

Scrutiny Committee

Monday, 16 December 2024 at 5.00 pm
Phoenix Chambers, Phoenix House, Tiverton

Next ordinary meeting
Monday, 13 January 2025 at 5.00 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.

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Membership

Cllr L G J Kennedy
Cllr G Westcott
Cllr D Broom
Cllr E Buczkowski
Cllr A Cuddy
Cllr G Czapiewski
Cllr M Farrell
Cllr C Harrower
Cllr B Holdman
Cllr L Knight
Cllr R Roberts
Cllr S Robinson

AGENDA

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

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

Note: A maximum of 30 minutes is allowed for this item.
- 4 **Minutes of the previous meeting** (*Pages 5 - 20*)
To consider whether to approve the minutes as a correct record of the meeting held on Monday 25 November 2024.
- 5 **Chair's Announcements**
To receive any announcements that the Chairman of Scrutiny Committee may wish to make.
- 6 **Decisions of the Cabinet**
To consider any decisions made by the Cabinet at its last meeting on 10 December 2024 that have been called-in.
- 7 **Examination and Review of Freedom of Information processes within Mid Devon District Council** (*Pages 21 - 30*)
To receive a report from the Head of Digital Transformation and Customer Engagement.
- 8 **Corporate Performance Quarter 2** (*Pages 31 - 46*)
To receive a report from the Corporate Manager for Performance and Improvement.
- 9 **Destination Management Plan** (*Pages 47 - 54*)
To receive a report from the Director of Place and Economy on the Destination Management Plan with an emphasis on data and visitor spend.
- 10 **Portfolio Presentation from the Cabinet Member for Quality of Living , Equalities and Public Health**
To receive a presentation from the Cabinet Member for Quality of Living, Equalities and Public Health.

- 11 **Work Programme** (Pages 55 - 62)
To review the existing Work Plan and consider items for the committee's future consideration, taking account of:
- a) Any items within the Forward Plan for discussion at the next meeting;
 - b) Suggestions of other work for the committee in 2025 including consideration of Work Proposal Forms.

Stephen Walford
Chief Executive
Friday, 6 December 2024

Meeting Information

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

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MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 25 November 2024 at 5.00 pm

**Present
Councillors**

G Westcott (Vice-Chair), D Broom,
E Buczkowski, A Cuddy, G Czapiewski,
M Farrell, C Harrower, L Knight, R Roberts
and S Robinson

**Apologies
Councillors**

L G J Kennedy and B Holdman

**Also Present
Councillors**

G Duchesne

**Also Present
Officers:**

Maria De Leburne (Director of Legal, People & Governance (Monitoring Officer)), Richard Marsh (Director of Place & Economy), Lisa Lewis (Head of Digital Transformation & Customer Engagement), Laura Woon (Democratic Services Manager) and David Parker (Democratic Services & Policy Research Officer)

**Councillors
Online**

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

Officers Online

Andrew Jarrett (Deputy Chief Executive S151), Paul Deal (Head of Finance, Property and Climate Resilience), Simon Newcombe (Head of Housing and Health) and Tristan Peat (Forward Planning Team Leader)

47 APOLOGIES AND SUBSTITUTE MEMBERS (0:03:11)

Apologies were received from Councillors B Holdman and L Kennedy.

48 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0:03:37)

No interests were declared under this item.

49 **PUBLIC QUESTION TIME (0:03:49)**

GOFF WELCHMAN (0:04:05)

Question 1:

When agenda item 6 is discussed, would this Committee now challenge the Cabinet's refusal to allow debate in Full Council of the canal conservation area petition when their action clearly breached the Council's own constitution on petitions appendix D and yet neither the Chair nor the Monitoring Officer identified that breach during the meeting.

Question 2:

Non compliance with conditions/planning obligations resulting in harm to residential amenity or non significant harm to trees is given medium priority. Under low priority it states non compliance with other conditions.

The scope of conditions that are therefore not going to be enforced are enormous.

Not all conditions are in place to protect either trees or residential amenity. What about those safeguarding the landscape, biodiversity, ensuring adequate drainage, appropriate lighting, road safety?

It is exactly the same with the change of use. It is only going to be enforced if residential amenity is impacted (or a tree). This is huge.

When debating the Enforcement Policy agenda item would this Committee fully review the position and request a redraft of the Policy as required. If not, why not?

The Chair explained that as the questions had not been provided in writing in advance of the meeting that a written response would be provided.

BARRY WARREN (0:06:17)

Statement: I have read the report and appendices for this item and can find no mention of information requests, or the people who make them.

The Council's "Complaints and Feedback Policy" was updated in March 2024 and included requests for information, in Section 10, under the heading *Unreasonable, unreasonably persistent, and vexatious complainants*.

I quote one sentence under this heading: "*The term complaint in this guidance also covers requests made under access to information law such as the Freedom of Information Act 2000 and the Data Protection Act 2018.*"

Classing requests for information as complaints means that statistics will be recorded and collated for these *Unreasonable, unreasonably persistent, and vexatious complainants* yet they do not appear in this report, or the attached appendices.

Question 1. How was such information collected and recorded?

Answer: The Council did not class requests for information under the Freedom of Information (FOI) Act as complaints. There were two distinct policies and processes that govern the way the Council deals with complaints and requests for information. The reference under the Complaints and Feedback policy alluded to guidance on the identification of unreasonable, unreasonably persistent, or vexatious contacts with the Council.

Under FOI the request and not the requestor would be deemed vexatious. The Council holds records of FOI requests for two years, and in this time we have not identified a request as vexatious. Therefore we hold no records for this.

Question 2. How was such information made available for public scrutiny?

Answer: As stated, the Council did not record Information about vexatious complainants, we had no information of them with regard to FOI requests. However, on the complaints policy this would be a matter between the Complainant and the Authority and would be protected under General Data Protection Regulations (GDPR), under those circumstances the Council would not put that information into the public forum.

Question 3. How are such complaints and individuals reported to elected members?

Answer: As per section 11 of the Complaints and Feedback policy – “The Council’s District Solicitor would notify the relevant officers, the complainant and where appropriate the Ward Member in writing of the reason the complaint or complainant has been classed as unreasonable, persistent, or vexatious and of the actions to be taken.” The Council did not treat requests for information as complaints.

Statement: Requests for information were made by means of a ‘request’. If the request was not answered properly then a ‘review’ would be requested. If that review still did not satisfy the enquirer, then a ‘*Complaint*’ would be made – not to the Council, but to the Information Commissioner, who will adjudicate on the matter.

Paragraph 4.2 of the report advised that only one complaint was upheld by the Ombudsman but no mention was made of findings by the Information Commissioner in what could be classified as complaints against the Council.

Question 4. Why are the outcomes from the Information Commissioner investigations not made available by MDDC for the public to inspect?

Answer: Requests for information were not dealt with as complaints. The Information Commissioner would publish the outcomes of all investigations or cases which had been referred to them on their own website.

Question 5. How and where is this information reported to elected members?

Answer: Requests for information were not dealt with as complaints, and therefore not reported to elected Members within complaints data.

Statement: Finally

The policy defines 'Unreasonable', 'Persistent' and 'Vexatious' and then says, and I quote: "*The policy is intended to assist in **managing people** by categorising them within these terms and agreeing the actions to be taken.*"

Question 6. Who is responsible for "categorising" people in these terms?

Answer: This was done by the service manager liaising with the District Solicitor or the legal department to ensure that there was evidence to categorise whether a person was making unreasonable, unreasonably persistent or vexatious complaints to the Council. This was agreed with the District Solicitor, see section 11 of the Complaints & Feedback policy.

Question 7. Who will be "agreeing" the "actions to be taken"?

Answer: The District Solicitor as per section 11 of the Complaints & Feedback policy.

Question 8. Are any risk assessments done on "categorised" persons?

Answer: Consideration of complainant circumstances was always taken into account. This was done by liaison with services affected by regular or persistent contact with the individual to ensure any safeguarding or special characteristics were taken into account so that the Council's response was proportionate and met our responsibilities as a Council.

Question 9. How will any of this assist in "managing" the persons so "categorised"?

Answer: Officers and Members would endeavour to respond appropriately according to the individual complainant's needs, and in compliance with our complaints policy, but this guidance was to cover occasions where nothing further could be reasonably done to assist or rectify a real or perceived problem.

Answers provided by the Head of Digital Transformation and Customer Engagement.

Mr Warren asked a supplementary Question, in order to clarify, that Freedom of Information requests and outcomes are not reported to Members in any format?

Answer: The Council did not report these directly but did have a publication scheme on its website where the Council reported quarterly on the FOI requests that had been received.

Discussion took place with regard to: on FOI decisions, the vast majority supported the Council's position, however, the Council did not, as a policy, publish those decisions for Members or the public to see on the Council's own website. Councillors asked why not because the Council could be seen as justified in doing so on behalf of its ratepayers. Who was the quarterly report distributed to? Officers were encouraged to make the whole process as transparent as possible.

Answer: The information could in future be reported to the appropriate Policy Development Group. The quarterly report was published on the Council's website and could be found by searching FOI.

PAUL ELSTONE (0:18:58)

Question 1:

I note that the drafting of the MDDC Enforcement document closely resembled the East Devon District Council's same policy. Unfortunately, the Process Flow Chart – Page 14 had been corrupted in the process.

I would draw your attention to the large block in the middle of the chart starting with the words "Breach identified, and no further action required". There was no feedback to the person who reported the breach.

Additionally, there was nothing in the flow chart that showed how the high, medium and low priority system functions.

There were several other significant failings in the flow chart and which I believe fully warrants a redraft. Possibly better and, for clarity, two separate flow charts were required.

When debating the Enforcement agenda item would this Committee recommend a redraft of the flow chart is required and if not why not?

Question 2:

The intent of the Enforcement Policy as stated in the National Policy Framework was to maintain confidence in the planning system.

The proposed procedure was very subjective when setting priorities - which was one of the most important parts in making the enforcement system work, given the limited resources available.

A priority system should be open to scrutiny.

In Mid Devon the planning system was clearly being very substantially abused by some and had been for several years. Persons who had benefitted massively financially but in doing so had caused substantial detriment to many, this due to the lack of any proper enforcement.

As an example, there is one industrial facility at Crownhill Halberton and which due to a series of planning condition breaches going back 5 years, had caused the following concerns:

Firstly - Traffic and pedestrian safety issues impacting on school pupils.

Conditions and Transport statements should prevent traffic from this facility from passing through the Blundells School Campus but up to 200 tractor movements a day had been recorded. Tractors driving on pavements and tractor trailer skid marks at pedestrian crossings should be a warning to the risks that exist.

Secondly - Noise and dust and odour issues which were elevated due to condition breaches.

Thirdly - Impacts on the Grand Western Canal Conservation Area

Each of these three impacts deserve a high priority classification, in its own right, according to the policy.

Therefore, when the three impacts were considered together the planning breaches should demand the very highest level of priority classification. The proposed policy, however, did not recognise this.

When establishing enforcement priorities could I suggest that MDDC adopted a scoring system - not unlike the system used to score whether a tree merits a Tree Protection Order. This would be able to weight cumulative planning breach exposures.

When debating the Enforcement agenda item would this Committee recommend that a scoring system, similar to the Tree Protection Order system, be fully considered and made to form part of thin enforcement policy and if not why not?

The Chair explained that as those questions had not been provided in writing in advance of the meeting that written responses would be provided.

50 **MINUTES OF THE PREVIOUS MEETING (0:23:52)**

The minutes of the meeting held on Monday 28 October 2024 were **APPROVED** as a correct record and **SIGNED** by the Chair.

51 **CHAIR'S ANNOUNCEMENTS (0:24:35)**

The Chair had no announcements to make.

52 **DECISIONS OF THE CABINET (0:24:38)**

The Committee **NOTED** that none of the decisions made by the Cabinet on 12 November 2024 had been called in.

53 ANNUAL REPORT OF COMPLAINTS AND COMPLIMENTS (0:24:45)

The Committee had before it a *report from the Head of Digital Transformation and Customer Engagement.

The following was highlighted in the report:

- The report covered two time periods. The Ombudsman's report covered the period 2023-24.
- There had been an overall increase of 5% in customer and residents' feedback.
- With the new Customer Relationship Management System (CRM) the Council were rolling out new surveys as each service was provided.
- There had been a rise in complaints of 6% over the period which sounded a lot but in context of the thousands of individual services provided by the Council, anything under 10% increase in complaints, the Officer suggested, should not raise too much concern.
- There was a significant decrease in the number of complaints received in certain service areas as mentioned in paragraph 3.5 of the report, services were doing better especially when it was borne in mind that in 2023/24 there were staff vacancies to enable the Council to balance its budget.
- During 2023-24 two cases had been investigated by the Ombudsman, only one of which had been upheld and the Council had provided an apology which the Ombudsman had thought an appropriate response to that complaint.
- Overall, there was no significant increase in complaints which would be reflective of a decrease in service.
- The Council had recently moved to a new Code of Complaints and had instigated a new reporting system.
- One of the Council's targets, 'initial acknowledgement within 5 days', had not been met, some of which could be put down to an anomaly in the system and better staff training being required. However, at the time of writing the report, the Council was meeting the response within time target 100% of the time.
- The Head of Digital Transformation and Customer Engagement was now the senior officer responsible for complaints (excluding Housing) along with the Cabinet Member for Service Delivery and Continuous Improvement.

Discussion took place with regard to:

- Manual checks were being made in the new system to check the reporting.
- There would be additional qualitative analysis moving forward which would be started in the next quarter.
- That the Scrutiny Committee should keep the Report of Complaints and Compliments coming to it as an annual report.
- Whether Freedom of Information (FOI) data could come to the Scrutiny Committee quarterly perhaps by way of a dashboard, alternatively, whether a FOI report would be included within an Annual report to the Scrutiny Committee? This could be a separate report from the Customer Complaints report.
- In order to be transparent the FOI data was published on the website quarterly. The Committee requested that they be provided with the data on a quarterly basis. Complaints and the nature of the complaints were changing.

In proportion to the number of communications and services the Council offered, the proportion of complaints was very low.

- With the change in customers visiting the Council offices and telephoning, now moving to on-line communications, how did that affect the way that the Council were responding? The Officer replied that nothing had changed in that each complaint was dealt with on its own merits.
- Where a complaint was justified the officer would record whether there were any lessons to be learned or whether there were any process changes that needed to be implemented. That information was recorded on the CRM system and would influence the qualitative work that was to be done and evidence that change had been implemented.
- If FOI data was already reported on the website and had its own dashboard, it should not be a burden for the Scrutiny Committee to see it once a quarter in arrears which would be more useful to the Committee. Key Performance Indicators that could be measured might include the response time.

The Head of Digital Transformation and Customer Engagement agreed to produce a briefing report for the December 2024 meeting of the Scrutiny Committee with some suggestions and proposals as to how to move forward with the reporting of FOI to the Scrutiny Committee.

The Committee agreed to **NOTE** the report and **AGREED** the following:

That the Annual report of Compliments, Comments and Complaints be allocated to the Service Delivery and Continuous Improvement Policy Development Group as well as the Scrutiny Committee.

Note: (i) *report previously circulated

(ii) Councillors D Broom, A Cuddy and M Farrell left the meeting after this item.

54 **THE IMPACT OF THE GOVERNMENT'S PROPOSED CHANGES TO NATIONAL PLANNING POLICY ON THE COUNCIL'S PRIORITIES AND PREPARATION OF A NEW LOCAL PLAN (0:53:45)**

The Committee had before it and **NOTED** a *report from the Director of Place and Economy.

The Forward Planning Team Leader stated that the report had been prepared at the request of the Committee to advise it of the affects that the Government's proposed changes to the National Planning Policy Framework (NPPF) would have on the preparation of the Council's new Local Plan.

The following was highlighted in the report:

- There was an emphasis on delivering new homes nationally in order to kick-start economic growth.
- The proposals related to housing land supply and sought to re-introduce a requirement for local planning authorities to continually demonstrate a 5 year deliverable supply of new homes.

- The consultation proposals also included making the standard method for calculating district housing requirements mandatory and also using a stock based approach that would see many local planning authorities experiencing a significant increase in their district annual housing requirements.
- Mid Devon District Council had provided a detailed response to the Government's proposals in September 2024.
- Work was progressing on the new Local Plan towards publishing and consulting on Draft Policies and Site Options as soon as possible in the early part of 2025 once the outcome of the amended NPPF and standard method was known.
- The new timetable would be subject to a review of work completed and any additional work that was needed to inform the draft policies and site options.
- The Council's Forward Plan currently showed a report on draft policies and site options going to the Cabinet meeting on 4 March 2025.
- The Local Development Scheme would be taken to the Cabinet Meeting on 1 April 2025.

Discussion took place with regards to:

- The no comment replies in relation to questions 34 and 41, on the response to the Government about proposed reforms to the NPPF, related to the "Green Belt" and there was no "Green Belt" in Mid Devon.
- Class Q was separate to the NPPF.
- The revised deadline for submission of Local Plans under the current system had been put back to December 2026.
- The current standard method would place a requirement for 346 new homes per year in Mid Devon. Under the consultation it was proposed that the figure would increase to 571 homes per year, the new standard method / figure would be advised to Councils by 31 December 2024. Therefore, if the Government proposals were accepted this would equate to an increase of 4,500 homes over 20 years.

Note: *Report previously circulated.

55 **PLANNING ENFORCEMENT POLICY UPDATE (1:03:50)**

The Committee had before it a *report from the Senior Enforcement Officer.

The following was highlighted within the report:

- New legislation was included in the new Policy.
- The Policy had been reviewed as a whole from the Policy that was previously before the Scrutiny Committee in February 2024 and some changes had been made within it to make it more accessible and easier to follow.
- The Policy currently shown on the Council's website was out of date due to a change in legislation.
- The Senior Enforcement Officer introduced the Assistant Planning Enforcement Officer.

Discussion took place with regard to:

- High, medium and low priorities could change depending upon circumstances.

- High priorities included matters such as Listed Buildings and Tree Preservation Orders.
- With regard to medium priority matters, each case was unique so it was difficult to categorize.
- Low priority matters included such things as a fence being 2 inches too high or a shed that was forward of the principle elevation etc., it included nothing that was irreversible or causing detrimental effect at that time.
- A serious breach would be a high priority.
- A team meeting was held every Monday when cases were triaged and new information could mean that a case moved between categories.
- No other Councils, in the experience of the Officer, triaged the cases in the way that Mid Devon District Council did, but it was important for the Council to do this whilst they dealt with the back log of cases.
- Priorities could change following site visits as cases were fluid within the categorisations.
- The Senior Enforcement Officer was congratulated for her work, for settling in well and for leading a workshop.
- All 300 outstanding cases had now been triaged. The oldest dated back to 2019 but was at prosecution stage. The Officers were now working on cases from 2023/24.
- All cases were now looked at as they came in.
- The 300 cases were not static, approximately the same number of cases came in as were completed.

The Committee **NOTED** the report and **AGREED** the following:

- The updated Planning Enforcement Policy - including that the Planning Policy Advisory Group had recommended the presentation of the updated Planning Enforcement Policy to the Cabinet for approval.
- That delegated authority be given to the Development Management Manager, in conjunction with the Cabinet Member for Planning and Economic Regeneration, to make any future revisions to the Planning Enforcement Policy to ensure it accorded with National Planning Policy.

(Proposed by the Chair)

Note: (i) *Report previously circulated.

56 **PORTFOLIO PRESENTATION FROM THE CABINET MEMBER FOR PARISH AND COMMUNITY ENGAGEMENT (1:17:23)**

The Committee received and **NOTED** a presentation from the Cabinet Member for Parish and Community Engagement.

The following was highlighted in the presentation:

- This was a new role created as a direct consequence of the State of the District debate, which took place on 20 March 2024. The role was announced by Cabinet on 4 June 2024.

- This administration was committed to listening and building closer positive relationships with all of their stakeholders.
- The role acknowledged the importance of the relationship between the District Council working together with the Towns and Parishes.
- The role did not in any way seek to replace the important link between Ward Members and the Towns and Parishes.
- A key aim was to identify common issues across the district and through working together, seek to resolve or understand what could be achieved. To do that the Cabinet Member had started visiting the Town and Parish Councils or their representatives, that work continued.
- In the first six months of the role the updated Town and Parish Charter had been adopted by the Cabinet on 9 July 2024, prior to that the Council had consulted with the Devon Association of Local Councils. The Annual Meeting of the Town and Parish Clerks had been held on 20 November 2024.
- Work was underway to meet the rest of the Town and Parish Clerks or their representatives.
- The Cabinet Member would continue to assist with pointing Towns and Parishes in the right direction to things like funding opportunities and any other information they may require to assist them (in addition to any planning training the Council may have already provided).
- The Cabinet Member explained that she was there to:
 - Listen
 - Help break down barriers
 - To build bridges.

Discussion took place with regard to:

- Resources available to Towns and Parishes included advice on Emergency Plans and the support that was available to develop such plans. Community Land Trusts and how they could assist parishes.
- The State of the District Debate had generated a lot of good will and improved relationships with Towns and Parishes.
- Individual District Councillors encouraged good relationships with the Towns and Parishes in their wards and when they asked for it received good support from officers.
- The Cabinet Member would welcome Ward events.
- Success in the post and how it could be measured? The Cabinet Member hoped that in 18 months' time, satisfaction levels would have increased and Towns and Parishes would feel that they could easily contact people at the District Council. She also hoped that Town and Parish clerks would find it easier to get through to the officers that they needed to contact.
- Common concerns from the Towns and Parishes focused on enforcement and s106 matters.
- How could the District Council publicise the good work that was being done at the Council. Could it get good news into the Tiverton Gazette and other local papers? Perhaps the Council was too modest in letting the public know of their achievements.
- The Cabinet Member wrote a monthly newsletter for her Parish Council detailing what had been happening at the Council and suggested that other District Councillors could do the same if they were not doing so already.

- Could the Cabinet Member let Ward Councillors know when she was visiting Towns or Parishes in their Ward? The Cabinet Member commented that she did not go anywhere without being invited.

57 **WORK PROGRAMME (1:46:15)**

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

The following was highlighted:

- The item on house maintenance, emergency repairs, pollution monitoring and resident safety would come to the Scrutiny Committee in April 2025.

Discussion took place with regard to:

- The proposal from Mr Barry Warren, with regard to the examination and review of Freedom of Information processes within Mid Devon District Council, was **ACCEPTED** and added to the Work Plan. The Head of Digital Transformation and Customer Engagement would be able to bring a report to the Scrutiny Committee Meeting on 18 December 2024.
- A proposal from Cllr R Roberts with regard to the Social Housing Rents Error was **ACCEPTED** and added to the Work Plan. The report from the Deputy Chief Executive would come to the Scrutiny Committee meeting on 13 January 2025 following the report going to Cabinet in December 2024.
- A proposal to identify particular issues with regard to an update on the infrastructure matters in Cullompton. The Member agreed to discuss this proposal with other ward members before finalising any proposal form.
- There was a query as to how often Cabinet Members should be asked to present their Portfolio. The Clerk would discuss this with individual Portfolio holders.

(The meeting ended at 7.15 pm)

CHAIR

Responses to the questions asked by Mr Goff Welchman at the Scrutiny committee Meeting held on "5 November 2024

Response to Question 1:

No, as the Council has adhered to the constitutional rules. The Cabinet made their decision at the meeting of Cabinet on the 12 November, and the decision had not been called into Scrutiny within the required timeframe.

Response provided by the Vice-Chairman of the Scrutiny Committee.

Response to Question 2:

The draft Enforcement Policy is a robust and thorough document which gives the Authority a firm basis upon which to progress enforcement action – of all types – when it is considered necessary to do so.

It should also be noted that the draft policy was before Scrutiny for noting and that it had already been recommended to Cabinet by the Planning, Policy Advisory Group which had already discussed the draft policy at its October meeting.

Response provided by the Director on Place and Economy.

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Responses to the questions asked by Mr Paul Elstone at the Scrutiny Committee Meeting held on 25 November 20204

Thank you for your questions which are answered as follows:

Question 1 response: You have highlighted that in one scenario (identified breach with no further action) an outcome is not fed back to the original complainant. Thank you for highlighting this – the point will be put before Cabinet for them to discuss the inclusion of this complainant feedback loop for this scenario – which was intended to be included. No other issue could be identified within the flow diagram and, as such, there is not considered to be a need to re-draft the flow diagram. Also; the report was for noting by Scrutiny, it having already been recommended to Cabinet for approval by the Planning Policy Advisory Group (PPAG).

Question 2 response: It is not considered that the application of a scoring mechanism for planning enforcement would materially assist in the processing of enforcement cases; the risk/categorisation of planning enforcement cases can be subject to change during the life of a case and so scoring may quickly become out of date requiring re-scoring. Furthermore, each planning enforcement investigation is unique due to a number of factors including location, harm and breach reported and so it is considered that the development of a universal scoring system would be problematical. Conversely, the 'high, medium, low' rating quickly allows officers to identify the risk category of a case and make subsequent adjustments. The approach set out is therefore considered to be effective and efficient and a change to a scoring system is not considered necessary.

Responses provided by the Director of Place and Economy.

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Report for: Scrutiny Committee

Date of Meeting:	16 December 2024
Subject:	Briefing Report on the processing of Freedom of Information (FOI) and Environmental Information Regulations (EIR) at MDDC
Cabinet Member:	Cllr David Wulff, Cabinet member for Quality of Living, Equalities and Public Health
Responsible Officer:	Lisa Lewis, Head of Digital Transformation & Customer Engagement
Exempt:	n/a
Wards Affected:	All
Enclosures:	Appendix 1

Section 1 – Summary and Recommendation(s)

The purpose of the report is to provide a briefing report to Scrutiny committee on a work item request received at November 2024 Scrutiny committee.

Recommendation(s):

- 1. To note the briefing report on the practice and performance of MDDC in the processing of FOI and EIR requests.**
- 2. That the Head of Digital Transformation & Customer Engagement provide an annual performance report to Scrutiny of the performance of MDDC's FOI/EIR processing.**

Report

1.0 Introduction

- 1.1 The Freedom of Information (FOI) Act (2000) and the Environmental Regulations (EIR) serve to promote transparency and accountability in public authorities by granting the public access to information.**

1.2 Whilst similar in their purpose and goals, the processing and timelines set down in legislation are slightly different. **Appendix 1** outlines these processes and the application of the legislation which MDDC are obliged to follow. Information on our corporate responsibility is also published on the MDDC [website](#).

1.3 This report outlines how MDDC processes these public requests.

2.0 Processing

2.1 Whilst the intention of the regulations is for transparency to the public, in some instances information requested can be refused, withheld, or redacted within a response. When this is done, MDDC is obliged to inform any applicant for information of the exemptions (FOI) or exceptions (EIR) that have been applied.

2.2 Requests are administered by the Information Management (IM) team. On receipt these are forwarded to services to respond and the **requestor information is removed** prior to allocation.

2.3 Applicants are able under the legislation to request a review of an MDDC response and if they remain unhappy with any review outcome, can refer the matter to the [Information Commissioner's Office](#) (ICO). MDDC are unable to deviate from this approach.

2.4 Where MDDC believes that the original response should stand the requestor can then refer to the ICO. During this process, again the team will confer with colleagues and legal to provide a response. On any ICO decision a meeting is held with one or more senior officers to determine lessons are learned and ensure that we are continuously updating our understanding and practice and ensuring that we are responding to ICO requests for any action within the stipulated period.

2.5 Examples of some of the exceptions or exemptions that may be applied in the refusal/redaction of information are most commonly, but not limited to, commercial interests, personal data, legal confidentiality.

2.6 Once an initial request is responded to, the requestor can ask for a review. This is done by the Senior Information Officer, who may include a more senior manager, Subject Matter Expert (SME) or the Legal team as a check for reassessment, correcting errors, transparency, fairness, or potential improvements in response.

2.7 It is important to understand that exceptions/exemptions are applied at the point/date of the request and first response required within the initial 20 days. Commercial sensitivity of information can reduce or no longer be applicable

after a period of time. This can subsequently change the ICO/MDDC position on disclosure of that data during any challenge/ICO process and the decision to withhold is assessed at each check point.

2.8 The timeline of the challenge process once a review response is given is within the gift of the ICO, and the remainder of the process can take many weeks/months.

3.0 The Team

3.1 The team consists of 2 FTE whose responsibility it is to administer requests and collate responses from services and ensure that MDDC meets the regulatory requirements for transparency and timeliness. This team is overseen by the Head of Digital Transformation & Customer Engagement, who in turn is managed by the Deputy Chief Executive who also holds the role of Senior Information Responsible Officer (SIRO).

3.2 The team are qualified FOI and Data Protection practitioners. Depending on the nature and complexity of public requests for information the team also has access to SMEs in services and liaises regularly with the Legal team.

3.3 The two FTE are also responsible for working across the organisation with services around Information Management activities, data protection and ensuring that MDDC are meeting the regulatory requirements.

4.0 Record of Performance

4.1 Below is a summary of MDDC's recent performance in this area.

	2023/24	2024/25 to date
Requests	761	453
Reviews	15	6
Complaints	4	3
Upheld	2*	1
Not Upheld	2**	2

*One changed to partially upheld on appeal

**Over the above periods three of the cases were partially upheld on points of clarification. One to timeliness, one with an incorrect citation on first response and one where FOI was applied instead of EIR.

4.2 ICO complaints about responses to FOI/EIR requests are less than 1% of our overall response. That these requests result in a requirement for ICO

consideration indicates that there may be exemptions applied due to the sensitivity of the information.

4.3 It is not unique that MDDC have an even spread of outcomes on complaints. In the same period Devon County Council had the same number of complaints with a 4-3-upheld/not upheld ratio, Kent County Council 4-2, Somerset Council had 14, with a 7-4-3 ratio, and Exeter City Council had a 1-4 ratio. These are just a few examples but should highlight how outcomes of ICO complaints are relatively uniform between councils.

5.0 Timeliness

5.1 MDDC is committed to administering the FOI/EIR process in a timely manner and within the deadlines set out in the legislation. We also ensure that we adhere to any deadlines prescribed by the ICO in any decision it publishes.

5.2 This table shows our current key performance indicator on our responses:

Response to FOI/EIR Requests (within 20 working days)		
	Target	Actual
2023/24	97%	100%
2024/25 to date	97%	99%

5.3 The ICO has a standard expectation of 95%. We do not keep records of average time taken to respond; however, many requests are responded to within a 10-working day period. Information Management is reliant on busy departments to respond within this time and all staff should be commended on their continuing prioritisation of these public requests for information to meet the regulatory requirements consistently.

6.0 Publication and Transparency

6.1 Disclosure logs listing our responses to previous requests made under FOI/EIR are published quarterly retrospectively and can be found on our [website](#). MDDC are not obliged to publish full responses/data and do not do so due to the administrative overhead. Any member of the public can request a copy of the response/information if it falls within our retention period of 24 months. This is indicated on the [website](#).

A sample of the disclosure log is provided at **Appendix 2**. This identifies the subject matter of the request, what exemptions were applied, whether disclosed in full and the number of days to process.

6.2 The ICO publishes findings of all investigations as part of their [public register](#) which can be found on their website.

- 6.3 Officers would not be able to discuss requests/cases in open session until such time as they are resolved. The ICO and their decisions can be further challenged via First-Tier Tribunals so the entire process can take a considerable period of time.
- 6.4 The Scrutiny committee has requested quarterly performance figures for FOI requests. These can be provided to the clerk as a dashboard for noting and made up of tables at 4.1 and 5.2. **OR** published on our website.
- It is important to understand that unless there are significant performance issues which would need to be addressed the committee is unable to influence the process as this is set in legislation.
- 6.5 Given the limited impact that the committee can have on the process or influence on how the legislation is applied it is suggested that should there be a significant dip in response times or escalation in challenges being upheld Scrutiny could request an update report from the responsible officer.
- 6.6 The committee has requested an annual report to Scrutiny on MDDC's performance on the processing of FOI and EIR requests. It is suggested that this be scheduled to be brought before committee during first quarter 2025 as the monitoring is done by financial rather than calendar year.

Financial Implications - Failure to process or apply regulatory requirements to the provision of information under FOI/EIR may result in compensation claims.

Legal Implications - Failure to process or apply regulatory requirements to the provision of information under FOI/EIR may result in legal costs and enforcement action by the ICO.

Risk Assessment – Failure to process or apply regulatory requirements to the provision of information under FOI/EIR may result in reputational damage and operational impact.

Impact on Climate Change - None

Equalities Impact Assessment – None. Responders to FOI/EIR requests are not provided with personal information of requestor. Requests can be made verbally or in writing and if necessary alternative formats of information can be provided as per our Customer Standards.

Relationship to Corporate Plan – Community, People and Equalities – Involving and engaging our communities.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 4 December 2024

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 4 December 2024

Chief Officer: Stephen Walford

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

Date: 4 December 2024

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 03 December 2024

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: Lisa Lewis, Head of Digital Transformation & Customer Engagement

Email: llewis@middevon.gov.uk

Telephone: 01884 234981

Background papers:

Appendix 1 – Outline of FOI/EIR processes.

Appendix 1

Outline of the processes and deadlines for the UK Freedom of Information (FOI) Act and Environmental Information Regulations (EIR):

Freedom of Information (FOI) Act

1. **Request Submission:**
 - Any person can make a request for information held by a public authority.
 - Requests must be in writing (email, letter, or online form).
2. **Response Time:**
 - Public authorities must respond **within 20 working days** of receiving the request
 - If an extension is needed to consider the public interest test, the authority must inform the requester within the initial 20 working days
3. **Possible Outcomes:**
 - **Full Disclosure:** Information is provided.
 - **Partial Disclosure:** Some information is withheld due to exemptions.
 - **Refusal:** Request is denied, with reasons provided (e.g., cost, exemptions).
4. **Exemptions:**
 - Certain information may be exempt from disclosure (e.g., national security, personal data).

Environmental Information Regulations (EIR)

1. **Request Submission:**
 - Like FOI, any person can request environmental information from public authorities
 - Requests can be made verbally or in writing
2. **Response Time:**
 - Authorities must respond **as soon as possible, and no later than 20 working days** after receiving the request
 - For complex or voluminous requests, the deadline can be extended to **40 working days**
3. **Possible Outcomes:**
 - **Full Disclosure:** Information is provided
 - **Partial Disclosure:** Some information is withheld due to exceptions
 - **Refusal:** Request is denied, with reasons provided (e.g., exceptions, complexity)
4. **Exceptions:**
 - Certain environmental information may be withheld (e.g., confidentiality of commercial information, public safety)

Both processes aim to promote transparency and public access to information, with specific provisions to handle sensitive or complex requests.

If a request is refused under the FOI Act or EIR, the public authority must provide a clear explanation for the refusal. Here is what typically happens:

Refusal Process

1. **Notification:**
 - The requester is informed in writing about the refusal
 - The notification includes the reasons for the refusal, citing specific exemptions or exceptions

2. **Right to Appeal:**

- The requester is informed of their right to appeal the decision
- They can request an internal review by the public authority

3. **Internal Review:**

- The public authority conducts an internal review of the decision
- This review should be completed within a reasonable timeframe, usually within 20 working days

4. **Further Appeal:**

- If the requester is still dissatisfied after the internal review, they can appeal to the Information Commissioner's Office (ICO)
- The ICO will investigate the complaint and make a decision

5. **Tribunal:**

- If the requester or the public authority disagrees with the ICO's decision, they can appeal to the First-tier Tribunal (Information Rights)

Example Scenario

Imagine you request detailed financial records from a public authority. If they refuse, they might cite an exemption related to commercial interests. You can then ask for an internal review, and if still unsatisfied, escalate to the ICO.

Common Reasons for Refusal

- Exemptions (FOI): Information may be exempt due to reasons like national security, personal data protection, or commercial interests.
- Exceptions (EIR): Environmental information may be withheld for reasons such as confidentiality of commercial information or public safety concerns.
- Cost: If the cost of compliance exceeds the appropriate limit, the request may be refused. See below for further details.

The cost of compliance threshold for Freedom of Information (FOI) requests is set to ensure that public authorities are not unduly burdened by the cost of responding to requests. The threshold is £450 for local councils.

If the estimated cost of complying with an FOI request exceeds these limits, the public authority can refuse the request. The cost estimate includes the time spent locating, retrieving, and extracting the information, calculated at a standard rate of £25 per hour.

There is no such threshold for EIR. Refusal is only allowed if it is felt to be 'manifestly unreasonable.'

Appendix 2

Sample of Disclosure Log available on the MDDC Website

	A	B	C	D	E	F	G	H	I	J
	Reference	Date Received	Deadline	Subject	Data Set	Full/Partial disclosure/ Other Authority	Exemption applied	Clock Stopped	Date Responded	Days
35	FOI09682	18/07/2024	16/08/2024	Poverty Strategy		Non			26/07/2024	5
36	FOI09683	19/07/2024	19/08/2024	Homelessness		Full			26/07/2024	4
37	FOI09684	22/07/2024	20/08/2024	Landlord Complaints		DCC			07/08/2024	11
38	FOI09685	22/07/2024	20/08/2024	Survey Software		Full	S21		07/08/2024	11
39	FOI09686	24/07/2024	22/08/2024	Trading standards (Vaping)		DCC			23/07/2024	0
40	FOI09687	24/07/2024	22/08/2024	3 Rivers		Full			08/08/2024	10
41	FOI09688	24/07/2024	22/08/2024	MDDC gym membership		Part			26/07/2024	1
42	FOI09689	24/07/2024	22/08/2024	Children in care		Non			24/07/2024	0
43	FOI09690	26/07/2024	26/08/2024	In House Charge Points		Full			16/08/2024	14
44	FOI09691	26/07/2024	26/08/2024	Homelessness		Full			06/08/2024	6
45	FOI09692	26/07/2024	26/08/2024	s68		Full			22/08/2024	18
46	FOI09693	26/07/2024	26/08/2024	Vehicle repair log		Full			22/08/2024	18
47	FOI09694	29/07/2024	27/08/2024	Change of Use - Planning Apps		Full			08/08/2024	7
48	FOI09695	29/07/2024	27/08/2024	PROW		DCC			14/08/2024	11
49	FOI09696	29/07/2024	27/08/2024	Housing Tenancy Fraud		NR			09/08/2024	8
50	FOI09697	29/07/2024	27/08/2024	Unclaimed Ctax Credit Balances		Non	S40(2)		14/08/2024	11
51	FOI09698	30/07/2024	28/08/2024	Facilities and Contracts		Full			15/08/2024	11
52	FOI09699	30/07/2024	28/08/2024	energy management		Full			09/08/2024	7
53	FOI09700	30/07/2024	28/08/2024	BACS contract info/procurement		Full			06/08/2024	4
54	FOI09701	31/07/2024	29/08/2024	Care Services - DCC		DCC			09/08/2024	6
55	FOI09702	30/07/2024	28/08/2024	Historic Business Rates		Non			30/07/2024	0
56	FOI09703	31/07/2024	29/08/2024	Stree Votes - Planning		Non			20/08/2024	13
57	FOI09704	31/07/2024	29/08/2024	Rising damp - Housing Stock		Full			06/08/2024	3
58	FOI09705	31/07/2024	29/08/2024	TEUE Area B		Non	Regulation 12(5)(d)		15/08/2024	10
59	FOI09706	01/08/2024	30/08/2024	Household Support Fund - Apr-Sept 2024		Full			12/08/2024	6
60	FOI09707	01/08/2024	30/08/2024	Asbestos removal - Schools		Non			20/08/2024	12
61	FOI09708	01/08/2024	30/08/2024	Fly Tipping		Part			19/08/2024	11
62	FOI09709	02/08/2024	02/09/2024	Assets of community value		Non			16/08/2024	9
63	FOI09710	02/08/2024	02/09/2024	Biodiversity net gain		Full			30/08/2024	19
64	FOI09711	05/08/2024	03/09/2024	3 Rivers - land at Knowle Lane		Full			04/09/2024	21
65	FOI09712	05/08/2024	03/09/2024	Children's transport services		DCC			05/08/2024	0
66	FOI09713	05/08/2024	03/09/2024	Padel tennis club applications		Full		05/08/2024	07/08/2024	0
67	FOI09714	06/08/2024	04/09/2024	Affordable homes		NR		06/08/2024	07/08/2024	0
68	FOI09715	06/08/2024	04/09/2024	Taxi licensing		Part			15/08/2024	6

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Report for: Scrutiny Committee

Date of Meeting:	16 December 2024
Subject:	Corporate Performance Report
Cabinet Member:	Cllr Luke Taylor, Council Leader
Responsible Officer:	Matthew Page, Corporate Manager for People, Governance & Waste. Dr Steve Carr, Corporate Performance and Improvement Manager.
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1: Performance Dashboards Quarter 1

Section 1 – Summary and Recommendation(s)

To provide Members with an update on performance against the Corporate Plan 2024-28 and service performance measures for quarter 2 (2024/25).

Recommendation(s):

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

Section 2 – Report

1.0 Introduction

- 1.1** The Council's Corporate Plan 2024-28 was adopted in July 2024. It is a strategy that documents, communicates and provides a framework for the delivery of strategic priorities. It provides a shared understanding of what the Council is trying to achieve. This ensures the public are aware of the Council's objectives, and can therefore hold the Council accountable.

- 1.2 The Corporate Plan has five themes: Planning, Environment and Sustainability; Community, People and Equalities; Homes; Economy and Assets; and Service Delivery and Continuous Improvement. Alongside the performance reporting of the Corporate Plan, the council presents performance information on a wide range of service specific and corporate performance indicators, Appendix 1.
- 1.3 The performance reporting is based upon the Performance Dashboards that the Council has now been using since 2023. Corporate Plan indicators are presented in yellow text on the Dashboards.
- 1.4 A [glossary](#) is now provided for the Performance Dashboards on the Council's website. This contains all the measures used as part of the Dashboards and provides a definition for each (finance measures to be completed). The definitions aim to provide a fuller understanding of what is being measured and how.
- 1.5 The Corporate Performance Report is presented to Scrutiny twice per year – the quarter 2 report, and the annual report.

2.0 Performance Analysis

Theme 1: Planning, Environment and Sustainability

- 2.1 A performance indicator in the Corporate Plan is "Carbon emissions avoided (renewables and green transport)". This is an aggregated indicator, made up of two indicators as outlined. Through generating electricity through solar panels, the Council has avoided 259 t CO₂e this financial year so far (April to September 2024). This is ahead of the annual target of 50 t CO₂e. This result is in part a result of improved data collection. Through the use of electric vehicles in its fleet, the Council avoided a further 8.8 t CO₂e (April to September 2024) against an annual target of 10 t CO₂e. This result demonstrates that electric vehicles are becoming embedded and well used as part of our fleet.
- 2.2 As previously reported, two electric car rapid charger points are in place at William Street, Tiverton. There are no additional live charge points in Quarter 2, however preparation has begun for installations in Cullompton and Crediton. This represents good progress against a target of four new charging points in 2024/25.
- 2.3 Householder planning applications determined within 8 weeks is 99% for the year to date (April to September 2024), and minor applications overturned at appeal was 0.4%. Both are comfortably ahead of target.

Theme 2: Community, People and Equalities

- 2.4 There have been 214 complaints this financial year (April 2024 to September 2024), 95% have been responded to within the target timescales.
- 2.5 Homes made safe under the Housing Assistance Policy is 56 for the financial year to date (April to September 2024), ahead of the annual target (60 for 2024/25).
- 2.6 There were seven new subscribers to the Let's Talk Mid Devon platform in Quarter 1 and 2 (Target for 2024/25 is 400). The annual Residents' Survey was launched on the platform on 30 October 2024. This will encourage users to sign up and register to the site. There are ongoing discussions with services to ensure it is the best platform for their needs and this work will feed into future planning around the platform.
- 2.7 The Council continues to engage with towns and parishes on the potential benefits of a Community Emergency Plan. A Plan for Bradninch was completed in Quarter 2, and meetings are planned for November to update Tiverton Town Council's Plan.
- 2.8 The Corporate Plan has a new performance indicator, "Support the VCSE sector by securing additional external funding." Data for financial year to date indicates that £182k has been secured. In addition there is an outstanding grant funding application the Council has supported, but the outcome has not yet been announced.

Theme 3: Homes

- 2.9 Applicants on the Devon Home Choice waiting list (Band A-C) is a new performance indicator as part of the Corporate Plan 2024-28. At the end of Q2 there were 514 households on the waiting list (Band A-C). This represents an increase from 470 in Quarter 1.
- 2.10 Support was provided to 100% of those experiencing homelessness in the financial year to date (April to September 2024).
- 2.11 44 homes have become part of Mid Devon Housing in the financial year to date. Performance is behind target (100 homes for 2024/25). In the same reporting period, no net zero (modern methods of construction) homes were added to the housing portfolio. However, overall housing delivery is strong and several schemes are about to become part of the housing stock. Shapland Place, Tiverton is now complete, but this will show in Quarter 3. Crofts Lapford is projected to be complete ahead of schedule by Christmas so will also show in Quarter 3.

Theme 4: Economy and Assets

- 2.12 The number of regular traders at the Pannier market was 84% in Quarter 2 2024/25, Table 1. Overall performance for the financial year is 86%, and remains ahead of target, 85%.

Table 1: Regular Traders at the Tiverton Pannier market, 2023/24 to present

Financial Year	Quarter	Regular Traders
2023/24	1	89 %
	2	85 %
	3	88 %
	4	81 %
2024/25	1	87 %
	2	84 %

- 2.13 The number of regular traders at the Pannier market can also be considered by trading day. For Quarter 2 2024/25, the occupancy rate was: Tuesday (79%); Friday (87%); and Saturday (87%).
- 2.14 Businesses supported (non-financial support) was 146 in the financial year to date. This is ahead of target, 250 for 2023/24.
- 2.15 The Council has commercial and retail properties available for lease in Tiverton, Cullompton, and also leases space at the Council HQ, Phoenix House. 1.7% of the available commercial leases were vacant at the end of Quarter 2 2024/25, performing ahead of target (5%).
- 2.16 The Corporate Plan has two new performance indicators related to supporting events in our town centres and supporting tourism events. At the end of quarter 2, the Council had arranged support for 60 events to support our town centres, and three tourism events. Both performance indicators are performing ahead of target for 2024/25.

Theme 5: Service Delivery and Continuous Improvement

- 2.17 Levels of residual household waste collected performed slightly ahead of target for the financial year to date (April to September 2024), with 149.2 kg collected per household against a target of 150 kg. Performance continues to improve year on year, Figure 1.

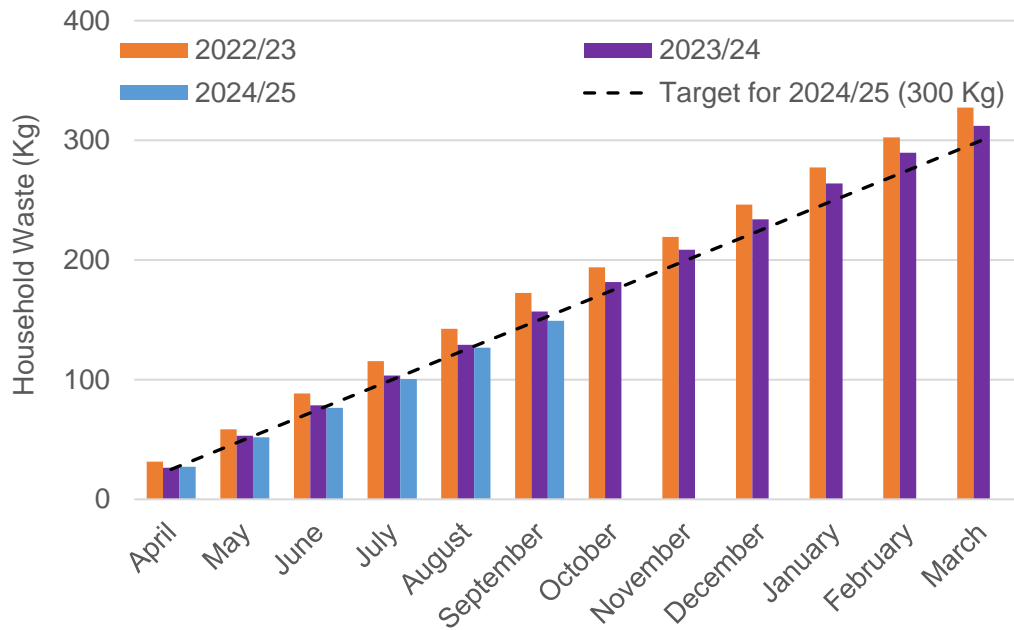


Figure 1: Residual Waste per Household (Kg), 2022/23 to present.

- 2.18 Household waste recycled in the financial year to date is 59.8% and is above target (58.5%).
- 2.19 The total proportion of missed bin collections in the financial year to date is 0.03%, against a target of 0.03%.
- 2.20 Staff turnover at the Council for the financial year to date is 9.7%, Figure 2. Performance is behind target (8.5%).

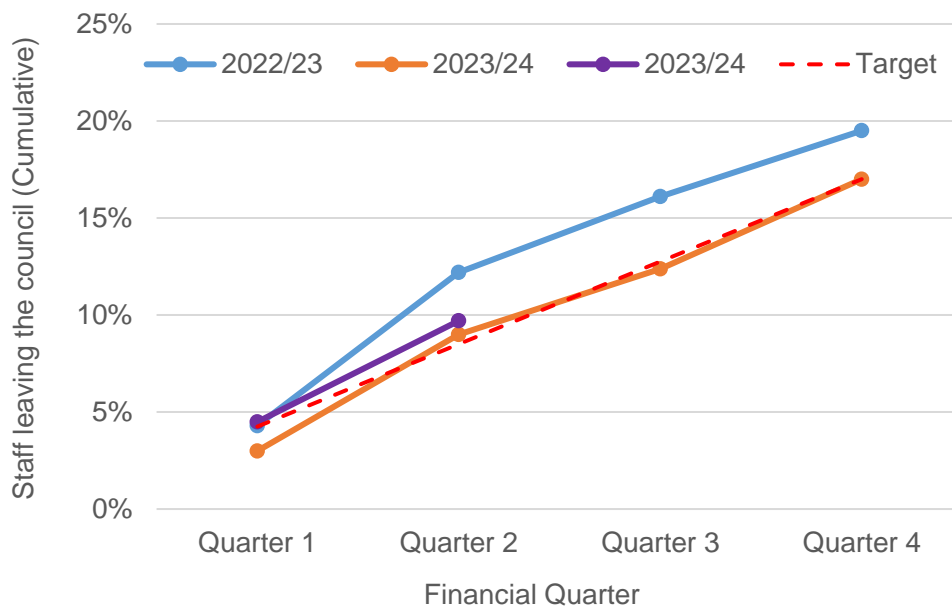


Figure 2: Staff turnover per financial quarter (Cumulative year to date), 2022/23 to present.

- 2.21 Leisure cost per visit is a new performance measure. Performance is estimated at £1.28 per visit (April to September 2024). This performance metric can only be accurately calculated and assessed at the end of the financial year, therefore no assessment on performance will be given until the annual report. It is expected that current performance is better than the current estimate which is unable to capture fluctuations in income.
- 2.22 Council Tax collected in the financial year to date is 54.85%, slightly lower than last year (55.08%) and behind target (55.44%).
- 2.23 National Non Domestic Rate (NNDR) collected thus far is 57.42% (Quarter 2, 2024/25), compared to 56.18% for Quarter 2 2023/24.
- 2.24 There is a new performance measure entitled “Public survey engagement rate”. Data for Quarter 2 shows an engagement rate of 8.2%, behind the target of 15%. This survey is now being run against the small number of new processes on the CRM system, and only since August 2024. Once the monitoring has been proven it will be added to each process as it goes live and then cascaded to other services that are not processed through the CRM.

Corporate Indicators

- 2.25 Staff sickness absence is 3.98 days per FTE for April to September 2024 against a performance target of 4.25 days. Sickness absence in the previous financial year was 4.89 days at the end of Quarter 2.
- 2.26 Council tax paid by direct debit is currently at 77% (target of 80%), and Non-domestic rates paid by direct debit is 50% (target of 50%).

Financial Implications

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

Legal Implications

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

Risk Assessment

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

Impact on Climate Change

The Corporate Plan has numerous aims and objectives that relate to climate change. Given this, several performance indicators reflect our corporate ambition to reduce carbon emissions. Managing the performance of these can help evaluate the impact of Council interventions as well as guide future decisions on spend and investment.

Equalities Impact Assessment

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

Relationship to Corporate Plan

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

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 4 December 2024

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 4 December 2024

Chief Officer: Stephen Walford

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

Date: 4 December 2024

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 14 November 2024

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: Dr Steve Carr, Corporate Performance & Improvement Manager

Email: scarr@middevon.gov.uk

Telephone: 3CX Extension: 4217

Background papers: Corporate Plan 2024-28

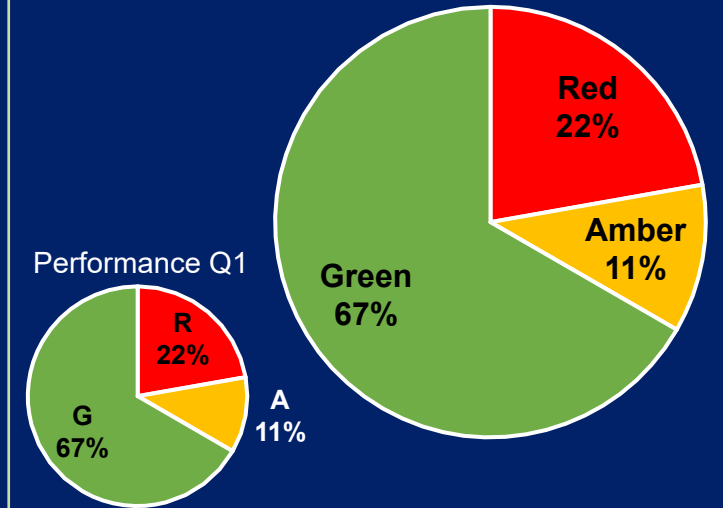
Planning, Environment & Sustainability PDG Performance Dashboard – Quarter 2 2024/25

Performance Measures	Performance	Annual Target	RAG
Own fleet CO2e avoided (YTD)	8.8 t CO ₂ e	10 t CO ₂ e	G
Solar panel performance – corporate estate (YTD)	259 t CO ₂ e	50 t CO ₂ e	G
Electric car charger points installed across MDDC sites (YTD)	2	4	G
Householder planning applications determined within 8 weeks (YTD)	99 %	70%	G
Minor applications overturned at appeal (YTD)	0.4 %	10%	G

Finance Measures	Performance	Annual Target	RAG
PE&S PDG – Projected Outturn	£893k	£1,067k	G
PE&S PDG – Projected Capital Outturn	£80k	£1,132k	R
PE&S PDG – Capital Slippage % of projects (Current)	83%	0%	R
Building Control Income (YTD)	(£106k)	(£221k)	A

Corporate Risk	Risk Rating (Trajectory)
Failure to meet Climate Change Commitments by 2030	15 (No change)

Overall Performance Q2



In Focus

EV charging point: A new charging point has been installed at William Street car park in Tiverton. The Council now hosts 18 public charge points.

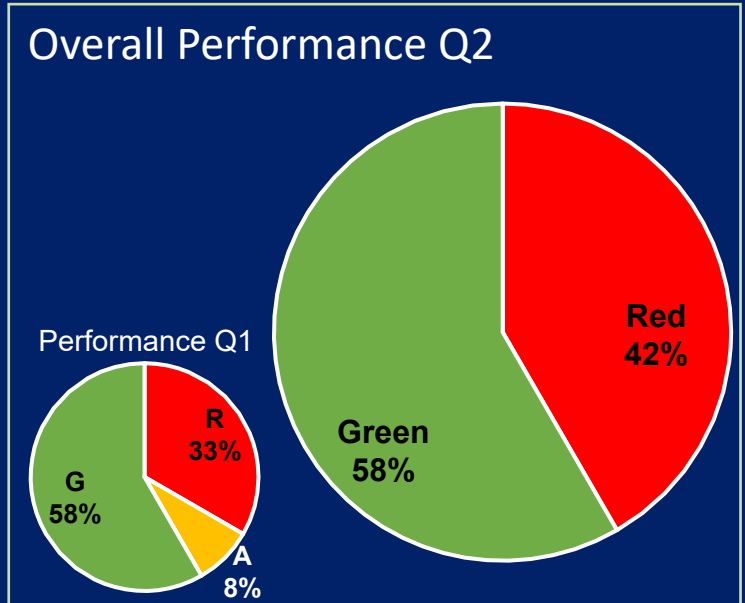
National Planning Policy Framework: A report was produced for Scrutiny committee (25 November 2024) on the impact of the Government's proposed changes to national planning policy on the Council's priorities and preparation of a new Local Plan.

Community, People & Equalities PDG Performance Dashboard – Quarter 2 2024/25

Performance Measures	Performance	Annual Target	RAG
Homes made safe under the Housing Assistance Policy (YTD)	56	60	G
Complaints resolved within target timescales (YTD)	95 %	85 %	G
New Subscribers to Let's Talk Mid Devon (YTD)	7	400	R
Support towns and parishes to develop their Community Emergency Plans (YTD)	3	4	G
Support VCSE sector by securing external funding (YTD)	£182,012	£200,000	G
Licenced vehicle inspections (YTD)	9	40	R
Food Service - Total Inspections completed (Current QTR)	70.2 %	100 %	R
Private water supply sampling (YTD)	38	120	R
Environmental protection service requests (Average YTD)	96.5 %	95 %	G
Engagement rate on Let's Talk Mid Devon (Current)	3.9 %	16.0 %	R

Finance Measures	Performance	Annual Target	RAG
CP&E PDG – Projected Outturn	£1,167k	£1,197k	G
CP&E PDG – Capital Slippage % of projects (Current)	0%	0 %	G
Council Tax Reduction Scheme (YTD)	£9,784,379.01	N/A	

Corporate Risk	Risk Rating (Trajectory)
Severe Weather Emergency Recovery	12 (Increasing)



In Focus

The “food safety inspections” performance indicator has been replaced with the more meaningful “Food Service – Total Inspections completed.” Inspections are prioritised based on risk. The breakdown for Quarter 1 and 2 is:

	Q1	Q2
Band A	100%	100%
Band B	100%	100%
Band C	100%	100%
Band D	74%	50%
Band E	2%	1%

[Residents' survey](#) is live 30 Oct to 11 December.

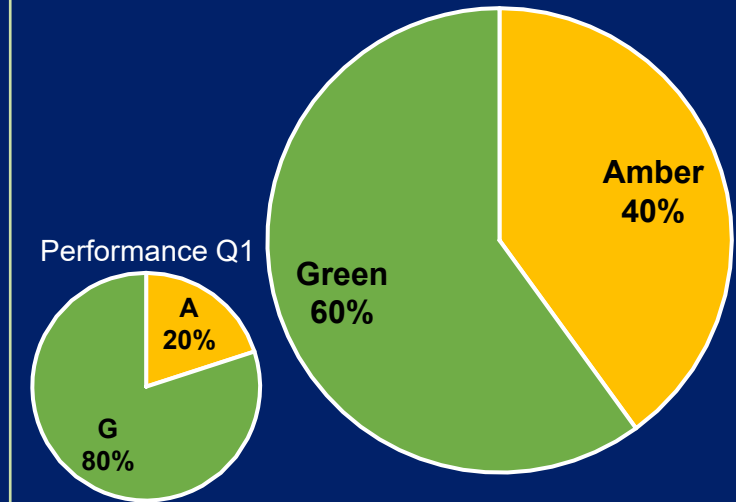
Homes PDG Performance Dashboard (General Fund) – Quarter 2 2024/25

Performance Measures	Performance	Annual Target	RAG
Providing support to those experiencing homelessness	100 %	100 %	G
Applicants on the Devon Home Choice waiting list (Band A-C)	514	N/A	
Households in Hotels (Current)	16	N/A	
Households placed in interim or temporary accommodation this quarter	78	TBC	
Home Improvement Loans sanctioned (YTD)	8	10	G
Private rented sector improvements (YTD)	6	10	G
Private sector housing service requests response rate (Av. YTD)	94.5 %	95 %	A
Unoccupied and unfurnished empty homes (Current)	437	N/A	

Finance Measures	Performance	Annual Target	RAG
Homes PDG – Projected Outturn	£415k	£402k	A
Spend on external interim and temporary accommodation (Q2)	£74,948	N/A	

Corporate Risk	Risk Rating (Trajectory)
Homes for Ukraine Scheme	4 (No change)

Overall Performance Q2



In Focus

Support has been provided to all those presenting to the Council as homeless. This is 618 households in the financial year to date, higher than at the same point in 2023/24 (423 households).

The risks associated with the Homes for Ukraine scheme have been well managed and all actions are completed. New actions are currently being developed based on any residual risks.

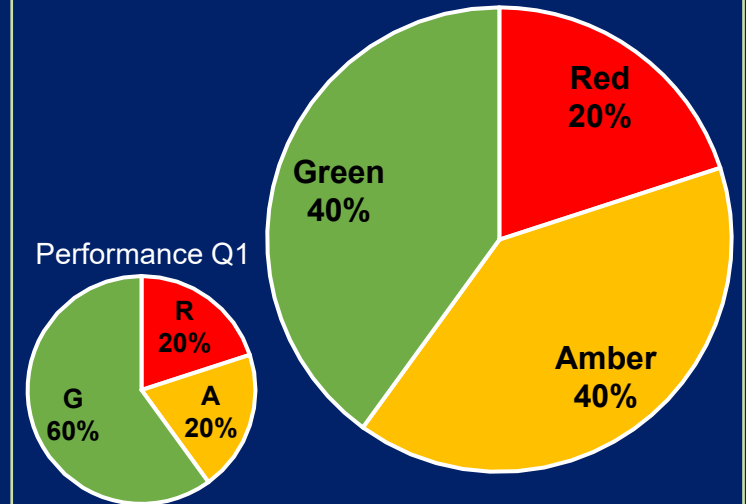
Homes PDG Performance Dashboard (HRA) – Quarter 2 2024/25

Performance Measures	Performance	Annual Target	RAG
MDH Satisfaction that the home is safe (TSM – TP05)	n/a	70 %	
MDH Delivery of new Social Housing (YTD)	44	100	R
New MDH net-zero MMC properties (YTD)	0	50	R
Tenant satisfaction with the overall repairs service (TSM – TP02)	n/a	70 %	
Market delivery of new affordable homes (YTD)	n/a	94	
MDH Overall tenant satisfaction (TSM - TP01)	n/a	TBD	
MDH Complaints responded to within Complaints Handling Code timescales (TSM-CH02; Average YTD)	97.5 %	100 %	A
MDH Antisocial behaviour cases relative to the size of the landlord (TSM – NM01; YTD)	5.76	TBD	
MDH Housing stock occupancy rate (YTD)	96.8 %	97 %	A
MDH Routine repairs completed on time (Average YTD)	99 %	95 %	G
MDH specific tenant engagement events (YTD)	63	100	G

Finance Measures	Performance	Annual Target	RAG
HRA – Projected Outturn	(£315k)	£0	G
HRA – Projected Tenant Income (Outturn)	(£14,641k)	(£14,641k)	G
HRA – Projected Capital Outturn	£10,244k	£15,447k	A
HRA – Capital Slippage % of development projects (Current)	22%	0 %	A

Corporate Risk	Risk Rating (Trajectory)
Housing Crisis	12 (No change)

Overall Performance Q2



In Focus

100% of housing complaints were responded to within the relevant timescales during Q2.

Housing stock occupancy rate has dipped below the target of 97%. A detailed report was presented to Scrutiny committee on 28 October. There are currently a number of long term development voids awaiting demolition and redevelopment.

The Housing crisis risk is likely to be positively impacted by the Government budget announcements. Time is needed to fully understand the impact on this risk.

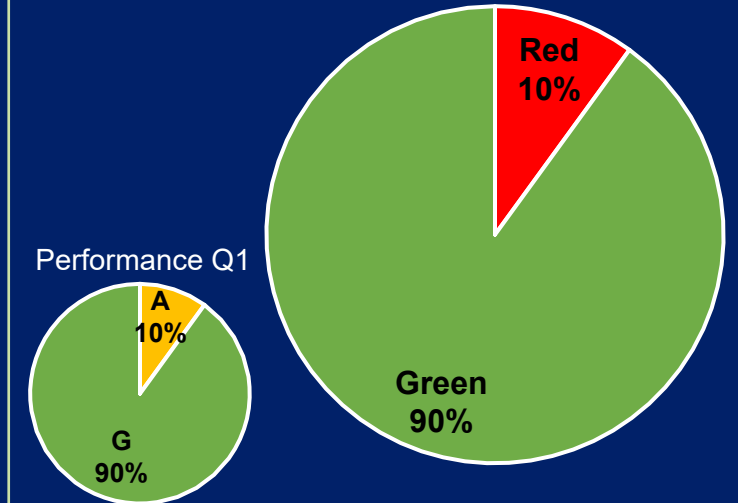
Economy & Assets PDG Performance Dashboard – Quarter 2 2024/25

Performance Measures	Performance	Annual Target	Rating
Pannier market occupancy rate (Average YTD)	86 %	85%	G
Businesses supported – non financial support (YTD)	146	250	G
Commercial property voids (YTD)	1.7 %	5%	G
Events supported in our town centres (YTD)	60	6	G
Tourism events supported (YTD)	3	2	G
Business rateable value (Current)	£54,552,102	N/A	
Empty business properties (Current)	224	N/A	
Funding secured to support economic projects (YTD)	£1,318,995	£400,000	G

Finance Measures	Performance	Annual Target	Rating
E&A PDG – Projected Outturn	£1,516k	£1,631k	G
Car Parking Income – Projected Outturn	(£1,102k)	(£1,102k)	G
Pannier Market Income – Projected Outturn	(£108k)	(£108k)	G
E&A PDG – Capital Slippage % of projects (Current)	26%	0%	R

Corporate Risk	Risk Rating (Trajectory)
Culm Garden Village – Loss of capacity funding	12 (Decreasing)
Culm Garden Village – Project delays/ impacts due to infrastructure delays	15 (Decreasing)
Cullompton Town Centre Relief Road	15 (Decreasing)

Overall Performance Q2



In Focus

Tiverton Swan Trail: Launched during Easter 2024, this public art initiative celebrates Tiverton's heritage and creativity. The trail finished on the 3rd November and the Swan Trail Auction was hosted on 7th November.

Jobs fair: This was held at Tiverton Pannier market on 23 October 2024.

Cullompton Town Centre Relief Road: Tesco has confirmed its willingness to sell a key piece of land required to deliver the relief road.

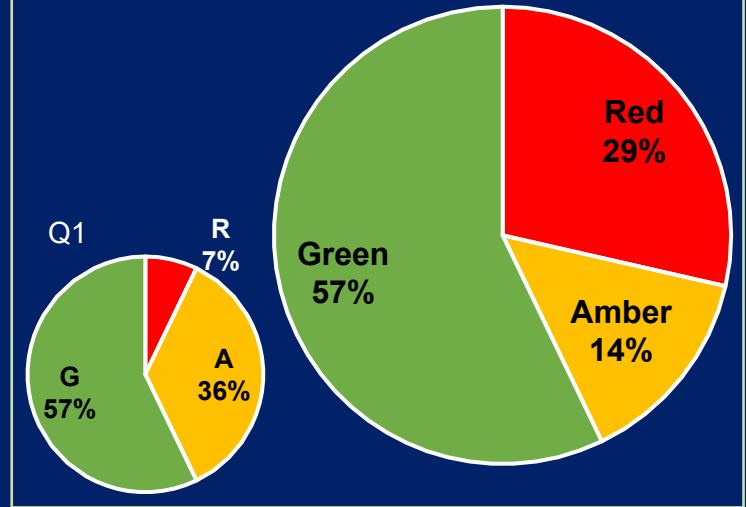
Service Delivery and Continuous Improvement PDG Performance Dashboard – Quarter 2 2024/25

Performance Measures	Performance	Annual Target	RAG
Household waste collected per household (YTD)	149.2 kg	300 Kg	G
Household recycling rate (Average YTD)	59.8 %	58.5 %	G
All council complaints resolved within timescales (Average YTD)	95 %	85 %	G
Staff turnover (YTD)	9.7 %	17.0 %	R
Missed Bin Collections - All (YTD)	0.03 %	0.03 %	G
Leisure cost per visit (YTD)	Est. £1.28	£1.12	
National non-domestic rates collection rate (YTD)	57.4 %	98 %	G
Council Tax collection rate (YTD)	54.85 %	97.5 %	A
Public survey engagement rate (YTD)	8.2 %	15.0 %	R
Households on chargeable garden waste (Current)	12,257	12,200	G

Finance Measures	Performance	Annual Target	RAG
SD&CI PDG Projected Outturn	£4,814k	£5,447k	G
Income received from recycled material (YTD)	(£308k)	(£437k)	G
Agency Spend 'v' Budget (SD&CI; YTD)	£88k	£110k	R
SD&CI PDG – Projected Capital Outturn	£3,472k	£4,111k	A
SD&CI PDG – Capital Slippage % of projects (Current)	27%	0%	R

Corporate Risk	Risk Rating (Trajectory)
Operation of a Waste Management Service	8 (No change)

Overall Performance Q2



In Focus

Leisure Summer Family Membership: This promotion provided families the opportunity to enjoy six weeks of access to leisure facilities for £50. 145 families took up the membership. A key driver of the scheme was to make fitness more accessible to low-income families.

Annual Customer Feedback Report: The annual report on compliments, comments and complaints was reported to Scrutiny committee on 25 November 2024.

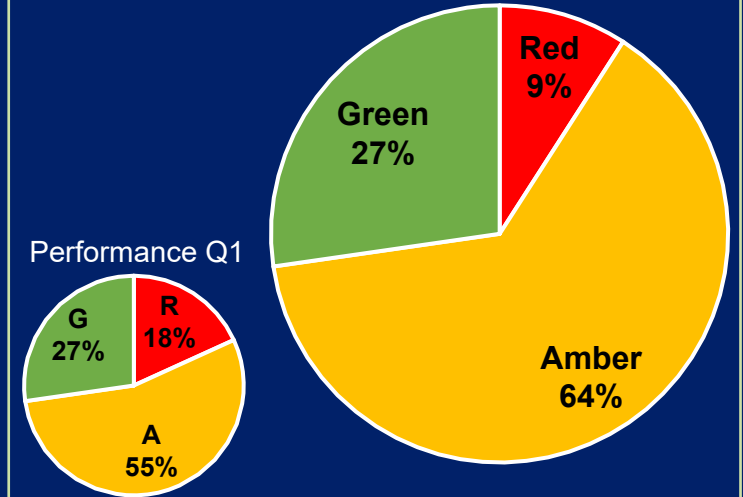
Corporate Performance Dashboard - Quarter 2 2024/25

Performance Measures	Performance	Annual Target	RAG
Sickness absence (working days lost YTD)	3.98 %	8.5 days	G
Number of projected FTE filled (Average YTD)	89.8 %	90.0 %	A
Council Tax paid by Direct Debit (Current)	77 %	80 %	A
Non-domestic rates paid by Direct Debit (Current)	50 %	50 %	G
Cyber security awareness training uptake (Current)	89 %	90 %	A

Finance Measures	Performance	Annual Target	RAG
Cabinet Services – Projected Outturn	£6,364k	£6,071k	A
No. of Procurement Waivers required (QTR)	5	0	A
Treasury Income – £ return (YTD)	(£475k)	(£1,058,774)	A
Invoices Paid on time (YTD)	99.66%	98.0 %	G
Sundry Debt recovery rate (YTD)	86.9 %	95.0%	A
Agency Spend 'v' Budget	£79k	£0	R

Corporate Risk	Risk Rating (Trajectory)	Corporate Risk	Risk Rating (Trajectory)
Cyber Security	20 (No change)	Corporate Property Fire Safety	9 (No change)
Information Security	12 (No change)	3 Rivers - Delivery of closedown plan	3 (No change)
Workforce Shortage	6 (Decreasing)	Reputational Impact of 3 Rivers	3 (No change)
Financial Sustainability	16 (No change)		
Cost of Living Crisis	16 (No change)		

Overall Performance Q2



In Focus

Household Support Fund: This Fund is now open. The Council has been given funding from the UK Government to help support those who are struggling to afford food and energy bills this autumn/winter. When our allocated fund has been spent the scheme will close.

This fund will run from the 28th October 2024 to the 31st March 2025 or earlier if the funds run out.

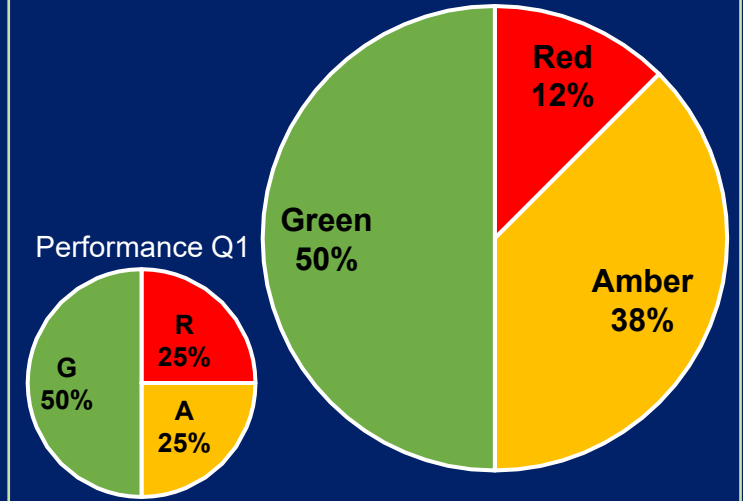
Planning Dashboard – Quarter 2 2024/25

Performance Measures	Performance	Annual Target	RAG
Major applications overturned at appeal (YTD)	0.6 %	10 %	G
Minor applications overturned at appeal (YTD)	0.4 %	10 %	G
Major Planning applications determined within 26 weeks (YTD)	92 %	100 %	A
Minor and other planning applications determined within 16 weeks (YTD)	91 %	100 %	A
Householder planning applications determined within 8 weeks (YTD)	99 %	70 %	G
Planning applications over 13 weeks without a decision (YTD)	60	N/A	
Planning Enforcement: Total Open Cases (Current)	338	N/A	
Planning Enforcement: New Cases received in quarter	67	N/A	
Planning Enforcement: Cases Closed in quarter	101	N/A	

Finance Measures	Performance	Annual Target	RAG
Cost of Planning Appeals (YTD)	£0	£0	G
Planning fees income – Statutory (YTD)	(£451k)	(£908k)	A
Planning fees income – Discretionary (YTD)	(£70k)	(£175k)	R
S106 income (YTD)	(£150k)	N/A	
S106 spend (YTD)	£69k	N/A	

Corporate Risk	Risk Rating (Trajectory)
Quality of Planning Committee Decisions	9 (no change)
Building Control Service Viability	12 (Increasing)

Overall Performance Q2



In Focus

Minor and other planning applications determined within 16 weeks is a new addition to the Dashboard.

Major Planning Applications determined within 26 weeks: Over the past two years 8% of major decisions were issued outside of the agreed time limit. Of these six decisions, five had secured an EoT (so preventing fee repayment) however the EoT was not updated to reflect the eventual date of issue.

forming strategic partnerships with local attractions and wider Devon Destination Management Organisations.

- 1.3 The impact of COVID and the more recent cost-of-living pressures on the leisure and tourism sectors has been significant. Therefore, although the Management Plan was initially a 5-year Plan, this was extended to 2025 to allow more focused actions on supporting recovery. Through the work of the Shared Prosperity Fund, the Economic Development Team has facilitated promotional campaigns as well as funding and developing the local offer.
- 1.4 The Destination Management Plan is being reviewed with a new draft 5-year Plan to come forward for approval in April 2025.

2.0 Tourism Data

- 2.1 To monitor the District's tourism economy, the Economic Development Team utilises the following information and data sources:
- **Tourism Report:** The Team commissions an annual 'Volume and Value of Tourism Report', which outlines the impact of visitor expenditure. The data is derived using the Cambridge Economic Impact Model (using national tourism surveys and regional / local data such as a Mid Devon's accommodation stock and occupancy). The report highlights the number of jobs, overnight/day visits and visitor spend. This data is reported a year behind, so the last report we have is for 2023.
 - **Visitor Surveys:** The Council has commissioned a visitor survey (seeking feedback from visitors to Mid Devon) as part of preparation for the review of the Destination Management Plan. This helps us understand our visitor profile, characteristics, destinations of choice and satisfaction feedback. The most recent survey was conducted this year (2024) with comparison to the previous survey in 2016.
 - **Town Centre Footfall:** Through a contract with Visitor Insights, we have access to town centre footfall data for Crediton, Cullompton and Tiverton. The plotted boundaries (geofences) align with the boundaries of the town centres as identified in the Local Plan. In addition to footfall count, the data allows us to monitor:
 - Visit profile (visits by time of day / day of week)
 - Dwell time
 - Visit frequency (including or excluding workers)
 - Street-level footfall heatmaps
 - Catchment (where visitors come from) (including or excluding workers)
 - Additional demographic data is available at an extra cost.
 - **Coach Bookings:** Through a partnership agreement, the Tiverton Tourist Information Centre manages the coach bookings for us in Tiverton. They

provide quarterly reports to us on the number of coach bookings and the coach companies visiting.

- **Retail, Leisure and Tourism Study:** As part of the review of the Local Plan, the Forward Planning Team commissioned a study looking at Mid Devon's retail and tourism offer. This study (undertaken in 2023/24) identified family and town-centre based attractions as areas for potential growth in the District.
- **Digital Engagement:** We are also able to monitor our digital footfall through the Visit Mid Devon website and social media accounts. This tells us the demographic profile of visitors engaging in our digital content (age/gender/location).

3.0 Tourism Profile

3.1 In 2023, Mid Devon attracted approximately 232,000 staying visits from UK and overseas visitors combined with approximately 1.4 million day visits, generating an estimated £121 million worth of visitor spend in the local economy.

3.2 Approximately 1,553 full time equivalent jobs within the district are tourism related, representing 5% of all employment in Mid Devon.

4.0 Visitor Survey

4.1 Between the 2024 Easter holidays and October Half-Term, South West Research Company conducted a visitor survey on our behalf.

4.2 400 adults (aged 16+ years) were interviewed face-to-face at key attractions and places of interest across Mid Devon. In addition, an online visitor survey was set up with the link promoted by local attractions and on the Visit Mid Devon website and Facebook page. A total of 204 useable online survey submissions were collected by the survey closing date. Therefore, the results are based on a combined sample of 604 visitors to Mid Devon.

4.3 Sample collection points:

- Tiverton Canal Basin car park/Visitor Information Centre
- Coldharbour Mill
- National Trust Knightshayes
- Diggerland
- Tiverton Museum
- The Bear Trail/Bear Town
- Bickleigh Mill
- Crediton
- Devon Railway Centre
- Bampton

4.4 Key findings

- 4.4.1 The findings from the 2024 visitor survey portray a positive and encouraging picture of Mid Devon as a tourism and leisure destination in the South West region.
- 4.4.2 The survey highlighted that Mid Devon remains a day visit destination predominantly, attracting day visits from within the district as well as outside the district (including those on holiday elsewhere). The results suggest that, compared to 2016, people are travelling less both from home and while on holiday and this is most likely because of the cost of living crisis.
- 4.4.3 The main visitor market for the district continues to be people living within the immediate South West region who account for around two thirds of all visitors to the district (67%) and this proportion that has increased slightly compared with 2016.
- 4.4.4 Whilst the majority of visitors to Mid Devon continue to visit in adult only groups (59%), there are signs of an increase in its popularity amongst those visiting with children which, at 41%, has increased by 9% compared with the 2016 survey (32%).
- 4.4.5 The district continues to attract a high proportion of repeat visitors across all visitor types and this is likely to be largely due to the fact that visitors appear to be relatively satisfied with the visitor experience they have had and the tourism product on offer to them. In particular, satisfaction levels were highest for the quality of service and value for money of accommodation, the overall enjoyment of visit and feeling of welcome. Visitors particularly enjoy the countryside in Mid Devon, the range of things for children, the scenery, the friendliness of the locals and natural beauty of the district.
- 4.4.6 Visitors highlighted the following areas for improvement: the quality of service/availability of public transport, the availability of public toilets and the range of shopping. A number of comments were also provided around potholes along with the roads in general and parking.
- 4.4.7 The 2024 survey has seen Mid Devon improve its recommendation score from +42% in 2016 to +52%, indicating that a good proportion of visitors are likely to recommend a visit to Mid Devon to others.

5.0 Visitor Profile

- 5.1 Based on the sample from the Visitor Survey, Mid Devon's Visitor Profile shows that:
- 63% of all visitors were on a day visit from home including 27% of visitors who lived within Mid Devon and 36% who lived outside of the district.
 - 59% of all visitors were visiting in adult-only groups.
 - Average group size was 2.91 people.
 - At 24%, the largest proportion of visitors to the district were aged 65+ years and 14% were aged 55-64 years, representing a combined total of 38% of all visitors being aged 55+. 21% of all visitors were aged between

35-54 years and 12% were aged 16-34 years . 28% of all visitors were children aged 15 years or younger including 14% in each case aged 0-4 years and 5-15 years.

- 47% of visitors were male and 53% female.
- 97% of all visitors to the district were from the UK. 27% were residents of Mid Devon, 22% lived elsewhere in Devon and 18% lived elsewhere in other areas of the South West. 29% were from other parts of the UK and 3% of visitors were from overseas.
- 45% of UK visitors lived within the 'EX' Exeter postcode area.
- 10% of staying visitors in Mid Devon were from overseas.

5.2 Characteristics of visits:

- 82% of visitors were on a leisure/holiday related trip to Mid Devon. 8% of visitors were visiting friends or relatives.
- 46% of staying visitors were staying overnight in accommodation in Tiverton and 7% in each case in Cullompton, Crediton and Bampton.
- The average length of stay in the district was 4.66 nights.
- 5% of day visitors on holiday who were visiting Mid Devon from a nearby holiday base outside the district in each case said they were staying overnight in accommodation in Somerset (unspecified area) and Dulverton. 4% in each case said they were staying in Exeter, Dawlish, Devon (unspecified area), Haven (accommodation provider), South Molton and Cornwall.
- 45% of all staying visitors had booked their accommodation in Mid Devon direct with their accommodation provider. 13% had booked through Airbnb, 10% through another online agent (OTA) and 4% had done so through a self-catering agency.
- 83% of visitors were on a repeat visit to Mid Devon.
- 89% of visitors had arrived by car, van etc. 5% of visitors had walked from their home/accommodation, 3% had travelled by scheduled bus/coach service and 2% had arrived by train (0% 2016). 2% had arrived by plane/air travel and 1% had used a bicycle.
- Visiting an attraction, eating & drinking in a restaurant/café/pub and going for a walk were the most popular activities undertaken during a visit to Mid Devon (across all visitor types).

5.3 Comparison to 2016:

- 7% increase in day visitors from home living within Mid Devon (63% in 2024 compared with 56% in 2016).
- 9% increase in the proportion of groups visiting with children (41% in 2024 compared with 32% in 2016).
- Slight increase in average group size (2.91 people in 2024 compared with 2.85 in 2016).
- 6% decrease in visitors aged under 55 years (38% in 2024 compared to 44% in 2016).

- Significant increase of 19% in visitors falling within socio economic groups AB (professionals in senior or middle management positions) (55% in 2024 compared with 36% in 2016).
- Increase in first-time visitors to Mid Devon (17% in 2024 compared to 12% in 2016).

6.0 Next Steps

- 6.1 The Economic Development Team is in the process of drafting the revised Destination Management Plan (with the view to expanding it as a Destination and Culture Management Plan). This new Plan will align with the new Economic Strategy for Mid Devon and the Corporate Plan.
- 6.2 The results of the Visitor Survey will be incorporated into the new Plan and used to facilitate action planning exercises as part of the Economic Strategy Informal Economy and Assets PDG sessions with Members.
- 6.3 From the initial feedback, it is expected that some elements of the Plan will identify areas of growth around the Mid Devon Walking Festival, signage and partnerships/networks (with tourism businesses).
- 6.4 The Team will continue to undertake promotional activities to raise awareness of Mid Devon as a tourism destination and to promote the Visit Mid Devon platforms. We are working with the new Devon Local Visitor Economy Partnership (LVEP) and have supported the formation of a new South West Tourism Data Hub. We will look to utilise these partnerships to direct and monitor delivery. Visit Britain are focussing on themes around sustainability, accessibility and wellbeing and there is a national spotlight on sports, arts and culture as tourism drivers. This direction will be fed into the LVEP, which aims to form a Devon-wide Destination Management Plan over the next 3-5 years. Our Destination Management Plan will be informed by and support this new Plan.

Financial Implications

The report is an information report and does not of itself have any financial implications and require any decisions.

Legal Implications

There are no legal implications arising from this information report.

Risk Assessment

There are no further risks associated with the updates in this report that have not already been reported.

Impact on Climate Change

Sustainability is a priority area for Visit Britain and will be featured in the new Destination Management Plan as an underlying theme.

Equalities Impact Assessment

Accessibility and wellbeing are two priority areas for Visit Britain and will be featured in the new Destination Management Plan as underlying themes.

Relationship to Corporate Plan

The Destination Management Plan supports the corporate objective for the economy and assets:

- We will support business and economic development across Mid Devon, enabling job creation, and supporting sustainable tourism growth

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 4 December 2024

Statutory Officer: Maria DeLeiburne

Agreed on behalf of the Monitoring Officer

Date: 4 December 2024

Chief Officer: Richard Marsh

Agreed by Corporate Director

Date: 4 December 2024

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 03 December 2024

Cabinet member notified: yes

Section 4 - Contact Details and Background Papers

Contact: Zoë Lentell, Economic Development Team Leader

Email: zlentell@middevon.gov.uk

Telephone: 01884 234298

Background papers:

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SCRUTINY COMMITTEE WORK PLAN 2024-25

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
13th January 2025				
	<p>Review of Medium Term Financial Plan 2026 - 2031 To receive a report from the Deputy Chief Executive (S151) reviewing the Budget over the next five years</p>		<p>Deputy Chief Executive (S151) Paul Deal</p>	
Page 55	<p>Regulation of Investigatory Powers Act Annual Report To receive a report from the Director of Legal , HR & Governance (Monitoring Officer)</p>		<p>Maria De Leiburne Maria De Leiburne</p>	
	<p>Housing Rents To receive a report from the Deputy Chief Executive (S151 Officer) on the Housing Rents.</p>		<p>Deputy Chief Executive (S151) Paul Deal Simon Newcombe</p>	
	<p>Portfolio Presentation from the Cabinet Member for People and Development</p>			
17th February 2025				
	<p>Whistleblowing Annual Update To receive a report from the Head of People, Governance and Waste regarding Whistleblowing.</p>		<p>Operations Manager for Legal and Monitoring Matthew Page</p>	

Meeting Date	Agenda Item	Theme	Officer Responsible	Comments
	Establishment Report To receive a report from the Corporate Manager for People, Governance and Waste		Operations Manager for Legal and Monitoring Matthew Page	
	Portfolio Presentation from the Cabinet Member for Governance, Finance and Risk			
17th March 2025				
	South West Water visit To Scrutinise South West Water		Director of Place and Economy	
4th April 2025				
	House Maintenance, emergency repairs, pollution monitoring and resident safety. Report covering Maintenance of MDH properties, emergency repairs, health of tenants, monitoring air pollution, methods of improving performance, increased air monitoring to support target goals, delivering accurate pollution figures to support the need for traffic management and future delivery of residential homes.		Director of Place and Economy Simon Newcombe	
	Scrutiny Chairman's Annual Report To receive a report from the Chairman of the Scrutiny Committee on the work the Scrutiny Committee has conducted over the last year.		Operations Manager for Legal and Monitoring David Parker	

Mid Devon District Council Scrutiny Proposal Form

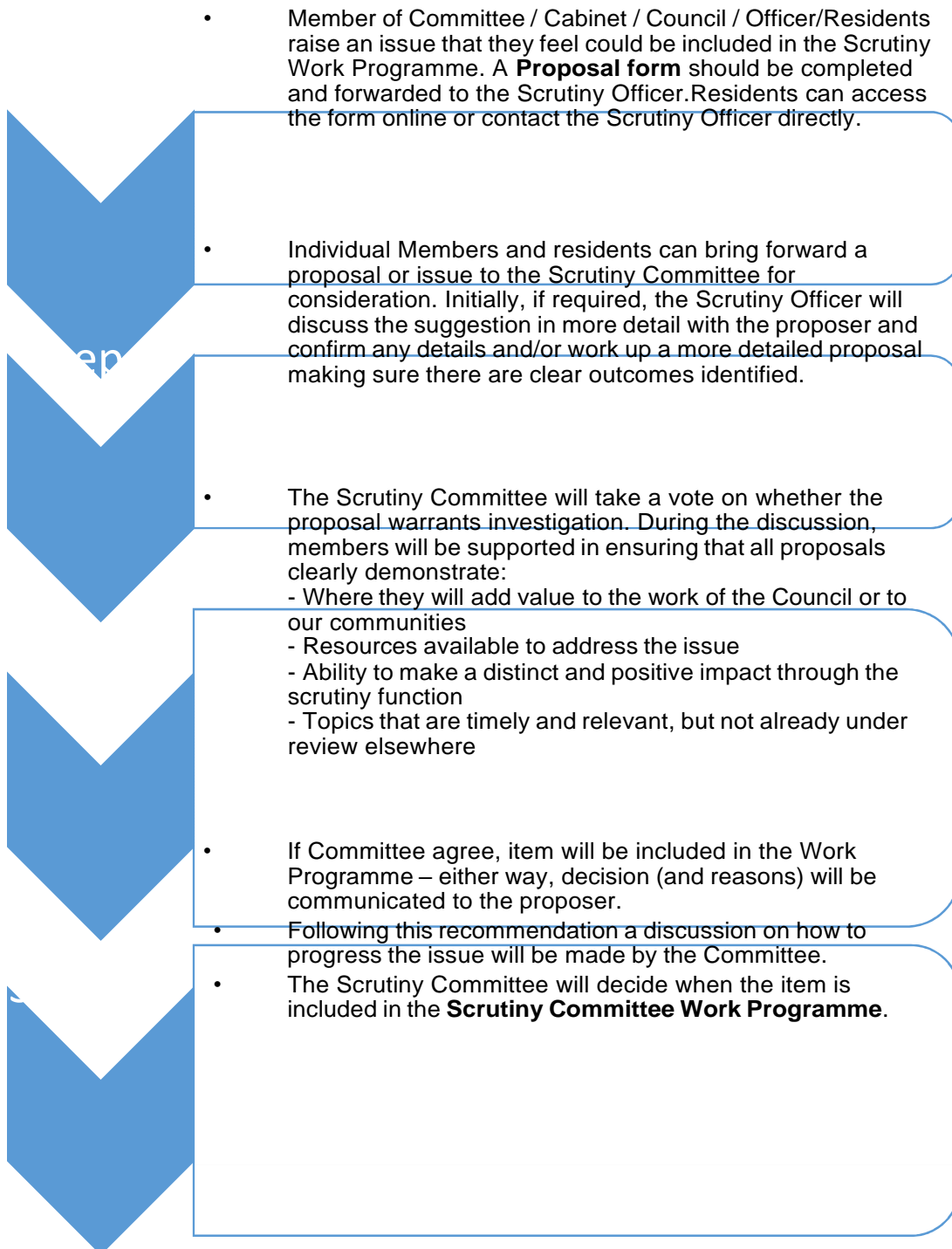
(This form should be completed by Member(s), Officers and / or members of the public when proposing an item for Scrutiny).

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

Proposer's name and designation	Sue Robinson (Cullompton Padbrook)	Date of referral	30 th November 2024
Proposed topic title	Cullompton's chief concerns – The Relief Road – J28 – the Railway Station – Culm Garden Village – and the need to Scrutinise with great attention to detail at this particular time		
Link to national, regional and local priorities(Corporate Plan) and targets	<p>The previous Govt (Conservative) awarded the Railway station, and it was due begin service in Sept 2025. The current Govt (Labour) has now taken that agreement back. The platform is still in place, and it would not be a costly job to reinstate a station, with ticket machine. The whole principle of a Garden Village is to reduce private vehicle use, and to rely upon all available means of public transport instead. Without a railway station our Culm Garden Village will be lacking a vital transport hub.</p> <p>The town was recently awarded its long sought after Relief Road, after 20 years' of campaigning. Work is scheduled to begin in early Spring 2025, with a completion date towards the end of 2026, or just into early Spring 2027. Emergency vehicles and overspill traffic from J28 will then be able to avoid our historic town centre, with its very narrow pavements, and will clear much of the air pollution that currently affects the centre of our town. Building is progressing in our Culm Garden Village, which is situated across the M5 from the rest of Cullompton. Currently there is an absolute limit of 500 homes being completed, sold and inhabited, prior to work being completed to alter J28 so as to better suit the needs of residents in our Garden Village. J28 work has yet to be approved for funding, and this has already become Cullompton's most urgent pressure point. Both slip roads, leading to and coming from, Exeter, need to be removed, and then replaced elsewhere on the nearby access routes to and from the M5. We need as much Scrutiny of these requirements as is possible, especially since MDDC has no legal jurisdiction over Highways, but must always work in partnership with DCC.</p> <p>Only when J28 has been suitably remodelled can work on the Garden Village continue, to the estimated 5000 homes, or even beyond that limit. There are 3 developers currently bidding to build parts of the Village, planning consent has been given, local consultations have been held BUT we are no closer to knowing what will be decided about J28, nor, perhaps, about the railway station. This request for in depth scrutiny around these issues aims to try and provide more clarity, and a realistic timeline for the completion of the projects.</p>		

<p>Background to the issue</p>	<p>MDDCs current Local Plan contains all of the detail of each of these 4 projects. Planning consent has been granted for the Culm Garden Village. 3 developers are present and waiting for essential updates. The Town Centre Relief Road has recently gained approval, and funding. MDDC is working in partnership with DCC Highways, with the intent of a start date in early 2025, and a completion date of late 2026/early 2027. The railway station was granted approval, then that approval was more recently removed, by our current (Labour) Govt. Culm Garden Village plans are well advanced. J28 work is essential, and before any more than 500 homes have been built, sold and occupied (of a current plan for 5000, which could itself be increased). MDDC will need to work in partnership with DCC Highways on this project, whose approval is now slowing down work in and around the Garden Village, and with no sign of that decision being anywhere close to fruition.</p>
<p>List main points this report should cover (What do you want to achieve?)</p>	<ol style="list-style-type: none"> 1. Town Centre Relief Road – start and completion dates made public, and then adhered to. 2. J28 decisions made – and made public- with appropriate timelines. 3. Cullompton Railway Station decision reversed from the current one – and to revert to Sept 2025 start of service consent granted. 4. Culm Garden Village building works ‘held to 500 homes completed, sold and occupied’ until such time as J28 work has been completed.
<p>Should this be referred to the appropriate PDG/ Committee?</p>	<p>No, it needs intense scrutiny as these projects are developed. J28 agreement to modify, as consulted on and approved, is the most critical factor to determining the speed of progress on the Village.</p>
<p>What degree of priority is this issue? 1 = Urgent 2= High 3=Medium 4=Low</p>	<ol style="list-style-type: none"> 1. This is extremely necessary at this time, particularly the J28 decision and funding, with timelines publically known.

Proposing an item for the Scrutiny Committee Work Programme



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Mid Devon District Council Scrutiny Proposal Form

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

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

Proposer's name and designation	Gordon Czapiewski District Councillor	Date of referral	06/12/2024
Proposed topic title	Devolution and MDCC		
Link to national, regional and local priorities(Corporate Plan) and targets	To prepare for proposals regarding Devolution in our area and adjacent areas. This is dependent on a government White Paper due in December (originally November) 2024.		
Background to the issue	<p>Devolution is going to be promoted by the current government. Initial guidance will be given via a white paper due in December 2024. Our region is complex and the final deal could take one of several forms.</p> <p>In order to be prepared to produce the best deal this council should plan for Scrutiny to be involved at key stages prior to any commitments being made. As this will be driven by timelines dictated by central government we need to ensure that time is allocated, and due notice given, to enable meetings to be scheduled to accommodate discussion and debate on this subject.</p>		
List main points this report should cover (What do you want to achieve?)	<ol style="list-style-type: none"> 1. Potential options 2. Timelines 3. Opportunity for input 4. Mayor or no Mayor (if given a choice) 		
Should this be referred to the appropriate PDG/ Committee?	Cabinet		
What degree of priority is this issue? 1 = Urgent 2= High 3=Medium 4=Low	2		

Proposing an item for the Scrutiny Committee Work Programme

