited bus services which did not relate to working hours meant that most homeowners now had a minimum of two cars.</p> <p>Devon County Council and Mid Devon District Council are looking to become carbon net zero. Increasing the number of cars in the area does not sit aside this long-term goal and furthermore is not sustainable for low income families.</p> <p>Running cars produced to several problems:</p> <ul style="list-style-type: none"> a) The costs associated with running a car b) Increases in the number of cars meant more roads were going to be unlikely to cope with the levels of traffic particularly given that many were already in a poor state of repair 	<p>Additional infrastructure may be needed to support new development. Policy S8 of the adopted Mid Devon Local Plan 2013 – 2033, sets out how this will be delivered, subject to viability assessment.</p> <p>Policy S1 supports the creation of sustainable communities, underpinning both Councils' commitments to achieving net zero carbon development. The policy promotes sustainable transport through the delivery of appropriate infrastructure, reducing the need to travel by car. The Council's adopted 'Non-statutory Interim Planning Policy Statement: Climate Emergency' provides guidance on how to achieve this.</p>

No.	Representation from	Summary of Representation	Response
05	Clayhidon Parish Council	Clayhidon Parish Council believes that current levels of affordable housing in Mid Devon both in terms of property to buy and to rent are insufficient to meet the needs of local residents. The Parish Council welcomes the initiative to provide more affordable homes.	Comments noted. The intention of the SPD is to provide additional guidance to support the delivery of affordable housing within the district.
		However, Clayhidon is designated as an 'unstainable' village where new builds cannot take place as they did not have access to public transport and amenities thus preventing the ability to provide homes for those who have grown up in the village.	Comments noted. Spatial strategy and settlement hierarchies are matters for development plan policy and is therefore outside the scope of this SPD.
		New developments should take place within the curtilage of existing villages.	Settlement boundaries exist to manage development in accordance with the spatial strategy for the district. However, there are some circumstances in which development beyond the curtilage of a settlement may be appropriate. The criteria for such development is set out within Policy DM6 of the adopted Mid Devon Local Plan 2013 – 2033
		Affordable does not only relate to the cost of the property or the rent being asked but also the ability to be able to access local amenities. Limited bus services which did not relate to working hours means that most homeowners now had a minimum of two cars. Devon County Council and Mid Devon District Council are looking to become carbon net zero. Increasing the number of cars in the area does not sit aside this long-term goal and furthermore is not sustainable for low income families.	Policy S8 of the adopted Mid Devon Local Plan 2013 – 2033, sets out how additional infrastructure required to support new development will be delivered, subject to viability assessment. Policy S1 supports the creation of sustainable communities, underpinning both Councils' commitments to achieving net zero carbon development. The policy promotes sustainable transport through the delivery of appropriate infrastructure, reducing the need to travel by car. The Council's adopted 'Non-statutory Interim Planning Policy Statement: Climate Emergency' provides guidance on how to achieve this.

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		The provision of good public transport is very important.	
06	Sampford Peverell Parish Council	<p>Given the amount of new housing development in Tiverton, concern was expressed that MDDC might look to the Tiverton-Sampford Peverell corridor for future development. Government policy was that building should not take place on agricultural land and the corridor was made up of agricultural land which fell outside the settlement areas of Tiverton, Halberton and Sampford Peverell. The current road structure was already struggling to cope with the increase in cars, agricultural vehicles and HGVs.</p> <p>Whilst Sampford Peverell Parish Council recognised the need for affordable housing and social rental accommodation, thought had to be given to ensure that it truly was affordable both in terms of cost and location.</p> <p>Accessibility to good public transport that allowed for people to travel to work and/or school was essential. The majority of people living in a rural area found themselves having to run two cars. This firstly did not meet the affordability concerns and also seem in</p>	<p>Comments noted. Future strategic growth options are matters for development plan policy and therefore beyond the scope of this supplementary planning document.</p> <p>Development proposals beyond existing settlement boundaries are subject to criteria outlined in Policy S14 of the adopted Mid Devon Local Plan 2013 – 2033, and in Policy DM6 which sets out the requirements for rural exception sites.</p> <p>Policy S1, criterion j) ‘encourages the effective use of land, taking into account the economic and other benefits of the best and most versatile agricultural land’.</p> <p>Additional infrastructure may be needed to support new development. Policy S8 sets out how this will be delivered, subject to viability assessment.</p> <p>Comments noted. The intention of the SPD is to provide additional guidance to support the delivery of affordable housing within the district, including social rent. Nevertheless, establishing affordable housing targets is a development plan policy matter, informed by local housing needs and viability assessments. As such, it is beyond the scope of supplementary planning documents. However, the SPD does provide guidance on viability assessment.</p> <p>Additional infrastructure may be needed to support new development. Policy S8 of the adopted Mid Devon Local Plan 2013 – 2033, sets out how this will be delivered, subject to viability assessment.</p>

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Page 174		<p>contravention to DCC's and MDDC's aim of becoming carbon neutral.</p> <p>Prior to further housing development consideration also needed to be given to schooling and the ability of pupils to walk to school.</p>	<p>Policy S1 supports the creation of sustainable communities, underpinning both Councils' commitments to achieving net zero carbon development. The policy promotes sustainable transport through the delivery of appropriate infrastructure, reducing the need to travel by car. The Council's adopted 'Non-statutory Interim Planning Policy Statement: Climate Emergency' provides guidance on how to achieve this.</p> <p>Devon County Council's Education department is consulted prior to both inclusion of housing allocations within the Local Plan and determination of planning applications for residential development. Home to school distances and safe, sustainable modes of travel are taken into consideration at this stage.</p>
		<p>In addition, the Parish Council have concerns about the ability of the local waste water treatment works to cope with additional inputs; there is already a high rate of sewage spillage from the Sampford Peverell WWTW.</p>	<p>Policy S8 of the adopted Mid Devon Local Plan 2013 – 2033, sets out how additional infrastructure will be delivered when required, although this will be subject to a viability assessment. Paragraph 2.53 of the policy's supporting text advises that development will be guided to locations with sufficient sewerage capacity, or require that increased capacity be provided in step with development. It further sets out that sewerage network improvements will be negotiated with developers as and when the need arises.</p>
07	Individual	<p>I have been delighted to discover MDDC are consulting on this document.</p> <p>It has been a very long time coming, but, at last, a local authority is actually considering this kind of housing for its local residents!</p> <p>I have been interested in Co-housing, as an alternative to living alone or in a care home (when I get older) for many years - at least two decades.</p>	<p>Support and guidance noted. The SPD includes reference to co-housing within the section on community housing.</p>

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Page 175		<p>It makes sense, in terms of a mutual support network within a housing community.</p> <p>The recent pandemic has demonstrated how we all need to make and retain good connections with our local community, and in my mind, nothing would do this better than co-housing.</p> <p>How we live isn't just about bricks and mortar, it's also about emotional and psychological health and I strongly believe that co-housing can offer support on this level.</p> <p>There are now many co-housing communities across the globe, the first being set up in the Netherlands, some decades ago.</p> <p>For up to date information about the various projects that already exist in the UK and also those currently in development, please follow this link: https://cohousing.org.uk/</p> <p>I do hope MDDC carries this investigation into Community - Led - Housing further and invite them to contact me with the results of this consultation, especially if they are needing members of the public to make further contributions to this initiative</p>	
08	The Planning Bureau Limited on behalf of McCarthy Stone	The Council should initially note that paragraph: 008 Reference ID: 61-008-20190315 of PPG on Plan Making states <i>'Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development</i>	Comments noted. The SPD does not introduce additional financial burdens, and does not seek to go beyond the policy requirements set out in the adopted Mid Devon Local Plan 2013 – 2033. The Local Plan has already been subject to both a viability appraisal and impact assessments of new development.

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		<p><i>plan, they cannot introduce new planning policies into the development plan...They should not add unnecessarily to the financial burdens on development’.</i></p> <p>We are concerned that some of the requirements within the Meeting Housing Needs Draft SPD (‘the draft SPD’) may introduce an unnecessary financial burden on development and therefore be contrary to PPG. The Council should ensure that they consider the draft SPD in the context of ensuring that requirements do not add to the financial burden of development.</p>	
		<p><u>Net zero and the Climate Emergency - Principle 7</u></p> <p>The Council’s commitment to meeting both its and the UK Government’s target of net zero carbon emissions is commendable. However, currently it appears that the Council is going to achieve this through Principle 7 of the draft SPD that then relies on applicants having ‘regard to the principles and objectives included in the ‘Mid Devon Non-Statutory Interim Planning Policy Statement: Climate Emergency – Planning Applications Checklist’. This interim guidance itself appears to set a number of measures for consideration in relation to relevant policy and legislative requirements and appears to be trying to achieve net zero.</p> <p>Introducing a more onerous requirement than is in the adopted Local Plan through SPD or non-statutory</p>	<p>Neither the SPD or the ‘Non-Statutory Interim Planning Policy Statement: Climate Emergency’ introduce either new policy, or seek to go beyond the policy requirements set out in the adopted Local Plan 2013 – 2033.</p> <p>The climate emergency is increasingly recognised nationally as a significant material consideration in decision-making and appeals. The ‘Non-Statutory Interim Planning Policy Statement: Climate Emergency’ has been prepared by the Council having regard to national planning policy and relevant legislation, as detailed within Section 3 of the document. Many of the measures suggested within the Statement’s Planning Applications Checklist are commonly utilised within the development industry but serve as an aide memoire. However, the requirements for each development proposal will be considered on a case-by-case basis.</p> <p>The place of sustainable materials, methods of construction, and operational requirements for achieving net zero carbon will be taken</p>

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		<p>guidance is therefore contrary to PPG Paragraph: 008 Reference ID: 61-008-20190315.</p> <p>Given the requirements of para 008 Reference ID: 61-008-20190315 of the PPG on Plan Making as detailed above, the introduction of an embodied carbon policy must not be so inflexible that it introduces a financial burden and deems sites unviable. Any SPD requirement needs to ensure this to make sure it is consistent with NPPF/PPG.</p>	<p>into account during the plan-making stage of the new Local Plan (Plan Mid Devon), and will underpin new policies.</p>
		<p>The Council should note that new development will often be far more sustainable in many circumstances including building fabric and by use of modern methods of construction but also extending beyond that, such as sustainability through optimisation of use of a site.</p>	<p>Comments noted.</p>
		<p><u>Wheelchair accommodation – Principle 10</u></p> <p>Principle 10 states that <i>‘The Council will work with applicants to explore opportunities to ensure at least 10.5% of all new affordable rented housing and 5.5% of market is wheelchair adapted, in accordance with the findings of the Mid Devon LHNA’</i>. Para 3.5 acknowledges that ‘the adopted Local Plan 2013 does not have a policy on wheelchair housing provision’.</p> <p>It is common for Local Authorities to conflate the needs of ‘wheelchair users’ with the needs of older people in the community. The Council are respectfully reminded that ensuring that residents have the ability to stay in their homes for longer is not, in itself, an</p>	<p>Comments noted. The approach set out in the SPD is to encourage an element of wheelchair adapted housing and not impose specific planning policy requirements. Paragraph 3.5 of the SPD acknowledges that the Local Plan does not have a policy on wheelchair housing provision. This is in response to need identified in the Mid Devon Local Housing Needs Assessment.</p> <p>It is therefore not agreed that the requirement for wheelchair adapted housing should be removed from the Supplementary Planning Document. The SPD does not introduce either new policy or additional financial burdens, and does not seek to go beyond the planning policy requirements set out in the adopted Local Plan 2013 – 2033. The Local Plan has already been subject to both a viability appraisal and impact assessments of new development.</p>

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Page 178		<p>appropriate manner of meeting the substantial housing needs of older people. Adaptable houses do not provide the on-site support, care and companionship of specialist older persons' housing developments nor do they provide the wider community benefits such as releasing under occupied family housing as well as savings to the public purse by reducing the stress of health and social care budgets. Housing particularly built to M4(3) standard may serve to institutionalise an older persons' housing scheme reducing independence contrary to the ethos of older persons.</p> <p>Given the requirements of para 008 Reference ID: 61-008-20190315 of PPG on Plan Making as detailed above the council should note that wheelchair adapted housing has a cost implication and including such a requirement in an SPD is contrary to national policy and the requirement should be removed from the SPD.</p>	<p>Finally, the Council fully acknowledge that ensuring residents have the ability to stay in their homes for longer is not, in itself, an appropriate manner of meeting the substantial housing needs of older people. The SPD seeks to facilitate a wide range of housing options for older persons and this is reflected in the SPD.</p>
		<p><u>Section 7: Self and Custom housebuilding</u></p> <p>Section 7 looks at self-build housing and identifies the Local Plan requirement to sites of 20 dwellings or more'.</p> <p>The Council should note that housing for older people, being specialist in nature, is often delivered on brownfield sites separate to housing allocations or other development sites and tend to be high-density flatted developments on small or medium sized sites of around 0.5 hectares located near town centres that</p>	<p>The requirement to provide self and custom build is derived from Policy S3 of the adopted Mid Local Plan 2013 - 2033. The Meeting Housing Needs SPD simply seeks to support delivery of that policy. Viability impacts will need to be considered on a case by case basis.</p>

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		<p>have a minimum amount of around 35 to 40 units. There is therefore not room for self-build plots on site.</p> <p>Older person's housing schemes are already marginal with respect to viability and as it is impractical to deliver self-build plots on site, the proposed threshold is not suitable for specialist housing for older people schemes. The threshold for the provision of self-build plots should be reconsidered and the requirement applied to units over a certain area for example 1 hectare or an exemption provided for older persons housing schemes.</p>	
09 Page 179	Tiverton Neighbourhood in Action	<p>The TNP <i>[Tiverton Neighbourhood Plan]</i> commissioned its own Housing needs assessment in September 2019 conducted by AECOM.</p> <p>It found that between 2009 and 2018 house prices in Tiverton increased by an average of 28% which is higher than both district and national rates. Comparing these prices to median and low affordability thresholds it concluded that the most affordable tenures in Tiverton were social rent, affordable rent and Shared Ownership. I see from your report that there has been <i>[sentence submitted uncompleted]</i></p> <p>My understanding is that all new housing developments should contain at least 30% 'affordable' housing being roughly 80% of the value of market housing I believe but this is still not affordable. Two salaried households are still unable to afford to buy</p>	<p>Comments noted. The SPD seeks to support increased delivery of social rent, affordable rent and shared ownership.</p> <p>Comments noted. The quantum of affordable housing is a matter for Local Plan policy and not for this supplementary planning document which seeks to support delivery of Local Plan policy requirements. However, in terms of tenure, the SPD seeks to provide a range of</p>

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		<p>locally. According to your report there is still a huge amount of unmet need with poor achievements against planned numbers in the last few years. If a housing development scheme including affordable housing doesn't work financially, it's usually because too much has been paid for the land, and that developers and landowners would negotiate lower prices if they knew they could not escape their obligations. This needs to be addressed to enable planned affordable housing to be realised.</p>	<p>affordable housing products in response to the findings of the Local Housing Needs Assessment (2022).</p>
		<p>Instead there is a huge amount of market housing bringing in more people to live in the area putting a strain on local resources when local people are struggling with the cost of living crisis, overcrowded living conditions and homelessness. This needs to be addressed urgently.</p>	<p>Comments noted. The SPD seeks to support delivery of a wide range of housing products including affordable rent, social rent, affordable home ownership, first homes, community led housing, custom and self-build in an attempt to diversify the housing market in Mid Devon.</p>
		<p>I understand Mid Devon is falling behind on the number of self-build housing plots they are offering for sale to enable people to build their own homes as an alternative affordable option. This needs to be improved.</p>	<p>Comments noted. Policy S3 of the adopted Mid Devon Local Plan 2013 – 2033, coupled with guidance within the SPD, seeks to enable delivery of custom and self-build homes to fulfil the Council's statutory duties.</p>
		<p>With the growing impact of climate change and food insecurity the relaxing of planning laws to enable people to live sustainably on their smallholdings should be encouraged.</p>	<p>Comments noted. This is a matter for development plan policy and is therefore outside the scope of this SPD.</p>
		<p>In addition I would wholeheartedly support the initiative to set aside affordable housing for local essential workers with some kind of basic assessment criteria to enable them to be affordably housed</p>	<p>Support noted. Supermarket workers are included within the key worker definition in Appendix 2 of the SPD, but in terms of specific roles such as 'Retail</p>

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		locally. I would also include salaried supermarket workers in this definition as it was very apparent during Covid lock down how essential their jobs are.	cashiers and check-out operators’, ‘Shelf fillers’, and ‘Stock control clerks and assistants’.
10	Tetlow King Planning on behalf of the South West Housing Association Planning Consortium (SWHAPC)	<p>Introduction</p> <p>Paragraph 1.4 of the Introduction outlines that there is a <i>“particular focus on affordable and social rent properties alongside a strong commitment to having low carbon, accessible and adaptable homes.”</i> (Emphasis added)</p> <p>The SWHAPC supports this focus on affordable housing and is pleased with the attention that is given to affordable housing in this introduction. Notwithstanding this, the Council must demonstrate that the commitments of low carbon, accessible and adaptable homes will not result in fewer affordable homes being delivered because of reduced financial viability of residential schemes.</p> <p>Affordable Housing</p> <p>The Draft SPD sets out the national affordable housing definition at paragraph 2.1. In order for the SPD to remain relevant and up-to-date, we recommend that it refers readers to Annex 2 of the National Planning Policy Framework (NPPF).</p> <p>Paragraph 2.3 and corresponding Table 1 refer to the Mid Devon Local Housing Needs Assessment (LHNA), completed September 2022, which is the most recent housing needs assessment for the area. While this will ensure that affordable housing is provided in line with</p>	<p>Support noted. The SPD does not introduce additional financial burdens, and does not seek to go beyond the planning policy requirements set out in the adopted Local Plan 2013 – 2033. The Local Plan has already been subject to both a viability appraisal and impact assessments of new development.</p> <p>Comments noted the wording within the SPD currently states that ‘A full definition of affordable housing is provided in the National Planning Policy Framework ...’. This allows for future amendments to the National Planning Policy Framework, including to annexes.</p> <p>Amendment agreed.</p> <p>Paragraph 2.3 to be amended to read: The Mid Devon Local Housing Needs Assessment (LHNA, completed September 2022, or any subsequent update) provides evidence of</p>

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		<p>current objectively assessed needs, to allow the SPD to remain relevant, the SWHAPC recommends that the SPD also refers readers to the <u>most up to date assessment of housing need</u>.</p>	<p>housing mix requirements, by bedroom size that would enable both affordable and market housing need to be met.</p> <p>The caption for Table 1 to be changed to read: Table 1: (Based on Figure 53 <i>'Overall need' of the LHNA, completed September 2022</i>)</p>
		<p>Furthermore, paragraph 2.6 outlines that 60% of affordable homes should be provided in the form of social rented units, and 19% in the form of affordable rented units. This represents a significant contrast to the current Local Plan policy, which assumed a tenure mix of 60% affordable rent and 40% intermediate tenures. The SPD explains that it does not seek to supersede existing development plan policy but does refer to the latest housing needs evidence to ensure that an appropriate mix of types and tenures of affordable housing are provided. The SWHAPC accepts the Council's position at paragraph 2.6 given that the Council recognises that the SPD cannot supersede existing plan policy.</p>	<p>Support noted.</p>
		<p>First Homes</p> <p>Principle 1, set out on page 9, outlines that in accordance with adopted Local Plan Policy S3, the Council will seek the provision of affordable housing in accordance with the following proportions:</p> <ul style="list-style-type: none"> ● Affordable Rent*: 60% 	<p>Comments noted. The concerns raised are acknowledged and it is recognised that a more flexible approach is needed given that the LHNA only shows a need for 4.4% of affordable homes to be First Homes. Accordingly the following changes have been made to the SPD.</p> <p>Paragraph 2.9 to be amended to read:</p>

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		<ul style="list-style-type: none"> • Affordable Home Ownership (excluding First Homes): 15% • First Homes (Discounted by a minimum of 30%): 25% <p>The SWHAPC are concerned about having to provide First Homes on smaller directly-procured sites which are 100% affordable. The SWHAPC therefore request that the guidance allows First Homes to be provided as social rent instead as this would enable the delivery of a higher proportion of affordable housing. Given that the Mid Devon LHNA shows a need for only a 4.4% of affordable homes to be First Homes (as opposed to the government requirement for 25%), it would be advisable for there to be more flexibility in the wording around their provision on a site by site basis. The SWHAPC has long had concerns about the introduction of First Homes and its potential implications on the delivery of traditional forms of affordable housing, particularly that it undermines the delivery of Shared Ownership properties.</p>	<p>The Mid Devon LHNA (Figure 53) shows a calculation based purely on ability to access the product, which that assumes a 70% First Homes discount results in only 4.4% of affordable homes being First Homes. This is significantly less than the Government’s requirement of 25%. The Mid Devon LHNA undertakes additional sensitivity testing in order to meet the Government’s First Homes target, although these will be matters which will be investigated further <u>as part of</u> the preparation of a new local plan for Mid Devon (“Plan Mid Devon”). In the interim, <u>the Council will adopt a flexible approach to the delivery of First Homes. Whilst the Council recognises that the Written Ministerial Statement is a material consideration in planning decisions, on the basis of current need for First Homes, they are unlikely to be the Council's preferred form of affordable housing. Provision of First Homes will therefore be considered on a case by case basis. The Council will monitor need for, and delivery of, First Homes and continue to negotiate the most appropriate mix of housing types to meet local needs.</u> for the purpose of determining applications in relation to the adopted Local Plan Policy S3, adjustments are made to the tenure mix to achieve the Government’s First Homes policy target and to reflect the viability and policy considerations in relation to securing social rented homes through the planning process.</p> <p>The bullet points at paragraph 2.10 are amended as follows:</p> <ul style="list-style-type: none"> • Affordable Rent (including social rented housing) (60%) • Affordable Home Ownership (excluding First Homes) (15%) <u>(including a proportion of First Homes) (40%)</u> • First Homes (discounted by 30%) (25%)

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			<p>Principle 1 to be amended as follows:</p> <p>In accordance with adopted Local Plan Policy S3, the Council will seek the provision of affordable housing in accordance with the following proportions:</p> <ul style="list-style-type: none"> • Affordable Rent*: 60% • Affordable Home Ownership (including a proportion of First Homes): 40% (excluding First Homes): 15% • First Homes (Discounted by a minimum of 30%): 25% <p>*The Council will work with applicants to explore the potential for an element of social rent housing to be included within affordable housing proposals, subject to viability and local housing need</p>
		<p>Dwelling Size Mix</p> <p>The SWHAPC welcomes Principle 2, set out on page 9, which provides guidance on affordable housing tenures and sizes. The SWHAPC also supports Principle 3, set out on page 10, which outlines that the Council’s Housing Enabling Service will work positively with applicants to help achieve suitable and optimal mix of housing types, sizes and tenures in development proposals submitted for determination to meet identified affordable housing needs.</p>	<p>Support noted.</p>
		<p>Standards of affordable housing</p> <p>Paragraph 2.17 states that all homes must comply with internal Nationally Described Space Standards (NDSS). The SWHAPC accepts the NDSS guidance given the NDSS is already adopted in the Local Plan, although we would like to remind the Council how the increased delivery of such properties may affect</p>	<p>Comments noted. However, as identified, Policy DM1, criterion h), of the adopted Mid Devon Local Plan 2013 – 2033, states that designs of new development must be based upon internal Nationally Described Space Standards.</p>

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		<p>viability and overall affordable housing delivery in Mid Devon. Additionally, many households eligible for affordable housing in Mid Devon may not desire, or require housing that meets the NDSS, as it may result in for example, higher rental and heating costs. There will be occasions where it is neither practical nor necessary to achieve the standards.</p>	
		<p>Timing of affordable housing</p> <p>The SWHAPC agree with paragraph 2.28, that affordable housing should be provided broadly in-step with market housing as the development progresses and should be inter-mixed with it across the site.</p>	<p>Support noted.</p>
		<p>Layout and Design</p> <p>Paragraph 2.33 states that social and other affordable housing which is segregated from other housing provision, and has a distinguishing design approach, can lead to problems. The SWHAPC agrees that tenure blind development should be applied in practice.</p> <p>Paragraph 2.34 outlines that there should also be a genuine intermixing of tenures within a scheme with affordable housing distributed across a site rather than concentrated in any one area, often referred to as “pepper potting”. The SWHAPC agrees with these points. The distribution of affordable housing within housing schemes should allow for social integration within the overall design, although the SWHAPC reminds the Council to consider the practical implications for housing associations when it comes</p>	<p>Comments noted. Paragraph 2.34 to be amended to reflect the design and layout principles for affordable housing set out in the National Design Guide and to allow for a more flexible approach to take into account management implications whilst still ensuring there is no segregation or difference in quality between tenures.</p> <p>Paragraph 2.34 to be amended to read:</p> <p>It is therefore important that the design of new housing areas which include affordable housing take a “tenure neutral blind” approach to location and design. Under such an approach it should not be possible to distinguish the tenure of a dwelling from its external appearance. Similarly, there should be a genuine intermixing of tenures within a scheme with affordable housing distributed across a site rather than concentrated in any one area, often referred to as “pepper potting”. As set out in the National Design Guide, there should be no segregation or difference in quality between tenures</p>

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		<p>to the management of their housing stock. Encouraging pepper potting across a scheme makes management more difficult as the properties are more spread out. The SWHAPC would not encourage affordable housing to be grouped together in one area, instead recommending that affordable housing is clustered across a site, with policy expressing a maximum group size or range; approximately 10 dwellings forming each cluster on larger sites (circa 100+ dwellings) is often favoured.</p>	<p><u>by siting, accessibility, environmental conditions, external façade or materials. Homes of all tenures should be represented in equally attractive and beneficial locations, with no differentiation in the positions of entrances. Shared open or play spaces should also be accessible to all residents around them, regardless of tenure.</u></p>
		<p>Registered Providers</p> <p>It is noted in paragraph 2.36 that all affordable housing must be retained in perpetuity. The sole reference to retaining affordable housing in perpetuity is in Annex 2 of the NPPF where this is sought for affordable housing delivered on Rural Exception Sites. This principle is appropriate and supported by our Members as this helps to secure land for delivery of affordable housing in rural areas where housing delivery would otherwise not be supported.</p>	<p>Support noted.</p>
		<p>However, securing affordable housing in perpetuity more widely is not supported for a number of reasons. Foremost is that it restricts lenders' appetite to fund development, as mortgage provision becomes more difficult with greater restrictions on individual properties. Private companies will not typically invest in developments if there is no prospect of realising the original investment and any returns. We therefore</p>	<p>Comments noted. However, the Council requires that all affordable housing is subject to arrangements to ensure that it remains available to eligible households in perpetuity.</p>

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		request that all references to securing affordable housing in perpetuity are removed from the Draft SPD unless they are made specifically in relation to Rural Exception Sites.	
		<p>Assessing Rural Need</p> <p>The SWHAPC is encouraged to see that Principle 8 states that the Council’s housing register is recognised as an appropriate evidence base for affordable housing proposals. The benefits of including the housing register as an acceptable evidence base include that it is robust, up-to-date and often reasonably easy to access for applicants. It can assist in providing evidence of local housing need where housing need assessments may not be preferable.</p>	Support noted.
		<p>Accessible and adaptable homes / Wheelchair accommodation</p> <p>The SWHAPC agrees with the contents of Principle 9 and 10, in that new housing development should be of high quality in terms of its design and resilience, and provide adequate space to achieve good living standards, as required by the NPPF. We accept that there is a growing need for properties which comply with Part M(2) or Part M(3) of the current Building Regulations and so we support this policy direction, although we would like to remind the Council how the increased delivery of such properties may affect viability and overall affordable housing delivery in Mid Devon.</p>	Comments noted. The SPD does not introduce either new policy or additional financial burdens, and does not seek to go beyond the planning policy requirements set out in the adopted Mid Devon Local Plan 2013 – 2033. The approach in the SPD is simply to set out the current evidence of need and encourage provision as far as reasonably practicable.

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		<p>Community Led Housing</p> <p>Paragraph 4.3 outlines that the Council is committed to working with Community Land Trusts ('CLTs') and other organisations to deliver homes retained in perpetuity for local need. Furthermore, paragraph 4.15 recognises that while the inclusion of CLTs in the provision of affordable housing on allocated housing sites would not deliver any additionally in terms of the quantum of affordable housing delivered, it would:</p> <ol style="list-style-type: none"> 1. Encourage communities to support new developments in exchange for securing a genuine stake in them, and; 2. Ensure that affordable rented homes are protected from the various current forms of right to buy. <p>Given the Council's comments in this Draft SPD, we would like to use this opportunity to highlight the successful proven track record that Community Land Trusts (CLTs) have in delivering affordable housing for local people, particularly in rural areas. The Council may find it insightful to know that a number of the SWHAPC Housing Associations have delivered significant levels of affordable housing through partnerships with CLTs across the south of England. It is positive to see acknowledgement of this working relationship in the Draft SPD.</p>	<p>Support noted. The Council acknowledges the successful proven track record of delivering affordable housing via partnerships between CLTs and Housing Associations. The Council welcomes continued close working to facilitate further delivery.</p>
		<p>Delivery of Affordable Custom and Self-Build</p>	<p>Support and guidance noted.</p>

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Page 189		<p>The SWHAPC encourages the inclusion of affordable custom and self-build dwellings as it offers another route toward affordable housing. We support the conditions listed at paragraph 7.54 which ensure that affordable custom build plots will be delivered to those most in need of them. Self-build or custom build helps to diversify the housing market and increase consumer choice. The SWHAPC advises that the Council refers to the Self-Build and Custom Housebuilding Planning Practice Guidance when formulating new policy.</p>	
	<p>Further comments</p> <p>These comments are meant to be constructive, to ensure planning for development remains a proportionate process, aiming for high standards of sustainability without placing unduly onerous expectations at the earliest stages of planning. The Guidance should remain supplementary to the existing adopted planning policies, and not seek to place additional burdens with implications for costs.</p>	<p>The SPD remains supplementary to the policies in the adopted Mid Devon Local Plan 2013 – 2033. It does not introduce additional financial burdens, and does not seek to go beyond the planning policy requirements set out in the Plan. The Local Plan has already been subject to both a viability appraisal and impact assessments of new development.</p>	
11	Tiverton Civic Society	<p>Members of Tiverton Civic Society have carefully read the draft document, and we consider that it is comprehensive, aspirational and excellent in all respects, and that, in some elements, it represents a considerable advance on previous documents and policies.</p>	Support noted.
		<p>We appreciate the 21 Principles, in each case preceded by a clear description, and we consider that Mid Devon's housing needs are clearly expressed,</p>	Support noted.

No.	Representation from	Summary of Representation	Response
		especially the desire to meet affordable and socially rented targets on all developments, as well as the embracing of First Home principles, An important principle is intermixing or 'pepper potting' of the various types of housing, all being indistinguishable in general design.	
		We appreciate the section on Community Led Housing, ' <i>considerable positive weight will be given to proposals where it is clear that the proposal is genuinely community led and genuinely community supported</i> ', and the importance of Community Land Trusts. However, as has been expressed elsewhere, there may well be difficulties encouraging sufficient volunteers to come forward.	Comments noted.
		We appreciate the statement that ' <i>Rural Exception Sites are the sole permissible type of exception site in Mid Devon outside towns</i> ' (P.15), although this could clash with Class Q proposals, as with the recent application 23/00761/FULL, and housing developments immediately adjoining towns e,g,if approved, the present Hartnoll Farm proposals 21/01576/MOUT.	Comments noted. The wording as drafted is intended to make clear that Mid Devon does not have entry level exception sites. However, it is recognised that other forms of development, including Class Q proposals will continue to take place outside of the towns.
		Is the wording of Principle 11 on bungalows strong enough? Despite the obvious need, developers are notoriously reluctant to build bungalows, and some element of coercion or encouragement may be needed!	Comments noted. However, the SPD cannot introduce new development plan policy, such as explicit requirements to deliver bungalow development.
		We appreciate the considerable detail provided on the need for satisfactory measures to secure sites and	Support noted.

No.	Representation from	Summary of Representation	Response
		pitches for gipsies and travellers, as well as the provision of homes for travelling show people.	

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Planning and Compulsory Purchase Act 2004

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

Notice of adoption of the Mid Devon Meeting Housing Needs 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 Meeting Housing Needs Supplementary Planning Document on **14 November 2023 (Subject to Cabinet Approval)**.

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 Meeting Housing Needs Supplementary Planning Document

The purpose of the SPD will be to guide planning applications and decisions made on these towards the successful implementation of the policies of the adopted Mid Devon Local Plan 2013 – 2033. The SPD includes guidance on the delivery of affordable housing, housing for older persons and people with disabilities, community led housing, homes for gypsies, travellers and travelling showpeople, custom and self-build and modern methods of construction.

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:

[Meeting Housing Needs - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/Meeting-Housing-Needs)

For further information please contact the Forward Planning Team:

Email: planningconsultations@middevon.gov.uk

Telephone: 01884 255255

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Report for: Cabinet

Date of Meeting: 14th November 2023

Subject: Annual Infrastructure Funding Statement; The Infrastructure List

Cabinet Member: Cllr Steven Keable, Cabinet Member for Planning & Economic Regeneration

Responsible Officer: Richard Marsh, Director of Place

Enclosures: Mid Devon District Council Infrastructure List

Executive Summary

The Council maintains an Infrastructure List for the purposes of identifying those items of infrastructure that it intends to fund, either wholly or partly, through development (developer contributions, also known as Section 106 (S106) agreements). The list is informed through development plans, which could include neighbourhood plans, and prioritised in accordance with the importance of the infrastructure item in relation to the implementation of the Local Plan, together with requirement to spend existing developer contributions on the delivery of infrastructure within designated timescales. The Infrastructure List is reviewed and updated annually and Cabinet are requested to approve the updated Infrastructure List for publication on the Council's website as part of the statutory annual Infrastructure Funding Statement.

Recommendation(s):

1. **Cabinet are requested to approve the list of infrastructure (Appendix 1; the Mid Devon Infrastructure List) that the Council intends to fund, either wholly or partly, by developer contributions.**
2. **Cabinet are further requested to approve the Infrastructure List to be included within the annual Infrastructure Funding Statement (IFS) to be published on the Council's website by 31st December 2023.**

1.0 Background/Introduction

- 1.1 Developer contributions is a collective term mainly used to refer to the Community Infrastructure Levy (CIL) and planning obligations (commonly referred to as Section 106 or S106 obligations after Section 106 of the Town and Country Planning Act 1990). These are planning tools that can be used to secure financial and non-financial contributions (including affordable housing), or other works, to provide infrastructure to support development and mitigate the impact of development. Developer contributions might also relate to highways works secured under Section 278 of the Highways Act.
- 1.2 Developer contributions are normally a key component of any authority's approach to developing and delivering an infrastructure strategy for their area. Effective infrastructure planning, prioritisation and governance of spend are critical to supporting the delivery of sustainable development and growth. Local authorities have a fundamental role in leading the coordination and delivery of infrastructure that will support their areas.
- 1.3 The Mid Devon Community Infrastructure Levy (CIL) draft charging schedule was withdrawn from its public examination in 2021 and as such Mid Devon is not a CIL charging authority.
- 1.4 Mid Devon currently secures funding for infrastructure and affordable housing through the use of Section 106 planning obligations and Section 278 highways agreements (via Devon County Council).
- 1.5 Identification of S106 requirements should be driven by the impact of specific development(s) and the need to deliver local plan policies. Requirements for developer contributions should be clearly identified in local plan documents, consulted on and tested for viability. The Mid Devon Infrastructure List is the document that identifies and prioritises those requirements.
- 1.6 Developer contributions need to deliver infrastructure or other mitigation measures that support development. There is a statutory responsibility to make sure this happens, and legal and reputational risk where it does not.
- 1.7 Most of the legal agreements containing planning obligations also place an obligation on the Local Authority to spend the money within a designated timescale (which varies from one agreement to another but is commonly 10 (ten) years).
- 1.8 There needs to be clear and transparent processes that ensure timely and effective spend that comply with the legislation on the use of developer contributions. Failure to have clear processes that take you from strategy to allocation and spend on a project is, along with failure to identify priorities, a major cause of unspent developer contributions.

- 1.9 The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 made it a requirement that contribution-receiving authorities must publish an Infrastructure Funding Statement (IFS) by the 31st December annually. The objective of an IFS is to improve transparency of monitoring and reporting so that monies secured, received, allocated, spent and delivered can be followed through the system.
- 1.10 The information published in the IFS responds to questions that are frequently asked of authorities through Freedom of Information (FOI) requests and should be information that can be readily accessed. The annual IFS is published on the Council's website prior to 31st December each year.
- 1.11 The Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 (section 121A) set out the required components of the IFS, namely:
- (a) a statement of the infrastructure projects or types of infrastructure which the charging authority intends will be, or may be, wholly or partly funded by CIL ("the infrastructure list");
 - (b) a report about CIL, in relation to the previous financial year ("CIL report");
 - (c) a report about planning obligations, in relation to the reported year ("Section 106 report").
- 1.12 The Mid Devon Infrastructure List is intended to satisfy part (a) of the IFS. In line with the approach taken previously, although Mid Devon District Council is not a CIL charging authority it may, nevertheless, be considered both beneficial and transparent to continue to publish a list of the infrastructure to be funded wholly or partly by developer contributions over the forthcoming year.
- 1.13 On the basis that Mid Devon District Council is not a CIL charging authority there will be no CIL report published within the IFS.
- 1.14 The IFS will therefore comprise two component parts; the infrastructure list and the Section 106 report.
- 1.15 The Section 106 report is a series of absolute facts and figures which will be signed-off by Finance and Senior Management prior to publication. Members will be notified when the IFS (both component parts) are completed and published.
- 1.16 The National Planning Policy Guidance also advises that the infrastructure funding statement should set out the future spending priorities on infrastructure and affordable housing. This will not dictate how funds must be spent but will set out the local authority's intentions.
- 1.17 The Mid Devon Infrastructure List is prioritised in accordance with the importance of the infrastructure item in relation to the implementation of the Local Plan, together with requirement to spend existing developer contributions on the delivery of infrastructure within designated timescales. For example; affordable housing delivery is essential to the delivery of the Local Plan, and

also the Council holds sums of unallocated contributions which are required to be expedited for expenditure before they become at risk of being returned to the developer under the terms of the legal agreement. Therefore affordable housing is a high priority on the infrastructure list.

- 1.18 The Mid Devon Infrastructure List is a live document capable of being updated at any time. The version of the list proposed for publication is a snap shot in time and includes the best information that is available at the point of its approval and publication. It has been informed through work undertaken as part of the preparation of the Mid Devon Local Plan Review 2013 – 2033. The Infrastructure List can also be informed through infrastructure needs identified in other development plans in Mid Devon i.e. the Devon Minerals and Waste Plans, and Neighbourhood Plans where these have passed their referendum and form part of the statutory development plan for their local area. It can also be informed through infrastructure needs identified through the masterplanning of planned urban extensions and town centres.
- 1.19 The preparation of a new Local Plan for Mid Devon ('Plan Mid Devon') will provide an opportunity to review the infrastructure needed to support new development where this is planned across the district. This will be informed through technical work and engagement with transport, education and other infrastructure and service providers. Infrastructure needs will be looked at in terms of the requirements placed through individual development sites and also the cumulative impacts of development sites at town level and wider area, to enable a strategic approach to be taken to infrastructure planning and its phasing and funding.
- 1.20 The infrastructure list should feed back into reviews of Local Plans to ensure that policy requirements for developer contributions remain realistic and do not undermine the deliverability of the plan.

2.0 Groups consulted

- 2.1 The report and its attachments were circulated to the Planning Policy Advisory Group (PPAG) for consideration at a meeting on 25th October 2023. The Infrastructure List was considered by Members of the PPAG, who confirmed by a majority vote that the list be passed to Cabinet for approval in accordance with the recommendations of this report. No amendments to the list were proposed.

Financial Implications: The Infrastructure List plays an important role in identifying when developer contributions can be used to assist in the delivery of infrastructure. It is an easily accessible document that sets out the Council's priorities for income from development and expenditure.

Risk Assessment: Risk is multi-faceted, but publication of a clear IFS mitigates these by allowing transparency on the utilisation of S106 funds, allows monitoring of

measures to be implemented to support planned development and also safeguards against the loss of S106 receipts through the passage of time.

Impact on Climate Change: The Infrastructure List includes provision for carbon offsetting and air quality improvements. The infrastructure list should feed back into reviews of local plans to ensure that policy requirements for developer contributions remain realistic and do not undermine the deliverability of the plan. The Local Plan has been prepared within a legal framework and national planning policy that has at its heart the principle of sustainable development and policies to help address climate change through the development and use of land.

Equalities Impact Assessment: The Infrastructure List has been informed by the Mid Devon Local Plan Review 2013 – 2033, which has been subject to a full Equality Impact Assessment. The Infrastructure List has been subject to an additional EqIA screening which has found it is likely to have positive impacts on several protected characteristics where infrastructure can benefit a range of age groups in the community, and can include facilities which are accessible to persons with a disability. No negative equalities impacts have been identified.

Relationship to Corporate Plan: The Infrastructure List includes infrastructure items relating to affordable housing, transport, education, libraries, waste, health, community facilities, emergency services, where these relate to built development and Local Plan objectives. Funding the delivery of these items can also help the Council achieve its four Corporate Plan priorities - Homes, Environment, Community and Economy.

Statutory Officer sign-off

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151
Date: 31 October 2023

Chief Officer: Richard Marsh
Agreed by or on behalf of the Director of Place
Date: 31 October 2023

District Solicitor and Monitoring Officer: Maria de Leburne
Agreed by or on behalf of the District Solicitor and Monitoring Officer
Date: 31 October 2023

Performance and risk: Steve Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 06 November 2023

Cabinet member notified: Yes

Contact: Richard Marsh Director of Place
Email: rmarsh@middevon.gov.uk

Contact: Jo Williams S106 Monitoring Officer
Email: S106@middevon.gov.uk
Telephone: 01884 – 234961

Background papers: Appendix 1; the Mid Devon Infrastructure List

MID DEVON INFRASTRUCTURE LIST

PRIORITY #1: HIGH IMPORTANCE

Accessibility

District wide accessibility and mobility improvements

Affordable Housing

Affordable housing provision in the district of Mid Devon

Provision of custom & self-build housing

Provision of Gypsy & Traveller pitches

Carbon Reduction

Measures and infrastructure required to support a low carbon, energy efficient future

Community facilities

Provision of digital and smart infrastructure; including broadband and town centre electric points

Ecology

Measures required to provide a net gain in biodiversity

Education

New primary schools for Tiverton, Crediton and Cullompton

Primary and Secondary School expansion

Provision of a new special education need facility (to be located in Cullompton)

Highways

Capacity improvements at Junction 28 M5 to deliver a strategic highway improvement

Sustainable Travel

New and enhanced pedestrian and cycle facilities into and within major towns and settlements

Transport & Air Quality

Cullompton Town Centre Relief Road

Measures necessary to assist with the flow of traffic through the Western Gateway, St Lawrence Green and/or the High Street in Crediton

Transport & Highways

Measures necessary to improve traffic calming

Provision of a full grade separated junction on the A361 at Tiverton (east)

Through route linking Willand Road to Tiverton Road and traffic management measures on Willand Road at North West Cullompton

PRIORITY #2: IMPORTANT

Community facilities

Provision of community facilities including community centres, halls and hubs

Provision of new sports pitches

Provision of youth/teen facilities

Public Open Space for leisure and recreation, including sports and play facilities

Destination Management

Improved coach parking facilities within Mid Devon

Employment space

Provision of Incubator hubs

Flooding

Flood risk mitigation measures

Health facilities

Provision of healthcare facilities, including GP surgeries

Highways

Improvements to J27 of the M5

Miscellaneous

Infrastructure necessary for the delivery of Masterplans and Neighbourhood Plans

Resource funding to enable infrastructure delivery

Public Realm

Improvements to the public realm of the major town centres; includes new signage, seating and public art

Redevelopment of Pheonix Lane, Market Walk and the Tiverton pannier market

Sustainable Travel

Towards the re-opening of Cullompton railway station

Transport & Air Quality

Measures necessary to mitigate poor air quality in town centres

Transport & Highways

Provision of a junction on Heathcoat Way and a safeguarded road route to serve as a future second road access for development at the Tiverton eastern urban extension

PRIORITY #3: DESIRABLE

Community facilities

Enhancement to library facilities

Provision of new sports and play facilities at the main leisure centres; including a swimming pool complex at Cullompton and new soft-play facilities (all sites)

Destination Management

Heritage, Culture and Arts trails

Provision of a community theatre

Provision of a visitor centre and enhanced facilities at Junction 27, M5

Provision of new rural trails; including the Boniface Trail (Crediton to Exeter) and a cycleway along the A396/Exe Valley

Emergency services

Provision of a new criminal justice centre and/or expansion of existing fire and rescue services

Transport & Air Quality

Enhanced provision of community transport schemes

Provision of public electric vehicle charging infrastructure

Waste

New recycling centre to serve Tiverton and Cullompton catchments

Water

Enhanced waste water treatment facilities

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Report for: Cabinet

Date of Meeting:	14 November 2023
Subject:	Options report for 5 car parking spaces in Halberton
Cabinet Member:	Cllr James Buczkowski, Cabinet Member for Finance and Cllr Simon Clist, Cabinet Member for Housing & Property Services
Responsible Officer:	Andrew Jarrett, Deputy Chief Executive (S151)
Exempt:	Partial
Wards Affected:	Halberton
Enclosures:	None

Section 1 – Summary and Recommendations

This report considers options relating to a number of car parking spaces in Halberton, currently being marketed by the Council’s development company.

Option(s):

- 1) That the freehold sales currently in process are continued and the Parish invited to make an offer for the remaining spaces, or**
- 2) That the 5 spaces are purchased by the Council to be offered directly to Halberton Parish Council for, either**
 - a) Freehold sale on a staged basis to allow for payment over a period of up to 5 years, or**
 - b) On a long term leasehold, which would be on a full maintenance basis and would include relevant covenants as deemed appropriate.**

Section 2 – Report

- 1.0 The Council’s property development company, 3 Rivers, is currently marketing 5 car parking spaces in Halberton that formed part of the now completed The Orchard development.

- 1.1 During the current marketing process the Council has been approached by Halberton Parish Council who have expressed an interest in obtaining these spaces for the benefit of their locality in order to alleviate some of the current and long standing parking problems at this location.
- 1.2 Due to the commercial nature of this decision and that a live marketing exercise is still in process a part 2 summary of the position is attached for members' consideration, included as Appendix 1.
- 2.0 **Conclusion**
- 2.1 As the commercial sale process is ongoing a decision is urgently required to allow these sales to continue or, if the Council wishes to make the spaces available to a parish council for local amenity (free) use, it will need to consider the merits and value implications of purchasing these assets from the company in order to facilitate an arrangement for a parish council, and the basis of any enabling agreement in order to demonstrate sufficient value for money.

Financial Implications

Due to their commercial nature these are identified in the part 2 paper.

Legal Implications

VFM/best value should be achieved on all asset disposals.

Risk Assessment

This decision could be seen to create a precedent in terms of current and future asset disposal decisions.

Impact on Climate Change

None identified.

Equalities Impact Assessment

None identified.

Relationship to Corporate Plan

Closer partnership working within Town/Parish

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 03/11/23

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 03/11/23

Chief Officer: Stephen Walford
Date: 03/11/23

Cabinet member(s) notified: Yes.

Section 4 - Contact Details and Background Papers

Contact: Andrew Jarrett
Email: ajarrett@middevon.gov.uk
Telephone: 01884 255255

Background papers: Correspondence from 3Rivers and Halberton PC

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

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of the Local Government Act 1972.

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MID DEVON DISTRICT COUNCIL – SCHEDULE OF MEETINGS – 2024-2025

Ratified by Council on

MEETING	Normal day	1 2024	2	3	4	5 2025	6	
Planning Committee <i>(first meeting of cycle)</i>	Wed	12 th June	31 st July	11 th September	27 th November	8 th January	12 th March	
Planning Committee <i>(second meeting of cycle)</i>	Wed	10 th July	28 th August	9 th October	4 th December	12 th February	9 th April	
CABINET <i>(first meeting of cycle)</i>	Tues	4 th June	30 th July	17 th September	12 th November	7 th January	4 th March	
CABINET <i>(second meeting cycle)</i>	Tues	2 nd July	27 th August	15 th October	10 th December	4 th February	1 st April	
ENVIRONMENT PDG	Tues	18 th June	13 th August	8 th October	5 th November	9 th January	11 th March	
HOMES PDG	Tues	11 th June	6 th August	24 th September	19 th November	14 th January	18 th March	
ECONOMY PDG	Thurs	20 th June	1 st August	3 rd October	14 th November	6 th January	6 th March	
COMMUNITY PDG	Tues	25 th June	20 th August	22 nd October	3 rd December	21 st January	25 th March	
SCRUTINY COMMITTEE <i>(first meeting of cycle)</i>	Mon	17 th June	12 th August	30 th September	25 th November	13 th January	17 th March	
SCRUTINY COMMITTEE <i>(second meeting of cycle)</i>	Mon	15 th July	9 th September	28 th October	16 th December	17 th February	14 th April	
AUDIT COMMITTEE	Tues	25 th June	20 th August	22 nd October	3 rd December	14 th January	25 th March	
Standards Committee	Weds	19 th June		16 th October		5 th February		
Licensing Committee	Fri	28 th June			6 th December			
Regulatory Committee	Fri	28 th June			6 th December			
Away Days	Fri 9.30am			20 th September				
COUNCIL	Wed 6.00pm	17 th July	4 th September	30 th October	18 th December	19 th February	23 rd April	7 th May

Note: (i) *Annual meeting of the Council at 7.00pm. **Annual Meeting in 2024 is on 22nd May**
(ii)*Annual meeting of the Council at 7.00pm. **Annual Meeting in 2025 is on 7th May (earlier as no election)**

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MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

December 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)
2024 / 2025 Fees and Charges Council wide Fees and Charges for 2024/2025	Environment Policy Development Group Cabinet	7 Nov 2023 12 Dec 2023	Paul Deal, Corporate Manager for Finance, Property and Climate Change	Councillor Josh Wright	Open
Review of Bin It 123 including Side Waste Collection To discuss a suggestion relating to Side Waste collection	Environment Policy Development Group Cabinet	7 Nov 2023 12 Dec 2023	Matthew Page, Corporate Manager for People, Governance and Waste	Councillor Josh Wright	Open
Fly Tipping Policy	Environment Policy Development Group Cabinet	7 Nov 2023 12 Dec 2023	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for Environment & Services	Open
Tenure Reform and Changes to the Tenancy Agreement - Project Plan To receive a project plan to	Homes Policy Development Group Cabinet	21 Nov 2023 5 Mar 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and	Cabinet Member for Housing and Property Services	Open

Agenda Item 15.

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)
tenure reform			Housing Tel: 01884 244615		
Tenancy Inspection Policy To receive a review of MDH Tenancy Inspection Policy	Homes Policy Development Group Cabinet	21 Nov 2023 12 Dec 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services	Open
Crediton Masterplan	Cabinet	12 Dec 2023	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration	Open
Silverton Neighbourhood Plan	Cabinet	12 Dec 2023	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration	Open
Phoenix House Accommodation Opportunities	Cabinet	12 Dec 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242		Open
Joint Strategy To receive a collaborative, non-statutory Joint Strategy which has been prepared for Exeter City, East Devon, Mid Devon and Teignbridge. This reflects the ambitions and proposals of	Cabinet	12 Dec 2023	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration	Open

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)
existing and emerging Local Plans.					
2024/25 Budget Update To consider a report from the Deputy Chief Executive (S151) on the updated 2024/25 Budget position and consider options to reduce the remaining shortfall	Cabinet	12 Dec 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open
Destination Management Plan for Mid Devon P S C 219	Economy Policy Development Group Cabinet	4 Jan 2024 6 Feb 2024	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration	Open
Economic Strategy 2024 - 2029	Economy Policy Development Group Cabinet	4 Jan 2024 6 Feb 2024	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration	Open
2024/25 Budget Update To consider a report from the Deputy Chief Executive (S151) on the updated 2024/25 Budget position and consider options to reduce the remaining shortfall	Cabinet	9 Jan 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open

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)
<p>Homes Safety Policy To receive a new policy which incorporates the existing Gas Safety Policy, Asbestos Management Policy & Fire Risk in Communal Properties Policy. New Policy includes regulated electrical safety checks being introduced to social housing landlords by the Social Housing Regulation Bill</p>	<p>Homes Policy Development Group Cabinet Council</p>	<p>16 Jan 2024 6 Feb 2024 21 Feb 2024</p>	<p>Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615</p>	<p>Cabinet Member for Housing and Property Services</p>	<p>Open</p>
<p>Homes Standard</p>	<p>Homes Policy Development Group Cabinet</p>	<p>16 Jan 2024 6 Feb 2024</p>	<p>Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615</p>	<p>Cabinet Member for Housing and Property Services</p>	<p>Open</p>
<p>Service Standards - Tenant Involvement & Empowerment</p>	<p>Homes Policy Development Group Cabinet</p>	<p>16 Jan 2024 6 Feb 2024</p>	<p>Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615</p>	<p>Cabinet Member for Housing and Property Services</p>	<p>Open</p>

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)
Garage, GGRP and Parking Space Policy To receive the revised Garage, GGRP and Parking Space Policy	Homes Policy Development Group Cabinet Council	16 Jan 2024 6 Feb 2024 21 Feb 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services	Open
Environment Educational Enforcement Policy	Environment Policy Development Group Cabinet	23 Jan 2024 6 Feb 2024	Matthew Page, Corporate Manager for People, Governance and Waste	Councillor Josh Wright	Open
Health and Safety Policy To receive the annual review of the Health & Safety Policy	Community Policy Development Group Cabinet	23 Jan 2024 5 Mar 2024	Catherine Yandle, Operations Manager for Performance, Governance and Health & Safety Tel: 01884 234975	Cabinet Member for Community & Leisure	Open
CCTV Policy To receive the updated CCTV Policy	Community Policy Development Group Cabinet	23 Jan 2024 6 Feb 2024		Cabinet Member for Community & Leisure	Open
Customer Care Policy To receive the updated Customer Care Policy	Community Policy Development Group Cabinet	23 Jan 2024 6 Feb 2024			Open

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)
Renewable and Alternative Energy, Energy Efficiency including Community Energy Projects	Environment Policy Development Group Cabinet	23 Jan 2024 6 Feb 2024	Jason Ball, Climate and Sustainability Specialist	Councillor Natasha Bradshaw	Open
Green Standards in Planning including Renewable and Alternative Energy, Energy Efficiency and Community Energy Projects	Environment Policy Development Group Cabinet	23 Jan 2024 6 Feb 2024	Jason Ball, Climate and Sustainability Specialist	Councillor Natasha Bradshaw	Open
The Council's Statutory Duty towards Bio Diversity and Nature	Environment Policy Development Group Cabinet	23 Jan 2024 6 Feb 2024	Climate and Sustainability Specialist	Cabinet Member for Climate Change	Open
S106 Governance	Cabinet	6 Feb 2024	Joanna Williams, Planning Obligations Monitoring Officer	Cabinet Member for Finance	Open
Policy Framework	Cabinet Council	6 Feb 2024 21 Feb 2024	Member Services Manager	Leader of the Council	Open
Business Rates Tax Base	Cabinet Council	6 Feb 2024 21 Feb 2024	Dean Emery, Corporate Manager for Revenues,	Cabinet Member for Finance	Open

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)
			Benefits and Recovery		
Establishment	Cabinet	6 Feb 2024	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for Working Environment	Open
Pay Policy	Cabinet	6 Feb 2024	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for Working Environment	Open
Qtr. 3 Budget Monitoring To consider a report from the Deputy Chief Executive (S151) on the Council's Financial position as at 31 December 2023	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open
2024/25 Capital Strategy and Capital Programme To consider a report from the Deputy Chief Executive (S151) proposing the 2024/25 Capital Strategy and recommends the 2024/25 Capital Programme	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open

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)
<p>2024/25 Treasury Management Strategy To consider a report from the Deputy Chief Executive (S151) proposing the 2024/25 Treasury Management Strategy and Annual Investment Strategy</p>	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open
<p>2024/25 Budget Update To consider a report from the Deputy Chief Executive (S151) proposing the 2024/25 Budget and recommends the Band D Council Tax charge for 2024/25</p>	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open
<p>2024/25 Council Tax Resolution To consider a report from the Deputy Chief Executive (S151) proposing the 2024/25 Band D Council Tax charge for 2024/25</p>	Council	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open
<p>National Non Domestic Rates (NNDR1)</p>	Cabinet Council	6 Feb 2024 21 Feb 2024	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Finance	Open

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)
Income Management Policy To receive a review of the MDH Income Management Policy	Homes Policy Development Group Cabinet	19 Mar 2024 2 Apr 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services	Open
Corporate Anti-Social Behaviour Policy	Community Policy Development Group Cabinet	26 Mar 2024 14 May 2024		Cabinet Member for Community & Leisure	Open
Single Equalities Policy and Equality Objective	Community Policy Development Group Cabinet	26 Mar 2024 14 May 2024	Matthew Page, Corporate Manager for People, Governance and Waste, Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for Community & Leisure	Open

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