

## Scrutiny Committee

**Monday, 18 December 2023 at 5.30 pm**  
**Phoenix Chambers, Phoenix House, Tiverton**

**Next ordinary meeting**  
**Monday, 15 January 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 will be made and published on the website after the meeting**

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

Meeting ID: 361 949 893 90

Passcode: ptU5k2

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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 - 14*)  
To consider whether to approve the minutes as a correct record of the meeting held on Monday 30<sup>th</sup> October 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      **Corporate Performance Report** (*Pages 15 - 42*)  
To receive a report from the Corporate Manager for Performance and Improvement, providing Members with an update on performance against the corporate plan and local service targets for quarter 2 (2023/24).

- 8      **Work Programme** (*Pages 43 - 50*)  
To review the existing Work Plan and consider items for the committee's future consideration, taking account of:

a) Scrutiny Committee Proposal Form – To decide upon which version of the form to be used going forward.

b) Any items within the Forward Plan for discussion at the next meeting;

c) Suggestions of other work for the committee in 2023/24.

- 9      **Annual Report of Complaints and Compliments** (*Pages 51 - 72*)  
To receive the Annual report from the Corporate Manager for Digital Transformation and Customer Engagement on compliments, comments

and complaints received as part of our 2 plus million contacts with customers in 2022/23.

10 **Community Safety Partnership** *(Pages 73 - 80)*

To receive a report from the Corporate Manager for Public Health, Regulation and Housing. This is an annual report to ensure that the Scrutiny Committee has oversight of the East and Mid Devon Community Safety Partnership (CSP) and the opportunity to review the activities of the partnership during 2022-23 with a look ahead to the priorities for 2023/24 and beyond.

11 **Report of Working Group into the Lessons Learned from 3 Rivers Development Ltd** *(Pages 81 - 96)*

To receive a report from the Working Group into the Lessons to be learned for the future from the experience of operating a Special Purpose Vehicle "3 Rivers Development Ltd".

12 **Forward Plan** *(Pages 97 - 108)*

Members are asked to consider any items within the Forward Plan that they may wish to bring forward for discussion at the next meeting.

**Stephen Walford**  
Chief Executive  
Friday, 8 December 2023

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

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

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

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

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

Tel: 01884 234311

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

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 30 October 2023  
at 5.30 pm

**Present**

**Councillors**

R Gilmour (Chairman)  
D Broom, E Buczkowski, A Cuddy,  
G Czapiewski, M Farrell, B Holdman,  
R Roberts, S Robinson, N Woollatt and  
C Harrower

**Apologies**

**Councillor(s)**

F J Colthorpe

**Also Present**

**Councillor(s)**

J Buczkowski, S J Clist, G Duchesne, J Lock, L Taylor and  
D Wulff

**Also Present**

**Officer(s):**

Andrew Jarrett (Deputy Chief Executive (S151)), Maria De  
Leiburne (District Solicitor and Monitoring Officer), Paul  
Deal (Corporate Manager for Finance, Property and  
Climate Change), Angie Howell (Democratic Services  
Officer) and David Parker (Democratic Services & Policy  
Research Officer)

**Councillors**

**Online**

C Adcock, C Connor, J Downes, M Fletcher, A Glover,  
S Keable, G Westcott and J Wright.

**Officers Online**

Stephen Walford (Chief Executive), Richard Marsh  
(Director of Place), Dean Emery (Corporate Manager for  
Income, Revenues, Benefits and Planning), Lisa Lewis  
(Corporate Manager for Digital Transformation and  
Customer Engagement, Sarah Lees (Democratic Services  
Officer)

## 40 **APOLOGIES AND SUBSTITUTE MEMBERS (00:04:40)**

As Cllr G Westcott was attending via Teams, a Vice-Chairman was needed for this meeting. The Chairman proposed and it was agreed that Cllr S Robinson fulfil that role.

Apologies were received from Cllr F J Colthorpe who was substituted by Cllr C Harrower.

**41 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:05:03)**

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

**42 PUBLIC QUESTION TIME (00:05:11)**

Mr Paul Elstone asked questions relating to Agenda Item 7 – 3 Rivers – Lessons Learned.

His questions were all directed to the Chairman.

**Question 1**

This administration promised openness, transparency and public engagement in decision making. Could it be explained in detail why 5 documents associated with the 3 Rivers Lessons Learned agenda item were being kept secret from the public?

**Question 2**

The integrity of various audits and reports on 3 Rivers were being challenged by previous Council Leaders who had detailed knowledge.

Would the full circumstances of those integrity issues be fully investigated by this committee?

**Question 3**

Information is becoming increasingly available regarding the Council lending to 3 Rivers which was strongly believed showed what could only be classed as repeat reckless lending being fully promoted by Council Officers and then agreed by this Council.

Would this Committee fully investigate and then seek independent legal advice on this position?

**Question 4**

A former senior Councillor has called the 3 Rivers Lessons Learned Enquiry an officer orchestrated sham.

How, therefore, could the Mid Devon public have any confidence at all with the outcome?

**Question 5**

It had become clear that 3 Rivers was in a desperate financial situation in October 2022, that events had become massively worse at the Cabinet Meeting of the 31<sup>st</sup> January 2023, that it took the then Council Leader despite being incapacitated to call a halt. The Fully Independent Cabinet then further intervened to prevent further 3 Rivers investment. Despite this the Scrutiny Committee failed to undertake their legally defined duties, also, the Audit Committee. Would this Committee fully investigate the full reasons as to why?

As the questions had not been provided in advance, Mr Elstone was told that written answers would be provided.

Mr Nick Quinn had sent in questions and asked for the Chairman to read them out:

His questions related to Agenda Item 7: 3 Rivers, Lessons Learned, Session 1  
With this new Council's aims of inclusion, openness and transparency in mind:

Q1: Please would you tell me who prepared the, uncredited, "*Draft Terms of Reference*" document, shown on pages 23 and 24 of your papers?

A1: *This was prepared by the Chief Executive with the approval of the Chair of Scrutiny Committee.*

Q2: Please would you tell me who prepared the, similarly uncredited, "*3 Rivers - Corporate Risk Management*" document, shown on pages 25 to 27 of your papers?

A2: *This was prepared by the Council's Corporate Performance and Improvement Manager.*

Q3: The second paragraph of the "*Draft Terms of Reference*" document, stated that "*Numerous internal and external reports had been commissioned over the years, at considerable cost to the Council.... exploring both aspects of governance and finance*". Had copies of each of these reports been provided to every Member of Scrutiny Committee, for them to read and digest as part of this review process?

A3: *Yes, external legal and financial advice received from Anthony Collins Solicitors and Bishop Fleming had been shared.*

Q4: After the Agenda and papers for this meeting had been published, a number of "*Restricted Documents*" had been added to the electronic copy of the agenda shown on the Council Website. These papers had been published late and the public had no idea what they were, or what they were about. Please would you give me the titles of each of these additional papers and the reasons why each was published late?

A4: *These part 2 documents were sent out as a complete set as soon as they were all received, so this was the earliest we could make them available. The responses were from four ex councillors who were asked to consider the seven areas identified in the Terms of Reference document.*

Mr Goff Welchman asked three questions:

Q1: He wished to enquire why this committee was only investigating the 3 Rivers Development Company back to 2018, and did not wish to apportion blame? Was the committee not aware, that under recent legislation changes, any directors found to be negligent could be prosecuted and pursued for company losses, even to the extent of losing their homes, and any other assets?

Response to question 1:

*As is a matter of public record, all governance matters and financial transactions had been audited multiple times by internal and external companies. While it was therefore accepted that there may be lessons to be learnt from how the Council managed its relationship with the company on a number of issues, there was no suggestion of any Director negligence as had been referred to.*

Q2: Were any Council Officers given legal advice at the outset of 3 Rivers Development Company Ltd that they should not be a Director of 3RDL whilst also having a controlling financial position on the Council and therefore responsible for signing off loans to 3 RDL?

Q3: With regard to apportioning blame, how would anyone like it if their house was burgled and the Police said that they could not investigate it due to cost?

As questions 2 and 3 had not been provided in advance, Mr Welchman was told that written answers would be provided. The Chairman commented that the Council had chosen to investigate this matter in order to be transparent. The Deputy Chief Executive (S151) commented that advice on set up was taken at the outset. Advice on Governance arrangements had been taken from Bevan Brittan Solicitors, and that advice been provided to Councillors before the company was set up. The Council had complied fully with that advice.

Mr Barry Warren asked the following questions of the Scrutiny Committee:

His questions related to Agenda item 7 on the papers and were addressed to the Chairman.

On 11<sup>th</sup> October 2023 he had received a letter in the post from the Chief Executive. In the letter it was repeatedly stated that it is written to him on behalf of the Chairman of the Scrutiny Committee. At the end of the letter it was signed as being on behalf of the Chair and the Deputy Chair.

1. Did both you and your Deputy Chair approve the wording of this letter?
2. Did you set the list of former councillors to receive this letter and who were they?
3. He was only aware of two other former Leaders receiving this letter in addition to himself. Certainly no others from the final Cabinet received copies and one of them had been a member of Cabinet from May 2019. Why were they not contacted?
4. In the penultimate paragraph, on your behalf, it stated: *The District Solicitor would be reviewing all information provided in order to ensure it met the standards of accuracy and integrity that befits the worthiness of the scrutiny committee's consideration.*
  - a) He was in a position to provide accurate information supported by evidence – even of officers giving misleading information to members. Why did you suggest that the information I could provide would need filtering by the District Solicitor?
  - b) Were you wishing to apply censorship to the work of the Scrutiny Committee?
5. Mention was made of members having the opportunity to review a ‘vast quantity of audit and financial information’.



- a) Who was going to select what members would review?
- b) Would members be directed to members' and public questions at the various times or those documents from the Leader and Cabinet that pointed out that some reports only contained information provided by Directors of 3 Rivers – one of whom was also the S151 officer?

As the questions had not been provided in advance, Mr Warren was told that written answers would be provided.

#### 43 **MINUTES OF THE PREVIOUS MEETING (00:23:24)**

The minutes of the last meeting held on 2 October 2023 were approved as a correct record and **SIGNED** by the Chairman.

#### 44 **DECISIONS OF THE CABINET (00:23:47)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 17 October 2023 had been called in.

#### 45 **CHAIRMAN'S ANNOUNCEMENTS (00:23:51)**

There were no Chairman's announcements.

#### 46 **3 RIVERS LTD - LESSONS LEARNED - SESSION 1 (00:24:59)**

Consideration was given to;

- The Anthony Collins Solicitors reports had not been shared with all the members of the Scrutiny Committee but would be.
- The role of the Scrutiny Chairman.
- What was required of the Scrutiny Committee?
- Terms of Reference – The draft submitted to the Scrutiny Committee was a reflection of all the concerns that had been raised. It was meant as something to start the debate and to give it some structure.
- Whether a report from an Officer should have been provided.
- Setting up a Task and Finish Group with its own Terms of Reference.
- What work had been done outside of the Scrutiny Committee meeting?
- The Terms of Reference were a good starting point but any Working Group should be able to adapt them in order to accommodate a better understanding, perhaps adding an addendum page stating what the group wanted to reflect back to the committee.

Cllr N Woollatt proposed and Cllr R Roberts seconded that a Working Group be set up to look into 3 Rivers Development Ltd and report back to the Scrutiny Committee.

Consideration was given to:

- A Working Group could meet informally, often and regularly.
- Still the need for a swift process with a transparent outcome.
- The quantity of the material is vast.
- The working group should concentrate on quality and not quantity.
- The status of notes that would be taken at a Working Group.
- The Working Group should look back to the start of the company.

- The purpose of the working group should be to investigate and make proposals.

This proposal was **CARRIED**

A Working Group consisting of Cllrs: Cuddy, Czapiewski, Roberts and Westcott was **AGREED**. The Lead Officer to the group would be the Policy Research Officer for the Scrutiny Committee. The group would appoint their own Chairman, decide upon frequency of meetings, who they would interview if anyone and reporting and time-scales. The group needed to have an agile approach.

A vote was taken on a proposal to accept the Terms of Reference that had been circulated before the meeting and this was **CARRIED** and Cllr N Woollatt abstained. The group would report back particularly with regard to the Terms of Reference and any addendum at the next meeting and hoped to produce a final report by the Scrutiny meeting on 18<sup>th</sup> December 2023.

(The meeting ended at 6.52 pm)

**CHAIRMAN**

## **MDDC SCRUTINY COMMITTEE MEETING 30<sup>TH</sup> OCTOBER 2023**

**Written responses to Public Questions not sent in advance of the meeting.**

**QUESTIONS: PAUL ELSTONE - A Local Resident and Council Taxpayer.**

My questions relate to Agenda Item 7 – 3 Rivers – Lessons Learned.

My questions are all directed to the Chair.

Question 1

This administration promised openness, transparency and public engagement in decision making. Can it be explained in detail why 5 documents associated with the 3 Rivers Lessons Learned agenda item are being kept secret from the public?

Yes, they were published in part2 at the request of those who willingly gave their time to make their observations to the committee.

Question 2

It is known that the integrity of various audits and reports on 3 Rivers were being seriously challenged by previous Council Leaders who had detailed knowledge.

Audits that Council Executive Officers have repeatedly used to justify decisions taken.

Additionally, there are emails written and received from the Devon Audit Partnership that show their investigation report to be fatally flawed.

Will the full circumstances of these integrity issues be fully investigated by this committee?

The Audit Committee of 27th June 2023 considered a report which specifically addressed this point. The report stated: 'Those connected to the allegations were requested to supply any / all evidence of criminality to DAP... to assist in the completion of this report in a timely manner. Despite directly approaching Estone/Davey/Deed and Officers of 3RDL no evidence of criminality or fraud has been obtained.'

As such, the repeating of such claims is both misleading and inaccurate.

Question 3

Information is becoming increasingly available regarding the council lending to 3 Rivers. Information it is strongly believed shows what can only be classed as repeat reckless lending being fully promoted by Council Officers and then agreed by this Council.

Will this Committee fully investigate and then seek independent legal advice on this position?

No. No evidence exists to support such a statement.

#### Question 4

It is known that a former senior councillor with probably most knowledge of the 3 Rivers debacle has called the 3 Rivers Lessons Learned Enquiry an officer orchestrated sham.

How therefore can the Mid Devon public have any confidence at all with the outcome ?

The committee agreed to a draft terms of reference and decided to appoint a working group. Whether this accords with the wishes or beliefs of any former councillor is completely irrelevant.

#### Question 5

It had become clear to everyone that 3 Rivers was in a desperate financial situation in October 2022. That events had become massively worse at the Cabinet Meeting of the 31<sup>st</sup> January 2023.

That it took the then Council Leader despite being incapacitated to call a halt. The Fully Independent Cabinet then further intervened to prevent further 3 Rivers reckless investment.

Despite this the Scrutiny Committee failed to undertake their legally defined duties. Also, the Audit Committee.

Both committees were asleep at the wheel.

Will this Committee fully investigate the full reasons as to why?

At that time, the former council leader had been unable to command the support of a quorate cabinet, leading to a cabinet meeting on 14<sup>th</sup> February 2023 where no appointed member of cabinet attended. Following this, a motion of no confidence in the Leader and to remove him was tabled for consideration by council on 22<sup>nd</sup> February.

The subsequent cabinet did not 'intervene to prevent investment', the decision had already been made by full council.

The actions of scrutiny and audit committees over the years will no doubt be considered by the working group in due course.

## **QUESTIONS: GOFF WELCHMAN - A LOCAL RESIDENT AND TAXPAYER**

Q2: Were any Council Officers given legal advice at the outset of 3 Rivers Development Company Ltd that they should not be a Director of 3RDL whilst also having a controlling Financial position on the Council and therefore responsible for signing off loans to 3 RDL?

Governance was established having taken advice from external solicitors.

Q3: With regard to apportioning blame, how would anyone like it if their house was burgled and the Police said that they could not investigate it due to cost?

The council has incurred, and continues to incur, cost in managing, checking and assuring the relationship with its company, via both internal and external audit, as well as via external specialists at numerous points. All such information will be made available to scrutiny members as required in order to ensure they can effectively scrutinise and report back as appropriate.

## **QUESTIONS: BARRY WARREN – RESIDENT AND COUNCIL TAX PAYER**

My questions relate to Agenda item 7 on your papers and are addressed to you Madam Chairman for answers please.

On 11<sup>th</sup> October 2023 I received a letter in the post from the Chief Executive. In the letter it is repeatedly stated that it is written to me on behalf of the Chairman of the Scrutiny Committee. At the end of the letter it is signed as being on behalf of the Chair **and** the Deputy Chair.

1. Did both you and your Deputy Chair approve the wording of this letter?

Yes.

2. Did you set the list of former councillors to receive this letter and who were they?

Yes. Former leaders and the substantive portfolio holders.

3. I am only aware of 2 other former Leaders receiving this letter in addition to myself. Certainly no others from the final Cabinet received copies and one of them had been a member of Cabinet from May 2019. Why were they not contacted?

The views of those with the most knowledge were sought.

4. In the penultimate paragraph, on your behalf, it states: *The District Solicitor will be reviewing all information provided in order to ensure it meets the standards of accuracy and integrity that befits the worthiness of the scrutiny committee's consideration.*

a) I am in a position to provide accurate information supported by evidence – even of officers giving misleading information to members. Why do you suggest that the information I could provide would need filtering by the District Solicitor?

Regular inference is made regarding misleading information, no evidence has ever been provided to substantiate such claims. It is precisely this type of speculative claim that adds no value to the committee's lessons learned process, hence making it clear that that the District Solicitor would review any submissions for accuracy.

b) Are you wishing to apply censorship to the work of the Scrutiny Committee?

This question is an insult to the chairman, and shows a disconcerting lack of respect from a former leader of this council who ought to know better.

5. Mention is made of members having the opportunity to review a 'vast quantity of audit and financial information'.

a) Who is going to select what members will review?

No one. It will not be selected for them – the working group as established at the meeting will review such information as it sees fit.

b) Will members be directed to members' and public questions at the various times or those documents from the Leader and Cabinet that pointed out that some reports only contained information provided by Directors of 3 Rivers – one of whom was also the S151 officer?

See previous; members will not be 'directed'.

## **Report for: Cabinet**

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Date of Meeting:	12 December 2023
<b>Subject:</b>	<b>Corporate Performance Report</b>
Cabinet Member:	Cllr Luke Taylor, Council Leader
Responsible Officer:	Matthew Page, Corporate Manager for People, Governance & Waste. Dr Steve Carr, Corporate Performance and Improvement Manager.
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1A: Environment Appendix 1B: Climate Change Appendix 2: Homes Appendix 3: Economy Appendix 4: Community Appendix 5: Corporate Performance

### **Section 1 – Summary and Recommendation(s)**

To provide Members with an update on performance against the corporate plan and local service targets for quarter 2 (2023/24).

#### **Recommendation(s):**

**Members review and scrutinise the Performance Indicators and information detailed in this report.**

### **Section 2 – Report**

#### **1.0 Introduction**

- 1.1 The council's Corporate Plan was adopted in February 2020. It sets out the council's aims and priorities, and provides an explanation of the council's thinking and the key actions it would deliver on these priorities.
- 1.2 Appendices 1-5 provide Members with details of performance against the Corporate Plan and local service targets for quarter 2, financial year 2023/24. This spans the period July 2023 to September 2023.

- 1.3 The Corporate Plan has four themes: Homes, Environment, Economy, and Community. Climate Change is a cross cutting theme of the Plan. Alongside the performance reporting of the Corporate Plan, the council presents performance information on a wide range of corporate performance indicators, these are detailed in Appendix 5.
- 1.4 Devon Audit Partnership completed an internal audit on the council's performance management arrangements in September 2023. As part of the recommendations of this report, this report is no longer presented to the Audit committee. It will continue to be presented to Cabinet quarterly, and then it will be reviewed by Scrutiny committee every six months (at a minimum).

## 2.0 Performance Analysis

### Environment (Appendix 1A)

- 2.1 Levels of residual waste collected per household is performing ahead of target for the year to date (Figure 1). Between April and September, the level of residual waste collected has decreased by over 16% from 2021/22 to 2023/24.

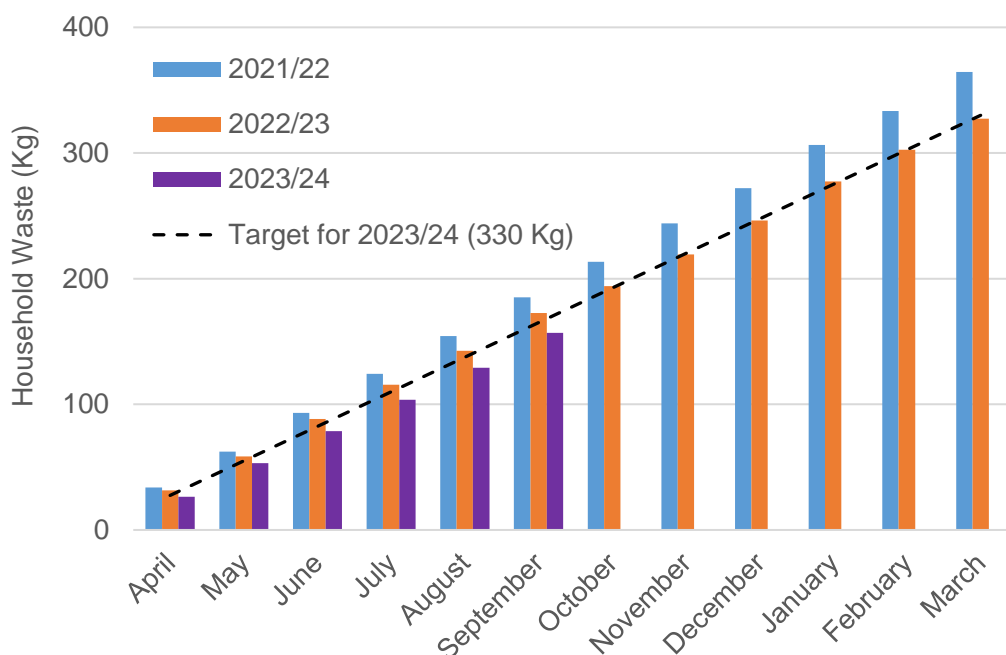


Figure 1: Residual Waste per Household (Kg), 2021/22 to present.

- 2.2 Household waste recycled in the financial year to date is 59.24% (April to September 2023), and is above target (56.5%).



- 2.3 Households opted into chargeable Garden Waste collections is 12,443 (September 2023) compared to 12,018 last year (September 2022).
- 2.4 Levels of missed bin collections are slightly higher than the target. This is being closely monitored and the new Customer Relationship Management (CRM) system will enable more scrutiny of performance.
- 2.5 37 fixed penalty notices (Environment) have been issued (April to September 2023). One of the objectives for the Environment and Enforcement service is to educate the public and ensure a balanced and proportionate approach to enforcement activity. This will enable the service to build public confidence in our enforcement practice.

### Climate Change Appendix 1B

- 2.6 To date, the Council has installed three electric vehicle charger units, each with two charging points. Lease arrangements are being finalised for 3 new sites (one charger at each site). The number of charging point uses is ahead of target for 2023/24.

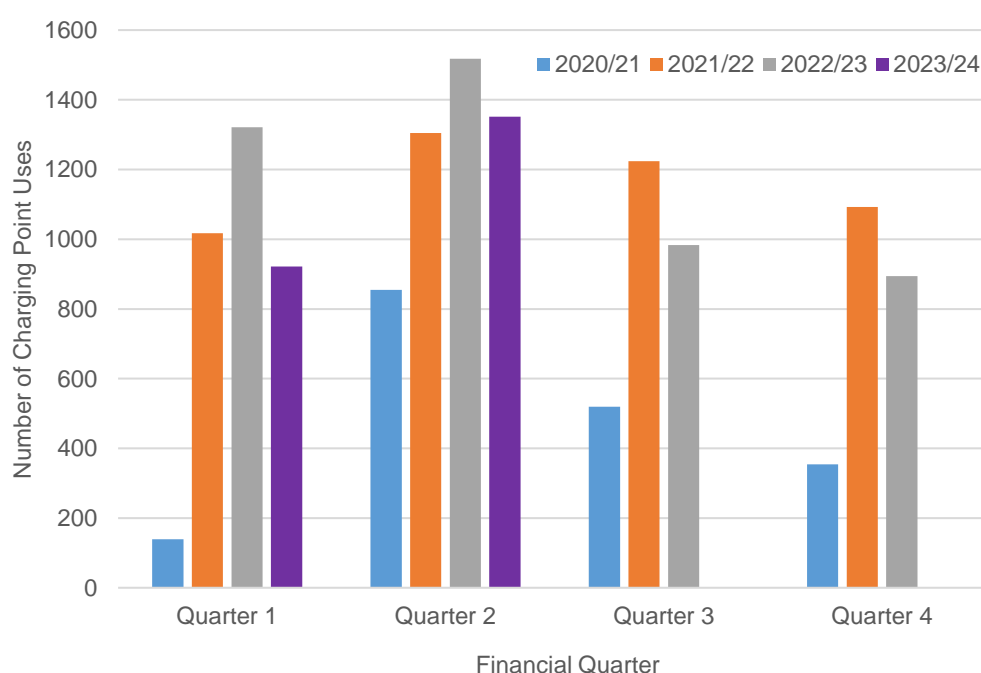


Figure 2: Electric Vehicle Charge Point uses per quarter, 2020/21 to present

- 2.7 The council's carbon footprint for 2022/23 has now been calculated at 17,730 t CO<sub>2</sub>e.

### Homes Portfolio - Appendix 2

- 2.8 The number of households who considered themselves as homeless that approached the Council's housing advice service for Quarter 2 was 207, Figure 3.

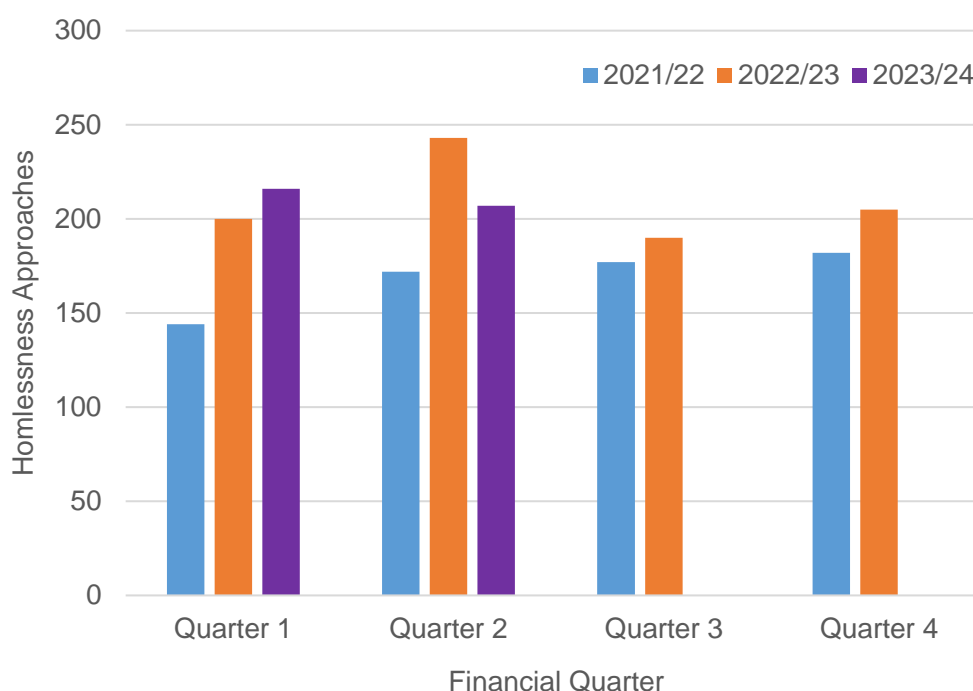


Figure 3: Homelessness approaches per quarter, 2021/22 to present.

- 2.9 The data for Council Housing for Quarter 2, 2023/24 (July to September 2023) is shown in Table 1.

Table 1: Council housing performance indicators, April to June 2023.

Indicator	July	Aug	Sep
Emergency repairs completed on time	100.0%	100.0%	100.0%
Urgent repairs completed on time	96.3%	100.0%	100.0%
Routine repairs completed on time	98.9%	99.7%	100.0%
Properties with a valid gas safety certificate	99.9%	99.9%	99.9%
Housing complaints responded to on time	95.2%	100.0%	94.4%

### Economy Portfolio - Appendix 3

- 2.10 The number of empty business properties is measured by the number of national non-domestic rates (NNDR) accounts receiving empty property relief. There were 246 empty business properties in September 2023, Figure 4.

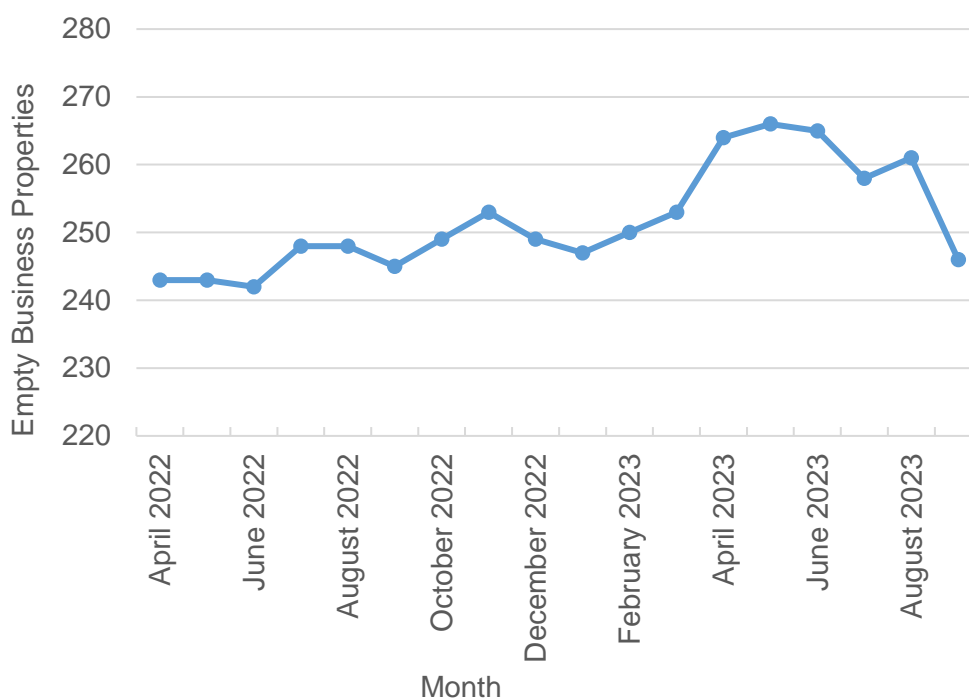


Figure 4: Number of empty business properties, last 18 months.

- 2.11 The number of regular traders at the Pannier market is 87% for Quarter 2, ahead of a target of 85%, Table 1.

Table 1: Regular Traders at the Tiverton Pannier market, 2022/23 to present

Financial Year	Quarter	Regular Traders
2022/23	1	85%
	2	87%
	3	87%
	4	81%
2023/24	1	89 %
	2	87 %

#### Community Portfolio - Appendix 4

- 2.12 There have been 281 complaints this financial year (April 2023 to September 2023), 94% have been responded to within the target timescales.
- 2.13 Health Referral Initiative starters is 66 for the year to date (April 2023 to September 2023). The number of Health Referral Initiative Completers is currently 31 (September 2023) and the number of Health Referral Initiative Conversions is 29. All performance indicators are performing ahead of target.

## Corporate - Appendix 5

- 2.14 Council Tax collected for the financial year is 55.08% (September 2023), slightly lower than last year (55.57%; September 2022).
- 2.15 National Non Domestic Rate (NNDR) collected thus far is 56.18% (September 2023), compared to 62.56% in September 2022.
- 2.16 The number of working days/ shifts lost due to staff sickness absence per full time equivalent employee is 3.53% for the financial year to date (September 2023). This is higher than at the same point last year, 3.11% (September 2022).
- 2.17 Staff turnover at the Council for the year to date is 9.01% (September 2023), Figure 5. Whilst staff turnover is lower than in the previous two financial years, it is now performing behind the target set.

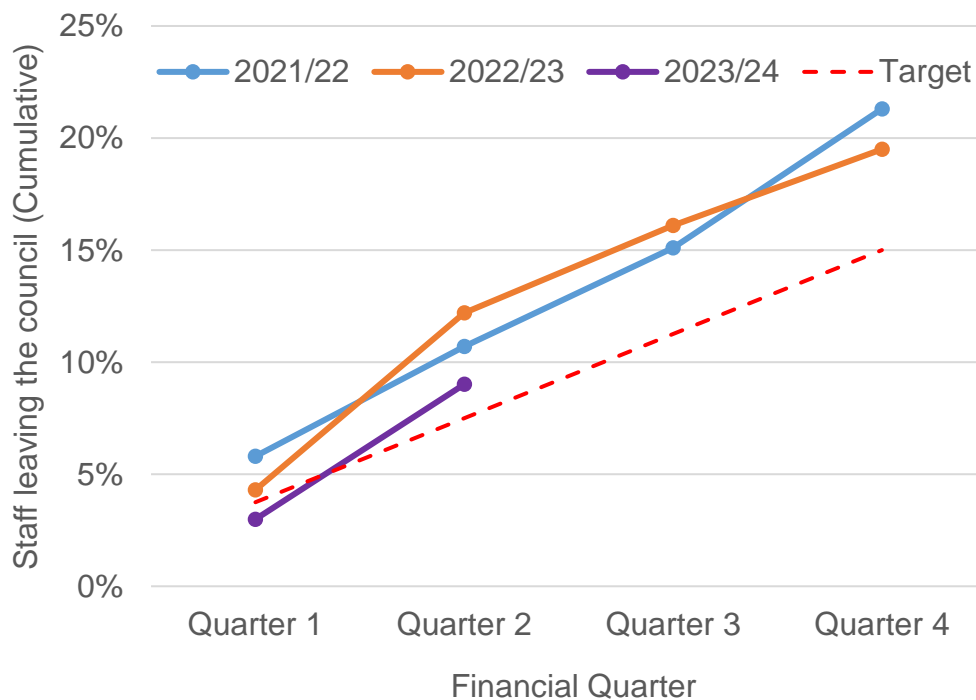


Figure 5: Staff Turnover per financial quarter (Cumulative year to date), 2021/22 to present.

## **Financial Implications**

There are no direct financial implications arising from this report. However, if performance is not at the expected or desired level then resources may need to be reviewed or redirected to improve performance. Policy Development Groups, Planning committee and Cabinet have started to receive Performance Dashboards each quarter. These Dashboards present performance, finance, and risk information together to enable simultaneous consideration of these related aspects.

## **Legal Implications**

There are no direct legal implications arising from this report. However, if the performance of some indicators is not at required levels, there is a risk of legal challenge. Performance management helps the council meet its duties in relation to Value for Money.

## **Risk Assessment**

If performance is not managed we may not meet our corporate and local service plan targets or take appropriate corrective action. Equally risks may arise which impact the council's ability to deliver its corporate priorities. Corporate Risks are identified through the council's Corporate Risk Register and these represent the strategic risks most likely to impact on the council achieving its corporate priorities.

## **Impact on Climate Change**

Several performance indicators are related to our corporate ambition to reduce carbon emissions. Managing the performance of these can help evaluate the impact of Council interventions as well as guide future decisions on spend and investment.

## **Equalities Impact Assessment**

The council has a duty to understand its residents, user groups and customers. Customer feedback (e.g. complaints) can help the council identify any groups of people who may potentially be experiencing a less satisfactory level of service. When reviewing performance and making recommendations on priorities, the Council should be mindful to consider how services might impact on different sections of the community. The council is currently reviewing its Equality Impact Assessment process.

## **Relationship to Corporate Plan**

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

## **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 28 November 2023

**Statutory Officer:** Maria De Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 28 November 2023

**Chief Officer:** Stephen Walford

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

**Date:** 28 November 2023

**Performance and risk:** Steve Carr

Agreed by the Corporate Performance & Improvement Manager

**Date:** 15 November 2023

**Cabinet member notified:** Yes

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Dr Steve Carr, Corporate Performance & Improvement Manager

Email: [scarr@middevon.gov.uk](mailto:scarr@middevon.gov.uk)

Telephone: 3CX Extension: 4217

**Background papers:**

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## Corporate Plan PI Report Environment 2023\_24

Monthly report for 2023-2024  
Arranged by Aims  
Filtered by Aim: Priorities Environment  
For MDDC - Services

### Key to Performance Status:

Performance Indicators:

No Data

Well below target

Below target

On target

Above target

Well above target

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

## Corporate Plan PI Report Environment 2023\_24

### Priorities: Environment

### Aims: Increase recycling and reduce the amount of waste

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Household waste collected per household (kg)</u>	327.3	330.0	26.3	53.1	78.7	103.5	129.1	156.9	181.5						Darren Beer	(April - September) 1.87kg per household less than September 2022 (LD)
<u>Fixed Penalty Notices Issued (Environment)</u>	37		5	11	16	20	25	37	40						Matthew Page	
<u>Household recycling rate (%)</u>	55.4%	56.50%	56.46%	59.39%	59.47%	59.89%	59.73%	59.26%	59.10%						Darren Beer	(September) 1.22 % point increase compared to September 2022 (LD)
<u>Households on Chargeable Garden Waste</u>	12,009	11,800	12,229	12,213	12,141	12,192	12,244	12,443	12,195						Darren Beer	(October) An additional 268 customers compared to September 2022 (LD)
<u>Missed refuse/food/garden collections - collection crew</u>	0.04%	0.03%	0.04%	0.04%	0.03%	0.03%	0.03%	0.04%	0.03%						Darren Beer	(October) A marked improvement compared to 0.05% in September 2023 (LD)

## Corporate Plan PI Report Environment 2023\_24

### Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>error (%)</u>																
<u>Missed Recycling/Food Collections - collection crew error (%)</u>	0.05%	0.03%	0.06%	0.05%	0.05%	0.05%	0.05%	0.04%	0.04%						Darren Beer	(October) Missed collections have been on or under target consistently for the past 3 months. (LD)

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Print Date: 15 November 2023 14:22



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Corporate Plan PI Report Climate Change 2023\_24

Monthly report for 2023-2024  
Arranged by Aims  
Filtered by Aim: Priorities Climate Change  
For MDDC - Services

Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
-------------------------	---------	-------------------	--------------	-----------	--------------	-------------------

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

Corporate Plan PI Report Climate Change 2023\_24

Priorities: Climate Change

Aims: Green Sources of Energy

Page 25

Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Electric Car Charger usage (Number of uses)</u>	4,716	4,000	n/a	n/a	922	n/a	n/a	2,274	n/a	n/a		n/a	n/a		Paul Deal	(Quarter 2) July = 434. Aug = 501. Sep = 417. (JB)
<u>Electric Car Charger Units</u>	6	8	n/a	n/a	6	n/a	n/a	6	n/a	n/a		n/a	n/a		Paul Deal	(Quarter 1) Six charger units at the leisure centres. Lease agreements being finalised for 3 new sites (1 charger unit each). (JB)

Aims: Biodiversity

Performance Indicators																
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Corporate Tree Planting Scheme</u>	1,192	500	n/a	n/a	10	n/a	n/a	10	n/a	n/a		n/a	n/a		Paul Deal	(Quarter 1) Ten replacements planted April. Further tree planting would not now be expected until November 2023. (JB)
<u>Community climate and biodiversity grants</u>	No	Yes	n/a	n/a	No	n/a	n/a	No	n/a	n/a		n/a	n/a		Paul Deal	(Quarter 1) Submitted to Cabinet November 2022 as a priority for budget spend. (JB)

# Corporate Plan PI Report Climate Change 2023\_24

## Priorities: Climate Change

### Aims: Retro-fitting measures

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<b><u>Corporate Renewable Energy Projects</u></b>	5	2	n/a	n/a	2	n/a	n/a	2	n/a	n/a		n/a	n/a		Paul Deal	<p>(Quarter 2) 2020/2021: - Carlu Close solar PV project completed.</p> <p>2021/2022: - Retrofit of Air Source Heat Pump (ASHP) at Lords Meadow Leisure Centre. - Retrofit energy saving light installations at all 3 leisure centres. - Retrofit energy saving lighting measures installed at Tiverton multi-storey car park.</p> <p>2022/2023: - 100% renewable electricity tariff (REGO backed) for more than of 'half-hourly' types of electricity supply to MDDC buildings (3 locations: Phoenix House; Exe Valley; Pannier Market). - The proposal for a hydro project in the River Exe was previously put forward as a planning application. The application met with a range of objections, most notably a number were raised by statutory consultee, Environment Agency, which also owns the site. - Retrofit LED lighting units installed for all-weather pitches at leisure centres.</p> <p>2023 - 2024: - Two projects to decarbonise heating at Exe Valley and Lords Meadow leisure centres moved to completion for the heating and cooling installation works. These projects used combined arrays of ground-source and air-source heat pumps to capture renewable heat from the ground and air. At Lords Meadow the wood biomass heating system was also upgraded. Extra renewable power generated by new solar photovoltaic panel arrays. Efficiency gains with new building management systems (BMS). New systems being commissioned and tested to the required standards. - We will prioritise low-risk short-payback renewable energy projects at MDDC assets e.g. roof-mounted solar power</p>

## Corporate Plan PI Report Climate Change 2023\_24

### Priorities: Climate Change

#### Aims: Retro-fitting measures

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																arrays. - New EV chargers will be hosted at MDDC car parks, run on renewable power tariffs, to be installed 2023-2024. (JB)
<u>Housing Assistance Policy (Retro-fit schemes supported)</u>	11		0	0	0	0	1	1	1						Simon Newcombe	(October) scheme has ended (TW)
<u>Home Improvement Loans sanctioned</u>	14	10	4	4	5	6	7	10							Simon Newcombe	(May) Loans drawn down (TW)

#### Aims: Other

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Community Schemes (Environmental)</u>	14	4	n/a	n/a	8	n/a	n/a	20	n/a	n/a		n/a	n/a		Paul Deal	(Quarter 2) Actively engaging with community projects / networks / groups / individuals - also local farmers and other enterprises with a green agenda / project / exemplar. Proactively promoting the sustainability projects and activities of community schemes on the Sustainable Mid Devon website (resource map, events and news, etc.).  Community liaison with e.g.: Blackdown Hills Transition; Connecting the Culm; Creedy Catchment Crayfish Project; Exeter Community Energy; Mid Devon Parish Wildlife Warden Scheme; Newton Environmental Wellbeing; Sustainable Bradninch; Sustainable Crediton; Sustainable Tiverton; St Andrew's Church in Cullompton; Uffculme Green Team; Community Action Groups (CAG) Devon; the Recycle Devon team;

# Corporate Plan PI Report Climate Change 2023\_24

## Priorities: Climate Change

Aims: Other

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
																<p>tenants of Mid Devon Housing.</p> <p>Devon County Show 2023: worked with Devon Climate Emergency and liaised with Recycle Devon and CAG Devon. Topical theme: net zero visions.</p> <p>Devon Local Nature Partnership 2023 Spring Conference: liaised with Mid Devon Parish Wildlife Warden Scheme; Connecting the Culm; Creedy Catchment Crayfish Project; Sustainable Bradninch; Uffculme Green Team. (JB)</p>
<b>Council Carbon Footprint (tCO2e)</b>	17,730	17,187	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Paul Deal	(2023 - 2024) This is an annual KPI. The report / inventory is commissioned in May after the financial year dataset is complete and collated. Annual GHG Emissions in Tonnes of CO2 equivalent (tCO2e) for 2022-2023 was 17,730 net and 17,911 gross. (SC)

Page 28



## Corporate Plan PI Report Homes 2023\_24

### Priorities: Homes

#### Aims: Community Land Trusts

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Community Led Housing Projects Assisted</u>	1	1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	

#### Aims: Private Sector Housing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Deliver homes by bringing Empty Houses into use</u>	14		0	5	7	8	8	10	13						Simon Newcombe	
<u>Houses in Multiple Occupation (HMOs) investigations</u>	96%	95%	100%	100%	100%	100%	100%	100%	100%						Simon Newcombe	
<u>Landlord Engagement and Support</u>	9	9	n/a	n/a	1	n/a	n/a	7	n/a	n/a		n/a	n/a		Simon Newcombe	(Quarter 2) 3x Pin point 1x event jointly with Exeter 1x mailout with Lendology 1x Press release (TW)

#### Aims: Council Housing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Emergency Repairs Completed on Time (%)</u>	99.7%	100.0%	98.7%	98.1%	97.8%	98.3%	98.6%	98.8%	99.0%						Simon Newcombe	
<u>Urgent Repairs Completed on Time</u>	99.0%	95.0%	100.0%	99.4%	97.3%	97.0%	97.6%	98.1%	98.4%						Simon Newcombe	

# Corporate Plan PI Report Homes 2023\_24

## Priorities: Homes

### Aims: Council Housing

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
(%)																
<b><u>Routine Repairs Completed on Time (%)</u></b>	98.4%	95.0%	98.5%	98.4%	97.8%	98.1%	98.4%	98.7%	98.8%						Simon Newcombe	
<b><u>Properties With a Valid Gas Safety Certificate (%)</u></b>	99.8%	100.0%	99.9%	99.9%	99.9%	99.9%	99.9%	99.9%	99.9%						Simon Newcombe	
<b><u>Housing Complaints Responded to On Time (%)</u></b>	100.0%	95.0%	88.9%	80.6%	86.2%	88.6%	90.2%	90.9%	91.3%						Simon Newcombe	

Page 1

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## Corporate Plan PI Report Economy 2023\_24

Monthly report for 2023-2024  
Arranged by Aims  
Filtered by Aim: Priorities Economy  
For MDDC - Services

### Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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\* Indicates that an entity is linked to the Aim by its parent Service

Corporate Plan PI Report Economy 2023_24																	
Priorities: Economy																	
Aims: Incubator and start-up space																	
Performance Indicators																	
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes	
<u>Incubator and Start-up space</u>	0	1	n/a	n/a	1	n/a	n/a	2	n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 2) Grants awarded to two businesses at end of Q4 of 2022/23 through Shared Prosperity Fund to improve and extend their work hub provision. In Q2 of 2023/24, both units have now delivered completed improvements. A further application was received under the scheme with funding decision to be made by end of October. (ZL)	
<u>Sites for Commercial Development</u>	0	2	n/a	n/a	0	n/a	n/a	0	n/a	n/a		n/a	n/a		Paul Deal	(Quarter 2) Should an opportunity present itself it would be reported through the applicable committee. (KA)	

Aims: Improve and regenerate our town centres																	
Performance Indicators																	
Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes	
<u>Business rate accounts (Number)</u>	3,556	3,150	3,556	3,546	3,548	3,558	3,561	3,556	3,568						Dean Emery		
<u>Business</u>	£47,090,464	£53,433,767	£53,525,842	£53,493,042	£53,441,567	£53,637,242	£53,714,762	£53,755,987	£53,959,747						Dean		

# Corporate Plan PI Report Economy 2023\_24

## Priorities: Economy

Aims: Improve and regenerate our town centres

## Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Rates (Rateable Value)</u>															Emery	
<u>Empty Business Properties</u>	253	253	264	266	265	258	261	246	220						Dean Emery	
<u>Tiverton Town Centre Masterplan</u>		Adopt by July 2024	n/a	n/a	Yes	n/a	n/a	Yes	n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 1) Additional resource being secured within existing budgets to progress this project. (AW)
<u>Crediton Town Centre Masterplan</u>		Adopt by March 2024	n/a	n/a	Yes	n/a	n/a	Yes	n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 1) Consultants appointed. Project initiated - first stakeholder workshop held. Meetings ongoing with DCC and Crediton Town Council. (AW)
<u>Pannier Market Occupancy</u>	85%	85%	n/a	n/a	89%	n/a	n/a	87%	n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 2) Occupancy: Tuesday

## Corporate Plan PI Report Economy 2023\_24

### Priorities: Economy

**Aims: Improve and regenerate our town centres**

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Rate (%)</u>																(74%); Friday (93); Saturday (89%). Three month average 85% (AW)

### Aims: Community Land Trusts

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Community Led Housing Projects assisted</u>	1	1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	

### Aims: Digital Connectivity

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Digital connectivity</u>	0		n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 2) CDS programme continues through Devon County Council. (ZL)

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## Corporate Plan PI Report Community 2023\_24

Monthly report for 2023-2024

Arranged by Aims

Filtered by Aim: Priorities Community

Filtered by Flag: Exclude: Corporate Plan Aims 2016 to 2020

For MDDC - Services

Key to Performance Status:

Performance Indicators:

No Data

Well below target

Below target

On target

Above target

Well above target

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

### Corporate Plan PI Report Community 2023\_24

#### Priorities: Community

#### Aims: Health and Wellbeing

#### Performance Indicators

Page 37

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Annual Community Safety Partnership (CSP) Action Plan</u>	12	5	0	0	0	1	2	3	3						Simon Newcombe	(September) There is no longer a tangible action plan due to the withdrawal of funding. This means specific projects are not being delivered but collaborative working between agencies aims to tackle any emerging issues. It is therefore difficult to pinpoint delivery of any single actions other than to confirm that the new Specialist Lead is making good progress building these working relationships. (TW)

#### Aims: Community Involvement

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Complaints resolved within timescales (%; 10 days - 12 weeks)</u>	93%	95%	93%	93%	93%	93%	94%	94%	91%						Lisa Lewis	(October) 21 completed at 1st check (RT)
<u>Complaints (Number)</u>	465		54	100	152	193	232	278	308						Lisa Lewis	

## Corporate Plan PI Report Community 2023\_24

Priorities: Community

Aims: Community Involvement

Aims: Leisure Centres

### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Health Referral Initiative starters</u>	149	85	11	19	23	31	57	66	73						Dean Emery	
<u>Health Referral Initiative completers</u>	69	43	10	14	22	28	32	34	35						Dean Emery	
<u>Health Referral Initiative conversions</u>	38	26	12	14	21	26	30	30	31						Dean Emery	

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## Corporate Plan PI Report Corporate 2023\_24

Monthly report for 2023-2024

Arranged by Aims

Filtered by Aim: Priorities Delivering a Well-Managed Council

For MDDC - Services

Key to Performance Status:

Performance Indicators:

No Data

Well below target

Below target

On target

Above target

Well above target

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

## Corporate Plan PI Report Corporate 2023\_24

### Priorities: Delivering a Well-Managed Council

### Aims: Commercial Opportunities

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Industrial Units Cullompton- Kings Mill Industrial Estate (Unit Occupancy)</u>	14	15	n/a	n/a	14	n/a	n/a	14	n/a	n/a		n/a	n/a		Paul Deal	(Quarter 2) Unit 4 is under draft lease and should be occupied by end of October 2023 (KA)

### Aims: Other

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Sickness Absence (%)</u>	3.67%	2.38%	n/a	n/a	3.63%	n/a	n/a	3.53%	n/a	n/a		n/a	n/a		Matthew Page	
<u>Appraisals</u>	94%	100%	n/a	n/a	n/a	n/a	n/a	72%	n/a	n/a	n/a	n/a	n/a		Matthew	

# Corporate Plan PI Report Corporate 2023\_24

Priorities: Delivering a Well-Managed Council

Aims: Other

## Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>Completed (%)</u>															Page	
<u>Total Council Tax Collected - monthly (%)</u>	97.08%	96.50%	10.82%	19.68%	28.57%	37.42%	46.39%	55.08%	64.50%						Dean Emery	
<u>Total NNDR collected - monthly (%)</u>	96.75%	97.00%	13.66%	23.29%	32.69%	40.84%	49.54%	56.18%	65.38%						Dean Emery	
<u>New Performance Planning Guarantee determine within 26 weeks</u>	99%	100%	n/a	n/a	98%	n/a	n/a	98%	n/a	n/a		n/a	n/a		Dean Emery	(Quarter 1) Undetermined applications would be subject to Extensions Of Time (EOT) as such there is no issue with being outside of target (SC)
<u>Major applications overturned at appeal (over last 2 years)</u>	2.9%	10.0%	n/a	n/a	1.1%	n/a	n/a	0.6%	n/a	n/a		n/a	n/a		Dean Emery	
<u>Major Applications Overturned at Appeal (%)</u>	3.0%	10.0%	n/a	n/a	1.1%	n/a	n/a	0.6%	n/a	n/a		n/a	n/a		Dean Emery	



# Corporate Plan PI Report Corporate 2023\_24

## Priorities: Delivering a Well-Managed Council

### Aims: Other

#### Performance Indicators

Title	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Corporate Team Manager	Officer Notes
<u>of Appeals)</u>																
<u>Minor applications overturned at appeal (over last 2 years)</u>	0.8%	10.0%	n/a	n/a	0.5%	n/a	n/a	0.5%	n/a	n/a		n/a	n/a		Dean Emery	
<u>Minor Applications Overturned at Appeal (% of Appeals)</u>	0.9%	10.0%	n/a	n/a	0.5%	n/a	n/a	0.5%	n/a	n/a		n/a	n/a		Dean Emery	
<u>Response to FOI/EIR Requests (within 20 working days)</u>	99%	97%	98%	99%	99%	100%	100%	100%	100%						Lisa Lewis	
<u>Sickness Absence (Days)</u>	10.09days	6.00days	0.73days	1.49days	2.26days	3.05days	3.95days	4.89days	6.00days						Matthew Page	
<u>Staff Turnover (%)</u>	19.5%	15.00%	n/a	n/a	2.99%	n/a	n/a	9.01%	n/a	n/a		n/a	n/a		Matthew Page	

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## Mid Devon District Council Scrutiny Proposal Form

(This form should be completed by Member(s), Officers and / or members of the public when proposing an item for Scrutiny).

**Note:** The matters detailed below have not yet received any detailed consideration. The Scrutiny Committee reserves the right to reject suggestions for scrutiny that fall outside the District Council's remit.

Proposer's name and designation		Date of referral	
Proposed topic title			
Link to national, regional and local priorities(Corporate Plan) and targets			
Background to the issue			
List main points this report should cover (What do you want to achieve?)			
Should this be referred to the appropriate PDG/ Committee?			
What degree of priority is this issue? 1 = Urgent    2= High 3=Medium    4=Low			

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## **Mid Devon District Council Scrutiny Proposal Form 2023**

(This form should be completed by Member(s), Officers and / or members of the public when proposing an item for Scrutiny).

**Note: The Scrutiny Committee reserves the right to reject suggestions for scrutiny that fall outside the District Council's remit.**

Proposer's name and designation		Date of referral	
Proposed topic title			
Link to Corporate Plan or performance targets			
Background to the issue			
List main points this report should cover (What do you want to achieve?)			
What degree of priority is this issue? 1 = Urgent    2= High 3=Medium    4=Low			

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## SCRUTINY COMMITTEE WORK PLAN 2023-24

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
<b>18 December 2023</b>				
18.12.23	<b>Corporate Performance Report</b> To receive a report from the Corporate Manager for Performance and Improvement		Dr Stephen Carr	
18.12.23	<b>Community Safety Partnership</b> A report on the CSP activity in 2022/23 with an update on the current position and forward look.		Corporate Manager for Public Health, Regulation and Housing	
18.12.23	<b>Annual Report of Complaints and Compliments</b> To receive the Annual Report of Complaints and Compliments		Lisa Lewis	
27.11.23	3 Rivers - Lessons Learnt - Report of Working Group		David Parker	
<b>15 January 2024</b>				
15.01.24	<b>Regulation of Investigatory Powers Act (RIPA) report</b> To receive a verbal update from the Monitoring Officer		District Solicitor and Monitoring Officer	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
15.01.24	<b>Whistleblowing Annual Update</b> To receive details of any Whistleblowing instances in the previous year.		Corporate Manager for People, Governance and Waste	
15.01.24 6.02.24	<b>Draft Budget</b> 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)	
18.03.24	KPI's on Enforcement		Director of Place Development Management Manager	
<b>19 February 2024</b>				
19.02.24	<b>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.</b> Report from the Working Group			
19.02.24	<b>Establishment Report</b> To Receive a report from the Corporate Manager for People Governance and Waste		Corporate Manager for People, Governance and Waste	
<b>18 March 2024</b>				



Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
18.03.24	<b>Motion 583 - Protecting Rivers and Seas</b> Report back from Director of Place		Director of Place	
18.03.24	<b>Devon Home Choice</b> To receive a report from the Corporate Manager for Public Health, Regulation and Housing		Corporate Manager for Public Health, Regulation and Housing	
<b>15 April 2024</b>				
15.04.24	<b>Scrutiny Chairman's Annual Report</b> To receive a report from the Chairman of the Scrutiny Committee on the work the Scrutiny Committee has conducted over the last year.			

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## **Report for: Scrutiny**

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Date of Meeting:	18 December 2023
<b>Subject:</b>	<b>Annual Report Compliments, Comments &amp; Complaints</b>
Cabinet Member:	Cllr J Lock, Working Environment
Responsible Officer:	Lisa Lewis, Corporate Manager for Business Transformation & Customer Engagement
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendices 1 to 5

### **Section 1 – Summary and Recommendation(s)**

Annual report on compliments, comments and complaints received as part of our 2 plus million contacts with customers in 2022/23.

#### **Recommendation(s):**

**To note the record of compliments, comments and complaints**

### **Section 2 – Report**

#### **1.0 Introduction**

- 1.1 The Council receives contact from customers in a variety of ways for all services. The table below shows the overall number of contacts into Customer Services for each method for the last 12 months covering 01/11/22 to 31/10/23. Included are the previous year's numbers for comparison.

<b>Contact Method</b>	<b>01 November 2021 – 31 October 2022</b>	<b>01 November 2022 – 31 October 2023</b>
Number of visitors to the office for enquiries	4,865	6,129
Telephone Payments (including automated) *	67,221	70,177

<b>Contact Method</b>	<b>01 November 2021 – 31 October 2022</b>	<b>01 November 2022 – 31 October 2023</b>
Calls to call centre	95,896	86,184
Digital Payments	103,240	111,784
Online- forms submitted	55,762	81,287

- 1.2 This report provides a summary of the number of complaints, compliments and comments received for each service for the last 12 calendar months (see **Appendix 1**). Please be aware that the discrepancy between the figures provided here and the Ombudsman report below are due to the rescheduling of this report for higher priority items for the committee.
- 1.3 An official complaint is recorded when a customer expresses dissatisfaction with a service they have received. In some instances customers use the complaints system prior to requesting a service. These requests are triaged accordingly where we are aware and re-logged as service requests.
- 1.4 Compliments, comments and complaints are recorded on the Customer Relationship Management (CRM) system in accordance with our corporate complaints policy. The name, address and contact details of the complainant, the nature of the complaint and the outcome of the complaint investigation are all recorded.
- 1.5 Feedback recorded is not the totality of the expression of dissatisfaction with service delivery. For example, Customer Services record many service requests and services also record contacts/service requests in their own ICT systems. These include routine enquiries, requests for service and logging service failures which can be resolved quickly to the customers' satisfaction.
- 1.6 Members are provided with performance statistics for complaints via the six weekly PDG Performance Management reports and as part of the Audit cycle.
- 1.7 Housing complaints are now reported separately via the Homes PDG. Figures are included here only as a corporate oversight across all services.

## **2.0 Performance Statistics**

- 2.1 Feedback is recorded on the CRM, based on the information recorded we are able to extract the number of complaints raised at each level. Level 1 complaints are investigated by the Service Manager and Level 2 Complaints are investigated by Operational/Corporate Managers or member of Leadership Team.
- 2.2 Numbers of complaints upheld is recorded within the CRM.

- 2.3 As a measure of performance with complaint handling, the number acknowledged within 3 working days and resolved within timescales is recorded and reported on monthly as mentioned at 1.5.

### **3.0 What does the feedback tell us?**

- 3.1 As a result of complaints made, service managers are able to make changes to the working practices within service areas. These are also recorded in the CRM. Feedback where a change can be identified is an excellent way to improve services and respond to the needs of our customers.
- 3.2 Compliments received are often for members of staff who customers feel have done a good job. These are fed back to staff by line managers and where appropriate in staff communications. A sample of these can be found at **Appendix 5**.
- 3.3 What are the numbers telling us? We are actively encouraging feedback from customers and as a result we have seen an increase in the number of complaints, comments and compliments from last year.
- 3.4 The context of the environment in which we are all working is important. Staffing issues such as retention and staff savings targets, which Members are aware of, have affected services across the organisation and means there is a continuing need to review and revise how we provide some services which can lead to gaps between our ability to deliver and customer expectations.
- 3.5 We have seen an overall 44% increase in Complaints, and a 16% and 10% increase in Compliments and Comments respectively. The primary increases in complaints can be found in the following areas.

<b>Service</b>	<b>Increase from 21/22</b>
Housing Repairs	36%
Housing Tenancy	17%
Recycling	175%
Refuse	139%

- 3.6 Housing Complaints are reported via the Homes PDG and were shared at the [Homes PDG on 13 June 2023](#) for the financial year 21/22. Please refer to that report for further information on how Mid Devon Housing have changed their complaint practices as per their Ombudsman guidelines.
- 3.7 The refuse and recycling increase can be explained in part due to the timing of this report. Monitoring would have begun less than four weeks after the implementation of BinIt 1-2-3. This was a significant change for our residents and crews alike, so change of this nature requires some time to settle down.
- 3.8 Samples of compliments received can be found at **Appendix 5**.

#### 4.0 **The Future for Customer Feedback at MDDC.**

- 4.1 The authority is currently migrating the customer feedback process to the new CRM self-serve portal which went live in October 2023. Once migrated customers will have greater visibility of their complaint progress.
- 4.2 As part of the migration process we will be revisiting training with officers and reviewing performance reporting to improve escalation of complaint responses and adequately monitor actions and learning as outcomes of customer feedback.
- 4.3 The Local Government and Social Care Ombudsman (LGSCO) has recently closed a consultation to determine whether to create a joint Complaints Code. More information can be found [here](#). Should a joint code be adopted, the council will be obliged to review and amend current policies and procedures. The current policy is due for review but is awaiting the migration of the process to a new system should amendments to the published process be required, or a joint code is adopted whichever is the sooner.

#### 5.0 **Referrals to the Ombudsman Complaints Service 2022-2023**

- 5.1 12 complaints were made to the ombudsman by residents. The majority were closed after the initial enquiry not requiring further investigation.
- 5.2 Only one of the Ombudsman cases was upheld. This matches the Ombudsman outturn for 21/22 and is a testament to staff robustly applying processes and procedures in the delivery of services. A summary of complaints to the Ombudsman 2022-23 (the latest available) is provided at **Appendix 2**.
- 5.3 The Local Government Ombudsman Annual review letter is provided at **Appendix 3**.
- 5.4 For comparison, a table of neighbouring authorities and their ombudsman cases has been provided at **Appendix 4**.

**Financial Implications:** None

**Legal Implications:** None

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

**Impact on Climate Change:** None

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

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

### **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett  
Agreed by or on behalf of the Section 151  
**Date:** 5 December 2023

**Statutory Officer:** Maria De Leburne  
Agreed on behalf of the Monitoring Officer  
**Date:** 5 December 2023

**Chief Officer:** Stephen Walford  
Agreed by or on behalf of the Chief Executive/Corporate Director  
**Date:** 5 December 2023

**Performance and risk:** Steve Carr  
Agreed on behalf of the Corporate Performance & Improvement Manager  
**Date:** 6 December 2023

**Cabinet member notified:** yes

### **Section 4 - Contact Details and Background Papers**

**Contact:** Lisa Lewis, Corporate Manager for Digital Transformation & Customer Engagement  
Email: llewis@middevon.gov.uk  
Telephone: 01884 234981

#### **Background papers:**

Appendix 1 – Summary and Totals of Feedback  
Appendix 2 – Summary of Complaints to Ombudsman  
Appendix 3 – Ombudsman Annual Review Letter 2022-23  
Appendix 4 – Ombudsman Local Authority Benchmarking  
Appendix 5 – Sample of Compliments

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## Appendix 1

### Compliments, Comments and Complaints

Summary of Feedback Received	01 November 2021 – 31 October 2022	01 November 2022 – 31 October 2023
Complaints received	383	550
Comments received	125	137
Compliments received	94	109
Number of complaints at level 2	56	95
Number of complaints at level 2 upheld	9	18
Number of complaints at level 1 upheld	92	129
Number where a change was made to the service procedures as a result of the complaint	19	25
Open at start of date range	223	137
Open at end of date range	339	109

Complaints                    44% INCREASE

Compliments                16% INCREASE

Comments                    10% INCREASE

Feedback Processed	01/11/2021 – 31/10/2021				01/11/2022 – 31/10/2023		
Service	Complaints	Compliments	Comments		Complaints	Compliments	Comments
Abandoned Vehicles		1					
Affordable Housing	1						
Building Control			1				
Business Rates							1
Car Parks	7				9	1	7
Community Development					1		
Community Housing support		1			1		
Community Safety			1		1		
Council Tax Billing	13	2	2		7		1
Council Tax Recovery	4				10		
Council Tax Reduction	2				1		
Customer Services	10	5	2		12	8	3
Democracy and Members	10				7		
Dog Strays or Fouling	1				2		
Drainage and Flooding					1		
Electoral Register					2	1	1
Environmental Issues					3		
Environmental Services	6				4		
Finance					1		
Fly Tipping	1	3					
Garden Waste	2	1	1		5	3	6
Grass Cutting			2		8	1	
Health & Safety					1		1
High Hedges					1		
Homelessness	18	2			12		1
Housing Benefits	7	1			3		
Housing Repairs	95	31	74		130	50	61
Housing Tenancy	109	17	17		128	22	12
Human Resources	1						

ICT Services					3		1
Legal Services	1						
Leisure	2		3		4		
Licensing	5				4		
Markets	1						
Monitoring Officer					10		
Parks and Flower Beds					1		
Planning - Development Control	24				26		1
Planning - Forward Planning	2	1			2		1
Pollution incl Noise	1				3		
Private Sector Housing	2				2		
Property Services	4		2		9	1	3
Public Toilets					1		
Recycling	20	11	9		55	9	21
Refuse Collection	31	15	11		74	6	14
Street Cleansing		3			5	6	1
Street Naming	2						
Trade Waste						1	1
Uncategorised	1						
Waste Transfer Station					1		
	383	94	125		550	109	137

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## Appendix 2

### Summary of Complaints referred to the Ombudsman

Reference	Authority	Category	Received
22002490	Mid Devon District Council	Highways & Transport	26/05/2022
22003548	Mid Devon District Council	Planning & Development	06/07/2022
22006799	Mid Devon District Council	Planning & Development	17/08/2022
22012761	Mid Devon District Council	Planning & Development	19/12/2022
22014147	Mid Devon District Council	Corporate & Other Services	26/01/2023
22014269	Mid Devon District Council	Planning & Development	20/01/2023
22015489	Mid Devon District Council	Planning & Development	14/02/2023
22015961	Mid Devon District Council	Other	22/02/2023
22016065	Mid Devon District Council	Corporate & Other Services	23/02/2023
22016739	Mid Devon District Council	Environmental Services & Public Protection & Regulation	08/03/2023
22017366	Mid Devon District Council	Planning & Development	28/03/2023
22017334	Mid Devon District Council	Housing	21/03/2023

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19 July 2023

*By email*

Mr Walford  
Chief Executive  
Mid Devon District Council

Dear Mr Walford

### **Annual Review letter 2022-23**

I write to you with your annual summary of complaint statistics from the Local Government and Social Care Ombudsman for the year ending 31 March 2023. The information offers valuable insight about your organisation's approach to complaints. As always, I would encourage you to consider it as part of your corporate governance processes. As such, I have sought to share this letter with the Leader of your Council and Chair of the appropriate Scrutiny Committee, to encourage effective ownership and oversight of complaint outcomes, which offer such valuable opportunities to learn and improve.

The end of the reporting year, saw the retirement of Michael King, drawing his tenure as Local Government Ombudsman to a close. I was delighted to be appointed to the role of Interim Ombudsman in April and look forward to working with you and colleagues across the local government sector in the coming months. I will be building on the strong foundations already in place and will continue to focus on promoting improvement through our work.

### **Complaint statistics**

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

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

Over the past two years, we have reviewed our processes to ensure we do the most we can with the resources we have. One outcome is that we are more selective about the complaints we look at in detail, prioritising where it is in the public interest to investigate. While providing a more sustainable way for us to work, it has meant that changes in uphold rates this year are not solely down to the nature of the cases coming to us. We are less likely to carry out investigations on 'borderline' issues, so we are naturally finding a higher proportion of fault overall.

Our average uphold rate for all investigations has increased this year and you may find that your organisation's uphold rate is higher than previous years. This means that comparing uphold rates with previous years carries a note of caution. Therefore, I recommend comparing this statistic with that of similar organisations, rather than previous years, to better understand your organisation's performance.

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

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

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

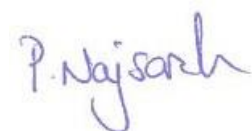
Your annual data, and a copy of this letter, will be uploaded to our interactive map, [Your council's performance](#), on 26 July 2023. This useful tool places all our data and information about councils in one place. You can find the detail of the decisions we have made about your Council, read the public reports we have issued, and view the service improvements your Council has agreed to make as a result of our investigations, as well as previous annual review letters.

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

I know that complaints offer organisations a rich source of intelligence and insight that has the potential to be transformational. These insights can indicate a problem with a specific area of service delivery or, more broadly, provide a perspective on an organisation's culture and ability to learn. To realise the potential complaints have to support service improvements, organisations need to have the fundamentals of complaint handling in place. To support you to do so, we have continued our work with the Housing Ombudsman Service to develop a joint complaint handling code that will provide a standard for organisations to work to. We will consult on the code and its implications prior to launch and will be in touch with further details.

In addition, our successful training programme includes practical interactive workshops that help participants develop their complaint handling skills. We can also offer tailored support and bespoke training to target specific issues your organisation might have identified. We delivered 105 online workshops during the year, reaching more than 1350 people. To find out more visit [www.lgo.org.uk/training](http://www.lgo.org.uk/training) or get in touch at [training@lgo.org.uk](mailto:training@lgo.org.uk).

Yours sincerely,



Paul Najsarek  
Interim Local Government and Social Care Ombudsman  
Interim Chair, Commission for Local Administration in England

Mid Devon District Council  
For the period ending: 31/03/23



### Complaints upheld

100%

**100%** of complaints we **1** investigated were upheld. upheld decision

This compares to an average of **59%** in similar organisations.

Statistics are based on a total of **1** investigation for the period between 1 April 2022 to 31 March 2023

### Compliance with Ombudsman recommendations

100%

In **100%** of cases we were satisfied the organisation had

successfully implemented our Statistics are based on a total of **1** recommendations. compliance outcome for the period

between 1 April 2022 to 31 March 2023

This compares to an average of **100%** in similar organisations.

our recommendations is rare. An organisation with a compliance rate below 100% complaints where it failed to comply and identify any learning.

### Satisfactory remedy provided by the organisation

0%

In **0%** of upheld cases we found **0** the organisation had provided a satisfactory remedy before the complaint reached the Ombudsman. satisfactory remedy decisions

This compares to an average of **15%** in similar organisations.

Statistics are based on a total of **1** upheld decision for the period between 1 April 2022 to 31 March 2023

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## Appendix 4

### Local Authority Benchmarking – Neighbouring Devon Districts – 2022-2023

Authority	Number of complaints Investigated	Complaints Upheld
East Devon	14	2
Mid Devon	12	1
North Devon	14	2
South Hams	16	0
Teignbridge	11	2
Torridge	9	0
West Devon	8	1

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## Appendix 5

### Sample of Service Compliments Received.

<b>Street Cleansing</b>
Thank you for coming so promptly following my complaint about the leaves and the gutters on the street. Also as a reminder that the cause of the trouble (the trees need pruning).
I just wanted to thank the street cleansing team for their prompt response after the floods.
<b>Refuse Collection</b>
Missed collection: XXXXXX. Just wanted to write to thank you very much for collecting our brown bin this morning. Much appreciated.
Mrs XXXXXXXX called in to compliment the waste crew this morning. She says she had forgotten to put her two black bins out and the crew waited and helped her as they could see she was struggling with them. She says they were brilliant and couldn't have asked for more.
<b>Recycling</b>
We had lost £20 in the house and looked everywhere for it. When we arrived home on Friday 01 09 23 our recycling boxes had been emptied and the £20 was in the bottom of the box. Obviously one of your employees had found it and left it back in the box. I just wanted to pass over my thanks to the member of staff that did so.
This is just to say thank you for the well designed leaflet regarding Recycling.  It's beautifully simple and clear and should make Recycling so much easier.
I just want to say thank you to the recycling team today Thursday 26th October.  We were travelling from Exeter to Tiverton, when we were diverted by Bickleigh bridge, found ourselves in Cadeleigh. We were stopped in road as one of your operatives was directing traffic in the narrow lanes. He went above and beyond to keep the traffic moving along and had to intervene on many occasions with tractors and lorries along the way. He was such an asset to your company that I felt I had to tell you how impressed everyone was and that high praise is definitely deserved.
<b>Property Services</b>
Mr xxxxxx has called to say he is pleased that the spikes on the gates at Westexe Rec have been covered up. He is also pleased with the re-surfacing of the paddling pool and the new play area.
<b>Housing Tenancy</b>
I was going to send my our thanks to you earlier - I don't expect you get too many.

This was in relation to Claire Miles arrangig for the removal of refuse from xxxxxxx.
Also can I add how helpful it is to have an email exchange in this way... you (and team ) have made me feel the process is very “approachable “ and in turn really helped me
XXXXXXXx would like to thank you very much, you were very helpful and put her mind at rest.
<b>Housing Repairs</b>
Mrs XXXXX wanted me to pass on her thanks to the team and the "young man" that came out to fix her toilet this morning! She is very grateful to all those involved! Thanks
Ms XXXXXX rang in last week on 23rd February to request grab rails for her toilet. The request was urgent due to severe disability. The grab rails were fitted on the same day. Ms XXXXXX was extremely pleased with the quick response and has called in today to say thank you. It was very much appreciated and has made a big difference in the ability to use her toilet. She is hugely appreciative.
Your Lifeline Officer (Tracey Stubbs) was just excellent. She explained everything so well and my mum loved the way she always spoke to her. So a big thank you to Tracey :)
Can I just say how polite Harrison was today whilst completing the works on the wall in the bedroom - he is an absolute credit to the team.
<b>Grass Cutting</b>
Mr XXXXX wanted to say thank you for the grass cutting done today 19 06 23 at the front and side of his property at XXXXXXXX. He only rang regarding this last week so it was very prompt and they did a good job. He was very pleased.
<b>Garden waste</b>
As I was not well I did my Garden Waste Renewal via my banking app not online not realising this would go against my council tax. When I didnt receive permit I called and was explained what had happened. I spoke to Lisa in council tax who was going to get the money transferred when this was done I spoke to someone in customer services a few days later and they arranged for waste to be collected that week as still hadnt received permit. Thank you very much for sorting this.
Just wanted to say thank you for actioning our change of garden waste bin so quickly, 2 days!!!!  We no longer need to wonder what’s going to happen, because it’s been managed beautifully.
<b>Customer Services</b>

Mrs XXXX calling back to thank Rebecca for her help with taking the rent payment and the question regarding the rent increase letter.

I would like to say a big thank you to Pam who very promptly got my garden waste permit and bin replaced when it went missing.

I wanted to say thank you to the team for their swift response to my query about a mid Devon council direct debit payment that I couldn't identify. I emailed on Tuesday morning, they replied straight away giving me the info I needed and then also followed up today to check it was resolved. I can imagine as a team you are inundated with queries and I am impressed by the care and speed taken on this, so thank you.

I have just been on the phone to XXXXXX who did a DHP with Levetta yesterday and she wanted to say how wonderful she was with the whole process, taking time and listening to her.

#### Fly tipping

Just to say "thank you" as I noticed as I walked by the entrance to Slow Jacks this morning that the tipped bin bags have been picked up.

Fast response much appreciated.

#### Electoral Register

I have had the absolute pleasure of dealing with the above team, a few names on emails I can remember are, Carol, Jackie and Denise... the whole department have been very helpful and a credit to mid Devon council

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## **Report for:                      Scrutiny Committee**

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Date of Meeting:	18 <sup>th</sup> December 2023
Subject:	<b>COMMUNITY SAFETY PARTNERSHIP ANNUAL REPORT 2022-23</b>
Cabinet Member:	Councillor David Wulff, Community & Leisure
Responsible Officer:	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing (Chair of the East and Mid Devon CSP)
Exempt:	Not Applicable
Wards Affected:	All
Enclosures:	None

### **Section 1 – Summary and Recommendation(s)**

This is an annual report to ensure that the Scrutiny Committee has oversight of the East and Mid Devon Community Safety Partnership (CSP) and the opportunity to review the activities of the partnership during 2022-23 with a look ahead to the priorities for 2023/24 and beyond. This report would normally be presented in the spring but has been delayed this year due to the administrative change at the council and the absence of a Community Safety Officer for 10 months until August 2023. Activity in the past 12 months has been restricted accordingly with a focus on core priorities and preparation for new Serious Violence duties as set out below.

The overarching priorities for the CSP remain unchanged for 2023/24, but with a new Serious Violence Duty on 'specified authorities' introduced in 2023 and requiring the partners to work together in a multi-agency manner and publish a strategy and action plan to reduce serious violence in their areas.

### **Recommendation(s):**

- 1. To note the work and completed outcomes of the Community Safety Partnership (CSP) in delivering activities against the Partnerships priorities and action plan for 2022 – 2023.**
- 2. That the Scrutiny Committee further notes the ongoing priorities of the East and Mid Devon CSP and planned activities for 2023-24 including the new statutory Serious Violence Duty.**

## **Section 2 – Report**

### **1.0 Introduction**

- 1.1 The East & Mid Devon Community Safety Partnership (CSP) has been formed in order to meet our statutory duties under the Crime & Disorder Act 1998 and is a multi-agency group working together to reduce crime and disorder.
- 1.2 The formal operating structure of the partnership comprises of quarterly meetings of all partner agencies. The role of chairing the partnership can be met by any of the statutory partners within the partnership and most recently this function has been carried out by Mid Devon District Council.
- 1.3 The Police and Justice Act 2006 requires the local authority to put in place a method of scrutinising the manner in which the partnership functions. Every local authority must have in place a committee with the power to review and scrutinise the actions of the CSP and make recommendations about how it functions. The East and Mid Devon CSP is scrutinised through this Councils Scrutiny Committee via an annual report.
- 1.4 The statutory CSP partners are:
  - Devon and Cornwall Police
  - Devon County Council
  - Devon and Somerset Fire and Rescue Service
  - Probation Service
  - East Devon District Council
  - Mid Devon District Council (current Chair organisation)
  - NHS Devon Clinical Commissioning Group (One Devon)

### **2.0 Priority Areas 2022/23 and 2023/24**

- 2.1 The East & Mid Devon CSP Priorities for 2022-23 were based on the evidence given in the Safer Devon Partnership (SDP) Strategic Assessment, which was produced in December 2021 and the CSP Quarterly Update documents. These gave clear indications that the biggest areas of concern were hidden risk, harm and exploitation alongside emerging issues as we transitioned out of the Covid-

19 pandemic. East & Mid Devon risks are clearly mirrored within the report, matching the key areas.

- 2.2 The CSP therefore has priorities based on the Strategic Assessment 2021-22. Below are the priority areas of focus that have been discussed, shaped and agreed by the CSP members:

**Violent Crime**

- Sexual Violence and Domestic Violence & Abuse
- Street safety (including street drinking)
- Modern Slavery & Human Trafficking
- Violence Against Women & Girls

**Youth Risk & Vulnerability**

- Community Wellbeing (including mental health)
- Exploitation
- Prevent (of extremist views)
- Anti-social Behaviour
- Hate Crime

- 2.3 A range of activities were undertaken or supported in 2022/23 and these included:

- Contribution of funding was made to South Devon & Dartmoor CSP for the Countywide 'Let's Talk Teenagers' Project.
- For ASB Awareness week the council joined with the Police to undertake joint visits to our estates and offered support and advice to residents.
- DYS Space were funded to provide positive summer activities for young people in the Tiverton area over the summer holiday period.
- Crediton Community Youth Work - provided schools transition support for Year 11 pupils.
- Developed the Trauma Informed Approach.
- Organised a focus group on sexual exploitation.
- Body worn cameras were purchased for the Street Scene service utilising grant funding
- Supported the Warm Spaces Project in Mid Devon

- 2.4 The priorities for 2023/24 have remained unchanged and all CSP parties have agreed will to continue into 2024/25 under the planning cycle previously adopted which continues to be compatible with the 2021 SDP Strategic Assessment and latest crime statistics/trend data provided into the CSP from Police partners in the quarterly updates. This will be reviewed following completion of strategic needs work under the new Serious Violence Duty (see below).

- 2.5 However, the Council became subject to a new statutory **Serious Violence Duty** in 2022/23. The Duty requires 'specified authorities' to work together and plan to prevent and reduce serious violence, including identifying the kinds of serious violence that occur in an area, the cause of that violence, and to prepare and implement a strategy for preventing and reducing serious violence. The Duty does not specify a lead authority to be responsible for coordinating activity, or prescribe a structure in which the prescribed authorities are expected to work. Local policing bodies (Office of the Police and Crime Commissioner, OPCC) are responsible for allocating grant funding for authorises under the Duty. It is anticipated that local leaders may use existing local structures to comply with the new duty to work together, such as CSPs. Governance in Devon and Cornwall is still under discussion and will need to be resolved as an urgent matter in order to confirm the required local partnership arrangements with the Home Office.
- 2.6 The Crime and Disorder Act 1998 has been amended to ensure preventing and reducing serious violence is a statutory priority for CSPs. We are participating in a Devon working group developing a Devon-wide strategic needs assessment and Serious Violence Strategy for adoption in 2024. This will be the major priority for the CSP's in the next 12 months.
- 2.7 Under the new Duty local partnerships will be required to produce an evidence based Strategic Needs Assessment (SNA) to identify current and long-term issues in relation to serious violence and to understand emerging trends. The SNA will require data from a wide range of partners including Health, Educations and Prisons.
- 2.8 The SNA has been commissioned alongside the Safer Devon Partnership at County level with meetings planned during November and December 2023 to discuss the draft findings ahead of a legal deadline to publish the SNA by 31 January 2024. As CSP Chair, Mid Devon are directly engaged with this work.
- 2.9 The Duty also requires that an annual Serious Violence Strategy be produced by the local partnership which identifies the causes of serious violence in that area and details are range of new and existing actions to prevent and reduce serious violence and its drivers that have been identified. This will follow publication of the SNA which will directly underpin the strategic approach to the reduction of serious violence locally.
- 2.10 We continue to promote an overarching 'Trauma Informed' approach across the partner agencies. This approach encourages practitioners and staff to recognise that many service users and community members have experienced some form of traumatic event that they are living with day to day, and may impact on their life choices, activities and actions.

### 3.0 Action Plan 2023 – 2024

#### 3.1 Work over the coming year will include:

- Continued Partnership working with other Devon CSP's to consider joint project working and funding applications.
- Finish the ASB Toolkit and work with CSP partners to promote improved processes and empowerment for use of ASB legal powers. Provide local training for practitioners and partners to ensure improved use of powers.
- Roll-out of delegated powers to Mid Devon Housing under the ASB toolkit including Community Protection Warnings (CPWs) and Community Protection Notices (CPNs)
- Link into the evidence base for Serious Violence Duty Strategic Needs Assessment and Serious Violence Working Group at Peninsula and Devon level as required under new Duty.
- Further support, training and awareness raising for staff and practitioners on the Trauma Informed Approach and transitioning from being **Trauma Aware**, to being **Trauma informed** and for this approach to be consistently embedded across the Partnership.
- Supporting communities, organisations and partners to have an increased awareness and understanding of the community safety priorities and their role in tackling these using a systemic model.
- Continued efforts to reduce the violence towards women and girls.
- Take a multi-agency approach to tackling street safety through disruption, enforcement and taking steps to increase pro-social activities to reduce the risk of repeated incidents.
- Develop an increased understanding of the modern slavery and human trafficking profile in the community and develop proportionate responses to address.
- Focus on responding proportionately to criminality and Anti-Social behaviour committed by youths and take steps to increase opportunities that facilitate desistance from offending.

#### 4.0 Funding 2023 – 2024 onwards

- 4.1 Historically the Devon CSP's have received annual grant allocations to support local projects and purchases which support achieving the CSP goals by reducing or tackling specific areas of crime or concern. This financial support has now been withdrawn.
- 4.2 The CSP's are able to support local bids from organisations and community groups for funds from the OPCC Community Grant Scheme if the projects meet the CSP priority areas in their grant applications. Furthermore, there is an expectation from the PCC that local bids are consistent with the adopted

priorities of the relevant CSP. The CSPs themselves are unable to make a direct bid to this grant scheme.

- 4.3 Sourcing other funding streams is an option but staffing resources have been steadily reduced and this has resulted in fewer projects being supported or delivered directly by the CSP. Joined up working with other CSPs will ensure that we have the benefit of mutual support at the forefront of funding applications.
- 4.4 The CSP has been awarded £8k from the Government (distributed by OPCC) in 2023/24 for funding projects or initiatives that will support the new Serious Violence Duty. This represents £4k per district area.
- 4.5 The CSP are legally responsible for the delivery of Domestic Homicide Reviews (DHR's) under the Domestic Violence, Crime and Victims Act 2004. An annual funding contribution has been made by the District Council to Devon County Council / Safer Devon Partnership (SDP) to oversee these reviews on our behalf.

### **Financial Implications**

There are no direct financial implications as a result of this report, aside from highlighting potential costs arising from Domestic Homicide Review responsibilities, as set out below.

### **Legal Implications**

The Crime and Disorder Act 1998 makes it a statutory requirement for the Police and Local Authorities to engage with partners to form a Community Safety Partnership for the purposes of reducing crime and disorder. The 1998 Act places a legal responsibility on the Partnership to consult with the Community on the priorities it has set and inform them of progress against the action plan. The Act also requires the Partnership to carry out a Strategic Assessment of the area which is used to inform the partnership priorities. The Partnership is also responsible for conducting Domestic Homicide Reviews and these are led by Devon County Council.

The Domestic Abuse Act 2021 placed a duty on Local Authorities in England to provide support to victims of domestic abuse and their children in refuges and other safe accommodation. A Devon Domestic Abuse Local Partnership Board is now in place to assist with the discharge of these duties and is represented for Mid Devon by the Corporate Manager for Public Health, Regulation and Housing.

The Serious Violence Duty, which is encompassed in the Police Crime, Sentencing and Courts Act 2022 is part of the Government's broad approach to prevent and reduce serious violence. The key strands being a multi-agency public health approach to understanding the drivers and impacts of serious violence, and a focus on prevention and early intervention.

Responsible authorities (also known as “duty holders”) who are subject to the Duty include: local authorities, the police, youth offending teams, Integrated Care System, Probation, and the fire service.

The Serious Violence Duty requires organisations above to work together to share information, analyse the situation locally and come up with solutions, including the publication of an annual strategy to prevent and reduce serious violence on a local basis. The duty also requires the responsible authorities to consult educational, prison and youth custody authorities for the area in the preparation of their serious violence strategy.

In addition to the Serious Violence Duty Section 17 of the 1998 Crime and Disorder Act has been amended to make preventing and reducing Serious Violence a statutory requirement for Community Safety Partnerships (CSP).

The Commencement of the Serious Violence Duty was on 31 of January 2023 with a requirement to formalise local partnership arrangements during 2023 and for specified authorities to publish their SNA and Strategy by 31 January 2024.

### **Risk Assessment**

There is a risk to the Council if it does not fully engage with the Partnership in respect of failing to meet its numerous statutory duties. In turn, the ability of the Partnership to provide effective multi-agency working to reduce crime and disorder in our community is potentially reduced.

### **Impact on Climate Change**

None directly arising from the report. The partnership undertakes the majority of its work remotely through electronic communications which limits officer travel and physical meetings.

### **Equalities Impact Assessment**

The 2018-21 CSP Plan has had an equality impact assessment (EIA) completed. The transition to the Trauma Informed approach plan in 2019-20 also had an equality impact assessment completed. Overall, no adverse impacts on persons with legally protected characteristics were identified. No significant changes have been beyond those required legally under the new introduced beyond the new Serious Violence Duty outlined above, consequently no new EIA has been produced. The pending Devon level Serious Violence Strategy go through a formal equalities impact assessment process.

### **Relationship to Corporate Plan**

The priorities of the CSP and the activities undertaken as part of the action plan compliment the ambitions of the Corporate Plan. In particular this activity contributes to the priority of Community. The CSP works directly with the wider community, youth groups and local partners to ensure the district is a safe place to live, work and visit.

### **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 5 December 2023

**Statutory Officer:** Maria De Leiburne

Agreed on behalf of the Monitoring Officer

**Date:** 5 December 2023

**Chief Officer:** Simon Newcombe

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

**Date:** 28 November 2023

**Performance and risk:** Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 6 December 2023

**Cabinet member notified:** Yes

### **Section 4 - Contact Details and Background Papers**

**Contact:** Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing or Adrian Gardner, Specialist Lead for Community Safety & Safeguarding

Email: [snewcombe@middevon.gov.uk](mailto:snewcombe@middevon.gov.uk) or [agardner@middevon.gov.uk](mailto:agardner@middevon.gov.uk)

Telephone: 01884 255255

#### **Background papers:**

Safer Devon Partnership

Information relating to the Devon Strategic Assessment and priorities for Devon.

<https://saferdevon.co.uk/about-safer-devon/>

East and Mid Devon Community Safety Partnership

Local priorities and background information

[East and Mid Devon CSP - Safer Devon](#)

Police and Crime Commissioner Grants

Devon Community Foundation – Grants to enable and empower smaller VCSE organisations to reduce violence and ASB

[PCC Grants - Safer Communities - Devon Community Foundation \(devoncf.com\)](#)





Report for: Scrutiny Committee

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Date of Meeting: 18 December 2023

**Subject:** 3 Rivers Development Ltd – Working Group on behalf of Scrutiny Committee

Working Group Members: Cllrs. Gordon Czapiewski, Andy Cuddy, Rhys Roberts and Gill Westcott

Supporting Officer: David Parker, Democratic Services and Policy Research Officer for the Scrutiny Committee

Exempt: None  
which are Exempt from publication under paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)

Wards Affected: All

Enclosures: None

## **Section 1 – Summary and Recommendations**

‘Those who do not learn history are doomed to repeat it’, wrote the philosopher George Santayana in the last century. In the spirit of that thought, upon the decision by Full Council to move to close its wholly owned subsidiary company, 3 Rivers Developments Ltd, the Scrutiny Committee agreed to undertake a Lessons Learned Exercise.

The Scrutiny Committee agreed to set up a Working Group to examine documents and interview some of those involved and to report back. That is the purpose of this report. 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. However, all the relevant material was made available, including documents considered in part 2 linked to commercial confidentiality, council minutes, internal and external reports and various emails and other material that had been used to brief members over the years.

### **For Noting only**

**Recommendations that could be considered for Cabinet / Full Council if at any time in the future, the setting up of an SPV was being considered:**

- 1. When setting up any commercial Special Purpose Vehicle (SPV) in future, ensuring the relevant skills and experience required at board level is indispensable. This should include at least two external directors with specialised skill sets unrelated to the Council.**
- 2. Setting up such a commercial SPV should not be undertaken unless members are fully in accordance not only with the objectives of the enterprise but with the necessary distance from commercial decisions required by the shareholder /lender role.**
- 3. When setting up a commercial SPV, it should be treated as a commercially independent subsidiary company and seek independent banking/financial advice on the viability of the business plan.**
- 4. A commercial company such as an SPV should be audited by an industry-specific independent commercial auditor as a condition of any loan. Cabinet should discuss the structure of any loan to agree minimum safeguards and security.**
- 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. Putting the work out to commercial tender is essential, even where a Council-owned company bids.**

- 6. When investments are made by MDDC, seeking higher returns than are available by market lending is acceptable if the risk profile of those investments is aligned with the preferred risk profile of the Council.**
- 7. Any future SPV which undertakes public sector work should have a Teckel and Non-Teckel structure.**
- 8. Establishing trust between stakeholders, including elected members, delivery agents/companies, contractors and the public, is a precondition for successful delivery of development projects.**
- 9. An agreed exit strategy and decision threshold for exiting from a SPV needs to be clear and in place from the beginning.**
- 10. When discussing any future SPV, regard must always be had to the reputation of MDDC as well as the SPV.**

## **Section 2 – Background**

In 2017, MDDC resolved to take advantage of a national change through the Localism Act of 2011, which allowed local government to develop new income streams to supplement revenues and agreed to establish a new property development company to this end. A report produced for MDDC in March 2017 presented a case for the creation of a wholly owned development company whose role would be to build, rent and sell both residential and commercial properties to create a new income stream.

2.1 The Council consulted the Local Government Association (LGA), took legal advice and visited other councils undertaking commercial property development. It set up a new company, 3 Rivers Development Ltd (3RDL) which was formally incorporated with a board initially comprising elected Council Members and a small number of Council Officers.

2.2 It should be acknowledged that the decision of the Council to exploit commercial opportunities through the setting up of a new development company was not universally supported by all members.

2.3 Funding for the new company was provided by MDDC surplus treasury reserves with a commitment to fund up to £20M at a return of 4½ % over base rate. Funds would be agreed on a case-by-case basis with the development company producing project business cases, financial projections and risk assessments and other documents as required. In the absence of a track record, other sources of working capital for the company were considered likely to be prohibitively expensive or simply unavailable.

2.4 Initially, the legislation allowed councils to look at investments anywhere in the country but a subsequent change to Government guidance restricted councils to operating in their own areas.

2.5 The board of the new company initially comprised an elected Cabinet Member, an officer seconded from their previous housing and property role, and the Council's chief financial officer in addition to one other director. Officers were not personally remunerated by the company and received no personal benefit for this. Their time was recharged to the company by the Council prior to the company employing its employees directly.

2.6 Following independent legal advice and observing good practice, a formal shareholder agreement was drawn up between the company and its lender MDDC. Three Rivers Development Limited was incorporated in April 2017.

### **3.0 Terms of Reference**

The working group was set up by Scrutiny Committee on 30<sup>th</sup> October 2023 to investigate and write a 'Lessons Learned' report on 3RDL, to ensure that opportunities were taken, both to learn from the past, and to ensure better, more informed decision-making in the future. The questions from the Terms of Reference are included in Appendix 1.

3.1 The Working Group broke the analysis into three areas;

- Inception and Start up including; Original directions from Government, Outside consultation, legal advice, Company Incorporation documents and minutes of Council meetings.
- Operational Governance including; Establishment of a new Board, Shareholder Agreements, Loan Agreements, and financial projections, MDDC Meetings to approve actions, Risk Management, Planning Applications.
- Performance and compliance, reporting and monitoring: including the comments and recommendations of formal independent specialist advice commissioned to investigate and improve company performance and financial stability.

3.2 The Group reviewed;

- Council minutes,
- Cabinet minutes,
- Scrutiny Committee minutes,
- Audit Committee minutes,
- E-mails from stakeholders involved,
- Responses to Questionnaires sent out,
- Internal MDDC Reports,
- External Reports, including
- the Bevan Brittan Presentation, Advice Notes from Anthony Collins Solicitors, Strategic Review from Bishop Fleming LLP, Grant Thornton, and the financial viability review from Francis Clark Accountants

- The group also spoke with individual stakeholders.

## **4.0 Inception and Start Up**

In 2016 Central Government was encouraging local authorities to identify other sources of income, including commercial operations allowed for in the 2011 Localism Act. Other councils were taking advantage of the Act. After discussion informally on the potential possibilities of utilising these new freedoms, the S151 Officer was requested to bring a report to Cabinet outlining the advantages of using an SPV to generate new revenue streams to offset cuts in local government budgets and recommending further research into this opportunity. MDDC had at that point reduced its spending commitments by over £3M annually as a result of the “Austerity Programme”. The need for more affordable housing was also identified in this initial exploration, though it was always intended for 3RDL to rent or sell housing units on the open market.

4.1 Legal and accountancy advice was taken at the time, but no advice was sought from an independent commercial or banking lender as to the structure or viability of the business plan. Such advice may well have recommended a more specific shareholder agreement and a different loan agreement structure as subsequently recommended in independent reports.

4.2 Specialised commercial property development skill sets at the inception would have significantly strengthened the board.

4.3 Initially the company was relatively successful in securing sites across the region but a national change in Government guidance resulted in significant unexpected and unbudgeted additional costs and consequences as it withdrew from its commitments outside the Council’s area. This significantly curtailed the business opportunities available and negatively impacted on long-term commercial viability.

4.4 MDDC always envisaged that 3RDL should take on the difficult site at St George’s Court. This was a decision influenced by political considerations regardless of the fact that anticipated returns, though positive, were low.

## **5.0 Operational Governance and risk management**

5.1 Initially the governance set up for the company was ‘light’, in accordance with its small size, and inexpensive. The board, as described, included two acting officers; one with housing/property expertise and one from finance, plus a cabinet member with property experience. The shareholder function was in practice exercised by the Cabinet on behalf of the Council, rather than by a defined representative or shareholder committee. Named officers acted as the shareholder’s representative to undertake day-to-day liaison with the company as required.

Already by 2019 the Council considered the financial risks arising from its exposure to losses by 3RDL and commissioned a number of Advice Notes from Anthony Collins Solicitors (ACS), concerning the adequacy of its governance arrangements and potential processes for closing the company.

- The advice notes provided by ACS between December 2019 and February 2020 called for greater clarity in the Shareholder agreement and Loan Agreements, and the addition of security to those loan agreements, as well as changes to the Articles of Association. These recommendations were fully accepted and implemented.
- They noted that salaries of existing company employees should not normally be expected to increase by more than RPI. The requirement for Council agreement for such increases was included in a revised Shareholder agreement.
- They also noted potential conflicts of interest for Board members whose terms of employment required them to act in the interests of the Council, and they recommended that officers be relieved from these terms when, by virtue of being Directors, they were legally obliged to act in the best interests of the Company. It asked the Council to consider the recruitment of one or more non-executive directors with specific skills in property development as part of the recovery plan if the Council decided to continue with the company. This recommendation was also accepted and implemented in 2020 when a new Finance Director and non-executive director joined the board. These additional costs imposed on the company were not included in the original business plan.

## 5.2 Risk management

By definition, the culture in both organisations is fundamentally different. Businesses accept taking risks, whereas a council is risk averse. The separation between 3RDL (commercial enterprise) and MDDC (Political body and lender) was never wide enough to enable the Board of 3RDL to take timely, independent, operational decisions.

Early in the life of the company, it is unclear how risks were recorded and managed. Risk reports were presented to the Council, via Cabinet. It is unclear to what extent they were read and understood in some of the cabinet discussions.

External reports called for improvements in controls and procedures to mitigate risk, and in performance monitoring and reporting. There is acknowledgment of a good standard of risk management on several other counts, but it was noted that ‘the risk appetite for the company may differ from that of the Council’.

In 2019 it was reported that the Authority’s risk register reflected the risks to the company. One of the key risks identified was 3RDL undertaking too few projects (to cover its overheads and generate enough profit). The Council could have had a key role in mitigating the risk through its own development activity pipeline. It is

debateable whether all stakeholders, including elected members fully understood this possibility, and the severity and nature of the risks to the company and MDDC.

Following an external report, in May 2020, by Bishop Fleming LLP, a crucial decision faced the Council. The 'Strategic Review' looked into the financial outlook for the company and identified the only strategy for the Company to make a positive contribution to Council finances involved continued long-term support to the company but with higher levels of risk associated with new projects. The report noted that by limiting the company's projects to current work already under way, or to current projects and those in the pipeline, this would eventually lead to insolvency; however, the Council's overall exposure to debt would be lower. Regarding the possibility of long-term investment by the Council – the only strategy that would bear a positive return – the Bishop Fleming report remarked that the potential return of around 12% by March 2026 was in their view, not that substantial, given the level of risk involved and timescale required. 'However, this is probably the better solution than the insolvency route for the Company'.

Despite the Council agreeing a further loan to the company in June 2020, relationships between all parties thereafter deteriorated. Publicly Members made no secret of their distrust of the company. This caused reputational damage to both organisations but inevitably made it considerably more difficult for 3RDL to engage and retain contractors resulting in a further loss of public confidence in the company.

Following an external report in 2021 it was noted that the Corporate Risk Register was not effective as a management tool; risks needed to be identified in a timely fashion and more fully described, with risks owned and mitigation strategies put in place for each, with residual risk assessed. The company then introduced risk registers for each project, which were regularly updated. It is unclear whether risks arising from reputational damage due to severe criticism at Council meetings and in the press were seriously addressed at the time, or whether subsequent measures to mitigate these and the Covid-related risks were undertaken.

## **6. Company performance and monitoring**

Initially reports were made to Cabinet every six months in narrative style, identifying projects under way, progress and anticipated returns for the company.

In November 2019 an external report and Governance Review for the Council recommended that key performance indicators be used in reporting and monitoring. An external Follow-Up report in February 2021 repeated the recommendation for greater focus on certain key indicators. Reporting against targets was incorporated in the business plan by May 2021. The report recommended that the Company's accounting procedures should fully allocate overheads to all projects. All projects other than St Georges Court showed a projected positive return, however, not all costs were factored in. Therefore, Cabinet members may not have fully understood the financial projections presented. The introduction of a requirement for the Company to seek Cabinet approval for all projects over £1M reduced its agility in the market to compete for potential profitable sites even further.

In 2020 the company was asked to make quarterly reports to cabinet, and subsequently, monthly, imposing a considerable additional administrative burden on management. Major decisions had to wait for cabinet consideration, sometimes resulting a delay of weeks. Further, a planning application from the company was refused by the Planning Committee, in a manner which, on appeal, was found to be 'unreasonable' with costs awarded to 3RDL. These difficulties understandably took a toll on the company's overall performance.

## **7.0 Responses to Questions from Terms of Reference**

*7.1 While performance and financial risks were regularly considered, were these used to genuinely inform debate and decision making?*

Performance and financial risk management were used to inform debate and decision making at MDDC. Risk registers for the company and for the Council were regularly considered. Initially registers were not always maintained in a timely way or used to deploy mitigation strategies. Risk management improved over time. However, the mismatch between the company and the Council's attitude to risk hampered its operation, and Cabinet seemed not to grasp the risk to the company's reputation arising from its own words and behaviour.

As the company developed there was a requirement for additional reports because of the deteriorating relationship and lack of trust between MDDC and the board of 3RDL. This resulted in a loss of agility the company had previously developed. This added to the company's costs and created additional significant delays.

*7.2 The committee has heard that the tone of Council debate was not always as respectful as members may have liked. The feedback from almost all members of that time was that the whole thing as a subject became toxic; as a collective, members complained of the abusive and disrespectful language used in debate, and individual members complained of bullying language and tactics. This resulted in support being brought in from the Local Government Association (LGA). How much, or how badly, did this context impact on the quality of debate and/or the quality of decisions?*

There is ample evidence of the poor relationship which developed from 2019 onwards between the company and the Members. The aggressive critique which some members levied against the company and those who were striving to improve its financial performance, undoubtedly increased the reputational damage suffered by the company leading to difficulty in maintaining contractors, and resulted in a degree of professional trauma. It cannot have favoured open discussion in Cabinet to improve management and performance.

The Grant Thornton Report 2021-22 speaks of weaknesses and 'risks relating to the Council's conduct of its role as the Company's Shareholder including its governance and oversight of its arm's length body, as well as a breakdown of normal good



relations between key officer and member groups, both of which are key to effective decision-making.'

### 7.3 Cost and other implications of governance challenges.

*There are some interesting examples of governance challenge and tension; whether these be linked to the planning committee refusing to determine a planning application because of the applicant, the Council's own company being awarded costs because of the unreasonable conduct of its parent council, or the shareholder declining to make timely decisions. All had cost and consequence. Navigating these governance challenges was always going to be required in one way or another, but in a 'chicken and egg' metaphor, did these governance challenges come from an underlying lack of confidence/understanding of the relationship between the two entities, or did an increasing lack of confidence or hesitancy come from experiencing these types of challenges? Could this have been mitigated better / more effectively?*

Some of the comments concerning Company governance arising from external reports early in the life of 3RDL were accepted by the Council as constructive, and recommendations of these reports were implemented, at some considerable cost to the company. However, greater independence from the outset between MDDC and 3RDL could have facilitated more effective governance and improved decisions.

More effective governance of the SPV from the outset would have included:

- A more effective shareholder agreement
- More flexible approval processes
- Greater appreciation of operational independence of the SPV
- Avoiding perceived conflict of interests
- Greater buy-in and understanding from the Members of the ambitions and aims of the company

We believe the difficulties in governance could have been mitigated better, not only by more open but less acrimonious discussion, but by an earlier introduction of additional specific skill-sets within the company, providing for a higher degree of confidence and trust on the part of the shareholder, allowing the company to make more timely commercial decisions.

*7.4 Did the Council exercise the correct level of control over its company, and when exercising 'control' were the subsequent commercial impacts always considered? How could this tension between profit ambition and Council ambition be better managed in future?*

7.4.1. As time went on, the increasing control exercised by the cabinet over the company's plans and decisions entailed considerable and uncalculated costs to both the company and MDDC. It was, in effect, counterproductive. This seems to have come, to a degree, from a failure to understand the close connection in financial outcomes between the Council and the company, and the degree of necessary separation required in decision-making. For example;

In early 2022, the government ruled that Special Purpose Vehicles like 3RDL could not invest outside their area. Previously committed effort and expenditure investigating potential projects outside the area was therefore lost, and the company was further handicapped by the lack of viable sites in its reduced operating area.

In our view, the Council imposed too narrow an interpretation of HM Treasury's (HMT) "Local Area" requirement and could have challenged HMT for a wider interpretation which may have increased the area to "commutable to Mid Devon", rather than following such a cautious approach to the new guidance.

Cabinet chose to limit new projects, and in the autumn of 2022, instructed the company to withdraw its bid for Social Housing at the Post Hill site. The company's ability to make a profit was thus further compromised. Post Hill had formed part of the original business plan. 3RDL would have been the constructor and been paid on validations, resulting in considerably less risk in this project.

7.4.2. There seemed to be some confusion about the role the Council occupied as a shareholder of the company and its role as the company's lender. By operating greater and greater involvement in the company's operations, it lacked the clear objectivity required to deliver agreed objectives.

7.4.3 As mentioned above, the degree of Council control reflected the limited appetite of the Council for risk, which with hindsight may have indicated that a development company was not the most appropriate form of commercial enterprise for the Council to initiate to supplement its income. Property development necessarily entails decisions involving risk, and indeed the commercial impacts of increasing levels of control over the company seem not to have been fully taken into account. It is not clear whether better preparation for relationship with a commercial enterprise for councillors, particularly in the atmosphere which developed subsequently, could have mitigated against the damaging consequences of its controls, though perhaps were arms-length commercial enterprises ever again to be considered, improving the understanding and expectations of members would seem advisable. There is nothing in our conclusions which would suggest the Council should not seek local investment opportunities providing a higher rate of return than lending on the market, but investments with a lower risk profile would be more suitable.

*7.5 With respect to the development St George's, how much of the current position has been down to market conditions and economic shocks, and how much has been down to the performance of the company/Council?*

It is accepted by all parties that changes to market conditions, one being huge increases in raw material costs, and the challenges of the Covid pandemic combined to significantly damage the profitability of 3RDL. This could not be foreseen and in our view was not wholly down to the performance of the company or the Council.

The requirement for 3RDL to fulfil the political manifesto that the St Georges site should be developed was a politically led decision. The site would not have been committed without political pressure due to its geographical and design complexity, additional potential operating costs and projected low returns.

Other factors in the outcome for St Georges Court included the withdrawal from Knowle Lane, precipitated by the removal of part of the site from the local plan. This, had several consequences:

- The contractor made allowance for losses on St George's Court to be offset from future profits made from Knowle Lane.
- When Knowle Lane was cancelled the contractor reconsidered its involvement, leading to:
  - Withdrawal of the contractor on St Georges site,
  - Additional costs and a loss of confidence in 3RDL from the sector, leading to difficulty in engaging willing contractors.

Further, the company's operating aim to

- Build properties of decent quality, raising standards of Commercial Development within the District and achieving market-leading building standards for wider comparison,
- Use local trades / suppliers / labour / contractors,
- Put Health and Safety as a priority of operations,

potentially compromised returns and operating at a disadvantage compared to other competitors.

There appeared to be no specific agreed mechanism for local people to be kept involved and informed other than the normal Council meetings, once the development was underway. There was a public consultation on 16 August 2017, but this was following the completion of the design competition, and some of the basic parameters of the scheme had been agreed and set. Initial responses to the consultation at the time were favourable, and Tiverton Civic Society regarded development of the site as an improvement on its then current state; but there was no further formal consultation between 3RDL and the general public once the scheme was underway (as this was not a requirement).

A government document on initiating projects (citing Lessons Learnt from the Ministry of Defence) states that building trust is the key factor in successful project initiation. 'By establishing trust between different parties, whether that is within project teams, between projects and their sponsors, or between projects and wider stakeholders and delivery partners, it is easier to deliver.'

*7.6 The financial updates to Cabinet, Audit and Council were frequent and described progress and implications. Would it have helped to define acceptable thresholds for cost expansion in advance? Bearing in mind that even the latest budget agreed by full council decided to continue the work at the company's most contentious site, was there ever a point where a decision could/should have been made to walk away and cut any losses?*

Financial updates to the Council and Cabinet were numerous and exhaustive but there appeared to be no agreed strategy when St. Georges Court began failing to meet its financial projections.

A review was undertaken at the time and a proposal made to continue to support the St Georges Court development. The record shows that there were opportunities for MDDC to withdraw from the site at the time, but any decision would have had serious and long-lasting consequences both financially and reputationally to MDDC

- Cabinet 11 June 2020 - “The Leader outlined the contents of the report, and a full discussion took place including: □ Continued support for the company □ Directorships and appointments □ Measures to protect the Council’s financial and legal interests □ Governance arrangements with regard to current and future developments”
- Council 6 January 2021 – Motion 565 “This Council agrees that members must have independent and expert advice on all the options open to the Council about the future of 3RDL and that this advice be made available to all members of the Council at the same time as the new business case is presented.” This was not approved by Council.
- Cabinet 31 January 2023 – financing was approved, with agreement to “Instruct external financial and legal advice should a different scope or direction be considered.”

Each time that option of terminating the development of St Georges Court was considered, the costs appeared to be considerable. The risk of potentially increasing future losses with the prospective reputational damage did not persuade the Council to take the option to close the company.

One mitigation strategy for the risk of failure would have been to agree a phased development schedule, in which each new phase would be based on pre-sales. However, this was not possible for the St Georges Court site. The geography and design necessitated a commitment to complete the build from the outset. Had phased building been possible at this site, that would have helped both mitigate the financial risk and sales.

The particular nature of the St Georges Court site and a lack of interest from other contractors in the market resulted in 3RDL, with the support of MDDC, taking on the commitment to develop the site. The opportunity to consider other competitive bids was not available.

*7.7 The Council had identified company failure (alongside reputational issues) as a strategic risk from the outset, but with numerous internal and external review points across the life of the company, was the risk of ‘owning’ the decision to wind up the company (or any specific site) perceived as greater than the risk of continuing? How does the Council manage and weigh any equivalent risk in future?*

In our view, it is inconceivable that the governing administration at the time, was not aware of the political cycle and delayed making a clear decision until further external advice was commissioned and a new administration elected.

A lack of clear political direction and internal conflict at the time, delayed effective decision making which undoubtedly affected the viability of 3RDL and the reputation of MDDC.

There was no clear exit strategy – either for 3RDL as an SPV or for the Council in regard to its funding commitment. There should have been a clear financial benchmark related to the purposes of the SPV which would trigger a withdrawal, and some consideration at an earlier stage of how project-specific risks, including delays and contractors, could be handled.

## 8.0 Further findings of the Working Group

- An early recommendation had been to set up holding companies with two subsidiaries: – a Teckal Company directed by a board of Shareholders and a non-Teckal entity able to act nimbly (*see reports to Cabinet 29 October 20*). This might have enabled the company to expand its range of potential projects.
  - When appointing Directors to any future SPV, the presence of additional specialist commercial knowledge from the commercial sector on the board should be a prerequisite. In this instance the lack of some additional specialist knowledge at board level at the formation of the company hampered its ability to take advantage of potential commercial opportunities, training Courses and visits to similar enterprises are valuable but don't make up for lack of Business Experience.
- In the circumstances that arose the choice of JCT contract resulted in 3RDL having less flexibility with contractors. With hindsight, these types of contracts may have carried greater risk to 3RDL.
- Cabinet Ambassadors appeared to do a good job in helping members understand the needs and purposes of the company. We do not understand why the role was discontinued.
- Maintaining ambassadors among members, and more participative consultation with the local community before development might, if future schemes were to be considered, pay dividends in attitudes and support.

We accept the aim of developing new and additional income streams for the Council had merit, however, with hindsight, the challenge in bringing two organisations with fundamentally different cultures together required greater thought and consideration and that challenge ultimately proved too difficult to achieve in this instance.

Examples of the difficulties included;

- Council processes and timelines were at odds with the business's need to react quickly to situations as they developed.
- Greater alignment between HRA (Housing Revenue Account) ambitions (e.g. Shapland Place garages) and 3RDL could have resulted in greater opportunity.
- Reliance on Public Works Loan Board (PWLB) meant that when HM Treasury changed the rules there was a loss of potential revenue – Early Business plans had envisaged that the business would seek work outside of the District.
- Certainly, so far as the Planning Committee was concerned 3RDL was expected to work to higher standards.
- Greater visibility on changes to planning assumptions would have at times been useful – from changes to the planning status of major sites through to

awareness of a forward pipeline of applications from the company (as the council would do with other developers where possible).

- Some Councillors objected to 3RDL planning applications in their wards, possibly on non-material grounds.

During its period of operation, genuine and committed efforts were made by those directing the company's operations to see that 3RDL delivered on its contribution to Council finances or, when this became impossible, to minimise losses. Learning throughout this period is evidenced by the fact that the 33 Recommendations arising from the Anthony Collins Solicitors and Bishop Fleming Strategic Review external independent reports (included within the 33 recommendations were recommendations from Scrutiny and Audit Committee) were implemented and embedded in company processes, as evidenced by a report from MDDC's external auditors Grant Thornton. We have also seen the report from external auditors investigating allegations of fraud and malpractice, specifically commissioned by the council to address unsubstantiated rumours and allegations at the time, which indicates that no evidence was ever brought forward that would substantiate these accusations.

In the event substantial losses were made and we have documented some of the shortcomings and circumstances that contributed to the outcome. The ultimate losses to the Council are yet to be determined following the sale of properties, which will cover at least some of the debt owed by the company to MDDC. The net losses are likely to be substantially less than the total indebtedness of 3RDL to the Council, which figure has appeared in local media as the losses.

Any loss to the taxpayer is a serious matter, and perhaps best reflects why the council's cultural approach to risk is intrinsically less tolerant than that which might be most conducive to a successful commercial entity. The conclusions and recommendations of this report are offered in the hope that, should MDDC once more consider commercial undertakings in this way, this outcome will not happen ever again.

#### **Section 4 - Contact Details and Background Papers**

**Contact:** David Parker  
**Email:** dparker@middevon.gov.uk  
**Telephone:** 01884 234311

**Background papers:**  
See Appendix below

## Appendix 1 -Terms of Reference

### Scrutiny Forward Plan Item – 3 Rivers – Terms of Reference

#### Introduction

Following the decision of full council in September 2023 to move to ‘soft-close’ the council’s wholly-owned development company, a commitment was given that a ‘lessons learned’ process would be undertaken by the council’s scrutiny function to ensure that opportunities were taken to both learn from the past and to ensure better, more-informed decision-making in the future. To be clear, the Leader of the Council has already stated that he has no intention of creating any further council-owned companies in future. However, it is the role of an effective scrutiny function to consider whether better, or more effective, decisions can be made in future.

The basis for this piece of work should be to seek to minimise duplication wherever possible of past and previous reports, of which there have been many. Numerous internal and external reports have been commissioned over the years, at considerable cost to the council, exploring both aspects of governance and finance, in addition to the regular performance and annual reports required by statute. These were received by the various committees of the time and remain part of the record of how the council managed its finance and risk exposure across the years.

The decisions related to this matter span multiple political administrations. Even the decision to wind down the company, starting in February 2023 and concluding in September 2023, span two different leaders, cabinets and councils. As such, it is important to focus on the fact that the decision to soft-close the company was a unanimous one. Whatever the differences of the past, the council has moved from a period of well-evidenced tension on this issue, to a point where it has clarity on its future and unanimity of intent. This provides, perhaps for the first time, an opportunity for genuinely reflective learning and constructive debate on areas that may have been handled better, or which could be used to guide considerations in future.

Decisions taken in relation to the company have been made by a number of different cabinets and councils, and debate, during the 2019-23 administrative term at least, was characterised by frequent change and disagreement, with many councillors (from across all parties and none) repeatedly expressing their frustration with the quality and quantity of discussion in relation to this item. Therefore, with a new administration now in majority control, there has been a commitment to moving the discussion back to a more open and reflective position, realigning the culture back to one of mutual respect and tolerance, and specifically to ensure learning from the handling of this across all administrative settings to guide better decision making in future.

#### Terms of Reference

The scrutiny committee accepts the work of previous internal and external auditors and reviewers, and acknowledges the efforts made by multiple administrations to ensure high quality decision-making.

However, in order to robustly meet its objectives as a critical friend, the committee wishes to exercise its scrutiny function in specific areas:

- While performance and financial risks were regularly considered, were these used to genuinely inform debate and shape decision-making?

- The committee has heard that the tone of council debate was not always as respectful as members may have liked. The feedback from almost all members of that time was that the whole thing as a subject became toxic; as a collective members complained of the abusive and disrespectful language used in debate, and individual members complained of bullying language and tactics. This resulted in support being brought in from the Local Government Association (LGA). How much, or how badly, did this context impact on the quality of debate and/or the quality of decisions?
- There are some interesting examples of governance challenge and tension; whether these be linked to the planning committee refusing to determine a planning application because of the applicant, the council's own company being awarded costs because of the unreasonable conduct of its parent council, or the shareholder declining to make timely decisions. All had cost and consequence. Navigating these governance challenges was always going to be required in one way or another, but in a 'chicken and egg' metaphor, did these governance challenges come from an underlying lack of confidence/understanding of the relationship between the two entities, or did an increasing lack of confidence or hesitancy come from experiencing these types of challenges? Could this have been mitigated better / more effectively?
- Did the council exercise the correct level of control over its company, and when exercising 'control' were the subsequent commercial impacts always considered? How could this tension between profit ambition and council ambition be better managed in future?
- With respect to the development St George's, how much of the current position has been down to market conditions and economic shocks, and how much has been down to the performance of the company/council?
- The financial updates to cabinet, audit and council were frequent and described progress and implications. Would it have helped to define acceptable thresholds for cost expansion in advance? Bearing in mind that even the latest budget agreed by full council decided to continue the work at the company's most contentious site, was there ever a point where a decision could/should have been made to walk away and cut any losses? (See final line of query, which feels pertinent to inform thinking in future.)
- The council had identified company failure (alongside reputational issues) as a strategic risk from the outset, but with numerous internal and external review points across the life of the company, was the risk of 'owning' the decision to wind up the company (or any specific site) perceived as greater than the risk of continuing? How does the council manage and weigh any equivalent risk in future?

### Conclusion

In summary, a comment during the debate at full council made the observation that 'it has taken a change of political makeup to change the direction of travel', and while it might be easy to comment on the challenging political balances of the time, it is nevertheless the role of scrutiny to look in more detail at what can be learned from this episode in order to consider whether more effective decisions can be made in future.

For further Reference please read – Government Legislation

1. Localism Act 2011
2. HMT-PWLB (Public Works Loan Body) - Change of Rules



## MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

January 2023

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

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<b>2024 / 2025 Fees and Charges</b> This may need to move to a wider paper on Council Charges for consideration by all PDG's	Environment Policy Development Group  Cabinet	7 Nov 2023  12 Jan 2024	Paul Deal, Corporate Manager for Finance, Property and Climate Change	Councillor Josh Wright	Open
<b>Tenure Reform and Changes to the Tenancy Agreement - Project Plan</b> 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

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><b>Strategic Grants Review</b> 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).</p> <p>To receive representatives of current grant recipients to make a 10-minute presentation.</p>	<p>Community Policy Development Group</p> <p>Cabinet</p>	<p>28 Nov 2023</p> <p>9 Jan 2024</p>	<p>Zoë Lentell, Economic Development Team Leader</p>	<p>Cabinet Member for Community &amp; Leisure</p>	<p>Part exempt</p>
<p><b>Destination Management Plan for Mid Devon (inc. J27 update)</b> To receive a report.</p>	<p>Economy Policy Development Group</p> <p>Cabinet</p>	<p>4 Jan 2024</p> <p>6 Feb 2024</p>	<p>Richard Marsh, Director of Place</p>	<p>Cabinet Member for Planning and Economic Regeneration</p>	<p>Open</p>
<p><b>Economic Strategy 2024 - 2029</b> To receive a report.</p>	<p>Economy Policy Development Group</p> <p>Cabinet</p>	<p>4 Jan 2024</p> <p>6 Feb 2024</p>	<p>Richard Marsh, Director of Place</p>	<p>Cabinet Member for Planning and Economic Regeneration</p>	<p>Open</p>

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Town and Parish Charter</b> To approve a draft Town and Parish Charter for consultation.	Cabinet	9 Jan 2024	Richard Marsh, Director of Place	Cabinet Member for Community & Leisure	Open
<b>2024/25 Budget Update</b> To consider a report from the Deputy Chief Executive (S151) on the updated 2024/25 Budget position and consider options to reduce the remaining shortfall	Cabinet	9 Jan 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open
<b>Revised Pets and Animals Policy</b> To receive a report.	Homes Policy Development Group  Cabinet	16 Jan 2024  6 Feb 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	Cabinet Member for Housing and Property Services	Open
<b>Service Standards - Tenant Involvement &amp; Empowerment</b> To receive a report.	Homes Policy Development Group  Cabinet	16 Jan 2024  6 Feb 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615	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)
<b>Revised Garage, GGRP and Parking Space Policy</b> 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 Tel: 01884 244615	Cabinet Member for Housing and Property Services	Open
<b>Regulation of Investigatory Powers</b> To receive a report.	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
<b>Environment Educational Enforcement Policy</b> To receive a report.	Environment Policy Development Group  Cabinet	23 Jan 2024  6 Feb 2024	Matthew Page, Corporate Manager for People, Governance and Waste	Councillor Josh Wright	Open
<b>Health and Safety Policy</b> 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

Page 101

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<b>Corporate Performance Plan</b> To receive a report.	Cabinet	9 Jan 2024			
<b>CCTV Policy</b> To receive the updated CCTV Policy	Community Policy Development Group  Cabinet	23 Jan 2024  6 Feb 2024		Cabinet Member for Community & Leisure	Open
<b>Customer Care Policy</b> To receive the updated Customer Care Policy	Community Policy Development Group  Cabinet	23 Jan 2024  6 Feb 2024			Open
<b>Renewable and Alternative Energy, Energy Efficiency including Community Energy Projects</b> To receive a report.	Environment Policy Development Group  Cabinet	23 Jan 2024  6 Feb 2024	Jason Ball, Climate and Sustainability Specialist	Councillor Natasha Bradshaw	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)
<b>Green Standards in Planning including Renewable and Alternative Energy, Energy Efficiency and Community Energy Projects</b> To receive a report.	Environment Policy Development Group  Cabinet	23 Jan 2024  6 Feb 2024	Jason Ball, Climate and Sustainability Specialist	Councillor Natasha Bradshaw	Open
<b>The Council's Statutory Duty towards Bio Diversity and Nature</b> To receive a report.	Environment Policy Development Group  Cabinet	23 Jan 2024  6 Feb 2024	Climate and Sustainability Specialist	Cabinet Member for Climate Change	Open
<b>The Devon Serious Violence Strategy</b> To receive a report.	Cabinet	9 Jan 2024	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615		
<b>S106 Governance</b> To receive a report.	Cabinet	6 Feb 2024	Joanna Williams, Planning Obligations Monitoring Officer	Cabinet Member for Finance	Open

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Policy Framework</b> To receive a report.	Cabinet Council	6 Feb 2024 21 Feb 2024	Democratic Services Manager	Leader of the Council	Open
<b>Business Rates Tax Base</b> To receive a report.	Cabinet Council	6 Feb 2024 21 Feb 2024	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Finance	Open
<b>Establishment</b> To receive a report.	Cabinet	6 Feb 2024	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for Working Environment	Open
<b>Pay Policy</b> To receive a report.	Cabinet	6 Feb 2024	Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for Working Environment	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)
<b>Qtr. 3 Budget Monitoring</b> To consider a report from the Deputy Chief Executive (S151) on the Council's Financial position as at 31 December 2023	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open
<b>2024/25 Capital Strategy and Capital Programme</b> To consider a report from the Deputy Chief Executive (S151) proposing the 2024/25 Capital Strategy and recommends the 2024/25 Capital Programme	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242	Cabinet Member for Finance	Open
<b>2024/25 Treasury Management Strategy</b> 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 (S151) Tel: 01884 234242	Cabinet Member for Finance	Open



Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<b>2024/25 Budget Update</b> 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) Tel: 01884 234242	Cabinet Member for Finance	Open
<b>2024/25 Council Tax Resolution</b> 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
<b>National Non Domestic Rates (NNDR1)</b> To receive a report.	Cabinet  Council	6 Feb 2024  21 Feb 2024	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery	Cabinet Member for Finance	Open

Page 106

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<b>Completion Notice Policy</b> To receive a report.	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
<b>Council Tax Empty Premises Policy</b>	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
<b>NDR DRR Policy Amendment</b> To receive a report.	Cabinet	6 Feb 2024	Corporate Manager for Revenues, Benefits, Corporate Recovery, Development Management and Corporate Fraud	Cabinet Member for Finance	Open

Page 107

<b>Title of report and summary of decision</b>	<b>Decision Taker</b>	<b>Date of Decision</b>	<b>Officer contact</b>	<b>Cabinet Member</b>	<b>Intention to consider report in private session and the reason(s)</b>
<b>Income Management Policy</b> 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
<b>Corporate Anti Social Behaviour Policy</b> To receive a report.	Community Policy Development Group  Cabinet	26 Mar 2024  14 May 2024		Cabinet Member for Community & Leisure	Open
<b>Single Equalities Policy and Equality Objective</b> To receive a report.	Community Policy Development Group  Cabinet	26 Mar 2024  14 May 2024	Matthew Page, Corporate Manager for People, Governance and Waste, Matthew Page, Corporate Manager for People, Governance and Waste	Cabinet Member for Community & Leisure	Open

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