

Public Document Pack

Prior to the meeting at 5.20pm the Chairman will make presentations to Shirley Manaton (Customer First Officer) and Gordon Cleaver (Economic Development Manager) who have both completed 25 years service with the District Council

MID DEVON DISTRICT COUNCIL

A MEETING of the **MID DEVON DISTRICT COUNCIL** will be held in the Council Chamber, Town Hall, Tiverton on Wednesday, 25 February 2015 at 6.00 pm

ALL MEMBERS of the **COUNCIL** are summoned to attend for the purposes of transacting the business specified in the Agenda which is set out below:

[The next meeting is scheduled to be held in Tiverton on Wednesday, 29 April 2015 at 6.00 pm]



KEVIN FINAN
Chief Executive

17 February 2015

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

Councillor Paul Booth, Minister for Culmstock, Culm Valley, Halberton, Sampford Peverill, Tiverton and Upham will lead the Council in prayer.

AGENDA

- 1 **Apologies**
To receive apologies for absence.
- 2 **Minutes** (*Pages 7 - 26*)
To approve as a correct record the Minutes of the Meeting of Council on 17 December 2014 and the Extraordinary Meeting on 21 January 2015.

The Council is reminded that only those Members present at the previous meeting should vote and, in doing so, should be influenced only by seeking to ensure that the minutes are an accurate record.
- 3 **Chairman's Announcements**
To receive any announcements which the Chairman of the Council may wish to make.
- 4 **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.

5

Petitions

To receive any petitions from members of the public.

6

Notices of Motion

(1) Motion 495 (Councillor D F Pugsley – 4 September 2014)

The following motion was referred back by Council at its meeting on 17 December to the Standards Committee for further clarification with regard to who would request the subject of the debate.

This Council resolves to amend the Constitution by adding the following sentence at the end of Procedure Rule 16.1:

"If in any year the Leader fails to call a debate, it may be called by notice in writing to the Chief Executive signed by any 5 members of the Council."

In accordance with Procedure Rule 15.6(a) Councillor D F Pugsley has requested that the Motion be altered to read:

"that the Constitution be amended by adding the following sentence at the end of Procedure Rule 16.1:

If the Leader declines or fails to call a debate within nine months in any municipal year, it may be called by notice in writing to the Chief Executive signed by any 10 Members of the Council.

The Standards Committee reconsidered the motion at its meeting on 14 January 2015 and in accordance with Procedure Rule 15.6(a) Councillor D F Pugsley has requested that the Motion be further altered to read:

The following sentence be added at the end of Procedure Rule 16.1: - If the Leader declines or fails to call a debate within nine months in any municipal year, it may be called by notice in writing to the Chief Executive signed by any 10 Members of the Council and that the debate shall be held on the subject specified by those 10 Members.

(2) Motion 510 (Councillor T W Snow – 13 January 2015)

The Council had before it a **MOTION** submitted for the first time:

That the Council re-visits the numbers of Councillors that are needed with a view to reducing it from the present number.

In accordance with Procedure Rule 13.4 the Chairman of the Council has decided to allow this Motion (if Moved and Seconded) to be dealt with at this meeting.

(3) Motion 514 (Councillor Mrs J Roach – 19 January 2015)

The Council had before it a **MOTION** submitted for the first time:

That this Council considers and investigates the possibility of applying to the Secretary of State to transfer Charlton Lodge to Mid Devon District Council (Localism Act Sect 15) to enable Mid Devon District Council to provide a scheme similar to the Abundant Life Project being run at Dartington.

In accordance with Procedure Rule 13.4, this Motion (if moved and seconded) will be referred without discussion to the Decent and Affordable Homes Policy Development Group

(4) Motion 515 (Councillor Mrs N Woollatt – 20 January 2015)

The Council had before it a **MOTION** submitted for the first time:

That this Council:

1. Bans the sale or use of sky lanterns when issuing licences for open-air events
2. Bans the release of sky lanterns from MDDC property
3. Urges Devon County Council to consider a similar ban as at (2.) on its property

In accordance with Procedure Rule 13.4, this Motion (if moved and seconded) will be referred without discussion to the Managing the Environment Policy Development Group

(5) Motion 516 (Councillor Mrs J Roach – 22 January 2015)

The Council had before it a **MOTION** submitted for the first time:

That this Council resolves to investigate the possibility of acquiring Charlton Lodge, Orchard Lea and Bampton residential Homes in order to meet unmet housing needs in this district.

In accordance with Procedure Rule 13.4, this Motion (if moved and seconded) will be referred without discussion to the Decent and Affordable Homes Policy Development Group

(6) Motion 517 (Councillor Mrs N Woollatt – 12 February 2015)

The Council had before it a **MOTION** submitted for the first time:

That this Council calls upon the Government to ban the sale and use of sky lanterns throughout the UK.

In accordance with Procedure Rule 13.4 the Chairman of the Council has decided to allow this Motion (if Moved and Seconded) to be dealt with at this meeting.

- 7 **Committee Reports (a)** *(Pages 27 - 108)*
To receive and consider the reports, Minutes and recommendations of the Committee as follows:
- (1) Cabinet
- 8 January 2014
 - 5 February 2015 (with an addendum)
- 8 **Council Tax Resolutions 2015/2016** *(Pages 109 - 118)*
To consider a report of the Head of Finance incorporating a draft resolution based on the call on the Council Tax Collection Account by the District, Town and Parish Councils, County Council, the Police Authority and the Fire Authority.
- 9 **Committee Reports (b)** *(Pages 119 - 180)*
- (2) Scrutiny Committee
- 19 January 2015
 - 16 February 2015 (to follow)
- (3) Audit Committee
- 27 January 2015
- (4) Managing the Environment Policy Development Group
- 13 January 2015
- (5) Decent and Affordable Homes Policy Development Group
- 20 January 2015
- (6) Community Well Being Policy Development Group
- 27 January 2015
- (7) Planning Committee
- 7 January 2015
 - 4 February 2015
 - 11 February 2015
- (8) Standards Committee
- 14 January 2015
 - 5 February 2015
- (9) Licensing Committee
- 18 December 2014

(10) Regulatory Committee

- 18 December 2014

10 **Questions**

To deal with any questions raised pursuant to Procedure Rule 12 not already dealt with during the relevant Committee report.

11 **Questions to Cabinet Members**

Cabinet Members will answer questions from Members on their Portfolios.

12 **Members Business**

To receive any statements made and Notice of future questions by Members.

Note: the time allowed for this item is limited to 15 minutes.

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 Sally Gabriel on:

Tel: 01884 234229

Fax:

E-Mail: sgabriel@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **COUNCIL** held on 17 December 2014 at 6.00 pm

Present Councillors

Mrs H Bainbridge, E J Berry, M D Binks,
Mrs D L Brandon, R J Chesterton,
Mrs F J Colthorpe, D R Coren, N V Davey,
W J Daw, R M Deed, J M Downes, C J Eginton,
R Evans, A V G Griffiths, Mrs S Griggs,
P H D Hare-Scott, P J Heal, Mrs L J Holloway,
T G Hughes, Mrs B M Hull, D J Knowles,
M A Lucas, E G Luxton, D F Pugsley,
R F Radford, Mrs J Rendle, Mrs J Roach,
F R Rosamond, C R Slade, T W Snow,
J D Squire, Mrs M E Squires, R L Stanley,
Mrs M E Turner, N A Way, P F Williams,
K D Wilson, Mrs N Woollatt and R Wright

Apologies Councillors

Mrs E M Andrews, Mrs C Heal and M R Lee

82 **APOLOGIES**

Apologies were received from Councillors: Mrs E M Andrews, Mrs C Heal and M R Lee.

83 **MINUTES 00-01-52**

The minutes of the meeting of Council held on 29 October 2014 were approved as a correct record of the meeting and signed by the Chairman.

84 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had no announcements to make.

85 **PUBLIC QUESTION TIME 00-02-07**

Mr Willan referring to Minute 85 of the Cabinet (11.12.14) congratulated the Cabinet on its decision not to include J27 in the Local Plan and requested that Full Council ratify this decision. He stated that the development would have sucked the life out of the surrounding towns and villages. He referred to the consultant's report which had stated that the development had not passed the sequential tests set out in the NPPF, the analysis provided by the site promoters was not considered adequate, there would be adverse financial effect and general loss of vitality and viability, the supposed number of jobs and the housing required had not really been thought through. This was not a scheme in Mid Devon's best interest and would have damaging effects locally. Therefore could the Council now suggest to the Westwood people that they give up on this and could the Council redouble its efforts to foster locally based development on what we want and not what they want and prioritise high skill employment for our young people.

Cllr Warren (Willand Parish Council) referring to Minute 85 of the Cabinet (11.12.14) asked that Members note that Willand Parish Council is opposed to any further land being identified or allocated for development at Junction 27 or between there and Willand. The reasons for objection are well documented. Will Members further recognise that such opposition is

supported by a considerable number of our parishioners as evidenced by a capacity local meeting and a subsequent petition containing in excess of 1000 signatures? Do Members appreciate that proposals put forward to date have regularly changed in detail and concept and certainly Willand Parish Council have received few sustainable facts to support what is proposed? If the land is identified for development what guarantees are there that what may eventually appear will bear any resemblance to what has been brought forward to date and in the near future?

Mrs Andrews referring to Minute 71 of the Cabinet (27.11.14) stated that it was recommended by the Cabinet that an area of Local Green Space be removed from the Local Plan at Gurneys in Morchard Bishop as the land has no recreational significance. She stated that the designation had been requested by 40 local parishioners and that the Cabinet had only taken notice of the landowners wishes. The area would be bound by residential houses on three sides and would be a local amenity; she therefore requested that the Council uphold the recommendations of officers and include the Local Green Space at Morchard Bishop and Cheriton Fitzpaine in the Local Plan.

The Cabinet Member for Planning and Economic Regeneration stated that the request to delete these sites had come from local Ward Members and this would be something that would be debated and voted upon later in the meeting.

Mr Grantham referring to Minute 85 of the Cabinet (11.12.14) and speaking on behalf of residents at Leonards Moor Cross and around J27 stated that this was a greenfield site and the lives of tenants and local horticulturalists would be destroyed if the development was to go ahead. Land at Leonards Moor Cross was far more superior to that at Waterloo Cross. The developers had been asked continually about the retail and traffic issues of the development and they had never answered the question. He outlined the contents of the Consultant's report and requested that Full Council uphold the recommendation of the Cabinet to exclude the site from the Local Plan.

Mr Disney again referring to Minute 85 of the Cabinet (11.12.14) stated that he would like to draw the Council's attention to the points that he shared with the Cabinet; he lived at J27 and had converted redundant buildings on the site to create Swallow Court which now provided office employment space for over 100 people. These businesses have now expanded and moved on to larger premises at Exeter, Wellington and Taunton and these companies have by-passed Tiverton and Cullompton when establishing these businesses with me. Swallow Court has been fully occupied throughout the recession. J27 is an obvious place for employment and I hope that in the fullness of time Mid Devon can benefit from the opportunity that J27 offers. Please also consider land quality and Tiverton Parkway, the consultants have not drawn attention to the fact that land at J27 is agricultural grade 3 and 4 this is poor quality land, however there is Grade 1 and 2 land in the proposed land at Cullompton, if land is to be lost for development, surely land quality should be considered. The rail network is hardly mentioned in this Local Plan, this may be an oversight, I hope it is not deliberate. Tiverton Parkway will be Network Rail's focus for the railway system. The car park at Exeter St David's is full to capacity with no hope of expansion solutions need to be found. Therefore should the Council be encouraging network rail to give support and greater emphasis to Tiverton Parkway?

The Chairman read a written representation from Mrs Johnson which stated that: Junction 27 is a plum site – such excellent road and rail links, far too good to be wasted on giving a developer who promises hypothetical goodies, the chance of a quick buck. I feel the land should be preserved more or less as is until some proposal of essential and lasting benefit to the community comes along. This may not be for 10-20 years. For instance – both the RD&E and Musgrove Park are running out of land space. Medical advances and increased population may well demand a merging of such facilities. What could be a more suitable site than the land at J27? Other such schemes, which could provide a wide range of skilled and unskilled jobs, might also arise for consideration. Why waste irreplaceable resources.

86 PETITIONS

There were no petitions from members of the public:-

87 NOTICES OF MOTION 00-19-00

Notices of Motion

(1) Motion 495 (Councillor D F Pugsley – 4 September 2014)

The following motion had been referred to the Standards Committee for consideration and report:

This Council resolves to amend the Constitution by adding the following sentence at the end of Procedure Rule 16.1:

"If in any year the Leader fails to call a debate, it may be called by notice in writing to the Chief Executive signed by any 5 members of the Council."

In accordance with Procedure Rule 15.6(a) Councillor D F Pugsley requested that the Motion be altered to read:

"that the Constitution be amended by adding the following sentence at the end of Procedure Rule 16.1:

If the Leader declines or fails to call a debate within nine months in any municipal year, it may be called by notice in writing to the Chief Executive signed by any 10 Members of the Council.

The Standards Committee at its meeting on 12 November 2014 considered this proposal and recommended that it be supported.

Following discussion, it was **AGREED** that the Motion be referred back to the Standards Committee as Members requested further clarification with regard to who requests the subject of the debate.

(2) Motion 498 (Councillor Mrs N Woollatt – 15 October 2014)

The following motion had been referred to the Cabinet for consideration and report:

That this Council:

1. notes that, during the recent public consultation on the Cullompton North West Urban Extension Masterplan, it did not directly advise all residents in the immediate vicinity of the development area of the consultation.
2. recognises that there is a public expectation from residents that they should be informed directly about consultations relating to major development and master planning exercises in their immediate vicinity.
3. resolves to amend the adopted Statement of Community Involvement to ensure that in future communications advising of consultation exercises are targeted at all residents in the immediate vicinity who are likely to be affected when the council consults on major developments and master planning exercises.

In accordance with Procedure Rule 15.6(a) Councillor Mrs N Woollatt has requested that paragraph 3 of the Motion be altered to read:

3. resolves that in the case of site specific Supplementary Planning Documents and pre-application consultation on strategic scale developments to amend the adopted Statement of Community Involvement policies SCI/13, 14 and 15 to ensure that in future communications advising of consultation exercises include immediately adjoining residents who are likely to be affected.

The Cabinet had considered the proposal at its meeting on 27 November 2014 and recommended that it be rejected but further resolved that:

- a) a review of the Statement of Community Involvement take place after the completion of the Local Plan Review; and
- b) consultation take place with adjoining residents on the next consultation stage for the Cullompton NW Urban Extension Master Plan and for the Tiverton Eastern Urban Extension Master Plan for Area B.

Following discussion and upon a vote being taken, the resolution of the Cabinet was **CARRIED** and Motion 498 was not moved.

(3) Motion 505 (Councillors: Mrs J Roach, Mrs N Woollatt, K D Wilson, D F Pugsley, T W Snow, N Way and R Wright – 19 November 2014)

The Council had before it a **MOTION** submitted for the first time:

There is no doubt that the Campaign for Democracy will achieve more than the required number of signatures to trigger a referendum on this council's system of governance, it is just a matter of time.

Therefore this Council resolves to hold a referendum, on whether the council should be run in a different way by one or more committees made up of elected councillors*, at the same time as the elections in May 2015 in order to save the council tax payer what would otherwise be the additional cost of a stand-alone poll (estimated by the Chief Executive to cost £90k more than a poll held at the same time as another.)

* NB Wording for referendum is as required by the Localism Act 2011

The **MOTION** was **MOVED** by Councillor Mrs N Woollatt and seconded by Councillor Mrs J Roach. In accordance with Procedure Rule 13.4 the Chairman of the Council ruled that the **MOTION** should be debated at the meeting.

Following debate, Councillor Mrs L J Holloway **MOVED** in accordance with Procedure Rule 18.4:

“THAT the vote in respect of this **MOTION** shall be by Roll Call”

There being more than ten Members in favour of the **PROCEDURAL MOTION** that was **AGREED** by the Council.

A Roll Call of Members present at the meeting was then taken.

Those voting **FOR** the **MOTION**, Councillors; J M Downes, Mrs L J Holloway, D J Knowles, E G Luxton, D F Pugsley, Mrs J Roach, T W Snow, Mrs M E Turner, N A Way, P F Williams, K D Wilson, Mrs N Woollatt and R Wright.

Those voting **AGAINST** the **MOTION**, Councillors: Mrs H Bainbridge, M D Binks, E J Berry, Mrs D L Brandon, R J Chesterton, Mrs F J Colthorpe, D R Coren, N V Davey, W J Daw, R M Deed, C J Eginton, R Evans, A V G Griffiths, Mrs S Griggs, P H D Hare-Scott, P J Heal, T G Hughes, Mrs B M Hull, M A Lucas, R F Radford, Mrs J R Rendle, F J Rosamond, C R Slade, J D Squire, Mrs M R Squires and R L Stanley.

The **MOTION** was declared to have **FAILED**.

Note: Cllrs Mrs J Roach and Mrs N Woollatt declared personal interests in this matter as they were campaign organisers and signatories.

(4) Motion 508 (Councillor M D Binks – 8 December 2014)

The Council had before it a **MOTION** submitted for the first time:

"Mid Devon District Council supports proposals for a secondary railway link from Exeter to Plymouth via Crediton, Okehampton and Tavistock. In addition to providing a much needed increase in resilience to the rail network in the south west peninsular, it will also provide important economic and social benefits to people in mid Devon, north Devon, west Devon, Torridge and north Cornwall, bringing the rail network much closer to communities across these areas. Much of the route is already in place and this Council urges HM Government, Network Rail and other authorities to commit to this route and take prompt action to bring about its early implementation".

The **MOTION** was **MOVED** by Councillor M D Binks and seconded by Councillor P J Heal. In accordance with Procedure Rule 13.4 the Chairman of the Council ruled that the **MOTION** should be debated at the meeting.

Following debate, and upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Note: Cllr T W Snow requested that his abstention from voting be recorded.

88 CABINET REPORT - MEETING 30 OCTOBER 2014 (01-35-44)

The Leader presented the report of the meeting of the Cabinet held on 30 October 2014

Arising thereon:

(1) Schedule of Meetings (Minute 65)

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott.

THAT the recommendation of the Cabinet as set out in Minute 93 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

89 CABINET - REPORT - MEETING HELD ON 27 NOVEMBER 2014 (01-37-38)

The Leader presented the report of the meeting of the Cabinet held on 27 November 2014

Arising thereon:

(1) Managing the Environment Policy Development Group – 13 November 2014 (Minute 65)

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott.

THAT the recommendation of the Cabinet as set out in Minute 65 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

(2) Mid Devon Local Plan Review 2013-2033 – Proposed Submission Policies for the Crediton and West Area

Stonewall Lane

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott.

THAT the recommendation of the Cabinet as set out regarding Stonewall Lane be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

Note: Councillor N A Way declared a personal interest as he was a Governor at QE School, Crediton

Land at Gurney's, Morchard Bishop

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott.

THAT the recommendation of the Cabinet as set out regarding Stonewall Lane be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

Note:

- (i) Councillor C J Eginton declared a personal interest as he knew the landowner and was a former Morchard Bishop Parish Councillor;
- (ii) Councillor J D Squire declared a personal interest as his daughter-in-law rented land at this location.

Crediton – Policy S12

The Leader **MOVED**, seconded by Councillor M D Binks:

THAT the recommendation of the Cabinet as set out regarding Policy S12 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

CRE 10 – Crediton Infrastructure

The Leader **MOVED**, seconded by Councillor M D Binks:

THAT the recommendation of the Cabinet as set out regarding Policy CRE 10 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Cheriton Fitzpaine

The Leader **MOVED**, seconded by Councillor R L Stanley:

THAT the recommendation of the Cabinet as set out regarding land at the Glebe, Cheriton Fitzpaine be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

The Leader **MOVED**, seconded by Councillor R J Chesterton:

THAT

a) the policies and proposals for Crediton and the western villages contained within appendices 2 and 3 of the report be approved as amended for publication and submission;

b) Delegated authority be given to the Head of Planning and Regeneration, in consultation with the Cabinet Member for Planning and Economic Regeneration to make minor changes to the text and maps, such amendments to be published on the website and Members advised.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

90 **CABINET - REPORT - 4 DECEMBER 2014 (01-51-38)**

The Leader presented the report of the meeting of the Cabinet held on 4 December 2014.

Arising thereon:

(1) Mid Devon Local Plan Review 2013-2033 – Proposed Submission Policies for the Tiverton and Central Area

DM26 – Green Infrastructure in Major Development

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott.

THAT the recommendation of the Cabinet as set out regarding Policy DM26 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy TIV1 – Eastern Urban Extension

The Leader **MOVED**, seconded by Councillor N V Davey.

THAT the recommendation of the Cabinet as set out regarding Policy TIV1 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy TIV8 – Moorhayes

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott:

THAT the recommendation of the Cabinet as set out regarding Policy TIV8 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy TIV9 – Howden Court

The Leader **MOVED**, seconded by Councillor A V G Griffiths

THAT the recommendation of the Cabinet as set out regarding Policy TIV9 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy BA1 – Newton Square, Bampton

The Leader **MOVED**, seconded by Councillor R L Stanley

THAT the recommendation of the Cabinet as set out regarding Policy BA1 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

The Leader **MOVED**, seconded by Councillor R J Chesterton:-

THAT

a) the policies for Development Management and the proposals for Tiverton and the central villages contained within appendices 2, 3 and 4 of the report be approved as amended for publication and submission;

b) Delegated authority be given to the Head of Planning and Regeneration, in consultation with the Cabinet Member for Planning and Economic Regeneration to make minor changes to the text and maps, such amendments to be published on the website and Members advised.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

91 CABINET - REPORT - 11 DECEMBER 2014 (01-56-54)

The Leader presented the report of the meeting of the Cabinet held on 11 December 2014.

Arising thereon:

(1) Urgent Item of Business – Government Changes to Planning Obligations (Minute 83)

The Leader **MOVED**, seconded by Councillor R J Chesterton.

THAT the recommendation of the Cabinet as set out in Minute 83 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

(2) Mid Devon Community Infrastructure Levy – Draft Charging Schedule (Minute 84)

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott.

THAT the recommendation of the Cabinet as set out in Minute 84 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have **FAILED**.

(3) Mid Devon Local Plan Review 2013-2033 – Proposed Submission Policies for Cullompton and East Area

Relief Road

The Leader **MOVED**, seconded by Councillor P H D Hare-Scott.

THAT the recommendation of the Cabinet as set out regarding the eastern relief road be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

Policy CU2 – North West Cullompton Provision

The Leader **MOVED**, seconded by Councillor Mrs N Woollatt.

THAT the recommendation of the Cabinet as set out regarding Policy CU2 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy CU4 – North West Cullompton Community Facilities

The Leader **MOVED**, seconded by Councillor P F Williams.

THAT the recommendation of the Cabinet as set out regarding Policy CU4 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy CU7 – East Cullompton

The Leader **MOVED**, seconded by Councillor N V Davey.

THAT the recommendation of the Cabinet as set out regarding Policy CU7 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

Policy CU8 – East Cullompton Transport Provision

The Leader **MOVED**, seconded by Councillor R L Stanley.

THAT the recommendation of the Cabinet as set out regarding Policy CU8 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

Policy CU10 – East Cullompton Community Facilities

The Leader **MOVED**, seconded by Councillor R L Stanley.

THAT the recommendation of the Cabinet as set out regarding Policy CU10 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy CU17 – Week Farm

The Leader **MOVED**, seconded by Councillor T W Snow.

THAT the recommendation of the Cabinet as set out regarding Policy CU17 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

Policy CU18 – Venn Farm

The Leader **MOVED**, seconded by Councillor T W Snow.

THAT the recommendation of the Cabinet as set out regarding Policy CU18 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy CU19 – Town Centre Relief Road

The Leader **MOVED**, seconded by Councillor Mrs N Woollatt.

THAT the recommendation of the Cabinet as set out regarding Policy CU19 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

Policy CU20 – Cullompton Infrastructure

The Leader **MOVED**, seconded by Councillor W J Daw.

THAT the recommendation of the Cabinet as set out regarding Policy CU20 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**

Policy SI2 – The Garage, Silverton

The Leader **MOVED**, seconded by Councillor Mrs J Roach.

THAT the recommendation of the Cabinet as set out regarding Policy SI2 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy WI1 – Land east of M5 - Willand

The Leader **MOVED**, seconded by Councillor Mrs D L Brandon.

THAT the recommendation of the Cabinet as set out regarding Policy WI1 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Chapter 5 – Monitoring

The Leader **MOVED**, seconded by Councillor C R Slade.

THAT the recommendation of the Cabinet as set out regarding the Monitoring Chapter be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Local Green Space

The Leader **MOVED**, seconded by Councillor R M Deed:

THAT the recommendation of the Cabinet as set out regarding Local Green Space be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

The Council then considered the updated information provided at the Cabinet Meeting at Cullompton on 11 December 2014

Stonewall Lane, Crediton

The Leader **MOVED**, seconded by Councillor M D Binks:

THAT the recommendation of the Cabinet as set out regarding Stonewall Lane, Crediton be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy CRE1 – Wellparks, Crediton

The Leader **MOVED**, seconded by Councillor Mrs M E Squires:

THAT the recommendation of the Cabinet as set out regarding Policy CRE1 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy CRE5 – Pedlerspool

The Leader **MOVED**, seconded by Councillor W J Daw:

THAT the recommendation of the Cabinet as set out regarding Policy CRE5 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

NOTE: COUNCILLOR P H D HARE SCOTT DECLARED A DISCLOSABLE PECUNIARY INTEREST IN THIS ITEM AS HE LIVED CLOSE TO THE SITE AND ANY DEVELOPMENT MAY IMPACT ON THE VALUE OF HIS PROPERTY AND LEFT THE MEETING DURING THE DISCUSSION THEREON.

Policy DM7 – Gypsy and Traveller Accommodation

The Leader **MOVED**, seconded by Councillor M D Binks:

THAT the recommendation of the Cabinet as set out regarding Policy DM7 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy DM9 – Conversion of Rural Buildings

The Leader **MOVED**, seconded by Councillor Mrs B M Hull:

THAT the recommendation of the Cabinet as set out regarding Policy DM9 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy DM13 – Dwelling Sizes

The Leader **MOVED**, seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out regarding Policy DM13 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy TIV10 – Roundhill

The Leader **MOVED**, seconded by Councillor K D Wilson:

THAT the recommendation of the Cabinet as set out regarding Policy TIV10 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy TIV11 – Palmerston Park

The Leader **MOVED**, seconded by Councillor R J Chesterton:

THAT the recommendation of the Cabinet as set out regarding Policy TIV11 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy TIV12 – Phoenix Lane

The Leader **MOVED**, seconded by Councillor K D Wilson:

THAT the recommendation of the Cabinet as set out regarding Policy TIV12 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

Policy S3 – Meeting Housing Needs and various allocations

The Leader **MOVED**, seconded by Councillor N V Davey:

THAT the recommendation of the Cabinet as set out regarding Policy S3 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

The Leader **MOVED**, seconded by Councillor R J Chesterton :

THAT :

- a) The policies and proposals of the Proposed Submission Local Plan set out in Appendix 1 be approved for publication and submission

Councillor K D Wilson **MOVED** in accordance with Procedure Rule 18.4:

“THAT the vote in respect of this **MOTION** shall be by Roll Call”

There being more than ten Members in favour of the **PROCEDURAL MOTION** that was **AGREED** by the Council.

A Roll Call of Members present at the meeting was then taken.

Those voting **FOR** the **MOTION** Councillors: Mrs H Bainbridge, M D Binks, E J Berry, Mrs D L Brandon, R J Chesterton, Mrs F J Colthorpe, D R Coren, N V Davey, W J Daw, R M Deed, J M Downes, C J Eginton, R Evans, A V G Griffiths, Mrs S Griggs, P H D Hare-Scott, P J Heal, Mrs L J Holloway, T G Hughes, Mrs B M Hull, D J Knowles, M A Lucas, E G Luxton, D F Pugsley, R F Radford, Mrs J R Rendle, Mrs J Roach, F J Rosamond, C R Slade, T W Snow, J D Squire, Mrs M E Squires, R L Stanley, N A Way, P F Williams, K D Wilson, Mrs N Woollatt and R Wright

Those **ABSTAINING** from voting Councillor Mrs M E Turner.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

The Leader **MOVED**, seconded by Councillor R J Chesterton :

THAT :

- b) The Sustainability Appraisal (incorporating the Strategic Environmental Assessment), the Draft Habitats Regulations Assessment and other evidence produced in the process of the plan's preparation be published for consultation alongside the Local Plan;
- c) Delegated authority be given to the Head of Planning and Regeneration, in consultation with the Cabinet Member for Planning and Economic Regeneration to make minor changes to the text and maps, such amendments to be published on the website and Members advised;
- d) The Head of Planning and Regeneration make direct contact with the Health Providers in the Cullompton area during the forthcoming consultation period;
- e) The Council carry out a study on Sustainable Urban Drainage Systems with a view to bringing forward a Supplementary Planning Document within the municipal year 2015/16

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

92 **SCRUTINY COMMITTEE - REPORT 10 NOVEMBER 2014 (02-20-20)**

The Chairman of the Scrutiny Committee presented the report of the meeting of the Cabinet held on 10 November 2014.

Arising thereon:

The Chairman of the Scrutiny **MOVED**, seconded by Councillor D F Pugsley

“THAT the recommendation of the Scrutiny Committee as set out in Minute 98 be **ADOPTED”**.

Following discussion and upon a vote being taken, the **MOTION** was declared to have **FAILED**.

The Council had before it questions* submitted by Councillor D F Pugsley in accordance with Procedure Rule 12.2(1) together with a response from the Chairman of the Scrutiny Committee.

93 SCRUTINY COMMITTEE - REPORT 8 DECEMBER 2014 (02-35-33)

The Chairman of the Scrutiny Committee presented the report of the meeting of the Committee held on 8 December 2014.

94 AUDIT COMMITTEE - REPORT 2 DECEMBER 2014 (02-35-53)

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 2 December 2014.

95 AUDIT COMMITTEE - REPORT 10 DECEMBER 2014 (02-38-36)

The Chairman of the Audit Committee presented the report of the meeting of the Committee held on 10 December 2014.

96 MANAGING THE ENVIRONMENT POLICY DEVELOPMENT GROUP - REPORT - 18 NOVEMBER 2014 (02-39-32)

The Chairman of the Managing the Environment Policy Development Group presented the report of the meeting of the Group held on 18 November 2014.

97 DECENT AND AFFORDABLE HOMES POLICY DEVELOPMENT GROUP - REPORT 25 NOVEMBER 2014 (02-40-17)

The Chairman of the Decent and Affordable Homes Policy Development Group presented the report of the meeting of the Group held on 25 November 2014.

98 COMMUNITY WELL-BEING POLICY DEVELOPMENT GROUP - REPORT - 13 NOVEMBER 2014 (02-41-08)

The Chairman of the Community Well Being Policy Development Group presented the report of the meeting of the Group held on 13 November 2013

99 COMMUNITY WELL-BEING POLICY DEVELOPMENT GROUP - REPORT 2 DECEMBER 2014 (02-41-35)

The Chairman of the Community Well Being Policy Development Group presented the report of the meeting of the Group held on 2 December 2014.

100 PLANNING COMMITTEE - REPORT - 5 NOVEMBER 2014 (02-42-06)

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 5 November 2014.

101 **PLANNING COMMITTEE - REPORT - 3 DECEMBER 2014 (02-43-13)**

The Chairman of the Planning Committee presented the report of the meeting of the Committee held on 3 December 2014.

102 **STANDARDS COMMITTEE - REPORT - 12 NOVEMBER 2014**

The Chairman of the Standards Committee presented the report of the meeting of the Committee held on 12 November 2014.

Arising thereon:

(1) Request for Constitutional Change (Minute 32)

The Chairman of the Standards Committee **MOVED**, seconded by Councillor Mrs M E Squires:

THAT the recommendation of the Standards Committee as set out in Minute 32 be **ADOPTED**.

Upon a vote being taken, the **MOTION** was declared to have been **CARRIED**.

103 **REVIEW OF POLLING DISTRICTS, POLLING PLACES AND POLLING STATIONS 2014**

The Council had before it a report* of the Electoral Services Manager regarding the review of polling districts, polling places and polling stations.

The Cabinet Member for the Working Environment and Support Services outlined the content of the report highlighting a parish boundary issue that had arisen in Silverton.

Councillor Mrs B M Hull **MOVED**, seconded by Councillor Mrs J Roach **THAT**:

- a) Polling districts, polling places and polling stations remain unchanged.
- b) A recommendation for a county divisional change for Silverton North be made.
- c) A report be prepared for Council in 2017 seeking justification for the change.

Notes:

- (i) Councillors Mrs M E Squires requested that her abstention from voting be recorded.
- (ii) *Report previously circulated, copy attached to signed minutes.

104 **QUESTIONS (02-52-04)**

Councillor Mrs J Roach made reference to the Economic Development Strategy dated December 2011 and a commitment made to development at J27 and the fact that the decision had not been reversed.

The Chief Executive stated that the Economic Development Strategy contained aspirations of the Cabinet but the Local Plan process was required to allocate land for development.

Councillor R M Deed questioned the Chief Executive concerning staffing levels in the Legal Department.

The Chief Executive stated that a locum was being used for the time being and that the situation would be reassessed over the next few months.

Councillor K D Wilson asked whether a locum cost less than an employee?

The Chief Executive stated that a locum cost more on an hourly rate but that there were less employee on-costs.

105 QUESTIONS TO CABINET MEMBERS (03-00-00)

Councillor K D Wilson asked the Cabinet Member for Support Services and the Working Environment why the Summons still contained coloured paper and were the Council taking advantage of the lower fuel prices and filling up the fuel tanks at the Depots.

The Chief Executive stated that with regard to colour paper, outstanding stocks of paper were being used up. The introduction of the Modern.Gov software would introduce electronic agendas and reports, removing the need for paper copies, however if required white paper would be used in future.

With regard to the fuel issue, the fuel tanks would be refilled when required.

Cllr Mrs J Roach asked the Cabinet Member for the Environment whether any works had taken place at the multi-storey car park as consideration had been given to colour coding levels and improving the signage.

The Cabinet Member stated the new signage had been agreed for the pay and display car parks and he would look into the issues raised with regard to the multi-storey car park.

106 MEMBERS' BUSINESS (03-04-36)

1. Councillor P F Williams raised the issue of Liberal Democrat seats on Policy Development Groups and that following a change to the allocation at the last meeting of the Council; he had lost his seat on the Community Well-Being Policy Development Group. He felt that he was no longer able to vote on the Council business and wondered if any group wished to gift him a seat.

Councillor F J Rosamond offered Councillor Williams the Independent Non-Aligned Seat on the Community Well-Being Policy Development Group.

2. Councillor C R Slade informed the Council that Uplowman Primary School had achieved equal 11th place in the National League Table which was way above any school in Devon.

The Council recorded its congratulations to the Head Teacher.

(The meeting ended at 9.10 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of an EXTRAORDINARY MEETING of the MID DEVON DISTRICT COUNCIL held on Wednesday 21 January 2015 at 6.00 pm

Present

Councillors

E J Berry (Chairman)
Mrs H Bainbridge, M D Binks,
Mrs D L Brandon, R J Chesterton,
Mrs F J Colthorpe, D R Coren, N V Davey,
W J Daw, R M Deed, C J Eginton, R Evans,
Mrs S Griggs, P H D Hare-Scott, P J Heal,
Mrs L J Holloway, T G Hughes,
Mrs B M Hull, D J Knowles, M R Lee,
D F Pugsley, R F Radford (Vice Chairman),
Mrs J Rendle, Mrs J Roach, F R Rosamond,
C R Slade, T W Snow, J D Squire,
Mrs M E Squires, R L Stanley,
Mrs M E Turner, K D Wilson and
Mrs N Woollatt

Apologies

Councillors

Mrs E M Andrews, J M Downes,
A V G Griffiths, Mrs C Heal, M A Lucas,
P F Williams and R Wright

107 Chairman's Announcements

The Chairman had no announcements to make.

108 Public Question Time

There were no members of the public present at the meeting.

109 Presentation by Mid Devon District Council Officers and Dixon Searle (Consultants advising the Council on the Community Infrastructure Levy Draft Charging Schedule)

The Council had before it a report * from the Head of Planning and Regeneration proposing an amended Community Infrastructure Levy (CIL) Draft Charging Schedule and associated policies. This had been prepared in response to the Council decision of 17 December 2014 not to approve the CIL Draft Charging Schedule. The report before Members proposed amendments to CIL and contained additional information and explanation as requested at the last meeting. It also contained information on the impact on the Local Plan Review and subsequent consultation period.

Dixon Searle LLP Consultants had been invited to the meeting to provide a presentation to Members, along with District Council Officers, in order to explain what

CIL was, what it was used for, how CIL charges were calculated and what CIL charges were proposed.

The following was explained:

- CIL was a mechanism for collecting developer contributions.
- It incorporated a charge per square metre of floorspace.
- It was fixed in advance and not negotiated on each planning application
- CIL was used to help pay for infrastructure needed to support new development.
- Councils must spend the income on infrastructure but could decide on what specifically.
- The percentage to Parish Councils would be either 15% or 25% dependent on whether they have a neighbourhood plan in place.
- Regarding S106 obligations – there were new limitations on planning obligations from smaller developments.
- An appropriate balance needed to be struck between the desirability of funding the infrastructure gap to support the development of the area from CIL and the potential effects of the imposition of CIL upon the economic viability of development across the area.
- The Council was required to undertake two consultations on the CIL (specifically on the CIL charging schedule), the first of which took place in July 2014
- Amendments were proposed to the CIL Draft Charging Schedule which reflected the priority of the Council, following the decision on 17 December 2014, to increase the target for the delivery of affordable housing
- The amendments proposed included having a target of 28% affordable housing instead of 25% in urban areas and a CIL charge of £40/square metre in urban areas instead of £60. The impact of this would be an increased target for affordable housing delivery but a reduction in CIL revenue, likely to be in the region of £2m.

Discussion took place regarding:

- Though there was a cap on the amount of contributions to Parish Councils, the limited scale of development proposed in most would mean that the contribution would likely only be limited by the amount of development within the parish, for example, a parish with higher housing numbers would receive more CIL, if CIL was charged in those areas.
- Concern was expressed at the amount of profit which could be generated for developers - although it was explained that developers needed to make a profit to reflect the risk involved; on-costs to developers were significant, and net profit would take the profit figure much lower than the 20% cited.
- CIL would not pay for all infrastructure, additional funding would come from a variety of Central Government sources.
- The Council, in partnership with Devon County Council, would have to agree which would be the priority items of infrastructure which would be funded by CIL.
- Concern was expressed regarding an inability to reach current Affordable Homes targets set in the adopted Local Plan.

- It was suggested that the situation be closely monitored and that it be reviewed in two year's time. Mention was also made of a software package that could be useful in monitoring CIL. The Head of Planning and Regeneration stated that the review period should only be stipulated at the point CIL was adopted, as approval was only currently being sought for the charging schedule to go out to consultation.
- The Head of Planning and Regeneration assured Members of the Council that all would be done within available resources to advertise the forthcoming consultations and roadshows to the public.

Note: * Report previously circulated; copy attached to the signed Minutes.

110 Notices of Motion

Motion No 509 (Councillors: R J Chesterton, C J Eginton, P H D Hare-Scott, N V Davey and Mrs B M Hull – 24 December 2014)

The following Motion had been submitted under Procedure Rule 17.2:

- (a) That a Draft Community Infrastructure Levy Charging Schedule, similar in form to that attached as Appendix 1 to Item 5 of the Cabinet Agenda on 11th December 2014, is approved for consultation;
- b) That, after the consultation, the Draft Community Infrastructure Charging Schedule is submitted to the Planning Inspectorate for examination;
- c) That the Draft Infrastructure Plan, Draft Regulation 123 List and Draft policy on the use of Section 106 are published for consultation and then submitted with the Draft Charging Schedule; and
- d) That approval to make minor changes to these documents is given to the Head of Planning and Regeneration, in consultation with the Cabinet Member for Planning.

In accordance with Procedure Rule 13.4 the Chairman of the Council had ruled that the **MOTION** should be debated at this meeting.

Cllr R J Chesterton sought permission of the Council to **AMEND** the **MOTION** in accordance with Procedure Rule 15.6(a). That was **AGREED**.

The **MOTION** was **MOVED** by Councillor R J Chesterton and seconded by Councillor R L Stanley in the following terms:-

- “a) That a Draft Community Infrastructure Levy Charging Schedule, similar in form to that attached as Appendix 1 to Item 5 of the Cabinet Agenda on 11th December 2014, is approved for consultation;
- b) That, after the consultation, the Draft Community Infrastructure Levy Charging Schedule is submitted to the Planning Inspectorate for examination;
- c) That the Draft Infrastructure Plan, Draft Regulation 123 List and Draft policy on the use of Section 106 are published for consultation and then submitted with the Draft Charging Schedule;
- d) That approval to make minor changes to these documents is given to the Head of Planning and Regeneration, in consultation with the Cabinet Member for Planning;

- e) That the relevant policies of the Local Plan Review are amended to incorporate the proposed changes to affordable housing percentages and Community Infrastructure Levy; and
- f) That the Local Plan Review and Community Infrastructure Levy consultation periods be amended to 9th February – 30th March 2015.

Following debate and upon a vote being taken, the **MOTION** as **AMENDED** was declared to have been **CARRIED**.

Notes: (i) Councillors Mrs F J Colthorpe and R F Radford declared personal interests in their role as County Councillors, since they were members of the Devon and Somerset Fire and Rescue Service;

(ii) Cllr Mrs J R Rendle declared a personal interest as she was a member of the Tiverton Children's Centre Local Action Group.

(The meeting ended at 7.40 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 8 January 2015 at 2.15 pm

Present

Councillors

C J Eginton (Chairman)
R J Chesterton, N V Davey, P H D Hare-Scott,
Mrs B M Hull, C R Slade and R L Stanley

Also Present

Councillors

Mrs H Bainbridge and K D Wilson

Present

Officers:

Kevin Finan (Chief Executive), Andrew Jarrett (Head of Finance), Liz Reeves (Head of Customer Services) and Sally Gabriel (Principal Member Services Officer)

86. **Apologies**

There were no apologies.

87. **Public Question Time**

There were no members of the public present.

88. **Minutes of the Previous Meeting (00-01-07)**

Subject to the inclusion of the minute numbers in the declaration of interest box, the minutes of the meeting of 11 December 2014 were approved as a correct record and **SIGNED** by the Chairman.

89. **Recommendation from the Decent and Affordable Homes Policy Development Group 25 November 2014 (00-02-09)**

Arising from a report of the Devon Home Choice Working Group presenting a summary of their work as well as their conclusions and recommendations, the PDG had recommended that there was a need to:

Revisit the suggestion in 12 month's time once:

- (a) Evidence has been gathered from Exeter City Council, Teignbridge District Council and Torbay Council regarding the effect on numbers in the waiting list, the impact upon resources and the effect on the relationship with Devon Home Choice.
- (b) Costs have been ascertained as to any necessary changes to the IT software that would be incurred if Band E was removed.

The Council seeks the opinion of the Scrutiny Improvement Group.

Investigate whether the adverts on the Devon Home Choice website could be amended to show:

- (a) The precise location of a property by the insertion of a map or a postcode. *(Mr Warren subsequently confirmed that adverts already contain a map and street view)*
- (b) More photographs of the properties themselves.

The 'Band E' name be changed to better reflect the realities of being placed in this Band e.g. 'No housing need'. *(The Housing Options Manager has already instructed the team to amend the website and relevant letter templates to take account of this)*

Consideration be given to amending the criteria for Band E for the following reasons:

- (a) Should income thresholds be reduced, for example, is it right that families with an income of over £60k are allocated to this band?
- (b) Should people who have been on Devon Home Choice for a number of years but have never bid on anything be allowed to remain in the band?

More work should be done at the verification stage to manage people's expectations when placed in Band E.

If Members of the PDG were minded not to register housing applicants in Band E going forward, then consideration should be given to adding a new band D2 for those people who live in private sector accommodation where there are affordability issues.

Discussion took place regarding the work of the Working Group and the need for some clear recommendations for consideration by the Cabinet; it was therefore

RESOLVED that the matter be referred to the Head of Housing and Property Services for review and then returned to the Decent and Affordable Homes Policy Development Group for further consideration.

(Proposed by Cllr R L Stanley and seconded by Cllr N V Davey)

Note: * Report previously circulated, copy attached to signed minutes.

90. **Financial Monitoring (00-07-44)**

The Cabinet received a verbal update from the Head of Finance with regard to the income and expenditure so far in the year. He reported that the accounts showed an overspend of £249k which included the restructuring costs of £174k, he suggested that there would be an overspend on the General Fund of £75k for the year. He highlighted the fact that Development Control had seen an increase in fees received and that the projected figure for year-end would be in the region of £100k better than budget, he also reported that new recycling vehicles were expected in January, savings would therefore be made on maintenance costs.

Discussion took place regarding the new recycling vehicles and a possible market for the old vehicles.

91. **Budget Update (00-12-50)**

The Cabinet had before it and **NOTED** a report * of the Head of Finance requesting the Cabinet to consider options available for the Council to move toward a balanced budget for 2015/16. The Cabinet Member for Finance outlined the contents of the report stating that the formal confirmation of Formula Grant settlement had been received prior to Christmas, which had been £83k more than expected; therefore the budget gap was now projected to be £99k.

Discussion followed with regard to the investments made in the Leisure Service and the fact that the service was achieving its budget targets.

Note: * Report previously circulated; copy attached to the Minutes.

92. **Council Tax Base Calculation 2015/16**

The Cabinet had before it a report * of the Head of Finance detailing the statutory calculations necessary to determine the Tax Base for the Council Tax. This was a statutory function and a legal requirement, the Council would set its budget using Council Tax information as at 30 November each year in accordance with The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 calculating the relevant amount by applying the formula set out in the above regulations.

RESOLVED that

1. The calculation of the Council's Tax Base for 2015/16 be approved in accordance with The Local Authorities (Calculation of Tax Base) (England) Regulations 2012 at **27,289.76** as outlined in Appendix 1 of the report.
2. The criteria contained in the Council Tax Reduction (CTR) scheme for the forthcoming year 2015/16 to remain the same as the previous financial year 2014/15.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the signed Minutes.

93. **Revenues and Benefits Performance (00-15-47)**

The Cabinet had before it and **NOTED** a report* of the Head of Finance regarding Council Tax, Non Domestic Rates and Housing Benefit performance for the first 6 months of 2013/14.

The Cabinet Member for Finance outlined the contents of the report stating that the performance of both the Revenues and Housing Benefits Teams was outstanding compared to the performance of authorities elsewhere in the country.

The Cabinet recorded its congratulations to both teams.

94. **Digital Transformation (00-18-14)**

The Cabinet had before it a report* of the Head of Customer Services informing Members of the digital transformation plans for Mid Devon District Council and the programme of work needed to ensure the authority continued to provide services for customers that were appropriate and efficient within a reduced budget.

The Cabinet Member for Support Services and the Working Environment outlined the contents of the report stating that there was a need to streamline processes to make working practices as efficient as possible. She outlined the process for change and discussion took place regarding the new website that was being created and its functionality.

Discussion took place regarding the need to have systems available that could be accessed by mobile devices, improved and integrated on-line forms to enable self-service and reduce back office administration. It was agreed that there was a need to supply services that would be fit for all the community.

RECOMMENDED that:

- a) the Channel Access Strategy 2014-2017 be approved;
- b) An additional one-off expenditure, shown in appendix 2, for the digital transformation programme 2014-2017 be approved

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the signed Minutes.

95. **Peoples Park Recreation Ground and Trust Committee (00-30-25)**

The Cabinet had before it and **NOTED** a report * of a meeting of the above Trust Committee held on 18 November 2014.

Note: *Minutes previously circulated; copy attached to the signed Minutes.

96. **Notification of Key Decisions (00-30-50)**

The Cabinet had before it, and **NOTED**, its rolling plan * for February 2015 containing future key decisions.

Note: * Plan previously circulated; copy attached to the signed Minutes

(The meeting ended at 2.47 pm)

CHAIRMAN

Digital Transformation

Cabinet Member Cllr Brenda Hull
Responsible Officer Liz Reeves, Head of Customer Services

Reason for Report: To inform Members of the digital transformation plans for Mid Devon District Council. This programme of work is needed to ensure we continue to provide services for our customers that are appropriate and efficient within a reduced budget.

RECOMMENDATION(S):

1. **To approve the Channel Access Strategy 2014-2017.**
2. **To approve additional one-off expenditure, shown in appendix 2, for the digital transformation programme 2014-2017.**

Relationship to Corporate Plan: To ensure that people have access to the services they need, particularly those on low incomes and those who are sick or disabled. People also need easy access to information about services at the right time and in the right place whether that is by telephone, website or face-to-face.

Financial Implications: We have to generate savings both directly and indirectly for our own business effectiveness and because central government settlements are decreasing in value. Investment is needed to analyse and potentially redesign our business processes and customer transactions. This will inform our transformation programme to create digital services using existing and where appropriate new technology. The capital investment will ensure we can continue to provide effective services with reduced resource and budget.

Legal Implications: Any new methods of service delivery must ensure we are able to continue to meet our statutory duties and maintain data security.

Risk Assessment: All the risks associated with this programme are recorded and will be closely monitored.

1.0 Introduction

- 1.1 In November 2013, work started on a digital transformation programme for Mid Devon District Council. The aim of the programme is to create a customer focused business where our customers can use self-service or can be assisted to access our services.
- 1.2 With reducing budgets and continued pressure on resource any changes in how we deliver our services must be able to reduce costs directly or provide a platform for future cost reductions and must simplify customer interactions.
- 1.3 The transformation agenda means we need to rethink how we work, to review customer contact and transactions and to streamline processes from start to finish. Service review includes both external and internal transactions, by

making our working practices as efficient as possible, savings will be made in time and resource.

- 1.4 Each service has been involved in the analysis and has provided details of how digital transactions could improve the service provided, this has informed the priorities for the digital transformation programme.

2.0 Transformation priorities

- 2.1 As a result of the analysis completed the programme for change will focus on:
- A new website, that is transactional, easy to use and that will render to mobile devices.
 - Improved and integrated on-line forms to enable self-service and reduce back office administration.
 - Mobile working to improve information available to staff when visiting customers off site, reduce office space and improve administrative efficiency.
 - Improve and extend the use of Document Management Systems (DMS) this is required to enable mobile working.
 - Implement texting (SMS) as a new additional access channel.
- 2.2 In addition a review will be carried out with each service to implement digital services. The review will focus on the top transactions for that service and the needs and preferences of their customers as outlined in the Channel Access Strategy.

3.0 Why do we need to change?

- 3.1 The Council receives contact from customers in a variety of ways. In 2013-14 we had 110,641 visitors to our offices for enquiries or to make payments, answered 403,594 phone calls (in the call centre and direct to officers) and received over 800,000 emails. Add to this contact by post, internet, Facebook and Twitter, we received in excess of 1.3 million contacts from our customers during the year.
- 3.2 The number of contacts is increasing year on year; traditional contact volumes have increased by 10% since 2010 add to this, new methods of contact such as online applications and social media and the increase in customer contact is realistically in the region of 15%. The variety and method of contact is changing and our current working practices make this difficult to manage. Customer expectation has also changed, a more immediate response is assumed when using digital contact such as email, online or text. To meet this expectation we need to rethink our working practices, create efficient digital processes that help to remove avoidable contacts and ensure we can respond to the ever increasing method and volume of contacts.
- 3.3 Our full time equivalent staff (FTE) levels have decreased by 50 since 2010. We have continued to provide both statutory and non-statutory services with a reduced workforce. The Customer First project has contributed to this by creating a central admin and call centre team to deal with customer contacts. Significant savings have been made already but we will not be able to

continue to meet the increasing demand within budget unless we change how we work or reduce or cease some of the services we provide.

- 3.4 In 2010 our council tax property base was 33,477 this has increased by 1,277 properties to 34,754 in the 2015 tax base, increasing the services we need to provide and this upward trend will continue while staff levels and budgets reduce.
- 3.5 How customers want to transact with us is changing, in a survey with the citizens panel 90% had access to the internet at home and 63% said they had used our website, 60% had smart phones and 71% of them had used these devices to access our website. The survey also confirmed that the preferred method of contact was email.
- 3.6 National figures show the trend towards smart phones and other mobile devices as a preferred method of access to the internet. This is an economic choice for some customers who cannot afford a land line and chose only mobile technology.
- 3.7 Customers expect to contact organisations by email or other digital channels and to be able to transact with services at times to suit their own needs. Our service standards have focused on contact in person over the phone and by post, but now need to include on line contacts, email and social media.
- 3.8 The increase in housing in Mid Devon combined with the new range of access channels, means we will struggle to keep up with demand unless we either employ more staff or improve our processes to remove the need for more staff. The digital transformation programme aims to provide self-service where appropriate and improve working practices to remove duplication, automate where possible and remove low-value contacts i.e. follow up contacts.

4.0 Investment in digital transformation

- 4.1 As budgets reduce the challenge to provide services will increase. The target outcomes for the digital programme are at appendix 1.
- 4.2 Customer contacts are increasing and will continue to grow. The digital transformation programme will provide a sustainable means of dealing with increased demand with less staff and resource. Moving customers to self-service will contain the impact and remove the need for additional administration and customer service front line staff to cope with the demand. Customers that do not want to use digital and automated services will still be able to use assisted service.
- 4.3 The range of services we provide require complex systems that need to be secure and retain customer confidentiality. To deliver digital services information from these data bases need to feed into one access point for customers. Careful process mapping, analysis and redesign is essential to create digital transactions that are easy to use for customers and reduce administration and inefficient working practices.

- 4.4 The return on investment on digital transformation will be made by, reducing our printing, stationary and postage costs, freeing space in our buildings and reduced staffing. These measures will provide digital services that customers want to use and ensure we are able to meet increased customer contacts and continue to provide services within budget.
- 4.5 Estimated savings identified from digital transformation include:
- Reduce postage by 20% (2013/14 spend £154,322 20% saving) = £30,864
 - Reduce printing by 20% (2013/14 spend £43,448 20% saving) = £8,689
 - Reduce staffing (estimate 5 FTE scale 7 £28,054 x 5 saving) = £140,270
 - **Initial estimated annual saving = £179,823**
 - Plus additional savings will be made by enabling a reduction in requirement for office space and equipment.
- 4.6 The return on investment will be long term as once customers move to new digital channels these will become the channel of choice. Service reviews will be embedded in the culture of the council and will ensure efficiency savings continue. The additional start-up costs for the first two years are detailed at appendix 2 and will be repaid by the year on year savings noted at paragraph 4.5
- 4.7 Failure to move to new automated and self -service transaction will mean the council is not able to respond to customer needs. Business and other organisations are moving to digital platforms and we need to be able to work in the environment that will become the norm.

Contact for more Information: Liz Reeves, 01884 234371
lreeves@middevon.gov.uk

Circulation of the Report: Cllr Brenda Hull, Management Team

List of Background Papers: Project Initiation Document, Channel access strategy.

Appendix 1

Extract from Project initiation Document (PID)

Products:

- Develop a Digital transformation strategy that supports channel shift.
- Enable mobile working, taking our business with us wherever we go. – issue mobile devices e.g. tablets
- Enable customers to contact us using mobile devices. – mobile enabled web site
- Implement Social network services listening tool to discover customer insight over various media such as twitter and other social media
- Enable alerts and messaging to customers – SMS gateway
- Implement a data warehouse solution to enable a single view of the customer, to support a customer portal and enable greater analysis of customer requirements
- Implement an extranet/customer portal to enable customers to access their own information for self service.
- Implement Live Chat to provide mediated online service
- To provide public Wi-Fi to promote online self service
- To provide additional meeting room/training space/colocation space by 20% reduction in desks and storage required for officers (mobile/home/hot desking)
- To create a champion group for the programme using key people from each service to promote digital transformation in their service

Outcomes

- Reduced front line contact – Face to face and phone by 20% over the next 5years
- Increase interactions on line that allow customers to self-serve, using systems that wherever possible integrate with back office systems, improving processing times and reduce printing and paper retention costs
 - Implement payment kiosk in Phoenix House 2014
 - Implement Customer Portal 2017
 - Improve online forms and increase usage from 1% to 10% of customer interactions
 - Increase use of scanned or electronically saved documents and free up additional floor space currently used for filing
- Continue to deliver services that are needed but with less resource
 - Still meeting performance indicators but on reduced budgets
- Standardise internal processes across the organisation
 - Measure savings on each process reviewed and revised
- Increase scanning at post opening and at front line delivery to reduce double handling, printing costs and paper storage

- Scan all documents at post opening and received at reception by 2017
- Reduce or remove paper forms (internal and external) that need to be scanned or keyed into systems
 - Reduce use of paper forms by at least 20%
- Enable electronic delivery of work from scanned images using work flow that will support mobile and home working and reduce paper retention and printing costs
 - All services to receive 'post' using workflow by 2017
 - Issue tablets to mobile officers
- Create a customer focused approach to service delivery that encourages a consistent "one council" approach at the first point of contact
 - Customer service training to all staff
 - Enable electronic viewing of plans in reception by installing large monitor

Appendix 2

ICT have a limited capital programme for technology.

To support this major investment project capital investment needed is itemised below:

Table 1

Resource required	Budget required	New expenditure
Project support Staff		
1 FTE scale 7 to provide a Uniform systems admin role for the implementation of Uniform enterprise. This covers work for planning, EH, property services, private sector housing, parks and open spaces.(JD for equivalent post already exists)	£28053 (includes on costs) Temporary 2 year contract	£56,107
1FTE estimated at scale 9 to back fill in services as work on digital transformation is carried out. The scale and duration of contract will vary for each service and may be lower than scale 9 if the back fill is for administration but may also be higher if experienced agency staff are required. £28,922 plus on costs	£36152 (includes on costs) temporary and varied contracts for 2 year period.	£72,305
1 FTE to assist with on line integration into back office systems Scale 9	£36152 (includes on costs) 2 year contract	£72,305
Total for period of project		£200,717

Existing capital programme to deliver digital transformation includes:

Table 2

Improved website (Improved on line forms to increase digital transactions that are integrated into our back office systems).
Text messaging facility (Additional communication channel for providing information to customers).
Tablets or other mobile devises (develop mobile working)
Improve telephony/unified communications

All the items in table 2 are included in the 2015/16 capital programme and have already been considered at PDG and budget meetings. The expenditure is essential to ensure we can continue to deliver business as usual and respond to modernisation of technology.

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Mid Devon District Council's Channel Access Strategy 2014 - 2017 “Digital Transformation”

Version 1.4 | November 2014

Amendment History

Version	Date	Name	Description
1.0	07/02/2014	Dave Witts	Initial draft version for client review
1.1	26/09//2014	Liz Reeves	Project review

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4.	Strategies for each access channel	
	<ul style="list-style-type: none">• Channel shift• Digital inclusion• Accessibility• Website• Telephone• Mobile• Face to face• Email• Post/paper• Social media	
5.	Governance	

1 Executive Summary

1.1 Channel Access strategy

Mid Devon District Council (the Council) is a small district council, providing services for approximately 77,750 residents and 2,671 businesses. The Council wished to define a strategy, focused on “putting the customer first” and encouraging channel shift. This strategy focuses on improving the quality of the customer’s experience, encouraging channel shift and reducing avoidable contact whilst embracing “Digital Transformation”.

Services need to be available through appropriate and cost effective contact channels designed with the needs and preferences of our customers in mind. Customers will be encouraged to use the most effective contact method, by creating a series of deliberate and targeted channel shifts. This will not discriminate against any individual by limiting the choice of contact method available.

The format of this strategy leads with an executive summary, including all key recommendations and the remainder looks in more detail at each of the customer access channels.

1.2 Key Success Factors

The key success factors of an effective channel access strategy are:

- **Commitment to change** – to re-think how we transact with all customers end to end, improve customer service, align back office and customer needs and provide a professional customer service while enabling reduction in cost.
- **Detail** - the deliberate design of the channel access strategy for **each type of service**, bearing in mind the level of human interaction required and the needs of the targeted customer base.
- **Constant review**- of the effectiveness of the channel access strategy for each type of contact bearing in mind changing technologies and changing customer habits.
- **Simplicity** – the optimum channels for the organisation should be the easiest to use for the customer to drive a shift in customer behaviour.
- **Inclusion** – no group should be denied access to a service because of disability, language or cost of the access channel (e.g. mobile phone costs, broadband access). Options should be made available other than the organisation’s preferred method of contact.
- **Cost effectiveness** – particularly in the current economic climate, finding ways in which to deliver services effectively but at lower cost is increasingly important.

1.3 Key Recommendations

The key recommendations contained in this strategy are:

1.3.1 Digital transformation priorities

1. To implement a new website Content Management System (CMS) to enable the redesign of the existing website ensuring all content is focused on the needs of the customer, has simple easy to use transactions and provides a solution for mobile and tablet users.
2. Provide a single customer focused approach to all access channels so that customers are able to contact and transact with us in the most effective ways.
3. To promote the website as the main access point for the council’s services for information and transactional services and provide mediated access through our face to face and contact centre staff.
4. To develop effective use of social media for engaging with our customers.
5. To provide access to the internet and wifi in our offices.

6. To enable mobile working for staff.
7. To improve and extend use of the Document Management System (DMS) to support self-service and mobile working.
8. To develop action plans with all services for digital transformation, that reduce cost, increase efficiency and support customer self-service.

1.3.2 Customer Insight

All decisions and recommendations made throughout this strategy have been focused on the needs of our customers. An exercise was carried out to develop personas for MDDC. Details are available in the Senior Officers Engagement Report on Share point.

The digital transformation programme will involve engagement with all services to ensure the benefits of understanding customers are embedded in the redesign of services

1.3.3 Channel Insight

From the data currently available an exercise was undertaken to identify the number of interactions per access channel and to formulate a cost per channel so decisions could be informed of where to most effectively channel shift interactions and prioritise the digital transformation programme. See graphs at page 9.

1.3.4 Avoidable Contact

The re-design of services must reduce the need for our customers to contact us by reducing red tape, automating processes and working with partner authorities to provide “joined up services”. To ensure continued improvement we will:

- Establish a permanent Customer Service Improvement Team to analyse data from our main customer access channels to look for opportunities to reduce the need for citizens to make unnecessary or multiple contact with the authority
- Improve the number of customer queries that we are able to resolve first time face to face, on the telephone and on line by improving our back office processes
- Broaden scope outside the organisation to actively look at end-to-end process opportunities to eliminate contact

1.3.5 Channel Shift

To design cost effective, efficient and user friendly means of contacting the council and then encourage our customers to use the channels that work best for them. All new services including information services will be designed around the user for 24/7 web access first wherever possible, ensuring all channels have access to the same information to accommodate ‘channel hopping’

1.3.6 Digital Inclusion

To ensure that citizens who do not have access to digital channels at home or work are not disadvantaged when communicating with the council we will:

- Provide public internet access at our key locations, e.g. Leisure Centres, Council Offices and provide information on other available access in the area.
- Provide support and assisted access to our website at the council’s face-to-face locations
- Widely advertise our full choice of contact channels.

1.3.7 Channel Strategies

1.3.7.1 Website

To provide a single, comprehensive, easy to access and up to date website that allows anyone to transact and interact with the council 24/7

1.3.7.2 Telephone

To minimise the number of contact numbers published, to provide access to an officer and to reduce the amount of irritating low value calls that our residents have to make.

1.3.7.3 Mobile, Smartphone/Tablet

To use the emerging mobile phone technology in a tactical manner to provide better access to information for targeted user groups, to reduce costs, increase speed of communication or reduce direct contact

1.3.7.4 Face to Face

To maintain our Face to Face services, in the most cost effective locations by fully trained expert officers

1.3.7.5 Email

To reduce the amount of email communication by better use of electronic forms and other electronic channels

1.3.7.6 Post/Paper

To reduce the amount of post and paper communication by better use of electronic channels

1.3.7.7 Social Media

To communicate and listen with customers on Social Media to promote the web channel

1.4 In Conclusion

Adopting and implementing the recommendations in this strategy will lay the foundations for the development of all the Council's customer access channels, with a focus on improving the quality of the customers' experience, encouraging channel shift and reducing avoidable contact through “Digital Transformation”.

2 Channel Access Strategy

2.1 What is a Channel Access Strategy?

The Council has a responsibility to provide value for money to customers. The channels through which Council services are delivered and by which customers have contact with the Council, (be that via telephone, online, in person, or via other means), are a critical part of service provision, and there is an on-going impetus for them to be managed effectively and efficiently for everyone.

A channel access strategy is an organisation's plan for the channels it will use to deliver services to, and interact with, its customers. A channel access strategy explains how an organisation will meet the contact demands of its customers using the resources it has available bearing in mind the needs of the customer. However, a channel access strategy is **not** simply a plan to move service provision to online channels.

2.2 Why is a Channel Access Strategy Important

Customers receive a high standard of customer service from many organisations. To ensure the Council follows this route, the organisation must continue to raise its own standards of service across all the channels it uses and offers.

In order to meet the needs of customers, the Council must provide services that are:

- Easily accessible
- Simple to use
- Streamlined
- Convenient
- Cost effective
- Robust

It is also important to bear in mind the target audience's access to technology, the type and complexity of the contact, their personal preferences as well as their skill sets when selecting channels.

Rising internet use and customer expectations of accessing services online present an on-going opportunity for organisations. Competent online services are easy and quick to use, available whenever customers need them and have a relatively low administrative burden. Managed well, online access to services is a very effective channel with considerable benefits for customers and organisations.

The Council must however also meet the needs of people who do not (yet) have access to the internet. 'Digital Inclusion' therefore is a core element of any channel access strategy.

2.3 Purpose of a Channel Access Strategy

To outline the broad principles for the ways in which the Council will deliver its services through a range of contact channels that provide better value for money, are more accessible and are designed with the customer in mind.

2.3.1 The need for insight

The process of developing and implementing a channel access strategy needs to be guided by insight, and insight specifically relating to:

- The customer
- The services an organisation is providing and each service area in question
- The current delivery channels at the organisation's disposal as well as those that may be available or need to be used in future

It is also important to understand the wider online services market, as expectations of online services are driven by customer experiences of using similar services of other organisations.

2.3.2 Organisational challenge

In considering a channel access strategy, there is often a considerable challenge and change to existing organisational structures. A channel access strategy needs to become an integral part of the structure of the organisation and the way the objectives of the organisation are realised. It cannot be imposed or “made to fit” onto existing practices and as such is likely to require or precipitate considerable organisational change.

We also need to recognise that people will use different channels not just for different types of interactions, but also to suit their own convenience.

2.4 Scope

1. This strategy document sets out the basic principles by which the Council will deliver its services to its customers through the contact channels currently available.

Contact channels in scope include:

- Face to face
- Email
- Internet/Website
- Social media
- Telephone
- Mobile technology (including SMS text messaging, apps and mobile web)
- Automated telephone technology
- Post

2. This document focuses on three key types of contacts between the Council and its customers
 - **Transactions** (e.g. reporting a repair or paying a bill)
 - **Interactions** (e.g. obtaining advice)
 - **Information** (e.g. exploring available properties)

2.5 Channels Hierarchy and Design Principles

The choice of contact channels available to customers is growing all of the time as new technologies are developed and released. For example in the last 5 years we have seen the emergence and growth of channels such as social media (Facebook and Twitter), mobile internet, interactive TV and mobile phone applications (apps).

Without a channel access strategy many organisations typically adopt one of two approaches to using these channels by either 1) launching all of their products and services on all new channels without much thought to the relevance and cost of doing so or 2) focusing on switching their customer contact to the cheapest channel (often assumed to be the internet) without much thought as to the relevance of this channel to their entire customer base.

The key factors to an effective channel access strategy therefore are:

1. **Commitment to change** – The organisation must understand that this is about changing the way we work to ensure there is a seamless relationship between the customer, frontline staff and the back office process
2. **Detail** - the deliberate design of the channel access strategy for **each type of service**, bearing in mind the level of human interaction required and the needs of the targeted customer base
3. **Review** – the constant reviewing of the effectiveness of the channel access strategy for each type of contact bearing in mind changing technologies, channel hopping and changing customer habits
4. **Simplicity** – the optimum channels for the organisation should be the easiest to use for the customer to drive a shift in customer behaviour
5. **Inclusion** – no group should be denied access to a service because of disability, language or cost of the access channel (e.g. mobile phone costs, broadband access). Options should be made available other than the organisation's preferred method of contact.
6. **Cost effectiveness** – particularly in the current economic climate, finding ways in which to deliver services effectively but at lower cost is increasingly important.

3 Customer Insight

A key focus during the development of this strategy was to build an understanding of who the customers of Mid Devon District Council are and how they interact with the Council, so plans can be developed to channel shift as many interactions as possible to the cheaper channels.

A persona is a realistic but fictional character that represents one segment of the Council's target audience. The Personas developed were based on the Council's demographics and can be seen in the Senior Officer Engagement report

Key observations when developing the Personas and interacting with the Services at the Senior Management Engagement workshop, included:

- Highlighted different needs of the customer, important to understand local needs (one size does not fit all)
- One point of contact, simple to contact regardless of access channel used.
- Alerts on changes to services or planning notices
- Mixture of methods customers need to use - depends on the type of enquiry
- Potential for use of live chat (on line web tool)
- More services available online, booking and reporting etc.
- Some customers will never change / be on the internet, so must be able to support them
- Effective signposting is very important
- Simplify the website
- Provide joined up information from across services and organisations
- Need for effective Online payments
- Channels that suit customers varied lifestyles

3.1 Recommendations

Continue to work with all services to ensure the benefits of customer insight are embedded in the redesign of services.

4 Channel Insight

It is important to bear in mind the Council's target audience's access to technology, the type and complexity of the contact, their personal preferences as well their skill sets when selecting channels.

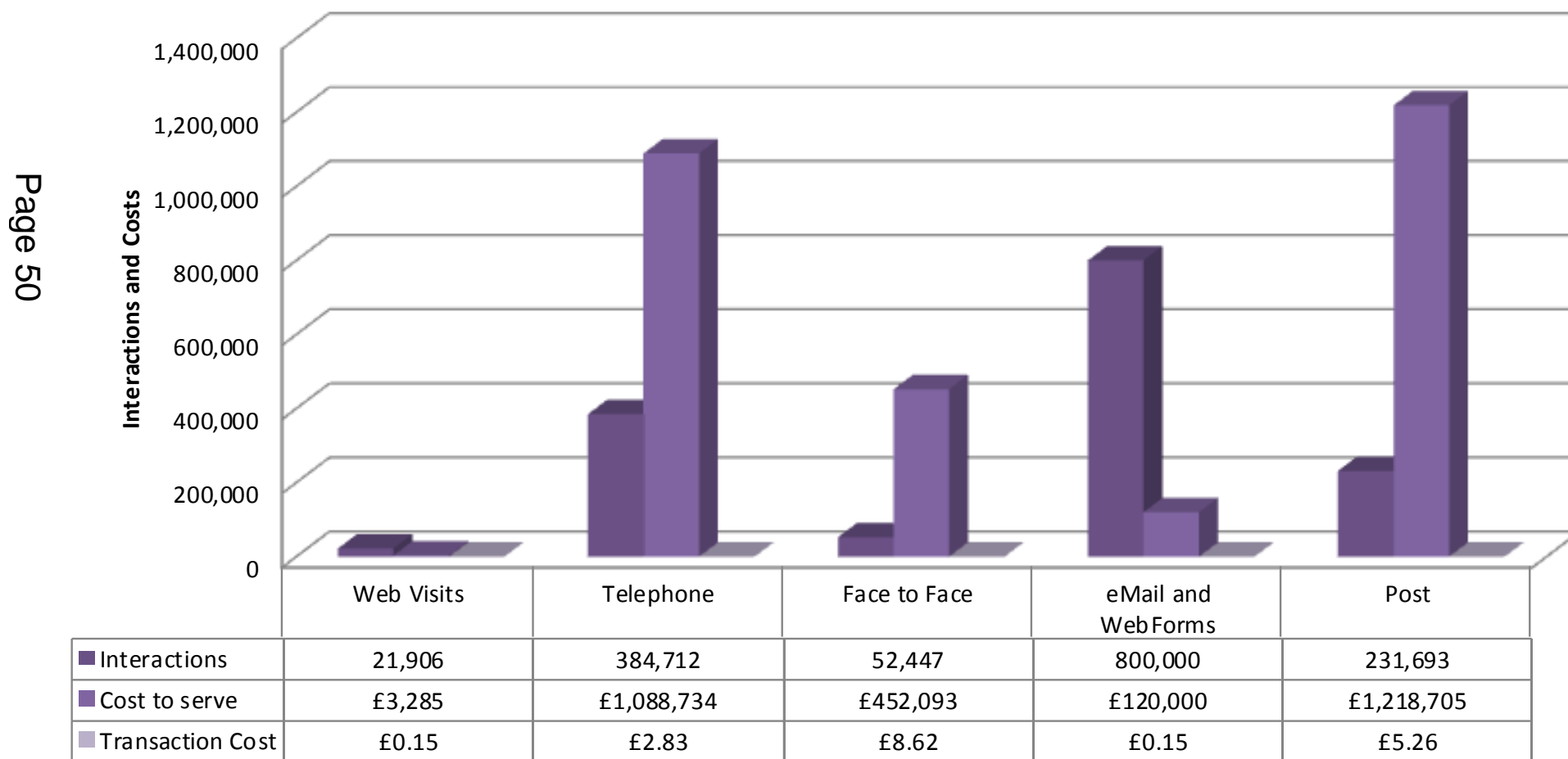
From the data currently available an exercise will be undertaken to identify the number of interactions per access channel and to formulate a cost per channel so decisions can be informed of where to most effectively channel shift interactions.

Customer interactions dealt with by service areas outside of Customer Services are logged on a number of different systems, some manual, and to a varying degree of detail. Data will need to be collated from these services and analysis will be required when delivering this strategy. The data collected so far does however highlight areas with a high volume of interactions and where the greatest savings may be possible.

The costs used for each channel are those identified nationally by SOCITIM. Focusing on end to end process improvements will reduce channel costs and ensure efficient service delivery.

4.1 Customer Services transactions showing totals by channel and showing costings for - Web visits (for payments)/telephone / face to face / email / post

2013/14 Interactions and Cost to Serve



5 Mid Devon District's Channel shift Strategies

5.1 Website.

To encourage channel shift we must provide a cost effective, efficient and user friendly website that is available for customers to use at a time that suits their needs and that they are confident to use. An important part of this strategy will be to encourage customers to use the new channels if they are suitable for their needs.

1. Promote the website as the main access point for the council's services.
2. Provide wifi and public access in our offices to assist customers to use self -service options.
3. Use marketing and communications expertise to direct customers to the website and on line services.
4. All new services will be designed around the user for 24/7 web access first wherever possible.
5. Ensure customers have access to the same information regardless of the channel they chose to contact us.

More details on our website strategy are at item 6.1 of this document.

5.2 Digital Inclusion Strategy

To ensure that citizens who do not have access to digital channels at home or work are not disadvantaged when communicating with the council

1. Provide public internet access at our key locations, e.g. Leisure Centres, Council Offices and provide information on other free access available.
2. Provide full mediated access to our website at the council's face-to-face locations and over the phone.
3. Widely advertise our full choice of contact channels, particularly to hard to reach groups, e.g. transient and socially excluded groups.
4. Never design a service that is available only through digital channels
5. Provide staff training to ensure they have the skills to support customers using digital transactions.

5.3 Accessibility of Contact Strategy

To provide a full range of contact channels for each of our services, with some channels providing enhanced access for customers with special requirements.

1. Continually engage with groups representing those with specific requirements for the way they contact us and ensure that an appropriate choice of channels is available to those individuals
2. Ensure that we widely advertise our choice of contact channels, particularly to hard to reach groups, for example young people or vision impaired customers
3. To provide a comprehensive translation service to allow easy access to the authority for all through the face to face and telephone channels.
4. Provide disabled access to our buildings
5. Provide induction loops within our main offices for customers with impaired hearing.
6. Investigate the use of “live chat” to assist customers using our on line services.

6 Strategies for Specific Channels

6.1 Website Strategy

To provide a single, comprehensive, easy to access and up to date website that allows anyone to transact and interact with the council 24/7

1. Create a new website using Umbraco open source technology, that allows greater flexibility to update and amend the website to reflect changes in services, technology and customer requirements.
2. To increase and improve on line forms to make them the channel of choice for simple, effective transactions that will encourage channel shift.
3. Use analysis of transaction failures to improve the website and on line functions.
4. Train key staff to update the website to ensure the site is always up to date.
5. Ensure that business cases for improvements reflect both increased public satisfaction, but also reduced contact centre and officer time and effort in providing mediated access.
6. To provide appropriate intuitive map based interfaces to both transactional and information systems
7. To integrate all online transactions directly into back office systems to prevent double entering of information.
8. Remove telephone numbers and email addresses for individual officers, to reduce the need to update pages and ensure access to services is via one agreed point of contact.
9. To ensure that all council leaflets and literature are made available via the website in order to reduce printing, cost and environmental impact
10. To ensure that all communication is replicated on the council's website
11. Provide “open” datasets online in order for interested parties to create their own interfaces and combinations increasing transparency
12. Constantly review and respond to feedback to improve the website

6.2 Telephone Strategy

To minimise the number of contact numbers published, to provide fast access to an expert officer and to reduce the amount of irritating low value calls that our residents have to make

1. To provide one main phone number for the organisation which can be easily found in order to make contacting the council straightforward for our residents
2. Provide an automated telephone system for payments.
3. To use local rate phone numbers wherever possible to make contacting the authority cheaper on “pay as you go” mobile phones
4. To constantly improve the number of customer queries that we are able to resolve first time on the telephone.
5. To use telephone call data and customer feedback to identify areas of improvement within the council and work to eliminate red tape, process failure and unnecessary cost to the public
6. Wherever possible, use the public website to transact in our Customer Services Centre to ensure that the site is fit for purpose for our residents and the same service is provided across the various access channels.

Mobile Strategy

To use the emerging mobile phone technology in a tactical manner to provide better access to information for targeted user groups, to reduce costs, increase speed of communication or reduce direct contact.

1. To provide access to council telephone based services using only local rate telephone numbers to ensure the minimum costs to mobile phone users, particularly on “pay as you go” tariffs
2. To use outbound text messaging to confirm appointments, chase payments and advise of items of interest
3. To develop new inbound and outbound text services, this can also be used for hearing impaired customers.
4. Provide a mobile/tablet rendered website.
5. Provide mobile solutions for staff to improve access to information on site visits, improve efficiencies and remove double handling of data.

6.3 Face to Face Strategy

To maintain our Face to Face services, but to provide these services in more appropriate and cost effective locations by fully trained expert officers

1. To seek opportunities to share face to face provision with other organisations
2. To provide mediated access to the Council website through our face to face staff and assist customers to use self- service .
3. To undertake process reviews to identify potential channel shift and quality improvements to our face to face service.
4. One and done approach
5. Provide wifi access in our main offices and leisure centres and provide information on other public access facilities.

6.4 Email and on line Strategy

To reduce the amount of email communication by better use of electronic forms and other electronic channels

1. To provide a complete range of online forms to minimise the amount of emails handled
2. To encourage use of outgoing e-mails to communicate rather than phone and post.
3. Email alerts for changes to expected services.
4. To provide status updates for any transactions that are started on the web but cannot be completed online – for example reporting a fault

6.5 Post/Paper Communication Strategy

To reduce the amount of post and paper communication by better use of electronic channels

1. To provide a complete range of online forms to minimise the amount of post handled
2. To place more of our leaflets and information online in order to minimise printing and reduce our environmental impact

3. To integrate email and postal distribution lists in order to give people the choice to opt for email only
4. Use DMS for all paper correspondence to support mobile working and customer self service
5. Use second class post as our main postal tariff
6. Use external print/post mail companies to maximise post discounts.

6.6 Social Media Strategy

To communicate and listen with customers on Social Media to promote the web channel

1. Develop our use of Social media
2. Use a monitoring management tool to identify individuals to respond to

7 Performance Management and Governance

7.1 Channel Shift

- The Head of Customer Services will have the day to day responsibility for the Council's Channel Access Strategy and its implementation. An annual report is provided to Members on complaints and this will include data on customer transactions and changing trends.
- We will compare the effectiveness and usage of different channels for each service and seek to shift contacts to the most appropriate channels

7.2 Website

- Customer Services will ensure that, through constant customer feedback and task based metrics the web content is always relevant, up to date and user friendly
- The “exit pages” and transaction abandonment on the website will be analysed each month to see where transactions are failing and corrections made accordingly
- ICT will ensure that the website is available and operational 24/7
- An officer web group will maintain overall service excellence as evidenced by customer feedback, industry awards and SOCITM usability ratings
- Obtain and maintain the “WCAG 2.0 level AA” rating for accessibility by all.

7.3 Mobile technology

- The ICT Manager will have responsibility for the mobile phone strategy
- To monitor opportunities and take up rates of mobile technologies
- Performance and usage of this channel will be monitored as services are developed

7.4 Customer Service

- Individual service managers will be responsible for their own services and monitor performance against the standards set in the Council's Customer Care policy. The Head of Customer Services will monitor, review and update the Customer Care Policy.
- Our Corporate Induction process includes information on Customer care.

7.5 Digital transformation

- Business cases will be prepared to implement new technology or other equipment to ensure the expenditure will result in efficiencies and savings to the Council. Any new systems must demonstrate a dual benefit, to the public, and to ease of use for staff to facilitate savings in time and efficiency for the Council.
- As a result of our digital transformation programme:
 - We will aim to reduce the volume of visitors to our offices, calls into our Customer Service Centre and Direct Dials by 20% over 5 years by moving these contacts to the web.
 - We will aim to improve processing times for high transaction services.
 - We will aim to reduce the use of paper forms by 20% which will contribute to the reduction of:-
 - Printing costs , postage costs and stationary costs
 - This strategy will contribute to overall efficiency savings

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 5 February 2015 at 2.15 pm

Present

Councillors

C J Eginton (Chairman)
R J Chesterton, N V Davey, C R Slade,
P H D Hare-Scott and R L Stanley

Apologies

Councillors

Mrs B M Hull

Also Present

Councillors

M A Lucas, Mrs J Roach and F R Rosamond

Also Present

Officers:

Kevin Finan (Chief Executive), Jonathan Guscott (Head of Planning and Regeneration), Andrew Jarrett (Head of Finance), Jill May (Head of HR and Development), Nick Sanderson (Head of Housing and Property Services), Amy Tregellas (Head of Communities and Governance and Monitoring Officer) and Sally Gabriel (Principal Member Services Officer)

97. APOLOGIES

Apologies were received from Cllr Mrs B M Hull.

98. PUBLIC QUESTION TIME

There were no members of the public present.

99. MINUTES OF THE PREVIOUS MEETING (00-00-56)

The minutes of the meeting of 8 January 2015 were approved as a correct record and **SIGNED** by the Chairman.

100. THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (00-01-45)

Arising from a report of the Head of Housing and Property Services and a recommendation from the Community Well-Being Policy Development Group regarding new legislation, the PDG had recommended that: the Anti-Social Behaviour, Crime and Policing Act 2014 be adopted and that delegated authority be given to Chief Executive for the appointment of Officers under the Act and to coordinate a consistent level of fines across all Devon authorities.

The Cabinet Member for Community Well-Being requested that the recommendations of the PDG be adopted to reflect current legislation.

RESOLVED that the recommendation be approved.

(Proposed by the Chairman)

Note: Report previously circulated, copy attached to signed minutes.

101. **OPEN SPACES AND PLAY AREA STRATEGY**

Arising from a report of the Head of Housing and Property Services and a recommendation from the Managing the Environment Policy Development Group regarding a review of the strategy, the PDG had recommended that the Cabinet adopt the Open Spaces and Play Area Policy subject to part 2 of the document (area profiles) being made available to Parish Councils and Ward Members for ratification.

The Cabinet Member for the Environment outlined the contents of the report.

Discussion followed with regard to:

- The need for Parishes to correspond with the District Council
- Concerns that decommissioned play areas would be sold off for development: it was ascertained that discussion would always take place with the Town and Parish Council prior to any consideration of selling off a site.
- The need to monitor the provision of open space as continued development takes place.

RESOLVED that the recommendations be approved.

(Proposed by the Chairman)

Note: Report previously circulated, copy attached to signed minutes.

102. **HRA BUDGET 2015/16 (00-14-36)**

Arising from a report of the Head of Finance and Head of Housing and Property Services and a recommendation from the Decent & Affordable Homes Policy Development Group, the PDG had recommended that the Cabinet approve:

- The HRA budget proposals within the report
- The property rent increases proposed
- An increase of £35 to garage ground rents
- No increase in garage rents
- Investigations into the feasibility of creating a Special Purpose Vehicle

The Cabinet Member for Housing outlined the contents of the report highlighting the recommendations of the PDG and requesting that an additional recommendation be added that of no increase in the charge for community alarms.

RESOLVED that the recommendations be **NOTED** and further considered during discussions on the budget later in the meeting.

(Proposed by the Chairman)

Note: Report previously circulated, copy attached to signed minutes.

103. HARLEQUIN VALET (00-23-26)

Arising from a report of the Head of Planning and Regeneration, the Scrutiny Committee had made the following recommendations:

- Following the initial assessment and any remedial action to make a dangerous structure safe, the structures shall (unless fully demolished or fully repaired) if instructed by the Council, be monitored every two months (employing a structural Engineer where necessary) to ensure any further decay is identified as early as possible. A detailed record of those inspections and any actions requested to be kept.
- Ward Members, the Media, the website and Town and Parish Councils to be notified following inspections of the findings and any proposed action, ensuring maximum publicity.
- A leaflet to be published on the Council's website identifying the powers the Council has with regard to dangerous structures and the actions the Council may pursue where public safety is being put at risk where no action is taken by the owner. The proposed policies are set out below.
- Information should also be displayed on the Council's website, of the risks that poorly maintained cob structures can create and owner responsibility regarding dangerous structures.
- Delegated authority be given to Building Control officers to take action under Section 77 and 78 of the Building Act, as deemed necessary, and that expenditure incurred in those cases be agreed by the Cabinet Member for Planning and the Head of Finance as an expenditure outside of set budgets on a case by case basis. (The Council will always seek to recover its costs in such circumstances but recovery cannot be guaranteed).
- When proposals for enforcement action are taken to Planning Committee regarding dangerous structures the report to include a risk assessment on the building.
- The Council will set out the following policies (subject to Cabinet and Council approval) on its website for dealing with dangerous structures as follows:-
 - a) In an **EMERGENCY** situation the Council shall, if reasonably practical to do so give notice to the owner of their intention to take action. The Council will employ a contractor to do the minimum amount of work necessary to remove the danger. The owner, if not previously informed, will later be

notified of the action and the fact that he/she is liable for the Council's full costs.

- b) Where a dangerous structure is identified **BUT IS NOT AN EMERGENCY**, the Council will attempt to obtain a verbal commitment from the owner to remove the danger immediately. If not achieved, formal notice will be sought and served on the owner via the Magistrates Court under section 77 of the Building Act, requiring that the danger is removed. If the owner fails to comply, the Council will employ a contractor to do the minimum amount of work necessary to remove the danger.

The Cabinet Member for Planning and Economic Regeneration stated that the Cabinet was well aware of the history of the site and the lessons learnt, the recommendation from the Scrutiny Committee was welcomed and had set out how the authority would deal with such issues in the future.

The Chairman read correspondence received from a Cullompton Ward Member which urged the Cabinet to support the recommendations and suggesting whether other dangerous buildings which were the subject of monitoring could be listed on the website so that the public were aware. It was suggested that legal advice be sought due to data protection issues.

It was therefore

RESOLVED that the recommendations of the Scrutiny Committee be approved subject to amendment to bullet points 1 and 2 to read:

- Following the initial assessment and any remedial action to make a dangerous structure safe, the structures shall (unless fully demolished or fully repaired) if instructed by the Council, be monitored *not less than* every two months (employing a structural Engineer where necessary) to ensure any further decay is identified as early as possible. A detailed record of those inspections and any actions requested to be kept.
- Ward Members, the Media, the website and Town and Parish Councils to be notified following inspections of the findings and any proposed action, ensuring maximum publicity *including featuring on the Council's website if possible and where appropriate*.

(Proposed by the Chairman)

Note: Report previously circulated copy attached to signed minutes.

104. REORGANISATION AND REDUNDANCIES WITHIN THE COUNCIL (00-35-28)

The Scrutiny Committee had recommended that the Chairman of the Scrutiny Committee be consulted, along with the Leader, when the Chief Executive proposed to use reserves to make payments for redundancies.

The Chief Executive outlined the delegated authority given to him by Council to deal with personnel issues which included reorganisation and redundancy. He stated that

he had abided by the constitution and had involved the Leader in any decisions made. He felt that the involvement of the Chairman of the Scrutiny Committee would blur the role of the Cabinet and Scrutiny.

The Chairman of the Scrutiny Committee stated that the issue was not about the involvement of the Chairman of Scrutiny in decision-making but about who gave authority to use reserves to fund redundancies. She felt that the redundancy costs were a key decision and should have been dealt with as such.

Discussion took place regarding openness and transparency, the publication of spends over £500, financial monitoring reports that were published, the policy on redundancies and the scheme of delegation within the constitution.

It was therefore

RESOLVED that the recommendation of the Scrutiny Committee be rejected.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr N V Davey)

105. **SCRUTINY COMMITTEE - DRAFT BUDGET 2015/16 (00-48-56)**

Arising from a report of the Head of Finance, the Scrutiny Committee had recommended to the Cabinet that the draft budget for 2015/16 be approved.

The Cabinet Member for Finance thanked the Scrutiny Committee for supporting the draft budget.

Discussion took place regarding Neighbourhood Plans and that any Government money would be earmarked and used to staff or provide resources for the towns and villages with Neighbourhood Plans and the fact that specific monies had been claimed but not received.

The Head of Planning and Regeneration reported that resources would be available to help with Neighbourhood Plans once the Local Plan process had been completed.

Further discussion took place regarding Manager's Service Plans which were published annually, these Managers were available to appear before the Scrutiny Committee.

The recommendation from the Scrutiny Committee was **NOTED**.

106. **AUTHORITY'S MONITORING REPORT (01-00-20)**

The Cabinet had before it a report* of the Head of Planning and Regeneration presenting the Authority's Monitoring Report for the period 1 April 2013 – 31 March 2014.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report stating that the monitoring data and performance information provided covered a range of subjects including changes in population, the delivery of sustainable development and management of climate change, local distinctiveness

(e.g. impacts on local character and the environment), housing, economic development and infrastructure.

RESOLVED that:

- a) the AMR 2013/14 be approved;
- b) Delegated authority be given to Head of Planning and Regeneration, in consultation with the Cabinet Member for Planning and Economic Development to make minor editorial changes to the text before the AMR is published on the Monitoring webpage.

(Proposed by the Chairman)

Note: *Report previously circulated, copy attached to signed minutes.

107. **FINANCIAL MONITORING (1-01-59)**

The Cabinet had before it and **NOTED** a report * of the Head of Finance presenting a financial update in respect of the income and expenditure so far in the year.

The Cabinet Member for Finance reported that the accounts showed an overspend of £216k which included the restructuring costs of £174k, he suggested that there would be an overspend on the General Fund of £54k for the year which he stated would be clawed back by the end of the financial year. He highlighted the significant movements detailed in the report.

Note: * Report previously circulated; copy attached to the Minutes.

108. **BUDGET**

The Cabinet had before it a report * of the Head of Finance proposing the budget for 2015/16 for consideration by Council.

The Cabinet Member for Finance was able to confirm that a balanced budget had been produced for recommendation to Council. He reported that greater efficiencies and further savings would be required in future years which may impact on service provision.

Consideration was given to:

- The ongoing cut in formula grant
- The need to use the New Homes Bonus to support capital expenditure and to consider other areas of funding.

RECOMMENDED that

- a) Council Tax is frozen at the 2014/15 level - £182.15.
- b) General Fund budget for 2015/16 is approved (which includes the acceptance of the Council Tax freeze grant – shown in Appendix 1
- c) The 2015/16 budget requires no transfer from the General Fund Balance.
- d) HRA budget for 2015/16 be approved – Appendix 3.
- e) HRA rents to be increased by an average of 3.4%.

- f) Other HRA fees/charges are approved based on the attached schedule shown as Appendix 4.
- g) That work on strategic planning for delivering balanced budgets in the future be commenced with a new Corporate Plan once the new Council is formed after the District elections in May.

(Proposed by the Chairman)

Note * Report previously circulated, copy attached to signed minutes.

109. **CAPITAL PROGRAMME 2015/16 - 2018/19 (1-16-18)**

The Cabinet had before it a report* of the Head of Finance seeking approval for the 2015/16 Capital Programme and the draft 2016/17, 2017/18 and 2018/19 programmes.

The Cabinet Member for Finance outlined the contents of the report stating that no funds were being transferred to the General Fund and that the New Homes Bonus was earmarked to fund the capital programme.

Discussion followed with regard to the proposed work at the Pannier market and the Multi-Storey Car Park. A comprehensive report regarding town centre enhancement would be brought before the Cabinet in April.

RECOMMENDED that:

- a) The detailed Capital Programme for 2015/16 be approved and the estimated amounts for 2016/17, 2017/18 & 2018/19 be noted.
- b) The earmarking of the New Homes Bonus (NHB) monies of £1,878k to support the 2015/16 Capital Programme be agreed.

(Proposed by the Chairman)

Note: * Report previously circulated, copy attached to signed minutes.

110. **TREASURY MANAGEMENT STRATEGY AND ANNUAL INVESTMENT STRATEGY (1-24-09)**

The Cabinet had before it a report of the Head of Finance outlining the proposed Treasury Management Strategy and Annual Investment Strategy for 2015/16

The Cabinet Member for Finance outlined the contents of the report stating that the strategy proposed was to continue in the current mode and that any business/investment opportunities should be taken advantage of. He highlighted the fact that any money on deposit must be secure.

RESOLVED that

- a) The proposed Treasury Management Strategy and the Annual Investment Strategy for 2015/16, see paragraph 15.4, including the prudential indicators

for the next 3 years and the Minimum Revenue Provision Statement (Appendix 4), be approved;

- b) In addition to a continuation of the current investment strategy, the Council consider the options outlined in paragraph 15.5 of the report;
- c) the increase to the 2014/15 Authorised Limit, as detailed in paragraph 7.3 be approved
- d) the Council using the Municipal Bond Agency for future loans, outlined in paragraph 13.1 be agreed.

(Proposed by the Chairman)

Notes:

- (i) Cllrs C J Eginton declared a personal interest as he received a pension from Lloyds Bank;
- (ii) Cllr N V Davey declared a personal interest as he received a pension from the Royal Bank of Scotland;
- (iii) *Report previously circulated; copy attached to the signed Minutes.

111. NATIONAL NON-DOMESTIC RATES 2015/16 (1-26-27)

The Cabinet had before it a report* of the Head of Finance providing it with an update of the income generation and financial implications of the number of business Rate properties in Mid Devon and requesting it to approve the NNDR1 (estimated income to be generated in 2015/16 from business rates).

The Cabinet Member for Finance outlined the contents of the report stating that prior to 1 April 2013; all billing authorities collected the business rates in their area and passed this money onto a central government pool. The pool was then redistributed to local authorities throughout the country based on their needs, resources and services they provide to their community. From 1 April 2013, central government changed the way this financing was distributed. Each billing authority now had to forecast the amount of revenue it would generate from business rates and then redistribute that income between central government, the county council, the fire authority and itself, based on a centrally prescribed formula. The Business Rates Retention Scheme as it was now known, also allowed the billing authority to keep a share of the increase in revenue it generated, therefore encouraging billing authorities to encourage business growth in its area.

RESOLVED that:

- a) The calculation of the NNDR1 net yield be noted and approved for 2015/16;
- b) That the proportions distributed to the respective authorities and central government be allocated as per the statutory regulations; and

- c) Central Government will reimburse the Council through a Section 31 grant to compensate it for the reduction in collectable business rates as a result of introducing further reliefs was noted and approved

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the signed Minutes.

112. **POLICY FRAMEWORK DOCUMENT 2015/16 (1-30-06)**

The Cabinet had before it a report of the Chief Executive requesting it to endorse the Policy Framework for the year.

The Cabinet considered the policies and the review dates.

RECOMMENDED that the Policy Framework be adopted subject to:

- a) The Town and Parish Charter and the Regulatory Investigatory Powers Act be considered by the Community Well-Being Policy Development Group.
- b) The Corporate Plan to be considered in October 2015 rather than May 2015 and thereafter on a 4 yearly basis.
- c) The Social Media Policy be considered by the new Council in June 2015 rather than September 2015

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the signed Minutes.

113. **NOTIFICATION OF KEY DECISIONS (1-38-15)**

The Cabinet had before it, and **NOTED**, its rolling plan * for February 2015 containing future key decisions subject to the following amendments:

- The Asset Management Plan being considered in June 2015
- The transfer of public toilets being considered on 2 April 2015
- The Workforce Plan being considered in July 2015
- The inclusion of a report on the enhancement of Tiverton Town Centre on 2 April 2015

Note: * Plan previously circulated; copy attached to the signed Minutes

(The meeting ended at 4.00 pm)

CHAIRMAN

HRA – new rent policy from DCLG

Background

For several years DCLG have increased Formula Rent (FR) by $RPI + 0.5\%$ in order to achieve rent convergence in 2015/16. Over the last year it has been suggested that, once convergence is achieved, FR will increase by $CPI + 1.0\%$ instead.

What has happened

On the 12th of February 2015, Mid Devon received notification that $CPI + 1.0\%$ would be applied a year earlier than expected, in 2015/16. This means that the average increase faced by tenants this year will be 2.7% instead of 3.4%.

Impact on tenants

Some tenants will save a few pence per week, others will see no difference from what was proposed. No tenants will see higher rents than previously proposed.

Impact on MDDC

Instead of recommending a rent increase that averages 3.4%, officers are recommending an increase that averages 2.7%. The effect on our budget should be minimal, virtually negligible, so no adjustment will be required. The average rent figure will reduce from £81.20 to £80.65. If we were to agree the original recommendation we will be prevented from claiming circa £45k in HB as our rent will be above this new statutory limit. This will also result in additional work between the HB and Housing teams to reconcile these differences during the year.

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Budget for 2015/16

Cabinet Member: Cllr Peter Hare-Scott
Responsible Officer: Head of Finance

Reason for Report: This report provides the proposals for the General Fund and the Housing Revenue Account for the year 2015/16.

RECOMMENDATIONS:

That the Cabinet recommend to full Council that:

1. Council Tax is frozen at the 2014/15 level - £182.15.
2. General Fund budget for 2015/16 is approved (which includes the acceptance of the Council Tax freeze grant – shown in Appendix 1).
3. The 2015/16 budget requires no transfer from the General Fund Balance.
4. HRA budget for 2015/16 be approved – Appendix 3.
5. HRA rents to be increased by an average of 3.4%.
6. Other HRA fees/charges are approved based on the attached schedule shown as Appendix 4.
7. That work on strategic planning for delivering balanced budgets in the future be commenced with a new Corporate Plan once the new Council is formed after the District elections in May.

Relationship to Corporate Plan: This report is driven by the key priorities contained within the current Corporate Plan, which seeks to deliver a wide range of cost effective services. All budget decisions have taken account of these priorities and pledges.

Financial Implications: Sound financial management underpins the entire report.

Legal Implications: It is a legal requirement to set a balanced budget under the Local Government Act 2003.

Risk Assessment: The production of the budget has taken full account of the following:

1. The outturn for 2013/14.
2. 2014/15 monitoring and forecasted outturns.
3. Inflation levels.
4. Changes in legislation.
5. Major income flows have been prudently estimated.
6. Risk assessments of all significant budgets have been incorporated into the budget setting process.
7. Reserves will be maintained above minimum recommended levels.
8. Medium Term Financial Plan.

1.0 Introduction

- 1.1 Preparing the 2015/16 budget was always going to be a difficult challenge. All Councils had been given a provisional grant settlement for 2015/16 which for Mid Devon included another funding reduction of £656k or 15.3%. So after accounting for other inescapable costs (pay and price inflation), reductions in levels of income from some services. other grant funding changes to Housing Benefit and Council Tax the Council was looking for budget savings in excess of £1m to balance the 2015/16 budget. The Council's Formula Grant has now been reduced from £6.2m in 2010/11 down to £3.7m for 2015/16 an overall reduction of **£2.5m or 40.3%**.
- 1.2 At this juncture it is worth remembering that the Council has already secured significant savings during the past 4 years in order to "balance the books" and maintain service delivery. Therefore, to secure further savings from 2016/17 onwards it will not be possible without making some difficult decisions that will alter the shape/quantity/frequency of services in the future.
- 1.3 Due to the predicted further reduction in grant funding we again repeated the savings review exercise, which involved, the Chief Executive, Heads of Service, Service Managers and the Finance Team. This exercise (where we task service managers to find significant savings without reducing service delivery) is becoming a more difficult challenge and therefore a new more strategic process will be required in order to match service provision to available funding will be required from 2016/17 onwards.
- 1.4 The aforementioned savings exercise, carried out during the summer, identified saving proposals of £983k for 2015/16, £541k for 2016/17 and nothing for 2017/18 onwards, which again reflects the difficulties faced by service managers trying to provide "business as usual" with an ever diminishing budget. These saving proposals were all considered at PDG and Cabinet meetings in November/December. These meetings considered a draft budget gap of £650k based upon a number of key assumptions (e.g. inflation rates, pay award, Council Tax level, use of balances/reserves, etc.).

2.0 January PDGs and Cabinet – Budget Update

- 2.1 The subsequent PDG and Cabinet meetings in January received an update report on the draft budget position (see Appendix 2). This accounted for a number of additional changes to service costs/incomes and provided an update on the Formula Grant. This also included confirmation on the Council Tax Freeze Grant and the new Referendum Limit. In addition to this update the Head of Finance has managed to secure some further service and corporate savings in order to deliver a balanced General Fund and Capital Budget, so it is now possible to accept the Council Tax Freeze Grant – this will deliver the 5th consecutive freeze on Council Tax at £182.15 per band D property.

3.0 Budget Consultation

- 3.1 All budget decisions are clearly linked to our Corporate Plan priorities. In addition to this the budget PDG and Cabinet meetings receive an update from the annual Budget Consultation exercise (including residents, Town & Parishes and Local Organisations).
- 3.2 The law also requires consultation with the Business Ratepayers. This meeting was held on the 20 January 2015, where the current financial issues facing the Council will be outlined to a group of our commercial ratepayers. This will look at the proposed budget for 2015/16 and talk through a number of assumptions which had been made in order to deliver a “balanced” budget.

4.0 The Corporate Plan

- 4.1 The most recent update of the Corporate Plan still maintains the Councils commitment to five key aims: thriving economy, better homes, empowering our community, caring for our environment and managing our resources. All decisions made whilst compiling the draft 2015/16 budget had regard to the main aims and priorities of the Corporate Plan. Clearly this document will be refreshed once the new Council is appointed in May 2015 which may well reprioritise certain aspects of our service delivery. But whatever decisions are made will need to be matched against our ongoing reduction in funding.

5.0 Key Assumptions for the 2015/16 Budget

- 5.1 The Council has carefully scrutinised all existing budgets and the service risks associated with delivering them. It has also examined all material income sources, especially the ones which are most at risk, due to the continuing recession. In addition to the above, regard has been made to our existing and future level of balances which are required. We have a number of ongoing commitments made against this balance (e.g. future capital contributions, economic development, “spend to save” projects, potential depot relocation, town centre regeneration, future grant settlements.) With the Government’s ongoing commitment to continue the deficit reduction programme, the delayed introduction of the Universal Tax Credit it is strongly recommended that our General Fund Balance should be maintained at 25% of operational expenditure (circa £2.3m) which was agreed by Full Council on the 26 February 2014.
- 5.2 With regard to all items of expenditure and income, Service Managers in conjunction with the Finance Team, review all areas for known increases/decreases based on both prevailing and predicted changes in demand, price inflation, contractual obligations, etc., when proposing the 2015/16 budget. More volatile budgets are subject to sensitivity analysis and a reasonably prudent assessment is made.

6.0 Local Government Finance Settlement

- 6.1 The 2015/16 Formula Grant Settlement, received on the 18/12/14, was very slightly improved on the provisional sum announced 12 months earlier. The provisional figure announced was a reduction of £573k an improvement of £83k over the original provisional figure provided in last year's settlement.
- 6.2 The December settlement did not provide a provisional grant figure for 2016/17 which will obviously make future budget planning an even greater challenge moving forward. However, we do know that the Chancellor in his Autumn statement did announce that further public sector budget reductions would be expected at least up to 2017/18 in order to "balance" the Country's finances.
- 6.3 With this last comment in mind some local authority commentators/experts are now even begin to model future funding budgets without **any** Formula Grant from 2018/19.

7.0 Requirements for Council Tax Setting

- 7.1 In recent years the Government (via the DCLG) has become far more prescriptive with regard to acceptable levels of Council Tax increase. The implementation of the Localism Act, introduced on the 15 November 2011, has effectively replaced Government set "capping limits" and replaced them with principles that allow the local electorate to call for a referendum if the Council is planning to increase its Council Tax above an acceptable level. The level for District Councils was again set at 2.0% for the 2015/16 budget year. However there have been attempts by the Secretary of State to reduce this limit over the last two financial years.
- 7.2 The Council Tax income included in the proposed budget includes a nil increase – a 1.0% variation to our Council Tax would change the income generated by approximately £49k. This has only been an affordable option due to the Government's recent announcement to provide yet another "one-off" additional grant which equates to an approximate 1.0% increase. The Government has also announced that this additional funding will be included in the 2016/17 funding base if any Council accepts the grant.
- 7.4 On the basis of the above comments/guidance it is proposed to freeze the level of Council Tax for the 5th consecutive year. This equates to a band D property charge of £182.15 for 2015/16.

8.0 Other legislative changes implemented/proposed by Central Government

- 8.1 Central Government continues to issue new legislation with regard to business rates, planning performance, referendum limits, etc. which only serve to make budget planning and service delivery an even greater challenge. This year there was no provisional settlement grant figure provided for 2016/17.

9.0 General Fund Budget 2015/16

- 9.1 The proposals contained in this report result in a balanced budget for the General Fund with a proposed freeze in Council Tax after accepting the Council Tax freeze grant (see Appendix 1). Note - After the updated budget report was considered by the PDGs and Cabinet in January (Appendix 2) there was still an outstanding budget gap of £99k. Since that time we have produced an additional month's budget monitoring information and have also reviewed a number of short term ear marked reserves that are no longer required.

10.0 Future Funding Concerns/Cost Pressures

- 10.1 Clearly, the biggest financial challenge in the future is the continued reduction in Formula Grant. Reductions to the Council's grant by £2.5m since 2010/11 places a real challenge on the Council, especially considering the significant level of service related savings that have already been delivered over the same time period. Planning for the 2016/17 budget is already being discussed and without any announcement on a provisional settlement for this year, this process will be an even greater challenge.
- 10.2 Any future budget plans will need to be assessed by the new Council in May 2015 and will shape the new Corporate plan. Output will be reported, examined and challenged at PDGs, Scrutiny and Cabinet meetings during 2015/16.
- 10.3 As the existing range/quality of service provision will be financially undeliverable from 2016/17 onwards the new Council will need to reassess its overall Corporate priorities and therefore where its allocates future budgets it will also need to consider:
- Statutory vs Discretionary service provision
 - Reaffirm resident priorities
 - How it can work more closely with Towns/Parishes
 - Take on more commercial opportunities (but be aware of risks)
 - Continue to consider any partnership possibilities
 - Revise Treasury options

11.0 Overall General Fund (GF) position at 31 March 2015

- 11.1 The monthly monitoring report tabled to this Cabinet meeting shows an estimated GF overspend of circa £215k (check new monitoring report) at the end of 2015/16. This will result in the Council ending this financial year below its minimum level of £2.3m agreed by Full Council in February 2014.

12.0 General Fund Budget Summary

- 12.1 The final budget summary for the 2015/16 General Fund is as follows:

- To provide a balanced budget without any transfer from the General Fund Balance
- To freeze Council Tax for the fifth successive year
- To accept the one-off Council Tax freeze grant
- To continue to provide the current level of service provision

13.0 Housing Revenue Account Budget 2015/16

- 13.1 The Housing Revenue Account (HRA) is ring fenced and accounts for the income and expenditure associated with the Council's statutory housing obligations to its tenants.
- 13.2 The recent budget proposals recommended at the Decent & Affordable Homes PDG (20/01/15) has resulted in a balanced draft budget for the Housing Revenue Account for 2015/16 as shown at Appendix 3.
- 13.3 The main proposals for the 2015/16 budget can be summarised as follows:
- Increase social housing rents by an average of 3.4% (as recommended at Decent & Affordable Homes PDG - see Appendix 3a)
 - Increase affordable housing rents by 2.8%
 - Freeze alarm charges at current rates
 - Freeze garage rents at current rates
 - Increase garage plot ground rents by 21.2%
- 13.4 A more detailed analysis of the proposed rent increase can be found in Appendix 3a that shows that the average housing rent will increase to £81.20 on a 52 week basis, an average increase of 3.4%. This increase is necessary to provide sufficient financial resources to ensure continued investment in the Council's Housing Stock. The other income changes are detailed in Appendix 4.
- 13.5 The overall HRA budget has been constructed on a detailed line by line examination of expenditure and income, having regard to last year's outturn, this year's forecast position and the on-going improvement of the housing service.
- 13.6 Some items of expenditure can be defined quite accurately whilst others require managers to exercise business judgement based upon their experience, particularly in the case of new commitments. Where such judgement has been applied the proposals before Members are based upon realistic assumptions.
- 13.7 Meetings have taken place with business managers who have been challenged where necessary to ensure the budget is as robust as possible, with the knowledge available to us at this point in time.
- 13.8 The main factors influencing this year's budget are broken down between the key national and local issues and those that are pertinent to next year's local housing business plan as detailed below.

14.0 Key National Issues affecting the Housing Revenue Account

14.1 The key issues affecting the budget for the HRA are detailed below:

- Welfare Reform, including the changes to Council Tax Benefit and introduction of the Universal Credit
- Changes to the Supported Housing service
- Properties lost through the Right to Buy scheme

Welfare Reform, Council Tax Benefit (CTB) and Universal Credit (UC)

14.2 The single biggest issue facing social housing is welfare reform. Great uncertainty exists about the details of new arrangements for the future. What is more, the implications of these changes are difficult to quantify.

14.3 Once new arrangements have bedded in, it will be clearer what action MDDC need to take. For instance, it is not clear when Universal Credit will be introduced in our region or how it will be operated in practice.

Warden Services

14.4 The Supported Housing service is changing hugely in 2015/16 in that the Warden service will cease to operate from April onwards. This will reduce both income and expenditure and will give MDDC more certainty about its future income and expenditure streams. The service will then comprise Community Alarms provided to tenants and non-tenants as well as a small Warden service provided to clients with Learning Disabilities.

Right to Buy Discounts

14.5 The latest legislation on Right to Buy means that we're likely to sell more properties in future years. This will have an impact on our rent income, which in turn affects our ability to fund property maintenance and development as well as servicing any existing or new debt.

15.0 Key Local Issues affecting Mid Devon's HRA

15.1 The key local issues facing the HRA are as follows:

- Building more stock
- Looking at special purpose vehicles – see para. 15.3
- Increasing our investment levels based on our 30 year Business Plan – in line with the stock condition survey
- Demand for increased housing stock and funding to deliver it

15.2 The prospect of building new social housing raises the issue of significant financing requirements. It means that reserves may need to be built up or additional debt taken on (subject to the cap on debt) in the near future, increasing the need to manage the impact on the revenue budget each year.

- 15.3 Some local authorities around the country that are involved in new development have created separate entities known as Special Purpose Vehicles (SPVs) to deliver extra social housing projects. This has the potential benefit of opening up additional funding streams to the Council. MDDC intend to investigate the feasibility of creating an SPV and evaluate the implications of doing so.
- 15.4 The latest stock condition survey (2010) showed a shortfall of approximately £3.5m per annum over 30 years in order to maintain the existing housing stock. It is currently estimated that any savings generated by the new Self Financing system will be directed towards additional expenditure on the housing stock.

16.0 Capital Works and Planned Maintenance

- 16.1 The major repairs allowance has historically been based upon the number and class of property and as a result of right to buy sales our mix of properties varies slightly from year to year. The major repairs allowance is determined by the level of depreciation charged on our properties. The previously mentioned stock condition survey identified a need to spend £3.5m per annum more than the current level over the next 30 years, meaning any operating surpluses should be directed here.

17.0 Housing Benchmarking

- 17.1 The Council continues to undertake valuable benchmarking work in conjunction with Housemark. These findings are then used to inform the budget setting process for 2015/16. In doing so, MDDC are able to better identify their position in relation to other authorities in the sector and areas for improved efficiency.

18.0 Overall Financial Position of the Housing Revenue Account

- 18.1 Prudence would dictate that the HRA reserves should not fall below £1.5m. The HRA reserve is estimated to increase to circa £2.1m at the end of 2014/15. Any additional reserves will be prioritised to extra expenditure on the housing stock, which will be considered when the 2014/15 outturn report is considered by the Decent & Affordable Homes PDG.
- 18.2 Any balance held against the MRA will be reported to Members at the end of 2014/15 and targeted towards key stock improvement work in 2015/16. This will be reported to the Cabinet and Decent and Affordable Homes PDG in the 2014/15 outturn report.
- 18.3 In addition, the Renewable Energy Fund is expected to stand at £344k at the end of 2014/15. It is intended that any expenditure funded from this money be used on renewable energy schemes.

19.0 Housing Revenue Account Budget Summary

- 19.1 The final budget summary for the 2015/16 HRA is shown in Appendix 3. It will continue to provide for an enhanced housing service which will allow for more capital investment and additions to our existing stock.

20.0 Capital Programme 2015/16

- 20.1 This is discussed in a separate agenda item. The main headlines from this report are the 2015/16 programme totals £11.9m – the 2 most material funding sources required to support this programme are £7.7m from the HRA and £1.9m from our New Homes Bonus receipts.

21.0 Conclusion

HRA

- 21.1 The HRA has an obligation to provide a high quality, value for money service for its tenants coupled with affordable rent levels.
- 21.2 Clearly the HRA is in a financially stronger and more stable position after the abolition of the previous subsidy system. Once the Council has accounted for the new debt repayments associated with this change it plans to invest any residual cash surpluses directly into improvements to the Housing stock.

General Fund

- 21.3 The General Fund budget has been set against a back drop of 5 consecutive years of cuts to Public Sector funding (i.e. cuts of circa £2.5m in Government funding). The Chancellor's recent Autumn Statement pledged an on-going commitment to the deficit reduction programme up to 2017/18 at least.
- 21.4 This is why we will continue to discuss how we can continue to provide a wide range of services in a much reduced funding envelope. This process will need to involve all staff, Members and our local residents.

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Circulation of the Report: Management Team, Cllr Hare-Scott

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**GENERAL FUND REVENUE ACCOUNT
DRAFT BUDGET SUMMARY 2015/16**

	Net Direct Costs Budget 2014/15 £	Budget Changes £	Draft Net Direct Costs Budget 2015/16 £
Managing the Environment	3,384,230	(172,710)	3,211,520
Decent & Affordable Homes	420,360	(16,210)	404,150
Community Well Being	2,755,730	(77,130)	2,678,600
Cabinet	3,743,760	121,410	3,865,170
TOTAL NET DIRECT COST OF SERVICES	10,304,080	(144,640)	10,159,440
Net recharge to HRA	(1,211,320)	(12,120)	(1,223,440)
NET COST OF SERVICES	9,092,760	(156,760)	8,936,000
Provision for the financing of capital spending	122,520	28,440	150,960
Finance Lease interest	8,110	(8,110)	0
Interest from Funding provided for HRA	(110,000)	40,910	(69,090)
Interest Received on Investments	(65,000)	0	(65,000)
Revenue contribution to capital programme	125,000	(125,000)	0
TOTAL BUDGETED EXPENDITURE	9,173,390	(220,520)	8,952,870
Funded by:-			
Formula Grant (FG)	(4,230,060)	516,580	(3,713,480)
NNDR revenue based on last year budget + 54K		(54,000)	(54,000)
Council Tax freeze - for 2014/15(Now included in 15/16 FG)	(49,000)	49,000	0
Council Tax freeze - for 2015/16		(49,710)	(49,710)
CTS Funding Parishes	98,000	(33,000)	65,000
Collection Fund Surplus	(75,000)	31,670	(43,330)
Council Tax - 27,289.76 x £182.15	(4,917,330)	(53,500)	(4,970,830)
Net transfers to or from earmarked reserves		(186,520)	(186,520)
TOTAL FUNDING	(9,173,390)	220,520	(8,952,870)
REQUIREMENT TO BALANCE THE BUDGET	0	0	0

Current Assumptions :

- 1 Council Tax has been frozen for 5th successive year and remains at £182.15.
- 2 Nil transfer from the General Fund Balance .
- 3 Most of the savings and cost pressures proposed in the budget review meetings have been included.
- 4 2015/16 salary budgets include an increase of 1%.
- 5 All earmarked reserves have been reviewed and adjustment made based upon existing need.
- 6 All income flows have been reviewed and adjusted for changes in demand and unit price.
- 7 Investment income has been based upon the existing lending criteria now in force.
- 8 Support services have been inflated in accordance with the pay award.
- 9 Formula grant in 2014/15 excluded a £56k grant for homelessness that was allocated directly to the service area. So the reduction in the Formula Grant from 2014/15 to 2015/16 was £573k.

15/16 Budget Changes (since PDG's)

Budget gap estimated at November/December PDGs and Cabinet		£
Cost Centre	Description	
Housing Benefit	HB Admin Grant - Circa £10k reduction - awaiting confirmation	10,000 Revised figure from DWP
Corporate Fees/Charges	Sector fees overbudgeted in first draft	-9,050
Collection Fund	Projected C/Fund surplus (at 05/12/14) lower than budgeted	6,670
Community Development - Grants	Reduction in group 1 and 2 grants as agreed	-6,475
Community Development - Grants	Reduction in seed fund to offset savings not achieve on grants	-13,825
Car parks	Updated with current income levels	-10,000
RCCO reduce - as NHB funding capital shortfall		-125,000 ENTERED ALREADY
Waste/recycling - new scheme savings	Agreed to set a global figure of £200k	-200,000 1/2 year savings + set up costs
Revised Formula Grant		-83,000 ENTERED ALREADY
Rev'd leisure income/costs		-25,000
E/Health Riams Webbase Software	Web base software for Health	2,000
Feed in tariff (Leisure sites)	Note - JC recommended £40k further increase	-30,000
Dev Control Fees	Budget set too high in 14/15	-70,000
Pollution Licenses Income		2,500 £13.5 - Reduced to £11k
Total changes to be agreed		-551,180
New budget gap after the above changes/revisions		98,998

Notes

Formula grant agreed on 18/12/14 - confirming a grant cut of £574k - which was £83k better than the provisional sum announced 12 months earlier
 Council tax freeze grant offered for 2015/16 @ 1% - so circa = £50k. Note - if Ctax freeze grant accepted budget gap increases by £25k
 Referendum limit agreed at 2% for 2015/16
 Nothing included at the moment for: shared ICT work, Mkt Walk or Fore St properties

Housing Revenue Account Budget

Code	Description	Current Year Budget	Movement	Proposed Budget 2015/16
BHO01	Dwelling Rents	(12,466,560)	(344,040)	(12,810,600)
BHO02	Non Dwelling Rents	(525,060)	(2,930)	(519,780)
BHO03	Warden Income	(329,080)	298,100	(30,980)
BHO04	Leaseholders' Service Charges	(13,500)	(6,340)	(19,840)
BHO05	Contributions Towards Expenditure	(35,300)	330	(34,970)
BHO06	Community Alarms Income	(133,930)	(4,240)	(138,170)
BHO06B	Miscellaneous & Solar Panel Income	(19,000)	(150,000)	(169,000)
BHO07	H.R.A. Investment Income	(41,000)	1,000	(40,000)
BHO09	Repairs And Maintenance	2,647,920	(22,970)	2,624,950
BHO10	Supervision & Management	1,800,000	208,610	2,008,610
BHO11	Special Services	382,970	(204,270)	178,700
BHO17	Bad Debt Provision Movement	25,000	0	25,000
BHO18	Share Of Corporate And Democratic	181,600	21,290	202,890
BHO20	Interest Payable	2,812,000	(1,344,080)	1,467,920
BHO22	H.R.A. Transfers between earmarked reserves	0	125,000	2,445,400
BHO23	Revenue Contribution to Capital	145,580	1,977,180	2,109,990
	TOTAL	(5,568,360)	552,640	(2,699,880)

Recharges	1,205,890	17,550	1,223,440
Capital charges	4,362,470	(2,886,030)	1,476,440
TOTAL	0		0

Assumptions

Social Rents to increase by an average of 3.4% to give an average of £81.20 per week (over 52 weeks)

Formula Rent to increase by 2.8%

Six further properties sold during 2014/15

Fourteen properties sold during 2015/16

Average of twelve properties void at any one time

Eight properties are excluded from rent setting as they are not available for re-let

Affordable Rents to increase by 2.8%

Garage rents to freeze at £11.00

95% occupancy in HRA retail units

The Warden Service to cease operation

Community alarm customer numbers to remain high + 50 customers from within the tenant population

HRA cash balances to remain high in the short term

Debt repayments of £2,645k to PWLB and £125k to GF

£2,320k contribution to the Housing Maintenance Fund to be made

Recharges to grow with assumed salary inflation

Line BHO20 shows loan interest and loan principal in 2014/15, but only loan interest in 2015/16

Line BHO22 shows the contribution to the Housing Maintenance Fund

Line BHO23 includes the contribution to the MRA (£1,987k) in 2015/16

The three changes above have the effect of capital charges reducing by £2,886k

HRA: Proposed Fees and Charges 2015/16

	<u>2015/16</u>	<u>Increase</u>	<u>Increase %</u>	<u>2014/15</u>
<u>Community Alarm Charges per week per property</u> (48 week basis)				
Sheltered & Bronze Scheme Alarm Charge	£2.50	£0.00	0.0%	£2.50
Lifeline Base Unit	£3.76	£0.00	0.0%	£3.76
Premiers – Lifeline plus telephone	£3.90	£0.00	0.0%	£3.90
Garage rents per week (48 week basis)	£11.00	£0.00	0.0%	£11.00
<i>It should be noted that council tenants receive a discount of £2.00 per week on any garage rent.</i>				
Garage ground rents (Annual charge)	£200	£35	21.2%	£165
<u>N.B.</u> September 2014 RPI: 2.3% MDDC Formula Rent on average				
	2015/16: £81.27	2014/15: £78.98		

CAPITAL PROGRAMME 2015/16 – 2018/19

Cabinet Member Cllr Peter Hare Scott
Responsible Officer Head of Finance

Reason for Report: To seek approval of the 2015/16 Capital Programme and note the draft 2016/17, 2017/18 & 2018/19 programmes.

RECOMMENDATIONS: That the Cabinet recommend to Full Council:

1. The detailed Capital Programme for 2015/16 be approved and the estimated amounts for 2016/17, 2017/18 & 2018/19 be noted.
2. To agree to earmark New Homes Bonus (NHB) monies of £1,878k to support the 2015/16 Capital Programme (please see para 2.3).

Relationship to the Corporate Plan: The Capital Programme identifies the capital investment proposed across all strands of the Corporate Plan over the next four years.

Financial Implications: The Capital Programme submitted for 2015/16 is fully funded. Future capital receipts are now estimated at such a low level that the Council needs to evaluate ways of making additional provision to fund its long term capital programme or reduce its property portfolio.

Legal Implications: See comments below in relation to spending of grants and receipts.

Risk Assessment: There is a risk of claw back of external funds if sums received are not spent in accordance with the terms on which they were given, or not within agreed timescales. Useable Capital Receipts for 2015/16 have been projected at a prudent level of £380k but there is a risk that if these do not materialise, the authority may need to delay scheme start dates to the following financial year or to make a revenue contribution to Capital to ensure full programme delivery.

1.0 Introduction

- 1.1 The proposed Capital Programme has been produced following detailed consultation with spending officers and in the main is now focused on essential asset maintenance, funding a range of private sector housing projects, modernisation of our refuse and recycling vehicles, ICT replacement and investment and ensuring that our existing housing stock is maintained to the decent homes standard. The programme also includes Council House

building projects and spend to save projects that will only be undertaken if a robust business case demonstrates an acceptable payback period.

- 1.2 A significant amount of work was undertaken when producing the Council's Medium Term Financial Plan (MTFP) during the late summer which helped to scope the size and funding of the 2015/16 capital programme. A number of subsequent meetings were held with service managers which focused on the essential projects (in terms of asset end of life replacement or health and safety) and involved reprioritising or rescheduling expenditure to future years. The MTFP plan has been reviewed by Capital Strategy and Asset Management Group (CSAG) in October 2014 (in draft form) and subsequently in January 2015.
- 1.3 Since presenting the MTFP report to Cabinet on 30/10/14 and the updated Medium Term Financial Statement on 27/11/14 it has been a constantly evolving document that has been updated and refreshed as information became available. The main areas of movement since the original document are:
 - Establishing the capital cost of introducing the new refuse & recycling scheme that is due to go live in Oct '15.
 - Establishing the costs to modernise our refuse and recycling vehicles that will enable delivery of the new scheme mentioned above.
 - Detailing future schemes to enable additional Council House delivery
 - Establishing a deliverable programme to maintain our current housing stock

2.0 The 2015/16 Capital Programme

- 2.1 Through reprioritisation of capital projects the Council has been able to set a balanced capital programme for 2015/16. Appendix 1 shows the proposed Capital Programme for 2015/16 which totals £11,934k.
- 2.2 The 2015/16 Capital Programme is fully funded by a combination of:

Funding Sources	Amount of Funding
Section 106	£321k
Capital Reserve	£65k
Contribution from existing Useable Capital Receipts	£25k
Use of Capital Receipts to be generated in 2015/16	£380k
MRA (includes additional money re major works 30 year plan)	£2,900k
DCLG (Disabled Facilities Grant)	£311k
New Homes Bonus (NHB)	£1,878k
Contrib fr Regional Housing Pot Reserve	£12k

Revenue Contribution from HRA 2015/16	£139k
Contrib from 1-4-1 Receipts reserve	£300k
Contrib from Vehicle sinking fund EMR's	£354k
Contrib from Renewable Energy fund EMR	£270k
Contrib from Housing Maintenance Fund	£4,700
Contrib from Private Sector Housing EMR	£201k
Contrib from Capital Grants	£78k
Total Funding	£11,934k

- 2.3 An item to note is that to balance the 2015/16 Capital Programme requires £1,878k of New Homes Bonus (NHB) funding. Further contributions from NHB are required over the life of the MTFP; this is evident from the table below with the contribution amounting to £3,146k for 2016/17, 2017/18 and 2018/19.
- 2.4 A significant contribution is expected from the Housing Maintenance Fund of £4,700k in order to deliver the three council house building schemes identified in the 15/16 Capital Programme. The remainder of these will be funded by £300k projected receipts from sales of Right to Buy council houses that will be ring fenced for council house building under Central Government Pooling regulations.
- 2.5 A deliverable programme of £2,900k has been identified to maintain our existing council house stock, the balance of available monies of £3,500 (£600k) will remain in the Housing Maintenance Fund in order to deal with future additional spend that has been identified by the stock condition survey.
- 2.6 A programme of renewable heating solutions and external wall insulation amounting to £270k will be funded from the Renewable Energy fund earmarked reserve, this has been built up from income received from installation of solar panels on circa 1,150 of our council Houses.
- 2.7 Appendix 2 shows the full MTFP, which was first presented at 30/10/14 Cabinet, this has been refreshed with upto date information on expenditure and funding and includes the proposed 2015/16 Capital Programme referred to in Appendix 1 and paragraphs 2.1 to 2.6 above. A summary of the subsequent 3 years is shown in the table below.

MTFP summary 2016/17, 2017/18 & 2018/19

Capital Projects	2016/17 (£k)	2017/18 (£k)	2018/19 (£k)
Private Sector Housing Projects	572	583	595
Replacement Vehicles	160	54	742
Leisure related projects	95	50	580
Depot relocation	2,500	0	0

Other General Fund related Schemes	1,456	1,116	1,031
HRA maintenance of existing stock & DFG's	3,797	3,803	3,809
HRA Council House Building Projects(1)	9,000	5,000	0
Total Capital Projects	17,580	10,606	6,757
Funded by:			
Land/property Sales	(380)	(380)	(380)
DCLG grant re Private Sector DFG's	(254)	(254)	(254)
HRA Revenue Contribution to Capital	(50)	(74)	(50)
MRA (includes additional money re major works 30 yr plan)	(3,500)	(3,500)	(3,500)
Contrib from Housing Maintenance Fund		(2,200)	
Contrib from 1-4-1 Receipts reserve	(300)	(300)	
Section 106s	(321)	(321)	(321)
Contrib from Vehicle sinking fund EMR's	(95)	0	(528)
Other Reserves(2)	(102)	(101)	(101)
New Homes Bonus (NHB)	(901)	(799)	(1,446)
Contrib from Private Sector Housing EMR	(477)	(177)	(177)
PWLB Borrowing – HRA(1)	(8,700)	(2,500)	0
PWLB Borrowing – General Fund	(1,500)		
Projected Capital receipt for Town Hall & depot rationalisation	(1,000)		
Total Funding	(17,580)	(10,606)	(6,757)
Funding Gap	0	0	0

(1) Council House Building projects need to be revisited by Finance & Housing officers to assess whether they can be delivered within the existing borrowing head room cap set by Central Government

(2) For detailed breakdown please refer to Appendix 2.

- 2.8 The further into the future we try to predict the more difficult it is to do so with the same level of certainty, therefore although 2017/18 and 2018/19 give an indication of the likely resource required during these years, we will know with a greater level of certainty nearer the time, therefore the predicted level of expenditure may well change.

3.0 Funding the Capital Programme

- 3.1 New Homes Bonus (NHB) funding forms a substantial amount of the funding of this programme (£5,024k over the four years which includes £1,878k in 2015/16). Due to uncertainty over forthcoming elections and the fact that this funding could be reduced or even removed in the future it is important to be aware that if it is, our future Capital programmes will need to be curtailed to match the funding we have available.
- 3.2 Due to the very low level of estimated new capital receipts for 2015/16, only a small number of new Council funded schemes have been incorporated in the Capital Programme. Council house sales have been predicted at 14 sales per annum for the life of this programme. The Government Pooling arrangements

mean a proportion of the sale is pooled to the government, a proportion is retained in a ring fenced reserve for replacement house building (linked to HRA self financing arrangements that have been in place since 01/04/12 and the balance is retained by the authority as a useable capital receipt, which can be used to support our Capital Programme.

- 3.3 The projected level of usable capital receipts available for 2015/16 is £405k (this is made up of £380k, net of pooling, estimated to be generated from sales in 2015/16 and a contribution of £25k from existing Useable Capital Receipts). All previously generated capital receipts have been used to balance the subsequent years of the MTFP.
- 3.4 The figures assumed for receipts from the sale of assets have been calculated prudently and therefore if any additional receipts are generated we can return to some of the projects which could not be funded in the first instance and consider their inclusion. Any such decision (subject to constraints within the financial rules) would be with the agreement of the Finance Portfolio Holder and the relevant Portfolio Holder and would be reported back to the Cabinet. Clearly, any such decisions would be made in accordance with priorities detailed in the Corporate Plan.
- 3.5 Due to the pressure on the revenue budget we no longer propose to make a revenue contribution from the General Fund. At this point in time NHB grant enables this but if this funding were to be curtailed in the future we may have to contribute monies from the general fund to support essential capital projects.

4.0 Council Borrowing

- 4.1 With regard to funding all other aspects of the Capital Programme no prudential borrowing has been estimated for 2015/16. However this would be required in 2016/17 & 2017/18 to deliver Council House Building Projects and in the medium term it is highly likely that we may need to relocate our Waste & Recycling service, if this was the case we would need to borrow. Borrowing is only considered in exceptional circumstances, either in relation to projects detailed above or in relation to spend to save projects following a robust cost benefit analysis exercise that would be able to demonstrate an acceptable 'payback period' and that savings would be generated in excess of the annual revenue cost of servicing the debt.

5.0 Conclusion

- 5.1 As previously mentioned, the Capital Programme for the next four years is limited due to the scarce availability of funding. It is, therefore, imperative that capital funds are only spent on those projects which enable the Council to deliver its Corporate Plan objectives.

- 5.2 Due to the continuing austerity programme being implemented by Central Government the Council is beginning to explore more commercial options in order to balance budgets. Examples include: regeneration projects and land or building acquisition; any such projects will need to be justified through robust business cases. Projects of this type will need significant capital funding either from existing receipts or from longer term borrowing. All members will be kept informed of any developments in these areas.

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Background Papers: Capital Bid Submissions and workings for MTFP

File Reference: None

Circulation of the Report: Management Team

MDDC 2015/16 CAPITAL PROGRAMME

Code		Responsible Officer Job Title	Scheme	Approved Capital Programme 2015/16 £000's
			<u>Estates Management</u>	
			<u>Leisure - Site Specific</u>	
			<u>Lords Meadow leisure centre</u>	
CA624		Estates Manager	Main car park resurfacing	50
CA625		Estates Manager	Squash Court roof improvements	20
			<u>Exe Valley leisure centre</u>	
CA626		Estates Manager	* Fitness gym extension	500
			* Figures included per Leisure consultants report - further work required & subject to Business Case demonstrating acceptable payback period	
			<u>Other MDDC Buildings</u>	
			<u>MSCP Improvements</u>	
CA709		Estates Manager	Planned expansion joint replacement	40
			<u>Play Areas</u>	
CA608		Estates Manager	Play area refurbishment district wide	50
			<u>Other Projects</u>	
CA420		Estates Manager	Land drainage flood defence schemes	50
CA448		Chief Executive	Angel Hill improvements	20
			<u>ICT Projects</u>	
CA421		Head of ICT	Replacement of PC estate 330s	40
CA425		Head of ICT	Server farm expansion/upgrades	20
CA433		Head of ICT	Unified Comms/telephony	50
CA439		Head of ICT	Mobile Working NDL MX	30
CA443		Head of ICT	Members Mobile	25
CA444		Head of ICT	SQL/Oracles refreshes	20
CA445		Head of ICT	InCab	60
CA446		Head of ICT	E-Financials Technical refresh	20
CA447		Head of ICT	Uniform Technical refresh	20
			<u>Economic Development Projects</u>	
CA504		Head of Communities & Governance	Schemes as yet to be identified	100
			<u>Replacement Vehicles</u>	
			<u>Grounds Maintenance</u>	
CA712		Waste and Transport Manager	Iveco Tipper (or equivalent)	24
CA713		Waste and Transport Manager	Tractor	34
			<u>Street Cleansing</u>	
CA819		Waste and Transport Manager	Green Machine Ride-On Sweeper (or equivalent)	25
CA820		Waste and Transport Manager	Green Machine Ride-On Sweeper (or equivalent)	25
			<u>Refuse Collection</u>	
CA821		Waste and Transport Manager	5 * Refuse Vehicles with Food waste capability	740
CA822		Waste and Transport Manager	Iveco Tipper 7t (or equivalent)	35
			<u>Recycling</u>	
CA823		Waste and Transport Manager	Urban Recycling vehicle	81
			<u>CCTV Initiatives</u>	
CA449		Public Health & Professional Services Mger	Town centre/Market area fibre optic hub and camera system	40
			<u>Waste & Recycling</u>	
CA824		Waste and Transport Manager	New Refuse & Recycling scheme Oct '15	276
				2,395
			<u>Private Sector Housing Grants</u>	
CG216		Head of HR & Development	Private Sector Housing initiatives to be prioritised	102
CG201		Head of HR & Development	Disabled Facilities Grants–Private Sector	516
				618

CA200		Enabling Support Manager	<u>Affordable Housing Projects</u>	
CA200		Enabling Support Manager	Affordable Housing 0.67 FTE	21
			Grants to Housing Associations to provide units (funded by commuted sum)	300
				321
CA100		Head of Housing & Property Services	<u>HRA Projects</u>	
CA111		Head of Housing & Property Services	Housing Maintenance Fund	2,900
CG200		Head of Housing & Property Services	Renewable Energy Fund Spend	270
CA119		Head of Housing & Property Services	Disabled Facilities Grants - Council Houses	291
CA120		Head of Housing & Property Services	Palmerston Park Tiverton - affordable dwellings	4,000
CA124		Head of Housing & Property Services	Old allotment site Burlescombe (6 units)	700
CA102		Head of Housing & Property Services	Queensway Tiverton (2 units)	300
CA121		Head of Housing & Property Services	Sewage Pumping Stations	50
			HRA Digital Transformation	30
			<u>Replacement Vehicles - Housing Repairs</u>	
CA122		Waste and Transport Manager	Iveco Tipper 3.5t (or equivalent)	24
CA123		Waste and Transport Manager	Iveco Tipper 7t (or equivalent)	35
				8,600
			CAPITAL PROGRAMME GRAND TOTAL	11,934
				0

Code	Funding		Funding Stream	Approved Capital Programme 2015/16 £000
9801	321		S106 & Affordable Housing Contributions	321
9990	65		General Capital Reserve	65
9980	405		* Useable Capital Receipts General to be generated in 2015/16	405
			* Contribution from existing Useable Capital Receipts £25k	
			* Balance to be generated in 2015/16 £380k	
9990			RCCO Gen Fund 2015/16	0
9710			MRA	
9710	2,900		MRA Reserve	2,900
9701	311		Govt Grant (DCLG)	311
9727	1,878		New Homes Bonus	1,878
9702	12		Regional Housing Pot Reserve	12
9990	139		HRA Reserve	139
9941			HRA Borrowing from G/Fund	
9704			Homes & Communities Agency Grant (HCA)	
9956			Virador Bid	
9726			LAGBI	
9723			PDG	
9954			Other Contributions	
9954			Capital Grants Unapplied	
9942			PWLB Borrowing	
9980	300		1-4-1 receipts reserve	300
9990	354		Contribution from Sinking Funds	354
9990	270		Renewable Energy Fund	270
9990	4700		Housing Maintenance Fund	4,700
9957	201		Private Sector Housing Grants EMR	201
9954	78		Contribution from CGU - Non Specific	78
Total	11,934		Total	11,934

	Provisional Capital Programme 2015/16 £k	Estimated Capital Programme 2016/17 £k	Estimated Capital Programme 2017/18 £k	Estimated Capital Programme 2018/19 £k	Total £k
Estates Management					
Leisure - Site Specific					
Lords Meadow leisure centre					
Main car park resurfacing	50				50
Replace main filters -including access arrangements		70			70
Tennis Court resurfacing and lining (subject to need)		25			25
Swimming pool tiling and balance tank fabrication			50		50
Squash Court roof improvements	20				20
Exe Valley leisure centre					
* Fitness gym extension	500				500
Inflatable dome for tennis courts (subject to business case)	0			80	80
Culm Valley sports centre					
* Fitness gym extension	0			500	500
Total	570	95	50	580	1,295
0					
* Figures included per Leisure consultants report - further work required & subject to Business Case demonstrating acceptable payback period					
Other MDDC Buildings					
Pannier Market					
Pannier Market paving resurfacing (subject to planning)		150			150
Pannier Market decoration -whole building out of hours				60	60
Town Hall					
Secondary means of escape-improved use of chamber			30		30
High level maintenance on the structure -repointing etc			50		50
General Car parks					
Pay and Display and Amenity Car Parks					
Beck Square car park -resurface and lining			50		50
William Street Car Park-resurface and reline		50			50
MSCP Improvements					
Planned expansion joint replacement	40		40		80
Surfacing Road past M & S to MSCP		50			50
MDDC Depot sites					
Lords Meadow Depot -Replace/repair asbestos roof				50	50
Old Road Depot -Yard resurfacing and lining (subject to move)		35			35
Station Yard- Yard resurfacing and lining (subject to move)			35		35
Old Road roof - permanent repairs				50	50
Depot relocation land purchase and fit out		2,500			2,500
Play Areas					
Play area refurbishment district wide	50	50	50	50	200
Cemeteries					
Chapel roofs Tiverton and Crediton			40		40
Other Projects					
Land drainage flood defence schemes	50	50	50	50	200
Angel Hill Improvements	20				20
Sewage Pumping Stations (HRA)	50	50	50	50	200
Total	210	2,935	395	310	3,850
0					
HRA Projects					
Housing Maintenance Fund	2,900	3,500	3,500	3,500	13,400
Disabled Facilities Grants - Council Houses	291	297	303	309	1,200
Palmerston Park Tiverton - affordable dwellings	4,000				4,000
Old allotment site, Burlescombe (6 Units)	700				700
* Conversion of Shapland Place garages Tiverton - dwellings or starter units			1,000		1,000
* Round Hill Tiverton site development			3,000		3,000
Queensway Tiverton (2 units)	300				300
* Eastern Urban extension affordable housing		9,000			9,000
* Watery Lane garage conversion			1,000		1,000
Renewable Energy Fund Spend	270				270
* Schemes in draft capital plans from 16/17 onwards need to be revisited by Finance & Housing officers to assess whether they can be delivered within the existing borrowing head room cap set by central Government					
Total	8,461	12,797	8,803	3,809	33,870
0					
ICT Projects					
Replacement of PC estate 330s	40	0	40	0	80
Server farm expansion/upgrades	20	0	20	0	40
Unified Comms/telephony	50	25			75
Digital Transformation		50	100	100	250
Mobile Working NDL MX	30				30
Members Mobile	25				25
SQL/Oracles refreshes	20	50			70
HRA Digital Transformation (HRA)	30				30
InCab	60				60
E-Financials Technical refresh	20				20
Uniform Technical refresh	20				20
Misc items in future years		175	140	200	515
Total	315	300	300	300	1,215
0					

	Provisional Capital Programme 2015/16 £k	Estimated Capital Programme 2016/17 £k	Estimated Capital Programme 2017/18 £k	Estimated Capital Programme 2018/19 £k	Total £k
Grants to housing associations to provide houses (covered by Commuted Sums)	300	300	300	300	1,200
Affordable Housing 0.67 FTE	21	21	21	21	84
Contribution to Care Home Provision		300			300
Total	321	621	321	321	1,584
					0

Private Sector Housing Grants

Work in Default /Discretionary Grants	0	0	0	0	0
Loans Scheme (Wessex Reinvestment Trust)	0	0	0	0	0
Private Sector Housing initiatives to be prioritised	102	104	106	108	420
Disabled Facilities Grants–P/Sector	516	468	477	487	1,948
Total	618	572	583	595	2,368
					0

Economic Development Projects

Schemes as yet to be identified	100	100	100	100	400
Total	100	100	100	100	400

Replacement Vehicles

Grounds Maintenance	58	0	30	35	123
Housing Repairs (HRA)	59	0	24	0	83
Street Cleansing	50	0	0	67	117
Refuse Collection	775	0	0	640	1,415
Trade Waste	0	160	0	0	160
Recycling	81	0	0	0	81
CCTV Initiatives	40	0	0	0	40
Total	1,063	160	54	742	2,019
					0

Waste & Recycling

New Refuse & Recycling scheme Oct '15	276				276
Total	276	0	0	0	276
					0
Grand Total	11,934	17,580	10,606	6,757	46,877
	0	0	0	0	0
					0

Funding

	2015/16 £k	2016/17 £k	2017/18 £k	2018/19 £k	Total
Council House sales	-300	-300	-300	-300	-1,200
Council House sales (1 for 1 receipts - replacement Homes)	-300	-300	-300	0	-900
Misc Land/Property sales	-80	-80	-80	-80	-320
Disabled Facility Grants - Mandatory - Private Sector	-311	-254	-254	-254	-1,073
HRA Revenue Contribution	-139	-50	-74	-50	-313
HRA Revenue Contribution - Council House Building	-4,700		-2,200		-6,900
Housing Maintenance Fund	-2,900	-3,500	-3,500	-3,500	-13,400
Decent Homes Backlog Funding					0
Renewable Energy Fund Reserve	-270				-270
Affordable Housing S106s - matched to spend	-321	-321	-321	-321	-1,284
General Capital Reserve	-65	-65	-65	-65	-260
2014/15 capital programme forecast net u/spends	0	0	0	0	0
Regional Housing Pot Reserve	-12	-12	-11	-11	-46
Revenue Contribution from General Fund					0
Amounts req'd from New Homes Bonus	-1,878	-901	-799	-1,446	-5,024
Contribution from UCR	-25	-25	-25	-25	-100
Contribution from sinking funds	-354	-95	0	-528	-977
Contribution from Private Sector Housing Grant EMR	-201	-477	-177	-177	-1,032
Contribution from CGU non specific reserve	-78				-78
* PWLB Borrowing - HRA		-8,700	-2,500		-11,200
* See note under HRA projects above					
PWLB Borrowing - General Fund		-1,500			-1,500
Capital Receipt for Town Hall & depot Rationalisation		-1,000			-1,000
Total Funding	-11,934	-17,580	-10,606	-6,757	-46,877
					0
					0
Funding Gap	0	0	0	0	0
					0
					0

Notes:
No budget has been included for the Phoenix Lane development as at this stage we are unable to quantify as any contribution is subject to a number of scenarios

POLICY FRAMEWORK

Cabinet Member Cllr C J Eginton
Responsible Officer Chief Executive

Reason for Report: To endorse the Policy Framework for the year.

RECOMMENDATION(S): To recommend to Council that the Policy Framework be adopted.

Relationship to Corporate Plan: An efficient and effective policy framework helps provide the infrastructure to deliver the corporate plan

Financial Implications: None arising from this report

Legal Implications: The report is required by the constitution

Risk Assessment: Not updating the strategic policies of the Council would result in policies not being aligned to corporate objectives and an inefficient use of resources.

1.0 Introduction

- 1.1 The Policy Framework consists of both statutory documents that have to be adopted or approved by the Council as well as locally determined policies and strategies that form an integral part of the decision making process and their subsequent implementation.
- 1.2 A list of Strategies and Policies covered by the Framework is attached at Annex 1.
- 1.3 It is recommended that these Strategies and Policies be formally approved as the Council's Policy Framework in accordance with the Constitution so far as they still apply and are relevant.
- 1.4 As new policies are approved by Council they will automatically be added to the Policy Framework.

2.0 Way Forward

- 2.1 Under the Budget and Policy Framework Procedure Rules, the Cabinet will be responsible for the implementation of the Budget and Policy Framework.
- 2.2 The purpose of this report therefore is to inform the Cabinet of their role in the implementation of the budget and policy framework highlighting to the Scrutiny Committee, Audit Committee and Policy Development Groups its work for the coming year.

- 2.3 The table therefore covers all strategic rather than operational policies and highlights those which are for Cabinet only approval and those which require full Council approval.

Contact for more Information:

Kevin Finan – Chief Executive
Sally Gabriel, Principal Member Services Officer

Circulation of the Report: Councillor C J Eginton and Management Team

Community Well Being - Policy Development Group

Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Community Engagement <u>Action Plan</u>	Head of Communities and Governance	May-14	CWB - PDG	Mar-15	Cabinet	Annually	
Community Engagement <u>Strategy</u> 2013 - 2016	Head of Communities and Governance	Mar-13	CWB - PDG	Mar-16	Cabinet	3 Yearly	
Community Safety Partnership Plan 2012 - 2015	Head of Housing and Propoerty Services	May-12	CWB - PDG	May-15	Council	3 yearly	
Corporate Anti Social Behaviour Policy	Head of Housing and Propoerty Services	Jul-13	CWB - PDG	Jul-17	Cabinet	4 Yearly	
Customer Care Policy	Head of Customer Services	Sep-14	CWB - PDG	Sep-17	Cabinet	3 yearly	
Grants payments to external organisations 2015/16 (the strategic grants review process)	Head of Communities and Governance	Sep-14	CWB - PDG	Sep-16	Cabinet	2 yearly	
Health and Safety Policy	Head of Human Resources and Learning and Development	May-13	CWB - PDG	May-16	Cabinet	3 yearly	
Leisure Pricing Policy	Head of Human Resources and Learning and Development	Jan-14	CWB - PDG	Jan-15	Cabinet	Annually	
Safeguarding Children and Vulnerable Adults <u>Policy and Procedures</u>	Head of Communities and Governance	Jul-13	CWB - PDG	Jul-16	Cabinet	3 yearly	
Single Equalities Policy	Head of Communities and Governance	Mar-13	CWB - PDG	Jan-15	Cabinet	2 yearly	

Managing the Environment - Policy Development Group

Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Climate Strategy and Action Plan	Head of Housing and Property Services	Jan-14	ME - PDG	Jan-16	Cabinet	2 yearly	
Contaminated Land Cost Recovery Policy	Head of Human Resources and Learning and Development	Jul-09	ME - PDG	Mar-15	Cabinet	5 yearly	
High Hedges Policy	Head of Housing and Property Services	Sep-12	ME - PDG	Sep-19	Cabinet	7 yearly	
Open Space and Play Area Strategy	Head of Housing and Property Services	Mar-11	ME - PDG	Mar-16	Cabinet	5 yearly	
Play Area Safety Inspection Policy	Head of Housing and Property Services	Mar-13	ME - PDG	Mar-16	Cabinet	3 yearly	
Tree Policy	Head of Housing and Property Services	Sep-12	ME - PDG	Sep-17	Cabinet	5 yearly	
Waste Collection and Recycling Plan	Head of Finance	Sep-08	ME - PDG	Oct-15	Council	5 yearly	

Decent and Affordable Homes - Policy Development Group

Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Aids and Adaptations Policy	Head of Housing and Property Services	Jul-13	DAH - PDG	Jul-17	Cabinet	4 yearly	
Allocations Policy and Procedures	Head of Housing and Property Services	2011	DAH - PDG	Mar-16	Cabinet	5 yearly	
ASB Policy and Procedures	Head of Housing and Property Services	Jul-12	DAH - PDG	Mar-15	Cabinet	3 yearly	
Car Parking Management Policy	Head of Housing and Property Services	May-11	DAH - PDG	Jan-16	Cabinet	5 yearly	
Cash Incentive Scheme	Head of Housing and Property Services	Jul-14	DAH - PDG	Jul-15	Cabinet	Annually	
Community Housing Strategy 2010-2015	Head of Housing and Property Services	Dec-10	DAH - PDG	Dec-15	Cabinet	5 yearly	
Compensation Policy	Head of Housing and Property Services	New policy	DAH - PDG	Mar-16	Cabinet - Council	5 yearly	
Corporate Asbestos Policy	Head of Housing and Property Services	Sep-12	DAH - PDG	Feb-15	Cabinet	3 yearly	
Decant Policy	Head of Housing and Property Services	Mar-14	DAH - PDG	Mar-18	Cabinet	4 yearly	
Empty Homes Strategy	Head of Environmental Services	Mar-10	DAH - PDG	Dec-15	Cabinet	5 yearly	
Fire Safety policy	Head of Housing and Property Services	May-12	DAH - PDG	Jun-16	Cabinet	4 yearly	
Garage Management Policy	Head of Housing and Property Services	May-11	DAH - PDG	Jan-16	Cabinet	5 yearly	

Decent and Affordable Homes - Policy Development Group

Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Gas Safety Policy	Head of Housing and Property Services	Sep-13	DAH - PDG	Sep-17	Cabinet	4 yearly	
Hoarding Policy	Head of Housing and Property Services	New Policy	DAH - PDG	Jun-15	Cabinet - Council	4 yearly	
Homelessness Strategy	Head of Housing and Property Services	Mar-14	DAH - PDG	Mar-19	Cabinet	5 yearly	
Housing Revenue Account Asset Management Strategy	Head of Housing and Property Services	May-14	DAH - PDG	May-19	Cabinet	5 Yearly	
Housing Revenue Account Business Plan	Head of Housing and Property Services	Jul-14	DAH - PDG	Jul-15	Cabinet	Annually	
Housing Services Car Park Management Policy	Head of Housing and Property Services	Jun-11	DAH - PDG	May-15	Cabinet	4 yearly	
Housing Services Garage Management Policy	Head of Housing and Property Services	Jun-11	DAH - PDG	May-15	Cabinet	4 yearly	
Housing Services Recharge Policy	Head of Housing and Property Services	Jun-11	DAH - PDG	May-15	Cabinet	4 yearly	
Housing Strategy	Head of Housing and Property Services	New policy	DAH - PDG	Jun-15	Cabinet - Council	5 yearly	
Improvements to Council Property Policy	Head of Housing and Property Services	Aug-11	DAH - PDG	Oct-15	Cabinet	4 yearly	
Introductory Tenancies Policy	Head of Housing and Property Services	Sep-13	DAH - PDG	Sep-17	Cabinet	4 yearly	
Landlord Tenancy Policy	Head of Housing and Property Services	Jan-13	DAH - PDG	Jan-17	Cabinet	4 yearly	
Leasehold Management (including service charges) policy	Head of Housing and Property Services	Aug-11	DAH - PDG	Oct-15	Cabinet	4 yearly	

Decent and Affordable Homes - Policy Development Group

Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Neighbourhood Management Policy	Head of Housing and Property Services	Sep-14	DAH - PDG	Sep-18	Cabinet	4 yearly	
Older Persons' Housing and Services Strategy 2011 - 2016	Head of Housing and Property Services	Apr-12	DAH - PDG	Mar-17	Cabinet	5 yearly	
Pets and Animals policy	Head of Housing and Property Services	Aug-11	DAH - PDG	Oct-15	Cabinet	4 yearly	
Private Sector Housing Renewal Policy	Head of Environmental Services	Nov-12	DAH - PDG	Dec-15	Cabinet	3 yearly	
Recharge Policy	Head of Housing and Property Services	May-11	DAH - PDG	Jan-16	Cabinet	5 yearly	
Rent Arrears Management Policy	Head of Housing and Property Services	May-11	DAH - PDG	Jun-15	Cabinet	4 yearly	
Strategic Tenancy Policy	Head of Housing and Property Services	Nov-12	DAH - PDG	Dec-16	Cabinet	4 yearly	
Succession and Assignment Policy	Head of Housing and Property Services	Apr-12	DAH - PDG	Jun-16	Cabinet	4 yearly	
Tenancy Agreement	Head of Housing and Property Services	Nov-09	DAH - PDG	Dec-15	Cabinet	6 yearly	
Tenancy Inspection Policy	Head of Housing and Property Services	Jul-12	DAH - PDG	Jul-16	Cabinet	4 yearly	
Tenant Involvement Policy	Head of Housing and Property Services	Jan-12	DAH - PDG	Mar-15	Cabinet	3 yearly	
Tenant Involvement Strategy	Head of Housing and Property Services	Jan-12	DAH - PDG	Mar-15	Cabinet	3 yearly	
Voids Policy	Head of Housing and Property Services	New policy	DAH - PDG	Mar-16	Cabinet - Council	5 yearly	

Planning Committee							
Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Conservation Area Appraisals	Head of Planning and Regeneration	Various dates	Planning Committee	5 years from approval	Planning	5 yearly	
Development Control Enforcement Policy	Head of Planning and Regeneration	2005	Planning Committee	Jul-15	Planning	10 years	

Licensing Committee						
Policy	Responsible Officer	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed
Hackney Carriage and Private Hire Policy and Conditions	Head of Human Resources and Learning and Development	Feb-13	Regulatory Committee	Mar-16	Regulatory Committee	3 Yearly
Licensing Policy	Head of Human Resources and Learning and Development	Dec-13	Licensing Committee	Dec-18	Council	5 yearly
Sex Establishment Policy	Head of Human Resources and Learning and Development	New Policy January 2011	Licensing Committee	Jan-16	Council	5 yearly
Statement of Principles for Gambling Act 2005	Head of Human Resources and Learning and Development	Dec-12	Licensing Committee	Dec-15	Council	3 Yearly

Audit Committee							
Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Annual Governance Statement	Head of Communities and Governance	Sep-14	Audit Committee	Sep-15	Audit Committee	Annually	
Anti-fraud and Corruption, Whistle-Blowing and Anti-Money Laundering Policies	Head of Communities and Governance	Dec-14	Audit Committee	Dec-18	Audit Committee	4 yearly	
Code of Corporate Governance	Head of Communities and Governance	Mar-14	Audit Committee	Mar-15	Audit Committee	Annually	
Corporate Debt Recovery Policy	Head of Finance	Sep-14	Audit Committee	Sep-17	Cabinet	3 yearly	
Data Quality Policy	Head of Communities and Governance	Dec-14	Audit Committee	Dec-18	Audit Committee	4 yearly	
Financial and Contract Procedure Rules	Head of Finance	Apr-13	Audit Committee	May-16	Audit Committee	3 yearly	
Four year Strategic Audit Plan and Work Programme	Head of Communities and Governance	Mar-14	Audit Committee	Mar-15	Audit Committee	Annually	
Internal Audit Charter	Head of Communities and Governance	Mar-13	Audit Committee	Mar-16	Audit Committee	3 yearly	
Internal Audit Strategy	Head of Communities and Governance	Mar-14	Audit Committee	Mar-15	Audit Committee	Anually	

Risk and Opportunity Management Strategy	Head of Communities and Governance	Sep-14	Audit Committee	Sep-15	Audit Committee	Annually	
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Scrutiny							
Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Town and Parish Charter	Head of Communities and Governance	May-12	Scrutiny	Oct-15	Scrutiny	After the next District Council election in 2015 then 4 yearly after that.	
Regulatory Investigatory Powers Act	Legal Services Manager	Jul-14	Scrutiny	Jul-15	Scrutiny	Annually	

Cabinet

Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Asset Management and Capital Strategy Plan (Corporate)	Head of Housing and Property Services	Nov-08	Cabinet	Mar-15	Cabinet	7 yearly	
Adopted Local Development Framework Statement of Community Involvement	Head of Planning and Regeneration	Aug-12	PPAG	Aug-17	Cabinet - Council	5+ years	
Allocations and Infrastructure DPD	Head of Planning and Regeneration	Jan-11	PPAG	Jan-16	Cabinet - Council	5 years	
Annual Monitoring Report	Head of Planning and Regeneration	Jan-14	Cabinet	Feb-15	Cabinet	Annually	
Area of Special Control for advertisements	Head of Planning and Regeneration	Dec-11	PPAG	Dec-16	Cabinet - Council	5 years	
Channel Access Strategy 2014-2017	Head of Customer Services	Jan-15	Cabinet	Dec-17	Cabinet	3 years	
Community Infrastrure Levy	Head of Planning and Regeneration	Feb-14	PPAG	As and when required as part of the Local Plan	Cabinet - Council	As and when required as part of the Local Plan	
Complaints and Feedback policy	Head of Customer Services	Sep-12	Cabinet	Sep-15	Cabinet	3 years	
Corporate Debt Recovery Policy	Head of Finance	Oct-14	Audit Committee - Cabinet	Oct-17	Cabinet	3 years	
Corporate Plan	Head of Communities and Governance	May-12	Cabinet	May-15	Cabinet - Council	3 yearly	
Devon Wide Procurement Strategy	Head of Finance	Nov-08	Cabinet	Mar-15	Cabinet	3 yearly	Moved from being the 'Corporate Procurement Strategy' to the 'Devon Wide Procurement Strategy' - hence delay.

Cabinet

Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Council Tax Support Scheme	Head of Finance	Nov-12	Cabinet	Nov-15	Council	3 years	
Data Protection Policy (1998)	Head of BIS	Feb-13	Cabinet	Feb-16	Cabinet	3 yearly	
Economic Development Strategy	Head of Communities and Governance	Oct-13	Cabinet	Oct-15	Cabinet	2 Yearly	
Email Policy	Head of BIS	Jun-12	Cabinet Member for the Working Environment and Head of ICT	Jun-15	Cabinet Member for the Working Environment	3 Yearly	
Freedom of Information Policy 2006	Head of BIS	Feb-13	Cabinet or Cabinet Member	Dec-16	Cabinet	3 Yearly	
ICT Strategy	Head of BIS	Oct-11	Cabinet	Oct-16	Cabinet	5 yearly	
Internet Policy	Head of BIS	Jun-12	Cabinet Member for the Working Environment and Head of ICT	Jun-15	Cabinet Member for the Working Environment	3 Yearly	
Local Development Framework Core Strategy 2007	Head of Planning and Regeneration	2007	PPAG	2015	Cabinet - Council	8 yearly	
Local Development Scheme	Head of Planning and Regeneration	Oct-14	PPAG	Oct-16	Cabinet	2 yearly	
Medium Term Financial Strategy	Head of Finance	Oct-14	Cabinet	Oct-15	Cabinet	Annually	
Meeting Housing Needs Supplementary Planning Document	Head of Planning and Regeneration	Jun-12	PPAG	2017	Cabinet - Council	5 yearly	

Cabinet

Policy	Head of Service	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Pay Policy	Head of Human Resources and Learning and Development	Mar-14	Cabinet	Mar-15	Cabinet - Council	Annually	
Regulation of Investigatory Powers	Head of Human Resources and Learning and Development	Jul-14	Scrutiny	Jul-15	Cabinet	Annually	
Social Media Policy	Head of BIS	Sep-13	Cabinet	Sep-15	Cabinet	2 yearly	
Treasury Management Strategy and Annual Investment Strategy	Head of Finance	Mar-14	Cabinet	Mar-15	Cabinet	Annually	
Workforce Planning and Human Resource Strategy	Head of Human Resources and Learning and Development	Oct-14	Cabinet	Apr-15	Cabinet	Annually	

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COUNCIL
25 FEBRUARY 2015

AGENDA ITEM

COUNCIL TAX RESOLUTION 2015/16

Responsible Officer	Head of Finance
Reason for Report:	The Council as a billing authority is required to set the Council Tax for 2015/16
RECOMMENDATION:	To approve the formal Council Tax Resolution
Relationship to: Corporate Plan	The 2015/16 budget shows the costs of delivering the key priorities of the Council's Corporate Plan
Financial Implications:	This report sets out the Council's Council Tax Requirement for 2015/16 which is derived from its aggregate budget requirement which was finally recommended by Cabinet on the 5 February 2015.
Legal Implications:	The Council has a statutory duty to approve a Council Tax Requirement
Risk Assessment:	The Council is required under the Local Government Finance Act 1992 to set a Council Tax.

1.0 Introduction

- 1.1 The introduction of the Localism Act has seen some minor amendments to the legislative process of approving a Council Tax Requirement and has also removed the formal capping rules. These capping rules have now been replaced by a range of maximum percentage increases based upon the relevant precepting body, which if exceeded, could result in a local referendum (this limit was confirmed as part of the overall grant settlement announcement made on the 18th December 2014) and remained at 2% for District Councils although there were some Ministers who wanted to see this limit reduced further. Within this Resolution the billing authority has to indicate whether any of the major precepting bodies have exceeded their specified limit (see paragraph 6.0).

2.0 2015/16 Council Tax Resolution

- 2.1 Since the meeting of the Cabinet on the 5 February 2015 the precept levels of other precepting bodies have been received. These are detailed below:

Town and Parish Councils

The Town and Parish Councils precepts for 2015/16 are detailed in Appendix A, paragraph 3.1, and total £1,136,755. The increase in the average Band D Council Tax for Town and Parish councils is 10.12% and results in an average Band D Council Tax figure of £41.66 for 2015/16 (£37.83 for 2014/15). These figures are all based on the net precepts received from the Town and Parish Councils. (i.e. after deducting the Council Tax Reduction (CTR) grant)

Devon County Council

Devon County Council met on the 19 February 2015 and set their precept at £31,690,780, adjusted by a Collection Fund surplus of £224,303. This results in a Band D Council Tax of £1,161.27, a 1.99% increase on the previous year.

Devon & Cornwall Police & Crime Commissioner

Devon & Cornwall Police & Crime Commissioner met on the 6 February 2015 and set their precept at £4,624,796, adjusted by a Collection Fund surplus of £32,734. This results in a Band D Council Tax of £169.47, being a 1.99% increase on the previous year.

Devon and Somerset Fire & Rescue Authority

Devon and Somerset Fire & Rescue Authority met on the 20 February 2015 and set their precept at £2,140,063, adjusted by a Collection Fund surplus of £15,147. This results in a Band D Council Tax of £78.42, being a 1.99% increase on the previous year.

- 2.2 The recommendations of the Cabinet are set out in the formal Council Tax Resolution in Appendix A. If the formal Council Tax Resolution at Appendix A is approved, the total Band D Council Tax will be as follows:

Table 1 – Council Tax Levies in Mid Devon

Council Tax Levies	2014/15 £	2015/16 £	Variation %
Mid Devon District Council	182.15	182.15	Nil
Parish & Town Councils (Average) (1)	37.83	41.66	10.12
Sub Total	219.98	223.81	
Devon County Council	1,138.59	1,161.27	1.99
Devon & Cornwall Police & Crime Commissioner	166.16	169.47	1.99
Devon & Somerset Fire & Rescue Authority	76.89	78.42	1.99
TOTAL	1,601.62	1,632.97	

(1) Note 2014/15 comparison figure revised to net Parish average band D to be consistent with that quoted for 2015/16 which is net of CTR grant.

3.0 2015/16 General Fund Budget

- 3.1 On the 5 February 2015 the Cabinet considered the Budget for the financial year 2015/16 which included our final settlement for Formula Grant as confirmed by the Secretary of State. This meeting recommended a balanced General Fund budget and a 5th successive freeze in Council Tax.
- 3.2 Precepts from the Town and Parish Councils within Mid Devon have now all been received and their gross total is confirmed as £1,200,455 (£1,119,264 for 2014/15). Please note the Parish Precepts have been reduced by a share of a grant passed on by MDDC of £63,700 (£98,000 for 2014/15); therefore leaving £1,136,755 (£1,200,455 - £63,700) net precept to be generated through Council Tax.
- 3.3 In making decisions in relation to the setting of Council Tax, the Local Government Act 2003 requires the Chief Financial Officer of the Council to report to it on the robustness of the estimates and the adequacy of the financial reserves. This statement is presented in the following sections of this report.

4.0 Section 151 Officer's Report

- 4.1 The Local Government Act 2003 imposes a duty on the Council's Section 151 Officer to comment, as part of the budget setting process, on:
- The robustness of the estimates, and
 - The adequacy of reserves

5.0 Robustness of the estimates

- 5.1 The estimate process adopted by the Council for 2015/16 is concerned with the mitigation of risk when approving the budget.
- 5.2 Construction of the estimates for 2015/16 has taken full account of the following:
- a. Previous years outturn
 - b. Current year revised estimates
 - c. Regular budget monitoring up to and including December 2014
 - d. Inflation levels
 - e. Current income levels
 - f. Changes in legislation
 - g. Service prioritisation linked to the current Corporate Plan
 - h. Feedback from the Budget Consultation exercise
- 5.3 Budget monitoring throughout 2014/15 has informed the forward year budget process. In particular regular reviews of income streams and expenditure patterns at variance with

profiles of expected activity are identified at the earliest opportunity to Members and Officers so that corrective action can be initiated.

- 5.4 The Council has sought to involve all Members throughout the budget setting process. An initial budget gap of circa £1m was estimated for 2015/16 (mainly as a consequence of a further Government grant reduction of £656k). This budget gap was reduced by a number of service savings totalling £983k; however this figure was offset by new cost pressures of £659k and an additional £210k of pay and price inflation. The first round of PDG and Cabinet meetings in November/December discussed an overall budget gap of £650k. This process gave all Members the opportunity to challenge and review all draft budget proposals and also recommend where further savings could be made.
- 5.5 All budgets were compiled on a prudent basis, bearing in mind the level of risk associated with certain income sources (i.e. car parking, planning and interest receipts). We have also had to accept increased uncertainty in the Councils' overall budget (i.e. the Council Tax Reduction scheme (CTR) and the localisation of Business Rates). These changes have been carefully monitored during 2014/15 and this process will continue during 2015/16.
- 5.6 The Finance Team have liaised with all Service Managers, Senior Management and Members during this process and have ensured a robust challenge process of all proposed budgets. Two additional all member budget briefings were arranged and a meeting with the Business Rates Consultative Committee was also held in mid-January.
- 5.7 In all respects the estimates are prepared on the best information available. We review current experience, for example, the estimates of income have been rebased, especially where the income stream is demand led. In a similar way all salary estimates have been constructed on an individual officer basis because this element of the budget is such a significant expenditure heading.
- 5.8 Finally, in preparing the detailed estimates the Council takes advice from third party organisations concerning a number of discrete areas. In particular Treasury Management decisions are informed with reference to interest rate movements by Capita (previously known as Sector) and similarly external guidance on insurance and pension contributions is also used.
- 5.9 Once the draft budget has been reviewed by the 3 PDGs and the Cabinet it is then taken to the Scrutiny Committee for further review and challenge, prior to the final Cabinet meeting which then recommends the budget for approval at Full Council in late February.
- 5.10 The key component of ensuring the estimates are reviewed and deliver the priorities of the Council is the budget monitoring process. The ability to manage and control spending within the approved budgets during the course of the forward year mitigates the Council's level of financial risk.

6.0 Adequacy of Reserves

6.1 Reserves are held for three main purposes:

- a. A contingency to cushion the impact of unexpected events
- b. As a cushion against uneven cash flows
- c. As a means of building up funds to meet known or predicted liabilities (earmarked reserves)

6.2 CIPFA makes it clear that the level of reserves for each Council cannot be decided by the application of a formula. Each Council must assess their own reserve levels based on the specific risks and pressures they face.

6.3 The General Fund balance brought forward into 2014/15 amounted to £2.5m. The 2014/15 budget monitoring reports are predicting a year end deficit of approximately £216k.

6.4 As all members are aware the Chancellor maintained his commitment to the deficit reduction strategy within this year's Autumn Statement and most public sector commentators are speculating that we are only half way through a funding reduction programme. On this basis it remains highly likely that the Council will need to make further savings of circa £750k to £1m per annum over the next three years starting from 2016/17. In addition to this overall funding reduction, the Council is beginning to explore and commit to more commercial opportunities (e.g. retail units in Tiverton Town Centre). This will clearly increase the level of inherent risk within the Council's General Fund budget, but has been prudently assumed to make a small profit between annual rental streams and associated debt repayments. In addition we still have medium term uncertainty surrounding our existing depot(s) provision, which may well require significant investment in order to stream line future operations and we still have the increased risk/volatility in budgets for the new Council Tax Reduction scheme and the localisation of Business Rates.

6.5 Therefore, it is my strong recommendation that the Council maintain its level of reserves at 25% of our operational spend moving into 2015/16 (e.g. £8,953m * 25% = £2.2m).

7.0 Conclusion

7.1 As noted above a great deal of work has been carried out to ensure the robustness of the estimates. Because of this work, combined with the increased awareness by Members and Officers of the Council's financial position, and the availability of reserves, it is my considered opinion as Section 151 Officer that the budget for 2015/16 has been set within a robust framework and the impact of this resolution will maintain an adequate level of financial reserves held by the Council.

Contact for more information: Andrew Jarrett, Head of Finance
Background Papers: Cabinet Report – 5 February 2015
File Reference:
Circulation of Report:

The Council is recommended to resolve as follows:

1.0 It be noted that on 08 January 2015 the Cabinet calculated the Council Tax Base 2015/16

(a) for the whole Council area as 27,289.76 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and

(b) for dwellings in those parts of its area to which a Parish Precept relates as detailed in 1.1 below.

1.1 Taxbase for Councils area adjusted from overall Council Tax Base of 27,846.69 reduced to 98% (27,289.76), to allow for less than full collection. (subject to rounding)

Bampton	729.28	Kennerleigh	36.96
Bickleigh	106.26	Kentisbeare	364.58
Bow	421.78	Lapford	363.01
Bradninch	714.77	Loxbeare	74.36
Brushford	23.92	Morchard Bishop	403.74
Burlescombe	309.96	Morebath	149.46
Butterleigh	53.83	Newton St Cyres	354.04
Cadbury	63.69	Nymet Rowland	48.78
Cadeleigh	86.59	Oakford	174.65
Chawleigh	237.38	Poughill	77.15
Cheriton Bishop	274.93	Puddington	84.59
Cheriton Fitzpaine	326.82	Sampford Peverell	484.04
Clannaborough	25.53	Sandford	471.65
Clayhanger (B Gate)	57.33	Shobrooke	198.70
Clayhidon	216.98	Silverton	757.16
Coldridge	156.63	Stockleigh English	28.04
Colebrooke	171.67	Stockleigh Pomeroy	58.44
Copplestone	420.00	Stoodleigh	143.55
Crediton	2,533.41	Templeton	61.87
Crediton Hamlets	518.28	Thelbridge	131.52
Cruwys Morchard	200.69	Thorverton	372.07
Cullompton	2,939.59	Tiverton	6,668.37
Culmstock	349.16	Uffculme	1,016.07
Down St Mary	148.45	Upplowman	148.51
Eggesford	30.59	Upton Hellions	32.41
Halberton	601.84	Washfield	156.66
Hemyock	812.78	Washford Pyne	40.97
Hittisleigh	59.11	Wembworthy	99.81
Hockworthy (B Gate)	81.53	Willand	1,122.06
Holcombe Rogus	209.15	Woolfardisworthy	66.85
Huntsham (B Gate)	64.60	Zeal Monachorum	153.13

Total Tax Base **27,289.76**

2.0 As a preliminary step, calculate that the Council Tax requirement for the Council's own purposes for 2015/16 (excluding Parish precepts) is £4,970,830. (subject to rounding to nearest £10)

3.0 That the following amounts be calculated for the year 2015/16 in accordance with Sections 30 and 31A to 36 of the Act:

(a) £ 52,586,065	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils.
(b) £ 46,478,480	being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act.
(c) £ 6,107,585	being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year. (Item R in the formula in Section 31B of the Act).
(d) £ 223.81	being the amount at 3(c) above (item R), all divided by Item T (1.0 (a) above), calculated by the council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts).
(e) £ 1,136,755	being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act as detailed in column 4 of table in 3.1 below. This figure is the gross Parish Precept less the new government grant of £63,700 detailed in columns 2 & 3 of table 3.1 below.
(f) £ 182.15	being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by Item T (1.0(a) above), calculated by the Council, in accordance with section 34 (2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
(g) See text across	The amounts stated in valuation Band D in table at 3(h) below given by adding to the amount at 3(f) above the amounts of the special item or items relating to dwellings in those parts of the council area specified in column 5 of table in 3.1 divided in each case by the amount in 1(a) above (result in column 5 of table in 3.1 below), calculated by the Council, in accordance with section 34(3) of the Act, as the basic amounts of its council tax for the year for dwellings in those parts of its are set out in column 1 of table in 1.1 to which one or more special items relate.

e.g. Silverton - table 3h column 5 = £206.82 this is made up 3f = £182.15 + £24.67 in table 3.1 column 5.
The £24.67 is calculated by taking the Parish Precept in Column 4 of table 3.1 and dividing by the relevant taxbase figure detailed in column 2 of the table in 1.1 above (in this example £18,682.26/757.16 = £24.67).

3.1 This table shows the full precept for each parish and the band D equivalent charge which is determined by dividing the revised total precept in column 4 by the relevant parishes taxbase detailed in column 2 table 1.1 above.

	Total Precept £	Share of DCLG Grant	Revised Total Precept £	Band D Equivalent £
Bampton	36,884.00	1,595.76	35,288.24	48.39
Bickleigh	3,500.00	171.88	3,328.12	31.32
Bow	8,500.00	1,179.09	7,320.91	17.36
Bradninch	27,000.00	1,962.83	25,037.17	35.03
Brushford	0.00	0.00	0.00	0.00
Burlescombe	9,000.00	552.43	8,447.57	27.25
Butterleigh	110.00	39.55	70.45	1.31
Cadbury	510.00	75.01	434.99	6.83
Cadeleigh	1,520.00	19.31	1,500.69	17.33
Chawleigh	11,950.00	546.90	11,403.10	48.04
Cheriton Bishop	8,750.00	459.84	8,290.16	30.15
Cheriton Fitzpaine	10,850.00	463.00	10,387.00	31.78
Clannaborough	0.00	0.00	0.00	0.00
Clayhanger (B Gate)	584.00	18.48	565.52	9.86
Clayhidon	7,500.00	237.04	7,262.96	33.47
Coldridge	4,000.00	145.97	3,854.03	24.61
Colebrooke	6,500.00	222.39	6,277.61	36.57
Copplestone	8,260.00	976.62	7,283.38	17.34
Crediton	161,897.47	7,164.98	154,732.49	61.08
Crediton Hamlets	5,500.00	659.91	4,840.09	9.34
Cruwys Morchard	2,650.00	156.12	2,493.88	12.43
Cullompton	265,001.42	7,501.42	257,500.00	87.60
Culmstock	15,513.00	514.13	14,998.87	42.96
Down St Mary	2,500.00	166.99	2,333.01	15.72
Eggesford	0.00	0.00	0.00	0.00
Halberton	12,165.00	927.63	11,237.37	18.67
Hemyock	63,500.00	1,197.36	62,302.64	76.65
Hittisleigh	1,700.00	58.56	1,641.44	27.77
Hockworthy (B Gate)	583.00	88.93	494.07	6.06
Holcombe Rogus	6,390.00	254.33	6,135.67	29.34
Huntsham (B Gate)	583.00	68.88	514.12	7.96

	Total Precept £	Share of DCLG Grant	Revised Total Precept £	Band D Equivalent £
Kennerleigh	0.00	0.00	0.00	0.00
Kentisbeare	16,500.00	394.68	16,105.32	44.17
Lapford	10,000.00	1,334.75	8,665.25	23.87
Loxbeare	0.00	0.00	0.00	0.00
Morchard Bishop	7,140.00	714.59	6,425.41	15.91
Morebath	6,155.00	161.24	5,993.76	40.10
Newton St Cyres	12,518.00	716.30	11,801.70	33.33
Nymet Rowland	800.00	93.19	706.81	14.49
Oakford	3,411.00	234.66	3,176.34	18.19
Poughill	2,200.00	110.92	2,089.08	27.08
Puddington	1,000.00	124.83	875.17	10.35
Sampford Peverell	8,700.00	594.39	8,105.61	16.75
Sandford	10,993.00	866.81	10,126.19	21.47
Shobrooke	5,000.00	500.48	4,499.52	22.64
Silverton	20,000.00	1,317.74	18,682.26	24.67
Stockleigh English	0.00	0.00	0.00	0.00
Stockleigh Pomeroy	0.00	0.00	0.00	0.00
Stoodleigh	3,929.00	124.19	3,804.81	26.50
Templeton	1,656.59	39.12	1,617.47	26.14
Thelbridge	1,500.00	144.10	1,355.90	10.31
Thorverton	13,770.00	558.98	13,211.02	35.51
Tiverton	267,586.72	22,168.72	245,418.00	36.80
Uffculme	70,000.00	2,865.57	67,134.43	66.07
Uplowman	2,900.00	96.95	2,803.05	18.87
Upton Hellions	0.00	0.00	0.00	0.00
Washfield	1,594.88	177.11	1,417.77	9.05
Washford Pyne	500.00	34.86	465.14	11.35
Wembworthy	3,000.00	193.05	2,806.95	28.12
Willand	41,700.00	2,364.61	39,335.39	35.06
Woolfardisworthy	500.00	149.59	350.41	5.24
Zeal Monachorum	4,000.00	193.22	3,806.78	24.86

Total Parish Precepts 1,200,455.08 63,700.00 1,136,755.08

- 3(h) The amounts set out in table below given by multiplying the amounts at 3g above by the number which, in the proportion set out in section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that particular proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

Valuation Bands £

	A	B	C	D	E	F	G	H
Bampton	153.69	179.31	204.92	230.54	281.77	333.01	384.23	461.08
Bickleigh	142.31	166.03	189.75	213.47	260.91	308.35	355.78	426.94
Bow	133.00	155.17	177.34	199.51	243.85	288.19	332.51	399.02
Bradninch	144.78	168.92	193.05	217.18	265.44	313.71	361.96	434.36
Brushford	121.43	141.67	161.91	182.15	222.63	263.11	303.58	364.30
Burlescombe	139.60	162.86	186.13	209.40	255.94	302.47	349.00	418.80
Butterleigh	122.30	142.69	163.07	183.46	224.23	265.00	305.76	366.92
Cadbury	125.98	146.98	167.98	188.98	230.98	272.98	314.96	377.96
Cadeleigh	132.98	155.15	177.31	199.48	243.81	288.14	332.46	398.96
Chawleigh	153.46	179.03	204.61	230.19	281.35	332.50	383.65	460.38
Cheriton Bishop	141.53	165.12	188.71	212.30	259.48	306.66	353.83	424.60
Cheriton Fitzpaine	142.62	166.39	190.16	213.93	261.47	309.01	356.55	427.86
Clannaborough	121.43	141.67	161.91	182.15	222.63	263.11	303.58	364.30
Clayhanger(B Gate)	128.00	149.34	170.67	192.01	234.68	277.35	320.01	384.02
Clayhidon	143.74	167.70	191.66	215.62	263.54	311.46	359.36	431.24
Coldridge	137.84	160.81	183.79	206.76	252.71	298.66	344.60	413.52
Colebrooke	145.81	170.11	194.42	218.72	267.33	315.93	364.53	437.44
Copplestone	132.99	155.16	177.32	199.49	243.82	288.16	332.48	398.98
Crediton	162.15	189.18	216.20	243.23	297.28	351.34	405.38	486.46
Crediton Hamlets	127.66	148.93	170.21	191.49	234.05	276.60	319.15	382.98
Cruwys Morchard	129.72	151.34	172.96	194.58	237.82	281.06	324.30	389.16
Cullompton	179.83	209.80	239.78	269.75	329.70	389.64	449.58	539.50
Culmstock	150.07	175.08	200.10	225.11	275.14	325.16	375.18	450.22
Down St Mary	131.91	153.90	175.88	197.87	241.84	285.82	329.78	395.74
Eggesford	121.43	141.67	161.91	182.15	222.63	263.11	303.58	364.30
Halberton	133.88	156.19	178.51	200.82	245.45	290.08	334.70	401.64
Hemyock	172.53	201.29	230.04	258.80	316.31	373.83	431.33	517.60
Hittesleigh	139.94	163.27	186.59	209.92	256.57	303.22	349.86	419.84
Hockworthy(B Gate)	125.47	146.38	167.30	188.21	230.04	271.86	313.68	376.42
Holcombe Rogus	140.99	164.49	187.99	211.49	258.49	305.49	352.48	422.98
Huntsam(B Gate)	126.74	147.86	168.99	190.11	232.36	274.61	316.85	380.22
Kennerleigh	121.43	141.67	161.91	182.15	222.63	263.11	303.58	364.30
Kentisbeare	150.88	176.02	201.17	226.32	276.62	326.91	377.20	452.64
Lapford	137.34	160.24	183.13	206.02	251.80	297.59	343.36	412.04
Loxbeare	121.43	141.67	161.91	182.15	222.63	263.11	303.58	364.30
Morchard Bishop	132.04	154.04	176.05	198.06	242.08	286.09	330.10	396.12
Morebath	148.16	172.86	197.55	222.25	271.64	321.03	370.41	444.50
Newton St Cyres	143.65	167.59	191.54	215.48	263.37	311.25	359.13	430.96
Nymet Rowland	131.09	152.94	174.79	196.64	240.34	284.04	327.73	393.28
Oakford	133.56	155.82	178.08	200.34	244.86	289.38	333.90	400.68
Poughill	139.48	162.73	185.98	209.23	255.73	302.23	348.71	418.46
Puddington	128.33	149.72	171.11	192.50	235.28	278.06	320.83	385.00
Sampford Peverell	132.60	154.70	176.80	198.90	243.10	287.30	331.50	397.80
Sandford	135.74	158.37	180.99	203.62	248.87	294.12	339.36	407.24
Shobrooke	136.52	159.28	182.03	204.79	250.30	295.81	341.31	409.58
Silverton	137.88	160.86	183.84	206.82	252.78	298.74	344.70	413.64
Stockleigh English	121.43	141.67	161.91	182.15	222.63	263.11	303.58	364.30
Stockleigh Pomeroy	121.43	141.67	161.91	182.15	222.63	263.11	303.58	364.30
Stoodleigh	139.10	162.28	185.47	208.65	255.02	301.39	347.75	417.30
Templeton	138.86	162.00	185.15	208.29	254.58	300.87	347.15	416.58
Thelbridge	128.30	149.69	171.07	192.46	235.23	278.00	320.76	384.92
Thorverton	145.10	169.29	193.47	217.66	266.03	314.40	362.76	435.32
Tiverton	145.96	170.29	194.62	218.95	267.61	316.27	364.91	437.90
Uffculme	165.48	193.06	220.64	248.22	303.38	358.54	413.70	496.44
Uplowman	134.01	156.35	178.68	201.02	245.69	290.37	335.03	402.04
Upton Hellions	121.43	141.67	161.91	182.15	222.63	263.11	303.58	364.30
Washfield	127.46	148.71	169.95	191.20	233.69	276.18	318.66	382.40
Washford Pyne	129.00	150.50	172.00	193.50	236.50	279.50	322.50	387.00
Wembworthy	140.18	163.54	186.91	210.27	257.00	303.73	350.45	420.54
Willand	144.80	168.94	193.07	217.21	265.48	313.75	362.01	434.42
Woolfardisworthy	124.92	145.75	166.57	187.39	229.03	270.68	312.31	374.78
Zeal Monachorum	138.00	161.01	184.01	207.01	253.01	299.02	345.01	414.02

- 3(i) This table shows the proportions payable for the MDCC element of Council Tax and would be the amount payable for those Parishes who's Precept has been set at zero.

Valuation Bands £

	A	B	C	D	E	F	G	H
All other parts of the Council's area	121.43	141.67	161.91	182.15	222.63	263.11	303.58	364.30

- 4.0 That it be noted that for the year 2015/16 the Devon County Council, Devon and Cornwall Police and Crime Commissioner and the Devon and Somerset Fire Authority have stated the following amounts in precepts issued to the District Council, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands £

Precepting Authority	A	B	C	D	E	F	G	H
Devon County Council	774.18	903.21	1,032.24	1,161.27	1,419.33	1,677.39	1,935.45	2,322.54
Devon & Cornwall Police and Crime Commissioner	112.98	131.81	150.64	169.47	207.13	244.79	282.45	338.94
Devon & Somerset Fire Authority	52.28	60.99	69.71	78.42	95.85	113.27	130.70	156.84

- 5.0 That, having calculated the aggregate in each case of the amounts at 3h and 4 above, the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts shown in the table below as the amounts of Council Tax for 2015/16 for each part of its area and for each of the categories of dwellings shown below:

Valuation Bands £

	A	B	C	D	E	F	G	H
Bampton	1,093.13	1,275.32	1,457.51	1,639.70	2,004.08	2,368.46	2,732.83	3,279.40
Bickleigh	1,081.75	1,262.04	1,442.34	1,622.63	1,983.22	2,343.80	2,704.38	3,245.26
Bow	1,072.44	1,251.18	1,429.93	1,608.67	1,966.16	2,323.64	2,681.11	3,217.34
Bradninch	1,084.22	1,264.93	1,445.64	1,626.34	1,987.75	2,349.16	2,710.56	3,252.68
Brushford	1,060.87	1,237.68	1,414.50	1,591.31	1,944.94	2,298.56	2,652.18	3,182.62
Burlescombe	1,079.04	1,258.87	1,438.72	1,618.56	1,978.25	2,337.92	2,697.60	3,237.12
Butterleigh	1,061.74	1,238.70	1,415.66	1,592.62	1,946.54	2,300.45	2,654.36	3,185.24
Cadbury	1,065.42	1,242.99	1,420.57	1,598.14	1,953.29	2,308.43	2,663.56	3,196.28
Cadeleigh	1,072.42	1,251.16	1,429.90	1,608.64	1,966.12	2,323.59	2,681.06	3,217.28
Chawleigh	1,092.90	1,275.04	1,457.20	1,639.35	2,003.66	2,367.95	2,732.25	3,278.70
Cheriton Bishop	1,080.97	1,261.13	1,441.30	1,621.46	1,981.79	2,342.11	2,702.43	3,242.92
Cheriton Fitzpaine	1,082.06	1,262.40	1,442.75	1,623.09	1,983.78	2,344.46	2,705.15	3,246.18
Clannaborough	1,060.87	1,237.68	1,414.50	1,591.31	1,944.94	2,298.56	2,652.18	3,182.62
Clayhanger(B Gate)	1,067.44	1,245.35	1,423.26	1,601.17	1,956.99	2,312.80	2,668.61	3,202.34
Clayhidon	1,083.18	1,263.71	1,444.25	1,624.78	1,985.85	2,346.91	2,707.96	3,249.56
Coldridge	1,077.28	1,256.82	1,436.38	1,615.92	1,975.02	2,334.11	2,693.20	3,231.84
Colebrooke	1,085.25	1,266.12	1,447.01	1,627.88	1,989.64	2,351.38	2,713.13	3,255.76
Copplestone	1,072.43	1,251.17	1,429.91	1,608.65	1,966.13	2,323.61	2,681.08	3,217.30
Crediton	1,101.59	1,285.19	1,468.79	1,652.39	2,019.59	2,386.79	2,753.98	3,304.78
Crediton Hamlets	1,067.10	1,244.94	1,422.80	1,600.65	1,956.36	2,312.05	2,667.75	3,201.30
Cruwys Morchard	1,069.16	1,247.35	1,425.55	1,603.74	1,960.13	2,316.51	2,672.90	3,207.48
Cullompton	1,119.27	1,305.81	1,492.37	1,678.91	2,052.01	2,425.09	2,798.18	3,357.82
Culmstock	1,089.51	1,271.09	1,452.69	1,634.27	1,997.45	2,360.61	2,723.78	3,268.54
Down St Mary	1,071.35	1,249.91	1,428.47	1,607.03	1,964.15	2,321.27	2,678.38	3,214.06
Eggesford	1,060.87	1,237.68	1,414.50	1,591.31	1,944.94	2,298.56	2,652.18	3,182.62
Halberton	1,073.32	1,252.20	1,431.10	1,609.98	1,967.76	2,325.53	2,683.30	3,219.96
Hemyock	1,111.97	1,297.30	1,482.63	1,667.96	2,038.62	2,409.28	2,779.93	3,335.92
Hittesleigh	1,079.38	1,259.28	1,439.18	1,619.08	1,978.88	2,338.67	2,698.46	3,238.16
Hockworthy(B Gate)	1,064.91	1,242.39	1,419.89	1,597.37	1,952.35	2,307.31	2,662.28	3,194.74
Holcombe Rogus	1,080.43	1,260.50	1,440.58	1,620.65	1,980.80	2,340.94	2,701.08	3,241.30
Huntsham(B Gate)	1,066.18	1,243.87	1,421.58	1,599.27	1,954.67	2,310.06	2,665.45	3,198.54
Kennerleigh	1,060.87	1,237.68	1,414.50	1,591.31	1,944.94	2,298.56	2,652.18	3,182.62
Kentisbeare	1,090.32	1,272.03	1,453.76	1,635.48	1,998.93	2,362.36	2,725.80	3,270.96
Lapford	1,076.78	1,256.25	1,435.72	1,615.18	1,974.11	2,333.04	2,691.96	3,230.36
Loxbeare	1,060.87	1,237.68	1,414.50	1,591.31	1,944.94	2,298.56	2,652.18	3,182.62
Morchard Bishop	1,071.48	1,250.05	1,428.64	1,607.22	1,964.39	2,321.54	2,678.70	3,214.44
Morebath	1,087.60	1,268.87	1,450.14	1,631.41	1,993.95	2,356.48	2,719.01	3,262.82
Newton St Cyres	1,083.09	1,263.60	1,444.13	1,624.64	1,985.68	2,346.70	2,707.73	3,249.28
Nymet Rowland	1,070.53	1,248.95	1,427.38	1,605.80	1,962.65	2,319.49	2,676.33	3,211.60
Oakford	1,073.00	1,251.83	1,430.67	1,609.50	1,967.17	2,324.83	2,682.50	3,219.00
Poughill	1,078.92	1,258.74	1,438.57	1,618.39	1,978.04	2,337.68	2,697.31	3,236.78
Puddington	1,067.77	1,245.73	1,423.70	1,601.66	1,957.59	2,313.51	2,669.43	3,203.32
Sampford Peverell	1,072.04	1,250.71	1,429.39	1,608.06	1,965.41	2,322.75	2,680.10	3,216.12
Sandford	1,075.18	1,254.38	1,433.58	1,612.78	1,971.18	2,329.57	2,687.96	3,225.56
Shobrooke	1,075.96	1,255.29	1,434.62	1,613.95	1,972.61	2,331.26	2,689.91	3,227.90
Silverton	1,077.32	1,256.87	1,436.43	1,615.98	1,975.09	2,334.19	2,693.30	3,231.96
Stockleigh English	1,060.87	1,237.68	1,414.50	1,591.31	1,944.94	2,298.56	2,652.18	3,182.62
Stockleigh Pomeroy	1,060.87	1,237.68	1,414.50	1,591.31	1,944.94	2,298.56	2,652.18	3,182.62
Stoodleigh	1,078.54	1,258.29	1,438.06	1,617.81	1,977.33	2,336.84	2,696.35	3,235.62
Templeton	1,078.30	1,258.01	1,437.74	1,617.45	1,976.89	2,336.32	2,695.75	3,234.90
Thelbridge	1,067.74	1,245.70	1,423.66	1,601.62	1,957.54	2,313.45	2,669.36	3,203.24
Thorverton	1,084.54	1,265.30	1,446.06	1,626.82	1,988.34	2,349.85	2,711.36	3,253.64
Tiverton	1,085.40	1,266.30	1,447.21	1,628.11	1,989.92	2,351.72	2,713.51	3,256.22
Uffculme	1,104.92	1,289.07	1,473.23	1,657.38	2,025.69	2,393.99	2,762.30	3,314.76
Upplowman	1,073.45	1,252.36	1,431.27	1,610.18	1,968.00	2,325.82	2,683.63	3,220.36
Upton Hellions	1,060.87	1,237.68	1,414.50	1,591.31	1,944.94	2,298.56	2,652.18	3,182.62
Washfield	1,066.90	1,244.72	1,422.54	1,600.36	1,956.00	2,311.63	2,667.26	3,200.72
Washford Pyne	1,068.44	1,246.51	1,424.59	1,602.66	1,958.81	2,314.95	2,671.10	3,205.32
Wembworthy	1,079.62	1,259.55	1,439.50	1,619.43	1,979.31	2,339.18	2,699.05	3,238.86
Willand	1,084.24	1,264.95	1,445.66	1,626.37	1,987.79	2,349.20	2,710.61	3,252.74
Woolfardisworthy	1,064.36	1,241.76	1,419.16	1,596.55	1,951.34	2,306.13	2,660.91	3,193.10
Zeal Monachorum	1,077.44	1,257.02	1,436.60	1,616.17	1,975.32	2,334.47	2,693.61	3,232.34

- 6.0 The Council has determined that its relevant basic amount of Council Tax for 2015/16 is not excessive in accordance with principles approved under section 52ZB Local Government Finance Act 1992.

As the billing authority has not been notified by a major precepting authority that its relevant basic amount of Council Tax for 2015/16 is excessive and therefore that the billing authority is not required to hold a referendum in accordance with section 52ZK Local Government Finance Act 1992.

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 19 January 2015 at 2.15 pm

Present

Councillors

Mrs J Roach (Chairman)
E J Berry, Mrs J Rendle, T W Snow,
Mrs M E Turner, A V G Griffiths,
Mrs S Griggs, T G Hughes, M R Lee and
P F Williams

Apology

Councillor

N A Way

Also Present

Councillors

R M Deed, Mrs L J Holloway, Mrs B M Hull, R L Stanley,
K D Wilson and Mrs N Woollatt

Also Present

Officers:

Kevin Finan (Chief Executive), Jonathan Guscott (Head of Planning and Regeneration), Andrew Jarrett (Head of Finance), Amy Tregellas (Head of Communities and Governance and Monitoring Officer), Christina Cross (Head of BIS), Liz Reeves (Head of Customer Services) and Julia Stuckey (Member Services Officer)

114 **APOLOGIES AND SUBSTITUTE MEMBERS**

Councillor P F Williams was in attendance as a substitute for Councillor N A Way.

115 **PUBLIC QUESTION TIME**

Referring to item 12 on the agenda Mr Dennis told the Committee that he recalled the Scrutiny function was introduced into Local Government as a safeguard, in effect to allow it to monitor and question as necessary the various Local Authority decisions. In particular to ensure that such decisions made were in the best interests of both the Council/associated agencies and the local community. Does that remain the case today?

The question related to the cost of the Councillor Wilson v MDDC court case. Not the reasons for it, not the outcome, purely the basic cost details of the court case to MDDC.

Figures seem to vary with no firm amount. The current figure which I understand is some £13K seems at odds with a figure which emerged during a Full Council meeting which took place around the end of 2013 when as I recall the CE stated, I think in answer to a question from the floor, a figure which again from memory, was significantly greater than the said £13K.

So what is the actual figure please?

Mr Dennis said that he appreciated the figures might not be to hand so a written detailed and meaningful clarification of the costs to this Council, and in effect, to the local community would be appreciated.

The Chairman replied that she felt that the Scrutiny function at Mid Devon was not working as well as it should but that it was improving.

The Head of Finance confirmed the figure of £13K, which had been quoted.

116 MEMBER FORUM

No issues were raised.

117 MINUTES OF THE PREVIOUS MEETING

Following the addition of the word 'strong' to minute 106, referring to the letter to be sent by the Chairman, the minutes were agreed as a true record and signed.

118 DECISIONS OF THE CABINET

The Chairman explained that she had tried to call in a decision of the Cabinet, made at their meeting held on 8th January 2015 but that her request had been refused by the Monitoring Officer.

The Chairman explained that the Cabinet had referred the recommendations of a Working Group back to the Head of Housing for further review. She had been informed that because the only decision made had been to not make a decision, there was no need for this to go on the decision list and because it had not been on the decision list it could not be called in.

The Chairman informed the Committee that she intended to take this matter further.

119 CHAIRMAN'S ANNOUNCEMENTS (00:12:55)

The Chairman informed the Committee that Devon County Care Homes was on the agenda for noting but it was AGREED that this matter be discussed at agenda item 13.

The Chairman introduced Geraldine Daly from Grant Thornton and explained that she was there to observe the meeting.

120 HARLEQUIN VALET

The Head of Planning and Regeneration outlined the report which had been requested by Scrutiny following their consideration of the Independent Review Report on 10 November 2014. The Scrutiny Committee had requested this report address the time-line and any gaps within it, and also wished to see recommendations developed from the section entitled 'summary and points for consideration'.

The Officer confirmed that there were no additions to make to the time line in the original report. The last formal written communication from the Council's Building Control department prior in respect of the dangerous structure was in December 2011 when the owner was requested to take action to secure the safety of the render and cob at first floor level. Action was taken by the owner boarding the wall at that time and it was considered the minimum works necessary had been carried out to remove the danger at that time. Contact between the owners agents and the Planning Department were maintained during the processing of the various planning applications between the time of the fire and the wall collapse and reference was made to the involvement of Building Control Officers in those considerations. This history was fully set out in the earlier report.

Discussion took place regarding:

- The number of dangerous buildings reported;
- The need for a Structural Engineer to inspect dangerous buildings;
- Financial implications to the Council;
- The Council having the power to deal with dangerous structures but no obligation to do so;
- Responsibility to make the building safe lies with the owner and the need to make the public aware of this;
- A further dangerous building had been identified in Cullompton at the weekend;
- This building was being monitored to ensure public safety;
- The need to keep the public informed at all times, by press releases, News Centre and the website;
- The need to keep Ward Members and Town and Parish Councils informed at all times.

The Head of Planning and Regeneration tabled a list of recommendations, which had been amended slightly from the report.

RECOMMENDED to Cabinet that:

- Following the initial assessment and any remedial action to make a dangerous structure safe, the structures shall (unless fully demolished or fully repaired) if instructed by the Council, be monitored every two months (employing a structural Engineer where necessary) to ensure any further decay is identified as early as possible. A detailed record of those inspections and any actions requested to be kept.
- Ward Members, the Media, the website and Town and Parish Councils to be notified following inspections of the findings and any proposed action, ensuring maximum publicity.
- A leaflet to be published on the Council's website identifying the powers the Council has with regard to dangerous structures and the actions the Council may pursue where public safety is being put at risk where no action is taken by the owner. The proposed policies are set out below.

- Information should also be displayed on the Council's website, of the risks that poorly maintained cob structures can create and owner responsibility regarding dangerous structures.
- Delegated authority be given to Building Control officers to take action under Section 77 and 78 of the Building Act, as deemed necessary, and that expenditure incurred in those cases be agreed by the Cabinet Member for Planning and the Head of Finance as an expenditure outside of set budgets on a case by case basis. (The Council will always seek to recover its costs in such circumstances but recovery cannot be guaranteed).
- When proposals for enforcement action are taken to Planning Committee regarding dangerous structures the report to include a risk assessment on the building.
- The Council will set out the following policies (subject to Cabinet and Council approval) on its website for dealing with dangerous structures as follows:-
 - a. In an **EMERGENCY** situation the Council shall, if reasonably practical to do so give notice to the owner of their intention to take action. The Council will employ a contractor to do the minimum amount of work necessary to remove the danger. The owner, if not previously informed, will later be notified of the action and the fact that he/she is liable for the Council's full costs.
 - b. Where a dangerous structure is identified **BUT IS NOT AN EMERGENCY**, the Council will attempt to obtain a verbal commitment from the owner to remove the danger immediately. If not achieved, formal notice will be sought and served on the owner via the Magistrates Court under section 77 of the Building Act, requiring that the danger is removed. If the owner fails to comply, the Council will employ a contractor to do the minimum amount of work necessary to remove the danger.

(Proposed by Cllr T W Snow and seconded by Cllr P F Williams)

Note: - Report previously circulated and attached to minutes.

121 REORGANISATION AND REDUNDANCIES WITHIN THE COUNCIL (00:58:15)

The Chairman informed the Committee that she had placed this item on the agenda as she had wanted to ensure that correct procedure had been followed.

The Chief Executive reminded the Committee that there were continued cuts to budgets and that there was a need to work with less money. The budget for 2015/16 needed to be balanced and that he had worked with Heads of Service and Managers to find ways to save money and increase income. He had identified some redundancies and had consulted with the Leader, as per the Constitution, and had consulted with Human resources and the Union.

Those redundancies had taken place and the costs would be met within one year. The Chief Executive confirmed that there had been 4 redundancies and that these had been carried out in accordance with the Council's policy on the matter.

Redundancies were used as a last resort to balance the budget and were not estimated for each year.

The Head of Finance explained that the funds to pay for the redundancies had been taken from the reserves in the first instance. The organisation had been transparent and the savings were shown on the last budget statement. The effect of this could clearly be seen on the budget and if the redundancies had not been made the budget gap would be considerably higher.

One of the posts made redundant had strong connections to the Local Plan and the Chief Executive explained that it may be necessary for this Officer to return to the Authority at a later date as a consultant. However, the Local Government Pension Scheme would only allow Officers to earn in total no greater amount than they had been earning when in post. The Officer would be in post until 31 March 2015.

The Chairman reiterated that she was not happy that funds had been taken from the reserves without approval other than from the Chief Executive, Leader and Head of Finance. She stated her view that this was a budget issue which should have to be approved by Members. The decision was not in the Forward Plan nor shown as an Officer decision.

The Head of Finance confirmed that the Constitution allowed for the Chief Executive to make decisions such as this in consultation with the Leader. He had put in place a higher level of General Fund to allow for situations like this or a local disaster. There had been no intention to hide anything from Members, staffing levels were identified in the budget report on this agenda and Financial Monitoring went to all Policy Development Groups. Financial Regulations were approved by the Audit Committee.

Discussion took place regarding:

- The need to circulate a structure chart;
- Flexible Retirement;
- The need to make savings.

It was **RECOMMENDED** to the Cabinet Committee that:

The Chairman of the Scrutiny Committee be consulted, along with the Leader, when the Chief Executive uses reserves to make payments for redundancies.

(Proposed by Cllr T W Snow and seconded by Mrs M E Turner)

122 **DRAFT BUDGET REVIEW FOR 2015-16 (01:52:50)**

The Committee had before it a Budget Report 2015/16 from the Head of Finance for consideration, prior to its final recommendation by the Cabinet.

Discussion took place regarding:

- Pension Back Funding – this was an amount that was being paid in order to reduce the pension deficit over a number of years;
- Pool Cars – these were 18 months old and were being leased over a 4 year period. They were used by staff for journeys as an alternative to paying an

amount per mile for driving their own vehicles. This was considerably cheaper and the cars were well utilised;

- The Fraud Team would be transferred to the Department for Works and Pensions in May;
- Numbers of staff employed was identified within the report;
- The Citizens Panel might be undertaken electronically in the future therefore making savings on postage and printing;
- Consideration was being given to charging for parking in Amenity Car Parks;
- Some investment had been made to the Multi-Storey Car Park to improve resurfacing and sealing. There had been a proposal for development on the car park which was being investigated;
- Improvements to the Pannier Market may be part of a larger investment in the town centre;
- Future investment in Sheltered Housing projects;
- Housing rent increases;
- Housing stock being lost due to the Right to Buy Scheme.

The Committee expressed their thanks to the Head of Finance and his team for producing this budget report.

It was **RECOMMENDED** to Cabinet:

That the draft budget for 2015/16 be approved.

(Proposed by P F Williams and seconded by T G Hughes)

Notes: -
i) Report previously circulated and attached to minutes.
ii) Mrs J Rendle and Cllrs P F Williams declared Personal Interests as they are involved with Sheltered Housing.

123 **PROCUREMENT WORKING GROUP (02:27:26)**

The Committee had before it and **NOTED*** a report from the Procurement Working group.

The Head of Finance explained that at a meeting of the Scrutiny Committee on 14th April 2014 it had been agreed to form a small Member Working Group to assess the Councils financial arrangements in relation to securing value for money, in particular in relation to Procurement and Accounts Payable service areas.

The Officer explained that the Group had met with the Procurement Manager, a Procurement Officer from Devon County Council and the Head of Business Information Systems.

The Group considered that they had seen an overall picture of procurement in Devon and were satisfied that the service was well run. There was concern regarding the amount of money spent on IT but the Group were satisfied that work was ongoing to reduce the cost of licences by joint working with other authorities.

Councillor Snow asked that his name be removed from the Working Group as he had not seen a 'paper trail' of evidence to show that the work was being done. The Head

of Finance explained that, unless the company being dealt with was unable to do so, all transactions were completed electronically.

Note: - Report previously circulated and attached to minutes.

124 CABINET MEMBER FOR WORKING ENVIRONMENT AND SUPPORT SERVICES (02:38:36)

At the request of the Chairman the Cabinet Member for the Working Environment and Support Services had submitted a report updating the Committee on the work of the IT Service.

Discussion took place regarding:

The new Payment Kiosk – the Head of Customer First explained that it had been well received so far and that if anyone was anxious about using it there would be a member of staff available to assist them. The public could still pay by cash but could avoid waiting to be dealt with by a cashier.

Electronic payslips had been introduced for staff and Members expenses would be changed to electronic claims in the near future.

The Head of Business Information Services explained procedures that were in place for disaster recovery. She informed the Committee that there was a contract in place which would allow for relocation and for systems to be set up. The backup location would be in Bristol but staff would be able to work remotely.

An Emergency Planning and Business Continuity plan was in place.

Note: - Report previously circulated and attached to minutes.

125 COUNCILLOR D F PUGSLEY HAD REQUESTED THAT THE FOLLOWING BE DISCUSSED BY THE COMMITTEE; (02:50:20)

Proceedings against Councillor Wilson. (We can all remember the very unpleasant atmosphere in the Council after the Court decision in February.) It is time now to have a calm post mortem to see what lessons can be learnt for the future.

Councillor Pugsley requested confirmation of the costs incurred. He stated that a recent Magistrates case had resulted in costs of £13K and he considered it unlikely that a similar case being heard at the Crown Court would incur the same costs. He also asked if the Committee considered spending £13K on costs but only recovering £240.00 was the best way to do things. Councillor Pugsley queried whether this sort of matter would best be left to the Police to deal with.

The Chief Executive suggested that it would be more appropriate for the Committee to discuss this matter, having been provided with all of the available information.

It was **AGREED** to defer this matter to the next meeting of the Scrutiny Committee, for which the Chief Executive would prepare a report.

126 UPDATES AND ITEMS TO NOTE REGARDING OUTSTANDING ITEMS (03:07:33)

The Chairman informed the Committee that she had received a letter from Councillor Barker of Devon County Council in which he stated that he would not be attending a meeting of this Committee. Councillor Barker had previously said that he was willing to attend but had since changed his mind.

With regard to a letter that had been sent to the local MP's, Councillor Barker and the local Clinical Commissioning Group regarding working together to prevent bed blocking the Chairman informed the Committee that she had received two responses:

- Councillor Barker had responded to say that he did not consider there to be a problem;
- The CCG responded to say that they had been looking into this matter and they offered to attend the next meeting of this Committee to discuss recent issues and bed blocking;
- Neither of the local MP's had responded.

It was **AGREED** to leave this matter.

127 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

Cabinet Member for Housing
Market Update
The Cost of the Prosecution of Cllr Wilson
Clinical Commissioning Group

(The meeting ended at 5.34 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **AUDIT COMMITTEE** held on 27 January 2015 at 6.00 pm

Present

Councillors: R Evans (Chairman)
M D Binks, R M Deed and F R Rosamond
(Vice Chairman)

Apology

Councillor: R Wright

Also Present

Councillor: P H D Hare-Scott

Also Present

Officers: Andrew Jarrett (Head of Finance), Amy Tregellas (Head of Communities and Governance and Monitoring Officer), Catherine Yandle (Internal Audit Team Leader) and Sarah Lees (Member Services Officer)

Also in

attendance: S Johnson (Grant Thornton)

63. **PUBLIC QUESTION TIME**

There were no members of the public present at the meeting.

64. **MINUTES OF THE PREVIOUS MEETING**

The Minutes of the Special Meeting held on 10 December 2014 were approved as a correct record and **SIGNED** by the Chairman.

65. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had no announcements to make.

66. **WASTE PERFORMANCE - 2014/15 (00:02:05)**

The Committee had before it, and **NOTED**, a report from the Head of Finance updating them on Waste performance during 2014/15.

At the meeting on 23 September 2014 the Committee had requested that more information be provided to them on route optimisation and missed collections. The Head of Finance summarised the rationale behind the route optimisation scheme and the proposed new Waste and Recycling scheme. When the budget for Waste was set for 2014/15, it had included circa £65k of savings that were estimated to be delivered once the new routes were implemented from the findings of the new route optimisation. These savings were based on the removal of 4 rural rounds and related to savings on vehicle mileage repairs, maintenance and labour. It was established

fairly soon after removing these rounds that this was not going to be operationally practical and soon after the new changes had been implemented, the rounds had to be re-commenced and hence the Council had not been able to deliver this estimated saving.

Discussion took place regarding:

- The negative effect on the Council's reputation due to missed collections in 2014 and a perceived loss of faith in the Council's waste service at that time;
- The lessons that could be learned for the future, for example, not just relying on software tools but also talking to the waste operatives themselves who had the knowledge 'on the ground'.

67. PROGRESS UPDATE ON THE ANNUAL GOVERNANCE STATEMENT ACTION PLAN (00:14:01)

The Committee had before it, and **NOTED**, a report * from the Head of Communities and Governance providing them with an update on progress made against the 2013/14 Annual Governance Statement Action Plan.

Discussion took place regarding:

- Performance Management guidance would be brought to the Audit Committee meeting on 24 March 2015.
- The Emergency Plan was currently being rewritten.
- The Council needed to be better at succession planning.
- A report from the Constitution Working Group presenting the amendments needed to the Constitution for the new Council would be presented to full Council on 29 April 2015.
- New Member training had already been booked for the induction programme commencing after the election.

68. INDEPENDENT REVIEW OF INTERNAL AUDIT AGAINST THE PUBLIC SECTOR INTERNAL AUDIT STANDARDS (PSIAS) (00:20:56)

The Committee had before it a report * from the Head of Communities and Governance (HoCG) providing them with details of the independent review undertaken which assessed the Internal Audit Service against the criteria in Public Sector Audit Standards (PSIAS).

The consultant had given a very good opinion on the Internal Audit Service, however, discussion took place regarding a few areas of concern which had been highlighted within the independent report:

- IT Auditing – the Committee were informed that the Internal Audit Team Leader was looking at an alternative training module and would progress this shortly.
- It was confirmed that risk assessments were carried out against all audits it was just that they had not been reported within the Audit Plan.
- Whilst the Internal Audit team managed and oversaw the SPAR performance management software, they did not directly input data into the system

themselves, this was the responsibility of service managers. Therefore this was considered a minor risk and this was echoed by the external auditor.

RESOLVED that the contents of the external consultant's report in respect of the review of Internal Audit against the Public Sector Internal Audit Standards be endorsed.

(Proposed by the Chairman)

69. **INTERNAL AUDIT PROGRESS REPORT (00:36:00)**

The Committee had before it, and **NOTED**, a report from the Internal Audit Team Leader updating them on the work performed by Internal Audit for the 2014/15 financial year. The Committee were informed that all core audits would be completed by 31 March 2015.

Discussion took place regarding each of the Internal Audit reports Committee Members had received since the last meeting:

Car Park income

It was confirmed that the Council only collected the income for the Tiverton Hospital site, it did not retain this income.

There was a mis-match between the actual cost for an annual long stay car park permit and the decision of the Cabinet Working Group compared with the information given on the website. This needed to be corrected as soon as possible.

VAT

There had been a mistake in the calculation of Input VAT in the leisure area for 2011/12. The recommendation, which had been agreed by the Head of Finance, was that VAT calculations be checked by a qualified accountant before submission to HMRC in future.

Time Recording

- Not all Council employees could use the Wintime system. For example, repairs and maintenance officers and waste operatives worked under job and finish arrangements;
- The Head of Communities and Governance informed the Committee that where an officer failed to clock out for lunch they were deducted 1 hour from their flexitime, this had the effect of ensuring officers record their time over the lunchtime period correctly. Also as well as receiving monthly reports, managers could also access the system at any time to see what times were being recorded against their members of staff;
- Some managers had not been receiving anomaly reports, this had now been corrected. In addition, after the Wintime upgrade, it would be up to managers to approve time reconciliations not Customer First.
- With the reduction in staff resource and the need on occasion for officers to work longer hours it might be possible in the future for officers to convert any flexitime over the existing limits to be converted into TOIL.

- The Council had to comply with government imposed changes to employment legislation, this was not optional.
- Flexitime could be a benefit to the business, for example, evening meetings.
- If Members had a problem getting through to speak to an officer then they needed to bring it to the attention of the Head of Service.

Discussion also took place regarding the outstanding high priority recommendations within the Audit Team Leader's report particularly in the area of Procurement. Concern was expressed that the post of Corporate Procurement Manager was not being back filled whilst the current post holder was on maternity leave. The Head of Finance had felt that the cost of filling this post temporarily could not be justified given the budget situation and he had felt that adequate arrangements existed to procure goods and services to cover this period before her return.

It was **AGREED** that a report be brought back to the Committee setting out the background and implications of flexible working arrangements.

70. **INTERNAL AUDIT REPORTS (01:18:00)**

Discussion regarding Internal Audit Reports had taken place under the previous item.

71. **DRAFT STRATEGIC AUDIT PLAN FOR 2015/16 (01:18:48)**

The Committee had before it, and **NOTED**, a report * from the Internal Audit Team Leader presenting the Draft Strategic Audit Plan for 2015/16.

Discussion took place regarding the figure stated as the income for markets and whether this included an additional £50k recently identified as needing to be found. It was confirmed that the figure stated as £150k did not include this additional £50k.

72. **PERFORMANCE AND RISK FOR THE FIRST TWO QUARTERS OF 2014-15 (01:22:35)**

The Committee had before it, and **NOTED**, a report * from the Head of Communities and Governance providing it with an update on performance against the Corporate Plan and local service targets for 2014/15 as well.

Discussion took place regarding:

- The Council being in a better position to know whether it could meet the target of 20% for dry recycling once the results of the Waste and Recycling trial were known.
- It was confirmed that under the indicators for Decent and Affordable Homes, 'unlettable' days meant 'voids'.

The following position as at the end of quarter three was provided with regard to empty shops:

- 15 shops in Tiverton were empty which out of 244 represented 6.15%
- 10 shops in Crediton were empty which out of 118 represented 8.47%
- 15 shops in Cullompton were empty which out of 94 represented 15.96%

73. CERTIFICATION REPORT 2013/14 (01:33:59)

The Committee had before it, and **NOTED**, a report from the Council's external auditors, Grant Thornton, summarising their overall assessment of the Council's management arrangements in respect of the certification process and which drew attention to significant matters in relation to individual claims. It was confirmed that all claims had been submitted on time, there had only been one small error which had been easily amended.

74. EXTERNAL AUDIT UPDATE (01:36:33)

The Committee had before it, and **NOTED**, a report from Grant Thornton providing an update on progress in delivering their responsibilities as the Council's external auditors.

Discussion took place regarding what control Members had over reserves being used to fund potential future redundancies. The Head of Finance explained that monthly monitoring reports to the Cabinet reflected the position with reserves and there would always be an opportunity for Members to comment and decide upon how these were used well in advance of any action taking place.

75. PROTECTING THE PUBLIC PURSE - FRAUD BRIEFING 2014 (01:45:40)

Grant Thornton provided the Committee with a presentation entitled 'Protecting the Public Purse – Fraud Briefing 2014'. The Committee were shown graphs depicting how Mid Devon District Council compared with their comparator group in relation to detected fraud cases in areas such as housing benefit, council tax, social housing and right to buy. No concerns were raised amongst the Committee members.

(The meeting ended at 8.00 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the MANAGING THE ENVIRONMENT POLICY DEVELOPMENT GROUP held on 13 January 2015 at 2.00 pm

Present Councillors

D R Coren (Vice Chairman),
Mrs D L Brandon, J D Squire,
Mrs M E Squires and Mrs N Woollatt

Apologies Councillors

M A Lucas and J M Downes

Also Present Councillors

N V Davey, R F Radford, R L Stanley and K D Wilson

Also Present Officers:

Adrian Cook (Open Spaces Manager), Andrew Jarrett (Head of Finance), Nick Sanderson (Head of Housing and Property Services), Julia Stuckey (Member Services Officer) and Stuart Noyce (Waste and Transport Manager)

42 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllrs J M Downes and M A Lucas (Chairman). In the absence of the Chairman the Vice Chairman, Cllr D R Coren, took the Chair.

43 PUBLIC QUESTION TIME

Referring to item 5 on the agenda Mr Grantham said that this Committee has before it a very comprehensive report by consultants which, if recommended in its present form, can have far reaching effects on local communities in relation to future planning decisions. Are Members aware that there is a part 2 to the report which is not attached to your report, has not been published to date and contains a number of area profiles?

Your Officer kindly supplied the Willand area profile when asked for it but are you aware that the key maps are not very clear and contain errors of designation which lead to misleading information in the main report?

Are members satisfied that such an important decision can be made from a report where the authors do not appear to have visited and inspected the locations?

Referring to item 5 on the agenda Mr Ursell asked are Members aware that the report before you indicates that Willand has sufficient supply of allotment space? The Parish Council administer those allotments on behalf of the landowners, a local charity. They are all allocated and there is a waiting list. Which is to be believed those who operate it or the authors of the report who have not visited the site?

A further example is that it is stated that there are two sites for teenage facilities but only one can be seen on the map supplied. The Parish Council recognise this area as a mound of grass and weed covered earth which was constructed for BMX use. Can members define 'teenage facilities' please?

Are members aware that three of the ten play areas are being considered for removal?

Referring to agenda item 5 Mr Warren said that currently there is a survey being conducted into play area provision and Parish and Town councils are being asked to consider taking over control of some or all of the play areas within the Parish and the removal of some. The outcome of this will affect the report before you. Is there any process in place to have some 'joined up' thinking and decision making on this, as it will affect the planning process?

Is it the right time of year to be asking us to monitor the use of play areas with the dark evenings and adverse weather?

If the Parish take over control and spend Parish money on maintaining the play areas will the ownership of the land pass to the Parish in order that they may have security of tenure to retain the site as a play area or public open space for the future?

Willand Parish Council has offered to take over a large open space from MDDC in the centre of the village in order that it may be properly maintained, as MDDC have not done so, as publicised in the local press. The offer was discussed by MDDC and a decision made but we were not advised of the outcome until the matter was pursued by one of our District Councillors. We have been denied sight of the minutes where a decision was made and we have been told that it would be transferred to the Parish if we supported MDDC selling off part of the land for market housing. Do Members consider this stance likely to encourage Parishes or Towns to take over the maintenance of sites? Is this a sensible decision when the report before you shows that Willand has a considerable shortfall of some open public space?

Finally one of the sites recommended for removal at Willand is well used and has had some items of equipment removed from it. The rest has been repaired and painted to the extent that some thought it had new equipment. This is the nearest play area and open space to a recommended new development under the currently discussed local plan. Do the two departments consult on such issues?

The Chairman indicated that the answers to the questions raised would be provided at the appropriate agenda item.

44 MINUTES OF THE PREVIOUS MEETING

The minutes of the last meeting were approved as a correct record and signed by the Chairman.

45 CHAIRMAN'S ANNOUNCEMENTS

The Chairman hoped that Councillor Lucas would have a speedy recovery and sent his best wishes.

46 OPEN SPACE AND PLAY AREA STRATEGY (00.09.38)

The Committee had before it a report* from the Head of Housing and Property Services regarding the revised Open Space and Play Area Strategy which had been amended to meet the National Planning Policy Framework.

The Open Spaces Manager explained that the Council, through its Planning Department had to produce an Open Spaces and Play Area Strategy as part of its Local Plan; this strategy covered the period up to 2033, consistent with the Local Plan review (2013-2033).

The Strategy encompassed all open space and play area provision throughout Mid Devon. It needed to be evidence based and be able to stand up to scrutiny when challenged.

Ethos Environmental Planning, a company specialising in this field were awarded the contract to produce the plan in conjunction with Officers from Planning and Environmental Services.

As this PDG made recommendations regarding how the council's play area stock was managed, it was important that members were aware of the revised standards set for the provision of open spaces.

The Officer went on to explain that a further project, to identify play areas that could be passed into the care of Parish Councils was also being looked into and that this would be an agenda item at a future meeting of this Group.

Discussion took place regarding:

- The cost of commissioning the report;
- The accuracy of the data within the report;
- Consultation that had taken place, who with and the number of responses;
- The need for ongoing updating of the database.

In answer to questions asked during public question time the Open Spaces Manager informed the Group that:

- Part two of the report contained area profiles. This included maps and was a large document. It had not been possible to issue this with the agenda, but it would be available shortly on the internet in order that it could be accessed by all. It was advisable to view this on the internet as maps could be enlarged and therefore more clearly seen. Any errors could be identified here and fed back for amendment.
- With regard to the allotments in Willand the Officer did not think that this information had been fed back from the Parish Council.
- The Officer agreed that it was very difficult to define what facilities should be provided for teenagers and discussion took place regarding the difficulties that other Parishes had experienced with teenagers, despite having provided appropriate facilities.

- The Open Spaces Manager confirmed that where this report had identified over provision there would need to be future discussion.
- The Head of Housing and Property Services responded, with regard to the question about selling land in Willand for housing, that the area was being looked at for potential housing but that this was only in the very early stages. The Council was obliged to make best use of its assets and that was why this was being considered. No decision had been made but at some time in the future an Officer recommendation may be put to Members. He confirmed that there had been no intention to withhold information from the Parish Council and that a meeting could be arranged. The removal of this play area would not necessarily affect the overall provision for Willand as further provision may be provided with investment in other areas.
- With regard to whether or not the services consult each other, the Officer explained that this strategy had been consulted on by Planning, Grounds Maintenance and Open Spaces.

Further discussion took place regarding Parish Councils and the need for them to respond fully to requests for feedback and consultation. All Parish Councils had been consulted regarding this strategy but not all had responded and some had given little feedback in their response.

It was **RECOMMENDED** that the Cabinet adopt the Open Spaces and Play Area Policy, subject to part 2 of the document (area profiles) being made available to Parish Councils and Ward Members for ratification.

(Proposed by Cllr Mrs N Woollatt and seconded by Cllr Mrs M E Squires)

Note: Report previously circulated and attached to minutes.

47 **FIXED PENALTY NOTICES (01.15.00)**

The Head of Finance updated the Group on the number and type of Fixed Penalty Notices (FPN's) that had been issued in the last 12 months.

From April 2014 to the end of November 2014 14 Fixed Penalty Notices had been issued, as below:

3 Dog Fouling
1 Smoking in a public place
10 Littering

Of these FPN's 10 had been paid.

This was a similar level of activity to the previous year.

48 **BUDGET UPDATE (01.23.02)**

The Group had before it a report* from the Head of Finance requesting that Members consider options available in order for the Council to move towards a balanced budget for 2015/16.

The Officer explained that the formal confirmation of the Formula Grant settlement had been received prior to Christmas, which had been £83k more than expected; therefore the budget gap was now projected to be £99k.

He went on to explain that costs and income stream from the new waste scheme were difficult to predict. The figure of £50 per household for garden waste collection had been used, for the purposes of budget setting but this was subject to change. The garden waste scheme would be priced 'at cost'. It had been estimated that there would be a 1/3 take up of the scheme. The trial that would be taking place in February would give further indications on the volume of materials likely to be collected.

Development Control fees had been revised due to increased volume.

The Feed in tariff was performing well.

Note:- Report previously circulated and attached to the minutes.

49 **PRIVATE WATER SUPPLIES (01.34.00)**

The Public Health Manager updated the Group on Private Water Supplies within the District

The Officer explained that a private water supply was any supply of water that had not come from the public supply. Mid Devon had a large number of private water supplies due to the rural nature of the area and the type of land.

New legislation introduced in 2010 meant that Local Authorities were obliged to risk assess and test private water supplies that had previously been largely unregulated. This requirement was only on those supplies that provided more than 10 cubic meters per day or commercial supplies (Regulation 9 supplies) and smaller supplies serving more than one property (Regulation 10 supplies).

Regulation 9 supplies had to be risk assessed once every 5 years and sampled annually. For regulation 10 supplies the risk assessment frequency was also 5 yearly however sampling was only required once every 5 years.

Single domestic property supplies did not have to be assessed or tested, but if a test was requested the authority was obliged to do so. This was typically requested when properties with a private supply were sold or a new supply was commissioned.

A charge could be made for risk assessing and testing but the amount was capped by the Government. Some risk assessments could be complex, taking up to two days to complete including site visits and sampling to assess multiple boreholes, storage facilities, pump houses, treatment facilities and supply points across a wide geographical area (e.g. large rural estates or manufacturers). All work had to be done to strict Drinking Water Inspectorate (DWI) requirements.

There were currently almost 100 Regulation 9 supplies and 164 Regulation 10 supplies in Mid Devon.

Water supplies tended to be bore holes or springs in fields so water could be contaminated by animals, land spreading or even human sewage. Ineffective treatment and poor pipework could also cause chemical and biological problems leading to a potentially huge health impact on anyone using and consuming the supply for drinking, cleaning or food production purposes for example.

The Council had powers within the new legislation to require improvements to supplies that failed to meet standards where the owner of the supply was not co-operative.

The DWI had recommended that Local Authorities focus on completing risk assessments/tests on all Regulation 9 supplies by the end of 2014. 87% of those had been completed with the remainder scheduled to be completed by the end of March 2015.

The Officer considered therefore that the Authority was performing well and had achieved an income of £19.5K to date this financial year, more than its £18K target. There was a dedicated Officer who spent most of their time working on this.

50 WASTE AND RECYCLING SCHEME (01.48.25)

The Waste and Transport Manager updated Members on the proposed trial for the new waste and recycling scheme, new vehicles, missed collections and the new depot.

The Officer confirmed that the new depot was still performing well, and there would be further improvement with the introduction of the new vehicles. Some minor changes would be needed to accommodate the materials from the new scheme but the changes would not be required for the trial.

Five new vehicles for urban use had been delivered and five new vehicles for rural use were expected within the next few days. Staff would receive training before the vehicles were put into use.

The trial for the new scheme had been put in place. A roadshow event had been arranged for Tuesday 27th January at the Moorhayes centre, Tiverton and leaflets had been prepared. Containers had arrived and would be delivered at the appropriate time along with the explanatory leaflet.

The urban area selected for the trial was within Tiverton and the rural area just on the outskirts of Tiverton. These areas had been selected for their proximity to the town as this would make it easier to monitor and cheaper to operate.

A Member Briefing would be held on Thursday 15th January at 5.30pm in the Exe Room for all Members.

It was possible that the collection of mixed plastics and cardboard with the dry recycling could be implemented prior to October. This would generate income, utilise

the vehicles and provide a service that the public want. Discussion took place regarding the types of cardboard and plastic that would be collected and the various means of collecting them.

The Officer explained that the trial would be beneficial in providing information regarding how much plastic and card could be expected when the scheme was fully implemented and the volume of food waste. However, it was unlikely that the trial would provide any indication on the take up of garden waste collection as no charge would be made during the trial and February would not generate large amounts of garden waste.

The Officer provided statistics regarding missed collections, which showed that performance was within target.

	Refuse & Recycling Missed Collections 2014/15											
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Refuse and Composting Number of missed	363	196	631	171	97	84	57	44	39			
Kerbside Recycling Number of missed	284	191	244	127	79	51.0000	35	25	20			
	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar
Refuse and Composting % of missed	0.242	0.131	0.420	0.114	0.065	0.056	0.038	0.029	0.026	0.000	0.000	0.000
Kerbside Recycling % of missed	0.378	0.254	0.325	0.169	0.105	0.068	0.047	0.033	0.027			
Target	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3	0.3

51 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING

Items for the next meeting on 10 March 2015:

Chairman's Annual Report
Waste/Planning re communal bin stores
Contaminated Land Policy
Play Area Update
Public Conveniences Update
Performance and Risk
Financial Monitoring
Car Parking Working Group update

(The meeting ended at 4.30 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the DECENT AND AFFORDABLE HOMES POLICY DEVELOPMENT GROUP held on 20 January 2015 at 2.15 pm

Present

Councillors

P J Heal (Chairman)
Mrs E M Andrews, W J Daw (Vice Chairman), D J Knowles,
R F Radford, Mrs J Rendle and R Wright

Also Present

Councillors

R L Stanley and K D Wilson

Present

Officers:

Nick Sanderson (Head of Housing and Property Services),
Roderick Hewson (Principal Accountant), Helen Carty (Housing
Policy Officer) and Sarah Lees (Member Services Officer)

Member	Minute No	Type of Interest
Cllr Mrs E M Andrews	47	Personal

42 APOLOGIES AND SUBSTITUTE MEMBERS

There were no apologies for absence.

43 PUBLIC QUESTION TIME

There were no members of the public present.

44 MINUTES

The Minutes of the Meeting held on 25 November 2014 were approved as an accurate record and **SIGNED** by the Chairman.

45 CHAIRMAN'S ANNOUNCEMENTS (00:01:31)

The Chairman updated the Group on the recent Cabinet decision in relation to the Devon Home Choice Working Group report which was presented to them with the Group's recommendations on 8 January 2015.

The Cabinet had considered that the recommendations were phrased more as questions rather than strong recommendations needing a decision from them. They had therefore resolved to refer the matter back to the Head of Housing and Property Services to consider the matter further. A meeting was scheduled to take place

between the Head of Housing and Property Services and the Working Group on 11th February. The Chairman confirmed that the Working Group's conclusions would remain the same but that the recommendations would be brought forward again having been more constructively reworded.

46 **GENERAL FUND BUDGET 2015/16 - UPDATE (00:03:53)**

The Group had before it, and **NOTED**, * a report from the Head of Finance considering the options available in order for the Council to move towards a balanced budget for 2015/16. Since the last meeting the Council had received formal confirmation of its Formula Grant Settlement for 2015/16 which was £83K better than anticipated. However, there had been no provisional notification for 2016/17 making financial planning very difficult. The Council Tax freeze grant offered for 2015/16 was 1% which if accepted by Council would increase the budget gap by £25K. The referendum limit for 2015/16 had been agreed at 2%.

The budget gap for 2015/16 had reduced since the last meeting from £650K to £99K. This was principally due to predicted savings in the new Waste and Recycling Scheme, an increase in Development Control fees and a Revenue Contribution to Capital reduction.

Discussion took place regarding the possibility of further savings in relation to waste as a result of future reductions in diesel costs. It was predicted that the majority of savings in relation to running this service area would be due to charging for the collection of garden waste. More accurate data would be presented to Members once the results of the trial were known.

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

47 **HRA BUDGET 2015/16 (00:17:43)**

The Group had before it * a report from the Head of Finance and the Head of Housing and Property Services providing an estimate of the budget required for the operation of the Housing Revenue Account (HRA) in 2015/16. It included a proposal on the rent increase and a schedule of other fees and charges.

The Principal Accountant explained to the Group how the proposed increases in rent worked out across all of the Council's properties and explained that the target was to converge all rents with the Formula Rent as soon as possible. For the vast majority of tenants there would be a 3.4% increase in order to bring them in line with Formula Rent. There were no proposed increases in community alarm charges, however, a 2.3% increase was proposed for garage rents and a £20 increase in garage ground rents.

Discussion took place regarding:

- The restrictions in place to prevent local authorities from imposing huge rent increases where they were currently lagging behind Formula Rent.
- Charging for parking on sites previously occupied by garages would need to be looked at on a case by case basis since some housing estates had wide roads and opportunities to park on the roadside were numerous whereas other sites provided less opportunities.

- The proposed increase of 25p per week to rent a garage was not thought to be beneficial given that many garages were proving difficult to rent out.

RECOMMENDED to the Cabinet that:

- a) The HRA budget proposals within the report be approved.
- b) The property rent increases within the report be approved, that garage ground rents be increased by £35 per year but that there be no increase in garage rents.
- c) Investigations be made into the feasibility of creating a Special Purpose Vehicle for further development opportunities.

(Proposed by the Chairman)

Notes: (i) *Report previously circulated; copy attached to the signed minutes;

(ii) Cllr Mrs Eileen Andrews declared a personal interest as she was a Council tenant.

48 **PROPOSED REVIEW OF TENANCY AGREEMENTS (00:36:17)**

The Group had before it, and **NOTED**, a report * from the Housing Services Manager informing Members about the proposed review of tenancy agreements used by Housing Services when letting Council homes. This included a timetable of the tasks needed to be completed and a proposed action plan. Introductory and secure tenancy agreements were reviewed late in 2009/early 2010. Since that time, flexible tenancies (2 and 5 year terms) had been introduced and this had now created an opportunity to revisit the existing conditions of tenancy and amend them where appropriate to be in line with statutory requirements and good practice.

Discussion took place regarding any future clauses in relation to offensive weapons, these needed to be fair and mindful of the fact that some Tenants may need them in order to carry out their employment, for example, a tenant owning a gun to assist a farmer with pest control. Licenses would be needed and the correct procedure for holding such weapons complied with. Such eventualities would need to be fairly dealt with by any new Tenancy Agreement.

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

49 **AFFORDABLE HOMES UPDATE (00:51:15)**

The Group received a verbal update from the Head of Housing and Property Services regarding the projected delivery of Affordable Housing between 31 March 2014 and 1 April 2015. 58 would properties would be delivered by the end of this financial year. The Corporate Plan target had been to deliver 80 but the Council were in the hands of the developers in delivering housing schemes. There had also been limitations on Section 106 monies and in the future smaller sites would not have to provide affordable housing.

A report would be brought to the next meeting of Group providing more information in relation to the social housing proposed at Birchen Lane, Palmeston park, Beech Road, Tiverton and Burlescombe.

50 SPECIAL PURPOSE VEHICLE (00:57:22)

The Group received a verbal update from the Principal Accountant. It was explained that this concept did not relate to an actual motorised vehicle but the potential for the Council to set up a separate company with its own financial accounts which could open up more opportunities, not be subject to so many limitations and have the ability to attract extra funding. Discussions were in the very early stage and all eventualities needed to be considered before moving forwards. All the implications would need to be understood in terms of set up and running costs. An informed decision would need to be made in consultation with all Members.

Mid Devon District Council Officers could be employed to carry out maintenance and repairs but this would be a chargeable cost against the Special Purpose Vehicle. Lettings would also be conducted through the current mechanisms but there would also be a charge against the company. However it was repeated that these considerations were in the very early stage.

51 IDENTIFICATION OF ITEMS FOR THE NEXT MEETING - 17 MARCH 2015 (01:10:58)

In addition to the items already listed in the work programme for the next meeting, the following items were requested to come to the next meeting:

- Chairman's Annual Report
- Changes to the Scheme of Delegation within the Constitution to allow the Head of Housing and Property Services to apply for funding to develop new homes
- Update on Affordable Homes development proposals

(The meeting ended at Time Not Specified)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a MEETING of the COMMUNITY WELL BEING POLICY DEVELOPMENT GROUP held on 27 January 2015 at 2.15 pm

Present

Councillors

Mrs H Bainbridge (Chairman)
Mrs S Griggs (Vice Chairman), M R Lee,
P F Williams, Mrs F J Colthorpe and
Mrs J Rendle (substituting for Cllr E J Berry)

Apologies

Councillors

E J Berry

Also Present

Councillors

C J Eginton, F R Rosamond and C R Slade

Also Present

Officers:

Andrew Jarrett (Head of Finance), Jill May (Head of HR and Development), Simon Newcombe (Public Health and Professional Services Manager), Amy Tregellas (Head of Communities and Governance and Monitoring Officer) and Julia Stuckey (Member Services Officer)

Also in

Attendance:

Mr M Baker (Grand Western Canal) and Mr S Davis and Ms V Phillips (Citizens Advice Bureau)

43 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were given by Councillor E J Berry who was substituted by Councillor Mrs J R Rendle.

44 PUBLIC QUESTION TIME

There were no questions from the members of the public present.

45 MINUTES OF THE PREVIOUS MEETING

The minutes of the previous meeting were agreed as a true record and signed by the Chairman.

46 CHAIRMANS ANNOUNCEMENTS

The Chairman had no announcements to make.

47 GRANT FUNDED AGENCIES

The Head of Communities and Governance presented a report* regarding presentations by external agencies in receipt of an annual Council grant.

The report outlined the format laid out for external agencies to provide a short presentation of their work and to explain the value of the District Council's annual grant award to them, at this and future Community Well Being Policy Development Group meetings.

The Officer explained that a schedule had been put in place as below:

27 January 2015	(1) Citizens Advice Bureau and (2) Grand Western Canal
24 March 2015	(1) Tiverton Museum of Mid Devon Life and (2) Tiverton and District Community Transport Association (including Crediton and District Community Transport).
30 June 2015	(1) Involve – Voluntary Action in Mid Devon and (2) Churches Housing Action Team.
18 August 2015	(1) Age UK Mid Devon and (2) Tourism Information Service.
13 October 2015	(1) Market Centre Youth Drop-In, Tiverton and (2) Community Housing Aid Nightstop Service.
8 December 2015	(1) Crediton Arts Centre and (2) Sunningmead Community Association.
2 February 2016	Blackdown Support Group

It was **RESOLVED** that the Policy Development Group would consider the presentations from the Citizens Advice Bureau and Grand Western Canal and endorse the future schedule of presentations.

Proposed by the Chairman

The Group received a presentation from Mr M Baker from the Grand Western Canal, outlining a brief history, the Country Park's alignment with Mid Devon objectives, management, funding of the canal and a look to the future.

Discussion took place regarding:

- Funding that might be available from the County Council for Health and Wellbeing;
- The fact that the canal could be used by so many different groups, including those that may be under represented in other areas due to the ease of access;
- The canal had been used by Olympic runner Jo Pavey for training;
- Income that was generated by the selling of logs and car park charges;
- The fact that the canal could never be self-financing and would always be dependent on grant funding;
- The issue of cyclists using the tow path and the code of conduct that had been produced.

The Chairman thanked Mr Baker for his presentation.

Notes: -

- i. Councillor Mrs J R Rendle declared a personal interest as she was a user of the canal.

- ii. Councillors Mrs H Bainbridge, Mrs S Griggs and P F Williams declared personal interests as they were Members of the Grand Western Canal Joint Advisory Committee.
- iii. Councillor F J Colthorpe declared an interest as she was a Member of Devon County Council.
- iv. Councillor P F Williams declared a personal interest as he bought logs from the Canal.

The Group received a presentation from Mr S Davis of the Citizens Advice Bureau (CAB).

Mr Davis outlined the work of the CAB explaining the main reasons that the public used the service and the methods of contact that were used. This was expected to change from mainly face to face contact to electronic means of contact such as telephone or web appointments. Face to face appointments would still be available for those in most need. He explained that the CAB was a strong social campaigner and the variety of issues that clients had and therefore the need for training of volunteers to be very in depth.

The CAB were being progressive in raising their own income and had recently taken over a property in Barnstaple which was large enough to sub-let space to generate income as well as setting up a trading company which allowed them to sell Human Resources Services to small businesses.

Discussion took place regarding:

- The venue's used within Mid Devon and the possibility of improving these;
- The number of people suffering from debt issues and the help that could be given to help them claim what they were entitled to;
- The fact that many people claiming benefits were in work;
- The need to generate income.

The Chairman thanked Mr Davis for his presentation.

Note: - Report previously circulated and attached to minutes.

48 BUDGET UPDATE

The Group had before it, and **NOTED**, a report * from the Head of Finance considering the options available in order for the Council to move towards a balanced budget for 2015/16. Since the last meeting the Council had received formal confirmation of its Formula Grant Settlement for 2015/16 which was £83K better than anticipated. However, there had been no provisional notification for 2016/17 making financial planning very difficult. The Council Tax freeze grant offered for 2015/16 was 1% which if accepted by Council would increase the budget gap by £25K. The referendum limit for 2015/16 had been agreed at 2%.

The budget gap for 2015/16 had reduced since the last meeting from £650K to £99K. This was principally due to predicted savings in the new Waste and Recycling Scheme, an increase in Development Control fees and a revenue contribution to capital reduction.

Note: - Report previously circulated and attached to minutes.

49 **SINGLE EQUALITIES SCHEME (01:28:43)**

The Group had before it a report * of the Head of Communities and Governance regarding the Single Equalities Scheme.

The Officer explained that under the Equality Act 2010 local authorities had a duty to have 'due regard' to:

- a) Eliminate discrimination, harassment, victimisation and any other conduct that was prohibited by or under the Act;
- b) advance equality of opportunity between persons who shared a relevant protected characteristic and persons who do not share it; and
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The Officer highlighted the Equality Action Plan 2015-16

			Responsible Person	Timescale
	Understanding our community			
1.1	Provide an annually updated equality profile of the district	Produce an equality profile as part of the publication of equality information	Community Development Manager	Mar 2015
	Delivering Responsive Services			
2.1	Convene quarterly meetings of the Corporate Equality Group to address issues and share good practice within the Council	Quarterly meetings	Head of Communities and Governance	2015
2.2	Undertake periodic equality audits of key services that have the greatest impact on equality groups as part of the audit cycle	Undertake an equality audit of HR Recruitment Spring 2015	Head of Communities and Governance	2015
2.3	Work with partners to respond to the needs of families with complex needs	Ensure the successful transition of the Targeted Family Support Programme into Phase 2 from April 2015	Head of Communities and Governance	April 2015
	Monitoring and			

	Evaluation			
3.1	Publish Equality Information in line with statutory duties	Publish Equality Information on the Council's website by 31/3/15, and annually thereafter	Head of Communities and Governance	31 st Mar 2015
	Providing Strategic Direction			
4.1	Publish Single Equality Scheme	Publish Single Equality Scheme on the Council's website by 31/3/15, and revise annually thereafter	Head of Communities and Governance	31 st Mar 2015
4.2	Publish Annual Equality Action Plan	Including equality objective "to ensure all staff and members of the Council receive the appropriate level of training on equality issues."	Head of Communities and Governance	6 th April 2015

Discussion took place regarding the committee report template which would be amended so that 'equality impact' was included.

RECOMMENDED to the Cabinet that the Single Equality Scheme, together with the Equality Objective for 2015-16, be approved.

Proposed by the Chairman.

Note: - Report previously circulated and attached to minutes.

50 **PERFORMANCE AND RISK (01.4.18)**

The Group had before it and **NOTED** a report * of the head of Communities and Governance providing Members with an update on performance against the Corporate Plan and local service targets for the first two quarters of 2014/15 as well as providing an update on any key business risks.

The Officer explained the indicators regarding empty shops. She informed the Group that:

- Tiverton had 15 empty shops in quarter 1, 16 in quarter 2 and 15 in quarter 3 (out of 244).
- Crediton had 12 empty shops in quarter 1, 10 in quarter 2 and 10 in quarter 3 (out of 118).
- Cullompton had 12 empty shops in quarter 1, 13 in quarter 2 and 15 in quarter 3 (out of 94).

She also informed the Group that membership of the Leisure Centres had grown from 3173 to 3675 over the last year.

Note: - report previously circulated and attached to minutes.

51 **CCTV UPDATE (01:41:11)**

The Committee had before it a report * of the Head of Human Resources, Learning and Development updating members on the annual use and performance of the Tiverton town-centre CCTV system, in accordance with the terms of reference for the CCTV Management Group agreed by the Policy Development Group on 27 July 2013.

The Public Health Manager outlined the contents of the report.

Discussion took place regarding:

- The deterrent to crime that CCTV coverage provides;
- The limited number of hours per week that the staff member was paid for;
- The membership of the Management Group;
- Financial contributions from the Town Council and the Police;
- The need for a full review and operation of the service.

It was **AGREED** that a full review of the on-going management and operation of the town centre CCTV system take place, with a view to securing its longer-term future within a sustainable ownership and management structure. This review would be reported back to the Community Well-Being PDG with recommendations for consideration during 2015.

Note: - Report previously circulated and attached to notes.

52 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Financial Monitoring 2014/15
Chairman's annual report for 2014/15
Performance and Risk
Grant Recipient Presentation

(The meeting ended at 4.19 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 7 January 2015 at 2.15 pm

Present

Councillors

Mrs F J Colthorpe (Chairman)
M D Binks, Mrs H Bainbridge,
Mrs D L Brandon, E G Luxton, R F Radford,
Mrs M E Squires (Vice Chairman),
R L Stanley, A V G Griffiths, P J Heal,
D J Knowles, J D Squire, K D Wilson and
P F Williams

Apologies

Councillors

J M Downes and Mrs L J Holloway

Present

Officers:

Jonathan Guscott (Head of Planning and Regeneration), Alison Fish (Area Planning Officer), Sally Gabriel (Principal Member Services Officer) and Lucy Hodgson (Area Planning Officer)

119 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllr Mrs L J Holloway.

Apologies were also received from Cllr J M Downes to be substituted by Cllr P F Williams.

120 PUBLIC QUESTION TIME (02-16-00)

Mr Woolley referring to the minutes of the previous meeting and in particular application 14/01452/MFUL, Bowdens Lane asked the following questions:

With Reference to Agenda item 3, the minutes of the 5th November Meeting.

Members refused to accept the section of these minutes relating to the debate on the Shillingford Solar Panel application. Members wished the minutes to properly record the discussion and the many reasons for refusal which members raised during the debate and wished their 13 to nil rejection of the proposal to be recorded. Where has the required amendment /addendum to the 5th November minutes been published?

The Head of Planning and Regeneration stated that an addendum to the minute of 5 November 2014 would be combined with an amended implications report that Members had requested, the report was being prepared and would be brought before the Committee on either 4th or 11 February.

With Reference to Agenda Item 3 minutes of the Planning Meeting on 3rd December 2014.

At the meeting on the 3rd December 2014 Planning Committee Meeting, Members stated they were unhappy with the Planning Officers report prepared for the meeting in that it failed to provide the sought after reasons why the Shillingford Solar Panel application should be refused. They asked for a report to be prepared by a different Officer of MDDC and for this report to be made available ASAP. Can you advise if the paper prepared by objectors for the 3rd December Meeting and circulated to Members prior to the meeting was used in the preparation of this report and has this report been produced? If so where is it available for public access? If it has not been prepared yet, when will it be issued and where will it be lodged to provide public access?

The Head of Planning and Regeneration stated that any information received after the previous report had been written would be taken into account when writing the revised implications report.

In relation to the meeting on 3rd December 2014

In relation to a Public question on the Agenda for the meeting which noted that the Agenda states that "Members were minded to refuse the application and therefore wished to defer their decision so that a report could be received setting out the implications of the proposed decision". The question noted that this was at variance to what was recorded so asked the planning officer if this was an interpretation of the planning committee's decision to suit what the planning officer recommended; and therefore, was this a case of bureaucracy 'browbeating' democracy?

In response the Professional Services Manager stated that she would review the tape and address the issues raised. Can she provide a statement on the outcome of this review?

The Head of Planning and Regeneration stated that the original report would be attached to the updated report that would be brought before committee. The Professional Services Manager had reviewed the tape and the findings of that review would be contained within the revised implications report scheduled for February.

In relation to the meeting on 3rd December 2014

In response to a question on the type of panel being proposed to be used in this scheme, the Professional Services Manager stated that she was not aware of any Government guidance or policy which asks the Planning Authority to look at the type of panel being erected; she would look into this matter. Is she now in a position to advise on the outcome?

The Head of Planning and Regeneration stated that there was no Government guidance with regard to panel preference.

In relation to the meeting on 3rd December 2014

I understand there was a site visit on Tuesday 2nd December but this was not reported on at the meeting on the 3rd. What was the conclusion of the site visit and where can a report be found?

The Chairman and the Head of Planning and Regeneration both explained that there were two different types of site visit: a full Committee site visit which provides Members with the opportunity to see the site of the proposed application, its setting and topography; all Committee Members are invited to attend the site visit; and a Planning Working Group where a selection of Members were sent out to site for a specific purpose and then report back to the Committee via written notes. The site visit on 2 December was a full Committee site visit.

In relation to Agenda Item 8 'Major Applications with no decision'(item 12 on the published list)

It has been rumoured that Wessex Solar Energy has referred their application to appeal. Can a comment on the status of this application be given, noting that, as referred to above, there are outstanding actions on MDDC Officers in relation to it?

The Head of Planning and Regeneration stated that an appeal had been lodged against non-determination.

121 MINUTES OF THE PREVIOUS MEETING (00-12-47)

The minutes of the meeting of 3 December 2014 were approved as a correct record and **SIGNED** by the Chairman.

At this point Members sought clarification regarding the type of panels that were proposed to be erected on different solar farms and whether bonds could be requested in relation to solar farms. The Head of Planning and Regeneration stated that that there was a provision for bonds in legislation in Scotland but not in England.

122 CHAIRMAN'S ANNOUNCEMENTS (00-16-25)

The Chairman informed Members of a special meeting of the Committee that would take place on 11 February 2015. Another special meeting in addition to the ordinary meeting for March was also proposed (date to be confirmed).

123 DEFERRALS FROM THE PLANS LIST (00-16-25)

There were no deferrals from the Plans List.

124 THE PLANS LIST (00-17-08)

The Committee considered the applications in the plans list *.

Note: *List previously circulated; copy attached to the signed Minutes.

(a) Applications dealt with without debate.

In accordance with its agreed procedure the Committee identified those applications contained in the Plans List which could be dealt with without debate.

RESOLVED that the following applications be determined or otherwise dealt with in accordance with the various recommendations contained in the list namely:

(i) No 3 on the Plans List - **14/01851/FULL – Retention of a ground mounted photovoltaic system to generate 6kW of power – Land at NGR 287945 110268 (Middleway) Pennymoor** – grant planning permission subject to conditions as recommended by the Head of Planning and Regeneration.

(Proposed by the Chairman)

Note: The following late information was reported: 15th December 2014 Cruwys Morchard Parish Council – no objections.

(b) No 1 on the Plans List (**14/01592/MFUL – Erection of polytunnels (1200 sq.m – Ebear Farm, Westleigh).**

The Area Planning Officer outlined the contents of the report.

Consideration was given to the upkeep of the polytunnels, an appropriate planting scheme, the hedge on the north east boundary of the site and any impact of the polytunnels on the Grand Western Canal

RESOLVED that this application be approved subject to conditions as recommended by the Head of Planning and Regeneration with 3 additional conditions stating:

(i) No development shall begin until there has been submitted to, and approved in writing by the Local Planning Authority, a landscaping scheme, including details of any changes proposed in existing ground levels. All planting, seeding, turfing or earth reprofiling comprised in the approved details of landscaping shall be carried out within 9 months of the substantial completion of the development, and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species. **Reason:** To ensure that the development makes a positive contribution to the character and amenity of the area and to safeguard the character and appearance of the Grand Western Canal Conservation Area in accordance with policies DM2 and DM27 of Local Plan Part 3: (Development Management Policies).

(ii) The polytunnel hereby approved, shall be used only for agricultural purposes. On its becoming redundant for such purposes, it shall be demolished, and all materials resulting from the demolition shall be removed from the site, within 3 years of the date this occurs.

Reason: To safeguard the rural character of the area and the character and appearance of the Grand Western Canal Conservation Area in accordance with policies DM22 and DM27 of Local Plan Part 3: (Development Management Policies)

(iii) The hedge along the north east boundary of the site shall be maintained at a height of not less than 3m whilst the polytunnels are on site

Reason: To safeguard the amenity of local residents in accordance with policy DM2 of Local Plan Part 3: (Development Management Policies).

(Proposed by Cllr K D Wilson and seconded by Mrs H Bainbridge)

Note: The following late information was reported:

The poly tunnel will not have lighting. We work in the day time and at night the doors are shut. There will be a power socket so that we can plug in a night light should there be a problem at night and we need to investigate.

The plants we grow do not get special lights to grow which I believe is what you were thinking of.

We grow Acer Palmatum , small shrubs in 9cm and 3L pots.

a/ I do not own Ebear Farm but am a tennant and moved in last week.

b/ I am hoping to move the business there in April

c/ Ebear Farm has enough outbuildings for us to operate fully so we will be moving the whole business .

I very much doubt the poly tunnel would be visible from the canal, but in the event they are, we would be willing to plant a bund.

(c) No 2 on the Plans List **(14/01670/FULL – Erection of a 2 storey extension (Revised Scheme) – Ash Cottage, Washfield).**

The Area Planning Officer outlined the contents of the report.

Consideration was given to the impact of the proposal on the neighbouring properties, the lack of objection from the neighbours and the Parish Council and the render finish of the proposed extension.

RESOLVED that planning permission be granted and that delegated authority be given to the Head of Planning and Regeneration to produce a set of conditions, to include conditions regarding the colour of the render and that the end panel of the existing extension and the brick extension to the rear to be rendered and painted to match the extension hereby approved.

(Proposed by Cllr R L Stanley and seconded by Cllr Mrs M E Squires)

Notes:

- (i) Cllr Mrs F J Colthorpe made declaration in accordance with the Protocol of Good Practice for Councillors in Dealing with Planning Matters as she had been involved in discussions regarding the application;
- (ii) Mr Bryant (Agent) spoke;
- (iii) Cllrs Mrs F J Colthorpe and R L Stanley spoke as Ward Members;
- (iv) Cllrs P F Williams and K D Wilson requested that their vote against the decision be recorded.

125 THE DELEGATED LIST (01-01-12)

The Committee **NOTED** the decisions contained in the Delegated List *.

Clarification was sought with regard to the criterion for change of use of an agricultural building to a dwelling house under Class MB(a).

Note: *List previously circulated; copy attached to signed Minutes.

126 MAJOR APPLICATIONS WITH NO DECISION (01-07-02)

The Committee had before it, and **NOTED**, a list * of major applications with no decision. It was **AGREED** that:

Application 14/01938/MOUT - South View Road, Willand be determined by the Committee and that a site visit to take place.

Application 14/01629/MFUL – Car Park, Tiverton Parkway which had previously been listed as being determined by the Committee be delegated to the Planning Officer.

Application 09/01573/MOUT – Venn Farm, Members agreed that a site visit was not necessary.

Note: *List previously circulated; copy attached to the signed Minutes.

127 APPEAL DECISIONS (01-19-40)

The Committee had before it and **NOTED** a list of appeal decisions * providing information on the outcome of recent planning appeals.

Note: *List previously circulated; copy attached to signed Minutes.

128 14/01047/MARM - RESERVED MATTERS FOR THE ERECTION OF 273 DWELLINGS, FORMATION OF CHILDREN'S PLAY AREA, LANDSCAPING, OPEN SPACE, AND ASSOCIATED ACCESS AND ROAD AND DRAINAGE INFRASTRUCTURE FOLLOWING OUTLINE APPROVAL 12/00277/MOUT - LAND AT NGR 294586 113569 (FARLEIGH MEADOWS), WASHFIELD LANE, LOWER WASHFIELD DEVON (01-20-00)

The Committee had before it a report * of the Head of Planning and Regeneration regarding the above application. The Planning Committee had considered the application at their meeting on 22nd October 2014 and resolved that planning permission be granted subject to the variation of terms of the S106 agreement pursuant to planning approval 12/00277/MOUT, various conditions and subject to various other provisions, including:

c) That delegated authority be given to the Head of Planning and Regeneration in conjunction with the Chairman and Ward Members consider whether further noise mitigation measures are reasonably necessary to safeguard the living conditions of the occupiers of dwellings proposed close to the A361 and whether any such measures should be secured by an additional condition.

The Chairman informed the meeting that following consideration of the relevant evidence it was not considered that any further specific noise mitigation measures were justified in order to ensure an acceptable residential environment for future occupiers, therefore no further conditions with regard to noise mitigation were deemed necessary.

RESOLVED that the report be **NOTED**

(Proposed by the Chairman)

Notes:

- (i) Cllrs M D Binks, R L Stanley and K D Wilson requested that their vote against the decision be recorded;
- (ii) *Report previously circulated, copy attached to signed minutes.

(The meeting ended at 3.40 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **PLANNING COMMITTEE** held on 4 February 2015 at 2.15 pm

Present

Councillors

Mrs F J Colthorpe (Chairman)
M D Binks, Mrs H Bainbridge,
Mrs D L Brandon, J M Downes,
A V G Griffiths, Mrs L J Holloway,
E G Luxton, R F Radford, Mrs M E Squires
(Vice Chairman), J D Squire and K D Wilson

Apologies

Councillors

P J Heal, D J Knowles and R L Stanley

Also Present

Councillors

R M Deed and D F Pugsley

Present

Officers:

Jenny Clifford (Professional Services Manager), Lucy Hodgson (Area Planning Officer), Tina Maryan (Principal Planning Officer), Daniel Rance, Reg Willing (Enforcement Officer) and Sally Gabriel (Principal Member Services Officer)

129 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Cllrs P J Heal and D J Knowles.

Cllr R L Stanley sent apologies and was substituted by Cllr E J Berry.

130 PUBLIC QUESTION TIME (00-03-00)

Mr Woolley (representing the residents of Shillingford) and referring to Item 11 on the agenda, Bowdens Lane asked the following questions:

Q1. I like, I assume the other 170 objectors, received a letter from Mid Devon District Council dated 26th January 2015 stating that the “the application (14/01452/MFUL) has been placed on the Agenda for consideration by Members at the meeting of the Planning Committee on the 4th February 2015” and inviting attendance. It also said the officer’s report would be made available on the web site, which indeed it was, pinned to the Agenda for the meeting listing this application as agenda item 11. We were then advised, with another 170 letters, that consideration would be delayed until 11th February as Members were unhappy with this report.

Noting that this is now the 3rd Report from officers on this application that has been found unacceptable, can Members advise if they still have confidence in the officers

views and it is not, as referred to in the Gazette, bureaucracy trying to browbeat democracy?

The Professional Services Manager stated that no decisions had yet been made, officers have to make recommendations but the decision lies with Members of the Committee. The Committee can come to a different decision but need to have reasons for doing so.

Q2. We note that the third Planning Officers Report and the implications report both use as support quotes from a speech given by Minister Greg Baker made at the Large Scale Solar Conference on the 25th April 2013 and attaches the full transcript to the report. Whilst it is not surprising that a speech to that audience was positive towards the industry why did the report fail to mention the more recent, numerous and more relevant Government listed in the paper we submitted yesterday? We have given you all the links, why has this been published and the others not?

The Professional Services Manager stated that Members had wished this speech to be referred to in the report and noted that it is the only ministerial statement referred to that is referenced in National Planning Guidance, the other are not referred to.

Q3 Members refused to accept the minutes of 5th November Meeting and were not offered a solution at the 3rd December meeting. This issue is discussed in the report for Agenda item 11 of today's meeting. However, no actual amendment to the 5th November minutes has been offered for consideration. The delay in resolving this issue with the minutes does not fill us with confidence and seems an odd way to manage corrections to them. How are Members going to ensure that their very clear position in opposition to this application on 5th November is correctly noted in the record of these previous meetings?

The Professional Services Manager stated that when the application is considered at next week's meeting, a new set of minutes will be produced, the new minutes will mop up the outstanding issues and the disputed minutes, the minutes of 5 November are what they are.

Q4 Can officers explain why the original Planning Officers Report dated 28th August 2014 was not posted on the application page of the Planning website until 22nd January 2015?

The Professional Services Manager stated that the original Planning Officer's report dated 28th August was on the website in connection with the papers for the Planning Committee. With regard to the posting of the report on the application page on the planning webpages, the report is added on the issue of a decision notice, it was added on 22 January 2015 when the notice of appeal for non-determination was received.

131 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting of 7 January 2015 were approved as a correct record and **SIGNED** by the Chairman.

132 CHAIRMAN'S ANNOUNCEMENTS (00-11-33)

The Chairman had the following announcements to make:

- A special meeting of the committee would take place next Wednesday 12 February 2015.
- A special meeting of the committee would also take place on 18 March 2015.
- She proposed that the application at Bowdens Lane be deferred so that the Committee could receive an updated report, this was **AGREED**.
- She informed the Committee that this was the last meeting before Miss Hodgson (Area Planning Officer) went on maternity leave and wished her well.

133 **ENFORCEMENT LIST (00-14-16)**

Consideration was given to a case in the Enforcement List *.

Note: *List previously circulated; copy attached to signed Minutes.

Arising thereon:

- a) No. 1 in the Enforcement List (***Enforcement Case ENF/12/00122/UDRU – without planning permission, an unauthorised development has been undertaken to the area of land to the south east of Autumn Cottage. Namely the construction of an incomplete block built structure measuring 15m x 5m - Autumn Cottage, 46A Brook Street, Bampton.***

The Enforcement Officer outlined the contents of the report highlighting the impact on the neighbouring properties and the location of the building within the flood zone of the river.

Consideration was given to the purpose of the building and the need to apply for planning permission.

RESOLVED that delegated authority be given to the Legal Services Manager to take any appropriate legal action including the service of a notice or notices, seeking the removal of the structure from the land. In the event of any failure to comply with the notice served the additional authority to prosecute, take direct action and/or seek a court injunction.

(Proposed Cllr Mrs L J Holloway and seconded by Cllr K D Wilson)

Notes:

- (i) Mrs J Banks (Agent) spoke;
- (ii) Cllr Mrs M E Squires requested that her abstention from voting be recorded;
- (iii) A proposal to give more time for a planning application to come forward was not supported.

- b) No. 2 in the Enforcement List (***Enforcement Case ENF/14/00009/UDRU – without planning permission, an unauthorised development has been undertaken to the area of land to the north west of Hamslade Farm, namely***

the construction of a single storey building with the facilities required for the creation of a residential unit, Hamslade farm, Bampton).

The Enforcement Officer outlined the contents of the report highlighting the facilities placed within the unauthorised development and the new damp proof membrane and concrete foundations which had indicated a new build.

RESOLVED that delegated authority be given to the Legal Services Manager to take any appropriate legal action including the service of a notice or notices, seeking the removal of the structure from the land. In the event of any failure to comply with the notice served the additional authority to prosecute, take direct action and/or seek a court injunction.

(Proposed Cllr Mrs H Bainbridge and seconded by Cllr Mrs D L Brandon)

Note: Cllr Mrs F J Colthorpe declared a personal interest as the landowner was known to her.

- c) No. 3 in the Enforcement List (***Enforcement Case ENF/14/00098/UWTPO – unauthorised work carried out to a tree protected by a Tree Preservation Order, I Springfield, Western Road, Crediton.***)

The Enforcement Officer outlined the contents of the report highlighting the timetable of events that had led to the damage to the tree. He informed the Committee that an application to fell the tree and for a replacement to be put in place had been considered under delegated powers and been approved. Members were required to consider whether the chain of events should lead to the landowner being prosecuted.

Consideration was given to the chain of events and although the landowner was responsible for the safety of the tree, the events that had taken place had been out of his control. It was therefore:

RESOLVED that delegated authority be given to the Legal Services Manager to issue a formal warning to the landowner following unauthorised work being carried out to a tree protected by a Tree Preservation Order

(Proposed Cllr M D Binks and seconded by Cllr Mrs M E Squires)

Note:

- i) Cllrs Mrs H Bainbridge, M D Binks, Mrs D L Brandon, Mrs F J Colthorpe, J M Downes, A V G Griffiths, Mrs L J Holloway, E G Luxton, R F Radford, J Squires and Mrs M E Squires made declarations in accordance with the Protocol of Good Practice for Councillors dealing in planning matters as they had received correspondence regarding this issue;
- ii) Mr Huda (Landowner) spoke;
- iii) Cllr M D Binks spoke as Ward Member;

iv) Cllr Mrs L J Holloway requested that her vote against the decision be recorded;

v) The following late information was reported: The tree that is to be removed shall be replaced by *Pinus nigra* specified as 25-30cm girth with wired root ball, with adequate anchorage system supplied in accordance with BS8545: The tree is to be planted within 5 metres of the location of the felled tree, the location to be agreed in writing by the local planning authority. The replacement tree must be replaced within the same growing season and in accordance with the above specification. Should it be damaged, uprooted, destroyed or die it will be replaced again in accordance with the above specification.

134 DEFERRALS FROM THE PLANS LIST

There were no deferrals from the Plans List.

135 THE PLANS LIST (01-15-00)

The Committee considered the applications in the plans list *.

Note: *List previously circulated; copy attached to the signed Minutes.

(a) Applications dealt with without debate.

In accordance with its agreed procedure the Committee identified those applications contained in the Plans List which could be dealt with without debate.

RESOLVED that the following applications be determined or otherwise dealt with in accordance with the various recommendations contained in the list namely:

(i) No 3 on the Plans List (***14/01876/FULL – Erection of 4 affordable flats following demolition of redundant buildings – 1 Birchen Lane, Tiverton***) be approved subject to conditions as recommended by the Head of Planning and Regeneration

(Proposed by the Chairman)

(b) No 1 on the Plans List (***14/01474/FULL – Conversion of redundant barn to dwelling – land and buildings at NGR 304595 116820 (adjacent to Goldsmoor House, Westleigh)***).

The Professional Services Manager outlined the contents of the report highlighting the location plan of the proposed development, the layout and proposed elevations and provided photographs from various aspects of the site.

Consideration was given to the design of the proposed dwelling, the need to renovate disused barns or just to leave them in a redundant state and whether the development would contribute to the area's rural character.

RESOLVED that the application be refused as recommended by the Head of Planning and Regeneration.

(Proposed by Cllr Mrs D L Brandon and seconded by Cllr Mrs L J Holloway)

Vote 7 for: 6 against – Chairman's casting vote.

Notes:

- i) Cllr Mrs H Bainbridge made a declaration in accordance with the Protocol of Good Practice for Councillors dealing in planning matters as she had had dealing with the agent regarding this issue;
 - ii) Mr Archer spoke;
 - iii) Cllr Mrs H Bainbridge spoke as Ward Member.
- (c) No 2 on the Plans *List (14/01727/FULL – Erection of a single storey extension – Barton Barn, Leigh Barton, Silverton)*.

The Area Planning officer outlined the contents of the report highlighting the proposal by way of presentation, identifying the plans for the single storey extension and its proximity to Lea Barton, the proposed elevations and photographs from various aspects of the site.

Consideration was given to the impact of the extension on the existing property and neighbouring properties, the view from across the valley and the fact that the extension would not be seen, the level of the roofline and its impact on the existing dwelling and whether the impact of the proposal was sufficient to warrant a refusal.

RESOLVED that the application be approved for the following reasons: That the impact of the proposal is not sufficient to warrant refusal of the application and it is not detrimental having regard to the following policies: COR2, COR 18 Mid Devon Core Strategy (LP1) and DM2, DM 13 Development Management Policies (LP3)

And that the Head of Planning and Regeneration be given delegated authority to progress a set of conditions for the planning permission.

(Proposed by Cllr K D Wilson and seconded by Cllr M D Binks)

Notes:

- (i) Mrs H Bainbridge, M D Binks, Mrs D L Brandon, Mrs F J Colthorpe, J M Downes, Mrs L J Holloway, E G Luxton, R F Radford, J Squires and Mrs M E Squires made declarations in accordance with the Protocol of Good Practice for Councillors dealing in planning matters as they had received correspondence regarding this issue;
- (ii) Mr Archer (Agent) spoke;
- (iii) Cllr R M Deed spoke as Ward Member;
- (iv) The following late information was reported: Update received from the Agent stating that the committee report on page 37, under paragraph 1. Design and

visual impact on the existing dwelling and street scene, is incorrect. The report states that the proposed extension would exceed half the length of the existing dwelling. This is incorrect. From the LPA mapping system the dwelling is measured at 16.81m long and the extension is 7.6m long. The extension is therefore not quite half the length of the dwelling..

- (d) No 4 on the Plans *List (14/01901/FULL – Change of use of land to allow log storage and the creation of hard standing – land and buildings at NGR 305546 108277 – opposite Goodiford Cottage, Kentisbeare).*

The Professional Services Manager outlined the contents of the report by way of presentation highlighting the location of the site and the neighbouring cottages, the approximate area of hard surface to be put in place and she reiterated the conditions set out in the report, specifically Condition 4.

Consideration was given to the issues raised by the Ward Member with regard to the possible rental of an industrial unit and his concerns regarding noise issues. Discussion followed with regard to the need for the applicant to have a secure site to park his equipment and store wood on a hard surface.

RESOLVED that the application be approved subject to conditions as recommended by the Head of Planning and Regeneration with an amendment to Condition 4 to read: The application site shall be used solely for the benefit of Mr J Drummond in connection with tree surgery business and for the storage of logs, machinery and equipment associated with that use and for no other purpose, including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. When the land ceases to be used as such, the lawful use hereby permitted shall cease and the land shall revert to its former agricultural use. All materials, surfaces and equipment brought onto the land, or works undertaken to it in connection with the approved use shall be removed and the land shall be restored to its original condition of grassed field within 9 months of the cessation of the approved use.

(Proposed by Cllr E J Berry and seconded by Cllr Mrs H Bainbridge)

Notes:

- (i) Mr Drummond (Applicant) spoke;
- (ii) Cllr D F Pugsley spoke as Ward Member;
- (iii) The following late information was reported, the rewording of Condition 4 and clarification from Devon County Council Highways position of no objection to the application and the deletion of the duplicated line within condition 3 as appears on page 55 of the agenda papers.

136 **THE DELEGATED LIST (02-38-00)**

The Committee **NOTED** the decisions contained in the Delegated List *.

The Committee congratulated the Planning Department on the number of applications dealt with.

Note: *List previously circulated; copy attached to signed Minutes.

137 **MAJOR APPLICATIONS WITH NO DECISION (02-41-00)**

The Committee had before it, and **NOTED**, a list * of major applications with no decision.

Note: *List previously circulated; copy attached to the signed Minutes.

138 **APPEAL DECISIONS ((02-43-00)**

The Committee had before it and **NOTED** a list of appeal decisions * providing information on the outcome of recent planning appeals.

Note: *List previously circulated; copy attached to signed Minutes.

139 **APPLICATION 14/01452/MFUL - INSTALLATION OF SOLAR ENERGY FARM ON 13.34 HA OF LAND TO GENERATE 5.5 MEGAWATTS OF ENERGY (REVISED SCHEME) AT LAND AT NGR 299298 125070 (EAST OF BOWDENS LANE), SHILLINGFORD**

This item has been deferred as indicated at the beginning of the meeting.

140 **APPLICATION 09/01573/MOUT - OUTLINE APPLICATION FOR THE ERECTION OF 15,236 SQM (164,000 SQ FT) OF INDUSTRIAL BUILDINGS (B1, B2 AND B8 USE), FORMATION OF NEW SITE ACCESS, ESTATE ROADS, PARKING AND ASSOCIATED LANDSCAPING (REVISED SCHEME) AT LAND AND BUILDINGS AT NGR 303161 108402 (VENN FARM) CULLOMPTON (02-43-41)**

The Committee had before it a report * of the Head of Planning and Regeneration regarding the above application. The Principal Planning Officer outlined the contents of the report by way of presentation highlighting the location plan, the access to the site, the block plan that outlined the indicative layout and the buffer zone for flood prevention. She explained the Environment Agency conditions and the fact that the site was now proposed for allocation in the emerging Local Plan Review and therefore the principal had been established. She also stated that any mitigation in case of noise and light pollution would form part of the reserved matters application.

Consideration was given to the floodline depicted around the proposed buildings.

RESOLVED that the granting of outline planning permission be recommended to the National Casework Unit as this was at present a departure to the Local Plan.

(Proposed by the Chairman)

Notes:

- (i) Mr Graves (Agent) spoke;
- (ii) Cllr K D Wilson requested that his vote against the decision be recorded;
- (iii) The following late information was reported: There was an error in the description of the proposal in that the total floorspace has been reduced to 12,000 square metres (from 15,000 square metres) but the corresponding figure in square feet in the description has not been changed. The figure should read 129,000 square feet.

Two further objections received, repeating previous objections, concerned with flooding, noise and light pollution, increased road traffic, damage to greenfield site detrimental to the environment and wildlife and lack of need due to the existence of existing industrial allocations and vacant industrial land. The issues covered in the objection are addressed in the officer's report.

- (iv) *Report previously circulated, copy attached to signed minutes.

(The meeting ended at 5.35 pm)

CHAIRMAN

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **STANDARDS COMMITTEE** held on 14 January 2015 at 6.00 pm

Present

Councillors

R M Deed (Chairman)
R J Chesterton, Mrs L J Holloway,
C R Slade, Mrs M E Squires, P F Williams
(Vice Chairman) and Mrs N Woollatt

Apologies

Councillors

Mrs F J Colthorpe and R Evans

Also Present

Councillors

D F Pugsley

Also Present

Officers:

Julia Stuckey (Member Services Officer) and Amy Tregellas (Head of Communities and Governance and Monitoring Officer)

40 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Councillor Mrs F P Colthorpe and Councillor R Evans.

41 PUBLIC QUESTION TIME

There were no members of the public present.

42 MINUTES

The minutes of the last meeting were agreed as a true record and signed by the Chairman.

43 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements to make.

44 CONSTITUTION WORKING GROUP (00:02:55)

The Head of Communities and Governance and Monitoring Officer outlined the recent work of the Constitution Working Group.

The Officer explained that the Member Code of Conduct had recently been updated so the Group did not consider it necessary to make changes to it and that the Member/Officer Protocol would come to the next Standards Committee. The Scheme of Delegation was being updated and the Planning Working Group was being looked at to establish where it should fit, it was currently included in the Allocation. The

Chairman of the Audit Committee had requested that the number of Members be increased from 5 to 7 so this would be added.

The Officer intended to meet with Members of the Cabinet to update their responsibilities and would also use this to indicate which areas of responsibility sat with each of the Policy Development Groups.

The Working Group would be looking at Member Job Descriptions next, using examples from other authorities as well as the model constitution to produce them.

The Committee worked through the amended Articles:

Discussion took place regarding citizens' rights and the difference between petitions and submitting a petition requesting a referendum. Not all citizens would be eligible to vote in all elections so it was **AGREED** that the Monitoring Officer would check if citizen was an appropriate term or whether wording such as 'eligible elector' would be a more accurate term to use.

Wording explaining that the Constitution and the Forward Plan must be published to be added to Article 3.

It was **AGREED** that the section on Citizen Responsibly should include the sentence 'Citizens should not publish anything about individual Councillors or Officers that was slanderous or libellous. The Committee considered this to be very important with the current use of social media.

At the section regarding Chairing the Council it was **AGREED** that the word 'impartially' be added to 5.2 presiding over meetings and that the job description for Chairman to include that Chairman should always act impartially, in a non-partisan manner and not convey any personal animosity.

Discussion took place regarding a caveat that had been added to the section on Standards Sub Committee Specific Functions. The caveat allowed for the Head of Paid Service to determine a course of action if a Councillor had acted outside of their role of Councillor. It was **AGREED** the wording 'following discussion with Chairman and Vice Chairman of the Standards Committee' be added.

The Monitoring Officer would circulate information regarding Officer Decisions to the Committee.

The Monitoring Officer would discuss hospitality with Management Team to establish an amount considered appropriate for Officers and Members.

Notes:- Paperwork previously circulated and attached to the minutes.

45 **EXCLUSION OF THE PRESS AND PUBLIC (01:04:58)**

Councillor D F Pugsley had raised the following matter at the Scrutiny Meeting held on 8 December 2014.

Exclusion of Press and Public. Following discussion it was **RECOMMENDED** to the Standards Committee that Procedure Rule 21 be amended to ensure that whenever

there was a possibility that an item may need to be discussed in part two the agenda should include a brief explanation as to why this might be the case, in plain English, and make reference to the Constitution, Article 12, which mentions a presumption in favour of openness and transparency.

Discussion took place regarding Part II and the importance of making the reasons for using it very clear in both agenda and minutes.

RESOLVED that Procedure Rule 21 have the following text added as a second paragraph referring to 12.02.d.

Whenever there is a possibility that an item may need to be discussed in part two the agenda should include a brief explanation as to why this might be the case, in plain English, and make reference to the Constitution, Article 12, which mentions a presumption in favour of openness and transparency.

Proposed by the Chairman.

46 **STATE OF THE DISTRICT DEBATE (01:14:10)**

Motion 495 had previously been referred to the Standards Committee for consideration and report:

The Standards Committee at its meeting on 12 November 2014 considered this proposal and recommended that it be supported.

Following discussion at Council, it was AGREED that Motion 495 be referred back to the Standards Committee as Members requested further clarification with regard to who would request the subject of the debate.

Discussion took place regarding the debate and it was agreed that if the Leader had failed to call a debate within the specified time it was likely that he did not have a topic for the debate.

RECOMMENDED to Council that the following sentence be added at the end of Procedure Rule 16.1: - If the Leader declines or fails to call a debate within nine months in any municipal year, it may be called by notice in writing to the Chief Executive signed by any 10 Members of the Council and that the debate shall be held on the subject specified by those 10 Members.

(Proposed by Cllr C R Slade and seconded by Cllr R J Chesterton)

47 **STANDARDS SUB COMMITTEE (01:23:30)**

The Head of Communities and Governance and Monitoring officer confirmed that following a meeting of the Standards Sub Committee held on Friday 9th January 2015 further correspondence would be sent to a Town/Parish Council.

48 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Update from the Constitution Working Group

(The meeting ended at 7.30 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **STANDARDS COMMITTEE** held on 5 February 2015 at 6.00 pm

Present

Councillors

R M Deed (Chairman)
R J Chesterton, Mrs F J Colthorpe,
R Evans, C R Slade, Mrs L J Holloway and
P F Williams

Apologies

Councillors

Mrs M E Squires and Mrs N Woollatt

Also Present

Officers:

Amy Tregellas (Head of Communities and Governance and Monitoring Officer) and Julia Stuckey (Member Services Officer)

49 APOLOGIES AND SUBSTITUTE MEMBERS

Apologies were received from Mrs M E Squires and Mrs N Woollatt who was substituted by Mrs J Roach.

50 PUBLIC QUESTION TIME

There were no members of the public in attendance.

51 MINUTES

The minutes of the previous meeting were agreed as a true record and signed by the Chairman.

52 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had no announcements to make.

53 UPDATE FROM THE CONSTITUTION WORKING GROUP

The Head of Communities and Governance and Monitoring Officer updated the Committee on the work of the Constitution Working Group. She informed them that the Group were currently looking at job descriptions for all Members, the Leader, the Deputy Leader, the Chairman of the Council and Chairmen of Committees. They would also be looking at the roles of Committee Members. They had also been working on Procedure Rules and the Scheme of Delegation. When this work had been completed it would be brought to the Standards Committee before being added to the draft Constitution. The draft Constitution as a whole document would be presented to the Standards Committee at the meeting scheduled for 8th April 2015.

The Committee had before it the draft Member/Officer Protocol. It was agreed to work through the Protocol page by page.

Discussion took place regarding:

- How Officers would ensure that Councillors always worked in a legal manner;
- Officers attending party meetings and whether information discussed at these meetings should always be regarded as confidential;
- Whether Officers should attend ward surgeries;
- If the permission of the Chief Executive or Head of Service should be sought if an Officer was asked to attend a public meeting;
- Whether the group of ungrouped Members should be referred to as a political party.

The Officer was currently awaiting confirmation from the Legal Service regarding some of the above.

It was **AGREED** that an annual statistical report regarding complaints should be submitted to the Standards Committee. The Chairman requested that the information be back dated to January 2015. This information would help to measure the success of the Member/Officer Protocol.

The Chairman thanked the Working Group for the tremendous amount of work they had undertaken.

54 COMPLAINTS

The Chairman requested that for future meetings the agenda heading for complaints include District Councillors. The Chairman explained that he had asked the Monitoring Officer to compile statistics for the numbers of complaints received.

She outlined the complaints received:

In 2013 14 complaints had been received, 6 regarding District Councillors, 3 regarding Parish Councillors and 5 regarding Town Councillors.

In 2014 36 complaints had been received, 11 regarding District Councillors, 12 regarding Town Councillors and 13 regarding Parish Councillors.

In 2015 to date 7 complaints had been received. One of these complaints related to a District Councillor and the further 6 were regarding Parish Councillors, all of whom represented the same Parish. These complaints had been received recently and were being addressed.

The Officer further explained that in 2013 a couple of the cases had not been simple and had gone to tribunals, the police had been involved in one case.

These figures did not include general enquiries. It had become clear that changes to legislation had not been understood in some areas and it was therefore intended to provide training for Town and Parish Councils following the election. General tips and guidance were being issued via Parish Matters.

The Officer explained that problems were encountered when Parishes did not keep their records up to date and that there had been cases when they had not informed

the District Council about changes to the Clerk or Chairman. There were also varying standards of website and some Parishes did not yet have one. Mid Devon was therefore offering assistance with this and there would also be pages on the Councils new website for Parish information and for them to make links to their own websites. The Register of Interests for Town and Parish Councils was held by the District Council.

Discussion took place regarding Part II items and whether it was ever necessary to discuss complaints about Councillors in private:

The Committee discussed:

- Information regarding complaints could include personal information;
- The amount of detail that would need to be discussed in public
- The number of complaints that turn out to be vexatious;
- Even if a complaint was not upheld 'mud sticks'
- Local press may choose to publicise a complaint which might later be shown to be vexatious;
- Complaints did not have to be heard in Part II and the agenda text only referred to 'may be necessary';
- Looking at statistics in the future may help to identify patterns of behaviour and therefore identify training needs.

As there had not been any discussion during this agenda item, which would identify any individual Town or Parish Councillor, it had not been necessary for the meeting to go into Part II.

55 COUNCILLOR D F PUGSLEY HAS REQUESTED THAT THE COMMITTEE DISCUSS THE FOLLOWING:

Councillor Pugsley informed the Committee that he considered that the discussion that took place at the last meeting of the Committee where it was agreed that the 'Chairman should always act impartially, in a non-partisan manner and not convey any personal animosity' raised issues with the Chairman's casting vote.

The Councillor said that if a vote was tied this implied that a case had not been put forward that was strong enough and that therefore the status quo should remain until a stronger case could be put forward.

Discussion took place regarding;

- The need for a casting vote to ensure that decisions could be made;
- A recommendation could be amended to help prevent a tied vote;
- The Chairman should behave in a fair manner;
- The need for a chairman to vote with their party.

The Monitoring Officer referred the Committee to Section 99 of the Local Government Act 1972 Schedule 12 which stated that in the case of equality of votes the person presiding at the meeting shall have a second or casting vote. An attempt by the Council to lay down a rule that a casting vote should be in favour of the status quo would be found to be unlawful by the courts.

It was **AGREED** that the use of a casting vote be included in Chairman's training.

56 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Updates from the Constitution Working Group

Meetings for this Committee had been scheduled for:

11 March 2015 at 6.00pm

25 March 2015 at 6.00pm

8 April 2015 at 6.00pm

(The meeting ended at 7.25 pm)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **LICENSING COMMITTEE** held on 18 December 2014 at 10.00 am

**Present
Councillors**

Mrs F J Colthorpe, D R Coren, N V Davey, A V G Griffiths,
P H D Hare-Scott, T G Hughes, D J Knowles, E G Luxton and
P F Williams

**Apologies
Councillors**

R J Chesterton, M R Lee and M A Lucas

**Also Present
Councillor**

E J Berry

**Present
Officers:**

Sarah Lees (Member Services Officer) and Simon Newcombe
(Public Health and Professional Services Manager)

Member	Minute No	Type of Interest

1 ELECTION OF CHAIRMAN (THE CHAIRMAN OF THE COUNCIL, CLLR E J BERRY, IN THE CHAIR)

RESOLVED that Cllr T G Hughes be elected Chairman of the Committee for the municipal year 2014/15.

Cllr T G Hughes then took the Chair.

2 ELECTION OF VICE CHAIRMAN

RESOLVED that Cllr D J Knowles be elected Vice Chairman of the Committee for the municipal year 2014/15.

3 PUBLIC QUESTION TIME (00:02:50)

There were no members of the public present.

4 MINUTES (00:02:55)

The Minutes of the meeting held on 10 April 2014 were approved as a correct record and **SIGNED** by the Chairman.

5 LICENSING PERFORMANCE (00:05:00)

The Committee had before it a report* of the Head of Human Resources and Development providing the annual report on Licensing performance. The Licensing Officer had been unable to attend the meeting and so the Public Health and Professional Service Manager presented the report to the Committee.

Discussion took place regarding:

- The fact that the figures showed that there were more licenses issued than applications received. It was explained that this was because multiple licenses can sometimes be issued for one application.
- Whether it would be more practical to extend the target for issuing licenses to 10 days rather than 5, given the decrease in Licensing Team resource and the possibility of staff sickness affecting output. However, it was explained that the target was set after the point of a license approval and related to an administrative task and not something that needed to be consulted upon. Businesses were still able to operate legally post license approval even though they might not have the formal paperwork.

RESOLVED that the contents of the report be noted and that the target for the issuing of licences be amended from 95% to 97% and that the length of time to issue a license after approval be amended from three working days to five working days.

(Proposed by Cllr N V Davey and seconded by Cllr Mrs F J Colthorpe)

Note: * Report previously circulated, copy attached to signed minutes

6 **AMENDMENTS TO THE LICENSING ACT (00:30:12)**

The Committee had before it, and **NOTED**, a report * from the Head of Human Resources and Development providing an update on the legislative changes (and proposed changes) to the Licensing Act.

The Chairman stated that he was in regular contact with the Licensing Officer and had concerns about the number and nature of temporary event notices coming through the department. In his opinion they often came with a significant number of complaints, especially in relation to noise, from neighbouring properties. The Committee stated that they were unaware that a problem existed with Temporary Event Notices and **AGREED** that a report be brought to the next meeting summarising the number received and how they were dealt with. It was felt that a full Committee debate ought to take place at the next meeting.

Notes: (i) Cllr N V Davey declared a personal interest as he had applied for a Personal License earlier in the year.

(ii) * Report previously circulated, copy attached to signed minutes

(The meeting ended at 10.44 am)

CHAIRMAN

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **REGULATORY COMMITTEE** held on 18 December 2014 at 10.45am

Present

Councillors

Mrs F J Colthorpe, D R Coren, N V Davey,
A V G Griffiths, P H D Hare-Scott, T G Hughes,
D J Knowles, E G Luxton and P F Williams

Apologies

Councillors

R J Chesterton, M R Lee and M A Lucas

Also Present

Officers:

Sarah Lees (Member Services Officer) and Simon Newcombe
(Public Health and Professional Services Manager)

1 ELECTION OF CHAIRMAN (00:44:07)

RESOLVED that Cllr T G Hughes be elected Chairman of the Committee for the municipal year 2014/15.

Cllr T G Hughes then took the Chair.

2 ELECTION OF VICE CHAIRMAN (00:45:00)

RESOLVED that Cllr D J Knowles be elected Vice Chairman of the Committee for the municipal year 2014/15.

3 PUBLIC QUESTION TIME (00:46:00)

There were no members of the public present.

4 MINUTES (00:46:30)

The Minutes of the meeting held on 10 April 2014 were approved as a correct record and **SIGNED** by the Chairman.

5 REGULATORY PERFORMANCE (00:47:00)

The Committee had before it a report * from the Head of Human Resources and Development providing the annual Regulatory performance report. It was explained that the Council's Hackney carriage and private Hire Policy came into effect in April 2013. The main changes this brought about was to implement a stricter vehicle test, increase the test frequency to every six months once a vehicle was 3 years old and from April 2014, introduce a rolling five year age limit on new vehicles. The Council did not have a risk assessed inspection programme for taxis but it did work closely with authorised garages. They carried out vehicle tests and notified the Council immediately if a vehicle failed a test.

Discussion took place regarding:

- Another compliance day being arranged alongside the Vehicle Operator Services Agency and the Police before April 2015.
- The majority of vehicles being well maintained, only a few failed the test.

- It was still early days for the six month regime, there may be an opportunity to amend policy once more data had been gathered.
- It being the drivers responsibility to ensure the vehicle was safe to drive, not the Council.
- Since the introduction of the new Scrap Metal Dealers Act in October 2013 the revised regulatory regime had proved to be successful. It was confirmed that mobile collectors were the hardest to police but the new regulations were proving helpful.
- The Council liaised with FramWatch and other such agencies and if notified of a metal theft or crime the Council would follow this up with a visit to the notified premises.

RESOLVED that the contents of the report be noted and that the target for the issuing of licences be amended from 95% to 97% and that the length of time to issue a license after approval be amended from three working days to five working days.

(Proposed by Cllr Mrs F J Colthorpe and seconded by Cllr D R Coren)

Note: * Report previously circulated, copy attached to signed minutes.

(The meeting ended at 11.20 am)

CHAIRMAN