

Scrutiny Committee

Monday, 15 January 2024 at 5.30 pm
Phoenix Chambers, Phoenix House, Tiverton

Next ordinary meeting
Monday, 19 February 2024 at 5.30 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.

The meeting will be hybrid and an audio recording made and published on the website after the meeting.

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

Meeting ID: 310 226 241 869

Passcode: huktXF

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Membership

Cllr R Gilmour
Cllr G Westcott
Cllr D Broom
Cllr E Buczkowski
Cllr A Cuddy
Cllr G Czapiewski
Cllr G Duchesne
Cllr M Farrell
Cllr B Holdman
Cllr L Knight
Cllr R Roberts
Cllr S Robinson

AGENDA

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

- 1 **Apologies and Substitute Members**
To receive any apologies for absence and notices of appointment of substitute Members (if any).
- 2 **Declarations of Interest under the Code of Conduct**
To record any interests on agenda matters.
- 3 **Public Question Time**
To receive any questions relating to items on the agenda from members of the public and replies thereto.

Note: A maximum of 30 minutes is allowed for this item.
- 4 **Minutes of the Previous Meeting** (*Pages 5 - 18*)
To consider whether to approve the minutes as a correct record of the meeting held on Monday 18 December 2023.
- 5 **Decisions of the Cabinet**
To consider any decisions made by the Cabinet at its last meeting that have been called-in.
- 6 **Chairman's Announcements**
To receive any announcements that the Chairman of Scrutiny Committee may wish to make.
- 7 **Work Programme** (*Pages 19 - 32*)
To review the existing Work Plan and consider items for the committee's future consideration, taking account of:
 - a) Any items within the Forward Plan for discussion at the next meeting;
 - b) Suggestions of other work for the Committee in 2024/25.
 - c) The order in which the Scrutiny Committee would like to Scrutinise Cabinet Members about their portfolios.
- 8 **Regulation of Investigatory Powers Act (RIPA) Report**
To receive a verbal update from the District Solicitor and Monitoring Officer
- 9 **MDDC Budget 2024-25 - Review** (*Pages 33 - 60*)
To scrutinise the Medium Term Financial Plan (MTFP) for 2024 2025 and beyond.
- 10 **KPI's on Planning Enforcement** (*Pages 61 - 68*)
To receive a report from the Director of Place regarding Key Performance Indicators relating to Planning Enforcement

Stephen Walford
Chief Executive
Friday, 5 January 2024

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 David Parker on: dparker@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

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MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 18 December 2023 at 5.30 pm

Present

Councillors

R Gilmour (Chairman)
G Westcott (Vice Chairman), D Broom,
E Buczkowski, G Czapiewski, G Duchesne,
A Glover, B Holdman, R Roberts and
S Robinson

Apologies

Councillor(s)

L Knight

Also Present

Councillor(s)

J Buczkowski, S Keable, J Lock, L Taylor, J Wright and
D Wulff

Also Present

Officer(s):

Andrew Jarrett (Deputy Chief Executive (S151)), Maria De
Leiburne (District Solicitor and Monitoring Officer), Matthew
Page (Corporate Manager for People, Governance and
Waste), Simon Newcombe (Corporate Manager for Public
Health, Regulation and Housing), Angie Howell
(Democratic Services Officer) and David Parker
(Democratic Services & Policy Research Officer)

**Councillors
Online**

A Cuddy, M Farrell, C Adcock, F W Letch and J Poynton

Officers Online

Lisa Lewis (Corporate Manager for Digital Transformation
and Customer Engagement, Dr Stephen Carr (Corporate
Manager Performance and Improvement Manager).

47 APOLOGIES AND SUBSTITUTE MEMBERS (00:04:40)

Apologies were received from Cllr L Knight who offered Cllr A Glover as a substitute.

48 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:05:05)

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

No interests were declared under this item

49 **PUBLIC QUESTION TIME (00:05:28)**

Sarah Coffin (The Chairman read out on Sarah Coffin's behalf)

Ref: Scrutiny Meeting 08/11/2021 (Agenda Item No. 11)

I am writing with reference to the above proposal submitted to Scrutiny by Councillor Barnell and accepted by Committee members; calling for a cross-agency investigation into the various nuisance and planning breaches, arising from the unfettered expansion of farm-fed anaerobic digester (AD) plants and servicing farm operations.

In view of the sheer volume of expert evidence submitted and the ongoing related issues, can the Committee please confirm:

Question 1: Whether a detailed investigation took place, as requested by the proposal?

Answer: Further to the November 2021 Scrutiny meeting, the then Chairman of the Scrutiny Committee wrote to neighbouring authorities in order to consider whether a joint investigation in to AD plants could be progressed with the input of those authorities – this being considered necessary in order to inform any investigation. Ultimately, the investigation did not progress beyond this stage but further work did progress within Mid Devon – including a visit to an AD plant in a neighbouring authority and further and ongoing work relating to AD plants within Mid Devon, led by officers.

Question 2: Whether there was a record of those invited who attended, as well as those who did not?

Answer: This was not relevant as the investigation did not progress.

Question 3: Were any conclusive findings and recommendations published in a closing report and made available to both elected Councillors and the public?

Answer: This was not relevant as the investigation did not progress.

In relation to the following Nuisance/ Enforcement related issues:

Question 4: What 'risk assessment' process was used by Council officers prior to advising elected Members on potential 'legal costs' implications, related to contentious Planning/Enforcement Appeals; who has sight and final decision over interpretation of any 'legal opinion/advice' if obtained?

Answer: Any 'Risk assessment' would vary between applications and will be dependent upon the unique characteristics of any application – as does who, for example, (an officer, members or both) makes final decisions.

Question 5: Does such process include counter consideration of potential lost revenue via 'withheld rates' (escrow account) or 'reduced rates' (Rates Tribunal) awarded to proven 'Nuisance/blight impacted' properties?

Answer: Planning enforcement matters were considered in light of relevant planning legislation and best practice.

Question 6: If Councillors agree 'Planning integrity' requires 'effective Enforcement' and without both, there can be no credible 'Net Zero/Climate' pledge/policy, please grant this review urgently?

Answer: This question relates to both a specific case and policy. Planning enforcement is discretionary and has to be managed from within the Council's limited resources. Nonetheless, Mid Devon District Council is committed to effective and proportionate enforcement and is accordingly focused on addressing the most severe planning breaches. Mid Devon is equally committed to ensuring that net-zero and climate policies are achieved.

Barry Warren

Questions in relation to item 11 on the agenda:

In Section 1, page 82, it states: "It should be noted that within the time constraints the working group has not been able to interview every stakeholder of potential interest nor examine every single document from the previous 7 years related to this topic."

Question 1: Who by, and how were the time constraints decided and set?

Answer: The Leader of the Council in concert with the Chairman of the Scrutiny Committee set the time constraints.

Question 2: Who advised and then decided who should be interviewed?

Answer: The Working Group decided for themselves who should be interviewed, the Working Group had the support of the Policy Research Officer to the Scrutiny Committee but they were not "advised" as you suggest, the Working Group took their decisions on the basis of the process they were going through.

It further states: "However, all the relevant material was made available, etc."

Question 3: Who decided what material was to be made available?

Answer: The Working Group decided, they had access to all material that they requested.

Question 4: As none of the Working Group were members of the last administration or the previous one when 3 Rivers was set up, who decided what material was relevant?

Answer: The Working Group had access to all material and decided for themselves which areas to concentrate on so as not to go over ground previously covered by outside auditors.

Question 5: Did the Working Group listen to any of the audio recordings of 'relevant' meetings as they contained all the discussions and, not just the brief summaries contained in the minutes, some of which have been challenged at times?

Answer: The Working Group did not listen to any audio recordings, although they were well aware that they were available and they could have listened to them but

they did not feel the need to do so, much of the debate happened in Part II for which there would not be audio recordings.

The 10 recommendations are 'For Noting only'.

Question 6: Does not the potential loss of many millions of pounds of public money by MDDC warrant more action or comment than this?

Answer: The Working Party were asked to carry out a "Lessons to be Learned" exercise – it was appropriate that the recommendations were to be noted.

Question 7: Recommendation 8 talks of Trust. Previously, any questioning of the advice being offered by Officers was invariably deemed as 'Criticism' and Members have been intimidated into not questioning officer advice at all. Look where that has got us. Trust can only be achieved if elected Members are able to thoroughly examine, and question, the advice being given by officers in order to gain a fuller understanding of it. Will the Working Group make a further recommendation regarding this?

Answer: The Working Group felt able and confident to thoroughly examine and question the advice given by officers and the resulting recommendation that trust between all stakeholders is a precondition of successful delivery of future development projects satisfies the objective.

Nick Quinn (The Chairman read out on Nick Quinn's behalf)

In relation to Agenda item 11- Working Group Lessons Report on 3 Rivers

There are some factual errors in the wording of the report (not the recommendations).

In the summary section on the first page of the report, the Working Group state that time constraints meant they were not able to see all persons and documents. If more time had been allowed, additional information could have been obtained and used for the double- checking and validation of all points, prior to the publication of this report.

Question 1: Why was the Working Group not given all the time they felt necessary, to complete this task?

Answer: The Working Group do not accept that there are any factual errors on the report and have not been shown any evidence to the contrary. The Working Group had to adhere to a timetable set by the Leader of the Council.

There are statements in the report which are incorrect, and other statements which appear to be incorrect.

Question 2: If evidence is provided to them, will the Working Group correct specific statements in the report?

Answer: As mentioned before, the Working Group do not accept that any of the statements they made are incorrect and are satisfied with the report. The report is

complete and it is too late to submit further evidence.

Question 3: If asked directly to do so, will the Working Group provide the evidence they used as the basis for some of the specific statements?

Answer: No

Lastly: This report is being presented to Scrutiny Committee and is “For noting only”. For the final report to have real value, and to prevent any possibility of a re-occurrence of what had happened, the recommendations would need to be considered and adopted by Full Council.

Question 4: Will the final report be put before Audit Committee, Cabinet and Full Council for acceptance?

Answer: No

Paul Elstone

Questions in relation to Agenda Item 11, The 3 Rivers Lessons Learned Report:

Question 1: Section 1 Summary and Recommendations states

Quote “All relevant material was made available”.

How can this be stated and when the Working Group had been told that Council Officers were threatening Members of the General Public with criminal action, if they provided certain documents?

It seems that former Council Leaders also received veiled threats if they made documents they may have held available.

That despite being fully aware, the current Council Leader failed to intervene to ensure key documents were released.

Question 2: Why were the former Council Leaders not interviewed in person, especially when the Working Group were made fully aware of the threats against them?

Question 3: Evidence is available which conflicts with several statements in the report. Did the Working Group have time to fully fact check the information they were provided with?

Question 4: The Working Group Report identified many and serious governance failings. What the Working Group have failed to do, is to reference who should have prevented these serious failings and how. It should be clear to any anyone with an understanding of the responsibilities of Local Government Statutory Officers, what the full root cause is. It has nothing to do with the various excuses the Public have previously been given including Government policy.

Why was the root cause not directly addressed in the report and something that is a serious omission?

Question 5: There is one email that fully identifies the root cause.

An email written to an MDDC Senior Officer in February 2020 and signed by all the Cabinet Members then, including the current Council Leader and a Deputy Leader.

Yet in the report there is no reference to some very serious concerns even allegations including concerns that there could have been a prima facie case to involve the police. An email that can only be described as explosive.

Was this relevant material given to the Working Group?

If so, and given its importance, how many of the signatories were interviewed and who? It is an email given the full content that warrants being in the public domain.

The Chairman explained that as the questions had not been provided in writing in advance of the meeting and that written responses would be provided to him in the fullness of time.

Kate Clayton-White

Questions in relation to Agenda Item 11 – 3 Rivers Working Group – Lessons Learned report:

Question 1: Why were the previous councillors, successfully allowed to request that their statements remain in part 2?

Answer: In order to get some of the Councillors to provide meaningful statements and in order to provide anonymity to all, it was agreed by Officers and the Scrutiny Committee that all statements to the meeting of the Scrutiny Committee would remain anonymous. Had we not done so, then it was likely that the statements would be superficial and not helpful to the Working Group.

Question 2: Which of the internal and external reports mentioned in the working party report are available to the public?

Answer: There have been numerous internal and external reports received during the lifetime of the company. The majority of those reports have been in part 1. Clearly there have been a number of commercially sensitive reports which went into part 2. All the part 1 reports are available on the Mid Devon Website.

Mr Goff Welchman

Questions in relation to Agenda Item 11 – the Working Groups' report into Lessons to be Learned from the 3 Rivers Developments Special Purpose Vehicle (SPV):

Question 1: In the Working Party's report, you list the lessons learned from it, most of these lessons are actually fundamental to the setting up of any business and requisite for any loans from a credible financial institution. The implication is therefore that these steps were not taken at the outset of 3 Rivers otherwise you wouldn't be needing to learn lessons from them. There are just four reasons why these steps were not taken: either ignorance, incompetence, negligence or deliberate avoidance, which of these reasons applies to 3 Rivers and its setting up?

Question 2: If the answer to question 1 is 'none of those' what reason can you give that you can disclose for such vital lessons in setting up a vast financial enterprise being ignored?

The Chairman explained that as the questions had not been provided in writing in advance of the meeting and that written responses would be provided to him in the fullness of time.

50 **MINUTES OF THE PREVIOUS MEETING (00:30:26)**

The minutes of the last meeting held on 30 October 2023 were approved as a correct record and **SIGNED** by the Chairman.

51 **DECISIONS OF THE CABINET (00:30:58)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 12 December 2023 had been called in.

52 **CHAIRMAN'S ANNOUCEMENTS (00:31:04)**

The Chairman wished everybody a Happy Christmas and asked that everyone be mindful that Christmas is not always a happy time for everybody perhaps due to poverty or the reason that they had suffered bereavement around Christmas, it could be a distressing time so the Chairman asked everyone to look out for their colleagues, neighbours and local residents.

53 **CORPORATE PERFORMANCE REPORT (00:31:36)**

The Committee had before it, and **NOTED**, a report* from Dr Stephen Carr which outlined the Corporate Performance Report for Quarter 2 – July to September 2023. The Performance and Risk reports have been separated out and following a recommendation from an internal audit report, the Performance report would be reviewed by the Scrutiny Committee and then by Cabinet. It will come to Scrutiny Committee every 6 months.

Consideration was given to:

- The increase in the number of Homelessness presentations – due to; supply, cost of living pressures, mortgage failures, income levels and a myriad of other reasons. Best captured in overarching Corporate Risk. The tables showed the sharp end of the current nationwide housing crisis. The Council's broad Housing Strategy, the Housing Development Programme and the efforts to get in front of the pressure.
- The drop in housing complaints responded to on time – this was due to the comparatively low number and a slight variation affecting overall performance. Performance is affected by a number of factors including staff absence, complexity of the complaint, and reaching an agreement with the complainant to close the case. Sometimes it was better to give a good quality response than a timely one.
- Tree Planting – how many of those trees survived?
- Panier Market – what were the Council doing to support occupancy rates?
- Community Climate and Biodiversity Grants – what was the rough amount per project? What did the numbers mean in the Community Schemes Environmental Graph?

- Fixed Penalty Notices – in comparison against other periods enforcement was up.
- Further detailed responses to the questions raised will be circulated to Members via email.

Note: * report previously circulated

54 **WORK PROGRAMME INCLUDING FORWARD PLAN (00:45:08)**

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

The following was discussed:

The report into Key Performance Indicators in relation to Planning Enforcement was to be brought forward from March to the January 2024 meeting.

Corporate Parenting was discussed, Cllr J Lock and the Corporate Manager for Public Health, Regulation and Housing would produce an Overview of Corporate Parenting in a timely manner once the Corporate Parenting Board for Devon had been able to organise themselves and could give some input.

The Scrutiny Committee reviewed the two proposed Scrutiny Work Forms. It was **RESOLVED** that the original work proposal form continue to be used.

At the meeting in January members of the Scrutiny Committee would be deciding upon which order they would wish to scrutinise Cabinet Members about their portfolios.

Note: * Forward Plan and Work Programme previously circulated

55 **ANNUAL REPORT OF COMPLAINTS AND COMPLIMENTS (00:57:48)**

The Committee had before it, and **NOTED** a *report from the Corporate Manager for Digital Transformation and Customer Engagement which provided the annual report on Compliments, Comments and Complaints.

The following was discussed:

The report covered two distinct periods. The Local Government Ombudsman annual report which covered the period 22/23 and the last twelve calendar months of monitoring for compliments, comments and complaints.

There had been a significant rise of complaints in a couple of areas; first, housing – as reported to the Homes PDG – the significant rise was due to the housing ombudsman changing the guidelines in which Housing monitor and manage their complaints. There was a focus on listening to Council tenants and therefore a change to the way that the Council were recording, monitoring and responding to tenants and actively encouraging feedback.

The other area where there had been a significant rise in complaints was over refuse and recycling. The monitoring period covered, the new Bin It 123 scheme which was

launched in November 2022 and the Council would expect to see an increase in reports for the first six months of the scheme. Those numbers had now gone back down to similar levels before the roll-out of the project. The increase in complaints was comparatively small, approximately 65 complaints in 12 months out of 3½ million collections every year.

Recently the Housing Ombudsman and the Local Government Ombudsman had held a consultation exercise asking for Council feedback on whether the guidelines regarding complaints should be brought closer together. The consultation closed in November 2023 and the Council awaited the outcome which may mean that later in 2024 the Council in other services would need to match what Housing have been doing. The Corporate Manager encouraged all Councillors to look at the Housing Report for the direction of travel.

With regard to referrals to the Ombudsman, a very low percentage of complaints were referred to the Ombudsman and out of the 12 complaints the Ombudsman considered, only 1 was upheld.

Consideration was given to:

- The number of visits to the Council offices, the district coming out of covid lockdown may well have impacted on the increase in numbers from the previous year. However, homelessness, cost of living and consequential requests for hardship payments may have meant that more people were visiting the Council Offices.
- The new Customer Relationship Manager system would accurately record the numbers visiting the office and the reasons for their visit.

Note: * report previously circulated

56 **COMMUNITY SAFETY PARTNERSHIP (01:09:30)**

The Committee had before it, and **NOTED**, a *report from the Corporate Manager for Public Health, Regulation and Housing.

The Corporate Manager particularly mentioned the Serious Violence Duty, a new duty imposed on Community Safety Partnerships. The activity was relatively limited in 2022-2023. The Community Safety Partnership (CSP) had agreed on their priorities for the year going forward. There was a report going to Cabinet about the strategy around the Serious Violence Duty and the Corporate Manager encouraged all Councillors to look at the report.

The Community Safety Partnership (CSP) was no longer funded in that the Council did not receive any money from the Police and Crime Commissioner (PCC) and so the CSP was now a facilitating and enabling partnership which directed other organisations to the funding which the PCC held rather than having that funding direct, this had reduced the activity that the CSP could introduce themselves. The Government had indicated that they would make some funds available to Devon to deal with the Serious Violence Duty but at present the level of funding was not known.

Note: * report previously circulated

57 **REPORT OF WORKING GROUP INTO THE LESSONS LEARNED FROM 3 RIVERS DEVELOPMENT LTD (01:14:18)**

The Committee had before it, and **NOTED**, a report from the Chairman of the Working Group looking into the Lessons to be Learned from the 3 Rivers Development Ltd Special Purpose Vehicle (SPV). The Chairman of the Working party introduced the report and gave thanks to all members of the Working Group.

Consideration was given to;

- Timescale for the report
- Confidentiality led to more information being given to the Working Group
- The report was on the back of various previous reports into 3 Rivers Development Ltd.
- The Commerciality of any new company being able to go to the market for a loan and the ability of the Council to be able to make commercial loans
- Political consideration in taking on the St George's Court site – the working party had considered this at length and their deliberation had resulted in Recommendation 5 – Public interest regeneration objectives for particular sites should be separately funded from non-commercial sources, for example by the offer of a grant to attract developers. – The development was a social statement as much as a political statement but it was driven by politics.
- A Holding Company containing two subsidiaries one being Teckel and one Non-Teckel.
- The amount of Scrutiny and Investigation the Company had been subject to.
- The costs of the various external reports were already in the public domain and the costs had been included in publicly available accounts.

Note: * report previously circulated

(The meeting ended at 7.03 pm)

CHAIRMAN

Scrutiny Committee Meeting – Monday 18 December 2023

Responses to Public Questions not submitted in advance of the meeting.

QUESTIONS: Paul Elstone - A Local Resident and Council Taxpayer .

My Questions relate to Agenda Item 11 The 3 Rivers Lessons Learned Report.

Question 1 - Section 1 Summary and Recommendations states

Quote *“All relevant material was made available”*.

How can this be stated and when the Working Group had been told that Council Officers were threatening Members of the General Public with criminal action, if they provided certain documents ?

It seems that former Council Leaders also received veiled threats if they made documents they may have held available.

That despite being fully aware, the current Council Leader failed to intervene to ensure key documents were released.

Response: As far as the Working Group were concerned they were content with all the information that was made available to them from both officers and members of the public (who supplied some of this information directly to members of this group and the Chair of the Committee).

The Council would like to make it explicitly clear that there have been no officer threats. The Council have simply written to 3 members of the public with regard to data protection breaches as advised by the Data Protection Officer and the Information Commissioner Officer

Question 2

Why were the former Council Leaders not interviewed in person, especially when the Working Group were made fully aware of the threats against them ?

Response: It was the Working Group’s prerogative to carry out their investigation however they deemed appropriate. There were no threats contained within the request, it simply stated that any information supplied would be verified by the Council’s District Solicitor.

Question 3

Evidence is available which conflicts with several statements in the report. Did the Working Group have time to fully fact check the information they were provided with?

Response: The Working Group were content with all of their investigations carried out.

Question 4

The Working Group Report identified many and serious governance failings.

What the Working Group have failed to do, is to reference who should have prevented these serious failings and how.

It should be clear to any anyone with an understanding of the responsibilities of Local Government Statutory Officers, what the full root cause is.

It has nothing to do with the various excuses the Public have previously been given including Government policy.

Why was the root cause not directly addressed in the report and something that is a serious omission ?

Response: The working group didn't highlight one specific root cause within their report and made the recommendations they felt were appropriate.

Question 5

There is one email that fully identifies the root cause.

An email written to an MDDC Senior Officer in February 2020 and signed by ALL the Cabinet Members then, including the current Council Leader and a Deputy Leader.

Yet in the report there is no reference to some very serious concerns even allegations including concerns that there could be a prima facia case to involve the police.

An email that can only be described as explosive. Was this relevant material given to the Working Group ?

If so, and given its importance, how many of the signatories were interviewed and who?

It is an email given the full content that warrants being in the public domain.

Response: Council officers are not aware of the email being referred to, but would be happy for you to forward it on to them so we can verify your allegations. We would also be interested to know how you have obtained an internal officer/member email.

Responses from Deputy Chief Executive (S151) Officer

QUESTIONS: Goff Welchman - A Local Resident and Council Taxpayer .

My Questions relate to Agenda Item 11 The 3 Rivers Lessons Learned Report.

Question 1: In the Working Party's report, you list the lessons learned from it, most of these lessons are actually fundamental to the setting up of any business and requisite for any loans from a credible financial institution. The implication is therefore that these steps were not taken at the outset of 3 Rivers otherwise you wouldn't be needing to learn lessons from them. There are just four reasons why these steps were not taken: either ignorance, incompetence, negligence or deliberate avoidance, which of these reasons applies to 3 Rivers and its setting up?

Question 2: If the answer to question 1 is 'none of those' what reason can you give that you can disclose for such vital lessons in setting up a vast financial enterprise being ignored?

Response to questions 1 & 2

Although the working group's (WG) recommendations focused on a number of lessons learned, many/most of these items were in place from the outset of the company. But the WG felt that these points should be reiterated if the Council was ever intending to consider another commercial venture in the future.

For information purposes, the Council undertook a significant amount of internal due diligence and secured external professional advice from a number of parties before setting up the company. It also procured additional expertise during the life of the company, at a number of junctures. This advice encompassed corporate governance, financial performance, risk control measures and business appraisals. Businesses can always learn from past decisions and clearly there will often be a myriad of internal and external events that will have impacted company performance. At this point it is probably worth reflecting that many public and private sector development companies have been adversely affected by the multi-faceted impacts of; Covid19, the issues in Ukraine and the current cost of living crisis (impacting both material prices and supply), none of which appear in your question as potential challenges that may have impacted on business performance.

Your question also appears to place no context on the significant austerity programme that has seen the Council's core Government grant funding decrease by circa £4m per annum over the past 10 years. Which has led many Councils, such as ours, in to exploring other commercial revenue generating opportunities to mitigate some of these funding cuts, which by their very nature will have an inherent level of commercial risk and potential reward.

Response from Deputy Chief Executive (S151) Officer

SCRUTINY COMMITTEE WORK PLAN 2023-24

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
15 January 2024				
15.01.24	Regulation of Investigatory Powers Act (RIPA) report To receive a verbal update from the Monitoring Officer		District Solicitor and Monitoring Officer	
15.01.24	Draft Budget To consider the initial draft 2024/2025 Budget and options available to set a balanced budget and if appropriate make recommendations to Cabinet & Council		Deputy Chief Executive (S151)	
15.01.24	KPI's on Enforcement		Director of Place Development Management Manager	
19 February 2024				
19.02.24	Whistleblowing Annual Update To receive details of any Whistleblowing instances in the previous year.		Corporate Manager for People, Governance and Waste	
19.02.24	Establishment Report To Receive a report from the Corporate Manager for People Governance and Waste		Corporate Manager for People, Governance and Waste	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
19.02.24	<p>Motion 564 – Inclusivity and Community Engagement – does Local Government work for women? Work needs to be continued. Some recommendations had been approved by the Scrutiny Committee and Full Council but they still needed to be finalised. Report from the Working Group</p>			
18 March 2024				
18.03.24	<p>Motion 583 - Protecting Rivers and Seas Report back from Director of Place</p>		Director of Place	
18.03.24	<p>Devon Home Choice To receive a report from the Corporate Manager for Public Health, Regulation and Housing</p>		Corporate Manager for Public Health, Regulation and Housing	
15 April 2024				
15.04.24	<p>Scrutiny Chairman's Annual Report To receive a report from the Chairman of the Scrutiny Committee on the work the Scrutiny Committee has conducted over the last year.</p>			

MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

JANUARY 2024



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)
<p>2024 / 2025 Fees and Charges This may need to move to a wider paper on Council Charges for consideration by all PDG's</p>	<p>Environment Policy Development Group Cabinet</p>	<p>7 Nov 2023 9 Jan 2024</p>	<p>Paul Deal, Corporate Manager for Finance, Property and Climate Change</p>	<p>Cabinet Member for Environment and Services</p>	<p>Open</p>
<p>Strategic Grants Review To receive a report outlining the budget, existing grant. Community PDG Members will be asked to decide on funding levels and payment award (one-year, two-years, three-years). To receive representatives of current grant recipients to make a 10-minute presentation.</p>	<p>Community Policy Development Group Cabinet</p>	<p>28 Nov 2023 9 Jan 2024</p>	<p>Zoë Lentell, Economic Development Team Leader</p>	<p>Cabinet Member for Community & Leisure</p>	<p>Part exempt</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)
Biodiversity Duty	Cabinet	9 Jan 2024	Jason Ball, Climate and Sustainability Specialist	Cabinet Member for Climate Change	Open
2024/25-2028/29 MTFP Plan 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	Cabinet Member for Finance	Open
Corporate Performance Report	Cabinet	9 Jan 2024	Matthew Page, Corporate Manager for People, Governance and Waste	Leader of the Council	Open
Corporate Performance Dashboard	Cabinet	9 Jan 2024	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Corporate Risk Report	Cabinet	9 Jan 2024	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	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)
The Devon Serious Violence Strategy	Cabinet	9 Jan 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Community and Leisure	Open
Service Standards - Tenant Involvement & Empowerment	Homes Policy Development Group Cabinet	16 Jan 2024 6 Feb 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing	Cabinet Member for Housing and Property Services	Open
Revised Pets and Animals Policy	Homes Policy Development Group Cabinet	16 Jan 2024 6 Feb 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing	Cabinet Member for Housing and Property Services	Open
Revised Garage, GGRP and Parking Space Policy To receive the revised Garage, GGRP and Parking Space Policy	Homes Policy Development Group Cabinet	16 Jan 2024 6 Feb 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing	Cabinet Member for Housing and Property Services	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)
Regulation of Investigatory Powers	Community Policy Development Group Cabinet	23 Jan 2024 6 Feb 2024	Maria De Leburne, District Solicitor and Monitoring Officer	Cabinet Member for Community & Leisure	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	Cabinet Member for Environment and Services	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

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)
Customer Care Policy To receive the updated Customer Care Policy	Community Policy Development Group Cabinet	23 Jan 2024 6 Feb 2024			Open
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	Cabinet Member for Climate Change	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	Cabinet Member for Climate Change	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
Contractor for the Minor Works Contract 2024 - 2028	Cabinet	6 Feb 2024	Mike Lowman, Building Services Operations Manager	Cabinet Member for Housing and Property Services	Part exempt

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)
Contractor for the Vinyl Flooring Contract 2024 - 2028	Cabinet	6 Feb 2024	Mike Lowman, Building Services Operations Manager	Cabinet Member for Housing and Property Services	Part exempt
S106 Governance	Cabinet	6 Feb 2024	Joanna Williams, Planning Obligations Monitoring Officer	Cabinet Member for Finance	Open
Town and Parish Charter To approve a draft Town and Parish Charter for consultation.	Cabinet	6 Feb 2024	Richard Marsh, Director of Place	Cabinet Member for Community & Leisure	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, 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)
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
Str. 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)	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)	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)
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	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive	Cabinet Member for Finance	Open
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	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151)	Cabinet Member for Finance	Open
National Non Domestic Rates (NDR1)	Cabinet Council	6 Feb 2024 21 Feb 2024	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Finance	Open
Completion Notice Policy	Cabinet Council	6 Feb 2024 21 Feb 2024	Corporate Manager for Revenues, Benefits, Corporate Recovery, Development Management and Corporate Fraud	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)
Council Tax Empty Premises Policy	Cabinet Council	6 Feb 2024 21 Feb 2024	Corporate Manager for Revenues, Benefits, Corporate Recovery, Development Management and Corporate Fraud	Cabinet Member for Finance	Open
<p>Page 29</p> RDR DRR Policy Amendment	Cabinet	6 Feb 2024	Corporate Manager for Revenues, Benefits, Corporate Recovery, Development Management and Corporate Fraud	Cabinet Member for Finance	Open
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	Council	21 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open
Contractor for the Licensed	Cabinet	5 Mar 2024	Mike Lowman,	Cabinet Member for	Part exempt

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)
Asbestos Surveying and Removal Works 2024 - 2028			Building Services Operations Manager	Housing and Property Services	
Tenure Reform and Changes to the Tenancy Agreement - Project Plan To receive a project plan to tenure reform	Homes Policy Development Group Cabinet	21 Nov 2023 5 Mar 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services	Open
Contractor for the Unlicensed Asbestos Surveying and Removal Works 2024 - 2028	Cabinet	5 Mar 2024	Mike Lowman, Building Services Operations Manager	Cabinet Member for Housing and Property Services	Part exempt
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	Community Policy	26 Mar 2024		Cabinet Member for	Open

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Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Behaviour Policy	Development Group Cabinet	14 May 2024		Community & Leisure	
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
Silverton Neighbourhood Plan	Cabinet Council	2 Apr 2024 24 Apr 2024	Tristan Peat, Forward Planning Team Leader		Open
Destination Management Plan for Mid Devon	Economy Policy Development Group Cabinet	Not before 1st Nov 2024 Not before 1st Nov 2024	Richard Marsh, Director of Place	Cabinet Member for Planning and Economic Regeneration	Open
Economic Strategy 2024 -	Cabinet	Not before 1st	Richard Marsh,	Cabinet Member for	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)
2029	Economy Policy Development Group	Nov 2024 Not before 1st Nov 2024	Director of Place	Planning and Economic Regeneration	
New 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	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	Cabinet Member for Housing and Property Services	Open

Report for: Cabinet

Date of Meeting:	9 January 2024
Subject:	2024/25 – 2028/29 Medium Term Financial Plan Update
Cabinet Member:	James Buczkowski – Cabinet Member for Finance
Responsible Officer:	Andrew Jarrett – Deputy Chief Executive (S151)
Exempt:	N/a
Wards Affected:	All
Enclosures:	Appendix 1 – General Fund Budget Summary by Service Appendix 2 – HRA Summary Position Appendix 3 – HRA fees/charges Appendix 4 – Capital Programme

Section 1 – Summary and Recommendation(s)

This report provides an update on the 2024/25 General Fund Budget and Capital Programme and proposes a balanced budget for the Housing Revenue Account.

Recommendation(s):

Cabinet are asked to:

- 1. Note the initial results from the 2023 Residents Survey in relation to the Budget (section 3);**
- 2. Consider and agree the revisions to the 2024/25 General Fund Budget as outlined within Section 4, and indicate how they wish the remaining budget deficit to be mitigated;**
- 3. Note the update on the Local Government Finance Settlement included within Section 5;**
- 4. Consider and agree the revisions to the 2024/25 Housing Revenue Account Budget as outlined within Section 6;**
- 5. Consider and agree the proposed increase in HRA Rents and Fees as outlined in Appendix 3;**
- 6. Consider and agree the updated 2024/25 to 2028/29 Capital Programme explained in Section 7 and Appendix 4.**
- 7. Note the updated MTFP's for the General Fund, Housing Revenue Account and Capital Programme covering the years 2025/26 to 2028/29**

and agree that work on strategic planning for delivering a balanced budget for 2025/26 and beyond is commenced immediately.

Section 2 – Report

1. Introduction and purpose of the Medium Term Financial Plan

- 1.1. The main purpose of the MTFP is to show how the Council will strategically manage its finances in order to support the delivery of the priorities detailed in the Corporate Plan 2020 – 2024 and future years beyond that plan. This will importantly need to take account of the new council administration in their emerging corporate plan ambitions.
- 1.2. The Council has a legal requirement to set a balanced budget and needs to ensure its overall costs are affordable i.e. they can be funded through income and planned short-term use of reserves. Members therefore need to take the necessary decisions and actions to manage net spending within affordable limits.
- 1.3. This report provides an update on the 2024/25 General Fund Budget and Capital Programme and proposes a balanced budget for the Housing Revenue Account.

2. 2024/25 – 2028/29 Budget Process

- 2.1. In September, the General Fund (GF) indicated a budget deficit of £2.103m in 2024/25 rising to over £5.2m by the end of the 5-year timeframe, based upon a number of key assumptions (e.g. changes for Government funding mechanisms, inflation rates, pay award, Council Tax level, use of balances/reserves).
- 2.2. An initial round of savings options were identified totalling £1.337m and presented to the various Policy Development Groups on route to October Cabinet. Following approval the deficit reduced to £765k.
- 2.3. Following further review and refinement, these savings were increased by £307k. In addition, following further detailed challenge and review of each service area through a Star Chamber process lead by the Deputy Chief Exec (S151), Corporate Manager for Finance, Property and Climate Change, and the HR Operations Manager, a net £37k additional savings were presented to Cabinet in December 2023. This increased the value of the savings identified to £1.685m and reduced the outstanding deficit to £418k.
- 2.4. This report updates the position for the 2024/25 General Fund budget and shows the adjustments made in mitigating the previously reported deficit of

£418k down to £150k. Work continues to review the budget and ensure it is robust. It is therefore likely, given the timing, that the identification of amendments to budget proposals and potential further government announcements may refine the budget further.

- 2.5. The report also proposes a balanced budget for the Housing Revenue Account. Initially, the HRA budget deficit reported to the Homes PDG forecast a shortfall of £205k for 2024/25, rising to £3.081m over the five-year timeframe. Following review, the 2024/25 position had improved to be a projected surplus of £285k by December Cabinet, largely due to revisions in income forecasts, although the Capital Programme still required further refinement.
- 2.6. The proposed Capital Programme has increased slightly from the £36.087m presented to December Cabinet, now comprising of £21.506m of new General Fund projects and £16.136m of HRA Development Programme.

3. Initial Results from the 2023 Residents Survey

- 3.1. For six weeks during November/December 2023, the Council undertook a Resident's Survey. The feedback from which will be reviewed (including any associated action plans) in a Cabinet report in March 2023.
- 3.2. The online survey was publicised as widely as possible including local press, social media and through Parish Councils. Paper copies were also available and Customer Services staff were also able to assist anyone who was unable to complete the form, but wanted to have their say. It received over 800 responses (lower than in 2022), but caution is advised in terms of this being statistically representative.
- 3.3. Part of that survey included specific consultation on the 2024/25 budget. The budget feedback will be considered at the next round of Cabinet and PDG meetings in January. A summary of the budget related responses is included below along with a comparison, where applicable, to last year's results and those received from the Local Government Association resident satisfaction telephone survey, conducted in June 2023:
 - 36% strongly agree or tend to agree the Council provides value for money. (42% LG Inform 2023 / 46% Mid Devon Residents' Survey 2022);
 - 45% said the most important priority when making spending decisions was providing basic statutory services (42% in 2022), 17% seeking to support and develop the economy (16% Mid Devon Residents' Survey 2022), 17% delivering affordable housing (14% Mid Devon Residents' Survey 2022), and 11% said tackling climate change (15% Mid Devon Residents' Survey 2022);
 - 42% said when making spending plans the Council should protect services even if it means it will need to increase council tax and fees and charges

(50% Mid Devon Residents' Survey 2022). 31% said the Council should share services with other organisations (20% Mid Devon Residents' Survey 2022).

- 58% think the Council should seek to generate additional income from planning and building control (63% Mid Devon Residents' Survey 2022), and 42% said from licensing.
- Of the discretionary services provided by MDDC there was a fairly even balance about which services should be protected: 57% public toilets, 55% favoured parks and open spaces, 52% town centre regeneration (52%, 51% and 46% respectively, Mid Devon Residents' Survey 2022).
- Of our statutory services, 92% felt waste and recycling service was the most important service (92% Mid Devon Residents' Survey 2022), followed by food and water sampling with 66% (69% Mid Devon Residents' Survey 2022), and street cleaning at 58% (56% Mid Devon Residents' Survey 2022).

3.4. The results generally show a desire to protect basic service provision, even if it means it will need to increase council tax and fees and charges. Specific service areas results show a downward trend with many 2022 results being lower than the prior year equivalent.

3.5. The current proposed budget reflects much of this, through:

- Protecting services – service provision remains largely in line with the current level of service provision wherever possible, although there clearly remains an increasing deficit to offset in future years;
- Significant investment in decarbonisation of our estate and additional housing;
- Income generation has been prioritised with a full review of Fees and Charges and inflationary price increases applied. In some cases, above inflation increases have been applied to discretionary services to ensure full cost recovery is achieved.

3.6. Income from Planning Development is largely controlled by Government as planning fees are set nationally. However, these have recently been increased and have been reflected within the proposed budget, although this is still not sufficient to offset the full cost of delivering the service. All discretionary fees have been increased to further minimise the difference between the cost of operating this service and the income it generates.

3.7. In response to the question on what else should be considered a priority when setting the budget. The key themes for these responses were – those who are vulnerable, climate change, council value for money/efficiency and again a focus on functions which are not provided by Mid Devon District Council (e.g. social care, pot holes, street lighting, greater police presence, etc.).

3.8. Resident and customer feedback is a powerful source of information that will enable us to ensure that we are directing our resources to the areas of highest

priority and take remedial action in areas that our public are voicing concerns over.

4. 2024/25 General Fund Budget – Revised Position

4.1. The proposals contained in this report result in a reduced budget deficit of £150k for the 2024/25 General Fund (see **Appendix 1**), a reduction of £269k from the £418k forecast budget deficit last reported to Cabinet. The following table shows the movements since December:

Table 1 – Reconciliation of budget movements since December

Movements	Amount £k
Budget Shortfall presented to December Cabinet	418
Implications of the Finance Settlement and other Government Grants	(85)
Additional Business Rates Growth – net of contributions to EMR	(27)
Additional Council Tax Yield following increase in Referendum Limit	(53)
Further Service savings identified – Building Control Partnership	(78)
Further refinement of Service Budgets	(23)
Finalisation of the recharges to HRA	(2)
Current Budget Shortfall for 2024/25	150

4.2. A Summary of the recently announced Finance Settlement is included within Section 4 below. This has impacted upon Government Grants, Business Rates and Council Tax.

4.3. Although the proposal for Building Control fees is to increase by 6.7% in line with the majority of the Council’s other fees and charges, the overall budgeted income yield is forecast to reduce due to the current economic conditions and reduced house building. This reduction in income alters the balance of the Partnership which reduces our share of the budgeted costs – leading to a £78k saving.

4.4. There are a couple of minor refinements to service budgets including Member Allowances reflecting the proposal from the Independent Remuneration Panel, and an slight increase in recycle income following a minor increase in the price of plastics.

4.5. Despite further analysis work and discussions with Members and Budget Holders, it was not possible to identify the full £418k ongoing savings required. Cabinet are asked to consider how to offset the remaining £150k deficit, through further service savings/income options or by a one-off use of reserves to enable the continuation of the current level of service provision wherever possible.

5. Local Government Finance Settlement Update

- 5.1. The Provisional Local Government Finance Settlement: England, 2024 to 2025 was published on Monday 18 December 2023 by the Rt Hon Michael Gove MP (Secretary of State for Levelling Up, Housing and Communities).
- 5.2. Unsurprisingly, it only covers one financial year again, 2024/25; a sixth one-year settlement in a row. Therefore no indications were included about future funding levels leaving councils continuing to struggle with long term financial planning and financial sustainability.
- 5.3. The announcement launches a short consultation on the published details before being finalised in Late January / early February, although there is rarely any material movement.

5.4. National Headlines

- 5.4.1. In his covering statement, the Minister declared “the settlement provides an increase of 6.5% on 2023-24 - an above inflation rise in recognition of the pressures being faced by local authorities....It is good news for our local government sector that we are presenting an above-inflation increase in funding.”

The national control totals announced show this:

Table 2 – Core Spending Power – National Control total

	Core Spending Power
2023/24	£60.197bn
2024/25	£64.100bn
Movement £	£3.903bn
Movement %	6.48%

- 5.4.2. It must be noted however that much of the additional funding is through the assumed increase in Council Tax, and grant directed towards social care “to continue to support councils providing essential adult and children’s social care services, we are making available £1 billion in additional grant funding for social care in 2024-25 compared to 2023-24.” Furthermore, the most relatively deprived areas of England will receive 18% more per dwelling in available resource through this settlement than the least deprived areas. **Therefore, Mid Devon District Council does not see an increase of this scale.**
- 5.4.3. Within the overall figures is a commitment that “The Funding Guarantee introduced last year will be maintained to ensure every council in England sees at least a 3% increase in Core Spending Power before any local decisions are made around council tax. This decision has been taken in recognition of the pressures being faced by local authorities despite the recent drop in inflation”.

Mid Devon District Council will benefit from this commitment but our increase is below the current level of inflation. Instead, local authorities are asked to “consider how they can use their reserves to maintain services over this and the next financial year”.

5.4.4. The previously indicated Council Tax Referendum limits were confirmed for 2024/25, as follows:

- a core council tax referendum limit for local authorities of up to 3%;
- a council tax referendum principle of up to 3% or £5, whichever is higher, for shire district councils;
- an adult social care precept of 2% for all authorities responsible for adult social care services;
- a council tax referendum principle of £13 for police authorities;
- the core council tax principle of up to 3% will apply to fire and rescue authorities; and
- no council tax referendum principles for mayoral combined authorities or town and parish councils, but the government will review the decisions taken by these authorities when considering referendum principles in future years.

Although for Mid Devon District Council this reflects an increase on recent years, District and Fire Authorities continue to have lower allowable increases compared to other categories of Authority. Lobbying continues to improve the allowable increase to be the higher of 4.99% or £10 (still less than 20p per week for MDDC).

5.4.5. The 2023/24 settlement also confirmed that the long awaited reforms to funding and the Business Rates system will not be implemented during this parliament, giving “Stability for councils by maintaining our approach to other grants”. Following apparent calls from the sector for stability, “Now is not the time for fundamental reform, for instance implementing the Review of Relative Needs and Resources or a reset of accumulated business rates growth.”

5.5. Detail relevant to MDDC

5.5.1. Although the Council is much less reliant upon Government Grant than it previously was, it remains a critical event for Council funding as it also outlines key aspects surrounding Council Tax and Business Rates income including the ability for Devon authorities to continue to pool its Business Rates – which is beneficial for the Council.

5.5.2. The headline announcements centre on the government’s Core Spending Power Index. However, it is important to remember that we have made assumptions about funding levels. Therefore it is more appropriate to compare our assumptions to the settlement to understand whether the council is truly

better off. The table below shows the previous assumptions, updated to the settlement announcements where relevant:

Table 3 – Settlement Update compared to MDDC Forecast

Funding Source	2023/24 MDDC Budget	2024/25 MDDC Assumption (Dec 2023)	2024/25 Settlement Update	Movement from Assumption	
	£	£	£	£	%
Business Rates [#]	4,318,960	4,448,560	4,475,860	27,300	0.61%
Council Tax [#]	6,749,030	6,875,743	6,928,933	53,190	0.77%
New Homes Bonus	319,882	319,882	413,765	93,883	29.35%
Rural Services Delivery Grant	547,359	547,359	547,359	0	0.00%
Services Grant	89,506	89,506	14,084	-75,422	-84.26%
Revenue Support Grant	98,468	98,468	104,990	6,522	6.62%
Funding Guarantee	485,358	485,358	542,644	57,286	11.80%
Total	12,608,563	12,864,876	13,027,635	162,759	1.27%

[#] local retained income values included instead of Government figures included within the Core Spending Power.

Therefore, overall it indicates that the Council is £163k better off than expected. Following significant change in the calculation of Business Rates, further analysis is required that might alter the above reported figure.

5.5.3. It must be noted, that the above numbers are provisional and are subject to final confirmation. In particular the increase in Business Rates should be viewed with a degree of caution as clarity around the implementation of split multipliers requires a software upgrade.

6. Housing Revenue Account

6.1. The HRA is a ring-fenced account within Mid Devon’s financial accounting system. This means that a balanced budget must be set each year including all income and expenditure pertinent to the Council’s landlord function and excluding all other income and expenditure (since this would be captured as part of the General Fund budget).

6.2. The proposals contained in this report result in a balanced budget for the HRA (see **Appendix 2**). The forecast budget surplus last reported to Cabinet stood at £285k. The following table shows the recommended actions necessary to move towards a balanced position:

Table 4 – Reconciliation of proposed balancing adjustments

Movements	Amount £k
Budget Shortfall presented to December Cabinet	(285)
Revise Rental charges uplift to 7.7%	(257)
Maintain provision for Bad Debts at current levels	137
Further investment in Maintenance of existing stock	170
Further investment in decarbonisation of existing stock	100
Further investment in the delivery of the Housing Development Programme	58
Finalisation of the recharges to HRA	78
Budget Shortfall for 2024/25	0

- 6.3. Following clarification from Government of the cap of Rental Increases being tied to September CPI + 1%, the uplift has increased in order to enable further investment to that will improve maintenance and increase the decarbonisation of the existing housing stock.
- 6.4. Given the higher than expected increase in rents, it is prudent to retain provision for bad debts at existing levels, rather than reduce them as previously planned.
- 6.5. It is planned to further increase staffing to ensure the Housing Development Programme is delivered at pace.
- 6.6. Finally, the recharge from the General Fund has been updated to reflect the final proposed balanced budget positions.
- 6.7. The final budget summary for the 2024/25 HRA is shown in **Appendix 2**. It will continue to provide for an enhanced housing service which will allow for more capital investment and additions to our existing stock.
- 6.8. A more detailed analysis of the proposed rent increase can be found in Appendix 3 that shows that the average housing rent will increase to £96.73 on a 52 week basis.
- 6.9. It has been deemed as prudent to maintain the HRA reserve balance at £2,000k and it is expected to remain so throughout 2024/25. At the start of 2023/24, other HRA reserves totalled £22,190k. This included £15,775k in the Housing Maintenance Fund (HMF); £653k in the Renewable Energy Fund (REF) and £419k in Major Repairs Reserve. It is intended that any expenditure funded from the REF monies be used on renewable energy schemes.
- 6.10. £950k is planned to be utilised from the HMF in order to support the purchase of St George's Court from 3Rivers as it will be significantly cheaper to fund through the use of existing balances than through fully borrowing in the current economic climate. The borrowing requirement will be met through internal

borrowing, given the prevailing interest rates at present, although this does reduce the value of temporary investments yielding interest. The longer term funding of the purchase will be kept under review and options will be considered once interest rates fall back to more affordable levels. These sites will provide a significant increase in the number of social homes.

- 6.11. The ambition to build a significant number of new properties continues across the 5-year Medium Term Financial Plan. The prospect of building new social housing raises the issue of significant future capital financing requirements. Budget at assumed interest rates of circa 5% is included within the future years of the MTFP to finance the build of a number of new highly efficient (zero carbon) modular buildings, subject to securing sufficient funding. Members are reminded that the constraint on increasing stock is still an issue of affordability, not the access to borrowing.
- 6.12. The new HRA MTFP summary position is shown in the table below. It shows a cumulative shortfall of £2,762k over the remaining four-years of this MTFP which remains to be addressed.

Table 5 – Future Medium Term Financial Plan – Housing Revenue Account

	2025/26 £k	2026/27 £k	2027/28 £k	2028/29 £k
Annual Surplus / Deficit	298	587	829	1,047
Cumulative Surplus/Deficit	298	885	1,714	2,762

7. Capital Programme

- 7.1. The Capital Programme encompasses a broad range of expenditure including operational assets, which will be used for more than one year; assets owned by other bodies, or loans and grants to other bodies enabling them to buy/build assets.
- 7.2. Full project approval is now requested at project inception. This is then profiled by spending managers as their best estimate of when spending will take place to form the Deliverable Budget. This gives a better indication of what is deliverable each year and will better inform our Treasury Management activities.
- 7.3. The proposed 2024/25 programme includes new projects expected to start in 2024/25 totalling £16,217k. In addition, there is £28,504k of slippage from 2023/24 as forecast at Quarter 2 but will be updated at outturn and £48,484k rolling forward from the current programme planned in future years. The nature of capital projects means that they span more than one year, therefore, within this overall approval, £37,642k is expected as the Deliverable Budget for 2024/25. In addition there is £85,998k within the Capital Programme with spend

profiled over future years. These projections are likely to alter, as we get closer to those years as greater information becomes available. Therefore, only the Capital Programme for 2024/25 is proposed for approval; the indicative future years are only for information and noting.

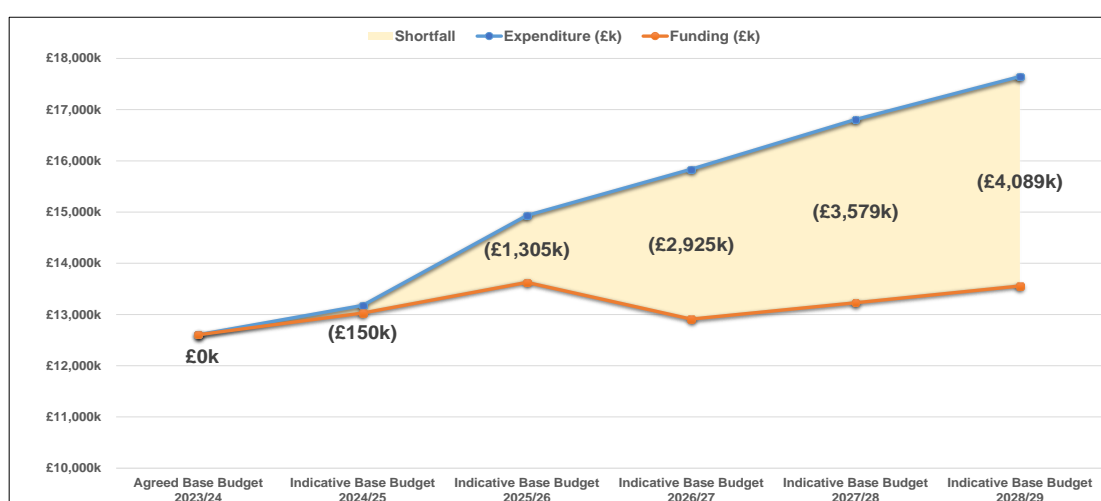
- 7.4. A summary of the Capital Programme expenditure and funding is included in **Appendix 4**. A summary overview is provided below:
- 7.5. The Deliverable Budget includes a significant investment in Housing through the HRA Housing delivery programme (£13,001k). A prudent assumption has been included for the utilisation of 1-4-1 receipts or for additional grant funding to be made available from Homes England; although a substantial element of the cost remains with the Council.
- 7.6. In addition, plans continue with the HIF projects in Cullompton at a cost of £29,679k. The latest Levelling-Up bid was again rejected (for a third time), therefore the associated funding is yet to be identified but the Council is actively pursuing all avenues. At present, the balance is assumed to be funded from Borrowing and so any additional grant successfully attracted to the project will significantly alter the financial assumption and forecast. As with all capital projects, these are all subject to a full appraisal.
- 7.7. The most significant funding source required to support the 2024/25 programme is the £14,992k of assumed borrowing from the Public Works Loan Board (PWLb). The associated capital financing costs are included within the relevant GF or HRA budget. However, it should be recognised that wherever possible, the Council will continue to maximise its usage of internal borrowing to minimise the financing costs. There is a further forecast use of 1-4-1 funding or Homes England Grant summing to £4,787k supporting the Housing Development Programme.
- 7.8. The projected level of usable capital receipts (this includes unringfenced useable capital receipts and capital receipts ringfenced for 1-4-1 replacement homes) available for 2024/25 is £918k. All other previously generated capital receipts have been used to balance the subsequent years of the MTFP.
- 7.9. The future year's Capital Programme shows increased investment in improving the energy efficiency of our property estate and the continuation of investment to increase the HRA Housing stock. The overall borrowing requirement rises accordingly and therefore so does the capital financing costs within the Revenue Budget. These projects will be further refined over time and will be subject to sufficient funding being available.
- 7.10. Any decision to increase the Capital Programme (subject to constraints within the financial rules) would require Full Council approval and be linked to the Corporate Plan priorities.

8. Future Funding Concerns/Cost Pressures

- 8.1. The new General Fund MTFP summary position is shown in the table below. It shows a cumulative shortfall of £4,089k over the remaining four-years of this MTFP which remains to be addressed.

Table 6 – Future Medium Term Financial Plan – General Fund

	2024/25 £k	2025/26 £k	2026/27 £k	2027/28 £k	2028/29 £k
Annual Surplus / Deficit	150	1,156	1,620	654	510
Cumulative Surplus/Deficit	150	1,305	2,925	3,579	4,089



- 8.2. The underlying budget shortfall falls largely in 2025/26 and 2026/27 due to inflation and reduced grant funding assumptions linked to long outstanding and overdue reforms to Local Government Funding mechanisms. The latter years are forecast to be broadly more manageable.
- 8.3. It is clear is that local authorities are in desperate need of a multi-year funding agreement rather than the current year-to-year arrangements which do not allow a considered medium term view of the resources that will be available, and, how these may be managed to optimise service provision within the scope of the Corporate Plan.

9. Next Steps

- 9.1. Moving forward, Members and Officers need to look to reduce the pressures over the next few years reflected in our MTFP and will need to identify ongoing savings to prevent the reliance upon reserves.

- 9.2. In order to conclude the statutory budget setting process, updates to the draft budget position will go through the PDG's and cabinet meetings before being agreed at Full Council on the 21 February 2024. During this period Officers will continue to identify and examine further savings possibilities that can reduce the longer term budget gap.

10. Conclusion

10.1. General Fund

- 10.1.1. The General Fund budget has been set against a backdrop of over a decade of cuts to Public Sector funding, a global pandemic, a once in a generation Cost of Living Crisis, and the closure of the Council's subsidiary housing company. However, the proposed budget largely protects service delivery at current levels. However, further ongoing budget savings options will need to be identified to mitigate the underlying budget shortfall across the remainder of this MTFP.
- 10.1.2. Significant uncertainty remains for the future funding of Local Government. Further delays were announced to the outcomes of the Fair Funding Review and potential changes to both Business Rates and New Homes Bonus. These changes are now due in the next parliament.

10.2. HRA

- 10.2.1. The HRA budget for 2024/25 continues a marked increase in the overall number of units through significant investment. These investments continue across the whole 5-year MTFP period.
- 10.2.2. Rents are proposed to increase by 7.7% in line with the Government's guidance and neighbouring authorities. A prudent allowance has been made for voids and non-collection, in line with that applied to Council Tax, taking into account the current economic climate.
- 10.2.3. Similarly to the General Fund, the longer term position for the HRA shows the funding shortfall although not to the same degree. Work continues to refine the position in order to balance the budget for the years ahead.

10.3. Capital Programme

- 10.3.1. The Capital Programme for 2024/25 includes the continuation of significant investment in social and affordable housing. The capital MTFP also includes investment into improving the energy efficiency of our property estate, and in the economic regeneration of the district. However these projects, as with any capital project, are subject to the Council receiving sufficient grant funding and a robust business case.

10.3.2. Therefore assumptions are built in that the Council will be successful in attracting funding through the increasing number of bid schemes for grant funding. Additional borrowing is also projected which is forecast to increase our Capital Financing Requirement, although wherever possible, this will be mitigated through maximising the use of internal borrowing. The Revenue MTFP includes the associated financing implications.

10.3.3. It is, therefore, imperative that capital funds are only spent on those projects that enable the Council to deliver its Corporate Plan objectives, reduce operational cost, or generate a financial return.

10.4. Future Budgets

10.4.1. The Council will need to prepare for the future in a timely manner and this is why it will continue to discuss how it can provide a wide range of services in a much reduced funding envelope. The process will continue to involve all staff, Members and our local residents/businesses.

Financial Implications

This report updated the position of the GF and Capital Programme and proposes a balanced HRA budget for 2024/25 in line with the Corporate Plan priorities within existing financial resources without materially reducing service delivery. The Local Government Finance Act requires a balanced budget to be set by Friday 10 March 2023.

Legal Implications

None directly arising from this report, although there is a legal obligation to balance the budget. There are legal implications arising from any future consequential decisions to change service provision, but these would be assessed at the time.

Risk Assessment

In order to comply with the requirement to set a balanced budget, management must ensure that the proposed savings are robust and achievable. We must also ensure that the assumptions we have used are realistic and prudent. Failure to set a robust deliverable budget puts the Council at risk of not being able to meet its commitments and casts doubt on its “going concern” and “Value for Money” status.

Impact on Climate Change

The allocation of resources will impact upon the Council’s ability to implement/fund new activities linked to climate change, as the MTFP sets the broad budgetary framework for the Council over the coming years. However, some provision has already been included in the base budget and significant further investment is included

within the Capital Programme, however this will be dependent upon full options appraisals and levels of Grant funding available.

Equalities Impact Assessment

There are no Equalities Impact implications relating to the content of this report. All Policy Development Group meetings have considered and made decisions based on summary feedback from the recently completed resident's survey.

Relationship to Corporate Plan

The Medium Term Financial Plan (MTFP) sets out the financial resources available to deliver the Council's ongoing Corporate Plan priorities.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: 19/12/2023

Agreed by or on behalf of the Section 151

Date: Andrew Jarrett

Statutory Officer: 19/12/2023

Agreed on behalf of the Monitoring Officer

Date: Maria De Leiburne

Chief Officer: 19/12/2023

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

Date: Stephen Walford

Performance and risk: 19/12/2023

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: Dr Stephen Carr

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Andrew Jarrett – Deputy Chief Executive (S151)

Email: ajarrett@middevon.gov.uk

Telephone: 01884 234242

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

Email: pdeal@middevon.gov.uk

Telephone: 01884 234254

Background papers:

- 2024/25 – 2028/29 Medium Term Financial Plan update (September Cabinet)
- 2024/25 – 2028/29 Medium Term Financial Plan update (October Cabinet)
- 2024/25 – 2028/29 Medium Term Financial Plan update (December Cabinet)

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Service Unit	Direct Costs Detail	2023/24	Net		Provisional 2024/25 Budget	Increase / (Decrease)	Increase / (Decrease) %
		Annual Budget	Net MTFP Adjustment	(Savings) Identified			
		£	£	£	£	£	%
Cabinet							
SCM01	Leadership Team	591,373	634,880	(742,993)	483,260	(108,113)	-18.3%
SCM02	Corporate Functions	96,659	10	(20,749)	75,920	(20,739)	-21.5%
SCM03	Corporate Fees	178,668	400,040	(320,768)	257,940	79,272	44.4%
SCM06	Pension Backfunding	646,574	23,126	(9,490)	660,210	13,636	2.1%
SES01	Emergency Planning	7,500	-	44,510	52,010	44,510	593.5%
SFP01	Accountancy Services	528,592	7,540	16,078	552,210	23,618	4.5%
SFP02	Internal Audit	94,760	-	3,790	98,550	3,790	4.0%
SFP03	Procurement	110,324	1,910	40,096	152,330	42,006	38.1%
SFP04	Purchase Ledger	55,444	440	3,781	59,665	4,221	7.6%
SFP05	Sales Ledger	54,369	10	4,631	59,010	4,641	8.5%
SHR01	Human Resources	456,594	6,260	70,806	533,660	77,066	16.9%
SHR02	MDDC Staff Training	20,000	(5,000)	-	15,000	(5,000)	-25.0%
SHR03	Payroll	44,133	-	18,577	62,710	18,577	42.1%
SHR04	Learning And Development	62,188	1,950	(64,138)	-	(62,188)	-100.0%
SIT01	IT Gazetteer Management	83,146	630	5,494	89,270	6,124	7.4%
SIT03	IT Information Technology	1,216,407	15,140	(55,667)	1,175,880	(40,527)	-3.3%
SLD01	Electoral Registration	352,932	(157,500)	5,018	200,450	(152,482)	-43.2%
SLD02	Democratic Rep And Management	555,911	5,290	9,929	571,130	15,219	2.7%
SLD04	Legal Services	418,847	1,210	20,183	440,240	21,393	5.1%
SPR01	Building Regulations	8,925	980	(16,025)	(6,120)	(15,045)	-168.6%
SPR04	Local Land Charges	(42,506)	240	3,386	(38,880)	3,626	8.5%
SRB01	Collection Of Council Tax	553,617	(12,980)	20,033	560,670	7,053	1.3%
SRB02	Collection Of Business Rates	(87,210)	4,090	120	(83,000)	4,210	4.8%
SRB03	Housing Benefit Admin & Fraud	221,029	9,060	(13,059)	217,030	(3,999)	-1.8%
SRB04	Housing Benefit Subsidy	65,000	-	(2,000)	63,000	(2,000)	-3.1%
SRB06	Debt Recovery	96,717	20	18,013	114,750	18,033	18.6%
TOTAL CABINET PDG		6,389,993	937,346	(960,444)	6,366,895	(23,098)	-0.4%
Community PDG							
SCD01	Community Development	138,500	-	(28,500)	110,000	(28,500)	-20.6%
SCS20	Customer Services Admin	18,230	(10,000)	12,470	20,700	2,470	13.5%
SCS22	Customer First	771,413	2,160	20,847	794,420	23,007	3.0%
SES03	Community Safety - C.C.T.V.	57,785	-	(15,055)	42,730	(15,055)	-26.1%
SES04	Public Health	3,490	-	260	3,750	260	7.4%
SES11	Pool Cars	619	180	(799)	-	(619)	-100.0%
SES16	ES Staff Units/Recharges	831,874	(18,310)	64,455	878,019	46,145	5.5%
SES17	Community Safety	6,070	-	(3,570)	2,500	(3,570)	-58.8%
SES18	Food Safety	(17,034)	-	(1,000)	(18,034)	(1,000)	-5.9%
SES21	Licensing	27,142	2,950	18,668	48,760	21,618	79.6%
SES22	Pest Control	1,000	-	(1,000)	-	(1,000)	-100.0%
SES23	Pollution Reduction	13,270	-	(11,920)	1,350	(11,920)	-89.8%
SPR02	Enforcement	102,820	20	2,771	105,611	2,791	2.7%
SPR03	Development Control	479,545	(77,572)	(118,843)	283,130	(196,415)	-41.0%
SPR09	Forward Planning	320,462	290	(20,082)	300,670	(19,792)	-6.2%
SPR11	Regional Planning	269,500	(25,800)	(63,700)	180,000	(89,500)	-33.2%
SRS01	Recreation And Sport	1,401,716	(84,560)	(333,853)	983,303	(418,413)	-29.9%
TOTAL COMMUNITY PDG		4,426,402	(210,642)	(478,851)	3,736,909	(689,493)	-15.6%
Economy PDG							
SCD02	Economic Development	79,261	11,630	(20,478)	70,413	(8,848)	-11.2%
SCP01	Parking Services	(545,510)	32,300	(219,217)	(732,427)	(186,917)	-34.3%
SPR06	Economic Development	851,637	(424,594)	(48,013)	379,030	(472,607)	-55.5%
SPS12	Gf Properties Shops/Flats	(191,950)	4,490	(116,160)	(303,620)	(111,670)	-58.2%
TOTAL ECONOMY PDG		193,438	(376,174)	(403,868)	(586,604)	(780,042)	-403.3%

Service Unit	Direct Costs Detail	2023/24 Annual Budget £	Net MTFP Adjustment £	Net Pressures / (Savings) Identified £	Provisional 2024/25 Budget £	Increase / (Decrease) £	Increase / (Decrease) %
Environment PDG							
SES02	Cemeteries	(32,239)	1,550	(95,859)	(126,548)	(94,309)	-292.5%
SES05	Open Spaces	340,379	2,430	(82,478)	260,331	(80,048)	-23.5%
SGM01	Grounds Maintenance	545,276	(77,580)	96,493	564,189	18,913	3.5%
SPS01	Asset Management	199,063	57,800	453,477	710,340	511,277	256.8%
SPS03	Flood Defence And Land Drain	26,032	-	-	26,032	0	0.0%
SPS04	Street Naming & Numbering	6,723	-	247	6,970	247	3.7%
SPS05	Administration Buildings	653,405	38,610	(378,185)	313,830	(339,575)	-52.0%
SPS06	MDDC Depots	491,102	34,620	(14,244)	511,478	20,376	4.1%
SPS07	Public Transport	(23,429)	-	(1,830)	(25,259)	(1,830)	-7.8%
SPS09	Property Services Staff Unit	781,313	880	50,307	832,500	51,187	6.6%
SPS11	Public Conveniences	33,950	5,820	(19,850)	19,920	(14,030)	-41.3%
SWS01	Street Cleansing	545,263	(47,230)	78,599	576,632	31,369	5.8%
SWS02	Waste Collection	684,044	(59,280)	(314,664)	310,100	(373,944)	-54.7%
SWS03	Recycling	855,169	(39,230)	719,841	1,535,780	680,611	79.6%
SWS04	Waste Management	390,236	1,000	(13,226)	378,010	(12,226)	-3.1%
TOTAL ENVIRONMENT PDG		5,496,287	(80,610)	478,628	5,894,305	398,018	7.2%
Homes PDG							
SES15	Private Sector Housing Grants	(3,160)	110	12,275	9,225	12,385	391.9%
SHG03	Homelessness Accommodation	342,405	(35,040)	95,060	402,425	60,020	17.5%
TOTAL HOMES PDG		339,245	(34,930)	107,335	411,650	72,405	21.3%
Net Direct Services Costs		16,845,365	234,990	(1,257,200)	15,823,155	(1,022,210)	-6.1%
Net Recharge to HRA		(1,883,810)	(75,350)	12,080	(1,947,080)	(63,270)	-3.4%
Capital Financing		703,264	194,545	(85,109)	812,700	109,436	15.6%
Net Service Costs		15,664,819	354,185	(1,330,229)	14,688,775	(976,044)	-6.2%
SIE06	Interest Receivable	(1,112,647)	1,847	52,026	(1,058,774)	53,873	4.8%
SIE03	Interest Costs	261,160	20,040	70,310	351,510	90,350	34.6%
IE995	Transfers TO / (FROM) General Reserves	(625,000)	625,000	-	-	625,000	100.0%
SIE24	Transfers TO / (FROM) Earmarked Reserves	(1,725,097)	1,489,695	(712,045)	(947,447)	777,650	45.1%
Net Budget Requirement		12,463,235	2,490,767	(1,919,938)	13,034,064	570,829	4.6%
SIE11	Business Rates	(4,175,875)	(129,600)	(27,300)	(4,332,775)	(156,900)	-3.8%
SIE08	Council Tax	(6,749,030)	(258,310)	78,407	(6,928,933)	(179,903)	-2.7%
SIE10	Un-Ringfenced Grant Funding	(1,538,330)	-	(84,512)	(1,622,842)	(84,512)	-5.5%
Total Funding		(12,463,235)	(387,910)	(33,405)	(12,884,550)	(421,315)	-3.4%
Annual Shortfall		0	2,102,857	(1,953,343)	149,514	149,514	

Category	2023/24 Annual Budget £	Net MTFP Adjustment £	Net Pressures / (Savings) Identified £	Provisional 2024/25 Budget £	Increase / (Decrease) £	Increase / (Decrease) %
Employees	16,810,548	765,363	(129,503)	17,446,408	635,860	3.8%
Premises	4,241,574	356,350	(466,276)	4,131,648	(109,926)	(2.6%)
Transport	1,318,950	30,640	(53,899)	1,295,691	(23,259)	(1.8%)
Supplies & Services	20,100,124	(802,792)	20,768	19,318,100	(782,024)	(3.9%)
Recharges	(1,883,810)	(75,350)	12,080	(1,947,080)	(63,270)	(3.4%)
Capital	703,264	194,545	(85,109)	812,700	109,436	15.6%
Income	(38,940,553)	144,406	(539,359)	(39,335,506)	(394,953)	(1.0%)
Movement to/(from) Reserves	(2,350,097)	1,489,695	(712,045)	(1,572,447)	777,650	33.1%
	0	2,102,857	(1,953,343)	149,514	149,514	

Category	2023/24 Annual Budget £	Net MTFP Adjustment £	Net Pressures / (Savings) Identified £	Provisional 2024/25 Budget £	Increase / (Decrease) £	Increase / (Decrease) %
Basic Pay	11,928,371	781,650	(334,889)	12,375,132	446,761	3.7%
National Insurance	1,147,026	(6,610)	110,305	1,250,721	103,695	9.0%
Pension Costs	2,876,422	8,256	111,504	2,996,182	119,760	4.2%
Overtime	303,470	-	17,470	320,940	17,470	5.8%
Agency	129,660	-	(19,390)	110,270	(19,390)	(15.0%)
Training + Apprenticeship Levy	181,183	(6,950)	(12,840)	161,393	(19,790)	(10.9%)
Other Employee Costs	244,416	(10,983)	(1,663)	231,770	(12,646)	(5.2%)
	16,810,548	765,363	(129,503)	17,446,408	635,860	

Housing Revenue Account - by service

Code	Service Unit	Base Budget 2023/2024	Movement	Proposed Budget 2024/2025
		£	£	£
Income				
SHO01	Dwelling Rents Income	(13,556,440)	(1,084,240)	(14,640,680)
SHO04	Non Dwelling Rents Income	(487,570)	(46,780)	(534,350)
SHO07	Leaseholders' Charges For Services	(29,000)	0	(29,000)
SHO08	Contributions Towards Expenditure	(190,500)	(26,000)	(216,500)
SHO10	H.R.A. Investment Income	(400,000)	(173,830)	(573,830)
SHO11	Miscellaneous Income	(6,000)	0	(6,000)
		(14,669,510)	(1,330,850)	(16,000,360)
Services				
SHO13A	Repairs & Maintenance	4,190,330	1,178,470	5,368,800
SHO17A	Housing & Tenancy Services	2,089,960	62,290	2,152,250
Accounting entries 'below the line'				
SHO29	Bad Debt Provision	300,000	0	300,000
SHO30	Share Of Corp And Dem	161,170	5,700	166,870
SHO32	H.R.A. Interest Payable	1,232,280	(9,970)	1,222,310
SHO34	H.R.A. Trf To/From Emr	1,447,630	(152,680)	1,294,950
SHO37	Capital Receipts Reserve Adjustment	(20,800)	0	(20,800)
SHO38	Major Repairs Allowance	2,535,000	100,000	2,635,000
SHO45	Renewable Energy Transactions	(160,000)	7,500	(152,500)
	Total	11,775,570	1,191,310	12,966,880

Subjective analysis

Code	Best Value Unit	Base Budget 2023/2024	Movement	Draft Budget 2024/2025
1000	Employees	3,706,370	521,280	4,227,650
2000	Premises	447,340	35,760	483,100
3000	Transport	263,770	28,160	291,930
4000	Cost Of Goods And Services	7,559,490	580,610	8,140,100
7000	Income	(14,870,910)	(1,305,350)	(16,176,260)
	TOTAL	(2,893,940)	(139,540)	(3,033,480)

Code	Best Value Unit	Base Budget 2023/2024	Movement	Draft Budget 2024/2025
5000	Internal Recharges	1,883,810	63,270	1,947,080
6000	Capital Charges	1,010,130	76,270	1,086,400
	TOTAL	2,893,940	139,540	3,033,480

	GRAND TOTAL	0	0	0
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Notes:

SHO01 Income assumption is a 7.7% increase, based upon government guidance. The increase is lower in real terms as the assumed Void and RTBs impact this, this budget may be adjusted slightly to reflect the latest stock position when the final budget is produced.

SHO04 Income assumption is a 7.7% increase, based upon government guidance, to the weekly charge for garage rents or garage ground rents. This budget increase is based on an improved uptake on available garage units.

- SHO08 The forecast level of rechargeable works is likely to remain broadly similar to the current year, however the budget for debt write off has been reduced to reflect historic levels, this improves the budget by £20k.
- SHO10 Pooled cash balances with the General Fund are estimated to return an improved return on current year forecasts
- SHO13A **Salary** inflation assumed at 4% for 2024/25, additionally the service have increased their establishment by circa 4 FTEs, this, in part, is to provide support to the existing team with the future development programme, this will increase the salary base by circa £395k.
- Contractor and materials** spend is still forecast to be higher than current estimates, therefore an additional £233k will be required next year.
- Damp and Mould/Fire Risk Assessment** works-provision of £300k added to the revenue budget for these works, detailed analysis will be done to firm up this estimate before the final budget is set.
- Vehicle** costs-slight increase on vehicle insurance in addition to a provision for £12k for ad-hoc vehicle repairs. The maintenance contract has increased by £8k year on year.
- SHO17A **Salary** inflation assumed at 4% for 2024/25. The establishment is estimated to increase by net 1 FTE for 2024/25 this post will be subject to a applicable business case. The budget increase year on year is £79k, part of the budget provision in 2023/24 will be utilised by Building Services for 2024/25.
- Utilities** and Council Tax/Rates- a slight increase of £11k to the budget for 2024/25.
- SHO29 This budget relates to bad/doubtful debts. The provision was increased during Covid and at the height of the cost of living crisis, and has been held at this level. In the future, the expectation is that this budget can be slowly reduced (£100k reduction next year).
- SHO32 Forecast interest paid by the HRA on any internal or external borrowing, this mainly relates to the Self Financing loan and forecast spend relating to the development programme.
- SHO34 Contributions to reserves: £50k towards vehicle cost sinking fund, £907k to the Loan deficit reserve, £152k to the Renewables reserve, £186k to the Affordable Rent Surplus reserve
- SHO38 This expenditure is budgeted in line with the planned Works Programme for the next year. It includes £100k investment to continue the decarbonisation of our housing stock.
- SHO45 This budget has been adjusted slightly to reflect any relevant expenditure, however the net position at year end is simply a contribution to the Renewables reserve.

HRA Rent Budget 2024/25

Description	Average rent (52 week basis) £	Average properties 2024/25	Annual rent total £	Assumed Void level	Annual rent total (less voids)
Social rent (in use)	96.81	2,864	14,405,805	-2.19%	14,089,900
Affordable rent properties	139.58	91	660,493	-6.16%	619,780
TOTAL		2,955	15,066,298		14,709,680
Rent written off					(70,000)
Write-offs recovered					1,000
HO700 budget					14,640,680
Affordable rent surplus					189,913

HRA: Proposed Fees and Charges 2024/25

	2023/24	Increase	Increase %	2024/25
Garage rents per week (52 week basis)	£10.71	£0.82	7.70%	£11.53
It should be noted that council tenants receive a discount of £1.85 per week on any garage rent				
Garage ground rents (Annual charge)	£275.00	£21.00	7.64%	£296.00
(charges shown exclude any applicable VAT)				
MDDC Formula Rent on average (52 weeks)	£89.88			£100.46

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Capital Expenditure Summary		To be rolled f/wd from 2023/24		Total Project Costs for Approval						Spend Profile						
Area	Sub Area	Forecast	Forecast Budget	2024/25	2025/26	2026/27	2027/28	2028/29	Total	Grand Total	2024/25	2025/26	2026/27	2027/28	2028/29	Total
		Slippage from 2023/24 to be spent over C/fwd to 2024/25 £000's	from 2023/24 to be spent over life of MTFP £000's													
Leisure	Exe Valley Leisure Centre	-	-	650	-	-	100	100	850	850	650	-	-	100	100	850
Leisure	Lords Meadow Leisure Centre	160	-	150	-	200	100	100	550	710	310	-	200	100	100	710
Leisure	Culm Valley Sports Centre	25	174	710	-	-	100	100	910	1,109	585	324	-	100	100	1,109
Leisure	Leisure - Other	200	-	-	-	-	-	-	200	200	200	-	-	-	-	200
Leisure	Leisure - Climate Change/Net Zero	-	-	-	260	400	-	-	660	660	-	260	400	-	-	660
Other MDDC Buildings	Other - Climate Change/Net Zero	-	-	995	-	240	-	-	1,235	1,235	995	-	240	-	-	1,235
Other MDDC Buildings	Phoenix House	-	-	150	-	-	-	-	150	150	150	-	-	-	-	150
Other MDDC Buildings	MDDC Depots	1,000	3,750	1,065	-	-	-	-	1,065	5,815	2,315	3,500	-	-	-	5,815
Other MDDC Buildings	MDDC Shops/Industrial Units	197	-	-	-	-	-	-	197	197	197	-	-	-	-	197
Other MDDC Buildings	Public Conveniences	-	-	160	-	-	-	-	160	160	50	110	-	-	-	160
HIF	HIF Schemes	13,138	16,541	-	-	-	-	-	-	29,679	13,138	16,541	-	-	-	29,679
Private Sector Housing	Private Sector Housing	-	-	550	575	600	625	650	3,000	3,000	550	575	600	625	650	3,000
Other	General Car Parks	90	-	115	-	-	-	-	115	205	205	-	-	-	-	205
Other	Parks & Play Areas	-	-	245	-	-	-	-	245	245	245	-	-	-	-	245
Other	ICT Projects	-	-	80	130	120	565	240	1,135	1,135	80	130	120	565	240	1,135
Other	Other Projects	-	149	1,687	200	-	-	-	1,887	2,036	1,836	200	-	-	-	2,036
General Fund Subtotals		14,810	20,614	6,557	1,165	1,560	1,490	1,190	11,962	47,386	21,506	21,640	1,560	1,490	1,190	47,386
HRA Projects	Existing Housing Stock	-	-	3,060	2,885	2,910	2,800	2,835	14,490	14,490	3,060	2,885	2,910	2,800	2,835	14,490
HRA Projects	Housing Schemes (1:4:1 Projects)	349	963	-	400	400	-	-	800	2,112	349	1,003	400	360	-	2,112
HRA Projects	Housing Development Schemes (HE)	13,270	26,907	6,800	7,800	5,000	-	-	19,400	59,577	12,652	12,419	21,926	12,580	-	59,577
HRA Projects	Other HRA Projects	75	-	-	-	-	-	-	75	75	75	-	-	-	-	75
HRA Subtotals		13,694	27,870	9,660	11,085	8,310	2,800	2,835	34,690	76,254	16,136	16,307	25,236	15,740	2,835	76,254
Grand Totals		28,504	48,484	16,217	12,250	9,870	4,290	4,025	46,652	123,640	37,642	37,947	26,796	17,230	4,025	123,640

Capital Funding Summary		To be rolled f/wd from 2023/24		Total Project Costs for Approval						Spend Profile						
Funding Type	Funding Description	Forecast	Forecast Budget	2024/25	2025/26	2026/27	2027/28	2028/29	Total	Grand Total	2024/25	2025/26	2026/27	2027/28	2028/29	Total
		Slippage from 2023/24 to be spent over C/fwd to 2024/25 £000's	from 2023/24 to be spent over life of MTFP £000's													
Revenue	S106 (Revenue) Contributions	-	-	50	-	-	-	-	50	50	50	-	-	-	-	50
Revenue	RCCO - From Revenue EMR's - Other	-	76	315	-	-	-	-	315	391	391	-	-	-	-	391
Revenue	RCCO - From Revenue EMR's - Leisure	-	-	600	-	-	300	300	1,200	1,200	600	-	-	300	300	1,200
Revenue	RCCO - From Revenue EMR's - ICT	-	-	-	30	-	105	-	135	135	-	30	-	105	-	135
Revenue	RCCO - From Revenue EMR's - Capital	42	48	180	-	-	-	-	180	270	270	-	-	-	-	270
Revenue	RCCO - From Revenue EMR's - Waste Infrastructure EMR	-	250	65	-	-	-	-	65	315	315	-	-	-	-	315
Capital Grants	Capital Grants Unapplied - DCC	-	20	215	-	-	-	-	215	235	235	-	-	-	-	235
Capital Grants	Govt Grant (DCLG passported from DCC)	-	-	550	575	600	625	650	3,000	3,000	550	575	600	625	650	3,000
Capital Grants	DCC Funding - HIF Project	153	1,347	-	-	-	-	-	1,500	1,500	153	1,347	-	-	-	1,500
Capital Grants	HIF Funding	3,234	3,655	-	-	-	-	-	6,889	6,889	3,234	3,655	-	-	-	6,889
Capital Grants	Govt Grants - Levelling - up Funding	6,436	11,539	-	-	-	-	-	17,975	17,975	6,436	11,539	-	-	-	17,975
Capital Grants	Salix Funding or Equivalent - to be identified	-	-	995	260	640	-	-	1,895	1,895	995	260	640	-	-	1,895
Capital Receipts	Usable Capital Receipts	70	5	150	-	72	-	-	222	297	225	-	72	-	-	297
Borrowing	Borrowing 3 Yrs	-	-	230	100	120	460	240	1,150	1,150	230	100	120	460	240	1,150
Borrowing	Borrowing 5 Yrs	-	-	150	-	-	-	-	150	150	150	-	-	-	-	150
Borrowing	Borrowing 10 Yrs	3,678	174	940	200	128	-	-	1,268	5,120	4,468	524	128	-	-	5,120
Borrowing	Borrowing 25 Yrs	197	-	100	-	-	-	-	100	297	297	-	-	-	-	297
Borrowing	Borrowing 50 Yrs	1,000	3,500	1,180	-	-	-	-	1,180	5,680	2,070	3,610	-	-	-	5,680
Capital Grants	SPF Funding (DLUHC)	-	-	224	-	-	-	-	224	224	224	-	-	-	-	224
Capital Grants	REPF Funding (DLUHC)	-	-	613	-	-	-	-	613	613	613	-	-	-	-	613
General Fund Subtotals		14,810	20,614	6,557	1,165	1,560	1,490	1,190	11,962	47,386	21,506	21,640	1,560	1,490	1,190	47,386
Revenue	S106 (Revenue) Contributions	100	800	-	-	-	-	-	900	900	100	800	-	-	-	900
Revenue	MRA Reserve	-	-	2,500	2,320	2,340	2,225	2,255	11,640	11,640	2,500	2,320	2,340	2,225	2,255	11,640
Revenue	RCCO - From HRA Revenue EMR's - Other	25	-	-	-	-	-	-	25	25	25	-	-	-	-	25
Revenue	RCCO - From HRA Revenue EMR's - Renewable Energy	-	-	250	250	250	250	250	1,250	1,250	250	250	250	250	250	1,250
Revenue	RCCO - From HRA Revenue EMR's - Afford Rents Surplus	225	-	225	225	224	-	-	674	899	144	399	156	200	-	899
Capital Grants	Government Grants - Homes England Funding	4,220	11,113	2,002	3,015	2,250	-	-	7,267	22,600	4,305	3,441	9,194	5,659	-	22,599
Capital Grants	One Public Estate Funding	284	2,210	180	660	480	-	-	1,320	3,814	343	426	1,860	1,185	-	3,814
Capital Receipts	Usable Capital Receipts	27	629	1,009	315	1,020	325	330	2,999	3,655	554	1,426	414	931	330	3,655
Capital Receipts	UCR 1:4:1 Replacement Homes	139	385	-	655	160	-	-	815	1,339	139	429	611	160	-	1,339
Borrowing	Borrowing 25 Yrs	50	-	-	-	-	-	-	50	50	50	-	-	-	-	50
Borrowing	Borrowing 50 Yrs	8,624	12,733	3,494	3,645	1,586	-	-	8,725	30,082	7,727	6,815	10,411	5,130	-	30,083
HRA Subtotals		13,694	27,870	9,660	11,085	8,310	2,800	2,835	34,690	76,254	16,136	16,307	25,236	15,740	2,835	76,254
Grand Totals		28,504	48,484	16,217	12,250	9,870	4,290	4,025	46,652	123,640	37,642	37,947	26,796	17,230	4,025	123,640

2024/25 - 2028/29 Capital Programme - EXPENDITURE

Appendix 4

Area	Sub Area	Project Title	To be rolled f/wd from 2023/24 Capital Programme		Total Project Costs for Approval								Spend Profile					
			Forecast Slippage from 2023/24 to be C/fwd to 2024/25 £000's	Forecast Budget from 2023/24 to be spent over life of MTFP £000's	2024/25 £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	2028/29 £000's	Total £000's	Grand Total £000's	2024/25 £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	2028/29 £000's	Total £000's	
General Fund																		
Leisure	Lords Meadow Leisure Centre	Reception infrastructure	160	-	-	-	-	-	-	160	160	-	-	-	-	160		
Leisure	Culm Valley Sports Centre	CVSC - Remodelling of Ground Floor	25	174	-	-	-	-	-	199	25	174	-	-	-	199		
		All leisure sites replacement management/site access system (Hardware Element)	200	-	-	-	-	-	-	200	200	-	-	-	-	200		
Other MDDC Buildings	MDDC Depots	Land acquisition for operational needs	1,000	-	1,000	-	-	-	-	1,000	2,000	-	-	-	-	2,000		
Other MDDC Buildings	MDDC Depots	Depot Design & Build - Waste & Recycling	-	3,750	-	-	-	-	-	3,750	250	3,500	-	-	-	3,750		
		36 & 38 Fore Street including Flat above structure & cosmetic works	197	-	-	-	-	-	-	197	197	-	-	-	-	197		
Other MDDC Buildings	MDDC Shops/Industrial Units	CA719 Cullompton Town Centre Relief Road (HIF)	13,138	16,541	-	-	-	-	-	29,679	13,138	16,541	-	-	-	29,679		
Other	General Car Parks	West Exe South - Remodelling - additional parking	90	-	-	-	-	-	-	90	90	-	-	-	-	90		
		Land drainage flood defence schemes - Ashleigh Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-		
Other	Other Projects	Bampton	-	87	-	-	-	-	-	87	87	-	-	-	-	87		
Other	Other Projects	Cemetery Lodge - Structural solution for damp	-	62	-	-	-	-	-	62	62	-	-	-	-	62		
Leisure	Exe Valley Leisure Centre	ATP replacement (50% share with DCC)	-	-	220	-	-	-	-	220	220	-	-	-	-	220		
Leisure	Exe Valley Leisure Centre	CHP -Replacement future energy saving project	-	-	180	-	-	-	-	180	180	-	-	-	-	180		
Leisure	Exe Valley Leisure Centre	Wetside resin floor replacement	-	-	90	-	-	-	-	90	90	-	-	-	-	90		
Leisure	Exe Valley Leisure Centre	Learner pool floor replacement	-	-	100	-	-	-	-	100	100	-	-	-	-	100		
		Chemical/Salt Storage at back of building - Associated plant to go with this	-	-	60	-	-	-	-	60	60	-	-	-	-	60		
Leisure	Lords Meadow Leisure Centre	Wetside resin floor replacement	-	-	90	-	-	-	-	90	90	-	-	-	-	90		
		Chemical/Salt Storage at back of building - Associated plant to go with this	-	-	60	-	-	-	-	60	60	-	-	-	-	60		
Leisure	Lords Meadow Leisure Centre	ATP replacement (50% share with DCC)	-	-	210	-	-	-	-	210	210	-	-	-	-	210		
Leisure	Culm Valley Sports Centre	Fitness Studio renewal of equipment	-	-	150	-	-	-	-	150	150	-	-	-	-	150		
Leisure	Culm Valley Sports Centre	Replacement skate park (poss relocation)	-	-	350	-	-	-	-	350	200	150	-	-	-	350		
Other MDDC Buildings	Other - Climate Change/Net Zero	All Fleet - Vehicle live monitoring for CO2 emissions	-	-	115	-	-	-	-	115	115	-	-	-	-	115		
Other MDDC Buildings	Other - Climate Change/Net Zero	MSCP - Solar carport and additional security	-	-	600	-	-	-	-	600	600	-	-	-	-	600		
Other MDDC Buildings	Other - Climate Change/Net Zero	Additional electric car charging points	-	-	80	-	-	-	-	80	80	-	-	-	-	80		
Other MDDC Buildings	Other - Climate Change/Net Zero	Market Walk - Solar Panels	-	-	200	-	-	-	-	200	200	-	-	-	-	200		
Other MDDC Buildings	Phoenix House	Cooling options Air Handling Unit	-	-	150	-	-	-	-	150	150	-	-	-	-	150		
Other MDDC Buildings	MDDC Depots	Diesel Tank	-	-	65	-	-	-	-	65	65	-	-	-	-	65		
Other MDDC Buildings	Public Conveniences	Westexe Rec Toilets - Replacement	-	-	160	-	-	-	-	160	50	110	-	-	-	160		
Private Sector Housing	Private Sector Housing	DFG and other private sector grants	-	-	550	575	600	625	650	3,000	3,000	550	575	600	625	650		
Other	General Car Parks	LED upgrade	-	-	65	-	-	-	-	65	65	-	-	-	-	65		
Other	General Car Parks	LED lighting replacement	-	-	20	-	-	-	-	20	20	-	-	-	-	20		
Other	General Car Parks	Becks Square resurfacing & lining	-	-	30	-	-	-	-	30	30	-	-	-	-	30		
Other	Parks & Play Areas	Widen Riverside Path	-	-	20	-	-	-	-	20	20	-	-	-	-	20		
Other	Parks & Play Areas	Fencing end of life	-	-	125	-	-	-	-	125	125	-	-	-	-	125		
Other	Parks & Play Areas	Rubber floor tile replacements	-	-	100	-	-	-	-	100	100	-	-	-	-	100		
Other	ICT Projects	Laptop/Desktop Refresh	-	-	80	100	120	100	100	500	500	80	100	120	100	500		
Other	Other Projects	Baler	-	-	500	-	-	-	-	500	500	-	-	-	-	500		
Other	Other Projects	PDA's for cabs	-	-	150	-	-	-	-	150	150	-	-	-	-	150		
Other	Other Projects	Fire Safety Measures	-	-	200	-	-	-	-	200	200	-	-	-	-	200		
Other	Other Projects	Shared Prosperity Fund - Year 3	-	-	224	-	-	-	-	224	224	-	-	-	-	224		
Other	Other Projects	Rural England Prosperity Fund - Year 2	-	-	613	-	-	-	-	613	613	-	-	-	-	613		
Leisure	Leisure - Climate Change/Net Zero	EVLC - Building Fabric - Insulation improvements	-	-	-	260	-	-	-	260	260	-	260	-	-	260		
Other	ICT Projects	UPS Replacements	-	-	-	30	-	35	-	65	65	-	30	-	35	65		
Other	Other Projects	Tiverton Market Paving - Permanent Solution	-	-	-	200	-	-	-	200	200	-	200	-	-	200		
Leisure	Lords Meadow Leisure Centre	ATP replacement (no dual use)	-	-	-	-	200	-	-	200	200	-	-	200	-	200		
Leisure	Leisure - Climate Change/Net Zero	LMLC -Building Fabric -Insulation improvements	-	-	-	-	200	-	-	200	200	-	-	200	-	200		
Leisure	Leisure - Climate Change/Net Zero	CVSC-Building Fabric -Insulation improvements	-	-	-	-	200	-	-	200	200	-	-	200	-	200		
Other MDDC Buildings	Other - Climate Change/Net Zero	MDDC commercial property building fabric improvements	-	-	-	-	240	-	-	240	240	-	-	240	-	240		
Leisure	Exe Valley Leisure Centre	Exe Valley Capital Works	-	-	-	-	-	100	100	200	200	-	-	-	100	200		
Leisure	Lords Meadow Leisure Centre	Lords Meadow Capital Works	-	-	-	-	-	100	100	200	200	-	-	-	100	200		
Leisure	Culm Valley Sports Centre	Culm Valley Capital Works	-	-	-	-	-	100	100	200	200	-	-	-	100	200		
Other	ICT Projects	Server hardware/software Citrix Replacement	-	-	-	-	-	220	-	220	220	-	-	-	220	220		
Other	ICT Projects	VM/Storage Area Network	-	-	-	-	-	140	-	140	140	-	-	-	140	140		
Other	ICT Projects	Audio/Video replacement for Phoenix House	-	-	-	-	-	-	140	140	-	-	-	-	140	140		
Other	ICT Projects	Hybrid Screen replacements	-	-	-	-	-	70	-	70	70	-	-	-	70	70		
General Fund Subtotals			14,810	20,614	6,557	1,165	1,560	1,490	1,190	11,962	47,386	21,506	21,640	1,560	1,490	1,190	47,386	

Area	Sub Area	Project Title	To be rolled f/wd from 2023/24 Capital Programme		Total Project Costs for Approval								Spend Profile					
			Forecast Slippage from 2023/24 to be C/fwd to 2024/25 £000's	Forecast Budget from 2023/24 to be spent over life of MTFP £000's	2024/25 £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	2028/29 £000's	Total £000's	Grand Total £000's	2024/25 £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	2028/29 £000's	Total £000's	
HRA																		
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 4	210	-	-	-	-	-	-	-	210	210	-	-	-	-	210	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 1	41	-	-	-	-	-	-	-	41	41	-	-	-	-	41	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 51	38	360	-	-	-	-	-	-	398	38	360	-	-	-	398	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 52	15	198	-	-	-	-	-	-	213	15	198	-	-	-	213	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 53	23	207	-	-	-	-	-	-	230	23	207	-	-	-	230	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 5	22	198	-	-	-	-	-	-	220	22	198	-	-	-	220	
HRA Projects	Housing Development Schemes (HE)	Project 15	4,702	-	-	-	-	-	-	-	4,702	3,000	1,702	-	-	-	4,702	
HRA Projects	Housing Development Schemes (HE)	Project 18	1,047	-	-	-	-	-	-	-	1,047	1,047	-	-	-	-	1,047	
HRA Projects	Housing Development Schemes (HE)	Project 10	1,501	-	500	-	-	-	-	500	2,001	1,501	500	-	-	-	2,001	
HRA Projects	Housing Development Schemes (HE)	Project 14	898	-	-	-	-	-	-	-	898	898	-	-	-	-	898	
HRA Projects	Housing Development Schemes (HE)	Project 9	1,145	-	-	-	-	-	-	-	1,145	1,145	-	-	-	-	1,145	
HRA Projects	Housing Development Schemes (HE)	Project 11	1,714	-	-	-	-	-	-	-	1,714	1,714	-	-	-	-	1,714	
HRA Projects	Housing Development Schemes (HE)	Project 3	1,498	-	-	-	-	-	-	-	1,498	1,498	-	-	-	-	1,498	
HRA Projects	Housing Development Schemes (HE)	Project 25	100	2,340	-	-	-	-	-	-	2,440	100	2,340	-	-	-	2,440	
HRA Projects	Housing Development Schemes (HE)	Project 8	-	2,229	-	-	-	-	-	-	2,229	-	223	2,006	-	-	2,229	
HRA Projects	Housing Development Schemes (HE)	Project 29	48	990	-	-	-	-	-	-	1,038	48	990	-	-	-	1,038	
HRA Projects	Housing Development Schemes (HE)	Project 28	110	990	-	-	-	-	-	-	1,100	110	990	-	-	-	1,100	
HRA Projects	Housing Development Schemes (HE)	Project 37	-	1,530	-	-	-	-	-	-	1,530	153	1,377	-	-	-	1,530	
HRA Projects	Housing Development Schemes (HE)	Project 33	-	1,138	-	-	-	-	-	-	1,138	1,138	-	-	-	-	1,138	
HRA Projects	Housing Development Schemes (HE)	Project 36	170	1,530	-	-	-	-	-	-	1,700	-	170	1,530	-	-	1,700	
HRA Projects	Housing Development Schemes (HE)	Project 20	337	16,160	-	-	-	-	-	-	16,497	-	337	8,080	8,080	-	16,497	
HRA Projects	Other HRA Projects	Old Road Depot remodelling options - forecast expenditure to maintain operations	50	-	-	-	-	-	-	-	50	50	-	-	-	-	50	
HRA Projects	Other HRA Projects	Sewerage Treatment Works - Washfield	25	-	-	-	-	-	-	-	25	25	-	-	-	-	25	
HRA Projects	Existing Housing Stock	Garage Mods	-	-	150	150	150	-	-	-	450	450	150	150	-	-	450	
HRA Projects	Existing Housing Stock	Roofing	-	-	600	600	600	600	600	3,000	3,000	600	600	600	600	600	3,000	
HRA Projects	Existing Housing Stock	Decent Homes	-	-	395	195	195	200	200	1,185	1,185	395	195	195	200	200	1,185	
HRA Projects	Existing Housing Stock	Fire Safety	-	-	40	30	20	20	20	130	130	40	30	20	20	20	130	
HRA Projects	Existing Housing Stock	Window/Doors	-	-	400	400	400	400	400	2,000	2,000	400	400	400	400	400	2,000	
HRA Projects	Existing Housing Stock	Heating	-	-	405	410	415	420	425	2,075	2,075	405	410	415	420	425	2,075	
HRA Projects	Existing Housing Stock	Renewables	-	-	250	250	250	250	250	1,250	1,250	250	250	250	250	250	1,250	
HRA Projects	Existing Housing Stock	Adaptations	-	-	310	315	320	325	330	1,600	1,600	310	315	320	325	330	1,600	
HRA Projects	Existing Housing Stock	Void Capital Works	-	-	140	145	150	155	160	750	750	140	145	150	155	160	750	
HRA Projects	Existing Housing Stock	Double Glazed Unit Replacement	-	-	20	20	20	20	20	100	100	20	20	20	20	20	100	
HRA Projects	Existing Housing Stock	Structural	-	-	250	260	270	280	290	1,350	1,350	250	260	270	280	290	1,350	
HRA Projects	Existing Housing Stock	Responsive capital works	-	-	100	110	120	130	140	600	600	100	110	120	130	140	600	
HRA Projects	Housing Development Schemes (HE)	Project 26	-	-	1,200	-	-	-	-	1,200	1,200	-	120	1,080	-	-	1,200	
HRA Projects	Housing Development Schemes (HE)	Project 22	-	-	2,800	-	-	-	-	2,800	2,800	280	2,520	-	-	-	2,800	
HRA Projects	Housing Development Schemes (HE)	Project 27	-	-	1,700	-	-	-	-	1,700	1,700	-	170	1,530	-	-	1,700	
HRA Projects	Housing Development Schemes (HE)	Project 54	-	-	200	-	-	-	-	200	200	20	180	-	-	-	200	
HRA Projects	Housing Development Schemes (HE)	Project 55	-	-	200	-	-	-	-	200	200	-	20	180	-	-	200	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 56	-	-	-	200	-	-	-	200	200	-	20	180	-	-	200	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 57	-	-	-	200	-	-	-	200	200	-	20	180	-	-	200	
HRA Projects	Housing Development Schemes (HE)	Project 16	-	-	-	1,000	-	-	-	1,000	1,000	-	100	900	-	-	1,000	
HRA Projects	Housing Development Schemes (HE)	Project 23	-	-	-	4,100	-	-	-	4,100	4,100	-	410	3,690	-	-	4,100	
HRA Projects	Housing Development Schemes (HE)	Project 12	-	-	-	1,600	-	-	-	1,600	1,600	-	160	1,440	-	-	1,600	
HRA Projects	Housing Development Schemes (HE)	Project 30	-	-	-	1,100	-	-	-	1,100	1,100	-	110	990	-	-	1,100	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 58	-	-	-	-	200	-	-	200	200	-	-	20	180	-	200	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 59	-	-	-	-	200	-	-	200	200	-	-	20	180	-	200	
HRA Projects	Housing Development Schemes (HE)	Project 24	-	-	-	-	1,100	-	-	1,100	1,100	-	-	110	990	-	1,100	
HRA Projects	Housing Development Schemes (HE)	Project 35	-	-	-	-	1,700	-	-	1,700	1,700	-	-	170	1,530	-	1,700	
HRA Projects	Housing Development Schemes (HE)	Project 31	-	-	-	-	1,100	-	-	1,100	1,100	-	-	110	990	-	1,100	
HRA Projects	Housing Development Schemes (HE)	Project 13	-	-	-	-	1,100	-	-	1,100	1,100	-	-	110	990	-	1,100	
HRA Subtotals			13,694	27,870	9,660	11,085	8,310	2,800	2,835	34,690	76,254	16,136	16,307	25,236	15,740	2,835	76,254	
Grand Totals			28,504	48,484	16,217	12,250	9,870	4,290	4,025	46,652	123,640	37,642	37,947	26,796	17,230	4,025	123,640	

Area	Sub Area	Project Title	Funding Description	To be rolled f/wd from 2023/24 Capital Programme		Total Project Costs for Approval							Grand Total	Spend Profile								
				Forecast Slippage from 2023/24 to be C/fwd to 2024/25 £000's	Forecast Budget from 2023/24 to be spent over life of MTFP £000's	2024/25 £000's	2025/26 £000's	2026/27 £000's	2027/28 £000's	2028/29 £000's	Total £000's	2024/25 £000's		2025/26 £000's	2026/27 £000's	2027/28 £000's	2028/29 £000's	Beyond 2028/29 £000's	Total £000's			
HRA Projects	Housing Development Schemes (HE)	Project 22	Government Grants - Homes England Funding	-	-	630	-	-	-	-	-	630	630	63	567	-	-	-	-	-	630	
HRA Projects	Housing Development Schemes (HE)	Project 22	Borrowing 50 Yrs	-	-	1,471	-	-	-	-	-	1,471	1,471	-	1,471	-	-	-	-	-	1,471	
HRA Projects	Housing Development Schemes (HE)	Project 22	Usable Capital Receipts	-	-	699	-	-	-	-	-	699	699	217	482	-	-	-	-	-	699	
HRA Projects	Housing Development Schemes (HE)	Project 27	Government Grants - Homes England Funding	-	-	765	-	-	-	-	-	765	765	-	68	697	-	-	-	-	765	
HRA Projects	Housing Development Schemes (HE)	Project 27	Borrowing 50 Yrs	-	-	755	-	-	-	-	-	755	755	-	102	653	-	-	-	-	755	
HRA Projects	Housing Development Schemes (HE)	Project 27	One Public Estate Funding	-	-	180	-	-	-	-	-	180	180	-	-	180	-	-	-	-	180	
HRA Projects	Housing Development Schemes (HE)	Project 54	Government Grants - Homes England Funding	-	-	90	-	-	-	-	-	90	90	9	81	-	-	-	-	-	90	
HRA Projects	Housing Development Schemes (HE)	Project 54	Borrowing 50 Yrs	-	-	110	-	-	-	-	-	110	110	11	99	-	-	-	-	-	110	
HRA Projects	Housing Development Schemes (HE)	Project 55	Government Grants - Homes England Funding	-	-	90	-	-	-	-	-	90	90	-	9	81	-	-	-	-	90	
HRA Projects	Housing Development Schemes (HE)	Project 55	Borrowing 50 Yrs	-	-	110	-	-	-	-	-	110	110	-	11	99	-	-	-	-	110	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 56	UCR 1:4:1 Replacement Homes	-	-	80	-	-	-	-	-	80	80	-	-	80	-	-	-	-	80	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 56	Borrowing 50 Yrs	-	-	120	-	-	-	-	-	120	120	-	20	100	-	-	-	-	120	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 57	UCR 1:4:1 Replacement Homes	-	-	80	-	-	-	-	-	80	80	-	-	80	-	-	-	-	80	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 57	Borrowing 50 Yrs	-	-	120	-	-	-	-	-	120	120	-	20	100	-	-	-	-	120	
HRA Projects	Housing Development Schemes (HE)	Project 16	Government Grants - Homes England Funding	-	-	450	-	-	-	-	-	450	450	-	40	410	-	-	-	-	450	
HRA Projects	Housing Development Schemes (HE)	Project 16	Borrowing 50 Yrs	-	-	460	-	-	-	-	-	460	460	-	60	400	-	-	-	-	460	
HRA Projects	Housing Development Schemes (HE)	Project 16	One Public Estate Funding	-	-	90	-	-	-	-	-	90	90	-	-	90	-	-	-	-	90	
HRA Projects	Housing Development Schemes (HE)	Project 23	Government Grants - Homes England Funding	-	-	1,845	-	-	-	-	-	1,845	1,845	-	185	1,660	-	-	-	-	1,845	
HRA Projects	Housing Development Schemes (HE)	Project 23	Borrowing 50 Yrs	-	-	1,670	-	-	-	-	-	1,670	1,670	-	-	1,670	-	-	-	-	1,670	
HRA Projects	Housing Development Schemes (HE)	Project 23	RCCO - From HRA Revenue EMR's - Afford Rents Surplus	-	-	225	-	-	-	-	-	225	225	-	225	-	-	-	-	-	225	
HRA Projects	Housing Development Schemes (HE)	Project 23	One Public Estate Funding	-	-	360	-	-	-	-	-	360	360	-	-	360	-	-	-	-	360	
HRA Projects	Housing Development Schemes (HE)	Project 12	Government Grants - Homes England Funding	-	-	720	-	-	-	-	-	720	720	-	72	648	-	-	-	-	720	
HRA Projects	Housing Development Schemes (HE)	Project 12	Borrowing 50 Yrs	-	-	760	-	-	-	-	-	760	760	-	88	672	-	-	-	-	760	
HRA Projects	Housing Development Schemes (HE)	Project 12	One Public Estate Funding	-	-	120	-	-	-	-	-	120	120	-	-	120	-	-	-	-	120	
HRA Projects	Housing Development Schemes (HE)	Project 30	UCR 1:4:1 Replacement Homes	-	-	495	-	-	-	-	-	495	495	-	44	451	-	-	-	-	495	
HRA Projects	Housing Development Schemes (HE)	Project 30	Borrowing 50 Yrs	-	-	515	-	-	-	-	-	515	515	-	66	449	-	-	-	-	515	
HRA Projects	Housing Development Schemes (HE)	Project 30	One Public Estate Funding	-	-	90	-	-	-	-	-	90	90	-	-	90	-	-	-	-	90	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 58	UCR 1:4:1 Replacement Homes	-	-	-	80	-	-	-	-	80	80	-	-	-	80	-	-	-	80	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 58	Borrowing 50 Yrs	-	-	-	8	-	-	-	-	8	8	-	-	8	-	-	-	-	8	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 58	RCCO - From HRA Revenue EMR's - Afford Rents Surplus	-	-	-	-	112	-	-	-	112	112	-	-	12	100	-	-	-	112	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 59	UCR 1:4:1 Replacement Homes	-	-	-	-	80	-	-	-	80	80	-	-	-	80	-	-	-	80	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 59	Borrowing 50 Yrs	-	-	-	-	8	-	-	-	8	8	-	-	8	-	-	-	-	8	
HRA Projects	Housing Schemes (1:4:1 Projects)	Project 59	RCCO - From HRA Revenue EMR's - Afford Rents Surplus	-	-	-	-	-	112	-	-	112	112	-	-	12	100	-	-	-	112	
HRA Projects	Housing Development Schemes (HE)	Project 24	Government Grants - Homes England Funding	-	-	495	-	-	-	-	-	495	495	-	50	445	-	-	-	-	495	
HRA Projects	Housing Development Schemes (HE)	Project 24	Borrowing 50 Yrs	-	-	515	-	-	-	-	-	515	515	-	-	60	455	-	-	-	515	
HRA Projects	Housing Development Schemes (HE)	Project 24	One Public Estate Funding	-	-	90	-	-	-	-	-	90	90	-	-	90	-	-	-	-	90	
HRA Projects	Housing Development Schemes (HE)	Project 35	Government Grants - Homes England Funding	-	-	765	-	-	-	-	-	765	765	-	76	689	-	-	-	-	765	
HRA Projects	Housing Development Schemes (HE)	Project 35	Borrowing 50 Yrs	-	-	25	-	-	-	-	-	25	25	-	-	25	-	-	-	-	25	
HRA Projects	Housing Development Schemes (HE)	Project 35	Usable Capital Receipts	-	-	700	-	-	-	-	-	700	700	-	-	94	606	-	-	-	700	
HRA Projects	Housing Development Schemes (HE)	Project 35	One Public Estate Funding	-	-	210	-	-	-	-	-	210	210	-	-	210	-	-	-	-	210	
HRA Projects	Housing Development Schemes (HE)	Project 31	Government Grants - Homes England Funding	-	-	495	-	-	-	-	-	495	495	-	50	445	-	-	-	-	495	
HRA Projects	Housing Development Schemes (HE)	Project 31	Borrowing 50 Yrs	-	-	515	-	-	-	-	-	515	515	-	-	60	455	-	-	-	515	
HRA Projects	Housing Development Schemes (HE)	Project 31	One Public Estate Funding	-	-	90	-	-	-	-	-	90	90	-	-	90	-	-	-	-	90	
HRA Projects	Housing Development Schemes (HE)	Project 13	Government Grants - Homes England Funding	-	-	495	-	-	-	-	-	495	495	-	50	445	-	-	-	-	495	
HRA Projects	Housing Development Schemes (HE)	Project 13	Borrowing 50 Yrs	-	-	515	-	-	-	-	-	515	515	-	60	455	-	-	-	-	515	
HRA Projects	Housing Development Schemes (HE)	Project 13	One Public Estate Funding	-	-	90	-	-	-	-	-	90	90	-	-	90	-	-	-	-	90	
HRA Subtotals				13,694	27,870	9,660	11,085	8,310	2,800	2,835	34,690	76,254	16,136	16,307	25,236	15,740	2,835				76,254	
Grand Totals				28,504	48,484	16,217	12,250	9,870	4,290	4,025	46,652	123,640	37,642	37,947	26,796	17,230	4,025					123,640



Report for: Scrutiny Committee

Date of Meeting:	15 th January 2024
Subject:	Planning enforcement within Mid Devon
Cabinet Member:	Cllr Steven Keable, Cabinet Member for Planning and Economic Regeneration
Responsible Officer:	Richard Marsh, Director of Place
Exempt:	N/A
Wards Affected:	Relevant to all wards.
Enclosures:	N/A

Section 1 – Summary and Recommendation(s)

This update report has been prepared at the request of the Scrutiny committee. The report seeks to:

1. Review Key Performance Indicators (KPI's) established since the last Scrutiny discussion on planning enforcement in July 2023;
2. Provide an update in relation to Planning enforcement within Mid Devon, and;
3. Set out the anticipated next steps for the service through 2024.

Recommendation(s):

That Members note the contents of this report.

Section 2 – Report

1.0 Introduction – background to planning enforcement

- 1.1 An introduction to planning enforcement was provided to the Scrutiny committee at the time of the previous report in July 2023, however a brief summary of that introduction is provided below for ease of reference.

- 1.2 Planning enforcement is an important part of planning activity and the planning system, however planning enforcement is governed by legislation, is discretionary and must be proportionate – it is not therefore a mechanism which affords the LPA ‘carte blanche’ in terms of how it goes about controlling development activity within its boundaries.
 - 1.3 In fact, planning necessarily relies upon the majority of landowners/developers complying with regulations and restrictions and self-policing. In the majority of cases, land and property owners do comply and enforcement activity is therefore typically focused on the minority of cases where owners/developers fail to abide regulations or conditions.
 - 1.4 As planning enforcement is a discretionary service which is not chargeable, all authorities must necessarily take a ‘view’ in terms of how they resource their planning departments to accommodate enforcement activity. The approach varies significantly between councils with some councils having no-dedicated enforcement staff and other authorities, such as Mid Devon, having skilled staff dedicated to enforcement activity.
 - 1.5 In cases where a breach of planning has occurred, it is normal that the Local Authority will first consider whether the breach could be regularised via an application for the works. Where officers consider that this is possible, officers will typically first invite an application to regularise planning breaches before considering any other enforcement activity.
 - 1.6 In cases where breaches continue, are not resolved or are considered too severe to regularise through an application, the Council is able to deploy its powers in order to seek compliance.
 - 1.7 The approach adopted by the Council (Mid Devon) is necessarily to prioritise high-risk and high impact breaches, understanding that the council is not equipped (financially or in terms of staff) to address every alleged breach.
- 2.0 Current situation
- 2.1 Since the last report to Scrutiny in July 2023, the significant things to note are set out below.

2.2 Further to the request by the Scrutiny committee, the service has now developed and implemented key performance indicators (KPIs) for the enforcement service. These KPI measures show;

- The total number of cases open/live;
- The number of new cases opened in a Quarter;
- The number of cases closed in a Quarter, and;
- The number of low, medium and high risk cases.

2.3 These KPIs are reported through the performance dashboards for Planning and are presented to the planning committee on a quarterly basis. The most recent KPI report was presented at the 22nd November 2023 planning committee meeting. The KPIs for Q1 and Q2 show the following information:

Enforcement Stats 2023/24 by Quarter

	Q1	Q2
Total Cases deemed to be Low	214	266
Total Cases deemed to be Med	5	5
Total Cases deemed to be High	16	10
Total Open Cases	235	281
Cases Closed in Quarter	155	64
New Cases Rec'd in Quarter	78	87

Caseload % Breakdown

	Q1	Q2
Total Cases	235	281
Low	91.06%	94.66%
Medium	2.13%	1.78%
High	6.81%	3.56%

2.4 The data/KPIs show that at Q2;

- The Authority had 281 open cases. This is not untypical with 'live' cases often totalling around 300.
- That the Authority continues to receive a large number of new cases every quarter, and equally closes a similar number of cases each quarter. The team therefore tends to keep pace with work and there is regular churn in the cases considered.
- The majority of cases (>90%) are 'low' risk cases with the minority (<10%) as 'high' risk. It is these high risk cases where the specialist

enforcement officers time is most needed in order to resolve these complex/high risk cases and these are the cases which are necessarily prioritised by the authority.

- The data demonstrates that the number of 'high' risk cases has significantly reduced – demonstrating that the team has been successful in addressing the most severe cases between Q1 and Q2. This is significant as it is these cases which take a significant amount of officer time – across various departments and at all levels of seniority.

2.5 It should also be noted that it is the high-risk cases can often be long-running owing to their complex nature and/or the level of engagement needed with property owners and wider residents.

2.6 In terms of recent successes: It should also be noted that;

2.6.1 The department/team have recently successfully defended a planning appeal relating to an enforcement notice served requiring the demolition of an unauthorised building within the district. This work has been ongoing for a considerable period of time and has taken significant amounts of officer time – however it does clearly demonstrate that Mid Devon is successful in its enforcement activities and, where the breach is serious, planning enforcement activity will be proactively and decisively undertaken.

2.6.2 A recent LGO review of a long running, complex and contentious enforcement case has determined that the Authority has acted correctly and reasonably in how it has gone about seeking to address issues in relation to planning breaches. This case is ongoing from an enforcement perspective, but it does demonstrate independent endorsement of the way in which the LPA is addressing enforcement matters.

2.7 However, despite these successes and the positive KPI measures, it is fair to recognise that planning enforcement is a difficult area for the authority as it is discretionary (i.e. not a statutory function, unlike others); the authority has limited financial means to support the activity (it is non-income generating), and; it is difficult to recruit trained and experienced staff owing to a widespread shortage of skilled officers.

2.8 In the recent past, the council has deployed significant amounts of extra funding in to the planning enforcement team to support agency staff and a temporarily expanded team (of 3) in order to stabilise the service.

- 2.9 Enforcement officer resources returned to the normal establishment level (2 FTE) early in 2023 owing to the financial pressures on the council and owing to the successful recruitment of an additional permanent member of staff.
- 2.10 Shortly thereafter, one officer unfortunately resigned to take up employment with another authority. A recruitment exercise was immediately undertaken to recruit a replacement officer with 2 applications being received. The role was offered to one applicant who subsequently declined the job offer and was then offered to the 2nd applicant, with the 2nd applicant accepting the role. However, immediately prior to taking up the role, this applicant withdrew for personal reasons.
- 2.11 At this point in time, again owing to the financial position of the council, the managed position on enforcement cases, the cost of repeat advertisement and the difficulty in recruiting skilled staff, the decision was taken to run the service with one officer on a temporary basis and monitor workload.
- 2.12 Subsequently, owing to continued high case volume within enforcement and reducing workload within the main planning services (owing to economic conditions and a consequential downturn in applications), it was considered appropriate and beneficial to explore how spare planning officer capacity might be used to deal with low risk/low severity matters. This ensuring the dedicated enforcement officer could primarily focus on high risk, and therefore time intensive, cases.
- 2.13 To support the work of the planning officers, the enforcement officer has produced a suite of template letters and documents for use by officers. This will ensure an efficient and effective use of staff resources and ongoing procedural compliance.
- 2.14 Unfortunately, however, our remaining dedicated enforcement officer has also now resigned from their role. As a consequence of this, and to ensure continuity of service, the authority is now seeking to employ an agency enforcement officer whilst a simple review of resource is conducted and the required recruitment exercise(s) progressed in order to secure replacement resource. It should be noted that, as set out and demonstrated above, it is difficult to recruit experience and appropriately skilled planning enforcement officers and so it is anticipated that it may be challenging to recruit to the role as currently structured. Thought has been given to how to address this risk and this is set out in more detail below.

3.0 Next steps

- 3.1 As set out above; the council is, as a consequence of resignations, expecting to imminently undertake a simple review of enforcement resources ahead of proceeding to seek to recruit replacement enforcement resources on a permanent basis.
- 3.2 In the interim, it is expected that the council will utilise temporary agency staff to deal with the more complex enforcement matters and planning officer capacity to deal with simple and low risk enforcement matters. This will introduce additional cost to the service than had been anticipated and, whilst it is not expected to generate a service overspend, it will reduce the level of expected under-spend which was anticipated to be generated to support the Council's in-year financial position and associated savings.
- 3.3 It should also be noted that Mid Devon is proactively engaging with neighbouring authorities in order to consider whether shared services might be viable in relation to planning enforcement and/or whether other authorities have surplus planning enforcement capacity which we may be able to utilise in the short term, pending a permanent solution.

Financial Implications

Planning enforcement is a discretionary and non-fee generating service, but provision for permanent enforcement officers is made within the council's establishment and within planning budgets despite the fact that the service as a whole does not cover its operating costs through the income generated from planning applications.

Although this presents a financial challenge for the council on an ongoing basis, proportionate planning enforcement resource provision within the team/corporate establishment is considered to be appropriate as it helps to mitigate any potential risk to the Council by taking proportionate action in relation to planning enforcement and especially in relation to high-risk and serious planning breaches. It also seeks to afford public confidence in the planning service by ensuring that the service is able to take proportionate action in relation, especially in relation to the most severe planning breaches.

In recent times, a vacant post (created from an inability to recruit) has been generating an under-spend which has been supporting the achievement of the Council's vacancy management target to achieve a required in-year saving. The simple review of planning enforcement resources now proposed will have a strong mind to the financial position of the council and a proportionate approach will be adopted which seeks to deliver the required level of enforcement activity to

support action on high-risk and severe cases, whilst also ensuring, as far as possible, a sustainable financial position for the service.

Legal Implications

Matters of enforcement are bound by strict data protection rules and the authority must be mindful of the rights of individuals concerned. This means that specific details and ongoing enforcement activity cannot be shared beyond those within the authority who are immediately and necessarily involved in cases.

Enforcement action must always be proportionate and, where appropriate, the LPA is encouraged to seek to resolve matters through dialogue and regularisation. The authority does not have 'carte blanche' in what it elects to do in relation to planning enforcement matters.

Nonetheless, enforcement is a necessary part of the planning system and so, in relation to severe planning breaches, the authority will seek to progress proactive enforcement.

Risk Assessment

Risk can arise through a lack of enforcement activity – but the authority is seeking to mitigate this risk through the work it undertakes.

Risk can also accrue from unreasonable enforcement activity and a lack of general compliance on key issues such as data protection. The authority also therefore manages risk by ensuring enforcement action is proportionate and reasonable and by carefully managing information relating to alleged breaches and any investigations underway.

Impact on Climate Change

Owing to the direct impact that planning has upon our built and natural environment, work in relation to planning enforcement can have an impact upon climate change, biodiversity and the environment at large. Generally speaking, planning enforcement should always have a positive impact in these areas as it seeks to ensure compliance with planning matters and seeks to guard against illegal or improper development and use of land.

Equalities Impact Assessment

No equalities issues are expected to arise from this report (as no decisions are required and no negative impacts are foreseen).

Relationship to Corporate Plan

Proactive and proportionate planning enforcement will support the Council in achieving its corporate objectives.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151
Date: 03 Jan 2023

Statutory Officer: Maria de Leburne
Agreed on behalf of the Monitoring Officer
Date: 03 Jan 2023

Chief Officer: Stephen Walford
Agreed by or on behalf of the Chief Executive
Date: 03 Jan 2023

Performance and risk: Steve Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 03 Jan 2023

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

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

Background papers: None.