

Cabinet

Tuesday, 4 March 2025 at 5.15 pm
Phoenix Chamber, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 1 April 2025 at 5.15 pm

Please Note: This meeting will take place at Phoenix House and members of the public and press are able to attend via Teams. If you are intending to attend in person please contact the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

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

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

Meeting ID: 329 121 678 661
Passcode: bd4GeN

Membership

Cllr L Taylor	Leader of the Council
Cllr S J Clist	Cabinet Member for Housing, Assets and Property and Deputy Leader
Cllr J Lock	Cabinet Member for People, Development and Deputy Leader
Cllr N Bradshaw	Cabinet Member for Environment and Climate Change
Cllr J Buczkowski	Cabinet Member for Governance, Finance and Risk
Cllr G Duchesne	Cabinet Member for Parish and Community Engagement
Cllr S Keable	Cabinet Member for Planning and Economic Regeneration
Cllr J Wright	Cabinet Member for Service Delivery and Continuous Improvement
Cllr D Wulff	Cabinet Member for Quality of Living, Equalities and Public Health

A G E N D A

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

1. **Apologies**
To receive any apologies for absence.
2. **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public.
3. **Declarations of Interest under the Code of Conduct**
To record any interests on agenda matters.
4. **Minutes of the Previous Meeting** *(Pages 7 - 20)*
To consider whether to approve the minutes as a correct record of the meeting held on 4 February 2025.
5. **Policy Framework Report** *(Pages 21 - 32)*
To receive a report from the Chief Executive on the Policy Framework.
6. **Pay Policy Report** *(Pages 33 - 60)*
To receive a report from the Head of People, Performance and Waste and Operations Manager for People Services on the Pay Policy.
7. **Establishment Report** *(Pages 61 - 92)*
To receive a report from the Head of People, Performance and Waste and Operations Manager for People Services on the Establishment Report.
8. **Mid Devon Resident Survey 2024** *(Pages 93 - 112)*
To receive a report from the Deputy Chief Executive (S151) Officer on the Mid Devon Resident survey 2024.
9. **Mid Devon Housing (MDH) Right to Buy Policy** *(Pages 113 - 144)*
To receive a report from the Head of Housing and Health on the Mid Devon Housing (MDH) Right to Buy Policy.
10. **Mid Devon Housing (MDH) Safeguarding Adults, Children and Young People Policy** *(Pages 145 - 168)*
To receive a report from the Head of Housing and Health on the Mid Devon Housing (MDH) Safeguarding Adults, Children and Young People Policy.
11. **2024/2025 Quarter 3 Monitoring Report** *(Pages 169 - 192)*
To receive a report from the Deputy Chief Executive (S151) Officer and the Head of Finance, Property and Climate Resilience on the 2024/2025 Quarter 3 Monitoring Report.

12. **Local Development Scheme** (*Pages 193 - 218*)
To receive a report from the Director of Place and Economy on the Local Development Scheme.
13. **Unpaid Carers- Access to Leisure** (*Pages 219 - 226*)
To receive a report from the Head of Revenues, Benefits and Leisure and the Leisure Services Manager on the unpaid Carers- Access to Leisure.
14. **Access to Information- Exclusion of Press & Public**
Discussion with regard to the next three items, will require Cabinet to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision will be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Cabinet need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

Recommended that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).
15. **Award of Drainage Works Contract from Housing Revenue Accounts Properties 2025-2029** (*Pages 227 - 232*)
To receive a report from the Head of Housing and Health on the Award of Drainage Works Contract from Housing Revenue Accounts Properties 2025-2029.
16. **Award of Internal Painting Contract for Housing Revenue Account (HRA) Properties for 2025-2029** (*Pages 233 - 240*)
To receive a report from the Head of Housing and Health on the Award of Internal Painting Contract for Housing Revenue Account (HRA) Properties for 2025-2029.
17. **The Council Insurance Award** (*Pages 241 - 248*)
To receive a report from the Deputy Chief Executive (S151) Officer on the Council Insurance Award.
18. **Notification of Key Decisions** (*Pages 249 - 266*)
To note the contents of the Forward Plan.

Guidance notes for meetings of Mid Devon District Council

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

If the Council experience technology difficulties at a committee meeting the Chairman may make the decision to continue the meeting 'in-person' only to conclude the business on the agenda.

1. Inspection of Papers

Any person wishing to inspect minutes, reports, or the background papers for any item on the agenda should contact Democratic Services at Committee@middevon.gov.uk

They can also be accessed via the council's website [Click Here](#)

Printed agendas can also be viewed in reception at the Council offices at Phoenix House, Phoenix Lane, Tiverton, EX16 6PP.

2. Members' Code of Conduct requirements

When considering the declaration of interests and their actions as a councillor, Members are reminded of the requirements of the Members' Code of Conduct and the underpinning Principles of Public Life: Honesty; Integrity; Selflessness; Objectivity; Accountability; Openness; Leadership.

The Code of Conduct can be [viewed here](#):

3. Minutes of the Meeting

Details of the issues discussed, and recommendations made at the meeting will be set out in the minutes, which the Committee will be asked to approve as a correct record at its next meeting. Minutes of meetings are not verbatim.

4. Public Question Time

Residents, electors or business rate payers of the District wishing to raise a question and/or statement under public question time are asked to provide their written questions to the Democratic Services team by 5pm three clear working days before the meeting to ensure that a response can be provided at the meeting. You will be invited to ask your question and or statement at the meeting and will receive the answer prior to, or as part of, the debate on that item. Alternatively, if you are content to receive an answer after the item has been debated, you can register to speak by emailing your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. You will be invited to speak at the meeting and will receive a written response within 10 clear working days following the meeting.

Notification in this way will ensure the meeting runs as smoothly as possible

5. Meeting Etiquette for participants

- Only speak when invited to do so by the Chair.
- If you're referring to a specific page, mention the page number.

For those joining the meeting virtually:

- Mute your microphone when you are not talking.
- Switch off your camera if you are not speaking.
- Speak clearly (if you are not using camera then please state your name)
- Switch off your camera and microphone after you have spoken.
- There is a facility in Microsoft Teams under the ellipsis button called "turn on live captions" which provides subtitles on the screen.

6. Exclusion of Press & Public

When considering an item on the agenda, the Committee may consider it appropriate to pass a resolution under Section 100A (4) Schedule 12A of the Local Government Act 1972 that the press and public be excluded from the meeting on the basis that if they were present during the business to be transacted there would be a likelihood of disclosure of exempt information, as defined under the terms of the Act. If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, ask participants to leave the meeting when any exempt or confidential information is about to be discussed. They will be invited to return as soon as the meeting returns to open session.

7. Recording of meetings

All media, including radio and TV journalists, and members of the public may attend Council, Cabinet, PDG and Committee meetings (apart from items Media and Social Media Policy - 2023 page 22 where the public is excluded) you can view our Media and Social Media Policy [here](#). They may record, film or use social media before, during or after the meeting, so long as this does not distract from or interfere unduly with the smooth running of the meeting. Anyone proposing to film during the meeting is requested to make this known to the Chairman in advance. The Council also makes audio recordings of meetings which are published on our website [Browse Meetings, 2024 - MIDDEVON.GOV.UK](#).

8. Fire Drill Procedure

If you hear the fire alarm you should leave the building by the marked fire exits, follow the direction signs and assemble at the master point outside the entrance. Do not use the lifts or the main staircase. You must wait there until directed otherwise by a senior officer. If anybody present is likely to need assistance in exiting the building in the event of an emergency, please ensure you have let a member of Democratic Services know before the meeting begins and arrangements will be made should an emergency occur.

9. WIFI

An open, publicly available Wi-Fi network is normally available for meetings held in the Phoenix Chambers at Phoenix House.

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MINUTES of a **MEETING** of the **CABINET** held on 4 February 2025 at 5.15 pm

**Present
Councillors**

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

**Apologies
Councillor(s)**

N Bradshaw and G DuChesne (online)

**Also Present
Councillor(s)**

E Buczkowski and C Harrower

**Also Present
Officer(s):**

Stephen Walford (Chief Executive), Maria De Leiburne (Director of Legal, People & Governance (Monitoring Officer)), Matthew Page (Head of People, Performance & Waste), Simon Newcombe (Head of Housing & Health), Paul Deal (Head of Finance, Property & Climate Resilience), Darren Beer (Operations Manager for Street Scene and Open Spaces) and Laura Woon (Democratic Services Manager)

**Councillors
Online**

G Czapiewski, M Farrell, L Knight and R Roberts

Officers Online

Dean Emery (Head of Revenue, Benefits and Leisure,
Kieran Knowles (Operation Manager for Finance Services)
Luke Howard (Environment and Enforcement Manager)
and Jan Moreland (Finance Business partner)

125. **APOLOGIES**

Apologies were received from Councillors: N Bradshaw and G DuChesne (online)

126. **PUBLIC QUESTION TIME**

Paul Elstone

Agenda Item 5 2025/26 Budget and in particular Annex 2 HRA Capital Programme 2025 to 2030.

Question 1:

I note that the Housing Revenue Account (HRA) Capital Programme document now shows most if not all the names of the HRA Projects as opposed to just Project Numbers. Additionally, there was a column showing previous years' expenditure.

Thank you for taking on board the request to have this information provided.

However there remain four very important omissions.

- There was no initial budget forecast column.
- There was no total expenditure to date column.
- There was no final budget expenditure column for completed projects.
- There was no description provided explaining the reason for any budget overspend against initial forecast.

Would Cabinet give full consideration to these requirements? Requirements that fully support good cost management, good governance plus openness and transparency?

Question 2:

Project 41 – Fir Close Shows an expenditure to date of £111,000 and a further expenditure of £185,000 this if I read the confusing budget sheet correctly or a total of £296,000

It had been noted the budget had increased by £10,000 in the last month.

To put this cost into perspective, Fir Close module was a demonstration unit first built around 6 years ago and never intended for occupancy. It had been converted for single person occupancy only.

A module that was now costing an exorbitant £8,000 per square metre.

The 5 properties remaining for sale at Haddon Heights, Bampton and using sale price and not build cost, had a cost of £2,900 per square metre. For the 39 properties at St Georges Court their cost was under £3,300 per square metre.

There was irrevocable evidence available to show that by any measure this Council was paying an exorbitant cost for its new build social homes.

Would Cabinet implement a fully independent Value for Money Assessment, and if not precisely why not?

Question 3:

Given there had now been substantial payments made on certain HRA projects:

HRA Project 20 shows a project spend to date of £363K out of a total project value of £16.49 million.

HRA Project 8 shows project spend to date of £371K.

Project 33 a spend of £162K.

Project 29 a spend of £62K.

Spends that should already or would form part of budget statements and also which should already clearly show on the supplier invoice payments data base.

Where precisely were these individual HRA projects?

Response from Cabinet Member for Finance, Governance and Risk:

Project 8 – Roundhill, Lower Cotteylands – project now live and progressing.

Project 33 – Churchill Drive, Crediton – project now live and progressing

Project 29 – Glebelands, Cheriton Bishop – project no longer going ahead

Project 20 – This project was currently paused, but may come forward again in future years. As such, naming the project would be inappropriate without full consultation to the local residents and community.

As had previously been advised, the Council publish the names of the projects once they reach a point where the viability of the development had been established through careful planning and design, and importantly where we had undertaken appropriate consultation with local tenants and communities.

I was glad that the additional information relating to prior year spend had been helpful.

Question 4: Supplementary Question.

Given the answer received to Question 3 it was now a difficult question to ask.

Can it be confirmed that the £16.49 million project i.e. Project 20 related to Knightswood, Cullompton as there was information in the public domain.

The Leader stated that Mr Elstone would receive a written response to his questions 1, 2 and the supplementary question in the usual way.

127. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT

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

128. MINUTES OF THE PREVIOUS MEETING ON THE 7 JANUARY 2025

The minutes of the previous meeting held on 7 January 2025 were **APPROVED** as a correct record and **SIGNED** by the Leader.

Note* Cllr J Lock abstained from voting due to not being present at the last meeting.

129. MEETING MANAGEMENT

The Leader **MOVED** that he would be bring forward the following Agenda Items:-

- (i) 6 Business Rate tax Base to the next item.

130. BUSINESS RATES TAX BASE

The Cabinet had before it a report * from the Deputy Chief Executive (S151) presenting the Business Rate Tax Base.

The Cabinet Member for Governance, Finance and Risk outlined the contents of the report with particular reference to the following:

- Officers were thanked for their diligent work in preparing this report. Their expertise and efforts ensured that work continued to manage business rates effectively, despite the many changes imposed by Central Government over the last few years, business rates had indeed become more and more complex since 2013.
- The business rates and financial implications for this Council. It was important to be absolutely clear from the outset: that this Council did not set business rates in the same way as Council Tax—the calculation of rates was set by the Government. The Valuation Office Agency calculated the rateable values from which bills were worked out by billing authorities. Whilst this Council administered the collection, the rates themselves along with many relief schemes were entirely outside of the Council’s control.
- The Government had made a number of adjustments to the Business Rates that would, in some cases, materially alter the amount of rates due for businesses. Changes to some reliefs were ‘unfunded’ and others funded by Government via s31, an example of this would be Retail, Hospitality and Leisure Relief.
- The key changes taking effect from April 2025 included:
 - A reduction in Retail, Hospitality and Leisure Relief, which would drop from 75% to 40%. This meant businesses in those sectors would see an increase in the amount they were required to pay.
 - Private schools would no longer qualify for Charity Relief, following changes to primary legislation.
 - The restriction preventing councils from awarding discretionary relief more than six months after the end of the financial year had been removed, giving the Council greater flexibility in decision-making.
- Those changes could have a significant impact on some businesses, and for those that were affected, the Council would be in contact when annual bills were issued in March 2025.

Discussion took place with regards to:

- The local businesses would face a significant impact due to the increases in business rates tax base and the effects of national insurance employer’s contributions.
- Would advice and assistance be available for those that were affected?
- Retail Hospitality and Leisure Relief had been reduced from 75% to 40%.
- Approximately 300 business would be affected in key economic sectors.
- There were concerns about whether some businesses could afford their bills or would have to release some of their staff.
- What support would the Council offer to businesses to pay their bills, would the changes to the discretion relief make any difference?

- What was the collective figure for the sector in the region and what was the overall additional cost within this area?

RESOLVED that Cabinet recommend to Council that:

1. The calculation of the NNDR1 net yield of £19,854,365 from 3,562 business rated properties be **NOTED** and **APPROVED** for 2025/26.
2. The proportions distributed to the respective authorities and Central Government be allocated as per the statutory regulations.
3. Members **NOTE** that Central Government would reimburse the Council through a Section 31 grant to compensate it for the reduction in collectable business rates as a result of introducing various reliefs.
4. Members **AGREE** to Mid Devon re-joining the Devon Business Rates Pool for 2025/26.

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

Reason for Decision:

Mid Devon District Council was a Statutory Billing Authority and had a duty to carry out this task each year as part of the budgetary process. It should be noted that due to changes in reliefs, collection of business rates was likely to be challenging in 2025/26.

Note: * Report previously circulated.

131. **2025/2026 BUDGET**

The Cabinet had before it a report * from the Deputy Chief Executive (S151) presenting the 2025/2026 draft Budget Report.

The Cabinet Member for Governance, Finance and Risk outlined the contents of the report with particular reference to the following:

- The delivery of a fully balanced budget, not only maintaining the general fund reserves above required minimum, but making a net contribution to earmarked reserves, building resilience for future periods.
- This administration had stayed true to their principles: sound financial management, investment in the future, and delivering for communities, even in the face of adversity. They had demanded better support, funding and decision making for their residents and would continue to do so.
- This budget was the culmination of extensive collaboration over the past year. It had been scrutinised at every level by ten Policy Development Group meetings (PDG's), by this Cabinet five times, by Scrutiny Committee, and in an all-Member briefing.
- Every single Councillor had had the opportunity to contribute, because the funding and delivery of the Council's services was not just a matter for the administration; it was a matter for every elected Member and the residents they served.
- The Capital Programme worth £135.6 million, with £41.6 million of deliverable investment in 2025/26 alone. This was about building the infrastructure, ensuring the Council invested in the future rather than leaving liabilities for the next generation.

- The Council's capital investments included social housing development, ensuring that the Council continued to deliver high-quality, affordable homes for residents. Also, the Council was making targeted investments in waste and environmental services, responding to new regulatory requirements and preparing for the future.
- It included a fully funded provision for the Cullompton Town Centre Relief Road, a project that had been promised for many years, and would finally be delivered under this administration.
- The Treasury Management Strategy ensured the Council would remain financially stable and well-governed, taking a prudent approach to borrowing, maximising internal resources, and ensuring that every pound of public money was used wisely.
- The Minimum Revenue Provision (MRP) policy ensured that repaying debt responsibly, secured the long-term financial sustainability of this Council.
- The General Fund and Housing Revenue Account (HRA) Budget had been a huge challenge throughout the budget-setting process, with councils across the country facing relentless financial pressures. This Council had delivered a balanced budget that protected and enhanced key services.
 - Increased funding for tackling Net Zero and Planning Enforcement—investing in sustainability and ensuring that this Council held developers to account.
 - Expansion of Apprenticeship Scheme—investing in the future workforce and providing real opportunities for young people.
 - Continuing an ambitious social housing programme, ensuring the provision of good-quality homes and correcting the historic rent calculation error in a responsible way.
 - Growth in income streams, particularly from thriving leisure memberships and higher recycling levels, ensured that income was generated from services that would benefit the Councils residents.
- Unfortunately, one of the biggest challenges, was Central Government. Once again, this Council had been handed another single-year settlement, making long-term financial planning nearly impossible. The lack of certainty left councils like ours in a constant state of financial firefighting, unable to plan properly for the future.
 - This Council faced an expected additional cost of £466,000 as a result of the Government's increases to employer's national insurance contributions. Despite reassurances, the Council would only be receiving £151,000 in funding, essentially diverting the regressive Council Tax away from local services to Central Government. As if that was not enough, the Government had arbitrarily slashed key grants at the last minute, including the Rural Services Delivery Grant, leaving Mid Devon with an 18% cut in real-terms funding. This was a direct hit on rural district councils, making it even harder to deliver essential services without increasing the financial burden on residents, this was in the same week as the Government launched its latest Devolution White Paper.
 - Devolution and reorganisation would not fix the fundamental issue of underfunding, it would only cause higher and higher council tax bills as seen in other parts of the country, and indeed from some towns and parishes, who would be expected to pick up many of the services that district councils provided when they were abolished, or risk them being lost.
 - Despite those challenges, this Council had kept its council tax increase modest and within the cap at £6.96 (2.99%), this remained below inflation and

equated to a 14p per week increase—a small but necessary adjustment to protect the Council’s vital services.

- This budget not only maintained the General Reserve and funded the services residents relied on for the coming year, but it also strengthened the financial position for the future. This Council was making a net contribution to earmarked reserves, setting aside £2.225 million to mitigate future pressures, while carefully drawing down £1.763 million for planned investment.
- The budget was balanced and made provision for the future, the financial challenges ahead remained severe. The Medium-Term Financial Plan (MTFP) continued to forecast a deficit, and the Council must be prepared to make difficult choices. Processes had started now with engaging Members early, and ensuring every possible option was considered in a measured and responsible way.
- Officers were thanked for their outstanding work in producing this budget, and to all the officers across the Council whose dedication had been instrumental in this process. Their hard work was felt to be invaluable.

Discussion took place with regards to:

- The budget setting had been challenging.
- The impact on rural areas, whereas the cities seemed to be receiving a large uplift in funding.
- The recent council tax increases where they had Social Care duties, currently this Council did not have those duties.
- To continue with the Planning Strategy for house building and the funding announcement at Easter about Junction 28 and the benefits of this to the communities.

RESOLVED that Cabinet recommend to Council that:

Capital Strategy and 2025/26 – 2029-30 Capital Programme:

1. That the proposed 2025/26 Capital Strategy be **APPROVED** – Appendix 1;
2. That a Capital Programme consisting of new and existing projects totalling £135,569k with a profiled spend forming a Deliverable Capital Programme for 2025/26 of £41,614k be **APPROVED**– Annexes 1a, 1b and 2 to Appendix 1. (Note this was inclusive of forecast slippage as at Quarter 3 from the existing Capital Programme and would be finalised and formal approval sought as part of 2025/26 Outturn report);
3. The updated Capital MTFP’s for the General Fund and Housing Revenue Account covering the years 2026/27 to 2029/30 be **NOTED**.

Treasury Management Strategy:

4. The proposed Treasury Management Strategy and Annual Investment Strategy for 2025/26, including the prudential indicators for the next 3 years and the Minimum Revenue Provision Statement (Appendix 2) be **APPROVED**.

2025/26 Revenue Budget:

5. A Council Tax Requirement of £7,348,850 calculated using a Council Tax of £239.12 for a Band D property, an increase of £6.96 or 2.99% from 2024/25

and a Tax Base of 30,732.91, in accordance with the Local Authorities (Calculation of Tax Base) Regulation 1992, as amended, after the relevant adjustments in respect of the Council tax support scheme approved by Cabinet on 12 November 2024 be **APPROVED**;

6. The overall budgeted Net Cost of Services within the General Fund of £15,356,730 for 2025/26 be **APPROVED** as detailed within Appendix 3 (p2 – 40) and inclusive of the proposed balancing adjustments included within Table 1 in paragraph 5.5;
7. All of the transfers to and from Earmarked Reserves as detailed in Appendix 3 (p41) be **APPROVED**;
8. The HRA budget for 2025/26 as detailed within Appendix 3 (p42 – 51), with total income of £16,058,310, less direct costs of £12,939,410 with internal charges of £2,050,250 and capital financing of £1,068,650 balancing the budget be **APPROVED**;;
9. Work on strategic planning for delivering a balanced budget for 2026/27 and beyond be commenced immediately be **NOTED**.

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

Reason for Decision:

The 2025/26 Capital Strategy and Capital programme, the 2025/26 Treasury Management Strategy and the 2025/26 Revenue Budgets for the General Fund and Housing Revenue Account were in line with the Corporate Plan priorities within existing financial resources without materially reducing service delivery. The Local Government Finance Act required a balanced budget to be set by Tuesday 11 March 2025.

Note: * Report previously circulated.

132. REGULATION OF INVESTIGATORY POWERS ACT- ANNUAL REPORT (RIPA)

The Cabinet had before it a report * from the Director of Legal, People and Governance (Monitoring Officer) presenting the Regulation of Investigatory Powers Act.

The Cabinet Member for Quality of Living, Equalities and Public Health outlined the contents of the report with particular reference to the following:

- The Council had the 3 year review and inspection by the Investigatory Powers Commissioner’s Office in August 2024.
- This was a remote inspection and the Inspector was satisfied with the information provided and that it offered the required assurance that the Council was compliant with both the Regulation of Investigatory Powers Act 2000 (RIPA) and the Investigatory Powers Act 2016. The Inspector stated that the Council appeared to be in a strong compliance position.
- One observation was made that elected Members should review the authority’s use and set the policy annually. The Inspector did not recommend any changes to the policy, and no changes were recommended after review by the Community & Equalities Policy Development Group on 3rd December 2024 and Scrutiny Committee on 13 January 2025. Therefore, the policy was presented with no changes as Appendix 1.

- There had been no use of those powers since 2014. It should be noted that well-attended front-line training was organised approximately four years ago with an experienced external trainer in RIPA, with further training currently being arranged. In the age of social media, training of wider staff was also being considered to avoid inadvertently carrying out directed or other forms of covert surveillance in breach of the procedures in place. Annex 1 of the Policy set out how and when Open Source Internet Research and RIPA interact and were controlled.

RESOLVED that:

1. The Council’s policy for ensuring compliance with Regulation of Investigatory Powers Act 2000 (RIPA) was appropriate and shall remain as currently drafted.
2. The fact that the Council had not used its powers under RIPA since March 2014 be **NOTED**.

(Proposed by Cllr D Wulff and seconded by Cllr J Lock)

Reason for Decision:

The use of RIPA powers was heavily regulated and scrutinised by the Investigatory Powers Commissioner’s Office (“IPCO”). The legislation, combined with Codes of Conduct, set the framework for the use of RIPA powers. Statutory guidance required the Council to review the use of RIPA and the RIPA policy annually.

Note: * Report previously circulated.

133. HALBERTON- CAR PARKING SPACES REVISION TO OFF STREET PARKING ORDER

The Cabinet had before it a report * from the Head of People, Performance and Waste on the Mid Devon Off Street Parking Places Order.

The Cabinet Member for Finance, Governance and Risk outlined the contents of the report with particular reference to the following:

- The Mid Devon Off Street Parking Places Order with recent changes to car parking provision across the district, ensured that parking regulations remained fit for purpose, supporting residents, businesses, and the wider community.
- One of the key amendments was the incorporation of five parking spaces within Halberton known as “The Orchard” into the Off Street Parking Places Order. As Members would be aware, on-street parking in some of the communities was extremely limited, and this measure would enable residents to use those designated spaces while helping to ease congestion on the highway, ensuring the free and expeditious movement of traffic.
- Additionally, the report sought to provide greater clarity around electric vehicle charging infrastructure. The Council had been actively working with contractors to install electric vehicle charging points at numerous locations across the district, improving infrastructure and supporting our climate sustainability goals. The proposed amendments included updated wording to reflect legislative changes and ensured the correct use of electric vehicle bays and charging points.

RESOLVED that:

1. On being satisfied that the statutory grounds for amending and varying the OSPPO were met, as detailed in the Report, to authorise Officers to commence statutory consultation for the following proposed amendments to the OSPPO:
 - To incorporate as appropriate references to up to date legislative regulations including The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022. The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.
 - To incorporate within the OSPPO, 5 parking spaces known as 'The Orchard' in Halberton for the purpose of permit only parking.
 - To amend the OSPPO to incorporate the access roads within Carpenter Close, Tiverton to be subject to a restriction in the OSPPO of no parking.
 - For the OSPPO to include new provisions relating to electric vehicles and electric vehicle parking bays. The OSPPO would provide that only electric vehicles could park in an electric vehicle parking bay in order to recharge using the electric charging point provided the electric vehicle met the following definition of an electric vehicle "Electric Vehicle" means an Electric Vehicle or plugin hybrid a vehicle that was powered entirely or partially by electricity and was capable of being recharged from an Electric Charging Point or external electric power source. The Electric Vehicle must be licensed as private or private/light goods and not exceeding 2500kg in weight or 2 metres in height."
 - The wording of the OSPPO to be amended to allow for electronic payment of parking fees along the lines of using the definition below :-
"“Electronic Payment" means a cashless parking payment method of charges for use in a parking place where facilities at that parking place allowed payment by telephone or electronic means, allowing vehicles of such classes, in such positions, on such days, during such hours and for such periods as are specified at each parking place and specified in the Schedule of Parking Places to be parked for the period of time for which electronic payment has been made. A transaction fee (convenience charge) may be incurred in addition to the scale of current charges as specified on site and specified in the schedule, for the use of this electronic payment method."
2. Delegated authority to be granted to the Director of Legal, People & Governance (Monitoring Officer) to draft the order amending the OSPPO above including making such minor amendments to go out to consultation.
3. In the event that there were no material objections to the proposed amendments and variations as determined by the Operations Manager for Street Scene and Open Spaces, in consultation with the Cabinet Member for Service Delivery and Continuous Improvement, to grant delegated authority to the Director of Legal, People & Governance (Monitoring Officer) to make the order amending the OSPPO as recommended in the report.

(Proposed by Cllr J Buczkowski and seconded by Cllr J Wright)

Reason for Decision:

The OSPPO was designed to accurately reflect the Council's parking service and was a legal requirement that allowed the Council to provide such services.

Note: * Report previously circulated.

134. UPDATE ON THE FUTURE EPR (EXTENDED PRODUCER RESPONSIBILITY FOR PACKAGING)

The Cabinet had before it a report * from the Head of People, Performance and Waste updating it on the future Extended Producer Responsibility for Packaging (EPR).

The Cabinet Member for Service Delivery and Continuous Improvement outlined the contents of the report with particular reference to the following:

- From 1 April 2025 Local Authorities (LA) would be compensated by packaging producers for the costs of efficiently and effectively managing household packaging waste collected from households or deposited at Household Waste Recycling Centres (HWRCs).
- Payments would be made to local authorities through a new payment mechanism. The Scheme Administrator (appointed by the Department for Environment, Food and Rural Affairs (DEFRA) was responsible for calculating producer fees and local authority payments.
- The size of the payment from year two onwards would depend upon an assessment of the LAs effectiveness/efficiency. There would be 10 LA groupings for both recycling and residual that the Council would be placed in. Ground litter, commercial waste collections and packaging in street bins would be excluded in year one.
- In late November 2024 the Council were informed that the indicative payment of funding for 2025/26 would equate to £927K (scheduled to be paid in November 2025). Since then the Council had spoken with other authorities to compare how the award was aligned with their own allocation, recycling performance and number of residents served.
- Following those discussions the Council completed a survey to DEFRA and were awaiting their response to questions the Council had asked in relation to its provisional allocation. The Council were also aware that some other funding streams and income would be impacted. For example, the Shared Savings Scheme which had seen the Council rewarded for its good recycling and residual performance by the County, had had notice served on it already meaning it was coming to an end in 2025/26. The Council would still receive recycling credits and gain income from selling the dry recycling.
- The Council were monitoring Government announcements including notification that the Deposit Return Scheme (DRS) would be launched in October 2027, which would impact how this Council operated.

Discussion took place with regards to:

- The dry recycling rates, where this Council strived to be and clarity regarding how the Council had been grouped and whether this would have an impact for the future?
- In regards to the grouping, would the tonnage amount paid be different for each category.
- This Council had been collecting food waste for some time and other local authorities that had not been collecting food waste had received funding to do so.
- Some local authorities did not collect certain recycling items such as glass.

RESOLVED that the content of the report be **NOTED**.

Reason for Decision:

Under Section 46 of the Environmental Protection Act Waste Collection, authorities may by means of notice specify how householders presented their waste for collection. There were legal requirements to adhere to legislation around simpler recycling.

Note: * Report previously circulated.

135. **DEVON HOUSING COMMISSION REPORT**

The Cabinet had before it a report * from the Head of Housing and Health on the Devon Housing Commission Report.

The Cabinet Member for Housing Assets and Property Services outlined the contents of the report with particular reference to the following:

- The Devon Housing Commission Report published in July 2024 provided a comprehensive analysis of the housing challenges faced in Devon.
- The report highlighted issues that created a current housing crisis within the county including; affordability, lack of adequate social housing and the growing demand for rental properties with reduction in supply. It emphasised the need for sustainable development, the role of local authorities in addressing those challenges and the importance of balancing housing supply with environmental and community needs.
- The report offered recommendations including increasing affordable housing options, improving planning processes and better support for community-led housing.
- At the September 2024 meeting of the Homes Policy Development Group (PDG), the Head of Housing and Health provided a short presentation summarising the 7 key findings of the commission alongside some local context in terms of the current Council position. It was requested that the presentation be circulated to the PDG after the meeting and that the Devon Housing Commission Report be brought back to the next meeting for further discussion and debate with potential for the PDG to make recommendations.
- Accordingly, it was arranged for the November 2024 Homes PDG to receive a broader presentation on the commission report. This was provided by Matt Dodd of Exeter University (Head of the Commission). The University presentation was attached in Annex A. The PDG subsequently recommended that the Devon Housing Commission report and recommendations be taken into account in the review of the MDDC Housing Strategy due in 2025.

Discussion took place with regards to:

- The property affordability in individual ward areas.
- The wording in 2.1 “Devon population is older than England and was getting older faster”
- Discussions about council coastlines.
- The Housing Enabling Officer and Planning Committees be empowered to set the size and price range of houses, had this been considered?
- The concerns around the lack of mention of Specialist Housing for those with neurodiversity and those with disabilities.
- The impact on Special Educational Needs Schools.

RESOLVED that the recommendation of the Devon Housing Commission’s report (July 2024) be taken into account in an update of the Mid Devon District Council (MDDC) Housing Strategy due in 2025.

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

Reason for Decision:

Clearly the forward scoping and delivery of new affordable housing alongside the introduction of a Devon-wide and MDDC Housing Strategy in the near future may have significant financial implications which would need to be understood at the appropriate stage.

Note: * Report previously circulated.

136. **NOTIFICATION OF KEY DECISIONS**

The Cabinet had before it, and **NOTED**, the Notification of Key Decisions *.

The Clerk identified the changes that had been made to the list since it was published with the agenda.

This included the following:

- Replacement PVCU Double Glazed Unit / Entrance Doors added to the meeting in March 2025.
- Public Health Food Safety Service Plan added to the meeting in July 2025.
- Community Engagement Strategy (including Action Plan) added to the meeting in July 2025.
- Strategic Grant review 2025 added to the meeting in December 2025.
- Housing Strategy had moved to the meeting in June 2025.
- Corporate Anti-Social Behaviour Policy had moved to the meeting in December 2025.
- Tenancy Strategy had moved to the meeting in December 2025.

Note: * Key Decisions report previously circulated.

(The meeting ended at 18.44)

LEADER

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Report for: CABINET

Date of Meeting:	4 March 2025
Subject:	Policy Framework
Cabinet Member:	Cllr Luke Taylor, Leader of the Council
Responsible Officer:	Stephen Walford, Chief Executive
Exempt:	None
Wards Affected:	All
Enclosures:	Annexe 1

Section 1 - Summary and Recommendation(s)

Summary:

Endorsement of the Policy Framework is required so that the Council is able to align its policies to corporate objectives and make efficient use of its resources. It is also required by the Constitution.

Recommendation:

Cabinet to recommend to Council that the Policy Framework be adopted.

Section 2 – Report

1.0 Introduction/Background

- 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 Annexe 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, and highlighting to the Audit Committee, Policy Development Groups, Licensing and Regulatory Committees their work for the coming and future years.
- 2.3 The Policy Framework covers all strategic rather than operational policies and highlights those which are for Cabinet only approval and those which require full Council approval.

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.

Impact on Climate Change: Several policies within the Policy Framework have a direct link to climate change.

Equalities Impact Assessment: There are no concerns with regard to equalities impact relating to the content of this report.

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

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151
Date: 18.02.2025

Statutory Officer: Maria De Leburne
Agreed on behalf of the Monitoring Officer
Date: 18.02.2025

Chief Officer: Stephen Walford
Agreed by or on behalf of the Chief Executive
Date: 14.02.2025

Performance and risk: Stephen Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 18.02.2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Stephen Walford, Chief Executive or Laura Woon, Democratic Services Manager (Email: lwoon@middevon.gov.uk)

Background papers: None

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Community People and Equalities Policy Development Group							
Policy	Director	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Air Quality Action Plan	Director of Place & Economy	Nov-21	Community PDG	Mar-25	Cabinet	4 yearly	
CCTV Policy	Deputy Chief Executive (S151)	Dec-24	Community PDG	Dec-27	Cabinet	3 yearly	
Community Engagement <u>Strategy</u> (including Action Plan)	Deputy Chief Executive (S151)	Jun-23	Community PDG	Jun-25	Cabinet	2 yearly	
Community Safety Partnership Policy	Head of Housing and Health	Mar-24	Community PDG	Mar-25	Cabinet	Annually	
Contaminated Land Cost Recovery Policy	Head of Housing and Health	Sep-20	Community PDG	Feb-30	Cabinet	10 yearly	
Corporate Health and Safety Policy	Chief Executive	Mar-24	Community PDG	Mar-27	Cabinet	3 Yearly	
Corporate Anti Social Behaviour Policy	Director of Place & Economy	Mar-21	Community PDG	Nov-25	Cabinet	3 yearly	
Enforcement Policy	Director of Place & Economy	Sep-20	Joint PDG	Sep-30	Cabinet	10 Years or When required	
Grant payments to external organisations (the strategic grants review process)	Director of Place and Economy	Nov-23	Community PDG	Nov-25	Cabinet	2 yearly	
Town and Parish Charter	Director of Place and Economy	Jun-24	Community PDG	Jun-27	Cabinet	3 yearly	
Regulation of Investigatory Powers	Director of Legal, People and Governance	Dec-24	Community PDG	Dec-25	Cabinet	Annually	
Safeguarding Policy	Head of Housing and Health	Jun-24	Community PDG	Apr-27	Cabinet	3 yearly	
Serious Violence Duty Policy	Head of Housing and Health	Mar-24	Community PDG	Mar-26	Cabinet	2 yearly	
Single Equalities Policy and Equality Objective	Director of Legal, People and Governance	Mar-24	Community PDG	Mar-25	Cabinet	Annually	
Public Health Food Safety Service Plan	Head of Housing and Health	Jun-24	Community PDG	Jun-25		Annually	
Unauthorised Encampment Policy	Deputy Chief Executive (S151)	Jun-22	Community PDG	Jun-25	Cabinet	3 yearly	This now reports to the Community PDG

Planning, Environment and Sustainability Policy Development Group							
Policy	Director	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Enforcement Policy	Director of Place & Economy	Sep-20	Joint PDG	Sep-30	Cabinet	10 Years or When required	
Climate Strategy and Action Plan	Deputy Chief Executive (S151)	Nov-24	Planning, Environment & Sustainability	Dec-28	Cabinet	4 yearly	
Tree Policy	Deputy Chief Executive (S151)	May-21	Planning, Environment & Sustainability	May-26	Cabinet	5 yearly	
Planning Enforcement Policy	Director of Place & Economy	Dec-24	Planning, Environment & Sustainability	Dec-29	Cabinet	5 yearly	Last approval through PPAG then to Scrutiny before Cabinet
Biodiversity Duty Policy Framework and Action Plan	Director of Place & Economy	Dec-24	Planning, Environment & Sustainability	Dec-29	Cabinet	5 yearly	
Infrastructure Funding Statement	Director of Place & Economy	Dec-24	Planning, Environment & Sustainability	Dec-25	Cabinet	Annual	

Economy and Assets Policy Development Group

Policy	Director of Place	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed
Destination Management Plan for Mid Devon	Director of Place & Economy	Mar-18	Economy & Assets PDG	Mar-25	Economy PDG - Cabinet	Every 5 years
Economic Strategy 2024 - 2029	Director of Place & Economy	Feb-19	Economy & Assets PDG	Mar-25	Economy PDG - Cabinet	5 yearly
Shopfront Enhancement Schemes (£15k non-key)	Director of Place & Economy	Nov-22	Economy & Assets PDG	Nov-25	Economy PDG - Cabinet	3 yearly

Service Delivery and Continuous Improvements							
Policy	Director	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Artificial Intelligence (AI) Policy	Deputy Chief Executive (S151)	NEW	Service Delivery & Continuous Improvement PDG	Mar-25	Cabinet and Council as a new policy	tbc	
Customer Care Policy	Deputy Chief Executive (S151)	Mar-24	Service Delivery & Continuous Improvement PDG	Feb-26	Cabinet	2 yearly	
Enforcement Policy	Director of Place & Economy	Sep-20	Joint PDG	Sep-30	Cabinet	10 Years or When required	
National Assistance Burial Procedure	Deputy Chief Executive (S151)	Dec-24	Service Delivery & Continuous Improvement PDG	Dec-29	Cabinet	5 yearly	
Open Space and Play Area Strategy (2013 - 2033)	Deputy Chief Executive (S151)	Jan-15	Service Delivery & Continuous Improvement PDG	Jan-33	Cabinet	18 yearly	Now aligned with the Local Plan review
Parks and Open Spaces 10 Year Management Plan and Design Principles	Deputy Chief Executive (S151)	Nov-17	Service Delivery & Continuous Improvement PDG	Nov-27	Cabinet	10 yearly	
Play Area Safety Inspection Policy	Deputy Chief Executive (S151)	Jul-22	Service Delivery & Continuous Improvement PDG	Jul-25	Cabinet	3 yearly	
Environment Educational Enforcement Policy	Director of Place & Economy	Jan-24	Service Delivery & Continuous Improvement PDG	Jan-27	Cabinet	3 yearly	

Homes Policy Development Group						
Policy	Director	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed
The Neighbourhood and Community Standard						
ASB Policy	Director of Place & Economy	2023	Homes PDG	2028	Cabinet	5 yearly
Car Park Management	Director of Place & Economy	2020	Homes PDG	Jan-30	Cabinet	10 yearly
Garage, GGRP & Parking Spaces Policy	Director of Place & Economy	2024	Homes PDG	Jan-34	Cabinet	10 yearly
Pets & Animals Policy	Director of Place & Economy	2024	Homes PDG	Jan-34	Cabinet	10 yearly
Hoarding Policy	Director of Place & Economy	2024	Homes PDG	Oct-29	Cabinet	5 yearly
Neighbourhood Management Policy	Director of Place & Economy	2023	Homes PDG	Aug-27	Cabinet	4 yearly
CCTV Policy	Director of Place & Economy	2022	Homes PDG	Sep-27	Cabinet	5 yearly
The Transparency, Influence and Accountability Standard						
Tenant Compensation Policy	Director of Place & Economy	Nov-24	Homes PDG	Dec-29	Cabinet	5 yearly
Tenant Involvement Strategy	Director of Place & Economy	2021	Homes PDG	Mar-25	Cabinet	4 yearly
Service Standards	Director of Place & Economy	2024	Homes PDG	Nov-29	Cabinet	5 yearly
Income Management Policy	Director of Place & Economy	2024	Homes PDG	Jul-29	Cabinet	5 yearly
Vulnerability Policy	Director of Place & Economy	2022	Homes PDG	2026	Cabinet	5 yearly
Data Policy (NEW)	Director of Place & Economy	N/a as new	Homes PDG	Sep-25	Cabinet / Council	Tbc
MDH Safeguarding Adults at Risk, Children and Young People Policy	Director of Place & Economy	Mar-25	Homes PDG	Mar-30	Cabinet	5 yearly
The Quality and Safety Standard						
Aids and Adaptations	Director of Place & Economy	2021	Homes PDG	Apr-26	Cabinet	5 yearly
Void Management Policy	Director of Place & Economy	2023	Homes PDG	Jan-28	Cabinet	5 yearly
Tenant Alterations and Improvements to Council Properties	Director of Place & Economy	2024	Homes PDG	Nov-29	Cabinet	5 yearly
Damp & Mould Policy	Director of Place & Economy	2023	Homes PDG	Sep-33	Cabinet	10 yearly
Recharges Policy	Director of Place & Economy	2023	Homes PDG	Sep-33	Cabinet	10 yearly
Homes Safety Policy	Director of Place & Economy	2024	Homes PDG	Jul-29	Cabinet	5 yearly
Repairs and Maintenance Policy	Director of Place & Economy	2024	Homes PDG	Oct-29	Cabinet	5 yearly
The Tenancy Standard						
Allocations Policy	Director of Place & Economy	2022	Homes PDG	2026	Cabinet	4 yearly
Tenancy Management Policy	Director of Place & Economy	2022	Homes PDG	2026	Cabinet	4 yearly
Leaseholder Management Policy	Director of Place & Economy	2022	Homes PDG	2026	Cabinet	4 yearly
Decant Policy	Director of Place & Economy	2022	Homes PDG	2026	Cabinet	4 yearly
Tenancy Inspection Policy	Director of Place & Economy	2023	Homes PDG	Dec-28	Cabinet	5 yearly
Right to Buy Policy (NEW)	Director of Place & Economy	Jan-24	Homes PDG	2034	Cabinet	10 yearly
Tenancy Strategy	Director of Place & Economy	2012	Homes PDG	Nov-25	Cabinet	5 yearly
Housing Strategy 2021 - 2025	Director of Place & Economy	2021	Homes PDG	Mar-25	Cabinet	4 yearly
Housing Assistance Policy	Director of Place & Economy	2023	Homes PDG	2026	Cabinet	3 yearly
Asset Management Strategy	Director of Place & Economy	2024	Homes PDG	Dec-29	Cabinet / Council	5 yearly

Licensing & Regulatory Committees

Policy	Responsible Officer	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed	Notes
Hackney Carriage and Private Hire Policy and Conditions	Head of Housing and Health	Jul-24	Regulatory Committee	Jul-27	Council	3 Yearly	
Licensing Policy	Head of Housing and Health	Oct-24	Licensing Committee	Oct-29	Council	5 yearly	
Sex Establishment Policy	Head of Housing and Health	New Policy January 2011	Licensing Committee	Dec-19	Council	5 yearly	MDDC do not have any Sex Establishments and this Policy is not a priority due to officer capacity.
Statement of Principles for Gambling Act 2005	Head of Housing and Health	Oct-24	Licensing Committee	Oct-27	Council	3 Yearly	
Mobile Homes Fit and Proper Person Fee Policy	Head of Service for Housing and Health	Sep-23	Regulatory Committee	Sep-24	Council	Annual	This is currently being reviewed and due to come before the Regulatory Committee in June 2025.
Animal Welfare Policy	Head of Service for Housing and Health	Jul-20	Regulatory Committee	Jul-23	Council	3 Yearly	This is currently being reviewed and due to come before the Regulatory Committee in June 2025.

Audit Committee						
Policy	Director	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed
Annual Governance Statement and Governance Framework	Deputy Chief Executive (S151)	Jan-25	Audit Committee	Jul-25	Audit Committee	Annually
Anti-fraud and Corruption and Anti-Money Laundering Policies	Deputy Chief Executive (S151)	Mar-24	Audit Committee	Mar-26	Audit Committee	2 yearly
Corporate Recovery Policy	Deputy Chief Executive (S151)	Mar-21	Audit Committee	Sep-25	Cabinet	4 yearly
Data Quality Policy	Deputy Chief Executive (S151)	Nov-22	Audit Committee	Nov-26	Audit Committee	4 yearly
Financial and Contract Procedure Rules	Deputy Chief Executive (S151)	Feb-24	Audit Committee	Feb-27	Audit Committee - Full Council	3 yearly
Four year Strategic Audit Plan and Work Programme	DAP	Mar-24	Audit Committee	Mar-25	Audit Committee	Annually
Internal Audit Charter and Strategy	DAP	Mar-24	Audit Committee	Mar-25	Audit Committee	Annually
Risk Management Strategy	Director of Legal, People & Governance	Mar-24	Audit Committee	Mar-25	Audit Committee	Annually
Whistleblowing Policy	Director of Legal, People & Governance	Mar-21	Audit Committee	Mar-25	Audit Committee	4 yearly

Cabinet						
Policy	Director	Last Approved	Group/Committee to review/develop	Expected date for next approval	Approval required from	Frequency to be reviewed
Statement of Community Involvement	Director of Place & Economy	Aug-20	PPAG	when required	Council	As and when required
Area of Special Control for advertisements	Director of Place & Economy	Dec-11	PPAG	Linked to the Local Plan	Council	When required
Asset Management and Capital Strategy Plan 2016-2020	Deputy Chief Executive (S151)	Mar-21	Cabinet	Mar-25	Cabinet	4 years
Community Infrastructure Levy	Director of Place & Economy	Jan-21	PPAG	As and when required as part of the Local Plan	Council	As and when required as part of the Local Plan
Complaints and Feedback policy	Deputy Chief Executive (S151)	Jun-24	Cabinet	Jun-27	Cabinet	3 years
Corporate Recovery Policy	Deputy Chief Executive (S151)	Mar-21	Audit Committee	Apr-25	Cabinet	4 yearly
Corporate Plan	Chief Executive	Apr-24	Cabinet	Apr-28	Council	4 yearly
Council Tax Reduction Scheme	Deputy Chief Executive (S151)	Dec-16	Cabinet	When Required	Cabinet	When required
Customer Care Policy	Deputy Chief Executive (S151)	Mar-24	Cabinet	Mar-26	Council	2 yearly
Data Protection Policy	Deputy Chief Executive (S151)	Oct-22	Cabinet	Oct-25	Cabinet	3 yearly
Discretionary Rate Relief Scheme	Deputy Chief Executive (S151)	Feb-19	Cabinet	awaited	Cabinet	Annually
Enforcement Policy	Director of Place & Economy	Sep-20	Joint PDG	Sep-30	Cabinet	10 Years or When required
The Establishment	Director of Legal, People and Governance	Mar-23	Cabinet	Mar-24	Council	Annually
Freedom of Information Policy & EIR Policy	Deputy Chief Executive (S151)	Oct-22	Cabinet or Cabinet Member	Oct-26	Cabinet	4 yearly
ICT Strategy	Deputy Chief Executive (S151)	Feb-19	Cabinet	TBC	Cabinet	5 yearly
Information Security and Information Security Incident Policies	Deputy Chief Executive (S151)	Jan-25	Cabinet	Nov-27	Cabinet	3 yearly
Leisure Pricing Policy	Deputy Chief Executive (S151)	Oct-24	Cabinet	Oct-25	Cabinet	Annually
Local Development Scheme	Director of Place & Economy	Jan-22	PPAG	Mar-25	Cabinet	As and when required as part of the Local Plan
Local Enforcement Plan (replaces Development Control Enforcement Policy)	Director of Place & Economy	Jan-18	PPAG	awaited	Council	3 yearly
Media and Social Media Policy		Feb-23	Cabinet	Feb-27	Cabinet	4 yearly
Local Plan	Director of Place & Economy	Jul-20	Cabinet	Jul-25	Council	5 Yearly
Medium Term Financial Strategy	Deputy Chief Executive (S151)	Nov-24	Cabinet	Nov-25	Cabinet	Annually
Pay Policy	Chief Executive	Feb-24	Cabinet	Mar-25	Council	Annually
Records Management Policy	Deputy Chief Executive (S151)	Oct-22	Cabinet	Oct-26	Cabinet	4 yearly
Treasury Management Strategy and Annual Investment Strategy	Deputy Chief Executive (S151)	Feb-24	Cabinet	Feb-25	Council	Annually

Report for: Cabinet

Date of Meeting:	4 March 2025
Subject:	Pay Policy
Cabinet Member:	Cllr Luke Taylor, Leader of the Council
Responsible Officer:	Matthew Page – Head of People, Performance & Waste James Hamblin – Operations Manager – People Services
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1 – Pay Policy 2024 Appendix 2 – Pay Supplement Policy Appendix 3 – Delegation Scheme

Section 1 – Summary and Recommendation(s)

To comply with the legislative requirements of the Localism Act 2011 relating to transparency on senior officer pay, in particular the roles of the Chief Executive, Directors and other senior officers. The Localism Act 2011 requires an annually published Pay Policy which has been adopted by Full Council.

Recommendation(s):

That Cabinet review the Pay Policy and appendices and recommend to Council to approve

Section 2 – Report

- 1.1 The Localism Act required that all local authorities publish a Pay Policy on an annual basis. The Policy should be agreed by a meeting of the Council and be published on the Council's website.
- 1.2 The purpose of having a Pay Policy is so that the pay and related awards structure of the Council are transparent. The Pay Policy is detailed in Appendix 1.

- 1.3 At the present time, the Chief Executive is appraised on an annual basis by a group of Members as set out in the Constitution. The Leader consults a review panel which includes the Deputy Leader, the Chairman and Chair of Scrutiny on the objectives to be set and these are agreed with the Chief Executive.
- 1.4 Cabinet and Leadership Team meet on a monthly basis to monitor progress within each service area. Cabinet Members can raise issues with the Chief Executive and Directors on performance in any area of the Council.
- 1.5 A commitment was made to regularly review the content of the Pay Supplement Policy. It is attached in Appendix 2 for information. We also have a scheme of delegation as required by law to authorise potential agreements should a situation arise where they be seen as necessary. This is attached in Appendix 3.
- 1.6 Following the change in the Leadership Team structure referenced in last year's report, further restructures have taken place. This has seen the removal of one post and five new roles implemented. This is outlined in Appendix 1.
- 1.7 The Cost of Living rise agreed between the LGA and the Unions gave each employee (up to SCP43, inclusive) a rise of £1,290 regardless of their role or grade (pro rata for part time staff). For those on SCP44 and above, the award saw an increase of 2.5% on all pay points. This was awarded in October and was paid on the 22 November 2024.
- 1.8 This increase has resulted in the annual mean pay of all employees increasing from £31,713 in 2022/2023 to £33,749 in 2023/2024. It has also resulted in the pay multiple of the Chief Executive to both the mean salary and the lowest paid FTE employee in the Council decreasing from 2023/2024.
- 1.9 The gender mean pay gap is -0.30% for the Council compared to 7% nationally. We are therefore in a considerably stronger position than many other organisations.

Financial Implications

None arising from this report.

Legal Implications

In accordance with the Council's Constitution.

Risk Assessment

The risk to the Council of not complying with its legislative requirements are mitigated by this report and having robust performance management systems in place.

Impact on Climate Change

No climate change issues are highlighted in this report.

Equalities Impact Assessment

Considerations are given to specific policy and decisions with regards to equality impact assessments.

Relationship to Corporate Plan

To have a robust Pay Policy which ensures good use of public money in respect of the salaries of the most senior employees of the Council that is both transparent and visible. To ensure the Council is able to recruit and retain staff of a sufficiently high quality and who are able to deliver the objectives of the Corporate Plan.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 18.02.2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 18.02.2025

Chief Officer: Stephen Walford

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

Date: 17.02.2025

Performance and risk: Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 18.02.2025

Cabinet member notified: Yes

Report: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. No.

Appendix: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. No.

Section 4 - Contact Details and Background Papers

Contact: Matthew Page, Head of People, Performance & Waste
James Hamblin, Operations Manager – People Services

Email: MPage@middevon.gov.uk
JHamblin@middevon.gov.uk

Telephone: 01884 234919
01884 234203

Background papers: Previous Pay Policy Reports taken to Scrutiny Committee, Cabinet and PDG

People Services Policy

Version Control Sheet

Title: Pay Policy 2024

Reference No: HR/

Purpose: The Localism Bill requires that all local authorities publish a Pay Policy on an annual basis. The Policy should be agreed by a meeting of Council and be published on the Council's website.

The purpose of having a Pay Policy is so that the pay and related rewards structure of the Council is transparent.

*Owner: Matthew Page - Head of People, Performance and Waste
mpage@middevon.gov.uk*

Date: February 2025

Version Number: 9

*Status: **Final***

*Review Frequency: **Every year***

*Next review date: **February 2026 to be published by March 2026***

Pay Policy

1. INTRODUCTION

Local authorities must publish a pay policy statement for each financial year. This must be approved by a Council resolution before 31 March each year. The Act specifies a number of elements that must be covered by the statement including: the level and elements of remuneration for each chief officer, remuneration of chief officers on recruitment, increases and additions to remuneration for each chief officer, the use of performance-related pay for chief officers, the use of bonuses for chief officers, the approach to the payment of chief officers on their ceasing to hold office under or to be employed by the authority, and the publication of and access to information relating to remuneration of chief officers.

The specific part of the Localism Act 2011 relating to a pay policy is Section 38 (1). Pay is an emotive issue for staff, Councillors and also for the public at large. Transparency in what and how we pay our senior staff particularly, but also all council employees is of paramount importance.

A pay policy statement will be updated and taken to full Council each year, in this way a clear view of the salaries and benefits paid to the most senior staff at the Council can be tracked.

2. REFERENCES

Equal Pay Act 1970
Equality Act 2010
Localism Act 2011

3. SCOPE

This policy applies to:-

- Chief Executive Officer including Head of Paid Service responsibilities
- Directors (including Monitoring Officer responsibilities and Section 151 Officer responsibilities) and our Corporate Management Team.
- Employees earning over £50k per annum

4. POLICY

Clarity in the provision of pay and other benefits is essential to ensure that the Council can attract and retain high-quality employees at all levels.

In the context of managing scarce public resources, remuneration at all levels within the Council needs to be adequate to secure and retain high-quality employees dedicated to the service of the public, but at the same time needs to avoid being unnecessarily generous or otherwise excessive.

This pay policy statement applies specifically to chief officers (a term which includes both statutory and non-statutory chief officers which for the purposes of this policy are the Directors (including Monitoring Officer responsibilities and Section 151 Officer responsibilities)), the Corporate Management Team and addresses the legal requirement to set out how the policy for agreement of chief officer remuneration differs to that of other Council employees. For the purposes of this statement this includes:

- Chief Executive Officer (Head of Paid Service)
- Deputy Chief Executive (Section 151)
- Director of Legal, People and Governance (Monitoring Officer)
- Director Of Place
- Corporate Management Team
- Service Leads

The definition of chief officers (as set out in section 43(2) of the Localism Act 2011) is not limited to Directors, Heads of Paid Service or statutory chief officers. It also includes those who are their direct reports (who may or might not be statutory chief officers and those who report directly to non-statutory chief officers (deputy chief officers)).

The metric used for pay dispersion is the multiple of chief executive to mean earnings. Tracking this multiple will ensure public service organisations are accountable for the relationship between the pay of their executives and the wider workforce. Through this pay policy statement Mid Devon District Council will track this multiple annually. This is shown as Officer Remuneration in the accounts and includes;

- the level and elements of remuneration for each chief officer
- the remuneration of the lowest paid employees
- the relationship between the remuneration of its chief officers and other officers
- other specific aspects of chief officer remuneration.

In respect of Officer Remuneration Note in the accounts: It should be noted that the below information will relate to the previous year as shown in the annual accounts.

- Salary, fees and allowances
- Bonuses
- Expenses allowance
- Compensation for loss of employment
- Employers pension contribution
- Any other emoluments

Pay multiple

This is calculated by comparing all taxable earnings for the given year (including base salary, variable pay, bonuses, allowances and the cash value of benefits in kind) for the Chief Executive compared to mean earnings and the lowest paid in the organisation.

Specific Policy Areas

The National Joint Negotiating Committee has previously emphasised that 'it is good governance that local authorities can demonstrate that decisions on pay and reward packages for chief executives and chief officers have been made in an open and accountable way.'

The Leader of the Council may recommend to Full Council changes to the remuneration package following an annual review. Any structural changes to the remuneration packages of the Chief Executive or Directors will be subject to Full Council approval.

Salary increases in relation to cost of living will be made in line with National Joint Council recommendations.

The use of market supplements may be applied in certain circumstances.

At present, there are no additional payments made to senior officers which specifically relate to performance such as performance bonuses; neither is there an element of pay which can be enhanced for performance. Performance issues will be dealt with through the achievement of agreed objectives and the appraisal review process.

Any termination payments to chief officers on ceasing office will comply with Mid Devon District Council's Redundancy Policy.

Through this policy the pay multiple of the Chief Executive will be monitored annually. Should the multiplier between the annual salary paid to a full time employee on the lowest spinal column point and the annual salary paid to the Chief Executive be greater than 10, this will be reported by the Leader of the Council to Full Council for consideration.

Our support for apprenticeships, which may be considered a temporary employment measure, will not be used to skew the pay multiple metric and will therefore be excluded from the calculation. In order to ensure complete transparency however we have also included the salary of apprentices.

There are no arrangements currently in place for tax and national insurance payments for employees to be paid other than through the normal channels, i.e. through the normal PAYE route for all officers of the Council.

5. PAYMENT OF RETURNING OFFICER

Additional payments are set by various election authorities and made to officers carrying out additional duties at elections. These payments will only be received when elections take place and although fixed, do vary according to the type of election for which the payment is made. These payments are not within the scope of this policy.

6. OUTCOMES

In having this policy, Mid Devon District Council will ensure that the process for setting pay at a senior level is transparent. This policy will be reviewed annually to track the relationship of chief officer pay with the rest of the workforce.

7. PERFORMANCE MONITORING

Annual monitoring of this policy will take place in February. Monitoring of the Chief Executive's performance takes place through an annual appraisal process.

8. POLICY/STRATEGY CONSULTATION

This policy will be agreed with the Council's Leadership Team, Cabinet and Full Council.

9. EQUALITY IMPACT CONSIDERATIONS

The principles of equal pay are integral to this policy. 'Equal work' is defined as:

- Like work where the woman and the man are doing the same job or
- Work rated as equivalent where the 2 jobs are different but have been evaluated by the employer's job evaluation scheme (JES) at the same level/grade or
- Work of equal value where the jobs are again different but an argument is made that both jobs should be regarded as being of equal value or worth.

10. RESPONSIBILITIES

The Head of People, Performance and Waste will be responsible for this policy and for updating information on an annual basis.

11. RECORDS

Documents and records generated as a result of the application of this policy will be held electronically and retained as legally required.

All records will be maintained and processed in compliance with the Data Protection Act.

12. DOCUMENT HISTORY

Date	Version	Update
10/02/2017	1	Pay Policy
05/04/2018	2	Pay Policy
07/02/2019	3	Pay Policy
13/02/2020	4	Pay Policy
Feb 2021	5	Pay Policy
Feb 2022	6	Pay Policy
Feb 2023	7	Pay Policy
Feb 2024	8	Pay Policy

1. The level of remuneration for all Senior Officers earning over £50,000 is shown below:

Post Title	Remuneration	
	2024/25	2023/24
Chief Executive	£125,765	£122,698
Deputy Chief Executive (S151)	£107,625	£105,000
Director of Place and Economy (Formally Director of Place)	£99,425	£97,000
Director of Legal, HR & Governance (Monitoring Officer) (New Post 01/01/2024)	£99,425	£97,000
Head of Housing and Health Acting up from 01/06/23 (per annum)	Grade P £73,136 to £77,486	Grade N £61,189 to £64,813 £8694
Head of Finance, Property & CR(Dep S151) Acting up from 01/06/23 (per annum)	Grade P £73,136 to £77,486	Grade N £61,189 to £64,813 £8694
Head of People, Performance & Waste Acting up from 01/06/2023 (per annum)	Grade O £67,720 to £71,741	Grade N £61,189 to £64,813 £8694
Head of Digital Transformation & Customer Engagement	Grade O £67,720 to £71,741	Grade N £61,189 to £64,813
Corporate Manager Property, Leisure & Climate Change (Post holder left 17/05/2023 not replaced)		Grade N £61,189 to £64,813
Head of Revenues, Benefits and Leisure Acting up from 18/05/2023 (per annum)	Grade O £67,720 to £71,741	Grade N £61,189 to £64,813 £6481.32
Building Control Manager	Grade M £58,101 to £61,530	Grade M £56,684 to £60,029

Operations Manager Street Scene & Open Spaces	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Operations Manager Revenues, Benefits and Recovery	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Operations Manager Building Services	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Strategic Manager Growth, Economy & Delivery	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Operations Manager for Public Health	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Operations Manager for Property Services	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Development Management Manager	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Operations Manager for ICT Services	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Operations Manager for People Services	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Operations Manager for Performance & Governance	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611

Operations Manager for Leisure Services	Grade L £53,855 to £57,001	Grade L £52,541 to £55,611
Operations Manager for Finance Post started 15 th August 2024	Grade L £53,855 to £57,001	
Operations Manager for Legal Post started 29 th April 2024	Grade L £53,855 to £57,001	
Ops Manager (Waste and Transport)	Grade K £49,764 to £52,805	Grade K £48,474 to £51,515

2. The full time remuneration of the lowest paid employee.

Post Title	Remuneration		Other Allowances	
	2024/25	2023/24	2024/25	2023/24
Recreation Assistant (FOH) or Refuse Loader	£24,790	£23,500	None	None
Apprentice	£23,653	£18,135	None	None

The lowest paid employees in the 2023/2024 tax year were the Recreation Assistants (FOH) in the Leisure Service and the Refuse Loaders in Street Scene. The apprentice rate has been uplifted to £9.40 per hour for the 2023/24 tax year, and to £12.26 per hour from 1 December 2024.

3. The multiplier of the remuneration of the Chief Executive based upon taxable earnings.

Category	Total Remuneration	
	2024/25	2023/24
Pay multiple of Chief Executive to Mean	3.73	3.87
Pay multiple of Chief executive to lowest paid FT employee	5.07 (based on Recreation Assistant)	5.22 (based on Recreation Assistant)
	5.32 (based on apprentice rate)	6.77 (based on apprentice rate)

Category	Total Remuneration	
	2024/25	2023/24
Annual Mean Pay of all employees (Total Salaries/Total FTE)	£33,749	£31,713

Officer Remuneration Note in Accounts

Publication of Officers Remuneration

We are required to publish the following information in respect of officer remunerations:

- a) The number of employees whose remuneration in the year was greater or equal to £50,000, grouped in rising bands of £5,000.
- b) An analysis by job title of the remuneration and employer's pension contributions in respect of senior employees whose salary is £50,000 or more per year (or by name and job title where the salary is £150,000 per year)

4. Officers' Emoluments

This table includes all statutory and non-statutory posts whose overall remuneration exceeds £50k excluding pension contributions and non-taxable allowances as published in [MDDC Statement of Accounts 2023 24](#)

Remuneration Band	2022/23 Number of Employees	2023/24 Number of Employees
£50,000 - £54,999	9	3
£55,000 - £59,999	1	9
£60,000 - £64,999	6	1
£65,000 - £69,999	2	-
£70,000 - £74,999	-	4
£75,000 - £79,999	-	-
£80,000 - £84,999	2	1
£85,000 - £89,999	1	1
£90,000 - £94,999	-	-
£95,000 - £99,999	-	1
£100,000 - £104,999	-	-
£105,000 - £109,999	-	-
£110,000 - £114,999	-	-
£115,000 - £119,999	1	-
£120,000 - £124,999	-	1

The Council had no officers earning at or in excess of £150,000 in 2023/24.

5. Termination Benefits

2023/24				
Exit Package Cost Band	Number of compulsory redundancies	Number of other departures agreed	Total number of exit packages by cost band	Total cost of exit packages in each band £'000
£0 - £19,999	-	6	6	14
£20,000 - £39,999	-	-	-	-
£40,000 - £59,999	-	-	-	-
£60,000 - £79,999	-	-	-	-
Total	-	6	6	14

During 2023/2024 14 agreements were made. These were associated with service restructures and changes, included in order to reduce future employee costs. This helps match ongoing expenditure against the well documented cuts in funding.

6. Gender Pay Gap

6.1 Pay Quartiles by Gender

The Mid Devon District Council figures set out below have been calculated using the standard methodologies used in the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

Quartile	Males	Females	Description
1	62.24%	37.76%	Includes all employees whose standard hourly rate places them at or below the lower quartile
2	45.45%	54.55%	Includes all employees whose standard hourly rate places them above the lower quartile but at or below the median
3	46.15%	53.85%	Includes all employees whose standard hourly rate places them above the median but at or below the upper quartile
4	42.66%	57.34%	Includes all employees whose standard hourly rate places them above the upper quartile

6.2 Mid Devon District Council's Gender Pay Gap

	Mean Average Hourly Rate	Median Average Hourly Rate
Male	£16.48	£14.91
Female	£16.53	£15.43
HMRC % gap	-0.30%	-3.49%

The mean gender pay gap for the whole economy (according to the ONS Annual Survey of Hours and Earnings (ASHE) figures) is **7.0%**; at Mid Devon District Council's mean gender pay gap is **-0.30%**, therefore, significantly lower than that for the whole economy.

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PAY SUPPLEMENT POLICY

Purpose & Scope:

This Policy applies to all Mid Devon District Council employees. Supplements are only considered where all reasonable methods to improve recruitment or retention have been exhausted, and / or there is considerable risk to service delivery. Pay supplements will always be considered against the needs of the specific role as opposed to the post holder.

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Page 3 –	RETENTION PAYMENTS
Page 4 –	INCREMENTAL PROGRESSION
Page 5 –	HONORARIUM PAYMENTS
Page 6 –	PROCESS FOR APPROVAL
Page 7 –	RESPONSIBILITIES
Page 8 –	RECORDS

Related Documents & Further Reading (including but not limited to):

A set of links redirecting managers to different information available on the SharePoint.

- [Staff Charter](#)
- [Nolan Principles](#)
- [Line Manager Toolkit](#)

1. Introduction

This Policy contains the agreed approach to be taken in the application, monitoring and review of pay supplements within Mid Devon District Council.

Pay supplements incorporate mechanisms for managing recruitment, retention and market related issues by temporarily increasing the total pay awarded to a post (without altering the job evaluation determined grade for that post) when it can be shown that the salary range attached to the grade is significantly lower than those offered by a competitor and therefore it impacts adversely on the ability to recruit or retain staff. They also cover methods of recognition and reward.

During times of specific upheaval and change, it may be necessary to secure the delivery of key services and moreover, to retain a particular skill set within the authority using retention payments, market supplements, acting up payments and honorarium.

The objectives of this Policy are:-

- To recruit the best possible staff for each post and enable the Council to mitigate against any adverse impact on its ability to compete in the local labour market by looking at pay supplement payments
- To facilitate flexibility to resource the Council whilst ensuring compliance with equal pay legislation, achieving transparency and adopting best practice.
- To secure the consistent delivery of key services to the public that may be at risk by giving the ability to retain key post holders.
- To manage the usage of pay supplements responsibly with an aim to ensure that it does not create excessive or unnecessary pay disharmony.

This policy will be attached to the annual Pay Policy which is a statutory submission each year to be approved by both the Cabinet and Full Council.

2. Market Supplements

A market supplement payment is paid in addition to basic salary for a specific individual post or cluster of identical posts. It may be paid where a post has been identified as 'hard to fill' and the Council is prevented from being able to recruit and/or retain existing staff on the salary determined by the Council's job evaluation scheme.

Payment will be:

- used in exceptional circumstances only
- mindful of any equal pay/value considerations, in order to avoid/minimise the potential for challenge on this point
- made as a clearly identified supplement with properly documented supporting reasons, for the amount of payment
- time limited in its application ie the guaranteed period will be up to a maximum of 12 months
- subject to regular monitoring and review
- pensionable
- applicable to all individuals appointed to the post

Any case for the payment of a market supplement must be properly justified, with supporting evidence from the following range of criteria:

- Evidence of a difficulty to recruit or pay related retention difficulties, together with market pay data
- Turnover rates
- Market based salary comparisons with competing local/regional/national employers (both public and private sector)

- Evidence that other retention initiatives have been explored/exhausted (e.g. learning and development opportunities, promoting non-pay benefits)
- Assessment of the impact of a failure to maintain adequate staffing levels in order to ensure service delivery requirements are met
- Consideration of the impact on other existing staff within the defined job group
- Robust budget impact assessment

In addition to the criteria above, account should be taken of the wider employment context applicable to the occupational group and whether the payment of the market supplement will address the particular issues underlying the retention difficulties, or whether alternative/additional actions are required.

For example:

- Are the difficulties an indicator of other issues of concern within the service/occupational group, which can be more appropriately resolved by other management action and/or non-pay measures?
- Is there a regional/national shortage for which new/alternative training schemes would be a more appropriate solution?
- Are there more appropriate ways of resourcing/delivering the service rather than through an in house workforce?

The amount of the market supplement will not be greater than 15% of the top of the salary range for the post.

Market supplements, and the conditions applicable to them, shall be clearly set out and separately identified in any job advertisement and offer/appointment letter.

Market supplement reviews will be undertaken in the following circumstances:

- At least three months prior to the end of the guaranteed period, Human Resources will instruct the Line Manager to commence the review of the market place related to that post and present the findings to the Pay and Grading Group no later than six weeks prior to the end of the guaranteed period.
- If a review indicates that the market supplement is no longer justified, it will be withdrawn. Employees will receive a minimum of one months' notice if the market supplement is being withdrawn and the reasons for this decision.

Failure to present the findings of the review to the pay and grading group within six weeks of the end of the Guarantee Period will result in the withdrawal of the pay supplement with 1 months' notice.

3. Retention Payments

Deferred retention payments are paid after an agreed period of employment has been completed, and will only be authorised on the basis of the provision of robust evidence amounting to a material factor (suitable for defending any potential equal pay claims).

The following evidence will be required as a minimum:

- defined skills or knowledge of an individual not available elsewhere within the authority which are deemed essential to service delivery, or other equitable material differential
- a written offer of employment with another employer, including details of the terms and conditions being offered
- reasons for leaving are clearly related to remuneration / job security, and not other factors such as dissatisfaction with role, manager, team or organisation
- evidence that other measures have been explored, together with the impact on the team.

Payments may be made at the end of a given period, or staggered throughout the specified period of retention.

Requests can only be brought by management, and will have to satisfy the Pay and Grading Group that there is not an Equal Pay issue. A clear business case detailing the significant impact on service delivery will be required for submission to the Pay and Grading Group following authorisation by Director or the Chief Executive.

Managers will also need to include information in their business case as to why a retention payment is more applicable than a market supplement before any payment can be approved.

Retention payments will be subject to the appropriate contractual conditions being met, e.g. remaining within the Council's employment for a specified period and/or the completion of specific tasks. Individuals will be required to sign an agreement to this effect.

The amount of a deferred retention payment will not be greater than 10% of substantive salary.

These payments will be made in addition to the individual's normal salary but will be subject to the normal income deductions in respect of tax and National Insurance. They are not pensionable.

If a deferred payment is made in stages and not at the end of the period and an individual leaves the Council within the agreed period of operation of the payment, the individual will be required to pay back all monies received under the scheme, except in the circumstances set out in below.

If an individual leaves the Council because of illness, injury, disability or redundancy, the member of staff will not be required to refund payment

During the specified period when a retention payment is being made a Manager will be required to manage the risk of the employee leaving by undertaking the necessary measures such as ensuring the employee shares their knowledge with other colleagues and/or undertaking recruitment to the role.

If a retention payment is being proposed that relates to a Director then the CEO, the Leader of the Council, the relevant Cabinet Member and the Corporate Manager with responsibility for People will need to agree and sign off any proposal. This will then be sent to SW Councils for independent evaluation and ratification.

If a retention payment is being proposed that relates to the CEO, then the Leader of the Council, the relevant Cabinet Member, Chairman and the Corporate Manager with responsibility for People will need to agree and sign off any proposal. This will then be sent to SW Councils for independent evaluation and ratification.

4. Incremental Progression

The Council's financial rules provide Operational Managers and above with delegated powers to place an individual on the spinal column point of their choosing, provided it is within the evaluated grade for the post, and follows satisfactory performance.

In support of this delegated authority, and in order to ensure that equal pay is maintained the determination of an individual spinal column point either at the commencement of employment in the job role or at any other time will be based on objective material factor criteria as follows:-

- Possession of skills, knowledge, experience or qualifications beyond those which are essential to the job which will enhance performance in the role
- Demonstrable accelerated growth in the role beyond that expected (attainment of skills/knowledge/experience).
- An alternative to a retention payment or market supplement where the criteria for such payments is met.

In the event that an employee has not met their performance targets in line with their annual appraisal or has not been working to the required standard of work they will not be awarded a pay increase, and this will be reviewed again in the following year.

For appointments effective between 1 October and 31 March inclusive, the next increment will be six months after the effective date and then 1 April thereafter.

Subsequent increments are achieved when there has been a demonstration of high performance against the expectations of the role. Any incremental pay progression will be awarded to employees once this has been evidenced through the annual pay review.

The annual performance review is an opportunity for managers and their staff to review performance throughout the year and make a judgement as to whether a pay increase will be awarded. If a pay increase is not awarded then the manager will be required to give specific details about any performance shortfalls, and provide the employee with specific targets and support. In certain circumstances where an informal process has not reached a solution this may proceed to a capability process.

Any incremental pay increases will be payable on 1 April. Pay increases will no longer be awarded once the employee has reached the top of the pay scale for their role.

5. Honorarium Payments

An honorarium payment may be made to an employee who is undertaking duties of a higher level than those for which they are graded. This can be related to:

- covering a vacancy
- covering an ongoing absence within the department (such as long term sickness, but not annual leave)
- undertaking work on an ongoing basis which is over and above that expected for the grade of the post
- *a special project/activity – work outside normal scope of duties*

Any honorarium paid should not only be for a justifiable reason, but also clearly calculated. The payment, which is pensionable, should be calculated as follows:-

Extra responsibilities for between 6-8 weeks

For the first 6-8 weeks this is considered as a development opportunity offered without payment. As with any request for a staff member to take on extra responsibilities the extent of the duties will need to be clearly confirmed, and the member of the staff has the right to decline the opportunity. It is crucial that this aspect is confirmed in advance of any extra responsibilities being proposed.

Extra responsibilities for over 8 weeks

Any staff who have responsibilities longer than 8 weeks should receive an acting up allowance to the equivalent of 10% of their current salary if it is work at their grade. If duties are belonging to a role of a higher grade the staff member will receive 10% of the salary of the role being covered.

*Payments being awarded in respect to the above should be for no longer than 12 months as per the CMT principle adopted in 2020.

Extra responsibilities for a period longer than 12 months

If there is a requirement for additional duties to be taken for a period longer than 12 months then a formal evaluation of the staff members role will need to be considered which may lead to a formal restructure within the department.

In accordance with the Council's financial rules, the Line Manager must obtain approval prior to the confirmation of any honorarium by making a request using the Honorarium Payment Approval Form, which must be completed and signed off by themselves and the Operational Manager/Director. This should then be forwarded to Human Resources. Staff are not able to put themselves forward for an honorarium.

6. Process for Approval

In order to maintain the integrity of our Job Evaluation scheme, requests for market supplements, retention payments, and honoraria are all subject to additional approval by the Pay and Grading Group. Any such requests will be submitted for consideration at the next available meeting of the Pay and Grading Group following receipt of the authorised request.

All requests must be made on the appropriate application form and all supporting documentation must be attached. Business cases which propose market supplements, retention payments and honorariums must be robust in order to provide a defence against an equal pay claim.

7. Responsibilities

Managers are responsible for making the business case, including carrying out any research, completing the necessary application form and obtaining the necessary level of authorisation prior to submitting the request to Human Resources.

Managers are responsible for ensuring that any proposals in respect of incremental progression and honoraria can be met from their own budget. There will be a central budget for market supplement/retention payments, which will be controlled by Human Resources.

The Pay and Grading Group are responsible for approving market supplements, retention payments and honoraria.

Human Resources will ensure that all the necessary paperwork and information has been submitted, provide the check and balance arrangements in respect of that supporting evidence, ensure that any payments are supported with an objective justification, and will specifically be responsible for identifying reasons for leaving upon receipt of requests for retention payments. Human Resources will review this policy annually to ensure continued relevance.

Human Resources will be responsible for providing an annual summary of:

- the number of applications under each strand of this Policy
- the number of applications approved under this Policy
- the breakdown of applications approved by gender

to the Pay and Grading Group. Data monitoring the application of incremental progression will be reported to each Pay and Grading Group meeting, and annually to the Corporate Negotiation and Joint Consultative Committee.

8. Records

Documents and records generated as a result of the application of this policy will be retained permanently on the individuals personnel file. Records of will be held

permanently on the Council's HR and Payroll information systems. All records will be maintained and processed in compliance with the Data Protection Act.

Appendix 3 – Scheme of Delegation

Special Severance Payments

In line with guidance published in 2022 by the Department for Levelling Up, Housing & Communities, Mid Devon District Council has the following approval process for payments deemed ‘Special Severance Payments’.

Monetary Amount	Approval By
> £100,000	Approved by a vote of full council, as set out in the Localism Act 2011
> £20,000 but < £100,000	Must be personally approved and signed off by the Head of Paid Service, with a clear record of the Leader’s approval and that of any others who have signed off the payment
< £20,000	Must be approved according to the local authority’s scheme of delegation. It is expected that local authorities should publish their policy and process for approving these payments

At Mid Devon District Council our local scheme of delegation for Special Severance Payments requires approval and sign off by our Head of Paid Service and S151 Officer, with advice sought from the Monitoring Officer where appropriate.

Where the proposed payment is to the Head of Paid Service (Chief Executive), to avoid a conflict of interest it is expected that the payment should be approved by a panel including at least two independent persons.

As part of their duties, an authority’s S151 Officer, and where appropriate, the Monitoring Officer, should take a close interest in and be able to justify any special severance payments that are made by that authority and in particular any payments made that are not consistent with the content of this guidance.

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Report for: Cabinet

Date of Meeting:	4 March 2025
Subject:	Establishment Report
Cabinet Member:	Cllr Jane Lock, Cabinet Member for People, Development and Deputy Leader
Responsible Officer:	Matthew Page – Head of People, Performance & Waste James Hamblin – Operations Manager – People Services
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1 – Structure Chart

Section 1 – Summary and Recommendation(s)

To provide Members an update on both the Establishment of the Council together with its performance. This report should be read in conjunction with the functions of individual officers highlighted in the Constitution.

This report sits within the current budget and policy framework. An updated set of structure charts are provided in Appendix 1.

Recommendation(s):

That the Cabinet note the report.

Section 2 – Report

1.0 Introduction

- 1.1 The purpose of this report is to provide an update on the performance of our workforce.
- 1.2 These items include updates on the key establishment indicators of sickness absence, agency expenditure and turnover.
- 1.3 Focus on data and analysis continues to be a key consideration as we share and embed this across service areas through initiatives such as the quarterly

performance review report and subsequent operational meetings. Additional monthly updates are provided to the Corporate Management Team and Leadership Team on workforce data. Where possible the collection, reporting and sharing of data is being automated using our own systems.

1.4 The workforce data allows us to compare the performance and impact of vacancies, sickness, turnover, agency and overtime spend both corporately but also in particular departments. This helps us to regularly review our establishment and make sure it is fit for purpose.

2.0 Sickness Absence, Agency Expenditure and Establishment

2.1 For 2023/24 the Council had an average of 10.45 days sickness absence per full time equivalent (FTE). This compared to 10.09 days in 2022/23, 7.82 days in 2021/22 and 5.58 days in 2020/21. Figure 1 outlines sickness absence since 2020/21 and includes the first nine months of the financial year 2024/25.

2.2 Our policy expects employees to not exceed 6 days sickness absence in a rolling 12 month period. It should be noted that there will be a difference between FTE and per employee statistics. As noted on previous reports, lower sickness absence levels during the ‘pandemic years’ will reflect both the furlough scheme in place at the time and employees being able to work from home.

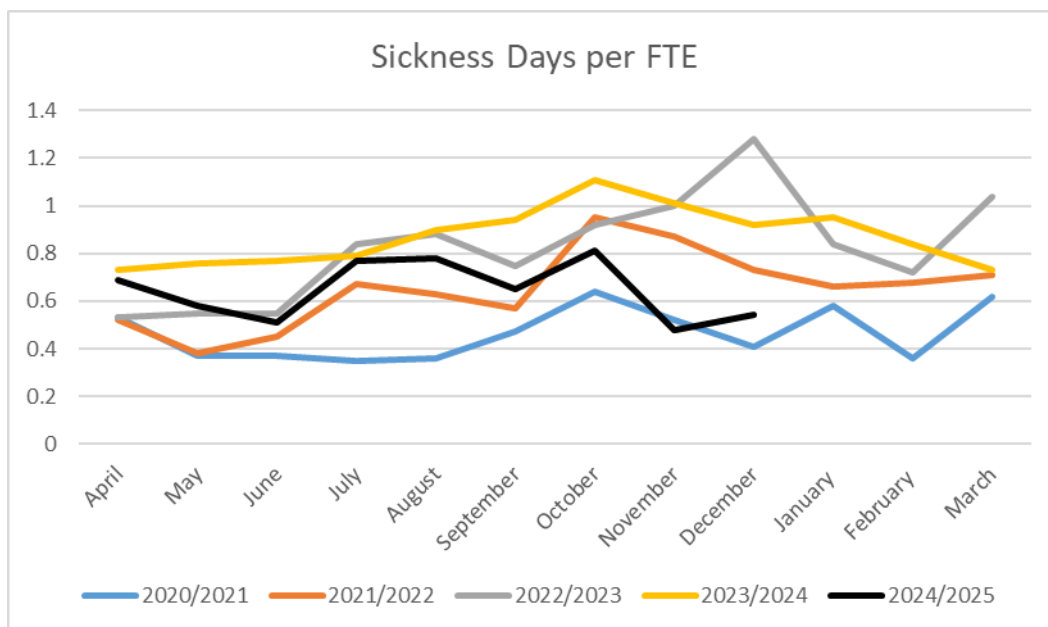


Figure 1. Sickness 2020/2021 – 2024/2025.

2.3 Sickness absence and the impacts this creates remain an ongoing challenge. The People Services department has rolled out in house training across the organisation following the updates made to the sickness absence policy. This training has been made available to employees through the

learning management system to ensure content created is readily available to existing and new line managers.

- 2.4 In the first nine months of this financial year, 5.81 days sickness absence per FTE were recorded. Acknowledging this, current projections would suggest approximately 7.75 days lost per FTE in 2024/2025. This year has seen a significant reduction in Autumn and Winter absences as shown in Figure 1, returning to levels last seen in the financial year 2020/2021. It should be noted that sickness absence meetings are the majority of our employee relations cases and has been for the last 12 months.
- 2.5 Expectations regarding sickness absence continue to be communicated through line managers, with particular acknowledgement given to the challenges brought by presentism which has nationally gained attention as the country has transitioned into longer term hybrid working practices following the COVID-19 pandemic.
- 2.6 Dedicated flu vaccination appointments for our staff had been secured with a local provider. Whilst uptake on the offer this year was reduced compared to last year, we are minded that some staff already have free access to the jab via the NHS should they meet the criteria set.
- 2.7 January 2025 will see the return of free health checks for staff. Dates and times have been communicated to our workforce. This follows the positive feedback from the trial in 2024 and is aligned to efforts being made to prioritise the health and wellbeing of our workforce.
- 2.8 Following conclusion of the All Staff Survey in 2023, an action plan has been created focused on themes of Communication, Engagement as well as Pride and Wellbeing. This followed further feedback provided by the Impact Consultative Group and our recognised Union. Steps taken so far include; the introduction of regular all staff briefings, social events for all staff and the regular sharing of good news stories. The recent social event prior to the Christmas break generated £480 in donations for a local charity. Autumn 2025 will see the launch of the next All Staff Survey.
- 2.9 During 2023/24 the Council spent £682,789.04 on agency workers. Table 1 outlines agency spend since 2020/21. For the current financial year, we are currently tracking below spend incurred last year and final spend for this year will be confirmed in future reporting.
- 2.10 The labour market continues to fluctuate between the broader benefits and security of permanent employment and the typically higher salary and greater flexibility offered by agency work. This is particularly challenging in specialist roles. The Council continues to review benefits available to our workforce to ensure we maintain an attractive employment offer. It should be noted that figures outlined in Table 1 may vary from previous reporting due to payment terms with the providers.

Year	Agency Spend	Year On Year Change (+/-)
2020/21	£576,368.28	
2021/22	£812,248.34	+33.97%
2022/23	£1,102,933.68	+30.36%
2023/24	£682,789.04	- 47.06%

Table 1. Agency Spend 2020/21 – 2023/24

2.11 Table 2 compares the Establishment for the Council and associated costs from 2020/21 to 2023/24. The 2024/25 pay award of £1290 (or 2.5%) was finalised in October 2024, with staff having pay backdated 7 months to 1 April 2024. Strike action was not supported by union members. Feedback has been provided already to employer representatives within the pay negotiation for consideration in future settlements.

	2020/21	2021/22	2022/23	2023/24
Total number of employees /workers paid	697	728	765	798
Establishment FTE (Average)	422.79	426.43	430.44	443.69
Total Taxable Gross Pay	£11,515,324.63	£12,197,334.88	£13,168,855.70	£14,343,265.15
Employers NI	£1,038,135.28	£1,126,244.53	£1,277,182.95	£1,365,846.63
Employers Pension	£1,832,713.73	£1,938,973.16	£2,093,547.57	£2,585,379.63

Table 2. Establishment 2020/21 – 2023/24

2.12 The year on year increase in ‘Total Taxable Gross Pay’ outlined in Table 2 reflects the increased FTE, each year’s pay award made as well as the yearly incremental increase. It should be noted that the overall yearly payroll budget includes an aspect of agency staffing costs which can be used to cover hard to recruit areas e.g. Solicitors in Legal, Planning Enforcement Officers.

2.13 In October and November 2024, training focused on Recruitment, Interviewing and Selection was rolled out in response to employees specifically requesting this. Attendee feedback has been positive and new tools to assist with tasks such as candidate shortlisting have been shared.

- 2.14 Learning Partnerships, a collaborative group of staff from different services to review learning and workforce planning across the Council, has been created. Regular meetings are underway and feedback is being shared with management teams on insight and action being proposed.
- 2.15 The Council and staff received recognition in October 2024 at the annual South West Challenge. Three teams made up of staff from across our service areas represented Mid Devon District Council and competed against other South West local authorities. The teams performed exceptionally well, being shortlisted for all award categories and finishing as the best placed authority in one category.

3.0 Turnover

3.1 Turnover for 2023/24 was 17%. This compares to a turnover of 19.49% in 2022/23, 21.25% in 2021/22 and 14.23% in 2020/21. Figure 2 shows turnover at the Council since 2020/21 and includes the first nine months in the financial year 2024/25.

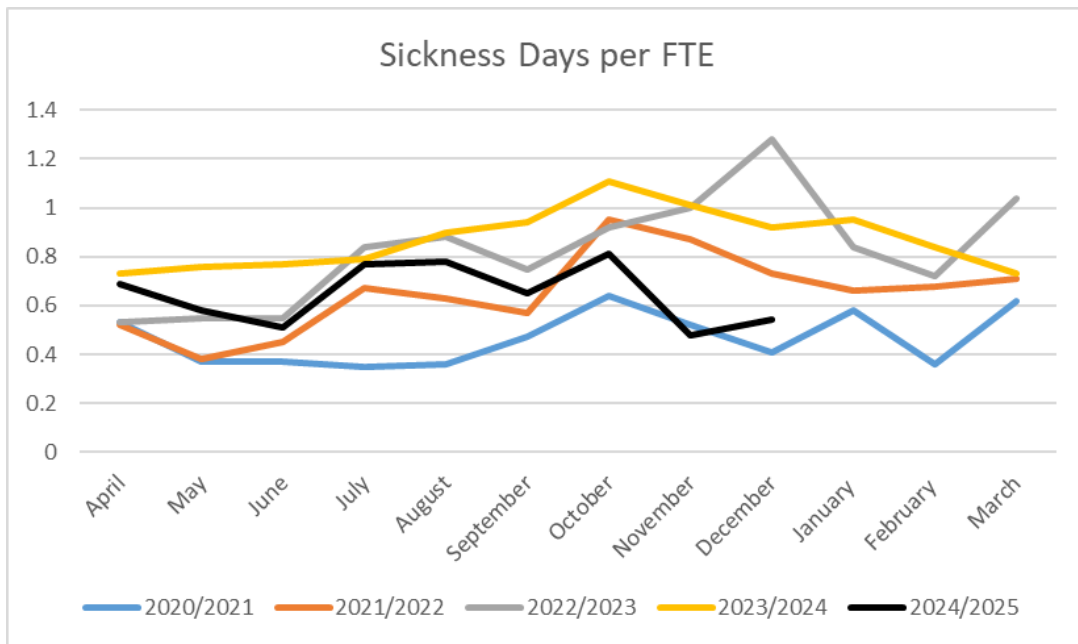


Figure 2. Turnover 2020/21 – 2024/25.

- 3.2 In the first nine months of 2024/25, turnover totalled 13.55%. Acknowledging this, current projections would suggest we end 2024/25 with a turnover rate of approximately 18.07%.
- 3.3 Feedback from exit interviews is being shared with services to reflect on what we, both at a service and whole Council level, could consider to retain employees. Reasons cited by employees leaving the Council vary but regularly referenced includes; Career Progression, Better Salary and Benefits and Retirement.

- 3.4 Alongside fourteen apprenticeships across the Council, we continue to support Mid Devon residents with work experience. We have already been contacted by students from different educational providers for work experience in 2025, with 15 due to join our services to gain insight into working life at the Council. We continue to use our apprenticeship levy funds to support the development of our employees whether this is in the form of those joining us as an Apprentice or upskilling existing employees.
- 3.5 The latest round of appraisals at the Council concluded in December. A core theme of the process for this year will be to ensure we embed the new Corporate Plan within the objective setting process so that all employees can understand how they contribute to the strategic direction of the Council.
- 3.6 We continue to work with other authorities to understand how our performance compares. A new online subscription will provide data to us on key workforce metrics of other authorities. Insight from this is expected from April 2025 onwards.

4.0 Conclusion and Recommendations

- 4.1 Work will continue to review our establishment and staffing budget. Greater insight from data and analysis will support services to analyse their service needs. Although we have strengthened our understanding and analysis of how our projected establishment and actual workforce compare, there is further work to do to ensure we are effectively resourced right across the Council.
- 4.2 Whilst sickness absence and therefore the impact from sickness absence appears to be reducing, it is important that we do not lose sight of the need to address absence with timely management interventions. Similarly, the reduction in agency spend should not be taken lightly and efforts, such as the regular review of vacancy need within the Council, is required to ensure we manage what is within our gift.
- 4.3 Acknowledging the next All Staff Survey will be rolled out later this year, it is important that the associated action plan remains in place and monitored.
- 4.4 Following experiences in recent years, it is important that feedback from staff impacted by the delayed pay award is provided back to those involved in the negotiations. This can both support staff with the immediate impact from the cost of living rises seen in recent years, as well as, reduce the potential impact of industrial action.

Financial Implications

Financial risk will only occur where the structure of a service changes without adherence to allocated budgets.

Legal Implications

In accordance with Article 14 of the Constitution.

Risk Assessment

If the Establishment of the Council is not appropriately managed and reviewed service delivery may be put at risk.

Impact on Climate Change

No climate change issues are highlighted in this report.

Equalities Impact Assessment

Considerations are given to specific policy and decisions with regards to equality impact assessments.

Relationship to Corporate Plan

This report highlights the Establishment figures and supports our aim to reduce costs without affecting service quality and continuity, as well as, being an employer of choice in the Mid Devon area.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151 Officer
Date: 05/02/25

Statutory Officer: Maria de Leburne
Agreed on behalf of the Monitoring Officer
Date: 04/02/25

Chief Officer: Richard Marsh
Agreed by or on behalf of the Corporate Director
Date: 04/02/25

Performance and risk: Steve Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 31 Jan 2025

Cabinet member notified: yes

Report: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. (No)

Appendix: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. (No)

Section 4 - Contact Details and Background Papers

Contact: Matthew Page, Head of People, Performance & Waste
James Hamblin, Operations Manager – People Services

Email: MPage@middevon.gov.uk
JHamblin@middevon.gov.uk

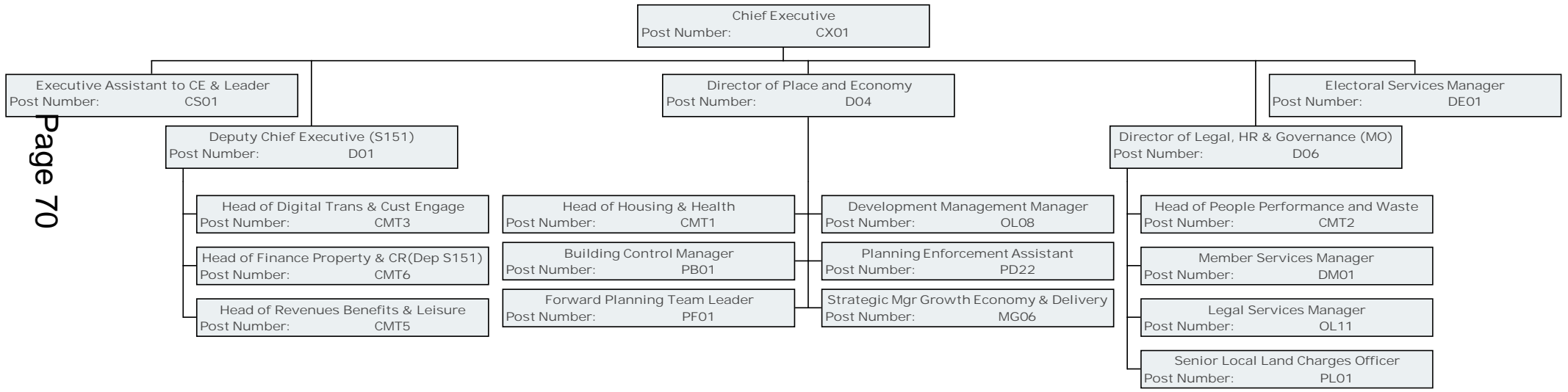
Telephone: 01884 234919
01884 234203

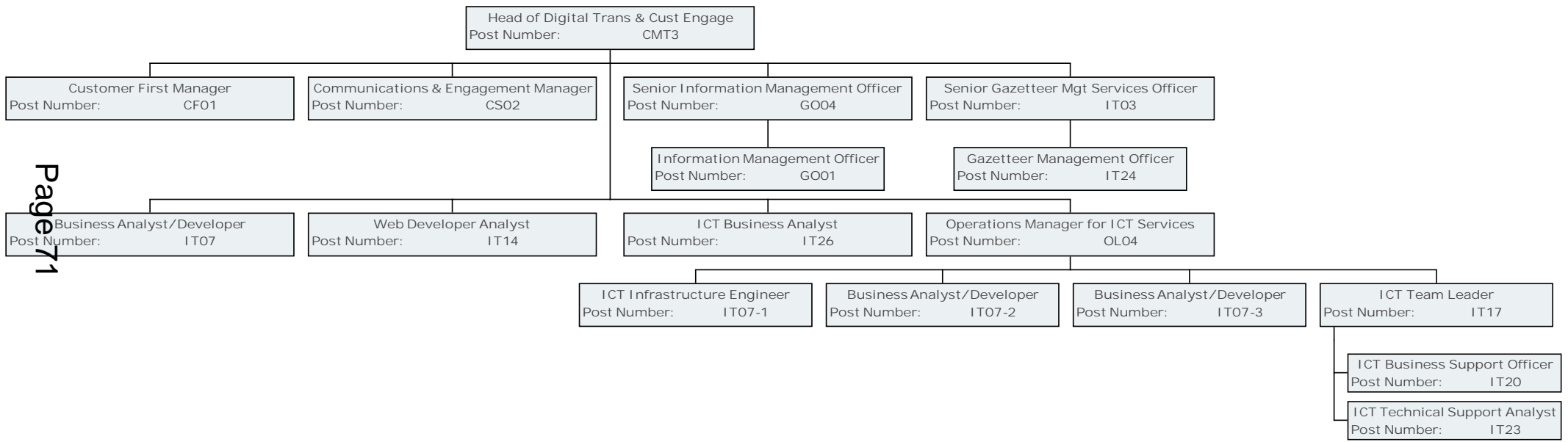
Background papers: Previous Establishment Reports taken to Scrutiny Committee, Cabinet and PDG's

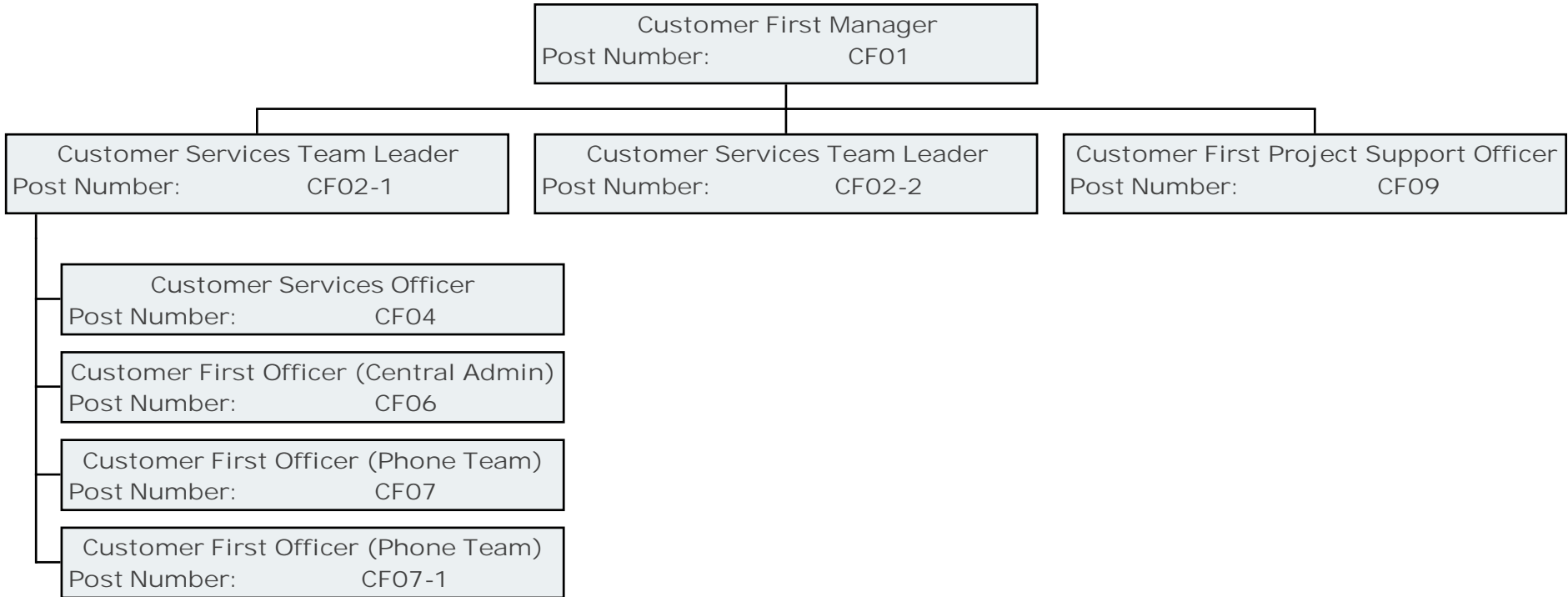
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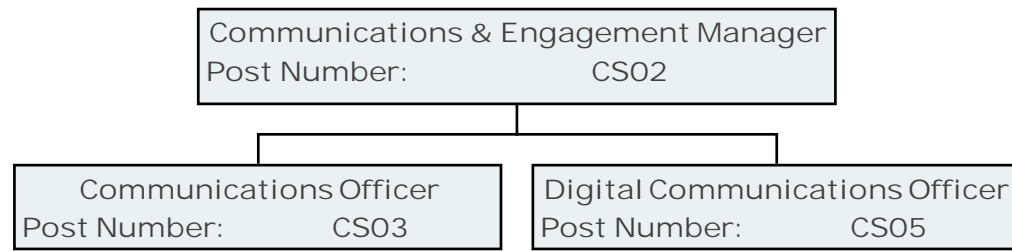
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Head of Finance Property & CR(Dep S151)
Post Number: CMT6

Corporate Projects Officer
Post Number: HP25

Climate and Sustainability Specialist
Post Number: HP27

Operations Manager Property Services
Post Number: OL06

Operations Manager for Finance
Post Number: OL12

Systems Accountant
Post Number: FA09

Finance Business Partner
Post Number: FA21

Finance/Creditors Officer
Post Number: FA06

Finance/Creditors Officer
Post Number: FA06-1

Finance/Creditors Officer
Post Number: FA06-2

Finance/Exchequer Assistant
Post Number: FA07

Finance/Exchequer Assistant
Post Number: FA07-1

Procurement and Contracts Officer
Post Number: FA11-1

Procurement and Contracts Officer
Post Number: FA11

Corporate Procurement Officer
Post Number: FA05

Finance Business Partner
Post Number: FA21-1

Operations Manager Property Services
Post Number: OL06

Land Management Officer
Post Number: HP01

Property Services Office Manager
Post Number: HP21

Asset Surveyor (Planned)
Post Number: HP24

FM Supervisor
Post Number: HP28

Building Surveyor
Post Number: HP29

Bereavement Services Supervisor
Post Number: EF04

Estates and Open Spaces Officer
Post Number: EG07

Parks and Open Spaces Officer
Post Number: OS01

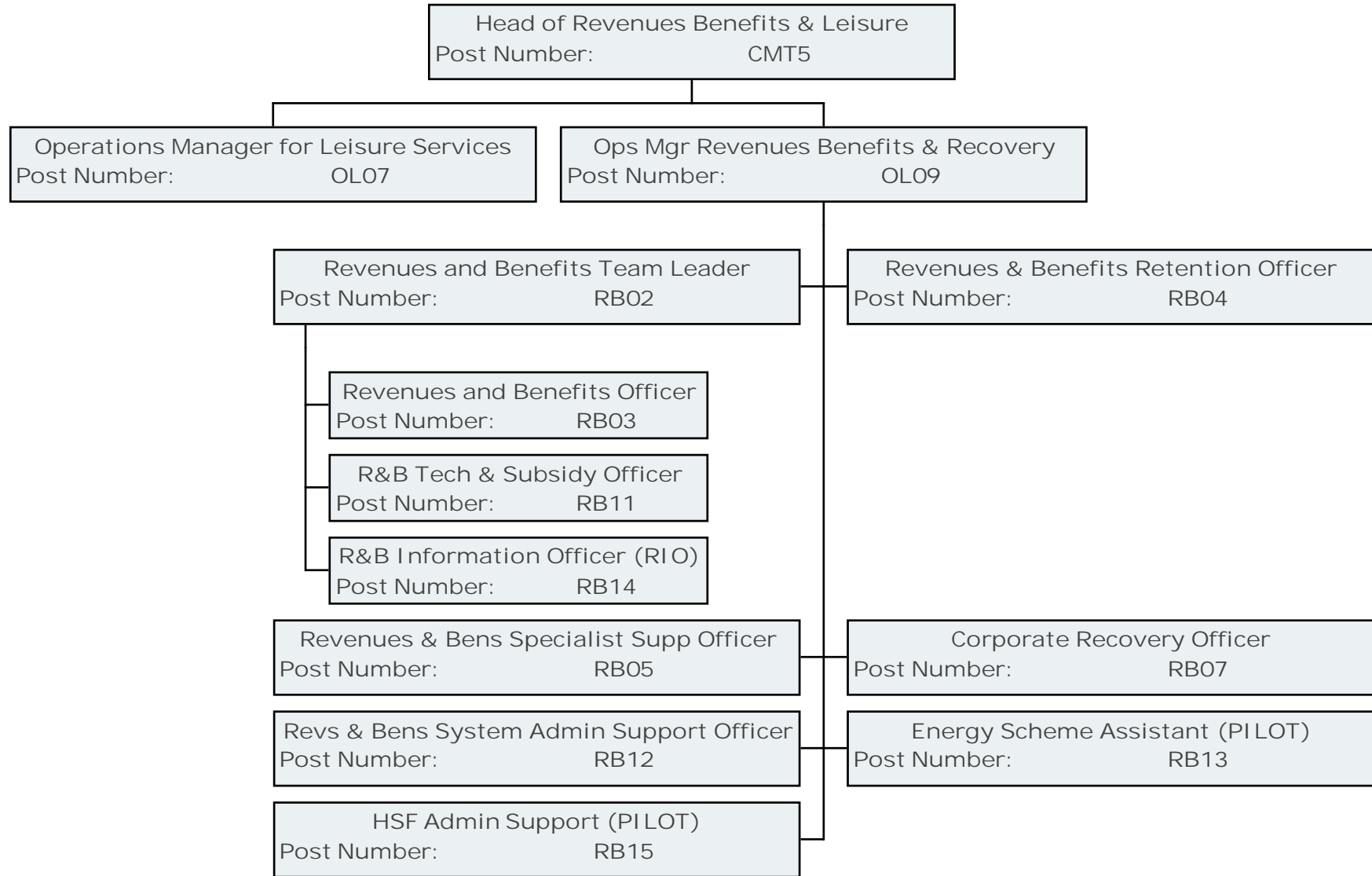
Arboricultural Officer
Post Number: EF05

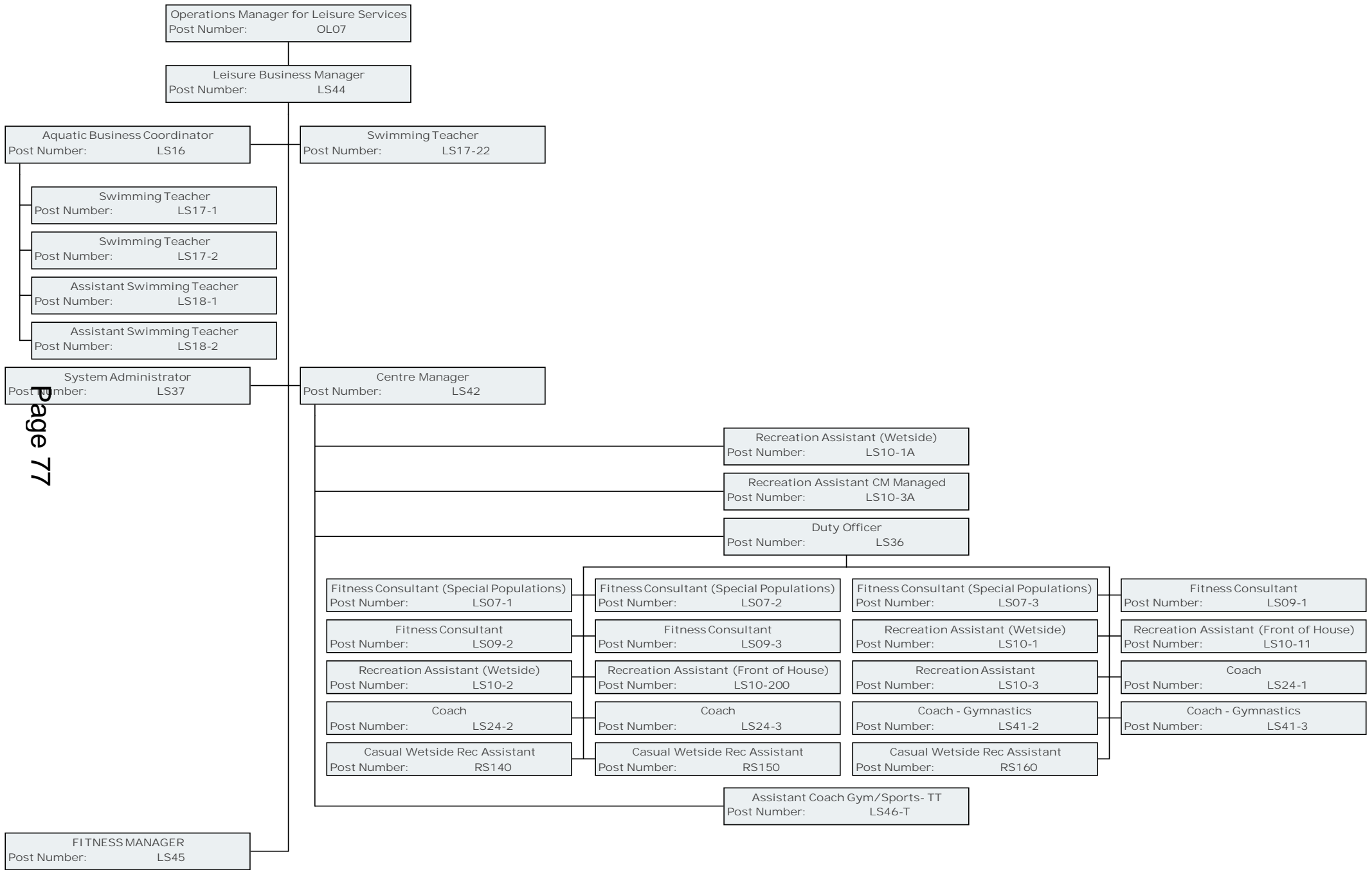
Estates & Open Spaces Officer
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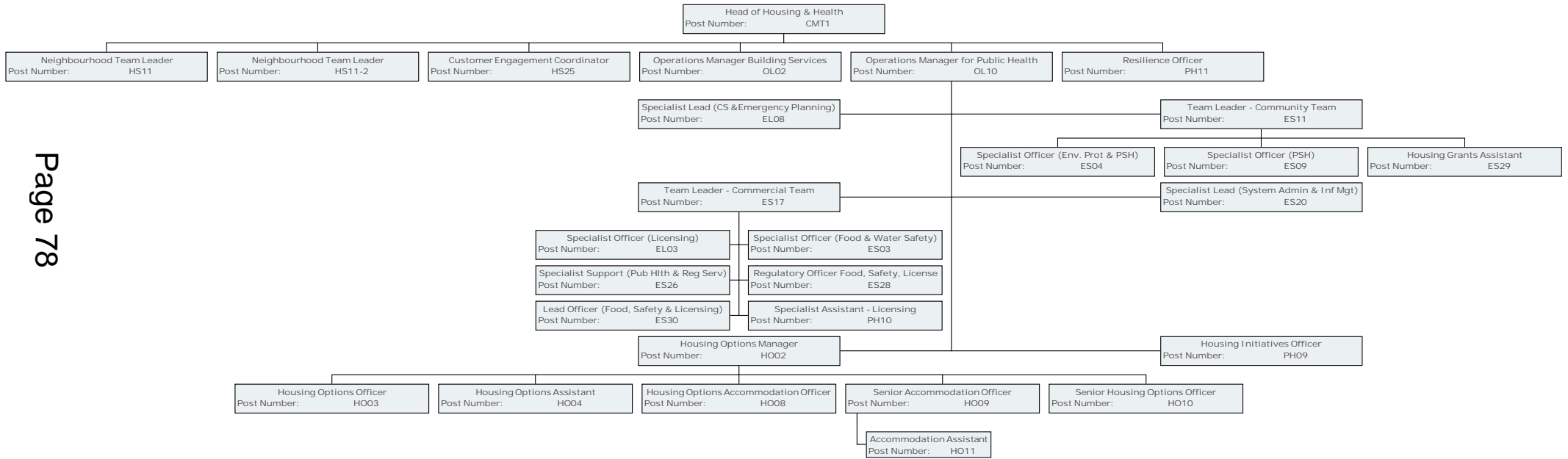
Business Support Officer
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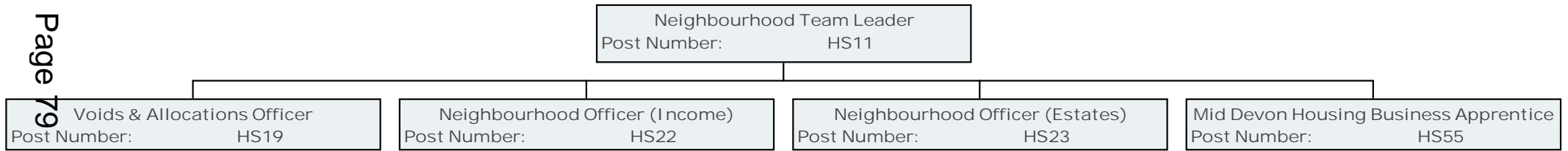
Business Support Officer (CAPSs)
Post Number: HP26

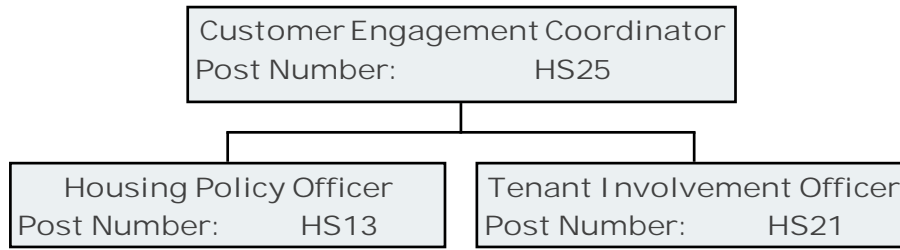
Corp Assets & Property Sers Caretaker
Post Number: HP11

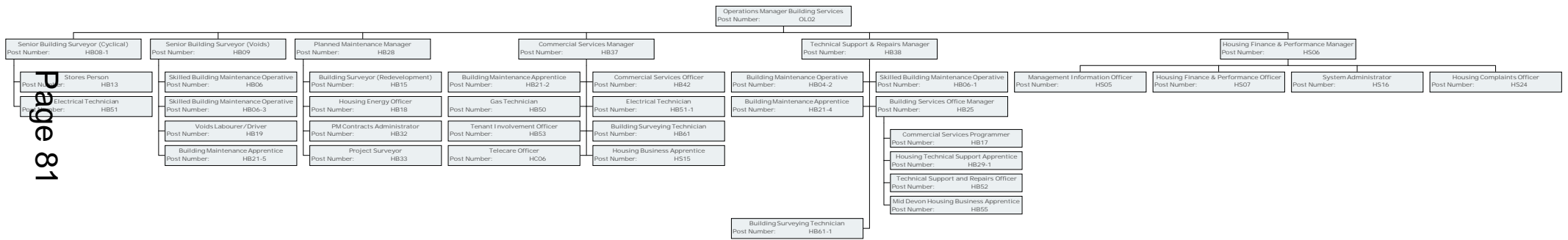












Development Management Manager
Post Number: OL08

Area Team Leader
Post Number: PD03-1

System Administrator
Post Number: PD13

Area Planning Officer Major Projects
Post Number: PD15

Senior Planning Enforcement Officer
Post Number: PD23

Area Team Leader
Post Number: PD03-2

Area Planning Officer
Post Number: PD14

Planning Apprentice
Post Number: PD21

Principal Planning Officer
Post Number: PD04

Principal Planning Officer
Post Number: PD04-1

Principal Planning Officer
Post Number: PD04-2

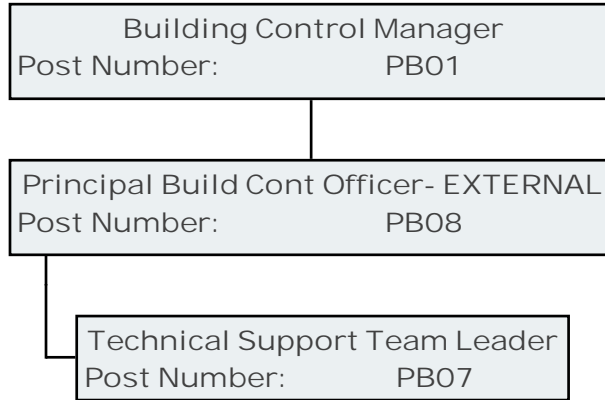
Planning Officer
Post Number: PD05

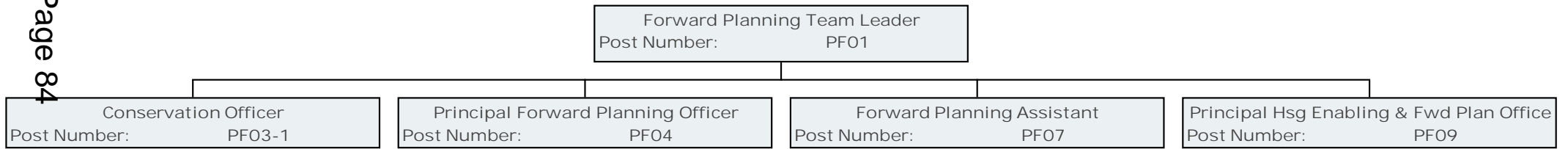
Planning Officer
Post Number: PD05-1

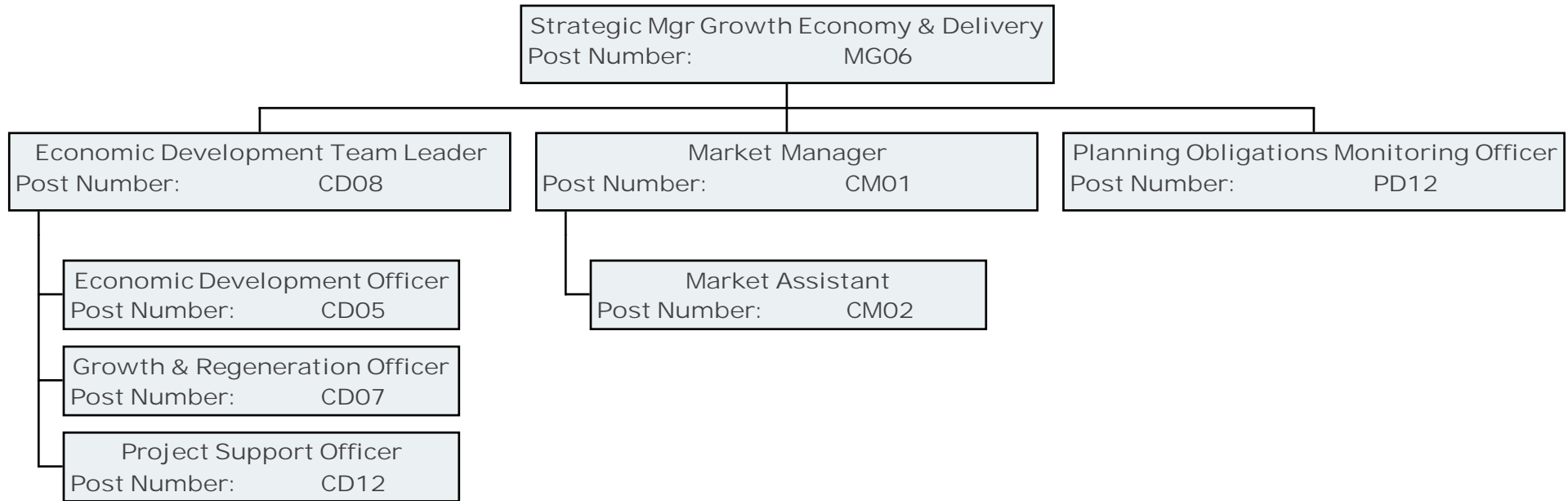
Planning Support Officer
Post Number: PD09

Validation Technician
Post Number: PD10

Conservation Officer
Post Number: PF03







Head of People Performance and Waste
Post Number: CMT2

Operations Manager HR
Post Number: HR26

Operations Manager SS & OS
Post Number: OL01

Ops Mgr for Performance & Gov & H&S
Post Number: OL05

Payroll, Coordinator and Systems Manager
Post Number: PP01

Payroll and Systems Support Officer
Post Number: PP02

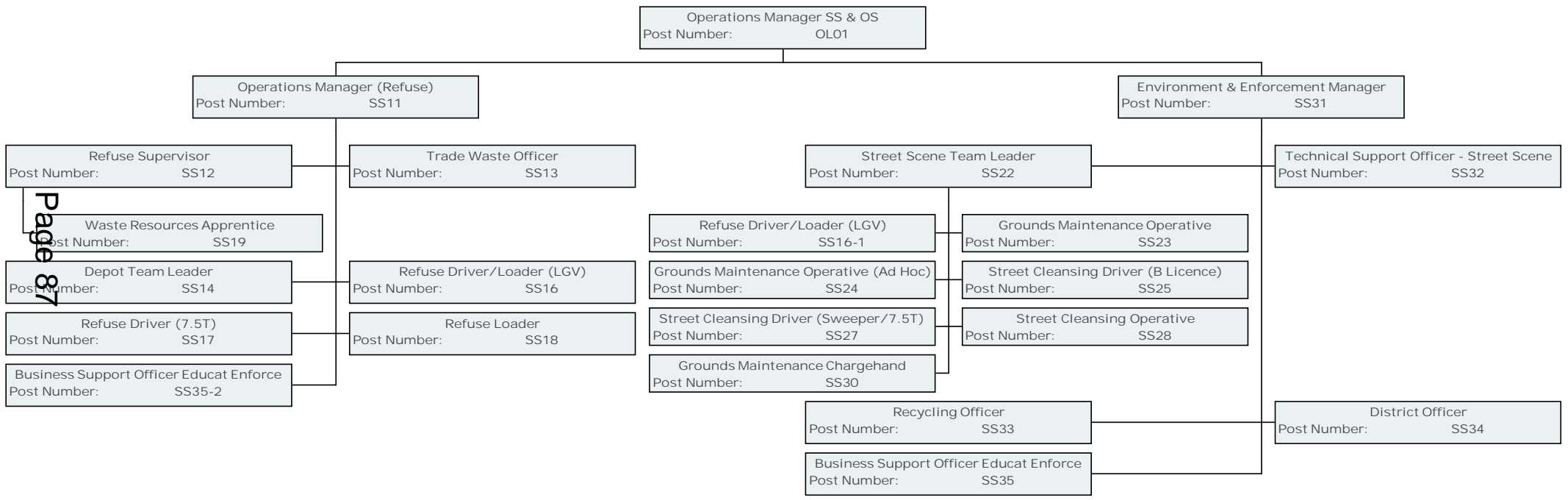
People Services Coordinator
Post Number: PP03

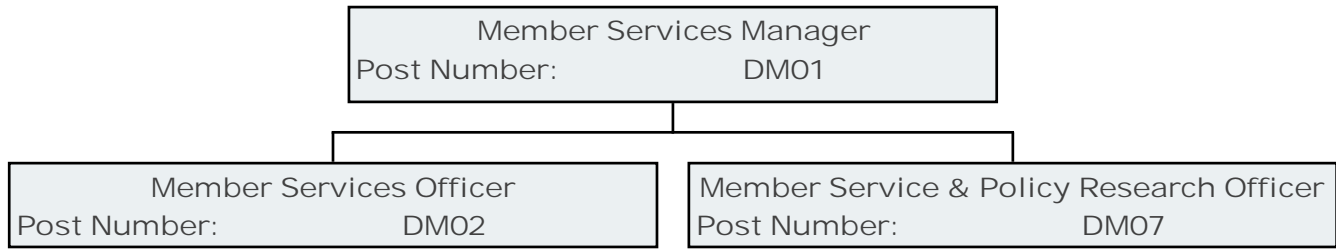
People Services Office Apprentice
Post Number: PP07

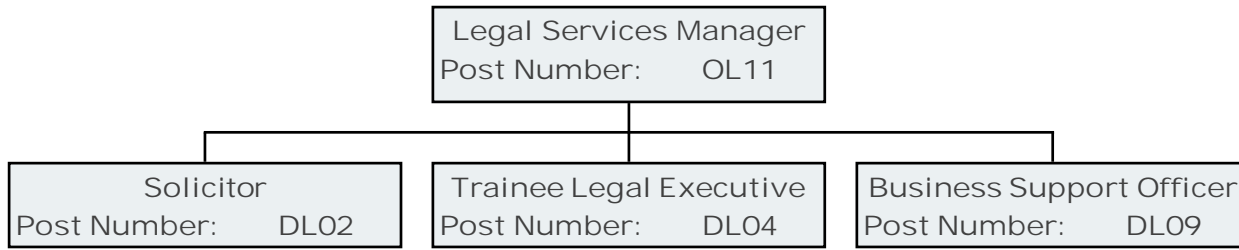
Health and Safety Officer
Post Number: PP04

HR Business Partner
Post Number: PP05

HR Advisor
Post Number: PP06







Senior Local Land Charges Officer
Post Number: PL01

Assistant Local Land Charges Officer
Post Number: PL02



Electoral Services Manager
Post Number: DE01

Electoral Services Assistant
Post Number: DE02



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Report for: Cabinet

Date of Meeting:	4 March 2025
Subject:	Mid Devon Residents' Survey 2024
Cabinet Member:	Cllr Luke Taylor, Leader of the Council
Responsible Officer:	Andrew Jarrett, Deputy Chief Executive/Section 151
Wards Affected:	All
Enclosures:	Appendix 1

Section 1 – Summary and Recommendation(s)

To provide Cabinet with an update of the results of the Mid Devon residents' survey which was undertaken from 30 October to 11 December 2024 and included questions in relation to statutory consultation on the budget.

Recommendation(s):

That Cabinet note the survey results.

Section 2 – Report

1.0 Introduction

- 1.1 The Council conducted a combined residents' and budget setting survey from 30 October to 11 December 2024 (six weeks). Whilst it was an online survey, paper copies were also available and this was publicised. Customer Services staff were also able to assist anyone who was unable to complete the form, but wanted to have their say.
- 1.2 We would like to thank all of the residents who took the time to engage with our survey.
- 1.3 The survey was shared as far as possible using in-house communication team resources. This included sending posters, social media graphics and the survey link to:
 - All parish clerks
 - All members
 - Council staff

- All primary schools within the district
- The local press
- Social media - including local Facebook groups such as Positive Cullompton, Crediton Community Noticeboard, What's on Tiverton, etc.
- Our 6,500+ e-bulletin topic subscribers
- Posters at Phoenix House, Tiverton Pannier Market and the three Mid Devon Leisure centres

1.4 There were 433 respondents to this year's survey - compared to last year; 810 responses.

1.5 This year the Council ran the survey through its new engagement platform, [Let's Talk Mid Devon](#).

1.6 These results are only a sample of our residents who choose to engage. The population of Mid Devon is 82,800 (Census 2021), hence we don't record any demographics as it is not a representative sample.

1.7 Many of the questions used were from surveys carried out by the LGA in order to have a level of benchmarking. The LG Inform results shown in brackets are from the Local Government Association resident satisfaction telephone survey, conducted in October 2024. <https://www.local.gov.uk/sites/default/files/documents/Resident%20Satisfaction%20Polling%20Round%2039%20281124.pdf>

1.8 A comparison to the previous residents' survey results (2023) is also shown.

1.9. Many of our responses, and those for the LG Inform survey, have seen an improvement in their scores/feedback.

2.0 Summary responses

2.1 Percentage of residents that are very or fairly satisfied with their local area as a place to live:

Residents' Survey 2024	Residents' Survey 2023	LG Inform 2024
75.2%	74.2%	74%

2.2 Percentage of residents that are very or fairly satisfied with the way the Council runs things:

Residents' Survey 2024	Residents' Survey 2023	LG Inform 2024
51.8%	41.1%	56%

Percentage of residents that are fairly or very dissatisfied:

Residents' Survey 2024	Residents' Survey 2023

26.6%	30.6%
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2.3 Percentage of residents that are very or fairly satisfied with the Council's customer service towards residents and/or businesses:

Residents' Survey 2024	Residents' Survey 2023
42.3%	33.7%

2.4 Percentage of residents that strongly agree or tend to agree the Council provides value for money:

Residents' Survey 2024	Residents' Survey 2023	LG Inform 2024
41.1%	36.4%	36%

Percentage of residents that neither agree nor disagree:

Residents' Survey 2024	Residents' Survey 2023
26.2%	27%

While those that tend to or strongly disagree:

Residents' Survey 2024	Residents' Survey 2023
31.3%	35%

NB – Mid Devon households pay on average £232.16 in Council Tax per year (£4.46 per week) in 2024/25.

2.5 Percentage of residents that feel the Council acts on their concerns:

Residents' Survey 2024	Residents' Survey 2023	LG Inform 2024
39.7	32.2%	53%

While those that think the Council does not:

Residents' Survey 2024	Residents' Survey 2023
47%	55.9%

2.6 Percentage of residents that feel very or fairly well informed:

Residents' Survey 2024	Residents' Survey 2023	LG Inform 2024
59.6	52.8%	47%

While those that don't:

Residents' Survey 2024	Residents' Survey 2023
36.7%	35%

NB – The Council uses a number of channels to keep members of the public informed. These include a free online newsletter subscription service which currently has 14,000+ subscribers. We also post council news stories on social media platforms including Facebook, Twitter, LinkedIn and Nextdoor. These news stories are also sent to local news organisations such as Radio Devon, Mid Devon Gazette, Crediton Courier and Tiverton Community Radio, as well as to all of the parishes in our communities. In 2024, the Council issued 81 news items, and in 2023, issued 78.

2.7 When asked “How much do you trust Mid Devon District Council?”

	Residents' Survey 2024	Residents' Survey 2023
A fair amount or a great deal	51.2%	40%
Not much trust	30.6%	36%
Don't trust the Council at all	13.6%	17%
Don't know	4.7%	7%

2.8 When asked “Who do you trust most to make decisions about how services are provided in your local area?”

	Residents' Survey 2024	Residents' Survey 2023
Trust their local council to make decisions about local services	51.6%	43%
Trust for the Government	3%	2%
Trust for neither	41.6%	50.4%

2.9 When asked “Which individuals do you trust most to make decisions about how services are provided in your local area?”

	Residents' Survey 2024	Residents' Survey 2023
Trust their local councillor to make decisions for their local area	57%	49%
No trust in any of their councillors, MPs or government ministers	36.7%	46%

2.10 Percentage of residents that think the media has viewed local councils positively in the last few months:

Residents' Survey 2024	Residents' Survey 2023
3%	3.8%

While those that think it's neither positive nor negative:

Residents' Survey 2024	Residents' Survey 2023
54.4%	45%

3.0 Specific services

3.1 Percentage of residents that felt it fairly or very important to be able to comment on individual plans for all housing developments in your local area (planning decisions):

Residents' Survey 2024	Residents Survey 2023
93.9%	94.3%

3.2 Percentage of residents that felt it fairly or very important for the Council to tackle climate change:

Residents' Survey 2024	Residents' Survey 2023
81.3%	80.1%

3.3 Percentage of residents that were fairly or very satisfied with the Council's waste collection service:

Residents' Survey 2024	Residents' Survey 2023	LG Inform 2024
74.8%	74%	76%

3.4 Percentage of residents that were fairly or very satisfied with the Council's street cleaning service:

Residents' Survey 2024	Residents' Survey 2023	LG Inform 2024
41.8%	40.6%	57%

3.5 Percentage of residents that were fairly or very satisfied with council leisure services:

Residents' Survey 2024	Residents' Survey 2023	LG Inform 2024

43.2%	36%	50%
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Percentage of residents that were fairly or very satisfied with council provision of parks and green spaces:

Residents' Survey 2024	Residents' Survey 2023	LG Inform 2024
54.5%	51.7%	74%

3.6 Percentage of residents that felt fairly or very safe after dark:

Residents' Survey 2024	Residents' Survey 2023
66.1%	59.6%

3.7 Percentage of residents that felt fairly or very safe in the day:

Residents' Survey 2024	Residents' Survey 2023
90%	86.6%

3.8 In areas where we have scored below the LG Inform data we will look to review these services in order to establish, why and importantly how we can improve.

4.0 Council Key Prioritisations

4.1 The table below is in response to the question: 'Which, if any of the following do you think it is important for the Council to do?'

	Very important	Fairly Important	Not Very Important	Not Important At All	Don't Know
Delivering housing for local people	228 (53.8%)	148 (34.9%)	31 (7.3%)	13 (3%)	4 (0.9%)
Support local businesses and high streets	290 (68.4%)	118 (27.8%)	11 (2.6%)	4 (0.9%)	1 (0.2%)
Introduce measures to encourage more walking and cycling	140 (32.7%)	153 (35.7%)	96 (22.4%)	34 (7.9%)	5 (1.1%)

Support people who lose their jobs	140 (32.8%)	205 (48%)	59 (13.8%)	12 (2.8%)	11 (2.6%)
Support parks and open spaces	197 (46.3%)	203 (47.8%)	20 (4.7%)	2 (0.5%)	3 (0.7%)
Promote activities that improve the public's health	176 (41.2%)	175 (41%)	62 (14.5%)	11 (2.6%)	3 (0.7%)
Provide off-street parking	160 (37.6%)	178 (41.9%)	60 (14.1%)	21 (4.9%)	6 (1.4%)

N.B. Some percentages for the same figures are different as the number of respondents changed between each section and decimal places are rounded up/down so may not exactly add up to 100%.

5.0 Spending and budget setting

5.1 When asked about what was the most important priority when making spending decisions, residents said:

	Residents' Survey 2024	Residents' Survey 2023
Providing basic statutory services	46.5%	45.2%
Seeking to support and development the economy	18.5%	16.8%
Delivering affordable housing	15.4%	16.8%
Tackling climate change	7.9%	10.5%
Social wellbeing	7.9%	7.2%

5.2 Percentage of residents that said 'when making spending plans the Council should protect services even if it means it will need to increase council tax and fees and charges':

Residents' Survey 2024	Residents' Survey 2023
47.4%	42%

Percentage of residents that said ‘the Council should share services with other organisations’:

Residents’ Survey 2024	Residents’ Survey 2023
26.9%	30.6%

NB – the Council currently operates its Building Control Service in partnership with North Devon District Council and has a shared procurement arrangement with Devon County Council.

5.3 Percentage of residents that think the Council should seek to generate additional income from planning and building control:

Residents’ Survey 2024	Residents’ Survey 2023
58.6%	57.5%

36.7% said from licensing.

5.4 Of the discretionary services provided by the Council there was an even balance about which services should be protected:

	Residents’ Survey 2024	Residents’ Survey 2023
Public toilets	53%	56.9%
Parks and open spaces	51.4%	54.6%
Town centre regeneration	50.7%	52.3%

5.5 Of our statutory services, residents felt that the most important services were:

	Residents’ Survey 2024	Residents’ Survey 2023
Waste and recycling service	93.2%	92.2%
Food and water sampling	65.4%	68.3%
Street cleaning	57.5%	57.8%

5.6 The above prioritisation feedback has been considered when setting the 25/26 budget and decisions have been made taking these preferences into account.

6.0 Digital

6.1 Percentage of residents that would like to see more services delivered digitally via telephone, webchat or the internet:

	Residents' Survey 2024	Residents' Survey 2023
Yes	54.1%	49.6%
No	45.9%	50.4%

6.2 Percentage of residents that have listened to an audio recording of any of our council committee meetings on our website, viewed live meetings via video recording, or attended a meeting in person:

	Residents' Survey 2024	Residents' Survey 2023
Not accessed any	53.9%	54.4%
Not aware of these options	33.3%	37.3%
Attended in person	12.2%	9.9%
Video recording	8.2%	6.5%
Audio recording	5.9%	5.7%

7.0 General comment questions

7.1 We asked four open ended questions. The comments were wide ranging but a summary of these are below, categorised by common themes.

7.2 345 comments were received in response to the question:

What is the single most important thing the council could do to improve quality of life in your community?

7.3 Recurring themes and some examples were:

7.3.1 Leisure

- Consider a swimming pool in Cullompton.
- More cycle paths.

7.3.2 Housing:

- More affordable housing for local people.

7.3.3 Street scene and recycling:

- Improve street cleaning.
- Provide more dog poo bins.
- Change the way recycling is stored and collected.
- More frequent recycling and waste collections.
- Enforcements for dogs.
- Tackle ASB and littering.
- Maintain overgrown footpaths, verges, etc.
- Re-open all public toilet facilities.

- Reduce parking fees.

7.3.4 Planning:

- Review your planning process – quicker decisions, cheaper costs and more considerations for locals.
- Address issues facing Cullompton Town Centre. Traffic, parking, only housing (no additional doctors, schools, etc.) and relief road. Stop building without infrastructure.
- Protect and provide green spaces.
- Enhance town centres. Empty shops.
- Improve planning enforcement.

7.3.5 Finance:

- Invest in areas other than Tiverton.
- Spend less on corporate services.
- Support for businesses.

7.3.6 Corporate; customer services and communication:

- Be more transparent.
- Listen to the public.
- Serve rural areas better.

7.3.7 Non-Council remit:

- Mend roads (potholes) and maintain signage and drainage.
- Car parking enforcement on roads.
- Replace 30mph with 20mph limit in villages.
- Streetlights lit throughout the night.
- Broadband, faster rural internet speeds.
- Maintain regular bus services.
- Social care, more buses, more police.
- Community resources for youth. Youth clubs, community centres, etc. Improve youth services, reduce ASB.

7.4 204 comments were received in response to the question:

Are there any particular services areas you feel should not reduce their expenditure?

7.5 The majority of these comments focussed on waste and recycling. Leisure services, street cleaning and planning as well as affordable housing and support for the vulnerable (incl. elderly and homeless) appeared often, but also many answers focussed on suggesting road repairs, education and social care expenditure should not be cut, which are county council functions.

7.6 152 comments were received in response to the question:

Is there anything else you think the Council should consider a priority when setting the budget?

7.7 The key themes for these responses were – support for those who are vulnerable, affordable housing, climate change, council value for money/efficiency (cost of corporate services) and again a focus on a function provided by Devon County Council, road repairs.

7.8 96 comments were received in response to the question:

If you have any specific issues not covered in this survey, please comment.

7.9 Many of these comments were repetitions of comments to the previous open-ended responses and again included; infrastructure in Cullompton, serve rural areas better, openness and transparency.

8.0 Budget setting

8.1 All of the budget feedback that we received, which is summarised in paragraph 5, was utilised in the Council's 2025/26 budget setting process. Our five policy development groups and the Cabinet all made their decisions with regard to how residents had prioritised our services, reflected on the level of our fees/charges and decisions around the associated level of Council Tax.

9.0 Next steps

9.1 Resident and customer feedback is a powerful source of information that will enable us to ensure that we are directing our resources to the areas of highest priority and take remedial action in areas that our public are voicing concerns over.

9.2 Having this overarching resident feedback enables the Council to focus on the key concerns/messages, whilst also providing an important baseline, which we can utilise in order to measure feedback against in future years and assess our direction of travel.

9.3 Where we have received feedback relating to specific service areas, we have included a focused update, Appendix 1, showing what we have done during the previous financial year and our plans for the future.

10.0 Conclusion

10.1 It is very encouraging to see the positive increases in customer/resident feedback this year. Most categories have experienced a material percentage increase from the previous year's survey. One can only surmise that this indicates a positive direction in travel in the way our residents experience the

delivery/receipt of our services and the improved and more regular way we communicate our achievements.

Financial Implications

There are no direct financial implications.

Legal Implications

Under the Local Government Finance Act 1992, the Council has a statutory duty to consult ratepayer representatives on its annual spending proposals, ahead of setting its budget.

Risk Assessment

There are no direct risk issues emanating from this report.

Impact on Climate Change

Residents' comments on climate change are included in the report.

Equalities Impact Assessment

No equality issues identified from this report.

Relationship to Corporate Plan

Gaining insight from our residents enables the Council to understand how our residents value and prioritise the services that we provide.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Deputy Chief Executive (S151) Officer

Date: 18.02.2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 18.02.2025

Performance and risk: Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 18.02.25

Cabinet member notified: (yes/no)

Report: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. (Yes/No)

Appendix: Exclusion of the press and public from this item of business on the published agenda on the grounds that it involves the likely disclosure of exempt information. (Yes/No)

Section 4 - Contact Details and Background Papers

Contact: Andrew Jarrett, Deputy Chief Executive/151
Email: ajarrett@middevon.gov.uk
Telephone: 01884 234242

Background papers:

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Appendix 1 - In answer to ‘So what are we doing to address some of these issues?’

Here is just a flavour of what the Council is or will be doing over the next couple of years.

1.1 Leisure

1.1.1 Consider a swimming pool in Cullompton:

The Council is aware of this desire for many people in the area, however the Council has had a significant challenge to maintain the existing leisure service in its current form, an additional swimming pool in Cullompton would add to that affordability pressure.

1.1.2 More cycle paths:

Devon County Council consulted on a [Local Cycling and Walking Infrastructure Plan \(LCWIP\) for Cullompton and Tiverton](#) in early 2024, and published a revised plan in September 2024. The Council continues to work closely with the county council.

Devon County Council also recently published and consulted on a [draft Countywide LCWIP](#), and a [draft Devon and Torbay Local Transport Plan 4](#).

The Council continues to work to promote the inclusion of walking and cycling paths in new developments and is undertaking work to consider future mobility and the provision of mobility hubs – including at the Culm Garden Village.

1.2 Housing

1.2.1 More affordable housing for local people:

The Council continues to progress its delivery plans for more affordable and social homes in the district – both through its own developments of social housing, but also by working in conjunction with other developers and landowners to promote and secure the wider delivery of affordable homes.

The Council’s Crofts scheme in Sandford will be completed in the coming weeks and having acquired St Georges Court in Tiverton, the Council will shortly be welcoming the first group of tenants. St Georges Court will ultimately provide 39 units, mostly as dedicated over-55s accommodation in a unique town centre location. Furthermore, having secured planning permission for an additional 70 affordable homes at Post Hill, the Council has recently successfully transferred this site to a Housing Association who has already commenced work on site. In the longer-term, the Council has a record number of schemes in the pipeline and an ambitious target to deliver 500 new social homes into our stock over 5 years.

Residents can find out more at our [dedicated Mid Devon Housing development hub](#).

1.3 Street Scene and Recycling:

1.3.1 Improve street cleaning:

The Council undertakes regular reviews of highway litter and detritus, as well as responding to public reports for particular areas. These reviews ensure we are able to target areas that appear to become problematic and resolve issues quickly. The introduction of a mechanical walk behind sweeper has assisted the Council in providing a deep cleanse within high streets, this has attracted praise from members of the public and elected members on its effectiveness.

1.3.2 Provide more dog poo bins:

The Council regularly reviews its provision of public waste bins, this includes frequency of collection and volumes. Where concerns are raised by parish or towns councils an assessment of the area is undertaken to determine the extent of the issue and what steps can be taken to minimise these issues, this may include enforcement patrols and/or the provision of an additional bin where deemed appropriate.

1.3.3 Change the way recycling is stored and collected:

The Council's kerbside recycling scheme ensures only recyclable materials are collected; any non-recyclable materials are left behind and residents are made aware. Recycling rates are shown to be higher in districts that have kerbside sorting, as opposed to recycling using wheelie bins.

1.3.4 More frequent recycling and waste collections:

The introduction of three-weekly collections has seen a 5% rise in the district's recycling rate and is in the top 10% of all councils nationally (2022/23) for its high recycling rate and low residual tonnage collection. The Council is awaiting news of where it sits nationally for 2023/24, and expects this to come in February 2025.

1.3.5 Enforcement for dogs:

On 6 October 2024, the Council renewed its [Dog Control Public Spaces Protection Order \(PSPO\)](#) for a duration of 3 years. This ensures the Council is able to continue tackling issues relating to dogs being kept under proper control in Public Spaces, as well as dog fouling and dog prohibition from areas such as play parks and cemeteries.

1.3.6 Tackle ASB and littering:

Environmental enforcement is a key focus and tackling issues such as fly tipping, abandoned vehicles and littering is at the forefront of this focus. The Council has taken great steps to improve investigation and prosecution for these offences, working with partnership agencies and other authorities to share best practice. The Council also leads on an enforcement task group with other Devon authorities. A review of enforcement policies was undertaken in 2024 and signed off by Cabinet.

1.3.7 Maintain overgrown footpaths, verges, etc.:

The Council's in-house Grounds Maintenance team have a regular maintenance regime in place for council-owned land. Generally, footpaths and verges around the district are managed by Devon County Council. Our customer services assist with ad hoc enquiries.

1.3.8 Re-open all public toilet facilities:

The Council has transferred a number of [public conveniences](#) across to town and parish councils to ensure that they continue to be operational. Tiverton Town Council have a partnership arrangement for the upkeep of conveniences in the town.

Two new 'Changing Places' facilities have been opened at Exe Valley and Culm Valley leisure centres, partially funded by government grant, which will greatly enhance the facilities offered at each site.

1.3.9 Reduce parking fees:

The parking service works with stakeholders to bridge the communication gap between the Council and local community groups.

As a result, the parking consultation group is established with community and business representatives to better understand opportunities and requirements in relation to parking and decision-making. The parking consultation group then takes these proposals back to Members for consideration.

We also offer parking permits – which for regular users offer excellent value for money.

1.4 **Planning**

1.4.1 Review your planning process – quicker decisions, cheaper costs and more considerations for locals:

Mid Devon District Council is a high performing Local Planning Authority (LPA) that continually significantly exceeds government targets for the speed of determination of all application types.

The Council continues to work in accordance with national planning guidance and is working to develop a new Local Plan; Plan Mid Devon. A new local plan timetable will be published in March 2025.

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The Council has a duty to ensure a defined percentage of decisions meet the statutory time limits for applications for planning permission as set out in article 34 of the Town and Country Planning (Development Management Procedure (England) Order 2015 (as amended). They are 13 weeks for applications for major development, 10 weeks for applications for technical details consent, and 8 weeks for all other types of development (unless an application is subject to an Environmental Impact Assessment, in which case a 16 week limit applies). There will be times where further negotiation is required whereby an extension of time could be agreed but it will always be the aim to determine a planning application as soon as reasonably possible, primarily within the statutory time limits set.

The fees for Planning Applications are set nationally whereas the planning fees associated with pre-applications and other discretionary services are reviewed on an annual basis to ensure that they cover the cost of the service provided by the LPA, noting that the Council are not able to make a profit on the services undertaken. When it comes to the determination of a planning application, these must be considered against national and local planning policies. Statutory consultees will be consulted and the local public notified whereby material planning considerations can be taken into account subject to them being material, e.g. noise impact; flooding; planning history. As such, consideration will be given to the impact of any development on a local community.

1.4.2 Address issues facing Cullompton Town Centre. Traffic, parking, only housing (no additional doctors, schools, etc.) and relief road. Stop building without infrastructure:

The Council is committed to delivery of the Cullompton Town Centre Relief Road. In August 2024, the District Council successfully secured a funding package to enable delivery of the relief road. The funding package, includes additional funding to be provided by Homes

England, which will allow Mid Devon to progress the delivery of the relief road in close conjunction with Devon County Council as delivery partner. Completion of the road is programmed for March 2028.

It is expected that the relief road will be the first phase of major road infrastructure investment in Cullompton with further investment expected to support the upgrading of J28 in order to address the capacity of the junction and support wider planned growth. A business case for investment in the motorway junction is currently with Government for consideration. The project to reopen Cullompton Railway Station is also well advanced and is awaiting a final decision from Government to fund its construction. The District Council is also working with other service providers to ensure that other supporting infrastructure is provided alongside new development.

Devon County Council, as Highway Authority, provide statutory advice as to what level of development (including housing) can be built prior to specific highway improvements being implemented. Future development proposals are therefore phased to follow the delivery of infrastructure accordingly.

1.4.3 Protect and provide green spaces:

The current [adopted local plan for Mid Devon](#) includes policies that require the provision of public open space in new development, setting out standards for this, and also protecting open spaces and designates areas of 'local green space' at 7 villages.

Recently adopted neighbourhoods plans also designate local green spaces to be protected; Cullompton – 16, and Tiverton – 30, with neighbourhood plans for other areas currently being prepared or consulted on.

1.4.4 Enhance town centres. Empty shops:

Town centres continue to be supported through grant schemes and business support/advice – 6 businesses have filled empty units, 111 town centre events have been supported, 7 businesses have decorated their shopfronts. The new enhanced Cullompton Bullring opened in February 2024. Crediton adopted in 2024 a masterplan for improvements to the town centre.

1.4.5 Improve planning enforcement:

Additional resources have been allocated to the Council Enforcement team to investigate reported breaches within the district and to reply to queries in a reasonable timeframe. The Mid Devon District Council Planning Enforcement Policy was updated in 2024, setting out the Council's Service Aims with regard to Planning Enforcement and the relevant timeframe for enforcement action.

1.5 **Finance**

1.5.1 Invest in areas other than Tiverton:

Circa £40M of social housing development is planned across 2025/26 to 2029/30, delivering a significant number of social housing development outside of Tiverton, with circa £26M due to be spent in 2025/26.

The Council is also supporting town centre vitality projects through the Vibrant Town Centre Scheme and other destination management projects, which includes awarding funding

towards 3 town centre projects in Crediton, 4 in Cullompton and 1 in Bampton. Through the Shared Prosperity Fund, the Council also coordinated the first of a Mid Devon Walking Festival supporting and promoting walking events across the district.

1.5.2 Spend less on corporate services:

Delivered significant budget savings to meet the £1.196M budget shortfall originally identified for 2025/26.

1.5.3 Support for businesses:

The Council secured £1.3M of funding towards supporting economic projects in 2024, and a total of 392 businesses were supported from April 2024 – January 2025.

1.6 Corporate; customer services and communication:

1.6.1 Be more transparent:

The Council publicises all meeting agendas in advance and council meetings are open to the public to attend, this allows the residents of Mid Devon to read about upcoming decisions, scrutinise reports and to see local democracy in action. There is also a process in place that ensures our residents can ask questions and raise concerns at public meetings.

We encourage residents and businesses to sign up to the Council's news bulletin service, which means they are emailed council news and agendas directly.

The [Let's Talk Mid Devon](#) platform encourages two way communication in the form of surveys, forums and traditional consultation and allows people to keep up to date with council news.

1.6.2 Listen to the public:

The Council implemented a new customer feedback policy and recording system, including improved monitoring of complaints. Staff training was provided, and the Council is continuing to invest in training.

As new services are implemented into the new system, the Council is using satisfaction surveys to gain feedback from customers.

1.6.3 Serve rural areas better:

A [survey to help the Council better understand how well rural places in Mid Devon meet the needs of their communities](#) was live from Wednesday 3 January to Friday 1 March 2024.

Here are some additional items that the Council is or will be doing over the next couple of years.

2.1 Leisure:

Mid Devon Leisure is pleased to report its highest ever membership base in 2024/25.

New poolside changing rooms will be installed at both Exe Valley, Tiverton and Lords Meadow, Crediton, ensuring a comfortable and convenient experience for all our users.

[Culm Valley, Cullompton received comprehensive equipment upgrades](#) through investment of £150,000. A significant refresh of facilities, including a much improved functional studio, new gym equipment and a new sauna.

Mid Devon Leisure will soon be launching a new management system, incorporating access control that will streamline operations and enhance the customer experience by providing customers with greater control, along with increased security within each centre. In addition to this, new swimming lesson software will soon be launched, which has been designed to enhance the experience through giving customers greater flexibility, control and information.



Report for: Cabinet

Date of Meeting: 4 March 2025

Subject: **MID DEVON HOUSING RIGHT TO BUY POLICY**

Cabinet Member: Cllr Simon Clist
Cabinet Member for Housing, Assets and Property and Deputy Leader

Responsible Officer: Simon Newcombe – Head of Housing and Health

Exempt: None

Wards Affected: All

Enclosures: Annex A – Right to Buy Policy
Annex B – Right to Buy Policy Equality Impact Assessment

Section 1 – Summary and Recommendation(s)

Under the statutory Transparency, Influence and Accountability Standard set by the Regulator of Social Housing (RSH), landlords must be open with tenants and treat them with fairness. Although the terms and process that enable tenants to acquire their council homes under Right to Buy (RTB) is largely set by legislation, it is important that Mid Devon Housing (MDH) have a clear point of reference through a specific policy available for tenants.

There have also been some key recent legal changes to RTB policy nationally which makes it timely to have an up to date policy in place.

This report therefore presents a new policy that outlines Mid Devon Housing's (MDH) approach to managing tenants' RTB of their council homes. It also covers specific additional scenarios for properties sold under RTB, including:

- **Right of First Refusal:** MDH's process for deciding on repurchase offers for properties resold within ten years of the original RTB purchase

- **RTB Discount Repayment:** The MDH procedure for reviewing requests to waive discount repayments if the property is sold within five years of purchase
- **Covenant Removal:** Restrictions to keep former council properties affordable for local buyers, with removal considered only in exceptional cases

Recommendation:

That Cabinet recommends to Council to adopt the Right to Buy Policy and Equality Impact Assessment contained in Annexes A and B respectively as recommended by the Homes Policy Development Group (PDG)

Section 2 – Report

1 Introduction

- 1.1 Under Part V of the Housing Act (1985), RTB allows secure council tenants to purchase their rented homes with a discount based on caps set nationally and tenancy duration.
- 1.2 MDH has a dedicated team that takes receipt of and processes applications for the RTB of Council housing stock. This is done in-conjunction with the Council's Legal services team who lead on all conveyancing matters on behalf of the Council.
- 1.3 While MDH adheres to national legal requirements, this report clarifies discretionary elements to ensure consistent and efficient handling.
- 1.4 The Housing (Right to Buy) (Limits on Discount) (England) Order 2024 was introduced by the Government and came into force on 21 November 2024. This set a limit on the amount of discount that would be awarded to tenants. For Mid Devon (South West) tenants the maximum discount which can be applied is £30,000 and represents a significant reduction in available discount in comparison with previous legislation.
- 1.5 The maximum discount a MDH tenant can now get is whichever the lower is of:
 - 70% of the value of the property
 - the maximum discount for the region

2 Right of First Refusal

- 2.1 Properties sold under RTB since 2005 carry a right of first refusal covenant, requiring owners to offer their home back to the Council if they sell within ten years.
- 2.2 In all cases, MDH's decision to make use of its powers to buy properties will be determined by the following factors:
 - a) The property must previously have been sold by the council under the RTB and be available for purchase free of encumbrances;

AND

- b) Purchase of the property would free up land or enable access to a site suitable for the development of more council housing or other affordable housing;

OR

- c) Housing need and demand is established for the type of property being offered and in the area in which it is located; and
 - d) The initial cost of any refurbishment work required to bring the property up to MDH's lettable standard is relatively minimal; and
 - e) The property has a potential positive overall financial impact on the HRA Business Plan in the long-term
- 2.3 There may be additional, property specific circumstances were a decision is made to buy-back a previous RTB property e.g. acquiring a leasehold property where the Council already holds the property freehold and other residential units within the block.
- 2.4 Where the Council wishes to purchase a property it has been offered, it must agree the market value with the owner through a competent, independent property valuation. If a price cannot be agreed through this process it will be determined by the District Valuer (the Government will pay the costs of employing a District Valuer).
- 2.5 The Operations Manager assesses repurchase proposals in line with policy criteria, with final approval sought from the Head of Housing and Health in consultation with the Cabinet Member for Housing and Property.

3 Repayment of Discount

- 3.1 Discount repayment may be waived in exceptional cases, such as:
- Medical conditions requiring relocation
 - Financial hardship that limits ability to repay the discount
- 3.2 Applicants must provide relevant financial or medical documentation for review.
- 3.3 The Operations Manager or the Head of Housing and Health makes waiver decision recommendations following policy guidelines, again in consultation with the Cabinet Member for Housing and Property.

4 Removal of Covenant

- 4.1 MDH will not normally waive its right to a covenant and potential Right to Buy and owners should be aware that the restrictions imposed may affect the future sale of their home which may not sell at full market value or take longer than average to sell.

- 4.2 If a property with such a restriction has remained unsold for 12 months or more, MDH may consider relaxing the restriction if it is shown that the covenant is the reason the property remains unsold. MDH will not consider relaxing the restriction if the property has been unsold due to an inflated market valuation.
- 4.3 The Operations Manager or the Head of Housing and Health will make a determination on whether the covenant may be removed. If so approval will be sought from the Corporate Manager in consultation with the Cabinet Member for Housing and Property.

5 Historical Information

- 5.1 It should be noted that purchases can take many months or over a year to complete.
- 5.2 No. of RTB Applications received in 2023/24 = 22
- 10 have been sold and 1 application is still active
 - 2 Applications were denied
 - 9 Applications were withdrawn
- 5.3 No of RTB Applications received to date in 2024/25 = 53
- 4 have been sold and 38 are still active
 - 3 Applications were denied
 - 8 Applications were withdrawn
- 5.4 No of RTB Applications received post 21/11/2024 = 3
- NB: Two of these applications came in on 21/11/2024 so just missed the cut off for consideration under the old legislation and just one application has been received after 21/11/2024.

6 Policy review

- 6.1 MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations.
- 6.2 In addition to those legal changes already recently introduced, it is noted that the Government is undertaking a wider review of national (England) policy on RTB which may result in further changes. As such, this policy will be automatically reviewed once the national review has concluded.
- 6.3 Where material or significant amendments are required the policy will receive a full review and will be brought back to the Homes PDG and Cabinet for consideration. Full tenant consultation will also take place on any non-legislative changes.

7 Recommendation

7.1 In accordance with the above, the following recommendation is made:

- That the PDG recommends to Cabinet that it recommends to Council that the MDH Right to Buy Policy and Equality Impact Assessment be adopted (Annexes A and B respectively).

Financial Implications

A decision to buy back a former RTB property can only be made if a capital budget is available and approved for this purpose within the Housing Capital Programme.

Decisions to waive some or all of the RTB discount will be made in consultation with Operational Managers, Corporate Managers and the Cabinet Member for Housing and Property as this will result in a net cost to the Housing Revenue Account.

Legal Implications

The RTB scheme is governed by the Housing Act 1985 and subsequent amendments, with regulations for repurchase and discount limits. MDH complies with the Housing (Right of First Refusal) Regulations 2005 and the recent discount cap introduced in November 2024.

Risk Assessment

A clearly defined policy minimises the risk of legal and financial repercussions by ensuring MDH meets legislative timeframes.

Impact on Climate Change

There is no impact on Climate Change

Equalities Impact Assessment

MDH's housing policies ensure fair and consistent service delivery, addressing tenant diversity to meet regulatory standards. Information is available in accessible formats, and multiple routes for complaints are provided per the Housing Ombudsman's guidelines.

The Equalities Impact Assessment for this policy attached to this report in Annex B.

Relationship to Corporate Plan

The Corporate Plan includes advocating for changes to RTB policies, though MDH complies fully with current laws and must support tenants wishing to exercise this right.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 15 January 2025

Statutory Officer: Maria de Leburne
Agreed on behalf of the Monitoring Officer
Date: 15 January 2025

Chief Officer: Richard Marsh
Agreed by or on behalf of the Chief Executive/Corporate Director
Date: 14th January 2025

Performance and risk: Stephen Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 09 January 2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Simon Newcombe, Head of Housing and Health
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Telephone: 01884 255255

Background papers:

[Right to Buy – Owning your Council Home](#)

[Housing Act 1985 – Part V](#)

[The Housing \(Right to Buy\) \(Limits on Discount\) \(England\) Order 2024](#)



Right to Buy Policy 2024

This policy was produced in 2024 and is version 1.00

This policy was adopted by Council on xxxx

Review Frequency: MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations

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DRAFT

1 Introduction

- 1.1 The Housing Act 1985 (as amended) gave secure social housing tenants certain rights to buy their council homes.
- 1.2 This policy provides Mid Devon Housing's (MDH) approach to Right to Buy and details the statutory requirements.

2 Aims and Objectives

Aim

To provide tenants who wish to exercise the right to buy their council home details of what is involved and covenants that will be placed on the sale of any home owned by Mid Devon Housing.

Objective

To provide tenants with a balanced view on the expectations and restrictions which may occur when they exercise their right to buy.

3 Legal Framework and Context

- 3.1 The Regulatory Framework for Social Housing is made up of regulatory requirements, codes of practice and regulatory guidance that must be met by registered providers of social housing, which is governed by the Regulator of Social Housing (RSH).
- 3.2 The Social Housing (Regulation) Act 2023 has impacted the regulatory framework for social housing and introduced a new proactive, consumer regulation regime focussed on meeting the needs of tenants. One aim of the Act was to ensure that providers of social housing, such as the Council treats its tenants fairly and with respect.
- 3.3 These new standards are there to ensure people feel safe and secure in their homes, can get problems fixed before they spiral out of control, and for them to see exactly how well their landlord is performing by giving tenants a stronger voice.
- 3.4 The RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measure include those applicable directly to building safety as well as those based on a number of tenant perception surveys setting out tenants views on our performance.
- 3.5 The TSM's associated with this Policy are:
 - TP01 – Overall Satisfaction
 - TP08 - Agreement that the landlord treats tenants fairly and with respect
 - TP09 - Satisfaction with the landlord's approach to handling of complaints

4 Relevant Legislation

- Housing Act 1985 (as amended) Part V – Right to Buy
- Housing (Preservation of Right to Buy)(Amendment) Regulations 1999
- Housing (Right of First Refusal)(England) Regulations 1999
- The Fraud Act 2006
- Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017
- The Leasehold Reform Act 2022
- The Housing (Right to Buy) (Limits on Discount) (England) Order 2024

5 Help with Right to Buy

5.1 There are a number of resources available to support tenants who wish to exercise their right to buy their Council home. These include:

- GOV.UK website: [Right to Buy: buying your council home](#)
- [Own Your Home website](#) including an eligibility quiz, discount calculator tools and FAQs
- [The Knowledge Hub](#)
- The Right to Buy Team email address: <mailto:RTB@levellingup.gov.uk>
- [Citizens Advice](#)

5.2 MDH also signpost tenants to the Right to Buy Agent service, which is the official government helpline:

- [Right to Buy: Contact an agent](#)
- Email: <mailto:enquiry@righttobuyagent.org.uk>
- Telephone: 0300 123 0913

5.3 The Right to Buy Agent service offers free advice on:

- the Right to Buy and Preserved Right to Buy process;
- the eligibility criteria;
- how to complete the Right to Buy application form;
- where tenants can get financial and legal advice;
- what tenants can do if their application is delayed.

5.4 MDH provides all new secure tenants with a Right to Buy information document and provides the document to all secure tenants every 5 years.

5.5 The Right to Buy Information document provides tenants with:

- The circumstances in which the Right to Buy can and cannot be exercised;
- The exceptions to the Right to Buy;
- The procedure for claiming to exercise the Right to Buy;
- The price payable for the dwelling-house by a tenant exercising the Right to Buy;

- Delay notice procedures for landlords and tenants set out in sections 140, 141, 153A and 153B of the Housing Act 1985;
- The fact that initial costs are likely to be incurred by a secure tenant exercising the Right to Buy, with specific reference to costs in respect of:
 - Stamp duty.
 - Legal and survey fees.
 - Valuation fees and costs associated with taking out a mortgage.
- The fact that a secure tenant will be likely to have to make regular payments as an owner of a dwelling-house, with specific reference to payments in respect of:
 - Any mortgage or charge on the dwelling-house.
 - Building insurance, life assurance, and mortgage payment protection insurance.
 - Council tax.
 - Water, sewerage, gas, electricity, and other utility services.
- The risk of repossession of the dwelling-house if regular mortgage payments are not made;
- The fact that in order to keep the property maintained and in good repair, the owner of the dwelling-house will be likely to have to incur expenditure, which may include payment of service charges in respect of major works.

6 Exemptions from Right to Buy

6.1 Not all tenants have the right to buy the MDH home they live in. Schedule 5 of the Housing Act 1985 provide that the following circumstances are exempt from the tenant's right to buy:

- a) where the landlord is a trust or certain type of housing association;
- b) where the landlord does not own the freehold and the remaining lease is:
 - 21 years or less if your home is a house/bungalow; or
 - 50 years or less if it is a flat/maisonette. (in both cases, this relates to the date when the tenant serves the RTB1 (application form)
- c) where the property is within the boundaries of a building held by the landlord for purposes other than housing and was let to the tenant (or a predecessor) for the purposes of employment;
- d) where the property is let for the purpose of housing disabled persons or elderly persons or persons with a mental disorder; and has substantially different features to ordinary dwellings;
- e) where the property is held by the landlord on a tenancy from the Crown;
- f) where a final demolition notice is in place.

6.2 There are some circumstances where tenants themselves are exempt from exercising their right to buy. These are:

- a) if the tenant or someone they hold the tenancy with is subject to an order of the court for possession of the property
- b) if the tenant or someone who is joining in the Right to Buy with them:

- is subject to a bankruptcy order;
- has a bankruptcy petition pending;
- is an undischarged bankrupt;
- has made an arrangement with a creditor the terms of which remain unfulfilled;
- benefits from a moratorium period under a debt relief order; or
- is subject to a suspension period under an order made under section 121A of the Housing Act 1985 due to anti-social behaviour.

7 Discounts

- 7.1 The Housing (Right to Buy) (Limits on Discount) (England) Order 2024 was introduced by the Government and came into force on 21st November 2024. This set a limit on the amount of discount that would be awarded to tenants. For Mid Devon tenants the maximum discount which can be applied is £30,000.
- 7.2 The maximum discount tenants can get is whichever is lower:
- 70% of the value of your property
 - the maximum discount for your region
- 7.3 A secure tenant of a house will accrue a discount of 35% after they have been a public sector tenant for between 3 and 5 years. After 5 years the discount will go up 1% every year that they have been a public sector tenant, until a maximum of 70% of the property value, up to a maximum of £30,000.
- 7.4 A secure tenant of a flat will accrue a discount of 50% after they have been a public sector tenant for between 3 and 5 years. After 5 years the discount will go up 2% every year that they have been a public sector tenant, until a maximum of 70% of the property value, up to a maximum of £30,000.
- 7.5 The discount figure can consist of partial years added together with joint tenants exercising their right to buy. The monetary value of this percentage is deducted from the market valuation of the property.
- 7.6 Where a tenant has exercised their right to buy in the past, or where one joint tenant has exercised their right to buy in the past, the discount shall be reduced to take into any previous discount awarded under section 130 of the Housing Act 1985.
- 7.7 If, in order to meet the minimum tenancy period to qualify for the Right to Buy, an application has relied on the qualifying years of a joint tenant who has chosen not to join in the Right to Buy, that tenant may only use their own qualifying years when calculating their discount entitlement.

8 Admitting or denying an application

- 8.1 The first stage of the Right to Buy process begins with the receipt of an application form Notice Claiming the Right to Buy (RTB1) from a tenant. MDH are required to respond to the tenant with a Section 124 notice Right to Buy: Notice in Reply to a Tenant's Claim (RTB2) advising them whether their application has been accepted or denied.
- 8.2 The date that the RTB1 is received by MDH is referred to as the 'relevant time' and sets the date for valuation and calculation of the sale price. It is also the date used to calculate the admittance or denial statutory timescale.
- 8.3 MDH must admit or deny an application within 4 weeks of receiving the application or within 8 weeks, if the tenant has had a tenancy with any other landlord.
- 8.4 If MDH do not meet the statutory timescale for accepting or denying an application, the applicant is entitled to use the delay procedures to claim compensation for any delay caused by MDH.

9 Making the Offer to Sell

- 9.1 Once an application has been admitted and MDH have sent a Section 124 notice (RTB2) to the tenant telling them they have the Right to Buy, MDH must send a Section 125 offer notice which gives the purchase price and the terms and conditions of the sale.
- 9.2 The time limit for this is normally 8 weeks for a freehold property (house/bungalow). If the property is leasehold (flat/maisonette) the time limit is 12 weeks. In a few cases, houses and bungalows are also leasehold and the time limit of 12 weeks will also apply where this is the case.
- 9.3 If MDH do not meet the timescale set down in legislation, the applicant can use the delay procedure to claim compensation for any delay caused by MDH.
- 9.4 Once the applicant's Right to Buy has been admitted, MDH will need to calculate the sale price for the property (section 126) and to do this we will need to:
 - Establish a value for the property;
 - Calculate the level of discount to be applied;
 - Establish any applicable leasehold charges; and
 - Identify any previous public sector discounts which the applicant(s) may have received.

- 9.5 MDH will determine any Cost Floor amount which may affect the discount entitlement. As part of the calculation of the sale price of the property MDH will need to determine the Cost Floor figure. This is the amount spent on an individual property in the 30 year period prior to receipt of RTB1 regardless of when the property was built or acquired.
- 9.6 A Cost Floor amount should include the costs of:
- a) The construction of the dwelling, including site development works and acquisition of land;
 - b) The acquisition of the dwelling;
 - c) Those works initially required following the acquisition of the dwelling by the landlord to put it into good repair, or to deal with any defects (exceptions apply where the property was acquired under Part XVI of the ACT);
 - d) Those works of repair or maintenance: or works to deal with any defect affecting the property (except works in paragraph c above). Costs can only be included in the Cost Floor where the aggregate of those costs exceeds the sum of £5500: the figure that is included in the costs is the amount in excess of £5500 (i.e. the first £5500 cannot be included in the Cost Floor Calculation).
- 9.7 Once MDH have all this information MDH will then be able to complete and issue a Section 125 Offer Notice which is the formal offer to sell the property under the Right to Buy scheme.
- 9.8 Should a tenant wish to escalate a dispute or challenge following receipt of their Section 125 offer, they will need to place this request in writing. MDH will then escalate this request onto the Valuation Agency Office (District Valuer) who will progress with their dispute.
- 9.9 Following receipt of the outcome decision from the District Valuer, MDH will then reissue the tenants S125 Offer Notice in accordance to the valuation figure supplied. The tenant will then have a further 12 weeks from the date of their reissued offer to decide if they wish to purchase.

10 Delay Procedure

- 10.1 If an applicant has applied to exercise the Right to Buy their home and believes that their landlord is in some way delaying the process, they are able to use the delay procedures prescribed in legislation.
- 10.2 The tenant can use the procedure at any time when the landlord is causing delay. There are statutory timescales set for the first two stages in a Right to Buy sale where the delay process may become relevant.

- 10.3 Once the tenant has applied to exercise their Right to Buy, MDH must send them a Section 124 notice (RTB2) telling them whether or not they have the Right to Buy. We must do this within 4 weeks of receiving their application or within 8 weeks if the tenant has not been our tenant for the full qualifying period.
- 10.4 Once it has been established that the applicant has the Right to Buy, MDH must send a Section 125 Offer Notice which gives the purchase price and the terms and conditions of sale. The statutory timescale allowed for this is 8 weeks for a freehold property and 12 weeks for a leasehold property, from the date the RTB2 was served.
- 10.5 Once the tenant has received the Section 125 Offer Notice, they must tell MDH whether they wish to go ahead with the Right to Buy sale.
- 10.6 If the tenant decides to go ahead, MDH will pass the file to the Council's legal services to complete the sale of the property when the offer has been accepted by the tenant.
- 10.7 Once the Right to Buy application has been approved and the process is in progress, the Council will only perform emergency repairs. The property will be excluded from any capital projects, and all scheduled works will be suspended.

11 Conditions, Covenants and Rights

Conditions

- 11.1 There are two types of conditions which are applied to all sales of council homes under the right to buy legislation. Only one of these will be applicable to the property and is dependent upon whether the property is located in a rural area or one of the three main towns in Mid Devon, i.e. Tiverton, Crediton or Cullompton
- For properties outside Tiverton/Crediton/Cullompton (these are designated rural areas by the Secretary of State), a restriction under section 157 of the Housing Act 1985 limiting the class of person (see below explanation) to whom the property can be resold and to whom it may be leased or licenced in the interim.
 - The condition is a prohibition on disposals without the consent of the Council until such time as it may notify the purchaser that it is waiving its rights under the covenant, if it ever chooses to waive these rights. Consent is not to be withheld if the disposal is to a person who has, throughout the period of three years preceding the application for consent (a) has their place of work and/or (b) has their only or principal home in the region of Devon.
 - MDH may consider consenting to a sale to a person who does not meet these criteria, on a discretionary basis. For example, in situations where a seller is able to demonstrate with sufficient evidence that they have not been able to sell their property for a significant amount of time, but they have found a potential buyer who resides close to the border of Mid Devon.

- For properties in Tiverton/Crediton/Cullompton a condition that there is no transfer or lease of the registered estate within 10 years of the date of the original sale unless the transfer or lease complies with the requirements of section 156A Housing Act 1985 which relates to the right of first refusal (detailed in section 14 of the Policy).

11.2 In both of these situations a restriction will automatically be registered against the title register of the property when it is registered into the tenant's name by their solicitor at the Land Registry.

Covenants

11.3 Additional covenants might be imposed which relate to the current and future enjoyment of the property. These may include:

- Not to use the property other than as a single private dwelling-house;
- Not to carry on any trade or business upon the property;
- Not to obstruct estate roads, footpaths, lay-bys or entrances to car parking areas;
- Not to use parking areas for any purpose other than the parking of a single motor vehicle;
- Not to park a motor vehicle on the property except in a proper garage or on a hardstanding properly constructed to the satisfaction of the Council;
- Not to park any trailer, caravan, boat or item of mechanical plant or equipment on the property without the previous written consent of the Council;
- Not to allow any wall fence hedge or gate associated with the property to fall into a state of disrepair;
 - To maintain open plan gardens as an open plan feature;
 - To repair and maintain nominated boundary features;
- Where applicable to pay a maintenance charge comprising a reasonable proportion of the expenditure which the Council has incurred or will incur in:
 - maintaining and keeping in repair roads, paths, lay-bys, parking areas and any other areas referred to in the transfer including amenity/grassed areas maintained by the Council; and
 - works and management including (but not limited to) maintaining, repairing, emptying, renewing, replacing and relocating any septic tank/treatment plants benefitting the property
- To indemnify the Council against breach of any covenants or other matters to which the Council's title to the property may be subject;
- To maintain in good repair order and condition any wall fence hedge or gate on a boundary marked with an inward facing "T" on the Plan;
- To maintain cleanse repair renew and relay when necessary all conducting media serving the Property and laid in on over or under the Property and to bear with the owners of the adjoining properties in equal proportion the costs charges and expenses of maintaining cleansing and repairing renewing and relaying any

Conducting Media and any other things used in common as need shall require.
Please note that this includes sewage treatment plants;

- Not to dispose of the property or any part of it or grant any interest in it to any person to occupy it without obtaining from such person covenants in favour of the Council to observe and perform the covenants in the Transfer. A restriction will also be placed on the property to ensure future owners are bound by this provision.

Rights Granted and Reserved

11.4 The property may be granted permanent rights which a tenant currently enjoys in connection with their use of the property, such as pedestrian access over shared footpaths, vehicular access over roads and parking areas. These rights may be subject to a fair proportion of future contributions by the purchaser towards its upkeep and maintenance by the Council.

11.5 The property may be sold subject to rights that are being reserved by the Council, for example, a property may be sold with a footpath included in the boundary of it which is subject to rights being reserved for shared access by the Council and neighbouring occupiers/owners. These rights will be subject to a fair proportion of future contributions by the Council towards their upkeep and maintenance by the purchaser.

Flats

11.6 Where a top floor flat is purchased under the right to buy the loft space does not form part of the property being sold. It remains within MDHs ownership as with the other common parts of the building. Tenants are not permitted to use, access or obstruct access to these areas.

12 Solar Panels

12.1 If a tenant exercises their Right to Buy (RTB) and have Solar Panels (PV or Photovoltaic Panels) installed on their roof which belong to a third party solar panel provider, they will need to be aware of the following:

12.2 The tenants of houses with solar panels will have three choices when they come to exercise the right to buy

- They can grant a lease of the roof space to the solar panel provider (currently Anesco Mid Devon) for the period left on the current lease with MDH. The tenant will continue to receive the benefit of the free electricity supply.
- They can buy the solar panels outright from MDH; they then become the tenant's property and their responsibility. The tenant will still receive free electricity and also an income called a Feed in Tariff which would help pay back for their investment.
- They can have the solar panels removed. They will no longer receive the free electricity supply that they currently benefit from. The removal of the panels will take place before completion of the purchase, but only when a completion date has been agreed.

- 12.3 Tenants of flats will not have an option to grant a lease, purchase or remove the panels when exercising their right to buy. This is because the roof space of all MDH blocks of flats remains in the ownership and control of MDH. Owners of flats will continue to receive the benefit of the free electricity supply.
- 12.4 If a tenant exercises their RTB and have Solar Panels (PV or Photovoltaic Panels) installed on their roof which belong to the Council, the solar panels will be valued as part of the property during the application stage and they will be included in the sale. There is no option to remove the solar panels from properties where the equipment is owned by the Council.

Further information can be found in our Questions and Answers leaflet.

13 Requests for Permission under a Covenant and/or Removing a Covenant

- 13.1 Covenants are imposed on sold properties in order to protect the general amenity of the area in which a property is situated and used and enjoyed by other occupiers in the estate.
- 13.2 MDH will not normally waive its right to a covenant and potential right to buy owners should be aware that the restrictions imposed may affect the future sale of their home which may not sell at full market value or take longer than average to sell.
- 13.3 Some covenants may specifically allow an owner to proceed with certain proposals, such as parking a vehicle on their property, with the prior written consent of the Council. A tenant will be advised on the effect of the covenants being imposed in their offer notice and by their solicitor. MDH will take a consistent and reasonable approach when considering requests to waive or remove a covenant affecting a property and it will take into account the effect the removal of the covenant may have on the Council's retained estate.
- 13.4 In order to apply for consent under a covenant, or for the permanent removal of a covenant which is absolute, an application with full proposals, plans and specifications will need to be submitted to MDH for consideration. An example of a covenant which is absolute is '*not to use the property as anything other than a single private dwellinghouse*'. This type of covenant prevents owners from building second dwellings within their property and there is no scope for the Council providing written consent. In this situation a formal application to remove or waive the covenant will need to be submitted to the Council.
- 13.5 Where a covenant states that permission from the Council is required, an administration fee will be payable on submission of the application. A legal fee will be payable if formal consent is granted at a later stage. The fee will be determined by the nature and effect of the application.

- 13.6 Where a covenant is absolute and the request is for its removal, a formal valuation using an accredited RICS Surveyor is required in order to assess the impact the removal of the covenant will have on the Council's retained estate and this may result in a payment to the Council. The Surveyor's fee will be met by the owner and will be payable on submission of the application in addition to the administration fee.
- 13.7 The Operations Manager(s) will make a determination on whether the covenant will be removed. If so approval will be sought from the Corporate Manager in consultation with the Cabinet Member for Housing and Property.
- 13.8 An application for permission under, or for the removal of a covenant can be made on the Council's website.

14 Repayment of Discounts and Requests to Waive Repayment of a Discount

- 14.1 Right to Buy homeowners will have to pay back some or all of the discount received if they sell their Right to Buy home within 5 years of buying it. The total amount of pay back is:
- 1 year – 100%
 - 2 years – 80%
 - 3 years – 60%
 - 4 years – 40%
 - 5 years – 20%
 - +5 years – 0%
- 14.2 The amount paid back depends on the market value of the property at the time it is being sold. However, if the home's value has increased due to carrying out improvements since the Right to Buy purchase, these should be disregarded and not reflected in the property value when considering how much discount must be repaid.
- 14.3 The requirement to repay the discount will only be waived in exceptional circumstances and the decision is investigated by the Operations Manager. A two part test will be considered when assessing an application to waive all or part of a discount in accordance with Government Guidance on the use of discretionary powers on the repayment of discounts.

14.4 The Operations Manager(s) will make a determination on whether the discount will be waived in line with the guidance referred to at 13.3. If so approval will be sought from the Corporate Manager in consultation with the Cabinet Member for Housing and Property.

15 Statutory Buy Backs

15.1 All council properties sold under the Right To Buy which are situated in one of the three main towns i.e. Tiverton, Crediton or Cullompton (or sold voluntarily at a discount by the Council) are subject to the covenant of the 'right of first refusal'.

15.2 If an owner wishes to sell their property within 10 years of purchase, they must first offer the property back to the Council by submitting a formal offer notice.

15.3 In all cases, MDH's decision to make use of its powers to buy properties will be determined by the following factors:

a) The property must previously have been sold by the Council under the Right To Buy and be available for purchase free of encumbrances;

AND

b) Purchase of the property would free up land or enable access to a site suitable for the development of the affordable housing;

OR

c) Housing need and demand is established for the type of property being offered and in the area in which it is located; and

d) The initial cost of any refurbishment work required to bring the property up to MDH's lettable standard is relatively minimal; and

e) The property has a potential positive financial impact on the Housing Revenue Account Business Plan in the long-term.

15.4 There may be additional, property specific circumstances were a decision is made to buy-back a previous RTB property e.g. acquiring a leasehold property where the Council already holds the property freehold and other residential units within the block.

15.5 Whilst the Council is not obliged to buy back properties offered to it in this way, it will determine whether or not a property will be repurchased by considering the following factors:

- Capital funds are available;
- Purchase of the property supports wider regeneration or development objectives;
- Purchase of the property will avoid a future compulsory purchase order (CPO);

- Housing need and demand is established for that property type in the locality it is being offered;
 - Assists in meeting housing need for those requiring supported living such as bringing bungalows or other level access properties into Housing Revenue Account stock;
 - Supports the Council's wider objectives as a landlord of social housing for making best use of stock and meeting housing need;
 - Where it is being added to MDH's portfolio of Council housing, additional costs for refurbishment work to bring it up to the Decent Homes Standard is minimal;
 - Purchase of the property offers value for money.
- 15.6 Where the property is available for purchase the decision to proceed would be subject to the property being sold with vacant possession.
- 15.7 The process for offering a property back to the Council is governed by the Housing (Right of First Refusal) (England) Regulations 2005. It requires the owner to make a formal offer to be made to the Council.
- 15.8 If the Council decides that it does not wish to purchase the property, it will serve a rejection notice on the owner before the expiry of eight weeks following receipt of the offer notice. The owner is then permitted to sell the property as they see fit.
- 15.9 If the owner does not sell the property before the expiry of twelve months following service of the rejection notice, and the property is still subject to the ten year restriction, the owner must offer the property back to the Council again before they are able to sell it. The right of first refusal process will start again from the beginning.
- 15.10 If the Council decides to accept an offer (following a valuation and/or survey, as appropriate), it will serve an acceptance notice on the owner before the expiry of eight weeks following receipt of the offer notice. The Council may decide to nominate another eligible social/authorised landlord to accept the offer on the Council's behalf.
- 15.11 An acceptance of an offer is not a legally binding contract. The Council is under no obligation to proceed with a purchase until a binding contract has been entered into.
- 15.12 A contract will only be entered into once the purchase price has been agreed between both parties, or it has been determined by the District Valuer. The purchase price as stipulated in section 158 of the Housing Act 1985 is the current market value. If there is any discount repayment due to the Council it will be deducted from the purchase price.

15.13 If the Council fails to serve either an acceptance notice or a rejection notice on the owner before the expiry of eight weeks following receipt of the offer notice, the owner is entitled to dispose of the property as they see fit. If the owner is still the owner of the property following the expiry of one year after the original eight week deadline, and the property is still subject to the ten year restriction, the owner must offer the property back to the Council again before they sell it. The right of first refusal process will start again.

15.14 An offer form can be obtained by the Council by emailing <mailto:housingfpt@middevon.gov.uk>

15.15 The Operations Manager will make a determination on whether the property will be repurchased in line with the criteria set out at 14.3 and 14.4. If so approval will be sought from the Corporate Manager in consultation with the Cabinet Member for Housing and Property.

16 Complaints

16.1 We try to get things right the first time and when we do, we would love people to let us know. It's great for us to receive positive comments or feedback, so if people wish to provide a compliment regarding our staff for doing a great job, we also would love to hear from them.

16.2 If things do go wrong the Council is committed to:

- Dealing with complaints and comments quickly and effectively; and
- Using complaints, comments and compliments to review and improve our services

16.3 When tenants contact us to tell us they are dissatisfied with the service we have provided, we will offer them the choice to have an informal conversation to see if we can put things right quickly, without the need for a formal investigation.

16.4 The Housing Ombudsman Service advise that a complaint must be defined as:

- *'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents'.*

- 16.5 Where a tenant considers that the Council has given a poor service or has got something wrong, they may tell a member of staff in the first instance. This does not need to be treated as a formal complaint (unless the complainant asks us to do so) and may be resolved 'there and then' by way of an apology or plan of action. Any comments provided will be used to take appropriate action, or give information.
- 16.6 If a tenant does not want to do this or is unhappy with the response, they may make a formal complaint, which can escalate from stage 1 or stage 2 if they are still not satisfied with the response. Having been through stages 1 and 2 and they are still not satisfied, the tenant may contact the Housing Ombudsman Service.
- 16.7 MDH's complaints procedure is detailed on Council's website: [Feedback and Complaints](#)

17 Equality Impact Assessment

- 17.1 MDH complete an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us make sure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.

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Equality Impact Assessment

Purpose of the Equality Impact Assessment process:

The Equality Act (2010) introduced the [Public Sector Equality Duty](#) (PSED) requiring public bodies to give due regard to the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

Consideration must be given to the protected characteristics covered by the Equality Act (2010). Assessments should consider relevant evidence relating to persons with protected characteristics in relation to assessments of potential impact.

The purpose of an Equality Impact Assessment (EIA) is to ensure that policies, functions, plans or decisions (hereafter referred to as 'policy/ decision') do not create unnecessary barriers for people protected under the Act. Where negative impacts are identified these should be eliminated or minimised, and opportunities for positive impact should be maximised. An EIA is not required for a decision in relation to an individual.

Screening is a short exercise to determine whether a policy/ decision is relevant to equalities, and if so, whether a full EIA should be conducted.

Section 1: Equality Impact Assessment Screening

Title and description of the policy/ decision:	MDH Right to Buy Policy		
Job title of the person(s) undertaking the assessment:	MDH Policy Officer		
Council service:	Mid Devon Housing		
Date of assessment:			
What are the aims, purposes, objectives and proposed outcomes of the policy/ decision?			
<p>This policy provides Mid Devon Housing's (MDH) approach to Right to Buy and details the statutory requirements.</p> <p>The aim is to provide tenants who wish to exercise the right to buy their council home details of what is involved and covenants that will be placed on the sale of any home owned by Mid Devon Housing.</p> <p>The objective is to provide tenants with a balanced view on the expectations and restrictions which may occur when they exercise their right to buy.</p>			
Who may be affected by the policy/ decision?	All tenants		
How have stakeholders been involved in the development of the policy/ decision? E.g. a consultation exercise	<p>Consultation exercise was undertaken between 1st February 2024 – 1st March 2024 which included:</p> <ul style="list-style-type: none"> • Tenants • Members of the Homes PDG 		
Will there be scope for prompt, independent reviews and appeals against decisions arising from the policy/ decision?	MDH reviews its practices as lessons learned when dealing with complaints raised by tenants		
To which part(s) of the Public Sector Equality Duties is the policy/ decision relevant:			
	Yes	No	Details
1. Eliminate unlawful discrimination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Having a clearly defined policy ensures consistency of approach and ensures that no tenant or resident is treated more fairly or unfairly than any other.
2. Advance equality of opportunity	<input type="checkbox"/>	<input type="checkbox"/>	
3. Foster good relations between different groups	<input type="checkbox"/>	<input type="checkbox"/>	

Which of the protected characteristics is the policy/ decision relevant to?

Tick and briefly describe any likely equalities impact (positive, negative, or neutral)

Characteristic	Positive	Negative	Neutral	Comments
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Characteristic	Positive	Negative	Neutral	Comments
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Pregnancy/ maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Marriage and Civil partnership*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

*Applies only to Employment and the duty to give regard to the elimination of discrimination.

Decision by Corporate Manager to recommend this policy/ decision for an Equality Impact Assessment?

No

If the answer is “Yes”, please continue to the Section 2 and complete the Equality Impact Assessment. If the answer is “No”, please give a brief reason here.

MDH has a collection of housing related policies. The use of these helps to ensure that service delivery is consistent and fair. These are currently being reviewed with the aim of aligning them more closely with the Regulatory Standards.

Furthermore, there is a regulatory requirement for registered providers of social housing to tailor their services to meet the needs of tenants. MDH collects data on the diversity of tenants and endeavours to tailor services to meet the needs of all tenants and to enable compliance to be monitored.

Where a tenant is considered vulnerable MDH will collaborate closely with them to avoid possession action where possible, and each case will be referred to the Neighbourhood Team Leader Income and/or other support services before any eviction order is sought.

EIA Screening Complete

Section 2: Equality Impact Assessment

Evidence and Consultation

What existing sources of information have you gathered to help identify how people covered by the protected characteristics may be affected by this policy/ decision? E.g. consultations, national or local data and/or research, complaints or customer feedback. Please identify any gaps in the available information that might make it difficult to form an opinion about the effect of the policy on different groups.

Please complete this table for all the Protected Characteristics. If you have identified any negative impacts you will need to consider how these can be justified or where possible mitigated either to reduce or remove them. (Please add rows where needed)

Potential Impacts/ Issues Identified/ Opportunities identified	Mitigation required (action) or Justification	Lead Officer and target completion date	What is the expected outcome from the action?
Sex			
No Impacts/Issues or opportunities identified			
Age			
No Impacts/Issues or opportunities identified			
Disability			
No Impacts/Issues or opportunities identified			
Religion or Belief			
No Impacts/Issues or opportunities identified			
Race			
No Impacts/Issues or opportunities identified			
Sexual Orientation			
No Impacts/Issues or opportunities identified			
Gender Reassignment			

No Impacts/Issues or opportunities identified			
Pregnancy/ maternity			
No Impacts/Issues or opportunities identified			
Marriage and Civil partnership (Applies only to Employment and the duty to give regard to the elimination of discrimination)			
Not applicable			

Please provide details of arrangements to monitor and review the policy/ decision and any mitigating actions or actions to promote equality:

MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations. There were no mitigating actions to be taken to promote equality.

Please state where the EIA will be published (e.g. on the Mid Devon District Council website):

Mid Devon Housing Website

=====

Equality Impact Assessment Sign off

For completion by Corporate Manager

Are you prepared to agree and sign off the EIA?

Yes **No**

If "No", provide details of why and next steps:

Name: Simon Newcombe

Job Title: Head of Housing and Health

Date: 03 January 2025

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Report for: Cabinet

Date of Meeting: 4 March 2025

Subject: **MID DEVON HOUSING (MDH) SAFEGUARDING ADULTS, CHILDREN AND YOUNG PEOPLE POLICY**

Cabinet Member: Cllr Simon Clist
Cabinet Member for Housing, Assets and Property and Deputy Leader

Responsible Officer: Simon Newcombe – Head of Housing and Health

Exempt: None

Wards Affected: All

Enclosures: Annex A – MDH Safeguarding Adults at Risk, Children and Young People Policy

Annex B – MDH Equality Impact Assessment Safeguarding Adults at Risk, Children and Young People Policy

Section 1 – Summary and Recommendation

In March 2024, a Consumer Regulation Health check advised that MDH establish a dedicated Safeguarding Policy to better manage risks associated with protecting vulnerable adults and children from abuse and neglect. Safeguarding is a crucial legal obligation for MDH. Whilst the existing corporate policy was widely updated in 2024 as an initial policy priority, it lacks detail on the role of MDH as a landlord as required by housing providers. This new MDH specific policy has been developed in the context of the updated corporate policy for consistency.

Recommendation:

That Cabinet recommends to Council to adopt the MDH Safeguarding Adults at Risk, Children and Young People Policy and Equality Impact Assessment

contained in Annexes A and B respectively as recommended by the Homes Policy Development Group (PDG)

Section 2 – Report

1 Introduction

- 1.1 The current MDDC corporate safeguarding policy addresses safeguarding generally across council services but lacks specific clarity on legal provisions outlined in the Care Act 2014 and the responsibilities of social landlords.
- 1.2 A comprehensive safeguarding policy for both children and vulnerable adults is necessary to ensure MDH meets its specific statutory obligations under Section 11 of the Children Act 2004 and the Care Act 2014.
- 1.3 Under the revised, statutory consumer standards issued by the Regulator of Social Housing (RSH) there is a greater emphasis on supporting our tenants and protecting their wellbeing. In the context of safeguarding, the Transparency, Influence and Accountability Standard requires MDH to consider the diverse needs of our tenants in relation to the housing and landlord services we provide and any matters of hate crime, discrimination or risks to vulnerable tenants. Furthermore, the Neighbourhood and Community Standard specifically sets out that landlords should understand the significant impact that domestic abuse and other safeguarding matters can have both on tenants experiencing it and their household members. In achieving this outcome MDH should have a victim-centred approach to assisting tenants who experience abuse.
- 1.4 Safeguarding is therefore an essential part of MDH's housing responsibilities.
- 1.5 The new MDH policy includes distinct sections focused on both adults and young people.

2 Current practice

- 2.1 MDH is committed to actively safeguarding vulnerable adults residing in its properties by collaborating openly with other agencies. This multi-agency approach is intended to prevent abuse, exploitation, and neglect of vulnerable adults.
- 2.2 Effective safeguarding is integral to our work practices and not seen as an "additional" task. Staff interacting with tenants play a crucial role in safeguarding, so mechanisms are established for them to report concerns confidently, supported by clear documentation and follow-up processes.
- 2.3 Staff are provided with training and internal procedures for managing safeguarding matters, including relevant referral forms.

3 Historical information

3.1 The following information provides detail of safeguarding referrals raised by MDH staff and contractors;

2023-24

MDH started central collation of information on referrals made by MDH staff and contractors from September 2023

14 Safeguarding cases

Cases relate to: self-neglect, hoarding, financial & material abuse, sex abuse and other (mental health)

2024-25

3 Safeguarding cases

Cases relate to: other mental health, suicidal thoughts and neglect & acts of omission

4 Recommendation

4.1 In accordance with the above, the following recommendation is made:

That the PDG recommends that Cabinet recommends that Council adopt the MDH Safeguarding Adults at Risk, Children and Young People Policy and Equality Impact Assessment contained in Annexes A and B respectively

Financial Implications

While the policy has no direct financial implications, it is suggested that staff receive in-person training to enhance awareness and understanding of safeguarding roles and best practices. East Devon District Council has found this approach effective, and training will be delivered by the MDDC Specialist Lead in Community Safety & Safeguarding.

Legal Implications

As a registered social housing provider, MDH has a statutory responsibility to safeguard the welfare of children and vulnerable adults in line with the Children Act 2004 and the Care Act 2014.

Risk Assessment

Maintaining an up-to-date safeguarding policy is essential, as MDH are legally obligated to ensure adequate procedures are in place. A failure to meet statutory duties could expose MDH to legal consequences if a safeguarding incident occurs without the appropriate measures being followed. This would represent a wider failure to protect vulnerable tenants and other household members from harm.

Impact on Climate Change

This policy or report will have no direct impact on climate change.

Equalities Impact Assessment

The safeguarding policy is designed to protect the entire community, with particular emphasis on vulnerable individuals who may be at greater risk due to age, disability, or other support needs.

Relationship to Corporate Plan

The policy contributes to Objective 3.4 outlined in the Corporate Plan: “We will work closely with our tenants to ensure they feel safe, secure and happy in their homes”.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 15 January 2025

Statutory Officer: Maria de Leiburne

Agreed on behalf of the Monitoring Officer

Date: 15 January 2025

Chief Officer: Richard Marsh

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

Date: 14th January 2025

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 09 January 2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Simon Newcombe, Head of Housing and Health

Email: snewcombe@middevon.gov.uk

Telephone: 01884 255255

Background papers:

[mddc-corporate-safeguarding-policy.pdf](#)

[Care Act 2014](#)

[Children Act 2004](#)



Safeguarding Adults at Risk, Children and Young People Policy

This policy was produced in 2025 and is version 1.00

This policy was adopted by Council on xxxx

Review Frequency: MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations.

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1 Introduction

- 1.1 This Policy aims to compliment and work in tandem with the Mid Devon District Council Corporate Safeguarding policy and guidance.
- 1.2 It draws on and reflects the relevant legislation and guidance on safeguarding for both children and adults at risk and sets out the housing management service's aims, role and responsibilities for ensuring effective safeguarding in partnership with other agencies. It includes:
 - Definitions of safeguarding and those who may be at risk.
 - Types of abuse and neglect.
 - Responsibilities for Safeguarding within the Council and Housing Service.
 - How we will respond to instances of abuse and neglect.
 - How we will share information and work with others.

2 Aims and Objectives

- 2.1 The aims of the Policy are to clarify the roles and responsibilities of Housing Officers and contactors employed by MDH when dealing with concerns about safeguarding of tenants or anyone living in or visiting our homes.
- 2.2 The objective is to provide employees and contractors with the processes needed to promote the welfare of and action to enable all children, young people and adults with care and support needs who live in or visit our homes to have the best life outcomes.

3 Legal Framework and Associated Policies

- 3.1 As a social housing provider working with children, young people, and families, MDH have specific statutory duties under Section 11 of the Children's Act 2004, to promote the welfare of children and young people, and ensure they are protected from harm. MDH also have statutory responsibilities for safeguarding adults, for example from the Human Rights Act (1998); the Mental Capacity Act (2005), and the Care Act (2014).
- 3.2 This policy should be read in conjunction with the following documents:
 - MDDC Corporate Safeguarding Policy
 - MDDC Disciplinary Procedure
 - MDDC Grievance Procedure
 - MDDC Whistleblowing Policy
 - MDDC IT Acceptable Use Policy
 - MDDC Equality and Diversity Policy
 - MDDC Complaints & Feedback Procedure
 - MDDC Dignity at Work Policy
 - MDDC Health & Safety at Work guidance
 - MDDC Disclosure & Barring Policy

3.3 Additional online resources:

[Home - Devon Safeguarding Adults Partnership](#)

[Report your concern - Devon Local Authority boundaries - Devon Safeguarding Adults Partnership](#)

[The Devon Safeguarding Children Partnership \(Devon SCP\)](#)

[Devon has a duty to keep vulnerable adults safe and away from harm](#)

[Domestic violence and abuse - Domestic and Sexual Violence and Abuse](#)

[Safeguarding - MIDDEVON.GOV.UK](#)

4 Definitions of Safeguarding

4.1 The NHS definition of safeguarding states:

'Safeguarding means protecting a citizen's health, wellbeing and human rights; enabling them to live free from harm, abuse and neglect. It is an integral part of providing high-quality health care. Safeguarding children, young people and adults is a collective responsibility,

4.2 Those most in need of protection include:

- Children and young people
- Adults at risk, such as those receiving care in their own home, people with physical, sensory and mental impairments, and those with learning disabilities.

5 Types of Abuse and Neglect

5.1 Physical abuse- the use of force that results in pain, injury or deterioration in the person's physical state. Examples include: Punching, hitting, pinching, burning, and misuse of medication, excessive restraint and forced feeding.

5.2 Sexual abuse- sexual activities when the individual does not want the activity, or they have not consented, they do not understand/have the capacity to understand or they are under 16 years old. Examples include: rape or sexual assault, inappropriate touch, sexual teasing or innuendo, sexual harassment, indecent exposure and sexual photography or forced use of pornography.

5.3 Psychological abuse- has a harmful effect on the emotional, health and/or development of an adult or child at risk. Examples include: threats, intimidation, humiliation, bullying, harassment, verbal abuse, enforced isolation, preventing access to services, preventing choice and opinion and addressing someone in an infantile or patronising way. This can include psychological abuse suffered by children who witness the abuse of a parent, guardian or carer.

- 5.4 Financial or material abuse- using property, assets, income of adults who are vulnerable without their consent and making financial transactions for adults who do not have mental capacity. Examples include: theft of money or possessions, fraud, preventing a person access to their own money, pressure or threat in connection with money, loans, wills or property.
- 5.5 Discriminatory abuse- service or care given influenced negatively by an aspect of the individuality of the adult at risk. Examples include: a) unequal treatment based on age, disability, gender, reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex or sexual orientation. b) verbal abuse, derogatory remarks, exclusion. c) hate crime, antisocial behaviour.
- 5.6 Neglect and acts of omission- not meeting basic or specific social and medical needs. Examples include:
- a) Failure to provide food, shelter, clothing, heating, personal or medical care.
 - b) Withholding medication as prescribed.
 - c) Failure to allow choice i.e. visitors, meeting cultural or religious needs.
 - d) Ensuring privacy and dignity.
- 5.7 Institutional abuse- the mistreatment of people brought about by poor or inadequate care or support. Examples include: lack of leadership and supervision, lack of respect and dignity, not providing assistance with activities of daily living, not offering choice or promoting independence and failure to respond to complaints.
- 5.8 Self-neglect- this covers behaviour relating to neglecting to care for one's health, personal hygiene and surroundings, and behaviour like hoarding.
- 5.9 Modern Slavery – when an individual is exploited by others, for personal or commercial gain. Whether tricked, coerced, or forced, they lose their freedom. This includes but is not limited to human trafficking, forced labour and debt bondage. This can also include individuals who are forced to work in pop up brothels.
- 5.10 County Lines - a term used to describe networks of gangs and organised crime groups, who use children, young people and vulnerable adults to carry out illegal activity on their behalf.

6 Responsibilities for Safeguarding

- 6.1 Every member of staff, including contractors, are responsible for raising any safeguarding concerns they have and making sure that they are alert to issues.
- 6.2 MDH will ensure that where safeguarding concerns have been raised that we put the safety and wellbeing of victims at the heart of everything we do.

- 6.3 MDH recognises that we cannot manage safeguarding concerns in isolation and we will seek assistance from partners and professionals in a timely manner when required to do so. This is an important consideration for the council which owns and manages housing across the local authority area.
- 6.4 MDH will work alongside our partner agencies Care Direct, Devon County Council via Early Help, multi-agency safeguarding hub (MASH) and other branches, Doctors and the Police to ensure the best outcome that we can for victims.
- 6.5 As a provider of social housing and support services we will build and maintain partnerships and effective referral procedures with other local authorities, agencies and organisations to safeguard children and adults at risk.

7 Contractors and Service Providers

7.1 Contractors and service providers for frontline services on our behalf need to make sure their staff:

- Are suitable to provide frontline services;
- Comply with contractual requirements; and
- Are aware of who to contact with any safeguarding concerns.

7.2 Contractors must also:

- Notify us of all safeguarding concerns; and
- Fully co-operate with any investigation into received allegations within reason and whenever possible.

7.3 They are responsible for working with employees of the council, to the same standard, in ensuring the safety and well-being of children and adults with care and support needs within their scope.

7.4 They are responsible for participating in any training or development opportunities offered to them to improve their knowledge of skills in this area where practicable.

8 Staff Recruitment and Training

8.1 MDH ensures that it recruits trustworthy and reliable staff who are capable of managing these delicate and sensitive issues. We have clear and robust safer recruitment practices in place that support our approach to safeguarding adults and children.

8.2 At recruitment, MDH assesses the skills, experience and previous training of the applicant in order to appoint the most suitable person for the job. Training needs are reviewed at the recruitment of new starters and then formally on an annual basis during appraisals.

- 8.3 All employees will be inducted in the contents of this Policy with particular emphasis on their personal responsibilities.
- 8.4 All new employees also receive a mandatory general safeguarding induction. This will either take the form of an E-learning course or will be delivered by a Team Leader. This training is required irrespective of whether the individual has undertaken recent similar training in another role.
- 8.5 Where an individual takes on specific safeguarding responsibilities, for example Safeguarding Champions, they will receive relevant safeguarding training in these responsibilities.
- 8.6 All staff will be required to undertake mandatory refresher training every three years.

9 Staff and Contractor Behaviour

- 9.1 The Children Act 2004 places a duty upon organisations to promote the wellbeing of children and young people. All adults have a responsibility to maintain public confidence in their ability to safeguard the welfare and best interests of children and young people and adults at risk, with whom they work or come into contact with. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the general public and of their colleagues.
- 9.2 Staff and those who work on our behalf, working with our residents, may have contact with children, young people and adults at risk. They are responsible for their own actions and behaviours and should avoid any contact which could lead to someone questioning their motives and intentions or allegations being made.
- 9.3 It is acknowledged that people may have concerns about the possibility of an allegation being made against them, and for that reason it is important that they familiarise themselves with behaviours that may be considered as constituting misconduct or gross misconduct, and those which would be considered illegal.
- 9.4 Example circumstances where misunderstandings may arise:
- Dress and appearance
 - Gifts, rewards, and favouritism
 - Communication with individuals (including the use of technology and /or social media platforms)
 - Social contact
 - Physical contact
 - Sexual contact
 - Children, young people, and adults at risk in distress

10 How we will respond

- 10.1 We aim to action each report of safeguarding as appropriate. This is monitored by the Safeguarding Champions and a quarterly report is produced and discussed to identify trends and put in place supportive actions.
- 10.2 We will provide a tailored approach where possible to each individual concern and all persons involved. This will include the provision of specific communication methods where required. If MDH is not able to assist, the appropriate sign posting to other organisations will be provided.
- 10.3 Emergency cases, for example life at risk or if a member of staff feel the need for urgent action will be immediately referred to the Police and/or Ambulance Service whether or not the victim has consented to a referral.
- 10.4 If a member of staff feels that urgent action is required they are encouraged to seek support whether or not they have gained consent of the person.

11 Children and Young People at Risk

- 11.1 Provided it is safe to do so, we will always talk to the family at risk about their concerns before making a safeguarding referral, involving the family in decisions about them and taking their views and wishes into account. We will consider the individuals capacity to understand the safeguarding concern.
- 11.2 The exception is when we believe that contacting the parent/carer could place a child or another adult at risk of harm. In these exceptional circumstances, or if consent is refused or cannot be obtained, we will contact the multi-agency safeguarding hub for advice.
- 11.3 Consent is not required when considering making a safeguarding referral for a Child, however in the appropriate circumstances, speaking with the parent/guardian prior to referrals is seen as best practice. We recognise the importance of the wishes and feelings of a child, however these may sometimes be contradicted in order to act in the child's best interests.

12 Adults at Risk

- 12.1 The Care Act 2014 The Act sets out six key principles that underpin all adult safeguarding work:
 - Empowerment- personalisation and the presumption of person-led decisions and informed consent
 - Prevention- it is better to take action before harm occurs
 - Proportionality- proportionate and the least intrusive response appropriate to the risk prevented
 - Protection- support and representation for those in greatest need

- Partnership- local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse
 - Accountability- accountability and transparency in delivering safeguarding
- 12.2 At risk includes those who are unable to take care of or protect themselves; and whose independence and well-being is at risk without support because they are vulnerable through:
- Age;
 - Having a long-term limiting illness or condition;
 - Being in an abusive relationship;
 - Having a physical, learning or mental health disability;
 - Frailty; or
 - Having been in care, prison or other institution.
- 12.3 An adult under the scope of this policy means any person who is 18 years of age or over, and who is or may be in need of community care services by reason of for example. a physical or mental disability, a learning difficulty, reduced physical or mental capacity due to old age, dependency on drugs, alcohol or medication and who is or may be unable to take care of him/herself, or unable to protect him/herself against significant harm or serious exploitation.
- 12.4 Provided it is safe to do so, we will always talk to the adult at risk about our concerns before making a safeguarding referral, involving the adult in decisions about them and taking their views and wishes into account. An officer can raise a safeguarding concerns if they feel that the adult does not have capacity to agree to a safeguarding referral.
- 12.5 Consent is a legal requirement for safeguarding adults, unless the adult either lacks capacity; is at significant risk of harm; a crime could be prevented or an employee is an alleged perpetrator of the suspected abuse.
- 12.6 Where significant risk exists an update to the Care Act in 2018 allowed referrals to be made without consent. For example:
- If there is a risk to other people (including children or other adults at risk);
 - If a crime has been committed, or action is needed to prevent a crime being committed;
 - If seeking their consent would put them at further risk;
 - The adult lacks mental capacity to understand the risks to them, and it is in their best interests to take action;
 - If we believe the person is refusing support because they are being influenced or coerced by someone else; or
 - There has been abuse or neglect by a person in a position of trust, such as a carer or health professional.

- 12.7 If verbal consent has not been received by a vulnerable adult at risk, consent should be sought before sharing information outside the organisation such as via a referral. If consent is not given, the colleague should discuss with their line manager if risks to the person's safety or another person are high. This may make it appropriate to override the need for consent. A record should be kept of the conversation and the reasons for overriding consent.

13 Whistleblowing

- 13.1 Mid Devon District Council has robust whistleblowing and disciplinary procedures and would take action to investigate where staff are or are alleged to be engaged in any form of abuse or exploitation of adults or children at risk.
- 13.2 There may be exceptional instances when a staff member is involved in the abuse of an adult at risk or a child. All staff members take responsibility to report any concerns immediately via the MDDC Whistleblowing Policy. Normal disciplinary procedures would apply to investigate any allegation.
- 13.3 In addition, if any staff member has a concern regarding a colleague and their wellbeing they should report immediately to their line manager, or another available manager.

14 The Local Authority Designated Officer (LADO) process

- 14.1 The LADO is a statutory role which sits within Devon County Council Children Services. The LADO is responsible for co-ordinating the response to concerns that an adult who works with children may have caused them or could cause them harm. The LADO also gives advice and guidance to employers, organisations and other individuals who have concerns about the behaviour of an adult who works with children and young people. Included in this group are volunteers, agency staff and foster carers as well as people who are in a position of authority and have regular contact with children.
- 14.2 The LADO should be alerted to all cases in which it is alleged that a person who works with children has:
- Behaved in a way that has harmed, or may have harmed, a child;
 - Possibly committed a criminal offence against children, or related to a child;
 - Behaved towards a child or children in a way that indicated they may pose a risk of harm to children; or
 - Behaved or may have behaved in a way that indicates that they may not be suitable to work with children.

- 14.3 Allegations of non-recent abuse should be referred in the same way as contemporary concerns.
- 14.4 If a Council staff member or Member becomes aware of a situation as outlined in 14.2 above they should immediately alert the Corporate Safeguarding Lead (and in his absence the Chief Executive or a Director) and either:
- The Corporate Manager for People, Governance & Human Resources where a member of staff is involved, or
 - The Monitoring Officer where an elected member is involved, or
 - The Head of Housing and Health (where different to their Corporate Safeguarding Lead role) in cases which involve a licence issued by the Council,

who will then inform the LADO within 1 working day.

- 14.5 Having assessed the referral the LADO may arrange one or more Managing Allegations Meetings liaising with the police and other agencies as necessary. Attendance at a LADO Managing Allegations Meeting should be always be made by two officers together to ensure that if total confidentiality is required (e.g. to safeguard an ongoing police investigation) the weight of responsibility does not fall to one officer alone.

15 Sharing Information

- 15.1 MDH will process personal information in connection with tenants in accordance with the Data Protection Act 2018 and UK GDPR 2020.
- 15.2 MDH will ensure that all housing management staff understand government guidance for sharing information with other professionals and that information is shared effectively and efficiently to support early identification and assessment of any concerns.
- 15.3 MDH will ensure the information it shares is necessary for the purpose for which we are sharing it, it is shared only with those who need to have it, is accurate and up to date and shared securely.
- 15.4 MDH will be open about what and with whom information will or could be shared unless by doing so puts the adult at increased risk of harm, seeking consent and respecting confidentiality except where we consider safety or wellbeing of the adult or others to be at risk.

16 Complaints

16.1 We try to get things right the first time and when we do, we would love people to let us know. It's great for us to receive positive comments or feedback, so if people wish to complement our staff for doing a great job, we would love to hear from them.

16.2 If things do go wrong the Council is committed to:

- Dealing with complaints and comments quickly and effectively; and
- Using complaints, comments and compliments to review and improve our services

16.3 When tenants contact us to tell us they are dissatisfied with the service we have provided, we will offer them the choice to have an informal conversation to see if we can put things right quickly, without the need for a formal investigation.

16.4 The Housing Ombudsman Service advise that a complaint must be defined as:

'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents'.

16.5 Where a tenant considers that the council has given a poor service or has got something wrong, they may tell a member of staff in the first instance. This does not need to be treated as a formal complaint (unless the complainant asks us to do so) and may be resolved 'there and then' by way of an apology or plan of action. Any comments provided will be used to take appropriate action, or give information.

16.6 If a tenant does not want to do this or is unhappy with the response, they may make a formal complaint, which can escalate from stage 1 or stage 2 if they are still not satisfied with the response. Having been through stages 1 and 2 and they are still not satisfied, the tenant may contact the Housing Ombudsman Service.

16.7 MDH's complaints procedure is detailed on Mid Devon District Council website: [Feedback and Complaints](#)

17 Equality Impact Assessments

17.1 MDH complete an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us make sure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.

Equality Impact Assessment

Purpose of the Equality Impact Assessment process:

The Equality Act (2010) introduced the [Public Sector Equality Duty](#) (PSED) requiring public bodies to give due regard to the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity
- Foster good relations

Consideration must be given to the protected characteristics covered by the Equality Act (2010). Assessments should consider relevant evidence relating to persons with protected characteristics in relation to assessments of potential impact.

The purpose of an Equality Impact Assessment (EIA) is to ensure that policies, functions, plans or decisions (hereafter referred to as 'policy/ decision') do not create unnecessary barriers for people protected under the Act. Where negative impacts are identified these should be eliminated or minimised, and opportunities for positive impact should be maximised. An EIA is not required for a decision in relation to an individual.

Screening is a short exercise to determine whether a policy/ decision is relevant to equalities, and if so, whether a full EIA should be conducted.

Section 1: Equality Impact Assessment Screening

Title and description of the policy/ decision:	Safeguarding Adults at Risk, Children and Young People Policy
Job title of the person(s) undertaking the assessment:	MDH Policy Officer
Council service:	Mid Devon Housing
Date of assessment:	1 st January 2025
What are the aims, purposes, objectives and proposed outcomes of the policy/ decision?	
<p>In essence the Council has a duty to work with other agencies and the policy reminds us of the Council's responsibility under the Children's Act 2004, the Care Act 2014 and other legislation, which is essentially to ensure that our functions are discharged with regard to the need to safeguard and promote the welfare of children and other vulnerable groups.</p> <p>We have a shared responsibility with a variety of statutory agencies to protect children and vulnerable adults from harm, ensure their safety, and prevent impairment of their health or development. As a partner agency we appreciate that safeguarding is not just the duty of Devon County Council Adult Social Care and child protection specialists.</p> <p>The aims of the Policy are to clarify the roles and responsibilities of Housing Officers and contactors employed by MDH when dealing with concerns about safeguarding of tenants or anyone living in or visiting our homes.</p> <p>The objective is to provide employees and contractors with the processes needed to promote the welfare of and action to enable all children, young people and adults with care and support needs who live in or visit our homes to have the best life outcomes.</p>	
Who may be affected by the policy/ decision?	The Policy gives guidance and policy framework for staff and Members, and our contractors and volunteers, based on our legal obligations, good practise and local organisational arrangements in Devon. The policy will support our own staff and Members who may find themselves at risk or vulnerable. The policy supports our service users (including tenants) particularly those who are vulnerable adults with care needs, and children and young people under 18 where we have specific legal duties.
How have stakeholders been involved in the development of the policy/ decision? E.g. a consultation exercise	<p>Tenants and Members were consulted between 29 November and 31 December 2024.</p> <p>The MDDC Specialist Lead for Community Safety & Safeguarding was consulted to ensure that this policy aligns with the Corporate Policy.</p>

Will there be scope for prompt, independent reviews and appeals against decisions arising from the policy/ decision?	MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations.		
To which part(s) of the Public Sector Equality Duties is the policy/ decision relevant:			
	Yes	No	Details
1. Eliminate unlawful discrimination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
2. Advance equality of opportunity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3. Foster good relations between different groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Which of the protected characteristics is the policy/ decision relevant to?

Tick and briefly describe any likely equalities impact (positive, negative, or neutral)

Characteristic	Positive	Negative	Neutral	Comments
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Policy covers domestic violence and abuse which has a disproportionate impact on women.
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The purpose of the Policy is to demonstrate the Council's commitment to safeguarding from harm all children, young people and adults with care and support needs using any council services and involved in any of their activities, and to treat them with respect during their dealings with the Council, our partners and contractors.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Policy has two key purposes, one of which is to demonstrate the Council's commitment to safeguarding from harm all adults with care and support needs using any Council services and involved in any of their activities, and to treat them with respect during their dealings with the Council, our partners and contractors.
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts

Characteristic	Positive	Negative	Neutral	Comments
Race	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The Policy includes actions to protect people experiencing cultural issues such as forced marriage and Female Genital Mutilation which tend to affect young people from ethnic minority backgrounds disproportionately.
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Pregnancy/ maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Marriage and Civil partnership*	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts

*Applies only to Employment and the duty to give regard to the elimination of discrimination.

Decision by Corporate Manager to recommend this policy/ decision for an Equality Impact Assessment?

No

If the answer is “Yes”, please continue to the Section 2 and complete the Equality Impact Assessment. If the answer is “No”, please give a brief reason here.

The Policy is overwhelmingly positive in terms of equalities with no negative impacts identified. It specifically sets out how the Council will meet its legal duties and also apply best practice in safeguarding vulnerable children and adults.

EIA Screening Complete

Section 2: Equality Impact Assessment

Evidence and Consultation

What existing sources of information have you gathered to help identify how people covered by the protected characteristics may be affected by this policy/ decision? E.g. consultations, national or local data and/or research, complaints or customer feedback. Please identify any gaps in the available information that might make it difficult to form an opinion about the effect of the policy on different groups.

Please complete this table for all the Protected Characteristics. If you have identified any negative impacts you will need to consider how these can be justified or where possible mitigated either to reduce or remove them. (Please add rows where needed)

Potential Impacts/ Issues Identified/ Opportunities identified	Mitigation required (action) or Justification	Lead Officer and target completion date	What is the expected outcome from the action?
Sex			
Age			
Disability			
Religion or Belief			
Race			
Sexual Orientation			
Gender Reassignment			

Pregnancy/ maternity			
Marriage and Civil partnership (Applies only to Employment and the duty to give regard to the elimination of discrimination)			

Please provide details of arrangements to monitor and review the policy/ decision and any mitigating actions or actions to promote equality:

MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations.

Please state where the EIA will be published (e.g. on the Mid Devon District Council website):

Mid Devon Housing Website

=====

Equality Impact Assessment Sign off

For completion by Corporate Manager

Are you prepared to agree and sign off the EIA?

Yes **No**

If "No", provide details of why and next steps:

Name: Simon Newcombe

Job Title: head of Housing and Health

Date: 03 January 2025



Report for: Cabinet

Date of Meeting: 4 March 2025

Subject: **2024/25 QUARTER 3 MONITORING**

Cabinet Member: Cllr James Buczkowski, Cabinet Member for Governance, Finance and Risk

Responsible Officer: Andrew Jarrett, Deputy Chief Executive (S151)

Exempt: N/a

Wards Affected: All

Enclosures: Appendix A – General Fund Summary
 Appendix B – General Fund Service Variances
 Appendix C – Employee Cost Summary Analysis
 Appendix D – Income Summary Analysis
 Appendix E – HRA Summary and detail variances
 Appendix F – Capital Programme Summary

Section 1 – Summary and Recommendation(s)

To present the forecast Outturn position for the General Fund, Housing Revenue Account and Capital Programme for the financial year 2024/25.

Recommendation(s):

1. The Cabinet are asked to:
 - a) Note the financial monitoring information for the income and expenditure for the nine months to 31 December 2024 and the projected outturn position;
 - b) Note the use of Waivers for the Procurement of goods and services as included in Section 8;
 - c) Note the completion of the closure of 3Rivers Developments Ltd.

2. The Cabinet are asked to:
 - a) Approve the revisions to the 2024/25 Treasury and Prudential Code Indicators (para 6.1.1 and 6.1.2).

Section 2 – Report

1.0 Introduction

- 1.1 This report contains information relating to the Council's overall financial performance for the 2024/25 financial year. Monitoring the Budget is an important part of the Council's performance management framework. The aim is to keep a tight control on spending on services within a flexible budget management framework.
- 1.2 The purpose of this report is to highlight to Cabinet the current financial status and the likely reserve balances at 31 March 2025. It encompasses the General Fund, the Housing Revenue Account (HRA), and Capital Programme. The detail underpinning these projections is included within the body of report in the following sections / appendices:
- The projected General Fund outturn position for 2024/25 (**Section 3 + Appendices A to D**);
 - The projected HRA Outturn position for 2024/25 (**Section 4 + Appendix E & F**);
 - The projected Capital Outturn position for 2024/25 (**Section 5 + Appendix F**);
 - Treasury Management (**Section 6**);
 - Collection Fund (**Section 7**);
 - Procurement Waivers (**Section 8**);
 - 3 Rivers Closedown Update (**Section 9**).
- 1.3 Favourable variances generating either increased income or cost savings are expressed as credits (negative numbers), whilst unfavourable overspends or incomes below budget are debits (positive numbers). Any variance against the agreed budget will impact on the Council's reserves. This monitoring focuses on significant budget variances (+/- £20k), including any remedial action where necessary leading to an estimated overall Outturn position.
- 1.4 The Council's financial position will be constantly reviewed to ensure its continued financial health and delivery of excellent Value for Money.
- 1.5 Members should note that officers have also identified areas where some unbudgeted expenditure can be mitigated through the use of earmarked reserves. Therefore this is shown in Appendix A within the individual service areas enabling clarity on the overall forecast outturn variance that will affect General Reserves.
- 1.6 A summary of the Council's Treasury Management year end position is shown in Section 6.
- 1.7 This report also includes Section 8 which updates Members on the use of Procurement Waivers during the third quarter of 2024/25. A procurement waiver is where contract procedure regulations have not been applied due to exceptional circumstances, such as urgency of the goods/services being required, or the

specialist nature of the goods/services where there is no effective competition to provide it.

- 1.8 Finally, confirmation of the formal closure of 3 Rivers Developments Limited is included within Section 9.

2.0 Executive Summary of 2024/25

- 2.1. The report indicates a projected General Fund outturn variance of £293k under spend and a HRA outturn variance of £174k under spend. In respect of the Capital Programme, there is forecast spend of £23,058k against the deliverable budget of £35,805k, leaving forecast variances of £229k under spend, £3,050k over spend and slippage of £15,567k across various projects.
- 2.2. The Council continues to struggle with recruitment and retention particularly within Waste, Finance, Legal and Planning Enforcement requiring higher usage of agency staff than planned.
- 2.3. Leisure income continues to show the good growth in membership numbers, although this is slightly offset by a planned closure of the pools later in the year while the surrounding floor and changing area is replaced. Planning income remains lower than budgeted, and forecasts for both Land Charges and Building Control income have reduced during the quarter.
- 2.4. If the forecast level of under spend is delivered, this will indicatively increase the General Reserve balance to £2,318k, above the agreed minimum £2m balance building further resilience in our financial stability. This position will be reviewed at year end where we reflect on levels of reserves and the significant uncertainty of central government changes to core funding, plus any short-term implications of preparing for Local Government Reform / Devolution.

3.0 The General Fund

- 3.1. The forecast General Fund under spend for the current year is £293k after transfers to and from Earmarked Reserves. A summary explanation of these key variances is shown in **Appendix A**, service by service. **Appendix B** also provides the detail of the key variances and those above £20k (+ or -) at individual service level to enable full transparency of the position. Similarly, within **Appendix G** (Capital Programme) the detail of the key variances at individual project level are included.
- 3.2. The table below shows the overall Budget, Forecast and Variance, summarised for 2024/25.

Table 1 – General Fund Summary

Financial Summary for 2024/25	2024/25 Budget	2024/25 Forecast	2024/25 Variance After EMRs
	£	£	£
Total Net Cost of Services	14,670,455	14,304,944	(279,246)
Other Income and Expenditure	(1,547,883)	(1,007,702)	150,000
Total Net Budgeted Expenditure	13,122,572	13,297,242	(129,246)
Total Funding	(13,122,572)	(13,590,284)	(163,797)
Net Income and Expenditure	0	(293,043)	(293,043)

- 3.3. The current incomes from our major fee income streams are shown in **Appendix C**. It shows that the full year forecast Income variance is £91k above budget. This is due to the significant increase in leisure income arising from increased membership numbers. That is partially offset by the adverse variance in Planning reflecting the continuing economic/market conditions and Car Parking income which is slightly below budget, mainly within Permit Income. All other key income streams are projected to be close to expectations.
- 3.4. The current employee costs are shown at Appendix D. It shows a full year forecast under spend of £846k, after taking into account the £460k vacancy target included across Corporate Management, Economic Development, Planning and Leisure (with the actual savings shown against the respective service areas). Notable savings are being made in Finance, Legal, Waste and Planning. All of these services area have required the use of agency staff to ensure services are delivered but the costs are offset by corresponding underspends on the service's staffing establishment. All vacancies are fully reviewed to consider if the position can be removed permanently, or temporarily managed without.
- 3.5. The table below shows the opening position of key reserve balances of the Council, the forecast in year movements and final predicted position at 31 March 2025:

Table 2 – Summary of Key Reserves

Usable Reserves	Actual 31/03/2024	Forecast In Year Movement	Forecast 31/03/2025
REVENUE	£000's	£000's	£000's
General Fund (See above)	(2,025)	(293)	(2,318)
GF Earmarked Reserves	(16,628)	451	(16,177)
Housing Revenue Account (Section 4)	(455)*	(174)	(629)
HRA Earmarked Reserves	(21,330)	0	(21,330)

* Following the approval of the 2023/24 Statement of Accounts, which included the creation of a provision for the refund of over-payments resulting from the historic rent calculation error, the HRA Reserve reduced from

£2,000k to £455k. The intention is to rebuild the reserve back to the recommended level of £2,000, over the medium term.

- 3.6. However, the actual reserves will be increased or decreased by the surplus or deficit generated in the year.

4.0 Housing Revenue Account (HRA)

- 4.1. This is a ring-fenced reserve in respect of the Council's housing landlord function. It is increased or decreased by the surplus or deficit generated on the HRA in the year. The forecast year end budget position is a net surplus of £174k. An explanation of the key variances and those above £20k + or -) are highlighted within **Appendix E**.

- 4.2. The main variances relate to:

- £288k reduction in rental income arising from correction of rent charges for 2024/25
- £148k Lower than forecast investment return, largely due to reducing balances held resulting from the investment in the social housing development programme;
- £164k increase costs on Council Tax and Utilities on void properties;
- (£530k) Salary underspend resulting from vacancies, particularly within Responsive Repairs.
- (£228k) Lower than forecast interest payable on projected borrowing.

5.0 Capital Programme

- 5.1. The Capital Quarter 2 summary is attached as **Appendix F** to this report. At Quarter 3 the actual and forecast spend for 2024/25 amounts to £23,058k, leaving a variance against the revised 2024/25 Deliverable Capital Programme of (£12,747k). Of which, £229k is an under spend, £3,050k is an over spend and £15,567k) will slip into future years.

- 5.2. The forecast slippage is largely from the delays to the Cullompton Town Centre Relief Road whilst funding was secured – £10,116k of this will now be spent in future years. A further £4,060k is being slipped into next year due to delays on a number of HRA housing developments, although there are five projects ahead of schedule that were largely planned for future years causing £915k of the reported overspend. The planned reception and access works in the leisure centre have now been procured and will be implemented by early summer. However the planned Public Sector Decarbonisation Scheme works at Culm Valley have been delayed due to lack of bids from our tender exercise. An

extension has been agreed for the funding and a direct award approach is being pursued.

- 5.3. The main reasons for the over spends are that the five Right to Buy buybacks were unbudgeted, and there has been a significant increase in demand for Disabled Facilities Grants. The CHP project at Exe Valley has expanded and is supported by grant funding successfully secured from Sport England. The projects under spending are mainly where costs have come in lower than anticipated.

6.0 Treasury Management

- 6.1. It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the quarter ended 31 December 2024, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2024/25 (approved at Full Council 21/02/2024). The Deputy Chief Executive (S151) reports that no difficulties are envisaged for the current or future years in complying with these indicators.

- 6.1.1. The table below shows the Council's updated treasury indicators for 2024/25.

Treasury Indicators	2024/25 Original	2024/25 Q3
	Forecast	Updated Forecast
	£000	£000
Authorised Limit for External Debt	75,000	79,000
Operational Boundary for External	66,000	70,000
Gross External Debt	41,179	33,442
Investments	10,000	11,441
Net Borrowing	31,179	22,001

- 6.1.2. The table below shows the Council's updated prudential indicators for 2024/25.

Prudential Indicators	2024/25 Original	2024/25 Q3
	Forecast	Updated Forecast
	£000	£000
Capital Expenditure	40,701	23,058
<i>Of which General Fund</i>	24,676	10,273
<i>Of which HRA</i>	16,025	12,785
Capital Financing Requirement (CFR)*	65,606	68,103
<i>Of which General Fund</i>	18,657	18,920
<i>Of which HRA</i>	46,949	49,183
Annual Change in CFR	15,721	5,869
In-Year Borrowing Requirement	7,800	0

*see 6.4 for more information

6.2. Investment Portfolio

- 6.2.1. In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. With Bank Rate slowing beginning to fall, interest rates on offer have started to decrease slightly as banks anticipate when the MPC would start reducing Bank Rate.
- 6.2.2. The Council's investment portfolio as at 31 December 2024 was made up of short term investments/deposits to the value of £21.94m, comprising of £20.00m in fixed term investments and £1.94m in NatWest call accounts. In addition to this, the Council also holds £5.00m in the CCLA commercial property fund.
- 6.2.3. The following table shows short term investments/deposits held as at 31 December 2024.

Institution	Principal £000	Interest Rate	Start Date	Maturity Date
Eastleigh Borough Council	4,000	5.35%	28/05/2024	23/01/2025
London Borough of Waltham Forest	3,000	4.85%	03/09/2024	03/06/2025
Aberdeen City Council	2,000	5.00%	01/11/2024	07/02/2025
Uttlesford District Council	3,000	5.05%	07/11/2024	07/08/2025
Aberdeen City Council	2,000	5.00%	07/11/2024	17/03/2025
NBK International PLC	2,000	4.93%	08/11/2024	10/03/2025
Chesterfield Borough Council	3,000	5.60%	09/12/2024	09/06/2025

- 6.2.4. The Council received an average return of 5.22% on investments during the first nine months of 2024/25, up from 5.08% at the same point in the previous year. Performance is expected to decline slightly through the rest of 2024/25 as further cuts to the Bank Rate are made.
- 6.2.5. The Council currently has £5m deposited with the CCLA (Churches, Charities and Local Authorities) Local Authorities' Property Fund, which pays dividends quarterly. For the first quarter of 2024/25, dividends of £174k (4.63%) were received, same as the equivalent period in 2023/24. There has been a small increase in fund value with the Council's share in the fund is now valued at £4.509m.
- 6.2.6. Officers can confirm that the approved limits within the Annual Investment Strategy were not breached during the quarter ended 31 December 2024.

6.3. Borrowing

- 6.3.1. The Council has no short-term borrowing but has existing PWLB loans of £30.386m as at 31 December 2024, in addition to £4.044m in finance leases.
- 6.3.2. The Council's revised Capital Financing Requirement (CFR) for 2024/25 is £68.103m. The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. Table 6.2.2 shows the Council has forecast borrowings at 31 March 2025 of £33.442m, and so will have utilised £22.001m of cash flow funds in lieu of borrowing to finance the CFR of £68.103m shown in table 6.2.3.
- 6.3.3. There has so far been no new borrowing in 2024/25, with nothing forecast to be required during the remainder of the year. However there is likely to be a need for new borrowing in the next financial year. This is currently forecast to be £15.543m due to the size of the Capital Programme.

6.4. Economic Update

- 6.4.1. The Council's treasury advisor, Link Group, provided the following forecasts for the Bank Rate and our PWLB Borrowing Rate (PWLB rates are certainty rates, gilt yields plus 80bps):

Interest Rates	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	Sep-26	Dec-26	Mar-27	Jun-27	Sep-27	Dec-27
Bank Rate View	4.75%	4.50%	4.25%	4.00%	4.00%	3.75%	3.75%	3.75%	3.50%	3.50%	3.50%	3.50%	3.50%
5yr PWLB Rate	5.00%	4.90%	4.80%	4.60%	4.50%	4.50%	4.40%	4.30%	4.20%	4.10%	4.00%	4.00%	3.90%
10yr PWLB Rate	5.30%	5.10%	5.00%	4.80%	4.80%	4.70%	4.50%	4.50%	4.40%	4.30%	4.20%	4.20%	4.10%
25yr PWLB Rate	5.60%	5.50%	5.40%	5.30%	5.20%	5.10%	5.00%	4.90%	4.80%	4.70%	4.60%	4.50%	4.50%
50yr PWLB Rate	5.40%	5.30%	5.20%	5.10%	5.00%	4.90%	4.80%	4.70%	4.60%	4.50%	4.40%	4.30%	4.30%

- 6.4.2. Further cuts to Bank Rate are expected over the coming year, however there remains a lot of uncertainty over the number of cuts and the timing. The timing has certainly been slower than original forecast with the latest Bank Rate forecast is now 50bps – 75bps higher than was previously the case.

6.5. Treasury Conclusion

- 6.5.1. The year to date has seen similar performance as seen in the same period in 2023/24. The Council's investment in the CCLA property fund provided similar quarterly dividends, although is expected to hold firm as interest rates reduce leading to a higher rate of return in comparison to short term investments.

Performance is expected to weaken through the next year as interest rates begin to decline. Overall, our forecast for the returns on investment for 2024/25 are £150k lower than budget, due to the reduced cash available for investment.

7.0 The Collection Fund

- 7.1. Mid Devon is a Collection Authority for Council Tax and Non-Domestic Rates, and as such, is required to produce a Collection Fund Account for the Mid Devon area.
- 7.2. The Council collects Council Tax on behalf of Devon County Council, Devon Fire and Rescue Service, Devon & Cornwall Police and the Town/Parish Councils. The forecast Council Tax collection rate for 2024/25 is 97.5% and is currently forecast to be 0.2% below this. In addition, growth in the Taxbase is strong which will increase the value collected and should lead to a surplus on the fund.
- 7.3. The Non-Domestic Rates collection rate is forecast to be 98.0% for 2024/25 (99.4% in 2023/24). Similarly, the taxbase remains fairly stable, however the forecast collection is 1% below this and with good growth we forecast that the previous deficit on the fund will be reduced.
- 7.4. This demonstrates how our Revenues section has consistently been effective in collecting the annual charge in extremely challenging economic times.

8.0 Procurement Waivers

- 8.1. In exceptional circumstances, there are sometimes justifiable reasons to act outside the contract procedure regulations. These include the following reasons:
 - I. The work, goods or materials are urgently required, and loss would be entailed by delay arising from advertising;
 - II. The work, goods or materials required are of such special nature that no advantage would accrue by inviting competitive tenders;
 - III. There is no effective competition for the goods or materials required by reason of the fixing of prices under statutory authority or that such goods or materials are patented or proprietary articles or materials;
 - IV. Transactions, which, because of special circumstances, may (either individually or as a class) be excepted from time to time by the Cabinet of the Council.

- 8.2. In such circumstances, prior written approval of the Deputy Chief Executive (S151) is required and Cabinet will be informed. Below is a list of the Procurement Waivers utilised during the third quarter of this financial year:

Table 3 – Summary of Procurement Waivers applied

Ref	Subject of the Waiver	Approximate Value £	Reason Code
1	Waste – vehicle rental	£5k	II
2	Engage ECOE to deliver specialist community engagement and advice on energy saving and retrofit for Mid Devon households	£45k	II and III
3	Leisure - wetside flooring and furniture (Exe Valley and Lords Meadow)	£392k	I, II and III
4	OpenPlay Leisure App (<i>part of digital transformation project</i>).	£38k	II and III
5	Extension to existing commission of Hyas Consulting for specialist technical housing related input towards delivery of the Cullompton Town Centre Relief Road and support a review of Local Plan timetables and options.	£38k	I and II
6	Installation of CHP & Battery storage at exe Valley Leisure Centre	£376k	I and II
7	Consultant time to ensure effective early project delivery of the Cullompton Town Centre Relief Road	£24k	I and II
8	The provision of a homelessness database	£14k	I

9.0 3 Rivers Development Ltd Closedown – progress update

- 9.1. During 2023/24, Members agreed to soft close 3 Rivers Developments Ltd. As previously reported, the application for voluntary strike off was submitted to Companies House on 30 August 2024. No further response was received and the company was dissolved on 26 November 2024.
- 9.2. Regarding the unsold units at Bampton, following a very slow period in the second half of 2024, and based upon the advice of the marketing agent, the prices on the unsold units has been reduced. This has led to new viewings but as yet no formal offers.
- 9.3. Work on the conversion of St George’s Court into the over 60s community is now drawing to a conclusion with the first tenants expected to move in imminently.

10.0 Conclusion

- 10.1. Members are asked to note the Revenue and Capital Outturn figures for the financial year 2024/25 and the use of procurement waivers during the quarter. Agreement is sought on the revised Capital Programme and Deliverable

Programme for 2024/25. We continue to closely monitor the financial position and amend our expectations accordingly.

Financial Implications

Good financial management and administration underpin the entire document. A surplus or deficit on the Revenue Budget will impact on the Council's General Fund balances. The Council's financial position is constantly reviewed to ensure its continued financial health.

Legal Implications

None.

Risk Assessment

Regular financial monitoring information mitigates the risk of over or underspends at year-end and allows the Council to direct its resources to key corporate priorities. Members will be aware that the Council continues to face a financially difficult and uncertain future. As such, the Strategic Risk Register (monitored by Audit Committee) includes a specific risk relating to this issue (CR7).

Impact on Climate Change

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

Equalities Impact Assessment

No equality issues identified for this report

Relationship to Corporate Plan

The financial resources of the Council impact directly on its ability to deliver the Corporate Plan prioritising the use of available resources in 2024/25. The Monitoring Report indicates how the Council's resources have been used to support the delivery of budgetary decisions.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Deputy Chief Executive (S151) Officer

Date: 18/02/2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 18/02/2025

Chief Officer: Stephen Walford

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

Date: 18/02/2025

Performance and risk: Dr Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 18/02/2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Paul Deal, Head of Service for Finance, Property and Climate Resilience

Email: pdeal@middevon.gov.uk

Telephone: 01884 23(4254)

Background papers: 2024/25 Budget Report to Cabinet / Full Council
2024/25 Quarter 1 Budget Monitoring
2024/25 Quarter 2 Budget Monitoring

GENERAL FUND FINANCIAL MONITORING FOR THE PERIOD 01 APRIL TO 31 DECEMBER 2024

General Fund Summary 2024/25	Appendix B Note Ref	Annual Budget	P9 Actual	Full Year Forecast	Full Year Variance (0 = On budget)	Transfer To/(From) Earmarked Reserves	Variance after EMRs	Full Year Variance (0 = On budget)	
		£	£	£	£	£	£	£	%
Cllr Luke Taylor (Leader)									
Corporate Management	GF1a	1,320,480	711,620	1,629,240	308,760	(38,760)	270,000		20.4%
Cllr Simon Clist (Deputy Leader)									
Commercial Estate	GF2a	(328,879)	(329,699)	(328,879)	0	0	0		0.0%
Property Services	GF2b	1,844,660	1,015,370	1,785,160	(59,500)	0	(59,500)		-3.2%
Community Alarms	GF2c	(99,335)	2,993	52,065	151,400	0	151,400		-152.4%
Homelessness & Rough Sleeping	GF2d	43,780	(380,308)	(140,750)	(184,530)	0	(184,530)		-421.5%
Housing Options	GF2e	457,315	406,912	575,035	117,720	0	117,720		25.7%
Cllr James Buczkowski									
Financial Services	GF3a	921,765	622,097	873,665	(48,100)	0	(48,100)		-5.2%
Revenues & Benefits	GF3b	872,450	1,551,243	956,450	84,000	0	84,000		9.6%
Performance Management	GF3c	75,920	56,183	75,920	0	0	0		0.0%
Electoral Services	GF3d	200,450	(2,652)	200,450	0	0	0		0.0%
Cllr Jane Lock (Deputy Leader)									
People Services	GF4a	611,370	417,041	561,370	(50,000)	0	(50,000)		-8.2%
Communications	GF4b	117,520	90,323	117,520	0	0	0		0.0%
Legal & Democratic Services	GF4c	1,002,715	594,577	955,715	(47,000)	0	(47,000)		-4.7%
IT Services & Digital Transformation	GF4d	1,346,080	981,845	1,431,180	85,100	(53,479)	31,621		2.3%
Cllr Josh Wright									
Car Parks	GF5a	(732,427)	(527,798)	(731,867)	560	0	560		0.1%
Street Scene	GF5b	1,140,821	798,229	1,065,821	(75,000)	0	(75,000)		-6.6%
Waste Services	GF5c	2,538,428	1,620,198	2,103,028	(435,400)	100,000	(335,400)		-13.2%
Fleet Management	GF5d	58,250	18,156	35,250	(23,000)	0	(23,000)		-39.5%
Parks & Open Spaces	GF5e	260,331	175,284	270,331	10,000	(10,000)	0		0.0%
Bereavement Services	GF5f	(126,548)	(22,894)	(59,449)	67,099	(12,099)	55,000		43.5%
Environmental Enforcement	GF5g	149,739	131,904	164,739	15,000	0	15,000		10.0%
Recreation & Sport	GF5h	983,303	609,741	734,883	(248,420)	50,000	(198,420)		-20.2%
Customer Services	GF5i	697,600	496,214	657,600	(40,000)	0	(40,000)		-5.7%
Cllr Steve Keable									
Economic Development	GF6a	444,370	405,833	444,370	0	0	0		0.0%
Planning	GF6b	766,041	625,527	888,491	122,450	(347)	122,103		15.9%
Pannier Market	GF6c	70,413	60,828	71,313	900	0	900		1.3%
Cllr David Wulff									
Licensing	GF7a	48,760	7,414	40,060	(8,700)	0	(8,700)		-17.8%
Public Health	GF7b	717,846	553,774	659,946	(57,900)	0	(57,900)		-8.1%
CCTV	GF7c	42,730	(5,600)	42,730	0	0	0		0.0%
Cllr Natasha Bradshaw									
Climate change	GF8a	170,620	56,859	80,620	(90,000)	90,000	0		0.0%
Flood Defence and Land Drainage	GF8b	26,032	53,738	65,082	39,050	(39,050)	0		0.0%
Cllr Gwen Duchesne MBE									
Emergency Planning	GF9a	52,010	42,701	52,010	0	0	0		0.0%
Community Grants	GF9b	120,225	120,225	120,225	0	0	0		0.0%
All General Fund Services		15,814,835	10,957,877	15,449,324	(365,511)	86,265	(279,246)		-1.8%
Net recharge to HRA	GFa1	(1,957,080)	0	(1,957,080)	0	0	0		0.0%
Statutory Adjustments (Capital charges)	GFa2	812,700	0	812,700	0	0	0		0.0%
Net Cost of Services		14,670,455	10,957,877	14,304,944	(365,511)	86,265	(279,246)		-1.9%
Interest Payable	GFb1	351,510	39,663	351,510	0	0	0		0.0%
Interest Receivable	GFb2	(1,058,774)	(750,606)	(908,774)	150,000	0	150,000		-14.2%
Transfers into Earmarked Reserves	GFb3	1,269,548	1,269,548	1,813,463	543,915	(543,915)	0		0.0%
Transfers from Earmarked Reserves	GFb4	(2,110,167)	(2,149,274)	(2,263,901)	(153,734)	153,734	0		0.0%
Total Budgeted Expenditure		13,122,572	9,367,209	13,297,242	174,670	(303,915)	(129,246)		-1.0%
FUNDED BY:									
Business Rates									
Retained Business Rates	GFc1	(4,564,820)	1,556,387	(4,564,820)	0	0	0		0.0%
Business Rates Prior Year (Surplus)/Deficit	GFc2	143,085	(194,678)	(303,915)	(447,000)	303,915	(143,085)		-100.0%
Council Tax									
Council Tax	GFd1	(7,016,360)	2,483,079	(7,016,360)	0	0	0		0.0%
Council Tax Prior Year (Surplus)/Deficit	GFd2	47,884	0	47,884	0	0	0		0.0%
Un-Ringfenced Grants									
New Homes Bonus Grant	GFe1	(413,765)	(310,324)	(413,765)	0	0	0		0.0%
Rural Services Delivery Grant	GFe3	(633,784)	(633,784)	(633,784)	0	0	0		0.0%
Other Grants	GFe4	0	(23,647)	(20,712)	(20,712)	0	(20,712)		0.0%
Services Grant	GFe5	(14,084)	(11,588)	(14,084)	0	0	0		0.0%
Revenue Support Grant	GFe6	(104,990)	(79,792)	(104,990)	0	0	0		0.0%
Funding Guarantee Grant	GFe7	(565,738)	(423,278)	(565,738)	0	0	0		0.0%
Total Budgeted Funding		(13,122,572)	2,362,375	(13,590,284)	(467,712)	303,915	(163,797)		1.2%
Forecast in year (Surplus) / Deficit		0	11,729,584	(293,042)	(293,042)	(0)	(293,043)		
General Fund Reserve 31/03/24							(2,024,580)		
Forecast General Fund Balance 31/03/2025							(2,317,622)		

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GENERAL FUND FINANCIAL MONITORING FOR THE PERIOD 01 APRIL TO 31 DECEMBER 2024

Service Variances		Description of Major Movements or those above £20k	Gross Full Year Variance £	PDG
GF1a	Corporate Management	Leadership restructure	38,000	Cabinet
GF1a	Corporate Management	Final invoice for Devon Housing Commission funded by EMR	38,760	Cabinet
GF1a	Corporate Management	Increased costs in audit as a result of social rents check and public challenge	20,000	Cabinet
GF1a	Corporate Management	Vacancy target - salary savings included within specific service lines	212,000	Cabinet
GF2b	Property Services	Back dated Business Rates credit for Phoenix House	(20,000)	Economy & Assets
GF2b	Property Services	Utility costs lower than budget	(31,500)	Economy & Assets
GF2b	Property Services	Salary underspend due to vacant posts	(18,000)	Economy & Assets
GF2b	Property Services	Overpend on Phoenix House cleaning	10,000	Economy & Assets
GF2c	Community Alarms	Additional temporary staff for digital care alarm roll-out	10,000	Homes
GF2c	Community Alarms	Reduction in income from annual subscription to Community Alarm devices	30,700	Homes
GF2c	Community Alarms	Upgrade to Lifeline Alarm equipment	110,700	Homes
GF2d	Homelessness & Rough Sleeping	Additional grant income received for Domestic Abuse & top-up Homelessness Prevention	(184,530)	Homes
GF2e	Housing Options	Works required to recently purchased HMO's properties	78,000	Homes
GF2e	Housing Options	Housing Options salary overspend due to additional posts from service restructure - Off-set by additional Homelessness Support Grant income	20,000	Homes
GF2e	Housing Options	Agency overspend - Off-set by additional Homelessness Support Grant income	19,720	Homes
GF3a	Financial Services	Head of Finance, Property and Climate Resilience (Deputy S151), 50% of salary expenditure is charged to property services	(39,600)	Cabinet
GF3a	Financial Services	Unbudgeted agency spend	115,000	Cabinet
GF3a	Financial Services	Savings due to vacancies, reduced slightly in Q2 due to successful recruitment of 2 x Finance Assistants	(123,500)	Cabinet
GF3b	Revenues & Benefits	Additional software costs for webcapture and citizen access	34,000	Cabinet
GF3b	Revenues & Benefits	Increased litigation costs due to number of claims	30,000	Cabinet
GF3b	Revenues & Benefits	Additional work by external auditors	20,000	Cabinet
GF4a	People Services	Saving due to vacancies and reduction of 0.5 FTE	(50,000)	Cabinet
GF4c	Legal & Democratic Services	Saving due to vacancies	(105,000)	Cabinet
GF4c	Legal & Democratic Services	Use of agency to cover vacant solicitor post	58,000	Cabinet
GF4d	IT Services & Digital Transformation	Delayed recruitment in additional posts - no additional pressure	0	Cabinet
GF4d	IT Services & Digital Transformation	Consultancy to support Cyber Project	55,000	Cabinet
GF4d	IT Services & Digital Transformation	Additional CRM replacement costs	4,100	Cabinet
GF4d	IT Services & Digital Transformation	CRM licensing costs	26,000	Cabinet
GF5a	Car Parks	Correction to rates saving reported in Q1	(17,200)	Economy & Assets
GF5a	Car Parks	Utilites underspend	(7,000)	Economy & Assets
GF5a	Car Parks	Shortfall in parking permit income	30,000	Economy & Assets
GF5a	Car Parks	Shortfall in pay and display income	10,000	Economy & Assets
GF5a	Car Parks	Business Rates charge lower than budgeted	(15,240)	Economy & Assets
GF5b	Street Scene	Salary saving due to vacancies and removal of driver supplement	(75,000)	Service Delivery & Continuous Improvement
GF5c	Waste Services	Back dated Business Rates credit Carlu Depot	(81,900)	Service Delivery & Continuous Improvement
GF5c	Waste Services	Salary saving due to vacancies and removal of driver supplement	(374,400)	Service Delivery & Continuous Improvement
GF5c	Waste Services	Reduced agency requirement	171,000	Service Delivery & Continuous Improvement
GF5c	Waste Services	Baler repair costs due to age and delays in replacement	40,000	Service Delivery & Continuous Improvement
GF5c	Waste Services	Increased cost of Trade Waste disposal charges	20,000	Service Delivery & Continuous Improvement
GF5c	Waste Services	Additional recycling income due to market conditions	(212,000)	Service Delivery & Continuous Improvement
GF5c	Waste Services	Lower than forecast inflationary increase in motor insurance premium	(38,600)	Service Delivery & Continuous Improvement
GF5c	Waste Services	Reduction in cost of fuel	(105,000)	Service Delivery & Continuous Improvement
GF5c	Waste Services	Additional costs of hire vehicles for waste advisors and bin deliveries	40,000	Service Delivery & Continuous Improvement
GF5c	Waste Services	Increase in rent for new parking at Carlu	65,500	Service Delivery & Continuous Improvement
GF5c	Waste Services	Reduced income from Trade residual waste collections	40,000	Service Delivery & Continuous Improvement
GF5d	Fleet Management	Reduction in salary costs due to vacant post	(23,000)	Service Delivery & Continuous Improvement

GENERAL FUND FINANCIAL MONITORING FOR THE PERIOD 01 APRIL TO 31 DECEMBER 2024

Service Variances		Description of Major Movements or those above £20k	Gross Full Year Variance £	PDG
GF5e	Parks & Open Spaces	Overspend on Tree works within our Open Spaces - Funded from EMR	10,000	Service Delivery & Continuous Improvement
GF5f	Bereavement Services	Internments & Exclusive Burial Rights income down against profile, Aug & Sept have been slow months for Bereavement Services, will keep under review	55,000	Service Delivery & Continuous Improvement
GF5f	Bereavement Services	Project maintenance works to closed churchyards & chapel - Funded from EMR	12,099	Service Delivery & Continuous Improvement
GF5g	Environmental Enforcement	Additional post for 3 months to cover retirement transition and additional 0.2 FTE	15,000	Service Delivery & Continuous Improvement
GF5h	Recreation & Sport	Leisure income up mainly due to increase in memberships	(266,000)	Service Delivery & Continuous Improvement
GF5h	Recreation & Sport	Remove previously forecast reduction in wetside income as planned maintenance delayed until May 2025	0	Service Delivery & Continuous Improvement
GF5h	Recreation & Sport	Leisure vacancy savings less than the budgeted £150k	50,000	Service Delivery & Continuous Improvement
GF5h	Recreation & Sport	Leisure utilities underspend	(44,000)	Service Delivery & Continuous Improvement
GF5h	Recreation & Sport	Business Rates charge higher than budgeted	11,580	Service Delivery & Continuous Improvement
GF5i	Customer Services	Salary savings due to vacancies and reduction of 0.5 FTE	(40,000)	Service Delivery & Continuous Improvement
GF6b	Planning	Salary savings due to vacancies within Building Control	(70,700)	Planning, Environment & Sustainability
GF6b	Planning	Agency overspend due vacancy cover within Building Control	32,000	Planning, Environment & Sustainability
GF6b	Planning	Salary savings due to vacant posts within Enforcement	(69,000)	Planning, Environment & Sustainability
GF6b	Planning	Agency overspend due vacancy cover within Enforcement	109,150	Planning, Environment & Sustainability
GF6b	Planning	Adjustment to salary forecast within Planning	(119,000)	Planning, Environment & Sustainability
GF6b	Planning	Agency overspend to cover vacant post within Planning	50,000	Planning, Environment & Sustainability
GF6b	Planning	Current Planning fees & charges income down against budget	85,000	Planning, Environment & Sustainability
GF6b	Planning	Land Charges forecasted income less than budgeted	20,000	Planning, Environment & Sustainability
GF6b	Planning	Building Control income underperformance	30,000	Planning, Environment & Sustainability
GF6b	Planning	Increased costs resulting from lower income and increased agency costs	55,000	Planning, Environment & Sustainability
GF6c	Pannier Market	Salary underspend due to vacant post	(21,000)	Economy & Assets
GF6c	Pannier Market	Overspend on reactive maintenance for replacement Market lighting	9,000	Economy & Assets
GF6c	Pannier Market	Electricity overspend	12,900	Economy & Assets
GF7a	Licensing	Reduction in salary costs due to vacant posts	(8,700)	Community, People and Equalities
GF7b	Public Health	Reduction in water sampling tests carried out	(4,000)	Community, People and Equalities
GF7b	Public Health	Water sampling income down due to reduction in sampling carried out	15,000	Community, People and Equalities
GF7b	Public Health	Public Health salary underspend from vacancies & secondments.	(34,400)	Community, People and Equalities
GF7b	Public Health	Public Health agency overspend	11,500	Community, People and Equalities
GF7b	Public Health	Homes for Ukraine income	(46,000)	Community, People and Equalities
GF8a	Climate change	Consultancy underspend on Climate Change projects - to be EMR	(90,000)	Planning, Environment & Sustainability
GF8b	Flood Defence and Land Drainage	Overspend on flood prevention works - Funded from EMR	39,050	Planning, Environment & Sustainability
Service Forecast (Surplus)/Deficit as at 31/03/2025			(365,511)	

Non-Service Variances		Description of Major Movements or those above £20k	Gross Full Year Variance £	PDG
GFb2	Interest Receivable	Forecast investment income lower than budget due to reduced cash balances	150,000	
GFb2	Interest Receivable	CCLA property fund performing better than budgeted	0	
GfC2	Business Rates Prior Year (Surplus)/Deficit	Collection fund moved from a deficit to surplus in 2023/24	(447,000)	
GFe4	Other Grants	Local Audit Fees Grant not budgeted	(20,712)	
GFb3/4	Transfers to/from Earmarked Reserves	Net movements to/(from) Earmarked Reserves	390,181	
Non-Service Forecast (Surplus)/Deficit as at 31/03/2025			72,469	

GENERAL FUND FINANCIAL MONITORING FOR THE PERIOD 01 APRIL TO 31 DECEMBER 2024

Fees & Charges	Annual Budget	P9 Profiled Budget	P9 Actual	P9 Variance	Full Year Forecast Variation	
	£	£	£	£	£	%
Building Control Fees	(220,870)	(165,653)	(156,871)	8,781	30,000	-14%
Planning Fees	(1,083,000)	(812,250)	(1,007,535)	(195,285)	85,000	-8%
Land Search Fees	(120,000)	(90,000)	(67,729)	22,271	20,000	-17%
Car Parking Fees - See Below	(1,042,460)	(783,996)	(758,284)	25,712	40,000	-4%
Leisure Fees & Charges	(3,419,580)	(2,488,311)	(2,541,909)	(53,599)	(266,000)	8%
Trade Waste Income	(1,052,000)	(1,040,446)	(1,004,042)	36,404	0	0%
Garden Waste	(805,000)	(638,292)	(630,443)	7,849	0	0%
Licensing	(165,875)	(133,635)	(138,381)	(4,746)	0	0%
Market Income	(108,180)	(84,135)	(67,015)	17,120	0	0%
	(8,016,965)	(6,236,717)	(6,372,211)	(135,493)	(91,000)	1.1%
Car Parking Fees						
	Annual Budget	P9 Profiled Budget	P9 Actual	P9 Variance	Spaces	Budgeted Income per Space
	£	£	£	£		£
Beck Square, Tiverton	(69,430)	(53,461)	(62,093)	(8,631)	38	(1,827)
William Street, Tiverton	(36,820)	(28,351)	(35,698)	(7,347)	49	(751)
Westexe South, Tiverton	(66,110)	(50,244)	(56,871)	(6,628)	49	(1,349)
Wellbrook Street, Tiverton	(24,180)	(18,860)	(9,217)	9,644	28	(864)
Market Street, Crediton	(40,980)	(31,964)	(38,616)	(6,651)	30	(1,366)
High Street, Crediton	(124,210)	(96,884)	(58,748)	38,135	190	(654)
Station Road, Cullompton	(75,810)	(57,616)	(34,843)	22,773	115	(659)
Multistorey, Tiverton	(191,620)	(149,464)	(134,870)	14,593	642	(298)
Market Car Park, Tiverton	(199,880)	(149,910)	(192,430)	(42,520)	124	(1,612)
Phoenix House, Tiverton	(6,080)	(4,256)	(11,383)	(7,127)	19	(320)
P&D Shorts & Overs	0	0	(745)	(745)	-	0
Total Pay and Display	(835,120)	(641,010)	(635,515)	5,495	1,284	(9,701)
Day Permits	(53,980)	(31,485)	0	31,485		
Allocated Space Permits	(107,570)	(82,431)	(38,047)	44,384		
Overnight Permits	(1,570)	(931)	(367)	565		
Day & Night Permits	(36,090)	(20,273)	(76,454)	(56,180)		
Other Income	(8,130)	(7,865)	(7,901)	(36)		
Total Permits	(207,340)	(142,986)	(122,770)	20,217		
Total Car Parking	(1,042,460)	(783,996)	(758,284)	25,712		
Standard Charge Notices (Off Street)	(60,000)	(46,800)	(48,870)	(2,070)		

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GENERAL FUND FINANCIAL MONITORING FOR THE PERIOD 01 APRIL TO 31 DECEMBER 2024

Employee Costs	Annual Budget	P9 Profiled Budget	P9 Actual	P9 Variance	Full Year Forecast Variation	
	£	£	£	£	£	%
General Fund						
Corporate Management	901,390	903,700	864,736	(38,963)	250,000	27.7%
Commercial Estate	0	0	0	0	0	0.0%
Property Services	783,220	587,415	580,845	(6,570)	(18,000)	-2.3%
Community Alarms	34,625	25,969	26,163	194	10,000	28.9%
Homelessness & Rough Sleeping	122,800	92,100	93,213	1,113	0	0.0%
Housing Options	406,680	305,010	286,953	(18,057)	0	0.0%
Financial Services	689,350	517,013	407,281	(109,732)	(163,100)	-23.7%
Revenues & Benefits	955,730	716,798	706,375	(10,422)	0	0.0%
Performance Management	75,560	56,670	55,832	(839)	0	0.0%
Electoral Services	125,950	94,463	92,922	(1,541)	0	0.0%
People Services	510,450	382,838	331,309	(51,528)	(50,000)	-9.8%
Communications	102,320	76,740	77,493	754	0	0.0%
Legal & Democratic Services	598,360	368,666	296,138	(72,528)	(105,000)	-17.5%
IT Services & Digital Transformation	679,740	509,805	488,632	(21,173)	0	0.0%
Car Parks	0	0	0	0	0	0.0%
Street Scene	949,870	712,402	648,645	(63,758)	(75,000)	-7.9%
Waste Services	3,501,850	2,626,388	2,304,422	(321,965)	(374,400)	-10.7%
Fleet Management	52,860	39,645	16,499	(23,146)	(23,000)	-43.5%
Parks & Open Spaces	16,860	12,645	11,812	(833)	0	0.0%
Bereavement Services	26,680	20,010	20,568	558	0	0.0%
Environmental Enforcement	137,350	103,012	119,796	16,783	15,000	10.9%
Recreation & Sport	2,457,280	1,842,960	1,894,174	51,214	50,000	2.0%
Customer Services	666,550	499,912	458,968	(40,944)	(40,000)	-6.0%
Economic Development	357,020	267,765	261,471	(6,294)	0	0.0%
Planning	1,751,780	1,341,810	1,138,963	(202,847)	(258,700)	-14.8%
Pannier Market	101,440	76,080	55,953	(20,127)	(21,000)	-20.7%
Licensing	171,940	128,955	105,613	(23,342)	(8,700)	-5.1%
Public Health	698,160	523,620	500,256	(23,364)	(34,400)	-4.9%
CCTV	0	0	0	0	0	0.0%
Climate change	58,720	44,040	43,591	(449)	0	0.0%
Flood Defence and Land Drainage	0	0	0	0	0	0.0%
Emergency Planning	44,510	33,383	35,068	1,686	0	0.0%
Community Grants	0	0	0	0	0	0.0%
Total General Fund	16,979,045	12,909,811	11,923,690	(986,122)	(846,300)	-5.0%
Housing Revenue Account						
Repairs & Maintenance	1,363,090	1,022,317	840,048	(182,269)	(402,900)	-29.6%
Supervision & Management	2,600,130	1,950,098	1,722,456	(227,642)	(127,000)	-4.9%
Total Housing Revenue Account	3,963,220	2,972,415	2,562,504	(409,911)	(529,900)	-13.4%
Total Employee Costs	20,942,265	15,882,226	14,486,194	(1,396,033)	(1,376,200)	-6.6%

Agency Staff (within Employee costs)	Annual Budget	P9 Profiled Budget	P9 Actual	P9 Variance	Full Year Forecast Variation	
	£	£	£	£	£	%
General Fund						
Corporate Management	0	0	0	0	0	0.0%
Commercial Estate	0	0	0	0	0	0.0%
Property Services	0	0	0	0	0	0.0%
Community Alarms	0	0	0	0	0	0.0%
Homelessness & Rough Sleeping	0	0	0	0	0	0.0%
Housing Options	0	0	19,720	19,720	19,720	0.0%
Financial Services	0	0	75,433	75,433	115,000	0.0%
Revenues & Benefits	0	0	0	0	0	0.0%
Performance Management	0	0	0	0	0	0.0%
Electoral Services	0	0	0	0	0	0.0%
People Services	0	0	0	0	0	0.0%
Communications	0	0	0	0	0	0.0%
Legal & Democratic Services	0	0	34,594	34,594	58,000	0.0%
IT Services & Digital Transformation	0	0	0	0	0	0.0%
Car Parks	0	0	0	0	0	0.0%
Street Scene	39,860	29,895	32,660	2,765	0	0.0%
Waste Services	70,410	52,808	126,707	73,899	171,000	242.9%
Fleet Management	0	0	0	0	0	0.0%
Parks & Open Spaces	0	0	0	0	0	0.0%
Bereavement Services	0	0	0	0	0	0.0%
Environmental Enforcement	0	0	0	0	0	0.0%
Recreation & Sport	0	0	0	0	0	0.0%
Customer Services	0	0	0	0	0	0.0%
Economic Development	0	0	2,269	2,269	0	0.0%
Planning	0	0	96,904	96,904	191,150	0.0%
Pannier Market	0	0	0	0	0	0.0%
Licensing	0	0	0	0	0	0.0%
Public Health	0	0	11,261	11,261	11,500	0.0%
CCTV	0	0	0	0	0	0.0%
Climate change	0	0	0	0	0	0.0%
Flood Defence and Land Drainage	0	0	0	0	0	0.0%
Emergency Planning	0	0	0	0	0	0.0%
Community Grants	0	0	0	0	0	0.0%
Total General Fund	110,270	82,703	399,547	316,845	566,370	513.6%
Housing Revenue Account						
BHO09 Repairs & Maintenance	0	0	0	0	0	0.0%
BHO10 Supervision & Management	0	0	0	0	0	0.0%
Total Housing Revenue Account	0	0	0	0	0	0.0%
Total Agency Costs	110,270	82,703	399,547	316,845	566,370	513.6%

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HOUSING REVENUE ACCOUNT FINANCIAL MONITORING FOR THE PERIOD 01 APRIL TO 31 DECEMBER 2024

Housing Revenue Account (HRA)	Appendix F Note Ref	Annual Budget £	P9 Actual £	Full Year Forecast £	Full Year Variance (0 = On budget) £	Full Year Variance (0 = On budget) %
Income						
SHO01 Dwelling Rents Income	HRA1a	(14,640,680)	(10,825,044)	(14,352,680)	288,000	-2%
SHO04 Non Dwelling Rents Income	HRA1b	(534,350)	(407,833)	(534,350)	0	0%
SHO07 Leaseholders' Service Charges	HRA1c	(29,000)	(34,835)	(34,800)	(5,800)	20%
SHO08 Contributions Towards Expenditure	HRA1d	(216,500)	(113,886)	(216,500)	0	0%
SHO10 H.R.A. Investment Income	HRA1e	(573,830)	0	(426,030)	147,800	-26%
SHO11 Miscellaneous Income	HRA1f	(6,000)	(4,534)	(6,000)	0	0%
Services						
SHO13A Repairs & Maintenance	HRA2a	5,358,800	3,815,863	4,955,900	(402,900)	-8%
SHO17A Housing & Tenancy Services	HRA2b	2,152,250	1,486,063	2,169,050	16,800	1%
Accounting entries 'below the line'						
SHO29 Bad Debt Provision Movement	HRA3a	300,000	0	300,000	0	0%
SHO30 Share Of Corporate And Democratic	HRA3b	166,870	104,962	177,570	10,700	6%
SHO32 H.R.A. Interest Payable	HRA3c	1,222,310	417,518	993,910	(228,400)	-19%
SHO34 H.R.A. Transfers between earmarked reserves	HRA3d	1,294,950	0	1,294,950	0	0%
SHO37 Capital Receipts Reserve Adjustment	HRA3e	(20,800)	0	(20,800)	0	0%
SHO38 Major Repairs Allowance	HRA3f	2,635,000	0	2,635,000	0	0%
SHO45 Renewable Energy Transactions	HRA3g	(152,500)	(154,788)	(152,500)	0	0%
		(3,043,480)	(5,716,512)	(3,217,280)	(173,800)	(0)

HRA Variances	Description of Major Movements or those above £20k	Gross Full Year Variance £
SHO01 Dwelling Rents Income	HRA1a Reduction in rental income arising from correction of rent charges for 2024/25	288,000
SHO07 Leaseholders' Service Charges	HRA1c Increased income from leaseholder service	(5,800)
SHO10 H.R.A. Investment Income	HRA1e Forecast investment income lower than budget due to reduced cash balances	147,800
SHO13A Repairs & Maintenance	HRA2a Salary underspends expected due to vacant	(402,900)
SHO17A Housing & Tenancy Services	HRA2b Increase in utility charges on greater number of void properties	164,200
SHO17A Housing & Tenancy Services	HRA2b Salary underspends expected due to vacant post	(127,000)
SHO17A Housing & Tenancy Services	HRA2b Overspend due to new charge for Mandatory Regulator of Social Housing fees	14,700
SHO17A Housing & Tenancy Services	HRA2b Reduction in Home loss payments anticipated during 2024-25	(35,100)
SHO30 Share Of Corporate And Democratic	HRA3b Increase in Past Service Pension costs	10,700
SHO32 H.R.A. Interest Payable	HRA3c Reduction of interest payable on PWLB	(228,400)
	Forecast (Surplus)/Deficit as at 31/03/2025	(173,800)

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Ref	Manager	Sub Area	Project Title	Project Spend in Prior Years		Total Budgeted Capital Programme (2024/25 Onwards)	Total Deliverable Programme (2024/25)	Actual Expenditure		Committed Spend	Forecast Spend Q4		Total Actual & Forecast Expenditure	Variance	Variance Type	Explanation of Variances
				£'s	£'s	£'s	£'s	£'s	£'s	£'s	£'s	£'s	£'s			
GF1002	Tanya Wenham	Private Sector Housing	DFG and other private sector grants	0	3,000,000	550,000	605,832	0	0	200,000	805,832	255,832	Overspend	Demand for DFG and other grants has accelerated. Had to place programme on hold due to budget being committed. Additional cost will be covered by EMR EQ818. Pipeline of grants on hold currently estimated £440K and will have to wait until new financial year.		
GF1006	Lisa Lewis	ICT Projects	Laptop/Desktop Refresh	0	500,000	80,000	20,315	0	59,000	79,315	-685	Underspend				
GF1007	Lisa Lewis	ICT Projects	Audio/Video replacement for Phoenix House	119,096	140,000	0	9,556	0	0	9,556	9,556	Overspend	No budget carried forward from 2023/24			
GF1008	Andy Mackie	Leisure - Other	All leisure sites replacement management/site access system (Hardware Element)	0	200,000	200,000	0	0	95,000	95,000	-105,000	Slippage	Project being scoped now LMS procurement complete			
GF1012	Andy Mackie	Lords Meadow Leisure Centre	Reception infrastructure	0	160,000	160,000	0	0	32,000	32,000	-128,000	Slippage	Project being scoped now LMS procurement complete			
GF1016	Tim Powell	Exe Valley Leisure Centre	CHP -Replacement future energy saving project	0	180,000	180,000	0	0	437,000	437,000	257,000	Overspend	Project expanded to include Battery Storage. Grant funding of £376k received which covers overspend			
GF1018	Andy Mackie	Culm Valley Sports Centre	Fitness Studio renewal of equipment	0	150,000	150,000	133,700	13,788	14,788	148,488	-1,512	Underspend				
GF1028	Jason Ball	Other - Climate Change/Net Zero	Additional electric car charging points	0	80,000	80,000	0	0	0	0	-80,000	Slippage	MSCP to be covered under solar project. Other car parks mainly covered by LEVI scheme. Look to re-vision this project for possible community partnership projects			
GF1030	Alex Adams	Phoenix House	Etarmis - Security Swipe - (linked to security project)	0	40,479	40,479	4,678	0	11,163	15,841	-24,638	Underspend	Costs have come in lower than anticipated			
GF1031	Alex Adams	Phoenix House	Building Mgmt System for Heating Control	0	103,000	103,000	2,970	1,980	0	2,970	-100,030	Slippage	Currently being specified			
GF1039	Darren Beer	Other Projects	Baler	0	500,000	500,000	0	0	500,000	500,000	0					
GF1040	Darren Beer	Other Projects	PDA's for cabs	0	150,000	150,000	0	0	150,000	150,000	0					
GF1041	Adrian Welsh	HIF Schemes	CA719 Cullompton Town Centre Relief Road (HIF)	1,567,516	29,757,000	13,216,000	0	0	3,100,000	3,100,000	-10,116,000	Slippage	Project previously delayed whilst funding secured			
GF1044	Tim Powell	Exe Valley Leisure Centre	Leisure - Improved Disabled Toilet facilities	0	16,252	16,252	29,897	0	0	29,897	13,645	Overspend	Covered by underspend for Culm Valley			
GF1046	Tim Powell	Culm Valley Sports Centre	Leisure - Improved Disabled Toilet facilities - CPT	0	74,972	74,972	49,884	0	1,000	50,884	-24,088	Underspend	Covers overspend for Exe Valley			
GF1056	Keith Ashton	Other Projects	Fire Dampeners - Corporate sites	0	37,042	37,042	0	0	37,042	37,042	0					
GF1061	Keith Ashton	MDDC Depots	Depot Design & Build - Waste & Recycling	0	3,750,000	250,000	0	0	250,000	250,000	0					
GF1065	Lisa Lewis	ICT Projects	Server farm expansion/upgrades	0	682,000	257,000	147,171	28,500	40,000	187,171	-69,829	Slippage	Delayed due to available resources			
GF1074	Tim Powell	Exe Valley Leisure Centre	EVLG ASHP - Salix Round 3 Funding	0	0	0	-30,555	29,134	37,555	7,500	7,500	Overspend	Additional costs incurred bringing the heat pumps into use			
GF1075	Tim Powell	Exe Valley Leisure Centre	EVLG GSHP - Salix Round 3 Funding	0	0	0	-24,029	0	31,529	7,500	7,500	Overspend	Additional costs incurred bringing the heat pumps into use			
GF1076	Tim Powell	Lords Meadow Leisure Centre	LMLC ASHP - Salix Round 3 Funding	0	0	0	-23,879	0	23,879	0	0					
GF1079	Tanya Wenham	Private Sector Housing	HMO Scheme 1	0	26,000	26,000	0	0	0	0	-26,000	Slippage	Unlikely to have any capital spend on 5 St Paul project this financial year. Awaiting planning permission to start work on the renovation.			
GF1083	Darren Beer	GF Vehicles	Vehicle leasing - Caretaking Services	0	30,000	30,000	0	0	26,747	26,747	-3,253	Underspend				
GF1087	Tanya Wenham	Private Sector Housing	HfU Scheme 5 Marshall Close	0	0	0	2,966	189	8,840	11,806	11,806	Overspend	Costs have been slightly higher than anticipated			
GF1089	Zoë Lentell	Other Projects	Shared Prosperity Fund - Year 3	0	231,563	231,563	126,832	21,504	104,730	231,562	0					
GF1090	Zoë Lentell	Other Projects	Rural England Prosperity Fund - Year 2	0	672,402	672,402	379,081	0	293,321	672,402	0					
GF1091	Tanya Wenham	Private Sector Housing	HfU Scheme 3 - 15 Temple Crescent	0	14,212	14,212	23,009	20	2,000	25,009	10,797	Overspend	Costs have been slightly higher than anticipated			
GF1092	Tanya Wenham	Private Sector Housing	HfU Scheme 19a Westexe South	0	0	0	136	0	0	136	136	Overspend				
GF1093	Tanya Wenham	Private Sector Housing	HfU 4 Coldridge Rd	0	33,054	33,054	33,562	771	631	34,193	1,139	Overspend	Costs have been slightly higher than anticipated			
GF1094	Tanya Wenham	Private Sector Housing	HfU 30 Temple Crescent	0	33,765	33,765	23,395	120	0	23,395	-10,370	Underspend	Costs have been slightly lower than expected			
GF1095	Tanya Wenham	Private Sector Housing	HfU - 9 Hammett Road	0	4,241	4,241	12,393	0	0	12,393	8,152	Overspend	Costs have been slightly higher than anticipated			
GF1096	Tanya Wenham	Private Sector Housing	HfU - 68 Belmont Road	0	4,171	4,171	9,043	0	0	9,043	4,873	Overspend	Costs have been slightly higher than anticipated			
GF1097	Tanya Wenham	Private Sector Housing	HfU - 67 Knightswood	0	9,275	9,275	4,503	224	3,750	8,253	-1,022	Underspend	Costs have been slightly lower than expected			
GF1098	Tanya Wenham	Private Sector Housing	HfU - 8 Hillcrest	0	2,781	2,781	13,127	988	834	13,961	11,180	Overspend	Costs have been slightly higher than anticipated			
GF1101	Adrian Welsh	Other Projects	EUE Community Centre	0	0	0	15,000	0	0	15,000	15,000	Overspend	No budget set for 2024/25			
GF1103	Paul Deal	Other Projects	Haddon Heights	0	0	0	3,278	0	0	3,278	3,278	Overspend				
GF1107	Keith Ashton	Other Projects	Fire Safety Measures	0	200,000	200,000	190,994	97,237	21,659	212,653	12,653	Overspend	Costs have been slightly higher than anticipated			
GF1109	Tim Powell	MDDC Depots	Diesel Tank	0	65,000	65,000	0	0	3,000	3,000	-62,000	Slippage	Project delayed while we waited for new Environment Agency Regulations			
GF1110	Alex Adams / Andy Mackie	Exe Valley Leisure Centre	Wetside resin floor replacement	0	90,000	90,000	0	0	0	0	-90,000	Slippage	Difficulty finding a contractor to carry out the works - now scheduled for May 2025			
GF1111	Alex Adams / Andy Mackie	Lords Meadow Leisure Centre	Wetside resin floor replacement	0	90,000	90,000	0	0	0	0	-90,000	Slippage	Difficulty finding a contractor to carry out the works - now scheduled for April 2025			
GF1113	Steve Densham	General Car Parks	LED upgrade	0	65,000	65,000	0	0	0	0	-65,000	Slippage	Currently being specified			
GF1114	Andy Mackie	Lords Meadow Leisure Centre	Chemical/Salt Storage at back of building - Associated plant to go with this	0	60,000	60,000	41,232	18,768	0	41,232	-18,768	Underspend	Budget was based on an initial estimate			
GF1115	Andy Mackie	Exe Valley Leisure Centre	Chemical/Salt Storage at back of building - Associated plant to go with this	0	60,000	60,000	45,213	20,087	0	45,213	-14,787	Underspend	Budget was based on an initial estimate			
GF1116	Steve Densham	Parks & Play Areas	Widen Riverside Path	0	20,000	20,000	0	0	0	0	-20,000	Slippage	Currently being specified			
GF1117	Steve Densham	Parks & Play Areas	Fencing end of life	0	125,000	125,000	0	0	0	0	-125,000	Slippage	Currently being specified			
GF1118	Steve Densham	Parks & Play Areas	Rubber floor tile replacements	0	100,000	100,000	0	0	0	0	-100,000	Slippage	Currently being specified			
GF1119	Steve Densham	General Car Parks	LED lighting replacement	0	20,000	20,000	0	0	0	0	-20,000	Slippage	Currently being specified			
GF1120	Steve Densham	General Car Parks	Becks Square resurfacing & lining	0	30,000	30,000	0	0	0	0	-30,000	Slippage	Currently being specified			
GF1122	Darren Beer	GF Vehicles	Vehicle leasing - Street Cleansing	0	410,000	100,000	161,684	0	0	161,684	61,684	Overspend	Vehicle costs have increased			
GF1123	Darren Beer	GF Vehicles	Vehicle leasing - Refuse	0	1,655,000	900,000	764,047	0	149,492	913,538	13,538	Overspend	Vehicle costs have increased			
GF1124	Darren Beer	GF Vehicles	Vehicle leasing - Trade Waste	0	330,000	160,000	206,859	0	0	206,859	46,859	Overspend	Vehicle costs have increased			
GF1125	Darren Beer	GF Vehicles	Vehicle leasing - Recycling	0	390,000	150,000	161,290	0	0	161,290	11,290	Overspend	Vehicle costs have increased			
GF1126	Keith Ashton	MDDC Depots	Property Leasing - Carlu Close	0	1,330,000	1,330,000	0	0	1,330,000	1,330,000	0					
GF1131	Tim Powell	Culm Valley Sports Centre	CVSC PSDS Salix Project 4	0	317,500	317,500	37,500	7,569	0	37,500	-280,000	Slippage	No contractors have bid for these works - extension for the funding has been requested, but this may have to be returned if an extension is not given			
GF1132	Paul Deal	Other Projects	Crediton NHS Hub Loan	0	0	0	126,606	0	0	126,606	126,606	Overspend	Additional loan at commercial rate			
HRA1001	Steve Bennett	Existing Housing Stock	Garage Mods	0	450,000	150,000	38,637	12,931	101,000	139,637	-10,363	Underspend	Costs have been slightly lower than expected			
HRA1002	Steve Bennett	Existing Housing Stock	Roofing	0	3,000,000	600,000	397,676	202,548	202,324	600,000	0					
HRA1003	Steve Bennett	Existing Housing Stock	Decent Homes	0	1,185,000	395,000	187,663	263,269	87,337	275,000	-120,000	Underspend	Costs have been slightly lower than expected			
HRA1004	Steve Bennett	Existing Housing Stock	Fire Safety	0	130,000	40,000	41,657	1	8,000	49,657	9,657	Overspend	Costs have been slightly higher than anticipated			
HRA1005	Steve Bennett	Existing Housing Stock	Window/Doors	0	2,000,000	400,000	259,156	130,682	140,844	400,000	0					
HRA1006	Steve Bennett	Existing Housing Stock	Heating	0	2,075,000	405,000	415,404	76,250	0	415,404	10,404	Overspend	Costs have been slightly higher than anticipated			
HRA1007	Steve Bennett	Existing Housing Stock	Renewables	0	1,250,000	250,000	72,989	282,466	177,011	250,000	0					

Ref	Manager	Sub Area	Project Title	Project Spend in	Total Budgeted	Total	Actual	Committed	Forecast Spend	Total Actual &	Variance	Variance Type	Explanation of Variances
				Prior Years	Capital Programme (2024/25 Onwards)	Deliverable Programme (2024/25)	Expenditure	Spend	Q4	Forecast Expenditure			
				£'s	£'s	£'s	£'s	£'s	£'s	£'s			
HRA1008	Steve Bennett	Existing Housing Stock	Adaptations	0	1,600,000	310,000	230,284	0	79,716	310,000	0		
HRA1009	Mike Lowman	Housing Development Schemes (HE)	Project 15 - School Close, Bampton	421,670	4,477,857	3,000,000	1,406,873	227	778,000	2,184,873	-815,127	Slippage	Project behind schedule
HRA1010	Mike Lowman	Housing Development Schemes (HE)	Project 18 - Eastlands, Hemvock	139,729	960,013	960,013	996,332	0	64,000	1,060,332	100,319	Overspend	Project ahead of schedule
HRA1011	Mike Lowman	Housing Development Schemes (HE)	Project 10 - Holly/Sycamore Road, Tiverton	328,768	1,871,013	1,371,013	886,407	2,696	484,606	1,371,013	0		
HRA1012	Mike Lowman	Housing Development Schemes (HE)	Project 14 - Crofts, Sandford	165,023	1,212,740	1,212,740	1,270,832	20,007	32,000	1,302,832	90,092	Overspend	Project ahead of schedule
HRA1014	Mike Lowman	Housing Development Schemes (HE)	Project 9 - Beech Road, Tiverton (1)	546,526	753,000	753,000	1,258,595	5,987	200,000	1,458,595	705,595	Overspend	Project ahead of schedule
HRA1016	Mike Lowman	Housing Development Schemes (HE)	Project 11 - College Green, Uffculme	412,578	835,767	835,767	28,897	0	26,870	55,767	-780,000	Slippage	Project behind schedule
HRA1017	Mike Lowman	Housing Development Schemes (HE)	Project 3 - Wordland Cross, C Fitzpaine	0	1,500,000	1,500,000	0	5,600	0	0	-1,600,000	Slippage	Project behind schedule
HRA1018	Mike Lowman	Housing Schemes (1:4:1 Projects)	Project 7	0	0	0	39,606	3,023	0	39,606	39,606	Overspend	No budget carried forward from 2023/24
HRA1019	Mike Lowman	Housing Schemes (1:4:1 Projects)	Project 41 - Fir Close, Willand	110,544	140,000	140,000	2,177	690	37,823	40,000	-100,000	Slippage	Project behind schedule
HRA1020	Mike Lowman	Housing Development Schemes (HE)	Project 25	160,000	2,440,000	100,000	38,459	10,005	22,000	60,459	-39,541	Slippage	Project behind schedule
HRA1021	Mike Lowman	Housing Development Schemes (HE)	Project 8 - Roundhill, Lower Cotteylands	370,500	2,229,500	0	17,193	0	0	17,193	17,193	Overspend	Project ahead of schedule
HRA1022	Mike Lowman	Housing Development Schemes (HE)	Project 29 - Glebelands, Cheriton Bishop	62,100	30,408	30,408	30,408	0	0	30,408	0		
HRA1024	Mike Lowman	Housing Schemes (1:4:1 Projects)	Project 51 - Honiton Road, Cullompton	13,122	386,878	29,195	4,195	2,500	5,000	9,195	-20,000	Slippage	Project behind schedule
HRA1025	Mike Lowman	Housing Schemes (1:4:1 Projects)	Project 52 - Exon Buildings, Cullompton	5,610	214,390	20,950	950	2,700	5,000	5,950	-15,000	Slippage	Project behind schedule
HRA1026	Mike Lowman	Housing Development Schemes (HE)	Project 37 - Somerlea, Willand	270,000	1,530,000	153,000	59,464	0	95,000	154,464	1,464	Overspend	Project ahead of schedule
HRA1029	Mike Lowman	Housing Development Schemes (HE)	Project 33 - Churchill Drive, Crediton	161,500	800,002	800,002	0	0	36,000	36,000	-764,002	Slippage	Project behind schedule
HRA1032	Mike Lowman	Housing Development Schemes (HE)	Project 26	0	1,200,000	0	25	0	0	25	25	Overspend	
HRA1033	Mike Lowman	Housing Development Schemes (HE)	Project 22 - Beech Road, Tiverton (2)	0	2,800,000	430,000	411,574	30,647	18,426	430,000	0		
HRA1035	Mike Lowman	Housing Development Schemes (HE)	Project 54	0	200,000	20,000	0	0	5,000	5,000	-15,000	Slippage	Project behind schedule
HRA1038	Mike Lowman	Housing Development Schemes (HE)	Project 23	0	4,100,000	400,000	388,403	0	0	388,403	-11,597	Slippage	Project behind schedule
HRA1052	Paul Deal	Other HRA Projects	Old Road Depot remodelling options - forecast expenditure to maintain operations	0	50,000	0	0	0	0	0	0	0	
HRA1053	Mike Lowman	Other HRA Projects	C/Hse Build Queensway Tiverton	0	0	0	31,547	0	0	31,547	31,547	Overspend	No budget carried forward from 2023/24
HRA1054	Mike Lowman	Other HRA Projects	Sewerage Treatment Works - Washfield	0	25,000	0	0	0	0	0	0		
HRA1055	Steve Bennett	Existing Housing Stock	Void Capital Works	0	750,000	140,000	104,510	0	35,490	140,000	0		
HRA1056	Steve Bennett	Existing Housing Stock	Double Glazed Unit Replacement	0	100,000	20,000	0	0	20,000	20,000	0		
HRA1057	Steve Bennett	Existing Housing Stock	Structural	0	1,350,000	250,000	175,379	155,651	74,621	250,000	0		
HRA1058	Steve Bennett	Existing Housing Stock	Responsive capital works	0	600,000	100,000	60,703	47,698	39,298	100,001	1		
HRA1060	Darren Beer	HRA Vehicles	Vehicle leasing - Housing	0	550,000	0	0	0	0	0	0		
HRA1062	Mike Lowman	Housing Schemes (1:4:1 Projects)	Rtb Buyback - 77 Butt Parks	0	0	0	225,258	0	0	225,258	225,258	Overspend	RTB buy backs not budgeted for although funds are available
HRA1063	Mike Lowman	Housing Schemes (1:4:1 Projects)	St George'S Court	0	0	0	214,796	3,843	0	214,796	214,796	Overspend	No allocated budget at the beginning of the year, but covered by funding received back from 3Rivers to complete this work.
HRA1064	Mike Lowman	Housing Schemes (1:4:1 Projects)	Rtb Buyback - 10 Appledore Close	0	0	0	90,040	0	0	90,040	90,040	Overspend	RTB buy backs not budgeted for although funds are available
HRA1065	Mike Lowman	Other HRA Projects	Post Hill Tiverton Development	0	0	0	3,000	0	0	3,000	3,000	Overspend	
HRA1066	Mike Lowman	Housing Schemes (1:4:1 Projects)	Rtb Buyback - 73 Lazenby Road	0	0	0	230,335	0	0	230,335	230,335	Overspend	RTB buy backs not budgeted for although funds are available
HRA1067	Mike Lowman	Housing Schemes (1:4:1 Projects)	Rtb Buyback - 11 Hammet Rd	0	0	0	235,332	0	0	235,332	235,332	Overspend	RTB buy backs not budgeted for although funds are available
HRA1068	Mike Lowman	Housing Schemes (1:4:1 Projects)	Rtb Buyback - 11a Westexe South	0	0	0	155,267	0	0	155,267	155,267	Overspend	RTB buy backs not budgeted for although funds are available
				1,686,612	45,939,710	20,988,710	3,307,792	240,877	6,964,960	10,272,752	-10,715,957		
				3,167,670	42,796,567	14,816,087	10,010,020	1,259,419	2,775,366	12,785,386	-2,030,701		
				4,854,282	88,736,277	35,804,797	13,317,812	1,500,296	9,740,326	23,058,139	-12,746,658		

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Funding Summary		Variance Summary	
Receipts	1,250,123		
Grants	8,970,630	-229,485	Underspend
Revenue	3,846,734	3,049,954	Overspend
Borrowing	8,990,651	-15,567,126	Slippage
	23,058,139	-12,746,658	

Report for: Cabinet

Date of Meeting:	4 th March 2025
Subject:	Local Development Scheme 2025
Cabinet Member:	Councillor Steven Keable, Cabinet Member for Planning and Economic Regeneration
Responsible Officer:	Richard Marsh, Director of Place and Economy
Exempt:	None
Wards Affected:	All Wards
Enclosures:	Appendix 1 – Local Development Scheme 2025

Section 1 – Summary and Recommendation(s)

To update the Local Development Scheme and provide an updated timetable for the production of a new Local Plan for Mid Devon.

Recommendation(s):

That:

- 1. The Local Development Scheme 2025 based on option 3 in Table 1 in this report and which is included in Appendix 1 be approved and is published on the Council's website.**
- 2. A copy of the Local Development Scheme 2025 (Appendix 1) be submitted to the Ministry of Housing, Communities and Local Government by the Government's deadline of the 6th March 2025.**

Section 2 – Report

1.0 Introduction

The need for a new local plan and the key drivers

- 1.1 Local Planning Authorities are required to prepare and keep up to date a development plan for their area. It is important that the development plan is kept up to date to ensure that it reflects changes in the planning system, the Council's corporate objectives and provides a sound basis for decision making.
- 1.2 The development plan for Mid Devon includes the Mid Devon Local Plan which was adopted by the Council on 29th July 2020, the Devon Minerals and Waste Plans (prepared by Devon County Council), and adopted ('made') Neighbourhood Plans (prepared by Town and Parish Councils with local

communities). Mid Devon District Council is the local planning authority responsible for preparing the district-wide local plan (excluding a small part of Mid Devon at Cheriton Bishop which falls within the Dartmoor National Park).

- 1.3 The Council is required to prepare and maintain a Local Development Scheme (LDS) for the district. This provides interested people and organisations with the Council's project plan for the preparation of local development documents. Adherence to the LDS is part of the legal compliance check applied to Local Plans at their examinations. The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 has introduced a legal requirement to review local development documents within certain time periods. In respect of a local plan, a review must be completed every five years starting from the date of adoption of the local plan to assess whether its policies need updating. The Local Plan does not become out-of-date automatically after 5 years. However, the review process is needed to ensure that the plan and the policies within it remain effective. Since the current local plan was adopted there have been changes to national legislation relevant to planning (Environment Act 2021 and Levelling-up and Regeneration Act 2023), new national planning policy and guidance, the objectively assessed development needs of the district have been updated which need to be planned for, and the socio-economic context for the plan has changed (e.g. the UK leaving the European Union, high inflation and energy costs, and supply challenges). Also, the Council signed the Devon Climate Change Declaration 2019. While the current adopted Mid Devon Local Plan will continue to bring benefits to the district through its policies to secure new homes, jobs, infrastructure and guide the development and use of land, a new local plan will ensure Mid Devon will continue to benefit from a planned approach for development to meet current and future needs over a longer time period beyond 2033 (current end date of the adopted local plan).
- 1.4 Officers are progressing the preparation of a new local plan for Mid Devon (with the working title 'Plan Mid Devon') and substantive progress has been made.
- 1.5 The gathering of technical evidence and other work continues, with multiple work-streams across projects being undertaken in-house or with the use of suitable external consultants. Several have been in partnership with other local authorities. This has included, amongst others, a Playing Pitch Strategy (January 2022) and Retail Leisure and Tourism Study (February 2024). While a Water Cycle Study and Strategic Flood Risk Assessment are currently in progress, significant further work remains with the need for a new call for sites, transport and infrastructure studies, viability appraisal, Sustainability Appraisal and Habitat Regulations Assessment.
- 1.6 A Regulation 18 stage Issues Paper was published and consulted on in early 2022. Views were invited about what the new Local Plan will include and how Mid Devon should be planned for in the future. The Issues Paper identified 6 top priorities that should go to the heart of the strategy for the new Local Plan and which can help achieve sustainable development, including responding to

the climate emergency and moving to a net-zero carbon future, and delivering new development and infrastructure to meet identified needs.

- 1.7 The preparation of a 'Draft Policies and Site Options' consultation report has been the subject of numerous meetings with the Planning Policy Advisory Group through 2024, with the intention that this would be published in December 2024. However, progress has been impacted through unforeseen and competing work pressures and priorities from late 2023 and through 2024. This has significantly impacted the capacity of the Forward Planning team, which remains the case, and it has not been possible to complete the preparation of a 'Draft Policies and Site Options' report and to consult on this as intended.
- 1.8 The Government published a new National Planning Policy Framework on 12th December 2024, alongside its response to the consultation it launched in July 2024. At the same time, the Government also published a new standard method for calculating a districts' annual housing requirement that will need to be planned for, results of the Housing Delivery Test 2023, and a revised Planning Policy for Traveller Sites. Whilst the full details for these are not the focus of this report the salient matters relevant to the timetable and technical work needed for the preparation of a new local plan for Mid Devon are as follows:

Transitional arrangements for plan making

- 1.9 The new NPPF includes transitional arrangements for the implementation of its policies in relation to the preparation of local plans under the current 2004 Act system and previous NPPF version for local plans that will have reached their Regulation 19 (pre-submission stage) on or before 12th March 2025. Since the preparation of the new local plan for Mid Devon will not have reached this stage, it will need to be prepared in relation to the policies in the new NPPF.
- 1.10 The Government has also made clear that all earlier stage plans progressing under the December 2024 NPPF will be expected to be submitted for examination under the existing 2004 Act system by December 2026. Local Plans submitted after that will be subject to a reformed plan making system.

New standard method for calculating housing need and 5 year housing supply

- 1.11 The use of the standard method and housing targets are now mandatory and is no longer an advisory start point. It includes an approach to calculating housing need based on existing housing stock (rather than household projections as in the previous method) and affordability using a three year average. This has resulted in a significant increase in the annual housing need for Mid Devon, from 346 to 572 new homes.
- 1.12 The new NPPF has restored the requirement for local authorities to continually demonstrate a 5 year supply of deliverable sites for housing (this requirement had been removed in the previous version in December 2023). For plan making, "planning policies should identify a sufficient supply and mix of sites, taking into

account their availability, suitability and likely economic viability. Planning policies should identify a supply of a) specific deliverable sites for five years following the intended date of adoption". This point is important since it will require greater certainty at a later stage in the housing trajectory for the local plan, and not at the plan's start date or from the base date for housing supply calculations that are produced to evidence the local plan. Where the Housing Delivery Test results indicate that delivery is below the 85% of the housing requirement a 20% buffer will need to be added to the housing land supply to improve the prospect of achieving the plan's supply of land for housing. Also from 1st July 2026, for the purpose of decision making only, where local planning authorities have a housing requirement adopted in the last 5 years and examined against the previous version of the NPPF the buffer to be applied to housing supply calculations will increase from 5% to 20% where the annual average housing requirement is 80% or less in relation to that calculated under the new standard method. These points emphasise the importance and need for timely plan-making.

- 1.13 Officers are currently assessing the implications of the increased housing need for the preparation of a spatial development strategy and development site options for the new local plan. While this will culminate with draft local plan proposals which will be subject to future decisions taken by the Council, it has generated the need for additional technical work and evidence gathering that will protract the plan making process, and which will need to be reflected in a new Local Development Scheme. A key piece of technical work that is necessary to understand the development potential of land in Mid Devon is the Housing and Economic Land Availability Assessment ('HELAA'), which can form a basis for investigating potential development site options for inclusion in the new local plan. The HELAA is in progress following a 'call for sites' undertaken in early 2021. The increased housing need for the district has placed a need for a new 'call for sites' that will provide a further opportunity for land to be brought to the Council's attention for assessment, and for updating information on sites previously submitted. This work is in progress and may take at least 6 months to complete, with the need for engagement with statutory consultees, Government agencies, technical specialists and a stakeholder panel of representatives from organisations across the development industry as part of assessing the development potential of sites, identifying any constraints to their delivery and the need for new or improved infrastructure.

Examination of plans and "soundness"

- 1.14 The NPPF makes clear that local plans are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are "sound". Plans are 'sound' if they are "positively prepared", "justified", "effective" and "consistent with national policy". To meet these tests the local plan will need to provide an appropriate strategy taking into account reasonable alternatives, which as a minimum seeks to meet the area's objectively assessed development needs, be based on proportionate evidence

and be deliverable over the plan period. This will also need to include consideration of cross-boundary strategic matters and accommodating unmet needs from neighbouring areas where it is practical to do so.

The need for technical studies and evidence to support plan making

- 1.15 The soundness of a local plan is dependent on the technical studies, evidence gathering and other work that is necessary to inform its preparation. While there is a balance to be struck between what technical studies and evidence is essential and what may be ‘nice to have’, there is particular work that is required to give the greatest certainty of a local plan being found sound, or capable of being sound subject to modifications being made to it at its examination. This includes the HELAA, the Strategic Flood Risk Assessment (‘SFRA’), Local Housing Needs Assessment (‘LHNA’), Economic Development Needs Assessment (‘EDNA’) and others too.

National set of development management policies

- 1.16 The Levelling-up and Regeneration Act (LURA 2023) provides for the creation of National Development Management Policies. The Government has since reaffirmed its intention to consult on a set of national development management policies for decision making (expected in spring 2025). Until these are published it remains uncertain what development management policies may still need to be included in the new local plan.

Community Infrastructure Levy

- 1.17 The Government has indicated that it does not wish to implement a national infrastructure levy, but focus on improving the developer contributions system. This would be through the use of Section 106 planning obligations and Community Infrastructure Levy. The preparation of a new local plan will include an assessment of new and improved infrastructure needed to support planned development and the implementation of the local plan. This can include consideration of how developer contributions are secured in Mid Devon and whether the introduction of a Community Infrastructure Levy should be re-visited. While this work can form part of the process of Viability Appraisal of the local plan, the technical work and production of a Community Infrastructure Levy charging schedule, its testing through independent examination and implementation will have resource and budget implications that will need to be fully considered by the Council alongside consideration of the merits of introducing the levy itself.

Devolution and local government reorganisation

- 1.18 The Government is committed to a programme of devolution to bring about local government reform in England. In February the Government confirmed that six new areas will join the Devolution Priority Programme. While Devon was not included in this programme, a new Devon and Torbay Combined County

Authority has now come into being. This will mean significant opportunities for collaboration with government agencies on major projects such as housing.

- 1.19 Local Government reorganisation is a separate process to simplify structures created as a result of devolution, seeking to replace the current two-tier district and county councils structure with a new two-tier structure of unitary councils and sub-regional strategic authorities. The formation of unitary councils in Devon may not happen until April 2028. This is relevant to the preparation of a new local plan and is considered in relation to option 3 presented in **Table 1 in Annex 1** to this report.

Strategic planning at a sub-regional scale

- 1.20 A Joint Strategy for Exeter, Teignbridge, East Devon and Mid Devon was completed in January 2024. This is a non-statutory document that reflects the ambitions and proposals of existing and emerging local plans for the four Councils. It covers a range of strategic planning matters and includes a list of infrastructure matters that have cross-boundary significance for supporting the delivery of planned new homes, jobs, services, transport and other development. The Government is committed to introduce a universal system of strategic planning, with details expected in a future NPPF revision. The introduction of a system for strategic planning may have potential resourcing and capacity implications for the Council and it is not clear how strategic planning might impact on the scope of policies within local plans.

Requirement for a new Local Development Scheme

- 1.21 All local planning authorities must produce an updated Local Development Scheme (LDS) within 12 weeks of the publication of the NPPF i.e. by no later than 6th March 2025. This must be publicly available and a copy sent to the MHCLG, together with the completion of an on-line form to record key information. This requirement underpins the reason for this Cabinet report.

2.0 Current Local Development Scheme

- 2.1 The current Local Development Scheme (LDS) was approved by Cabinet on 4th July 2023 (minute 17), and came into effect from 12th July 2023. It sets out a timetable for preparing the new local plan under the current 2004 Act system:

Stage	Date
Regulation 18 Issues Consultation	Jan – March 2022 (Completed)
Draft Policies and Site Options Consultation (Regulation 18 continued)	November 2024 – January 2025
Regulation 19 Publication (Proposed Submission) consultation	December 2025 – February 2026
Submission	April 2026
Examination and Main Modifications	April 2026 – March 2027
Adoption	April 2027

2.2 The timetable includes a two staged approach for plan making and for public engagement, with a Regulation 18 'Draft Policies and Site Options' and a statutory Regulation 19 publication (proposed submission) stage plan. While there is statutory requirement for a Regulation 18 stage consultation to invite representations about what a local plan should contain, there is no requirement for a second Regulation 18 consultation on draft policies and site options. This two stage approach follows a Cabinet decision (4th February 2021; minute 304) to ensure the plan making process provided an enhanced early opportunity for public engagement to help shape and inform the preparation of the local plan before it reaches draft plan publication stage. For the reasons detailed in this report, it has not been possible to prepare and consult on Draft Policies and Site Options in November 2024 to January 2025 as set out in this LDS.

3.0 External advice

3.1 External consultancy support has been used for advice on reviewing the timetable for producing of a new local plan. This has considered the scope of matters identified in section 1 to this report, including the preparation of the new local plan under the current 2004 Act system and moving to the reformed plan making system. While the consultant's interim report is in draft form, it has helped to detail options available for the Council. In particular, it has identified that to be capable of achieving the submission of the local plan under the current 2004 Act system by December 2026 the Regulation 19 publication (proposed submission) stage plan would need to be completed by April 2026. Also, it has highlighted significant difficulties and potential risks in seeking to include a preceding additional Regulation 18 stage and consultation on Draft Policies and Site Options, with the need for additional resourcing and potential for the evidence base supporting the local plan to be incomplete. It has highlighted risks of moving to the new plan making system when the details are not yet known.

4.0 Options for a new Local Development Scheme

- 4.1 Officers have identified four options available for a new plan making timetable and LDS, taking into consideration the external consultancy advice:
- **Option 1** - Prepare the local plan under the current 2004 Act system through the two staged approach to plan making including a second Regulation 18 consultation on Draft Policies and Site Options consultation and Regulation 19 publication (proposed submission) stage plan.
 - **Option 2** - Prepare the local plan under the current 2004 Act system through moving straight to a Regulation 19 publication (proposed submission) stage plan.
 - **Option 3** – Move to the reformed plan making system once this has been introduced and front load the process now though progressing technical studies, evidence gathering and develop emerging spatial development strategy and site development options.

- **Option 4** - Stop production of a new Local Plan and wait for the Government to introduce new regulations for preparing plans under the Levelling Up and Regeneration Act 2023 expected in the summer 2025.
- 4.2 These four options have been evaluated and this is detailed in **Table 1** included in **Annex 1** at the end of this report. This evaluation has taken into consideration the scope of matters explained in section 1 to this report.
- 4.3 While there will be a need to prepare and adopt a new local plan as soon as practicable as the current local plan will be 5 years old in July 2025 and a review of its strategic policies are necessary, an overarching priority must be that the new local plan is found sound at its examination. The Government is clear that “local planning authorities must not submit local plans unless they think they are ready for independent examination” and that “local planning authorities should not therefore submit deficient plans believing that Inspectors will use significant time and resource during examinations to “fix them”. This stems from the Section 20(2) of the Planning and Compulsory Purchase Act 2004.
- 4.4 Cabinet should note that once a plan has been submitted to the Secretary of State, the Planning Inspectorate will be responsible for setting the timetable for the independent examination. The examination will include the scheduling of hearings, potential main modifications and consultation on these, before receipt of the Inspector’s report and the plan’s adoption. The number and complexity of the matters and issues to be resolved could affect the length of the examination. As such, it remains uncertain how long an examination for the new local plan might take. Research undertaken by David Lock Associates published in 2018 has found the national average for the adoption of local plans from the point of final publication has been 19 months, with the fastest being 7 months. For the purpose of the options below is has been assumed an examination process might take approximately 12 months.
- 4.5 Where reference is made to current regulations in **Table 1** and elsewhere in this report these are requirements placed through The Town and Country Planning (Local Planning) (England) Regulations 2012.
- 4.6 The key findings of the evaluation are summarised as follows:
- **Option 1** – There is insufficient time remaining in the period to December 2026 to include a further Regulation 18 consultation on Draft Policies and Site Options, allowing for the completion of technical studies and evidence and preparation of the Regulation 19 Publication Draft Plan for its submission. There is no guarantee that trying to speed up the plan making process through increased resourcing or rationalising work will be successful and this could risk the plan being found unsound.
 - **Option 2** – The removal of a further Regulation 18 stage consultation on Draft Policies and Site Options would mean there would be no opportunity for early public engagement and for the Mid Devon community to have a say on emerging draft plan proposals before the Regulation 19 Publication

(Proposed Submission) Plan is finalised. It would also not provide an early opportunity to identify any unforeseen matters and issues relevant to the soundness of the local plan and to resolve these before the local plan is submitted for its examination. This could protract the examination process and increase the risk of the local plan being found unsound.

- **Option 3** – Moving to a new plan making system will provide two potential mandatory consultation stages and opportunities for the Mid Devon community to have a say on shaping the plan’s content. It will also provide more time to finalise the plan and increase the likelihood of it being found sound at its examination. While there is uncertainty about what the forthcoming plan making regulations will be, risks can be mitigated through frontloading work now that is core to plan-making, including an emerging spatial development strategy and site options.
- **Option 4** – Delaying the production of a new local plan will mean it will take longer for the new local plan to be completed. A new local plan is needed as soon as practicable to maintain a 5 year supply of land for housing.

Conclusion

- 4.7 It is recommended to Cabinet that Option 3 is taken forward for the preparation of the new local plan for Mid Devon and for the purpose of a new local plan timetable to be included in the Local Development Scheme. The justification for this is summarised above, and is explained in the detailed evaluation of options in **Table 1** in **Annex 1** to this report and the context for plan making explained in Section 1.0 to this report.

5.0 Groups Consulted

- 5.1 The Planning Policy Advisory Group (PPAG) was consulted (meeting held on 11th February 2025) on the 4 options for progressing the preparation of the new local plan set out in **Table 1** and has endorsed the recommendation that Option 3 is taken forward for the Local Development Scheme.

6.0 Approval of the LDS

- 6.1 The Cabinet report of 9th June 2016 ‘Planning policy documents for consideration by the Planning Policy Advisory Group, Cabinet and Council’ states that Cabinet is the only body that needs to give approval to the adoption of a new LDS. There is no longer a requirement for the LDS to be signed off by the Secretary of State. If approved, the new LDS will be published on the Council’s website.

- 6.2 It is recommended that the updated LDS (**Appendix 1**) is approved and is published on the Council’s website once the Cabinet’s decision comes into effect. It is also recommended that a copy of the LDS is submitted to the Ministry of Housing, Communities and Local Government by the Government’s deadline of 6th March 2025. There is also a requirement for key information to be recorded by filling out the online form through the link provided in the Chief Planner’s newsletter dated 13th December 2024.

- 6.3 The LDS will be kept under review and may require further updating in light of progress made in preparing the Local Plan and the publication of forthcoming regulations detailing the statutory process for preparing local plans through a reformed plan-making system.

Financial Implications

The Local Development Scheme has no direct financial implications, however the preparation of planning policy documents have associated production costs. Budgetary provision has been provided for this statutory function with the use of earmarked reserves, which will be reviewed as the preparation of the Local Plan is progressed.

Legal Implications

The Planning and Compulsory Purchase Act 2004 (Section 15) as amended by the Localism Act 2011 requires local authorities to prepare and maintain a Local Development Scheme (LDS) for the district. The LDS must specify (among other matters) the documents which, when prepared will comprise the Local Plan for the area. It must be made available publicly and kept up to date.

Risk Assessment

Preparing and updating local plans is a statutory requirement. A Local Plan may be subject to challenge if it can be demonstrated that it was not drawn up in compliance with the Local Development Scheme. The proposed Local Development Scheme provides an updated timetable for the production of development plans based on the introduction of a reformed plan making system where the regulations for this have not yet been published, but makes assumptions about what these may be. This uncertainty introduces some risk, but the risk is mitigated through progressing technical studies and evidence and the development of a spatial development strategy and potential development site options which will be work that is core the preparation of a new local plan. This approach will frontload the work that will be needed to prepare a new local plan through the reformed plan making system. A review of the local plan must be completed 5 years from the date of the local plan's adoption, and most plans are likely to require updating in whole or part at least every 5 years. Where a review has identified that policies in a local plan need to be updated there is a risk these policies will become out-of-date for decision making. Without a new Local Plan to update policies in relation to housing supply and site allocations, there will be a risk that it will eventually no longer be possible to maintain five years supply of housing sites. A consequence could be the district being more vulnerable to speculative planning applications promoting development in locations the Council has not identified for sustainable growth. Where an authority is unable to demonstrate a five years supply of housing its local plan policies would become out of date in relation to housing land supply. In such circumstances a 'tilted balance' may be applied, where in accordance with paragraph 11(d) ii of the National Planning Policy Framework, the presumption would be that planning permission should be granted unless "any adverse impacts of doing so would significantly and demonstrably outweigh the benefits". Where local planning authorities fail to progress the preparation of local plans there is a risk of intervention by the Secretary of State exercising local plan intervention powers set out in sections 27 and 27A of the 2004 Act.

Impact on Climate Change

The preparation of local plans is a key method for climate change mitigation and environmental protection, through appropriate policies and development strategy. The reduction or removal of greenhouse gas emissions can be influenced through the spatial development strategy for the local plan, including the distribution of planned growth, location of development sites and relationship with transport infrastructure (public transport, roads, rail and opportunities for active travel - including walking and cycling). The local plan may also include policy/ies for seeking to increase the energy efficiency standards in new buildings above current building regulations, and also for the production of energy from renewal sources in the district (e.g. wind, solar and hydro-electric). The potential benefits from these policies has not yet been quantified and may need to be subject to future technical studies and assessment.

Equalities Impact Assessment

The Local Development Scheme sets out the Council's project plan and timescales for the development of local development documents. It would not in itself lead to any impacts on the equality strands protected under the Equality Act 2010 (the "protected characteristics"). The new Local Plan will be subject to a full Equality Impact Assessment.

Relationship to Corporate Plan

The new Local Development Scheme, appended to this report, sets out a timetable for a new Local Plan, which will set the strategy for guiding new development in the district, allocate sites for housing and economic development, the provision of infrastructure, as well as policies for the protection of the environment and managing development. The plan will help meet the Corporate Plan 2024 – 2028 themes:

- **Planning, Environment and Sustainability** – through delivering policies to meet the objectively assessed development needs of the district, respond positively to the challenge posed by climate change, and through protecting the historic and natural environment, including protected landscapes, and areas of biodiversity, geodiversity and habitat.
- **Community, People and Equalities** – through involving and engaging with the communities.
- **Homes** – meeting the level of housing need required for the district and securing the delivery of new affordable homes.
- **Economy and Assets** – through including policies that help grow the district's economy, including our town centres and employment sites.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by the Section 151 Officer
Date: 18.02.2025

Statutory Officer: Maria De Leiburne
Agreed by the Monitoring Officer
Date: 18.02.2025

Chief Officer: Richard Marsh
Agreed by the Corporate Director
Date: 18.02.2025

Performance and risk: Steve Carr
Agreed by the Corporate Performance & Improvement Manager
Date: 13 February 2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Tristan Peat, Forward Planning Team Leader
Email: tpeat@middevon.gov.uk
Telephone: 01884 234344

Annex 1

Table 1 Evaluation of options for plan making and its timetable (LDS)

Option	Description	Timetable and evaluation
Option 1	Prepare the local plan under the current 2004 Act system through the two staged approach to plan making with a non-statutory Regulation 18 Draft Policies and Site Options consultation and Regulation.	<ul style="list-style-type: none"> • Draft Policies and Site Options Consultation (Regulation 18 continued) – November 2025 to January 2026 • Regulation 19 Publication (Proposed Submission) consultation – June to July 2026 • Submission – December 2026 • Examination and main modifications – December 2026 to December 2027 • Adoption – December 2027 <p>The submission deadline for plans under the 2004 Act system is December 2026. To meet this will require the completion of the Regulation 19 publication (proposed submission stage plan) by April 2026, Cabinet / Council approval in May / June 2026 and a subsequent period of 6 months for public consultation, summarising representations and finalising technical work and Duty to Co-operate statements so that the plan is ready for submission.</p> <p>This leaves a period of 14 months to complete the preparation of the Regulation 19 publication (proposed submission stage plan).</p> <p>The majority of technical studies and evidence base will need to be completed to inform the preparation of a Regulation 18 Draft Policies and Site Options report.</p> <p>While substantive progress has been made in completing technical studies and evidence, formulating emerging draft policies for a number of themes (including responding to the climate emergency, new homes, business and jobs) and initial consideration of some potential site options to meet the assessed development needs for the district there is now a need for a new call for sites and further technical work through the Housing and Economic Land Availability Assessment ('HELAA') in light of the increased housing requirement for the district. This work will not be completed until summer</p>

Option	Description	Timetable and evaluation
		<p>2025 and is necessary to inform the spatial development strategy and development site options which will subsequently need to be tested through further technical work that is critical to the preparation of the local plan, including the Strategic Flood Risk Assessment, Sustainability Appraisal, Habitat Regulations Assessment, transport and other infrastructure studies, and Viability Appraisal.</p> <p>A Regulation 18 Draft Policies and Site Options report is unlikely to be completed until late 2025 as it needs to be informed by the technical studies and evidence. The Regulation 18 stage consultation is likely to attract a significant level of representations which will need to be carefully considered and time for seeking to resolve objections. This process could take 3 to 4 months, and would not allow sufficient time to conclude technical studies and evidence and to finalise the preparation of Regulation 19 publication (proposed submission stage plan) plan by April 2026.</p> <p>The plan making process may be accelerated by increasing the capacity of the Forward Planning team: recruiting additional officers, employing agency staff or through outsourcing work to a suitable consultant. However, there is no existing budget, a recruitment process will take time to complete and previous experience has shown this may not be successful and there is no guarantee that increased capacity would mean the timescales would be met. It may be possible to consider rationalising technical studies and evidence, or in the case of the Sustainability Appraisal using consultants to undertake all the work including the appraisal of all draft policies and site options and their reasonable alternatives, rather than providing critical friend support to check the process is robust and legally compliant. Presently this work is undertaken in house due to the likely significant additional cost and provide a more efficient work flow in the iterative process of preparing the plan and testing it. However, there is no guarantee these measures would provide sufficient time for a Regulation 18 Draft Policies and Site Options stage. The current</p>

Option	Description	Timetable and evaluation
		<p>scope of technical studies and evidence is considered to be the minimum essential to produce a sound local plan. Any rationalisation of technical studies and evidence could introduce significant risk that the local plan may be found unsound at its examination.</p> <p>Conclusion It is recommended this option is not taken forward for the LDS.</p>
Option 2	Prepare the local plan under the current 2004 Act system through moving straight to a Regulation 19 publication (proposed submission) stage plan.	<ul style="list-style-type: none"> • Regulation 19 Publication (Proposed Submission) consultation – June to July 2026 • Submission – December 2026 • Examination and main modifications – December 2026 to December 2027 • Adoption – December 2027 <p>The removal of a Regulation 18 Draft Policies and Site Options stage from the plan making programme could allow 3 to 4 months to focus instead on the completion of the technical studies and evidence base and to write the Regulation 19 Publication (Proposed Submission Plan).</p> <p>However, this would not provide an opportunity for early public engagement and for the Mid Devon community to have a say on emerging draft plan proposals before the Regulation 19 Publication (Proposed Submission) Plan is finalised. It would also not provide an early opportunity to identify any unforeseen matters and issues relevant to the soundness of the local plan and to resolve these before the local plan is submitted for its examination. This could protract the examination process and increase the risk of the local plan being found unsound.</p> <p>Regulation 19 requires that before submitting a local plan the local planning authority must, amongst other requirements, make the proposed submission documents available for inspection and invite representations on these. Through Regulation 20, any person may make representations to a local planning authority about a local plan which the local planning authority proposes to submit. However,</p>

Option	Description	Timetable and evaluation
		<p>Regulation 22 only requires that if representations were made through Regulation 20 (i.e. this would be on the Regulation 19 Publication (Proposed Submission) Plan) the local planning authority must submit a statement setting out the number of representations made, and a summary of the main issues raised in those representations. There is no requirement at this stage for the local planning authority to take these representations into account and to modify the local plan before it is submitted for its examination. However, the Council could choose to make proposed modifications to the local plan before it is submitted (this was the case for the current adopted Mid Devon Local Plan) but this would require further consultation on those proposed modifications which would take additional time to complete and to modify the plan but might require further technical work to be undertaken. This could be similar to the 3 to 4 months (as a minimum) needed to complete a Regulation 18 Draft Policies and Site Options stage consultation and would not be feasible before the deadline of December 2026 to submit a local plan under the current 2004 Act system. It would not be feasible to bring forward the Regulation 19 Publication (Proposed Submission) Plan to an earlier date in the plan making timetable (i.e. in a period less than the remaining 14 months to finalise the draft plan) because of the need to complete all outstanding technical studies and evidence base, Sustainability Appraisal and Duty to Cooperate statements at that stage. Including a proposed modifications stage is also not recommended since the Planning Inspectorate's published Procedure Guide for Local Plan Examinations makes clear that "the plan that is published for consultation at Regulation 19 stage should be the plan that the local planning authority intends to submit to the Planning Inspectorate".</p> <p>As with Option 1, the Council could seek to speed up the plan making process through increasing the capacity of the Forward Planning team: recruiting additional officers, employing agency staff or through outsourcing work to a</p>

Option	Description	Timetable and evaluation
		<p>suitable consultant. However, there is no existing budget for this and a recruitment process will take time to complete and previous experience has shown this may not be successful. This could also involve rationalising technical studies and evidence, or in the case of the Sustainability Appraisal using consultants to undertake all the work including the appraisal of all draft policies and site options and their reasonable alternatives, rather than providing critical friend support to check the process is robust and legally compliant. Presently this detailed work is undertaken in house by the Forward Planning team due to the likely significant additional cost and provide a more efficient work flow in the iterative process of preparing the plan and testing it. However, there is no guarantee these measures would provide sufficient time to reach a Regulation 19 Publication (Proposed Submission) Plan sooner in the plan making timetable. The current scope of technical studies and evidence is considered to be the minimum essential to produce a sound local plan. Any rationalisation of technical studies and evidence could introduce significant risk that the local plan may be found unsound at its examination.</p> <p>Conclusion</p> <p>It is recommended this option is not been taken forward for the LDS.</p> <p>However, if the Cabinet is minded to take this option forward then it is recommended this should include a review of the plan making progress in early 2026 to understand whether the completion of the Regulation 19 Publication (Proposed Submission) Plan) can be achieved by April 2026. If the completion of the plan cannot be achieved by April 2026 then the LDS should be subject to a further review to include a new timetable for preparing the local plan through a reformed plan making system through the LURA 2023 and associated regulations that are expected to be introduced this summer.</p>

Option	Description	Timetable and evaluation
Option 3	Move to the reformed plan making system once this has been introduced and front load the process now though progressing technical studies, evidence gathering and develop emerging spatial development strategy and site development options.	<ul style="list-style-type: none"> • Give notice of start of plan-making (4 months' notice) – August 2025 – November 2025 • Gateway check (advisory) with the Planning Inspectorate – December 2025 • Public consultation (mandatory 8 weeks) on draft vision and spatial options – March to April 2026 • Gateway check (advisory) with the Planning Inspectorate – December 2026 • Public consultation (mandatory 6 weeks) on draft plan – February to March 2027 • Gateway check (stop / go) with the Planning Inspectorate – November 2027 • Submission – November 2027 • Examination – December 2027 to May 2028 • Adoption – June 2028 <p>The Government has indicated that it intends to introduce new regulations this summer for the reformed plan making system under the LURA 2023. Until then, there will remain uncertainty about what the new plan making process will be. This uncertainty introduces some risk in seeking to prepare a local plan now while the details of the reformed system are not yet known, which makes accurate forecasting of timetables and work required difficult. However, it is expected that the reformed plan making system may follow, or be similar to proposals that were published by the previous Government in July 2023, in the “Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms”. This was recently intimated by a MHCLG representative through a webinar hosted by the Planning Advisory Service. These proposals included a new 30 month timeframe for the production of local plans, with three “Gateway” assessments to advise on the preparation of the plan, with the final assessment having a binding role to make sure the prescribed requirements for preparing the plan have been met. The 30 month timetable is preceded by a 4 month period for local planning authorities to scope out the preparation of the local plan, including project management, evidence required,</p>

Option	Description	Timetable and evaluation
		<p>preparation and review of Plan timetable and identifying monitoring requirements. The 30 month timetable includes two mandatory stages for public consultation and for local planning authorities to make changes to the plan prior to its submission. This two stage approach to plan making would provide more opportunity for public engagement on the new local plan and for the community to have a say in shaping the plans content than in option 2, where there would be no early consultation on emerging plan proposals through a Regulation 18 Draft Policies and Site Options consultation.</p> <p>The proposed timetable set out in this option has been informed by the previous Government’s consultation on implementation of plan-making reforms July 2023, and is based on the commencement of plan-making under the reformed system as soon as the new regulations have been introduced (summer 2025). The timetable indicates an adoption of the new local plan in June 2028. This is 6 months later than might be possible if the local plan were progressed under the current 2004 Act system where it has been assumed there may be a 12 month examination period. While it may be desirable to have an adopted local plan sooner to re-establish a 5 year supply of deliverable housing sites should it no longer be possible to demonstrate this in the interim period, this may not stop potential speculative planning applications being submitted to the Council for determination and for the annual 5 year housing supply updates to be challenged.</p> <p>There is a risk in moving to a reformed plan making system without knowing the details of what this will be. Also, it is not known whether the Council would be allowed to progress the plan making under the new system straight away following its introduction or need to wait as part of a phased roll-out of groups of local authorities in “waves” subject to the date of adoption of their current local plans. However, this risk can in part be mitigated through frontloading work now that will remain core to local plan production, including progressing the technical studies and evidence and continuing</p>

Option	Description	Timetable and evaluation
		<p>to develop an emerging spatial development strategy and site options that will meet the increased housing requirement through the new standard method. Moving to the new system would provide a longer period in 2026 to finalise this work that is crucial to inform a sound local plan and therefore will de-risk the examination process. In practice, the Council would have more than 30 months to complete a new style local plan.</p> <p>A requirement to prepare a local plan in 30 months and assumption that this will be fixed for duration of that period will require that sufficient resources and capacity are available to achieve this. This could include a review of the Forward Planning team capacity where experience has shown this has been subject to competing work pressures and recruitment difficulties, ring fencing plan making work, and wherever possible streamlining decision making processes and increased use of powers of delegation to ensure there will be an efficient pathway to progress the preparation of the plan.</p> <p>The adoption of the new local plan in June 2028 may follow the implementation of a new unitary authority/ies for Devon through the Government’s programme for Devolution and local government reform. While the precise timings for both are not yet known, it is assumed there would be a continued commitment to adopt the new local plan following its submission to the Secretary of State in November 2027 for examination.</p> <p>Conclusion</p> <p>It is recommended this option is taken forward for the LDS since it will provide the greatest level of certainty that a new local plan will be capable of being found sound at its examination.</p> <p>If Cabinet is minded to take this option forward then it is recommended this should include a review of the plan making timetable and LDS once the new plan making regulations have been introduced so that the key milestones can be confirmed or revised as necessary.</p>

Option	Description	Timetable and evaluation
Option 4	<p>Stop production of a new Local Plan and wait for the Government to introduce new regulations for preparing plans under the Levelling Up and Regeneration Act 2023 expected in the summer 2025.</p>	<p>The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 has introduced a legal requirement to review local development documents within certain time periods. In respect of a local plan, a review must be completed every five years starting from the date of adoption of the local plan. Where a review has not been completed in five years and the plan has not been updated, the Local Plan may become out of date. The review of the adopted Mid Devon Local Plan has indicated that the plan needs to be updated due to reasons set out in paragraph 1.3 of this report and since the plan will be 5 years old in July 2025, at which point housing land supply calculations will be based on the housing requirement calculated through the new standard method.</p> <p>Government advice has been consistent for local planning authorities to continue to produce and adopt local plans. The Government’s consultation on reforms to national planning policy “is clear that plan production should continue to progress” and that “it is critical that work should continue on plans before the new system is in place”.</p> <p>Delaying the production of a new Local Plan will mean it will take longer for the new Local Plan to be completed. A new Local Plan will be needed to maintain a 5 year supply of land for housing since the current local plan will eventually become out of date for decision-making purposes in relation to housing land supply.</p> <p>Conclusion It is recommended this option is not taken forward for the LDS.</p>

Background papers:

Scrutiny Committee meeting 25th November 2024 The Impact of the Government's proposed changes to National Planning Policy on the Council's priorities and preparation of a new Local Plan (item 54) [Agenda for Scrutiny Committee on Monday, 25th November, 2024, 5.00 pm - MIDDEVON.GOV.UK](#)

Cabinet meeting 17th September 2024 Responses to the National Planning Policy Framework [Agenda for Cabinet on Tuesday, 17th September, 2024, 5.15 pm - MIDDEVON.GOV.UK](#)

Cabinet meeting 3rd July 2023 Local Development Scheme [Agenda for Cabinet on Tuesday, 4th July, 2023, 5.15 pm - MIDDEVON.GOV.UK](#)

Cabinet meeting 4th February 2021 Local Development Scheme and New Mid Devon Local Plan <https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=133&MId=1264&Ver=4>

Council meeting 29th July 2020 Adoption of the Local Plan <https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=156&MId=1335&Ver=4>

Council meeting 1st July 2021 Approval given to prepare a Joint Strategy <https://democracy.middevon.gov.uk/ieListDocuments.aspx?CId=156&MId=1472&Ver=4>

Links:

National Planning Policy Framework (December 2024) [National Planning Policy Framework - GOV.UK](#)

The Town and Country Planning (Local Planning)(England) Regulations 2012 [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

Consultation outcome – Government response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation [Government response to the proposed reforms to the National Planning Policy Framework and other changes to the planning system consultation - GOV.UK](#)

Levelling-up and Regeneration Bill: consultation on implementation of plan-making reforms” Department for Levelling Up, Housing and Communities (July 2023) [Plan-making reforms: consultation on implementation - GOV.UK](#)

Local Plans: the examination process [Local Plans: the examination process - GOV.UK](#)

Procedure Guide for Local Plan Examinations – Planning Inspectorate [Procedure Guide for Local Plan Examinations - GOV.UK](#)

Cabinet Meeting 4th July 2023 Local Development Scheme [Agenda for Cabinet on Tuesday, 4th July, 2023, 5.15 pm - MIDDEVON.GOV.UK](#)

How long does it take to adopt a local plan? David Lock Associates 2018 [How long does it take to adopt a local plan? - David Lock Associates Website](#)

Government press release 5th February 2025: [Devolution revolution: six areas to elect Mayors for first time - GOV.UK](#)

Appendix 1

Mid Devon District Council

Local Development Scheme – March 2025

1. INTRODUCTION

1.1 Mid Devon District Council is required to prepare and maintain a Local Development Scheme (LDS) for the district. The LDS provides interested people and organisations with the Council's project plan for the preparation of local development documents. The Planning and Compulsory Purchase Act 2004 states that the LDS must specify:

- The local development documents which are to be 'development plan documents'
- The subject matter and geographical area to which each development plan document relates
- The timetable for preparation and revision of the development plan documents

1.2 Local authorities can update their LDS at such times as considered appropriate. The previous Mid Devon LDS has been in place since July 2023.

1.3 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 has introduced the requirement to review local development documents within certain time periods. In respect of local plans, a review must be completed every five years, starting from the date of adoption of the local plan. Consequently, this LDS provides a timescale for the production of a new local plan.

2. THE LOCAL PLAN

2.1 The National Planning Policy Framework (NPPF) makes clear that development plans (including Local Plans) are key to delivering sustainable development and local authorities should produce a development plan for their area, which includes strategic and also non-strategic policies. The Local Plan can be reviewed in whole or in part to respond flexibly to changing circumstances.

2.2 Mid Devon's Local Plan 2013 – 2033 was adopted on the 29th July 2020. It guides development in the district over the period to 2033 and aims to ensure that new homes, jobs and services needed by communities are located in the most sustainable places. It will also help deliver the infrastructure, facilities and other developments needed to make this possible.

2.3 Devon County Council has a strategic planning role and is responsible for minerals and waste planning in Devon including the production of mineral and waste plans. The Devon Minerals and Waste Plan is currently made up of two parts which are development plan documents. The two documents are:

Document	Adopted	Scope	Subject matter
Devon Minerals Plan 2011-2033	February 2017	Devon	The Devon Minerals Plan contains the County Council's vision and objectives for minerals planning and provides the policy framework and site proposals to maintain the supply of minerals and limit the impacts of their working.
Devon Waste Plan	December 2014	Devon	The role of the Devon Waste Plan is to establish the overarching principles and policy direction for waste planning in Devon, it also identifies strategic sites for energy recovery across the County and a series of planning policies for making decisions on planning applications. The Plan covers the period to 2031.

2.4 Neighbourhood Plans were introduced through the Localism Act 2011. Neighbourhood Plans are a community-led framework for guiding the future development and growth of an area which conform to the strategic policies of the Local Plan. Neighbourhood Plans, once 'made' will be adopted as part of the overall development plan.

2.5 The following Neighbourhood Plans have either been 'made' / adopted by the Council or are currently under development within the Mid Devon area:

- Cullompton Neighbourhood Plan – 'made' / adopted 30th June 2021
- Crediton Neighbourhood Plan – 'made' / adopted 26th October 2022
- Tiverton Neighbourhood Plan – 'made' / adopted 14th December 2022
- Silvertown Neighbourhood Plan – 'made' / adopted 24th April 2024
- Willand Neighbourhood Plan – Decision made on 15th January 2025 for the neighbourhood plan to progress to a local referendum which will be held on 27th February 2025.
- Newton St Cyres Neighbourhood Plan – Area designation approved 15th December 2021.
- Lapford Neighbourhood Plan – Area designation approved 17th July 2023.

2.6 Supplementary Planning Documents (SPDs) are not part of the Local Plan, nor are they development plan documents. Therefore, information on their production is not set out within the LDS. Instead, such information can be found on the Mid Devon website at <https://new.middevon.gov.uk/planning-policy/supplementary-planning-documents/>.

3.0 NEW LOCAL PLAN FOR MID DEVON

3.1 The Council is currently preparing a new Local Plan for Mid Devon (which will be known as 'Plan Mid Devon'). This new Local Plan will cover Mid Devon District (excluding part of the district within the Dartmoor National Park). Once adopted it will form part of the statutory Development Plan for Mid Devon together with other development plans (once adopted) including the Devon Minerals and Waste Local Plans and Neighbourhood Plans. The new Local Plan will include a spatial development strategy, strategic policies and non-strategic policies for the use and development of land and buildings in Mid Devon.

3.2 The new Local Plan, once adopted, will supersede the Mid Devon Local Plan Review 2013 - 2033.

3.3 The following table sets out the timetable for production and adoption of the document and is based on the introduction of a new plan making system under the Levelling-up and Regeneration Act 2023 and new regulations expected in the summer 2025 (the details for which are not yet known). The timetable makes assumptions about a 30 month plan making timetable and proposals published by the previous Government in July 2023. This timetable will be subject to a further review once the new plan making regulations have been introduced.

Stage	Date
Give notice of start of plan-making (4 months notice)	August 2025 – November 2025
Gateway check (advisory) with the Planning Inspectorate	December 2025
Public consultation (mandatory 8 weeks) on draft vision and spatial options	March to April 2026
Gateway check (advisory) with the Planning Inspectorate	December 2026
Public consultation (mandatory 6 weeks) on draft plan	February to March 2027
Gateway check (stop / go) with the Planning Inspectorate	November 2027
Examination	December 2027 to May 2028
Adoption	June 2028

4.0 PROGRESS REPORTING

4.1 The Council is required to produce an Annual Monitoring Report (AMR) in December each year, covering the 'monitoring year' (of the preceding April-March period). A new AMR will be prepared which will set out the timetable for the

preparation of the new Local Plan, the stages which has been reached in relation to key milestones, and if they are behind schedule, the reasons for this.

4.2 The AMR will be made available on the Mid Devon website at:

<https://new.middevon.gov.uk/planning-policy/monitoring/>

5.0 IMPLEMENTATION

5.1 This LDS will have effect from the date of the publication of the decision of the Council's Cabinet meeting held on the 4th March 2025

6.0 REVIEW

6.1 The Planning and Compulsory Purchase Act 2004 states that local authorities can revise their LDS at such times as they consider appropriate. The Mid Devon District Council website will be updated to set out if the LDS has been subject to further revision. Proposed changes are subject to approval by the Council's Cabinet.



Report for: Cabinet

Date of Meeting: 04 March 2025

Subject: Access to Leisure for Unpaid Carers (Pilot)

Cabinet Member: Cabinet Member for Service Delivery and Continuous Improvements

Responsible Officer: Dean Emery Head of Revenues, Benefits and Leisure and Andy Mackie Leisure Services Manager

Enclosures: None

Executive Summary

The pilot aims to support unpaid carers by providing them access to leisure services. Recognising the vital role of unpaid carers in Mid Devon, the initiative seeks to alleviate their stress and improve well-being through opportunities for relaxation and social interaction. The pilot is being run on behalf of other Devon leisure facilities.

Recommendation(s):

1. Cabinet approve the pilot as detailed within this report; and
2. Cabinet approves that adult carers receive a 25% discount on membership, or a 20% discount on casual sessions. Additionally, carers under the age of 18 will be granted free access to the facilities; and
3. Cabinet approve delegation to the Deputy Chief Executive (s151) in consultation with the Cabinet member for Service Delivery and Continuous Improvement to make any minor changes as required to enable the pilot to proceed.

1.0 Background

- 1.1 In 2022, a six-month pilot provided unpaid carers free access to leisure facilities. The trial aimed to support carers' health while potentially reducing

reliance on state-funded social care. Initially limited to Adult Carers with a Carers Passport, the scheme later expanded to all unpaid carers.

- 1.2 This trial saw 242 people enrol; 213 adult carers, 13 young carers (16-18), and 16 child carers (<16). A range of data was collected and the results were shared with DCC and NHS colleagues. While all stakeholder showed interest, no one was prepared to fund or co-fund any continuation of the trial so it ended.
- 1.3 Carers provide an estimated £2.3 billion nationally in unpaid care annually some face financial hardship and health issues. The pilot aims to improve carers' well-being, thereby sustaining their caregiving roles.

2.0 Pilot Summary

- 2.1 The pilot will run for a duration of 12 months, from May 2025 to May 2026. During this period, adult carers will receive a 25% discount on membership or a 20% discount on casual sessions. Additionally, carers under the age of 18 will be granted free access to the facilities. To further foster community connections, we will host drop-in sessions with care ambassadors, providing social activities aimed at enhancing engagement among participants.
- 2.2 Introducing this initiative offers numerous benefits. Firstly, access to facilities will enable individuals to prioritise their physical and mental health, while also providing a supportive environment where they can unwind and remain active. Additionally, it presents an opportunity for unpaid carers to take a much-needed break from their responsibilities and focus on self-care. This initiative also encourages social interaction by allowing individuals to meet others in similar situations, thereby fostering the development of a support network. Moreover, offering free membership for those under 18 removes financial barriers, ensuring inclusivity, while discounted rates for adults make participation more affordable for everyone.

3.0 Identification Methods

- 3.1 Eligible individuals include those holding a Carers Passport, young carers who possess a Young Carers ID Card issued by the Devon Carers Young Carers service, and parent carers of children who either have a Max Card from Devon County Council (DCC) or can provide evidence of receiving Carers Allowance or Disability Living Allowance (DLA).

- 3.2 The service has worked with Devon County Council to design the offer.
- 3.3 Mid Devon has c2, 816 registered unpaid carers.
- 3.4 The proposed pilot will offer discounted leisure access to unpaid carers in Mid Devon, acknowledging that 40% of carers report leisure activities reduce loneliness.

4.0 Evaluation

- 4.1 To evaluate the effectiveness of the initiative, it is essential to monitor the number of carers utilising the facilities and track the frequency of their visits. Additionally, conducting surveys to assess the impact on the well-being of carers will provide valuable insights into how the program is benefiting them.
- 4.2 The evaluation will inform future initiatives and improve support for carers.

5.0 Considerations

- 5.1 The scheme could improve carers' physical and mental health, but must balance financial viability. Effective promotion is needed to ensure those most in need benefit.
- 5.2 Additionally, with current demand already exceeding capacity at all three sites, introducing a new membership category could place further strain on resources and lead to overcrowding, diminishing the experience for all our members. Facility capacity may be strained if demand exceeds expectations.
- 5.3 Devon County Council acknowledges the positive impact of the previous trial, particularly in reducing social isolation. Future initiatives should consider equitable access across the county.

6.0 Financial Implications

- 6.1 When proposing this pilot project to support unpaid carers through access to leisure services, it is important to consider the financial implications associated with its initiation, execution, and potential sustainability.
- 6.2 Membership Fees; a 25% discount for memberships and a 20% discount for pay as you go participation for services to help offset costs while ensuring affordability. We will increase the discount to 100% for young carers for those under 18 years old.

6.3 Funding opportunities will be explored with a view to keeping the offer after the pilot ends.

6.4 If the same number of carers accepted the offer as they did last time (1.2), due to the reduced membership fees, the potential loss in earnings would be £26k based on the reduction per adult membership. Considering the free membership for those under 18, the overall loss would total £10k. However, if unpaid adult carers pay the new rate and new adults join, it could generate an additional £78k in revenue. Still, the actual uptake is likely to be considerably lower because a payment is required, the previous pilot was free for adults.

7.0 Conclusion

7.1 The launch of this pilot aligns closely with our existing corporate objectives. Throughout the duration of the pilot, we will share updates and reports to evaluate participation and capacity. We will also initiate conversations with other organisations to explore potential external funding opportunities.

Legal Implications: None known.

Risk Assessment: While risks are inherent in any pilot project, proactive identification and management can help mitigate these challenges effectively. The pilot project can maximise its potential to support unpaid carers while ensuring that it is inclusive, accessible, and sustainable. Continuous monitoring and adaptation will be crucial to the project's success and its ability to meet the needs of all participants.

Impact on Climate Change: None as a direct result of this report known.

All three leisure facilities have implemented and are continuing to launch various decarbonisation initiatives to lower CO2 emissions.

Equalities Impact Assessment: The proposed pilot project to support unpaid carers by providing access to leisure services is likely to have several positive equalities impacts. However, it is essential to consider potential disparities and ensure that the project is inclusive and accessible to all carers.

- The project can include programs designed specifically for different demographics, such as young carers or older adults, addressing the unique needs of various groups.
- By removing some of the financial barriers to leisure services, the project promotes equal access for all unpaid carers, regardless of socioeconomic status. This is particularly beneficial for low-income carers who may otherwise lack the means to afford leisure activities.

- Involve care ambassadors representatives from the community in the planning process to ensure that the project meets the needs of all carers.
- Prior to launching the pilot, carry out an equality impact assessment to identify potential disparities and areas for improvement.

Relationship to Corporate Plan: Offering access to unpaid carers aligns with the corporate plan by promoting inclusivity, social responsibility, and community wellbeing, by recognising the vital role of unpaid carers in Mid Devon.

2) Community, People & Equalities - Involving and engaging with our communities, ensuring everyone is treated with equity and respect, and protecting our most vulnerable. 2.2) we value and will work closely with local Voluntary, Community and Social Enterprise organisations.

Statutory Officer sign-off

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 & Deputy CEO

Date: 18/02/2025

Chief Officer: Stephen Walford

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

Date: 18/02/2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 18/02/2025

Performance and risk: Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 18/02/2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Kelly Lee (Business Manager) & Andy Mackie (Operations Manager)

Email: klee@middevon.gov.uk & amackie@middevon.gov.uk

Telephone: Kelly Lee: 01884 234900 or ext. 4967 Andy Mackie ext. 4961.

Background papers: Candy Worf - Commissioning and Market Development Manager, Lead Commissioner for Carers, and Dementia portfolios.

<https://democracy.devon.gov.uk/mgConvert2PDF.aspx?ID=49221>

Edward Walker – Brown, Commissioning Support Officer, Integrated Adult Social Care, Devon County Council.

Mid Devon District Corporate Plan 2024-2028.

Appendix: 1.1 - 2022 Pilot

Proposed Pilot Project: Support for Unpaid Carers – Access to leisure

Project Outline

This project will explore the service impact and associated costs/benefits of providing unpaid carers with (free) access to council-provided leisure facilities via the sports and leisure centres across the district (gym/swimming etc).

Project Overview

This Project is being considered at the express request of Carers in Devon through the (County-level) Carers Partnership Steering Group.

By way of context, unpaid carers are roughly one in six of all citizens, and we know about 42,000 across the county through the Integrated Adult Social Care service and the commissioned provider of carer services, 'Devon Carers'. The economic value of carers' unpaid work to the health and social care economy is now estimated at £2.9 billion per annum in Devon. On balance, carers are poorer and less healthy than the non-caring population, and typically put caring for their own wellbeing behind that of the person(s) for whom they care. Encouraging healthy exercise is particularly important in maintaining Carers' own health and wellbeing and, by extension, the wellbeing of those for whom they care, by maintain the caring role.

Project Description

This project will utilise existing identification methods to administer access at leisure sites. The 'Carers Passport' is a pre-existing authentication regime and will ensure that leisure centre staff can effectively administer/record the demand through this project i.e. there will be no additional verification procedure required at site level. Such an approach may also have the benefit of publicising the Carers Passport scheme more widely and increasing take-up, which will help DCC better understanding and manage the network of support across the county.

The project will run for 6 months from 1st July until 31st December 2022 to allow for a representative period to be assessed and to allow for evaluation to take place in the first quarter of 2023.

The pilot project will provide free access to a service that is currently restricted by price, therefore it is important to understand the potential demand and the possible take-up. There are approximately 1818 holders of Carers Passports in the Mid Devon area (see table 1 below for parish breakdown) and while it is possible for (Carers) passport holders to participate in the pilot from across the wider county, it is considered unlikely that carers would be willing or able to travel long distances, meaning the amount of cross-border movement anticipated seems likely to be at low levels. As such, the likely demand can be assessed as this cohort, plus any further expansions in Carers Passports within Mid Devon.

Project Evaluation

At the most fundamental level, the evaluation metrics need to include the numbers of carers accessing the leisure sites. It would also be useful to understand the proportion of one-off and repeat visits by carers. For this pilot project, that is probably sufficient so as not to add an impractical administrative burden on carers or leisure staff.

It has been confirmed that leisure staff will record each visit: date/time and purpose (gym/swim etc) and will ask the user whether this is their first visit or a repeat visit. This will be evaluated after the end of the pilot.

It may be that wider surveys of passport holders can be done retrospectively to capture a qualitative evaluation of both take-up and personal sense of value (i.e. how much did it help them, did it help them move into a new space in the Carers Wheel (an outcome measurement tool developed in Devon over 10 years alongside carers and health and social care staff).

Table 1. Spread of carers with Carer Passports currently in Mid Devon, broken down by parish

Bampton	34	Kentisbeare	12
Bickleigh	9	Lapford	37
Bow	25	Loxbeare	3
Bradninch	50	Morchard Bishop	26
Brushford	1	Morebath	4
Burlescombe	22	Newton St. Cyres	21
Butterleigh	2	Nymet Rowland	5
Cadbury	3	Oakford	6
Cadeleigh	5	Poughill	6
Chawleigh	22	Puddington	3
Cheriton Bishop	25	Sampford Peverell	33
Cheriton Fitzpaine	14	Sandford	33
Clannaborough	5	Shobrooke	23
Clayhanger	3	Silverton	45
Clayhidon	10	Stockleigh Pomeroy	4
Coldridge	7	Stoodleigh	10
Colebrooke	7	Templeton	5
Copplestone	24	Thelbridge	7
Crediton	190	Thorverton	24
Crediton Hamlets	36	Tiverton	511
Cruwys Morchard	12	Uffculme	69
Cullompton	205	Uplowman	5
Culmstock	14	Upton Hellions	1
Down St. Mary	6	Washfield	10
Halberton	38	Washford Pyne	1
Hemyock	39	Wembworthy	1
Hittisleigh	4	Willand	80
Hockworthy	2	Woolfardisworthy	3
Holcombe Rogus	4	Zeal Monachorum	6
Huntsham	3	Mid Devon	1818
Kennerleigh	3		



Report for: Cabinet

Date of Meeting: 4 March 2025

Subject: **AWARD OF DRAINAGE WORKS CONTRACT FOR HRA PROPERTIES 2025 - 2029**

Cabinet Member: Cllr Simon Clist, Deputy Leader and Cabinet Member for Housing, Assets and Property

Responsible Officer: Simon Newcombe – Head of Housing and Health

Exempt: Annex A – PART II report
Exempt from publication under paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)

Wards Affected: All

Enclosures: Annex A – PART II report

Section 1 – Summary and Recommendation(s)

To advise Members on the results for the tendering of the Drainage Works Contract for HRA Properties 2025 – 2029 and confirm the award of the contract.

Recommendation(s):

- 1. It is recommended that the new four year Drainage Works Contract for HRA Properties 2025 - 2029, be awarded to Contractor 1**
- 2. Delegated authority be granted to the S151 Officer (in consultation with the Cabinet Member for Housing, Assets and Property) to complete the associated Drainage Works Contract for HRA Properties 2025-2029.**

Section 2 – Report

1 Introduction

- 1.1 Mid Devon Housing (MDH) has a requirement to maintain its properties including private sewers that are Housing Revenue Account (HRA) assets. This contract will support this duty by ensuring that drains are maintained and emergency blockages resolved.
- 1.2 The term of this contract is for an initial two years the option to extend 3 x 12 months, or to terminate the contract at the end of each year subject to performance.
- 1.3 Due to the nature and value of this procurement, the appropriate procedure was an open tender process. This means that anyone who expressed an interest in the contract would be invited to tender

2 Procurement Process

- 2.1 A Tender Notice under Open Tender was published on the 5th December 2024. A Tender advertisement was also placed in Find a Tender and Contracts Finder. The Invitation to Tender was issued via ProContract on the 5th December 2024.

- 2.2 Evaluation criteria set out in the ITT:

Quality	60%
Skill, Knowledge, Expertise and Capacity	20%
Communication	20%
Environmental Benefits	20%
Price	40%

- 2.3 Responses were required by midday on 6 January 2025.
- 2.4 20 invitations to tender were issued, 14 gave no response, 2 opted out leaving 4 submissions. There were no late submissions.
- 2.5 Representatives from MDH Building Repairs Service carried out evaluations during January 2025.
- 2.6 The price was based on a schedule of rates within the tender. The lowest priced tender was awarded 40% and the higher priced tenders were awarded the percentage difference. Contractor 3 and 5 scored highest on quality, as set out below.
- 2.7 The outcome of the evaluation is shown below:

CONTRACTOR	SCORE		TOTAL
	QUALITY	PRICE	
Contractor 1	44.00%	38.87%	82.87%
Contractor 2	24.00%	39.28%	63.28%
Contractor 3	28.00%	24.44%	52.44%
Contractor 4	32.00%	40.00%	72.00%

3 Conclusion

- 3.1 The outcome of the tender process shows Contractor 1 as the winning bidder.
- 3.2 Approval is required from Cabinet for this contract to be formally awarded.
- 3.3 Following the decision, there will be a compulsory 10-day standstill period after which the contract will be awarded.
- 3.4 The contract will not commence until after the 1 April 2025.

Financial Implications

The Housing Revenue Account (HRA) budget for the works is £70,000.00 per annum. Drainage Works to the Council's HRA properties will allow the service to keep homes in repair and prevent damage or risk to health. Further information is provided in the report and as set out fully in Part II Annex A.

Legal Implications

We have a legal duty to let our Council Homes in a reasonable condition, which also contributes to the Decent Homes Standard, and well being of our tenants. The conditions of engagement are based on a standard contract. This provides a robust framework for managing and controlling the performance of the contractor to meet our legal obligations.

Risk Assessment

The principal risk is failing to limit costs due to additional works and delivery of the programme. The performance of the contract shall be monitored monthly; corrective action will be taken where performance falls below Key Performance Indicator Targets. These also include: 1) Customer satisfaction; 2) Variations and extras; 3) Delivery of programme; 4) Number of defects; 5) Managing Health and Safety

Impact on Climate Change

The environmental impact was included as a major part of the contractor evaluation.

Equalities Impact Assessment

All staff have received Equality and Diversity awareness training. MDDC discuss equality and diversity at the progress meetings and encourage the contractor to carry out awareness training.

Relationship to Corporate Plan

Homes are a priority for the Council and in the context this contract includes supporting the delivery of several key objectives; investing in our homes, monitoring tenant satisfaction and ensuring our tenants feel safe, secure and happy in our homes.

To contribute towards meeting our obligations relating to the Decent Homes target by making best use of the existing stock.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Deputy Chief Executive (S151) Officer

Date: 18.02.2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 18.02.2025

Performance and risk: Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 18.02.2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Mike Lowman, Operations Manager for Building Services

mlowman@middevon.gov.uk or Simon Newcombe, Head of Housing and Health –

snewcombe@middevon.gov.uk

Background papers:

ANNEX A: PART II - Confidential

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

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Report for: Cabinet

Date of Meeting: 4 March 2025

Subject: **AWARD OF INTERNAL PAINTING CONTRACT FOR HRA PROPERTIES 2025 – 2029**

Cabinet Member: Cllr Simon Clist, Deputy Leader and Cabinet Member for Housing, Assets and Property

Responsible Officer: Simon Newcombe, Head of Housing and Health

Exempt: Annex A - PART II report.
Exempt from publication under paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)

Wards Affected: All

Enclosures: Annex A – PART II report

Section 1 – Summary and Recommendation(s)

To advise Members on the results for the tendering of the Internal Painting Contract for HRA Properties 2025 – 2029 and confirm the award of the contract.

Recommendation(s):

- 1. It is recommended that the new four year Internal Painting Contract for HRA Properties 2025 - 2026, be awarded to Contractor 7**
- 2. Delegated authority be granted to the S151 Officer (in consultation with the Cabinet Member for Housing, Assets and Property) to complete the associated Internal Painting Contract for HRA Properties 2025-2029.**

Section 2 – Report

1 Introduction

- 1.1 Mid Devon Housing (MDH) has a requirement to maintain its void properties prior to letting. This contract will support this duty by reducing the time taken to bring the properties back to a lettable standard and reduce the amount of rent lost during the void process.
- 1.2 The term of this contract is four years with the option to terminate the contract at the end of each year subject to performance.
- 1.3 Due to the nature and value of this procurement, the appropriate procedure was an open tender process. This means that anyone who expressed an interest in the contract would be invited to tender

2 Procurement Process

- 2.1 Expressions of interest were invited via a notice in the Advantage South West Procurement Portal published on the 22 November 2024.
- 2.2 Evaluation criteria set out in the Invitation to Tender (ITT):

Quality	60%
Skill, Knowledge, Expertise and Capacity	20%
Communication	20%
Environmental Benefits	20%
Price	40%

- 2.3 Responses were required by midday on 23 December 2024.
- 2.4 There were a total of 42 expressions of interest of which 15 submitted their tenders on time, 2 of these were incomplete, 6 opted out and 21 did not respond. The main reasons given for opting out were due to being unable to meet our requirements and unable to supply in our area.
- 2.5 Representatives from MDH Building Repairs teams carried out evaluations during January 2025.
- 2.6 The price was based on a schedule of rates within the tender. The lowest priced tender was awarded 40% and the higher priced tenders were awarded the percentage difference. Contractor 3 and 5 scored highest on quality, as set out below.
- 2.7 The outcome of the evaluation is shown below:

CONTRACTOR	SCORE		TOTAL
	QUALITY	PRICE	
Contractor 1	36.00%	31.85%	67.85%
Contractor 2	32.00%	36.71%	68.71%
Contractor 3	40.00%	23.89%	63.89%
Contractor 4	36.00%	25.08%	61.08%
Contractor 5	40.00%	28.67%	68.67%
Contractor 6	12.00%	19.80%	31.80%
Contractor 7	32.00%	37.62%	69.62%
Contractor 8	12.00%	31.35%	43.35%
Contractor 9	8.00%	30.10%	38.10%
Contractor 10	24.00%	19.67%	43.67%
Contractor 11	24.00%	28.26%	52.26%
Contractor 12	24.00%	40.00%	64.00%
Contractor 13	28.00%	28.94%	56.94%

3 Conclusion

- 3.1 The outcome of the tender process shows Contractor 7 as the winning bidder.
- 3.2 Approval is required from Cabinet for this contract to be formally awarded.
- 3.3 Following the decision, there will be a compulsory 10-day standstill period after which the contract will be awarded.
- 3.4 The contract will not commence until after the 1 April 2025.

Financial Implications

The Housing Revenue Account (HRA) budget for the works is £100,000.00 per annum. Internal Painting services to the Council's HRA void properties will result in an increased income, which will enable the Mid Devon Housing to operate more effectively. Further information is provided in the report and as set out fully in Part II Annex A.

Legal Implications

We have a legal duty to let our Council Homes in a reasonable condition, which also contributes to the Decent Homes Standard, and well being of our tenants. The conditions of engagement are based on a standard contract. This provides a robust framework for managing and controlling the performance of the contractor to meet our legal obligations.

Risk Assessment

The principal risk is failing to limit costs due to additional works and delivery of the programme. The performance of the contract shall be monitored monthly; corrective action will be taken where performance falls below Key Performance Indicator Targets. These also include: 1) Customer satisfaction; 2) Variations and extras; 3) Delivery of programme; 4) Number of defects; 5) Managing Health and Safety

Impact on Climate Change

The environmental impact of the services being contracted was included as a key part of the contractor evaluation.

Equalities Impact Assessment

All staff have received Equality and Diversity awareness training. MDDC discuss equality and diversity at the progress meetings and encourage the contractor to carry out awareness training.

Relationship to Corporate Plan

Homes are a priority for the Council and in the context this contract includes supporting the delivery of several key objectives; investing in our homes, monitoring tenant satisfaction and ensuring our tenants feel safe, secure and happy in our homes.

To contribute towards meeting our obligations relating to the Decent Homes target by making best use of the existing stock.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Deputy Chief Executive (S151) Officer

Date: 18.02.2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 18.02.2025

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 07/02/2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Mike Lowman, Operations Manager for Building Services
mlowman@middevon.gov.uk or Simon Newcombe, Head of Housing and Health –
snewcombe@middevon.gov.uk

Background papers:

ANNEX A: PART II - Confidential

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Report for: Cabinet

Date of Meeting: 4 March 2025

Subject: Insurance Contracts Award

Cabinet Member: James Buczkowski – Cabinet Member for Governance, Finance & Risk

Responsible Officer: Andrew Jarrett – Deputy Chief Executive (S151)

Exempt: ANNEX A: PART II

Wards Affected: All

Enclosures: ANNEX A: PART II - Confidential

Section 1 – Summary and Recommendation(s)

To advise Members on the results for the insurance contract tender for the whole Council from 1 April 2025 – 31 March 2028 (3 years) with the option to extend for a further 2 years and request approval to award of the contract.

Recommendation(s):

1. Cabinet is recommended to approve the new insurance contracts for the period 1 April 2025 – 31 March 2028 be awarded to:
 - Insurer 3 – Lot 1 – General Properties
 - Insurer 3 – Lot 2 – Industrial and Commercial Property
 - Insurer 4 – Lot 3 – Casualty and Crime
 - Insurer 5 – Lot 4 – Motor Fleet
 - Insurer 4 – Lot 5 – Personal Accident and Travel
 - Insurer 4 – Lot 6 – Engineering Insurance and Inspection
 - Insurer 3 – Lot 7 – Leasehold Right to Buy

Section 2 – Report

1. Introduction

1.1. The expiry of the current long-term agreement on 31 March 2025 necessitated a Public tender for new insurance cover. Overall, the Tender has been a success for the following reasons:-

- Increased competition for the tender opportunity;
- A fully compliant procurement process; and
- Expanded range of risk management support now available on the key insurance risks

1.2. AJ Gallaghers were appointed on 1 November 2024 via a direct award under YPO framework 001160 to support the Council in the tender for Insurance Services and on-going brokerage support. The role of AJ Gallaghers is to:

- Provide advice and support throughout the tender process;
- Work closely with MDDC Insurance Officers to prepare the tender documents for each Lot stated above;
- Support MDDC Insurance Officers to answer tender clarification questions;
- Carry out the quality evaluations from Insurance tender bids received; and
- Produce an evaluation report to MDDC showing the scoring achieved for each tender submission in consultation with MDDC Insurance Officers.

2. Procurement Process

2.1. The insurance tender documents were published on the Proactis portal on 19 December 2024 with the deadline of 3 February 2025 for completed submissions from interested insurance providers.

2.2. The insurance portfolio was split into seven distinct Lots. Appropriate and bespoke Award Criteria were agreed and designed to ensure that Suppliers demonstrated within their bids how they were able to deliver the required level of cover and service.

2.3. Each Lot has been evaluated on a standalone basis. The Evaluation is in terms of each bid meeting all aspects of the Award Criteria for that Lot.

2.4. The Criteria were structured along Price: Non-Price weighting percentages as detailed below.

Lot		Price %	Specification %	Standard Service %	Claims Service %	Range of Services %
1	General Property	40	25	5	15	15
2	Industrial and Commercial	40	25	25	10	
3	Casualty and Crime	40	25	5	15	15
4	Motor Fleet	60	15	5	15	5
5	Personal Accident and Travel	60	15	5	15	5
6	Engineering Insurance and Inspection	60	10	25		5
7	Leasehold Right to Buy	60	10	10	20	

2.5. Scoring Analysis for the Tenders received, and how the scoring under the Award Criteria was applied are shown below.

Lot	SCORING								
	Insurer 1		Total	Insurer 2		Total	Insurer 3		Total
	Quality	Price		Quality	Price		Quality	Price	
Lot 1							41.00%	40.00%	81.00%
Lot 2							41.00%	40.00%	81.00%
Lot 3				41.00%	29.23%	70.23%	41.00%	30.81%	71.81%
Lot 4				27.00%	53.45%	80.45%	27.00%	59.32%	86.32%
Lot 5				30.00%	46.21%	76.21%			
Lot 6	37.00%	50.48%	87.48%						
Lot 7							26.00%	60.00%	86.00%

Lot	SCORING								
	Insurer 4		Total	Insurer 5		Total	Insurer 6		Total
	Quality	Price		Quality	Price		Quality	Price	
Lot 1							39.00%	31.21%	70.21%
Lot 2							41.00%	19.74%	60.74%
Lot 3	50.00%	40.00%	90.00%	51.00%	35.21%	86.21%	47.00%	33.66%	80.66%
Lot 4	34.00%	49.23%	83.23%	32.00%	60.00%	92.00%	28.00%	55.35%	83.35%
Lot 5	35.00%	60.00%	95.00%				26.00%	27.18%	53.18%
Lot 6	38.00%	60.00%	98.00%						
Lot 7							26.00%	28.62%	54.62%

3. Conclusion

3.1. The outcome from the tender evaluation process shows the successful insurer for each lot as follows:

Lot 1 – Insurer 3

Lot 2 – Insurer 3

Lot 3 – Insurer 4

Lot 4 – Insurer 5

Lot 5 – Insurer 4

Lot 6 – Insurer 4

Lot 7 – Insurer 3

3.2. Approval is required from Cabinet for these contracts to be formally awarded.

3.3. Following the decision to award these contracts there will be a compulsory 10 day standstill period after which the insurance contracts will be awarded.

3.4. The awarded insurance contracts will come into effect from 1 April 2025.

Financial Implications

The award of this contract will realise a pressure of £78,314.08 against existing insurance premium and a £23,828.04 pressure against 2025/26 budget. This contract award protects the Council and its services from the financial risk of liability claims.

Legal Implications

The insurance tender terms and conditions have already been agreed as part of the YPO framework. This provides a robust framework for managing and controlling the performance of the insurance providers to ensure our legal obligations are met.

Risk Assessment

With multiple insurance providers covering a range of the Council's insurance requirements careful management of these contracts will be needed. Working closely with our appointed insurance broker, carrying out risk assessments, staying up-to-date with the Council's needs will help reduce the insurance risk.

Impact on Climate Change

As the Council implements its climate change action plan to reduce carbon footprint through vehicles, property and equipment the right insurance will be required to protect the assets for the future.

Equalities Impact Assessment

There are no Equalities Impact implications relating to the content of this report.

Relationship to Corporate Plan

Ensuring appropriate levels of insurance cover are in place minimises the financial risk associated with liability claims and protects the property portfolio to enable the Council to finance the delivery of its Corporate Plan objectives.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 24.02.2025

Statutory Officer: Maria De Lieburne

Agreed on behalf of the Monitoring Officer

Date: 24.02.2025

Chief Officer: Stephen Walford

Agreed by or on behalf of the Chief Executive

Date: 24.02.2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Andrew Jarrett – Deputy Chief Executive (S151)

Email: ajarrett@middevon.gov.uk

Telephone: 01884 234242

Contact: Paul Deal –Head of Service for Finance, Property and Climate Resilience

Email: pdeal@middevon.gov.uk

Telephone: 01884 234254

Background papers:

ANNEX A: PART II - Confidential

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MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

February 2025



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

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
March 2025					
Domestic Drainage Works Contract 2025-2029	Cabinet	4 Mar 2025	Mike Lowman, Building Services Operations Manager	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Works Agreement for the Measured Term, Internal Painting Contract 2025-2029	Cabinet	4 Mar 2025	Stephen Bennett, Building Surveyor	Cabinet Member for Housing, Assets and Property and Deputy Leader	Part exempt
Mid Devon Residents Survey 2024	Cabinet	4 Mar 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Leader of the Council	Open
Policy Framework	Cabinet	4 Mar 2025	Laura Woon, Democratic Services Manager	Leader of the Council	Open

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Agenda Item 18.

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Establishment Report	Cabinet	4 Mar 2025	James Hamblin, Operations Manager for People Services	Cabinet Member for People, Development and Deputy Leader	Open
Pay Policy Report	Cabinet	4 Mar 2025	James Hamblin, Operations Manager for People Services	Leader of the Council	
Unpaid Carers access to Leisure	Cabinet	4 Mar 2025	Andy Mackie, Leisure Services Manager	Cabinet Member for Service Delivery and Continuous Improvement	Open
The Council's Insurance tender	Cabinet	4 Mar 2025	Claire Gillard, Accountant	Cabinet Member for Governance, Finance and Risk	
2024/2025 Quarter 3 Budget Monitoring Report	Cabinet	4 Mar 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Local Development Scheme	Cabinet	4 Mar 2025	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Right to Buy Policy (NEW) To receive the new Right to Buy Policy.	Homes Policy Development Group Cabinet Council	28 Jan 2025 4 Mar 2025 23 Apr 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
MDH Safeguarding Adults at Risk, Children and Young People Policy (NEW) To receive the new Safeguarding Policy for Mid Devon Housing	Homes Policy Development Group Cabinet Council	28 Jan 2025 4 Mar 2025 23 Apr 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
April 2025					
Replacement PVCU Double Glazed Unit / Entrance Doors	Cabinet	1 Apr 2025		Cabinet Member for Housing, Assets and Property and Deputy Leader	Part exempt

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Artificial Intelligence (AI) Policy (NEW) To detail MDDC's AI policy in the protection of Information assets and ethical use.	Service Delivery & Continuous Improvement Policy Development Group Cabinet Council	10 Mar 2025 1 Apr 2025 23 Apr 2025	Lisa Lewis, Head of Digital Transformation & Customer Engagement	Cabinet Member for Quality of Living, Equalities and Public Health	Open
Penancy Accommodation Project	Cabinet	1 Apr 2025	Tanya Wenham, Operations Manager for Public Health and Housing Options	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Housing Rent Error Update Report To receive a report updating the current position regarding the Housing Rents Error.	Homes Policy Development Group Cabinet	18 Mar 2025 1 Apr 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Complaints and Feedback Policy	Cabinet	1 Apr 2025	Lisa Lewis, Head of Digital Transformation & Customer Engagement	Cabinet Member for People, Development and Deputy Leader	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Tenancy Options Waste Services– Carlu Close To consider the future of the tenancy at Carlu Close	Cabinet	1 Apr 2025	Darren Beer, Operations Manager for Street Scene	Cabinet Member for Service Delivery and Continuous Improvement	Open
Corporate Performance Q3; Corporate Risk Q3; Performance Dashboard Q3	Cabinet	1 Apr 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Willand Neighbourhood Plan	Planning, Environment & Sustainability Policy Development Group	26 Nov 2024	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration	Open
	Cabinet	7 Jan 2025			
	Planning, Environment & Sustainability Policy Development Group	11 Mar 2025			
	Cabinet	1 Apr 2025			
	Council	23 Apr 2025			

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<p>Downsizing Work Group report To receive a report from the Downsizing Working Group who were tasked by the Homes PDG to look at the options in this area.</p>	<p>Homes Policy Development Group Cabinet</p>	<p>18 Mar 2025 1 Apr 2025</p>			<p>Open</p>
<p>Tenant Involvement Strategy To receive the revised Tenant involvement Strategy.</p>	<p>Homes Policy Development Group Cabinet</p>	<p>18 Mar 2025 1 Apr 2025</p>	<p>Simon Newcombe, Head of Housing & Health</p>	<p>Cabinet Member for Housing, Assets and Property and Deputy Leader</p>	<p>Open</p>
<p>Tenancy Management Policy To receive the revised Tenancy Management Policy.</p>	<p>Homes Policy Development Group Cabinet</p>	<p>18 Mar 2025 1 Apr 2025</p>	<p>Simon Newcombe, Head of Housing & Health</p>	<p>Cabinet Member for Housing, Assets and Property and Deputy Leader</p>	<p>Open</p>
<p>Variation to Standard Tenancy Agreement That the Homes PDG recommends to Cabinet that the procedure for the variation of tenancy conditions in line with the Housing Act 1985 (sections 102 & 103) commence.</p>	<p>Homes Policy Development Group Cabinet</p>	<p>18 Mar 2025 1 Apr 2025</p>	<p>Simon Newcombe, Head of Housing & Health</p>	<p>Cabinet Member for Housing, Assets and Property and Deputy Leader</p>	<p>Open</p>

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
<p>Community Safety Partnership Update - Priorities and Action Plan Report To consider the report</p>	<p>Community, People & Equalities Policy Development Group Cabinet</p>	<p>25 Mar 2025 1 Apr 2025</p>	<p>Simon Newcombe, Head of Housing & Health</p>	<p>Cabinet Member for Quality of Living, Equalities and Public Health Cabinet Member for Parish and Community Engagement</p>	<p>Open</p>
<p>Single Equalities Policy and Quality Objective</p>	<p>Community, People & Equalities Policy Development Group Cabinet</p>	<p>25 Mar 2025 1 Apr 2025</p>	<p>Matthew Page, Head of People, Performance & Waste</p>	<p>Cabinet Member for Quality of Living, Equalities and Public Health Cabinet Member for People, Development and Deputy Leader</p>	<p>Open</p>
<p>Housing Delivery Test Action Plan</p>	<p>Cabinet</p>	<p>1 Apr 2025</p>	<p>Tristan Peat, Forward Planning Team Leader</p>	<p>Cabinet Member for Planning and Economic Regeneration</p>	<p>Open</p>

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Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
May 2025					
Air Quality Action Plan To consider the report	Community, People & Equalities Policy Development Group Cabinet	25 Mar 2025 Not before 20th May 2025	Simon Newcombe, Head of Housing & Health Jason Ball, Climate and Sustainability Specialist	Cabinet Member for Planning and Economic Regeneration Cabinet Member for Quality of Living, Equalities and Public Health	Open
Contract Decision- Mid Devon Housing build, Honiton Road, Cullompton	Cabinet	20 May 2025	Simon Newcombe, Head of Housing and Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Fully exempt
Blackdown Hills National Landscape Management Plan	Cabinet	Not before 20th May 2025	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration	Open
June 2025					
Housing Strategy To receive the revised Housing Strategy.	Homes Policy Development Group Cabinet	3 Jun 2025 17 Jun 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
2024/25 Annual Treasury outturn report	Cabinet	17 Jun 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
2024/25 Revenue and Capital Outturn Report	Cabinet	17 Jun 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
July 2025					
Public Health Food Safety Service Plan To consider the report.	Cabinet	8 Jul 2025	Harriet Said, Team Leader (Commercial), Public Health, Simon Newcombe, Head of Housing & Health	Cabinet Member for Quality of Living, Equalities and Public Health	Open
Unauthorised Encampment Policy To consider the report	Cabinet	8 Jul 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Corporate Risk Report	Audit Committee Cabinet	24 Jun 2025 8 Jul 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Annual Performance Report	Cabinet	8 Jul 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Community Engagement Strategy (Including Action Plan) Community Engagement Strategy	Cabinet	8 Jul 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Parish and Community Engagement	Open
Asset Management Plan To receive the revised Asset Management Plan.	Economy & Assets Policy Development Group Cabinet	19 Jun 2025 8 Jul 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Destination Management Plan for Mid Devon	Economy & Assets Policy Development Group Cabinet	19 Jun 2025 8 Jul 2025	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery	Cabinet Member for Planning and Economic Regeneration	Open
Economic Strategy 2024 - 2029	Economy & Assets Policy Development Group Cabinet	19 Jun 2025 8 Jul 2025	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery	Cabinet Member for Planning and Economic Regeneration	Open
August 2025					
Plan Mid Devon- Draft Policies and Site Options	Cabinet	Not before 31st Aug 2025	Tristan Peat, Forward Planning Team Leader		Open
September 2025					
MTFP Report	Cabinet	2 Sep 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Corporate Risk Report	Audit Committee Cabinet	30 Sep 2025 7 Oct 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
October 2025					
Play Area Inspection Policy To receive and approve the revised Play Area Inspection Policy.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	15 Sep 2025 7 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Service Delivery and Continuous Improvement	Open
Corporate Performance Q1	Cabinet	7 Oct 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Draft Budget Report 2026/2027	Cabinet	7 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Data Policy (NEW) for MDH To receive the new Data Policy for Mid Devon Housing	Homes Policy Development Group Cabinet Council	Not before 9th Sep 2025 Not before 7th Oct 2025 Not before 29th Oct 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
November 2025					
Tenancy Strategy To receive the revised Tenancy Strategy	Homes Policy Development Group Cabinet	18 Nov 2025 2 Dec 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Draft Budget Report 2026/2027	Cabinet	4 Nov 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Corporate Recovery Policy To receive the updated Corporate Recovery Policy.	Audit Committee Cabinet	30 Sep 2025 4 Nov 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Tax Base Calculations	Cabinet Council	4 Nov 2025 17 Dec 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
December 2025					
Strategic Grants Review 2025 To consider requests from external organisations for grants.	Cabinet	2 Dec 2025	Zoë Lentell, Economic Development Team Leader	Cabinet Member for Parish and Community Engagement	Open
Draft Budget Report 2026/2027	Cabinet	2 Dec 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Corporate Performance Q2	Cabinet	2 Dec 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Corporate Risk Report	Cabinet	2 Dec 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Corporate Anti-Social Behaviour Policy To consider the report.	Community, People & Equalities Policy Development Group Cabinet	11 Nov 2025 2 Dec 2025		Cabinet Member for Quality of Living, Equalities and Public Health	Open
January 2026					
Shopfront Enhancement Schemes To receive a report setting out the Shopfront Enhancement scheme for approval.	Economy & Assets Policy Development Group Cabinet	27 Nov 2025 13 Jan 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Planning and Economic Regeneration	Open
Draft Budget Report 2026/2027	Cabinet	13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Fees and Charges Report	Cabinet	13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
February 2026					
Pay Policy Report	Cabinet Council	10 Feb 2026 18 Feb 2026	James Hamblin, Operations Manager for People Services	Leader of the Council	Open
Draft Budget Report 2026/2027	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2026/27	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
2026/2027 Capital Strategy and 2026/2027 Capital Programme	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Establishment Report	Cabinet Council	10 Feb 2026 18 Feb 2026	James Hamblin, Operations Manager for People Services	Cabinet Member for Service Delivery and Continuous Improvement	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Policy Framework	Cabinet	10 Feb 2026	Laura Woon, Democratic Services Manager	Leader of the Council	Open
	Council	18 Feb 2026			
Business Rates Tax Base	Cabinet	10 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
	Council	18 Feb 2026			
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Single Equalities Policy and Equality Objective To consider the report.	Cabinet	7 Apr 2026	Matthew Page, Head of People, Performance & Waste, Dr Stephen Carr, Corporate Performance & Improvement Manager	Cabinet Member for People, Development and Deputy Leader	Open
Corporate Risk Report	Cabinet	7 Apr 2026	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Corporate Performance Q3	Cabinet	7 Apr 2026	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Customer Care Policy To receive the revised Customer Care Policy.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	23 Mar 2026 7 Apr 2026	Lisa Lewis, Head of Digital Transformation & Customer Engagement	Cabinet Member for Service Delivery and Continuous Improvement	Open
Tenancy Fraud (NEW) To receive and approve a new policy in relation to Tenancy Fraud.	Homes Policy Development Group Cabinet Council	17 Mar 2026 7 Apr 2026 22 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Aids and Adaptations policy To receive a report updating and reviewing the Aids and Adaptations Policy.	Homes Policy Development Group Cabinet	17 Mar 2026 7 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open