

Cabinet

Tuesday, 2 September 2025 at 5.15 pm
Phoenix Chamber, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 7 October 2025 at 5.15 pm

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

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

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

Meeting ID: 328 693 258 625
Passcode: 62ff3nZ3

Membership

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

AGENDA

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

1. **Apologies**
To receive any apologies for absence.
2. **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public.
3. **Declarations of Interest under the Code of Conduct**
To record any interests on agenda matters.
4. **Minutes of the Previous Meeting** (*Pages 7 - 14*)
To consider whether to approve the minutes as a correct record of the meeting held on 5 August 2025.
5. **Medium Term Financial Plan (MTFP)** (*Pages 15 - 36*)
To receive a report from the Deputy Chief Executive (S151) Officer on the updated Medium Term Financial Plan (MTFP) which covers the period 2026/27 to 2028/29 and takes account of the Council's key strategies (i.e. the Corporate Plan, Business Plans, Treasury Management Plan, Asset Management Plan, Work Force Plan and Capital Strategy) and demonstrates it has the financial resources to deliver the Corporate Plan.
6. **Freedom of Information (FOI) & Environment Information Regulations (EIR) Policy** (*Pages 37 - 52*)
To receive a report from the Head of Digital Transformation and Customer Engagement to review the Freedom of Information (FOI) and Environment Information Regulations (EIR) Policy to ensure compliance with legislation and regulations.
7. **Data Protection Policy** (*Pages 53 - 72*)
To receive a report from the Head of Digital Transformation and Customer Engagement to review the existing policy to ensure compliance with the Data Protection Act (DPA) 2018, the General Data Protection Regulations and the impact of the new Data Use and Access Act 2025 (DUAA) which gained royal assent June 2025.
8. **Award of Contract for the Air Source Heat Pump (ASHP) upgrades 2025/28** (*Pages 73 - 78*)
To receive a report from the Head of Housing and Health on the tendering of the Upgrading of Air Source Heat Pump Systems Contract 2025 - 2028 for Housing Revenue Account (HRA) properties and confirm the award of the contract.

9. **Tiverton EUE. Area B Masterplan** (*Pages 79 - 156*)
To receive a report from the Director of Place and Economy on the Draft Masterplan for Area B of the Tiverton Eastern Urban Extension taken into account the comments received during the public consultation as presented to Cabinet 17 June 2025.
10. **Notification of Key Decisions** (*Pages 157 - 170*)
To note the contents of the Forward Plan.

Guidance notes for meetings of Mid Devon District Council

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

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

1. Inspection of Papers

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

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

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

2. Members' Code of Conduct requirements

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

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

3. Minutes of the Meeting

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

4. Public Question Time

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

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

5. Meeting Etiquette for participants

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

For those joining the meeting virtually:

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

6. Exclusion of Press & Public

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

7. Recording of meetings

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

8. Fire Drill Procedure

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

9. WIFI

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

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MINUTES of a **MEETING** of the **CABINET** held on 5 August 2025 at 5.15 pm

**Present
Councillors**

L Taylor, D Wulff , J M Downes,
G Duchesne, M Fletcher, S Keable and J
Lock

**Apologies
Councillors**

N Bradshaw and J Wright

**Also Present
Councillors**

E Buczkowski, J Buczkowski and S Clist

**Also Present
Officers:**

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Maria De Leburne (Director of Legal, People & Governance (Monitoring Officer)), Richard Marsh (Director of Place & Economy), Paul Deal (Head of Finance, Property & Climate Resilience), Matthew Page (Head of People, Performance & Waste), Darren Beer (Operations Manager for Street Scene), Jason Ball (Climate and Sustainability Specialist) and Laura Woon (Democratic Services Manager)

**Councillors
Online**

J Cairney, G Czapiewski, M Farrell, M Jenkins,
L G J Kennedy and L Knight

Officers Online

Dean Emery (Head of Revenue, Benefits and Leisure) and
Tristan Peat (Forward Planning Team Leader)

26. APOLOGIES (05:27)

Apologies were received from Councillors: N Bradshaw and J Wright.

27. PUBLIC QUESTION TIME (05:30)

None received.

28. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (05:37)

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

29. **MINUTES OF THE PREVIOUS MEETING (06:00)**

The minutes of the previous meeting held on 8 July 2025 were **APPROVED** as a correct record and **SIGNED** by the Leader.

30. **WASTE AND RECYCLING OPTION- POTS AND PANS TRIAL (06:25)**

Cabinet had before it a report * from the Head of People, Performance and Waste and the Operations Manager for Street Scene and Open Spaces on the Waste and Recycling options.

The Leader of the Council outlined the contents of the report with particular reference to the following:

- Following on from the recommendation that was made from the Service Delivery and Continuous Improvement Policy Development Group (PDG) in December 2024 and subsequent decision made by Cabinet in January 2025, a trial was conducted between 28 February 2025 and 23 May 2025 to assess both the feasibility of collecting unusable pots and pans (made of aluminium, stainless steel) and their subsequent collection rates from households as part of the Council's routine recycling collections.
- Two separate trials were conducted: one in an urban area (Willand) involving 453 properties and one in a rural area (Uffculme) involving 346 properties.
- The results of the trial were presented in section 2 with preliminary analysis and conclusions drawn together in section 3.
- The results of the trial confirmed that collecting unusable pots and pans via household recycling routes was operationally feasible and added strategic value to the Council's services. While engagement was limited, especially over time, small volumes were collected efficiently. This initiative, if permanently introduced as a collection service, could further enhance the Council's recycling capabilities and environmental reputation; however there would be a minimal effect on the recycling rate if the low tonnage collected during the trial was to continue.
- The trial was useful to understand potential participation rates across the district. It had shown that residents initially used the service actively, primarily to dispose of old items. However, usage dropped significantly after the first few collections. This suggested that long-term use may be lower than the initial uptake, making it difficult to predict future usage levels across the district. This also highlighted the importance of communication and the need to regularly remind residents of the services and how they could use those services.
- It was important to emphasise that, in line with the waste hierarchy, residents were encouraged to consider what materials they reused and reduced as well as recycled. However, given the ease with which the additional pots and pans could be collected during the trial, the Street Scene Service could collect residents' pots and pans as an additional collection service if required with very limited or minimal extra associated cost to the Council.
- The trial had given useful operational insight and demonstrated that there was not a consistent demand pattern for the collection of unusable pots and pans

across the district. Therefore, it was envisaged that rolling out this provision should be delivered within the current capacity and budget. However, future additional collection materials would need to be appraised based on the understanding that adding pots and pans into the recycling activity would place slight additional pressure on the operation.

- To recommend an additional waste collection material into an already highly effective recycling programme and to look forward to further exploring other additional material over the coming months.

Discussion took place with regards to:

- The specific start date for the permanent future collection of pots and pans to commence. It was suggested that we look to start the collection during the autumn of 2025 (October) to allow the necessary communication and awareness to be carried out in September.
- Whether metal stainless steel mixing bowls without handles would be included within the collection? This would be clarified in the pre-launch communication.
- Similarly, the pre-launch communication would also clarify whether different types of pots and pans e.g. those with non-stick coating would be collected.
- The communication would also stipulate that Teflon pots and pans would not be collected.

RESOLVED that:

1. The contents of this report was reviewed and **NOTED**.
2. The permanent future collection of unwanted metal pots and pans across the district from a specific date in October supported by an effective communications plan and resident correspondence as recommended by the Service Delivery and Continuous Improvement Policy Development Group (PDG) be **APPROVED**.

(Proposed by Cllr L Taylor and seconded Cllr S Keable)

Reason for Decision:

Based on the findings of the trial, pots and pans being included in the portfolio of materials collected at the kerbside would not incur additional operational costs. There would be minimal financial gain in the form of recycling credits or sales income due to the low tonnage collected.

Note: * report previously circulated.

31. **2025/26 QUARTER 1 BUDGET MONITORING (16:00)**

The Cabinet had before it and **NOTED** a report * from the Deputy Chief Executive (S151) Officer and the Head of Finance, Property and Climate Resilience on the 2025/2026 Quarter 1 Budget Monitoring.

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

- The report presented the first Budget Monitoring for the year 2025/26 covering the period April – June 2025. This gave a forecast of the potential year end position.
- Based on Quarter 1 data the projected outturn position for the General Fund was a £232k over-spend. This was in-line with the previous year's trend where initial forecasts indicated an over-spend. However the position had improved during the remainder of the previous year and it was expected that this would be the case again this year. The main cause for the over-spend was the need for specialist agency staff which had exceeded the vacancy saving.
- It was worth highlighting that the current assumption was to earmark the significant increase in the Extended Producer Responsibility (EPR) grant recently announced (£450k), which if recognised would mean the Council had a small financial surplus. However, it was more prudent to earmark it at this point in the year and to continually assess this action throughout the remainder of the financial year as greater clarity on the likely year-end position became known.
- The Housing Revenue Accounts (HRA) forecast was for a £118k under-spend, which although a little lower, was again similar to the previous year's initial forecasts. Salary underspends were the main driver of this under-spend. The Capital Programme forecast a variance of £16.7m against the 2025/26 Deliverable Budget. This was largely due to the slippage of £15.2m, of which £4m related to the Cullompton Town centre Relief Road although the project was now well underway. There were other notable slippage variances in relation to 4 specific HRA development projects. There were a few forecasted over-spends where projects had broadened, for example with leisure and waste. This was more than offset by under-spends, particularly the Waste Depot Remodelling Project which was recently approved by the Cabinet. Finally, there was a small amount of expenditure no longer required as it had been encompassed into the larger Waste Depot Project.
- Also included within the report were sections that provided updates on the latest Treasury Management position, Collection Fund forecast and Procurement.
- The fundamental changes in funding mechanisms had been mooted for a while and were seeing hints of what this might mean for the Council. Specifically as this Council appeared to belong to a small group of less than 50 councils who were targeted for larger funding reductions. While most of the 300+ Councils were likely to have a cash freeze, it was indicated that the Council would receive a cut of between -5% to -7%.
- However, the real concern was the impact of resetting the business rates, with the loss of all of the growth generated since the scheme was implemented in 2013/14. If there was no transitional relief, this would have a significant impact on the Council's finances (£2m+).
- This Council would continue to challenge the rationale for being treated differently and lobby for effective transitional support and early notification of the final position.

Discussion took place with regards to:

- For the Business Rates was this just affecting this Council, Districts or other Local authorities? It was explained that it affects all Council's.

- The shortage with regards to the Housing Revenue Accounts (HRA) that was a significant amount, what were the reasons for this? There were a number of factors that contributed to the shortage.
- Who or what was (DMO) and did they borrow money for three days? It was explained that it was the Debt Management Office who we lent money to at an interest rate on a short term let.

RESOLVED that:

1. The financial monitoring information for the income and expenditure for the 3 months to 30 June 2025 and the projected outturn position be **NOTED**;
2. The use of Waivers and Direct Awards for the procurement of goods and services as included in Section 8 be **NOTED**;
3. The update on future funding given in paragraphs 9.2 and 9.3 be **NOTED**.

(Proposed by Cllr J Downes and seconded by Cllr J Lock)

Reason for Decision:

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

Note: * report previously circulated.

32. ACCESS TO INFORMATION- EXCLUSION OF PRESS & PUBLIC (27:30)

The Leader indicated that discussion with regard to the following items, may require the Cabinet to pass the following resolution to exclude the press and public having reflected on Article 12 12.02 (d) (a presumption in favour of openness) of the Constitution. This decision was required because consideration of this matter in public would disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The Cabinet decided, in all circumstances of the case, the public interest in maintaining the exemption interest in disclosing the information, outweighed the public interest in disclosing the information.

It was **RESOLVED** that the meeting remain in Part 1 and therefore open to the press and public.

33. LOCAL NATURE RECOVERY STRATEGY (28:10)

Cabinet had before it a report * from the Director of Place and Economy and the Climate and Sustainability Specialist on the Devon Local Nature Recovery Strategy.

The Cabinet Member for Planning and Economic Regeneration outlined the contents of the report with particular reference to the following:

- The Devon Local Nature Recovery Strategy (LNRS) would inform nature recovery at a local level, by mapping habitats, features and key species to

identify opportunities, priorities and actions to boost ecological connectivity, diversity and abundance.

- The Strategy would take the form of a formidable online resource, a website and a mapping viewer that aimed to help everyone to play a role, by being easy to explore and use.
- Devon County Council (DCC) was the Responsible Authority for the Devon LNRS.
- DCC had been developing the Strategy through the Devon Local Nature Partnership, which involved a broad array of stakeholders such as farmers and this Council had been consulted as part of that.
- This Council was a supporting Authority for the Devon LNRS, along with other local authorities and Natural England.
- All public authorities had a duty to conserve and enhance biodiversity and must have regard to the relevant LNRS.
- The wider co-benefits to nature recovery included: climate change adaptation and mitigation, water quality, natural capital and ecosystem services and wellbeing.
- The Strategy Team aimed to complete the Strategy and put it out to public consultation in September 2025.

The Climate and Sustainability Specialist outlined the contents of the presentation with particular reference to the following:

- The website was interactive, exciting, interesting and offered inspiration. It provided information such as: Important species and approximate areas where you could locate them such as dragonflies etc.
- The location of schools and the local community centres showing 500-metre zones, to help illustrate where the nearest area of nature or green space would be accessible to communities.
- Different layers of information that could be used depending on need and perspective.
- Powerful tools and resources for the viewer to use.
- Funding decisions and the direction and prioritization of funding would be influenced by the LNRS.

Discussion took place with regards to:

- Whether some of the creatures would look different in real life.
- Could the website be used in a negative way such as a tracking tool and put the protected species and or habitats at risk of being hunted?
- Concerns with regard to the decline in the level of nature in England.
- Would there be a grant of permissions through the “search me” engine on the website. For example the “search near me” would the information returned show that information?
- What were the next steps and when would the website go live?
- The website had specific areas to view and it would be a crucial tool.
- The work that landowners had contributed for years to help towards preserving nature.
- On the Government website stated that they had a goal to raise at least £500 million per year of private finance for nature recovery by 2027 and more than £1 billion by 2030. Concerns were raised around the term ‘Private Finance’.

- The term wildlife and hedgerow, did the website indicate when to cut hedgerows?

RESOLVED that:

1. Approval be given to Devon County Council (DCC) that the draft Devon Local Nature Recovery Strategy (LNRS) be published and that it goes out for public consultation.
2. That delegated authority be given to the Director of Place and Economy, in conjunction with the Cabinet Member for Planning and Economic Regeneration, and the Cabinet Member for Environment and Climate Change, to make or approve any minor amendments to the consultation materials.

(Proposed by Cllr S Keable and seconded by Cllr G DuChesne)

Reason for Decision:

The purpose of the Devon Local Nature Recovery Strategy was to inform and support nature recovery, and relevant co-benefits included: actions for climate change adaptation (e.g. natural flood management) and mitigation (e.g. restoration of habitats that are important for carbon storage and sequestration).

Note: * report previously circulated.

34. NOTIFICATION OF KEY DECISIONS (50:52)

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

This included the following:

- The purchase of waste bins and containers had been removed from September 2025- as this would be included as part of the Budget Report.

Note: * Key Decision report previously circulated.

(The meeting ended at Time Not Specified)

CHAIRMAN

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Report for: Cabinet

Date of Meeting:	2 September 2025
Subject:	Medium Term Financial Plan
Cabinet Member:	Cllr John Downes – Cabinet Member for Governance, Finance and Risk
Responsible Officer:	Andrew Jarrett – Deputy Chief Executive (S151)
Exempt:	N/a
Wards Affected:	All
Enclosures:	Appendix 1 – MTFP Summary Position – General Fund Appendix 2 – MTFP Summary Position - HRA

Section 1 – Summary and Recommendation(s)

To present the updated Medium Term Financial Plan (MTFP) which covers the period 2026/27 to 2028/29 and takes account of the Council's key strategies (i.e. the Corporate Plan, Business Plans, Treasury Management Plan, Asset Management Plan, Work Force Plan and Capital Strategy) and demonstrates it has the financial resources to deliver the Corporate Plan. This models potential changes in funding levels, new initiatives, unavoidable costs and proposed service savings.

Recommendation(s):

That Cabinet:

- 1. Note the updated MTFPs for the General Fund covering the years 2026/27 to 2028/29;**
- 2. Agree to apply the principles set out in Section 4 where possible and endorse the approach to balancing the General Fund Revenue Budget outlined in paragraph 7.2.**
- 3. Seek recommendations from the Policy Development Groups on the Budget Proposals identified by senior managers and garner their views on where savings should be sought and to what level.**

Section 2 – Report

1.0 Executive Summary

- 1.1 The 5-year timeframe usually covered by the MTFP is not applicable due the Government's previous announcement of Local Government Reorganisation (LGR) for authorities within Devon. The current expected date for commencement of the new entity, in whatever form, is April 2028. However, to show a meaningful MTFP period, we have continued financial estimations through to 2028/29.
- 1.2 2026/27 is an exceptional year in terms of funding for the sector. The Government have announced that practically all the various funding mechanisms within the sector will alter. Although there are various ongoing consultations, the final changes and implications for each funding stream is not currently known and will not be until the autumn at best. It's likely that individual authority allocations will not be known until the Local Government Finance Settlement is announced, which will then cover 2026/27 – 2028/29, the first multi-year settlement in a decade. The Settlement has at least been promised to be made earlier than the norm of the week before Christmas. This leads to an unprecedented level of uncertainty and makes it practically impossible to explain let alone forecast and plan for.
- 1.3 As stated within the 2025/26 Quarter 1 Budget Monitoring Report, it is understood that the Council has been targeted as part of a minority group of around 50 authorities that will be one of the biggest losers based on their initial draft calculations on funding – which would see us targeted for between a 5-7% real terms cut in 2026/27 as opposed to the 0% cash floor applied to the remaining c300 authorities. The funding baseline to which this cut will apply is not clear, but if this is applied the funding shortfall will be in the region of £2m - £3m.
- 1.4 However, there are other new sources of funding expected outside of the settlement that will reduce the impact. The Extended Producer Responsibility (EPR) Grant was introduced late in the budget process for 2025/26. The indicative allocation was £927k, however this has recently been amended to £1,438k. Government have indicated that similar levels of funding should be available in future years, albeit that as producers reduce the volume of packaging, the grant received will fall. Therefore a prudent assumption of £1,000k is included within the MTFP.
- 1.5 Similarly, we assume that all authorities will receive a share of the Weekly Food Collection Grant funding in the future, hence the inclusion of £250k per annum in the MTFP. Currently the Government is not providing any indicative figures and timing of such announcements is likely to be at the same time as the funding settlement.

- 1.6 The above paragraphs demonstrate the high degree of uncertainty that remains on what level of funding might be received from 2026/27 onwards. There is ongoing modelling by the Ministry of Housing, Communities and Local Government (MHCLG) on the new funding formulae and only in late November / early December are we expecting full clarity of our individual position. Over and above the changes in the formulae and the setting of negative funding floors, MHCLG are also discussing options for transitional reliefs and further flexibilities etc to smooth the impact of the changes. Should the Council be one of those c50 authorities targeted for the largest cuts in funding this will be especially relevant, particularly in respect to business rates where we have seen significant growth in our funding.

2.0 The purpose of the Medium Term Financial Plan

- 2.1 The main purpose of the MTFP is to show how the Council will strategically manage its finances in order to support the delivery of the priorities detailed in the Corporate Plan 2024 – 2028.
- 2.2 The MTFP links the financial requirements, constraints and objectives included in all the key planning documents of the Council (i.e. Asset Management Plan, Treasury Management Strategy, Work Force Plan, and Business Plans) which culminate in the Corporate Plan.
- 2.3 The MTFP is an essential part of the budget setting process. It provides a financial model which forecasts the cost of providing Council services in the future, together with an estimate of the financial resources that will be available. This model provides an early warning mechanism if there is a significant budget gap between estimated costs and available resources.
- 2.4 The MTFP helps strategically plan the budget setting process, but of equal importance, gives Management and Members an overview of future budget gaps so strategic decisions can be made over levels of future spending, Council Tax levels, policies for fees and charges, asset investment or disposal, etc.
- 2.5 The Council also prepares an MTFP for the Housing Revenue Account (HRA). This shows the key issues affecting the HRA costs and income streams across 2026/27 – 2028/29.
- 2.6 Work is underway to develop the capital programme and this will follow in due course.

3.0 Framework for the Medium Term Financial Plan

- 3.1 The MTFP models an overall aggregated position for the Council based on a range of assumptions. This then predicts an overall budget position, which can highlight a potential budget gap and then propose remedial action which can be taken to resolve it. Clearly, these assumptions can be challenged. They will vary due to changes in the local, national and international economic position and of course, the ongoing consequences of the Cost Of Living Crisis will have implications, not only for the current year, but also for the years to come.
- 3.2 Given the level of uncertainty on the future funding, the focus is on the expenditure. The starting base for the MTFP is the 2025/26 approved budget assuming that the current level of service provision remains.
- 3.3 It is then adjusted for any supplementary estimates approved by the Council or any significant budget variances identified in the budget monitoring report to the Cabinet. Forecasts of unavoidable costs, such as, pay increases, inflation, service pressures associated with new legislation, a growing residential or business property base or improving performance, etc are then included. The MTFP will also consider forecasts for investment receipts and income from fees and charges.
- 3.4 Normally the MTFP considers and makes assumptions regarding future levels of funding, in particular Council Tax including the potential growth in tax base, Business Rates again including any movement in the baseline as well as changes in the reliefs, multipliers and overall retention levels. Forecasts are also made for the likely level of future Central Government funding. However, the scale of change in the majority of these funding streams practically renders this impossible. This is covered in more detail in the next section.
- 3.5 The development of a multi-year financial model is based on a number of assumptions and perceived risks. These become more difficult to predict the further into the future you consider. In general terms a prudent/reasonable approach has been taken regarding forecasts, professional accounting guidance has been followed and external technical opinion has been sought where necessary.

4.0 The Underlying Principles – still applicable?

- 4.1 The Council previously adopted the following underlying principles as a base assumption during the life of the MTFP:

4.1.1 Principle 1 – General Fund Reserves

- Each year the Council will target a balanced revenue budget without the use of General Fund reserve balances. The level of predicted deficits over the period of this plan may ultimately require the application of reserves to a degree to achieve the mandatory balance. However, this option is not reflected in the numbers presented and must only be considered as a last resort;
- The Council faces considerable financial risks that can have a potentially significant and immediate impact on its finances. The MTFP will attempt to ensure that the General Fund Reserve balance does not fall below the current minimum agreed level (£2m).

Whilst every effort will be made to identify efficiency savings, given the scale of the likely funding reductions it is unlikely that a sufficient level can be identified to fully balance the 2026/27 budget without significant implications on service provision. Also, there is an extremely limited time frame available between finalisation of the funding settlement and setting the budget for 2026/27. Therefore, as a result of this combination of issues, it is highly likely that some level of draw from reserves will be required, and a full review of Earmarked Reserves will be necessary to see what can be realigned, and whether a minimum balance of £2m in General Reserves can be maintained.

4.1.2 Principle 2 – Optimise Income Generation

- Council Tax funds the largest share of the Council's budget. Annual increases will be kept within Government set guidelines. In reality this now gives the Council very little scope to significantly increase Council Tax income as the recent nationally prescribed referendum rate has been limited to a maximum of 3% or £5 across the 3-year settlement period.

It should be noted that Government expect all councils to maximise the increase in Council Tax in line with the referendum limits. Furthermore, the Government continue to raise additional flexibilities within the Council Tax scheme as possible options to mitigate the impact of the substantial funding reductions.

- The Council will continue to look at opportunities to generate additional sustainable income. This could be through reviews of existing Fees and Charges or through new charges for discretionary services. Such charges should be set at levels that are appropriate and proportionate to the costs of the service they are delivering and the market within which they operate. The Council will continue to explore new commercial opportunities (as a 'business as usual' model is clearly no longer deliverable).

In reality, the current fees are at the higher end of the scale locally, meaning that only inflationary increases are likely to be tolerated by the local marketplace.

4.1.3 Principle 3 – Allocation of Revenue Resources

- Resources will be directed to high priority and statutory services and hence away from low priority services, which will likely result in less investment in discretionary areas. With the exception of spend to save projects on lower priority services that can either cut future costs or increase revenue to enable cross subsidisation of higher priority services;
- It will seek to deliver further efficiency in its service delivery models and secure procurement savings in its new contractual arrangements, which will then be factored into future spending plans. Note that opportunities to improve efficiency reduce over time and now only deliver benefits at the margins. Similarly, effective procurement does not always deliver savings as it is dependent upon market conditions at that time.

Following the LGR announcement, opportunities for new service delivery models are not deliverable in the timeframe. Similarly, financial gains from longer term contracts will be limited by the reduced timeframe.

4.1.4 Principle 4 – Allocation of Capital Resources

- The Council will continue to prioritise schemes, for instance to generate income, to meet corporate objectives and to enhance its asset base;
- The Council will continue to ensure it provides Value for Money through the efficient and effective use of its assets. The Council will look to dispose of surplus assets in order to maximise capital receipts and reduce ongoing revenue maintenance costs associated with holding the asset. Careful consideration will also need to be used to ensure the maximum market value is achieved when disposing of assets;
- Prudential borrowing will only be made during the life of the MTFP after the production of a fully costed business case that demonstrates how the investment meets the Council's policy objectives, has exhausted all other external funding routes and delivers measurable improvement within a reasonable payback period;
- The Council will keep its internal borrowing under review and when appropriate will consider the potential to fix rates in the medium to long term to manage the risk and potential financial impact of interest rate increases. Consideration will also be given to whether the most appropriate funding mechanism is to fully utilise cash balances and undertake short-term

borrowing to meet cash flow requirements. The Council continues to consult specialist advice to keep this under review.

With LGR on the horizon, the planning of debt finances leads to ongoing commitments for the new entity. At present there is a case to undertake cheaper short term financing solutions, leaving the new entity free to re-finance as it deems appropriate in due course.

4.2 These are all underpinned by a culture of Budget Ownership across all services.

5.0 Summary of the likely changes to Local Government Funding

5.1 There are significant and wide ranging changes likely for all local authority funding streams. The main areas of change are:

5.2 Core Government Funding

The formulae used to distribute the funding for the last 20+ years is being replaced through a review called the “Fair Funding Review 2.0” (first announced in 2016). The formulae will be simplified and the underlying base data updated, leading to very different outcomes for individual authorities. Furthermore, political decisions to prioritise certain indicators, such as deprivation over sparsity give rise to significant swings in funding from one geographical area to another – something known as resource equalisation.

5.3 Business Rates

The biggest impact for the Council will be the changes announced for Business Rates. Again, many of these changes are the first since the current scheme’s introduction in 2013/14. In summary, the main changes are:

- The revaluation of the local business properties by the Valuation Office – leading to changes in the charge placed on local businesses;
- The introduction of 5 new multipliers (replacing 2 currently);
- The removal / reduction in the application of reliefs, such as that awarded to Retail, Hospitality and Leisure, as the new multipliers will now incorporate that adjustment;
- The reset of the funding baseline from that used within the current funding settlement, which was based upon 2010/11 and 2011/12. This is designed “to move business rates income retained by local authorities to the places which need it most”.

None of these values will be known until the autumn, with the levels of the multipliers and reliefs expected in the Chancellor’s Autumn Budget, the date for which is yet to be announced.

The clear outcomes of these changes are:

1. Places more responsibility on local authorities to administer the more complex scheme and increases their risk of non-collection;
2. Shifts funding from those that have most increased the business rates baseline – whether through council led initiatives, or simply through movements in valuations.

5.4 Council Tax

Perhaps the area with the least change, which remains unchanged from its introduction in 1993. There is no change to the scheme itself, or the prescribed level of the referendum limit. However, the change here is in how councils can chase and enforce outstanding debt. Government proposals include extending the timeframe before a council can enforce, and softens its enforcement capability. The outcome of this is likely to be that less council tax will ultimately be collected, reducing the Council's funding. Also changes to payment periods will have treasury cash flow implications.

5.5 Extended Producer Responsibility (EPR)

The EPR Grant was introduced late in the budget process for 2025/26. The indicative allocation of £927k was fully earmarked in the budget to set it aside to contribute to the remodelling works planned at the waste depot. Subsequently this indicative allocation has increased to £1,438k reflecting the increase in recycling rates secured after the successful implementation of Bin-It 123. Government have indicated that similar levels of funding should be available in future years, albeit that as producers reduce the volume of packaging, the grant received will fall. Therefore a prudent assumption of £1,000k is included within the MTFP.

5.6 Food Waste

Similarly, there is potential funding available to help meet the cost of weekly food collection from 2026/27. It is considered "potential" as this funding has been targeted to those authorities that have not yet moved to weekly collection. We consider this grossly unfair as our local tax payers have funded this move and therefore we assume that all authorities will be treated fairly and all receive a share of this funding in the future, hence the inclusion of £250k per annum in the MTFP.

5.7 Wider reforms are also being considered. It still remains unclear how some of the incentive funding schemes such as New Homes Bonus and Business Rates will be refocused and how some of the new proposed changes will be offset by New Burdens funding. It is further assumed that the number of separate grants available (largely through competitive bidding processes) will reduce.

5.8 It is expected (and hoped) that over and above all of these changes will be a scheme of transitional support. Currently the Government have indicated that the movement from the current formulae will be implemented across the 3-years

of the settlement ($\frac{1}{3}, \frac{2}{3}, \frac{3}{3}$). In addition, the cash impact of the change will also be “smoothed” across the 3 years (100%, 0%, 0%) – meaning there will likely be a “big bang” in 2026/27, and then funding will be frozen for the following 2 years. It is not clear if full transition to the new funding mechanisms will occur within the 3-year settlement.

- 5.9 With any significant changes to funding streams, there would normally be a level of transitional support to smooth the impact over time. Should the Council be one of those c50 authorities targeted for the largest cuts in funding this will be especially relevant, particularly in respect to business rates where we have seen significant growth in our funding.

6.0 Summary of the Medium Term Financial Plan

- 6.1 As outlined above, the MTFP takes into consideration the current financial position against the 2025/26 base budget. The Qtr. 1 forecast indicated an overspend of £232k on the General Fund, indicating that although services generally are managing their budgets well, they are feeling pressure.
- 6.2 The 2025/26 pay offer has been agreed at 3.2%, slightly above the 3% budgeted for, and forms part of that pressure. With inflation staying stubbornly above the Government’s 2% target, the assumed pay award has been set at 3% across the MTFP timeframe – adding a pressure of circa £550k per annum to the budget. Utility price increases and the growing cost of ICT software and licences form the remainder of the overall c£700k annual inflationary pressure.
- 6.3 In addition to the normal pay assumptions, the triannual pension valuation took place on 31 March 2025. This considers and sets the levels of employer contribution rates applicable across the 2026/27 – 2028/29 MTFP period. The Devon Pension Fund, along with almost all other local government pension funds across the country is now fully funded. Therefore, it is possible that we may see changes in these rates that benefit the financial position.
- 6.4 Many services are experiencing high staff turnover requiring additional temporary staff being employed to keep key services such as waste collection operational. To mitigate this pressure we continue to examine all vacancies as and when they occur. Where a role is required to maintain key service provision, for example a lifeguard or waste operative, these positions will be filled. However, where other posts become vacant, recruiting is being delayed / postponed to free up budget. Inevitably, this does impact on the quality and speed of service delivery, and this is mitigated as far as possible. A number of the budget options to be considered by the Policy Development Groups (PDGs) throughout September contain potential proposals to reduce staffing. This will only be possible through natural staff turnover and therefore cannot be

guaranteed. Furthermore, this saving will further stretch service delivery and is likely to lead to lower levels of service provision if agreed.

- 6.5 The only real mitigations come in the form of additional income from fees and charges. For example, we are able to charge for services, such as the Green Waste service, Planning and Car Parking. Some services are experiencing greater take up, i.e. Leisure and Car Parking or increasing recycle prices, however, some are also seeing the impact of the economic conditions, with Qtr. 1 forecasting a drop in income from Planning and Building Control.
- 6.6 Therefore, all options to limit costs where possible, including vacancy management processes, further service efficiencies and a review of fees and charges are being considered.
- 6.7 As there is not clarity on the potential funding, Table 1a, 1b and 1c below give a guide to the potential scale of the funding shortfall.

Table 1a – Original Assumption

Funding Stream	2025/26 Funding		2026/27 Original Funding Assumption	Movement from 2025/26	
	Settlement	Budget		£	%
	£	£	£	£	%
Revenue Support Grant	(139,800)	(139,800)	(111,840)	27,960	-20%
NNDR Baseline Funding Level ¹	(2,386,319)	(5,079,330)	(4,662,410)	416,920	-8%
Compensation for under-indexing the business rates multiplier ²	(522,972)	-	-	-	0%
Council tax requirement excluding parish precepts ³	(7,299,123)	(7,472,010)	(7,495,830)	(23,820)	0%
New Homes Bonus	(498,147)	(498,150)	(398,520)	99,630	-20%
Domestic Abuse Safe Accommodation Grant	(35,362)	(35,360)	(28,290)	7,070	-20%
Recovery Grant	(57,495)	(57,500)	(46,000)	11,500	-20%
Employer National Insurance Contributions Grant	(150,766)	(122,500)	(98,000)	24,500	-20%
Funding Floor	(739,653)	(739,650)	(591,720)	147,930	-20%
Core Spending Power	(11,829,637)	(14,144,300)	(13,432,610)	711,690	-5.03%
Add: New Extended Producer Responsibility Grant ⁴	(927,000)	(927,000)	(1,000,000)	(73,000)	+7.8%
Add: New Weekly Food Waste Collection Grant ⁵	0	0	(250,000)	(250,000)	+100%
New Core Funding Total	(12,756,637)	(15,071,300)	(14,682,610)	388,690	-2.58%

- 1 – The settlement includes a funding baseline from 2010/11 – 2011/12, whereas the Council budgets for the current 2025/26 retained Business Rates
- 2 – The settlement includes a notional figure “compensating” authorities when government have not applied inflation to the multiplier
- 3 – The settlement includes a notional council tax figure based upon an assumed taxbase and average council tax charge
- 4 – The new Extended Producer Responsibility Grant sits outside of the Settlement. The indicative allocation for 2025/26 was £927k, however recently the Government have increased this to £1,438k. A prudent assumption of £1,000k has been made for future years. Note, as producers decrease the volume of packaging, the value of this grant will also fall.
- 5 – This is a broad assumption that MDDC will qualify for this grant funding, and a high level assumption of the funding we might receive. Note the costs of delivering weekly food collect far exceed this assumed level of funding.

Table 1b – (7%) of Core Spending Power and Locally Retained Business Rates

Funding Stream	2025/26 Funding
	£
Revenue Support Grant	(139,800)
Locally Retained Business Rates Baseline Funding Level ¹	(5,079,330)
Compensation for under-indexing the business rates multiplier	(522,972)
Council tax requirement excluding parish precepts	(7,299,123)
New Homes Bonus	(498,147)
Domestic Abuse Safe Accommodation Grant	(35,362)
Recovery Grant	(57,495)
Employer National Insurance Contributions Grant	(150,766)
Funding Floor	(739,653)
Core Spending Power	(14,522,648)
7% reduction	1,016,585
Funding Forecast	(13,506,063)
Add: New Extended Producer Responsibility Grant	(1,000,000)
Add: New Weekly Food Waste Collection Grant	(250,000)
New Core Funding Total	(14,756,063)
Movement from 2025/26	315,237

1 – This simply replaces the government's outdated baseline with the local 2025/26 retained income figure, which is an approach that has been mooted by Government

Table 1b – (7%) of Core Spending Power

Funding Stream	2025/26 Funding
	£
Revenue Support Grant	(139,800)
Locally Retained Business Rates Baseline Funding Level	(2,386,319)
Compensation for under-indexing the business rates multiplier	(522,972)
Council tax requirement excluding parish precepts	(7,299,123)
New Homes Bonus	(498,147)
Domestic Abuse Safe Accommodation Grant	(35,362)
Recovery Grant	(57,495)
Employer National Insurance Contributions Grant	(150,766)
Funding Floor	(739,653)
Core Spending Power	(11,829,637)
7% reduction	828,074
Funding Forecast	(11,001,563)
Add: New Extended Producer Responsibility Grant	(1,000,000)
Add: New Weekly Food Waste Collection Grant	(250,000)
New Core Funding Total	(12,251,563)
Movement from 2025/26	2,819,737

Based on the above potential forecasts, the reduction in funding from 2025/26 levels ranges between £315k (Table 1b) and £2,820k (Table 1c). Clearly this is a substantial range and does not give any confidence where the actual reduction will fall.

6.8 When added to the assumed inflationary pressure, currently forecast to be c£600k plus relatively minor movements in Non-Service budgets, the overall

forecast shortfall for 2026/27 ranges between c£900k to c£3,300k, as shown in **Appendix 1** and summarised in the table below:

Table 4 – MTFP 2026/27 General Fund Assumptions Summary

		Assumption 1a	Assumption 1b	Assumption 1c
2025/26		2026/27	2026/27	2026/27
£000		£000	£000	£000
15,071	Expenditure	15,602	15,602	15,602
(15,071)	Funding	(14,683)	(14,756)	(12,252)
0	Annual Shortfall	919	846	3,350

Note, if the shortfall is not mitigated by ongoing savings, the shortfall remains in future years; in essence the problem has only been bumped into the future.

- 6.9 This is clearly a challenge built upon a number of assumptions, caveats, decisions based upon external advice and the most up to date information available at this time. Clearly, any major variations in these assumptions would require a fundamental review of the Council's MTFP and would be reported back to Cabinet and the wider Membership as soon as practical, coupled with proposed courses of action that could be implemented.
- 6.10 The Council has a legal requirement to set a balance budget and needs to ensure its overall costs are affordable i.e. they can be funded through income and planned short-term use of reserves. Members therefore need to take the necessary decisions and actions to manage net spending within affordable limits.

7.0 Approach to closing the Budget Gap

- 7.1 Many of the issues, assumptions and sensitivity of items included within the MTFP are complex, often inter-related and will undoubtedly be subject to variation and ultimately fundamental review depending on the levels of future funding reductions. However, strategic decisions have been ongoing to reduce the current and future operational costs.
- 7.2 In order to reduce the forecast deficit the Council will strive to constantly manage its costs and revenues by:
- Ensure fees/charges are revisited regularly and that the Council are charging appropriately for all items possible;
 - A continued reduction of discretionary service and employee costs (via vacancy management) – which may incur short term upfront costs;
 - Investigation of spend to save projects;
 - Maximise procurement efficiencies;
 - Examine different ways of delivering services to reduce costs;
 - Continued benchmarking and learning from best practice;

- Consideration of growing the residential and commercial property base to align delivery with Government funding priorities.

Some of the savings strategy shown above are now less likely to be pursued due to the current and ongoing focus on LGR.

- 7.3 Part of that saving could come from increasing income from Service Fees and Charges. Following a full review last year, many services now have delegated authority to increase fees in line with inflation. The working assumption is that this will be done.
- 7.4 During the summer, Leadership Team and services have been reviewing a range of budget options that could be considered in order to help mitigate that remaining budget shortfall across this MTFP, with a particular focus on 2026/27. Indicative areas where possible budget savings could be found will form the basis of the discussions with the PDGs. In addition the PDGs will be asked to identify further options to resolve the immediate budget gap for 2026/27 and future years.
- 7.5 In putting forward the options, officers have applied a risk level to them based upon Red, Amber, Green as follows:
- Red** – indicates the saving could be taken, but there are higher risks/ implications associated with it and therefore officers would not recommend it;
- Amber** – indicates the saving could be taken, but there are risks and implications associated that members need to be aware of / accept;
- Green** – indicates a saving that is recommended by officers.
- 7.6 Clearly there is a significant budget shortfall in 2026/27. Therefore, all possible options to increase income or reduce costs must be considered. Options will be brought forward for consideration over the next few months in the run in to setting the 2026/27 budget in February 2026. All service areas will be required to play an active role in securing future savings and the Council will also continue to consult with all of its major stakeholders, especially the tax payers, to ensure all future budgetary decisions accord with their priorities.
- 7.7 Members will appreciate that all budget options will require political support and therefore if some suggestions are deemed to be unacceptable then other savings will need to be proposed. Members should indicate where these alternatives should be sought.

8.0 Balances and Reserves

- 8.1 The Council should look to match on-going spending plans to available in-year resources. However, it currently holds an uncommitted General Fund Reserve with a balance of £2,025k, which is above the current balance of £2m set by

Full Council. However, this will be impacted by the outturn position of 2025/26 which is currently forecasting an over spend and therefore a decrease in general reserves of £232k.

- 8.2 The Council holds this reserve for a number of reasons. Firstly to deal with any short term cash flow or funding issues. Secondly to provide a contingency for exceptional one-off acts (i.e. flooding, fire, terrorism, business rate failure, etc.) and, thirdly to provide a buffer for known circumstances whose final affect is unknown (i.e. changes in legislation or major funding changes). Clearly, the more uncertainty that exists, the higher the balance required to mitigate this risk. This level of minimum reserves is assessed annually to ensure it is adequate.
- 8.3 As stated above, this plan does not include any utilisation of these reserves. However, with the scale of the deficit, it is conceivable that some utilisation may be necessary. If so, this would normally be on the basis that the reserve is replenished by the end of the MTFP period. Due to LGR, this is not likely to be possible and therefore will remain below the recommended level for the remainder of the Council's existence.
- 8.4 The Council also holds Earmarked Reserves which have been set aside for a specific purpose, such as sinking funds for asset replacement. Although these reserves are ring-fenced and not available to support the budget generally, a review of all Earmarked Reserves is undertaken annually and any identification of funding no longer required to be earmarked can be released and could be used to support the budget. As these funds are one-off, they should not be used to support ongoing expenditure and therefore only delay the requirement for the identification and implementation of a sustainable saving.
- 8.5 If reserves are required to balance the budget for 2026/27 and potentially 2027/28, the overall level of balances transferring to the new entity will be reduced and would therefore clearly have financial consequences for the inheriting organisation.

9.0 Housing Revenue Account (HRA)

- 9.1 The HRA is a ring-fenced account within the Council's financial accounting system. This means that a balanced budget must be set each year including all income and expenditure pertinent to the Council's landlord function and excluding all other income and expenditure (since this would be captured as part of the General Fund budget).
- 9.2 The draft HRA MTFP for 2026/27 to 2028/29 is summarised below:

Table 5- HRA MTFP Summary

2025/26		2026/27	2027/28	2028/29
£000		£000	£000	£000
10,282	Direct Expenditure	10,911	11,319	11,742
(16,191)	External Income	(16,877)	(17,575)	(18,145)
(5,909)	Net Cost Of Services	(5,965)	(6,256)	(6,403)
5,909	Indirect Expenditure	6,306	6,549	6,966
0	Budget (Surplus) / Deficit	541	492	763
0	Cumulative (Surplus) / Deficit	541	1,033	1,796

- 9.3 Overall the shortfall is forecast at £1,796k over the MTFP period if no remedial action is taken. This includes a modest replenishment of the HRA Reserve which was used to fund the Rent Refunds. Work is well underway with making these refunds. Should the initial forecast for the provision prove to be overestimated, this will be returned to the reserve and would alter the amount of the top-up required.
- 9.4 £250k has also been included to address disrepair costs which are seeing increasing legal and repairs and maintenance costs. This includes compliance costs arising from the introduction of the new Awaab's Law damp and mould legislation. The budget also includes provision to continue to address other issues such as fire safety and carbon reduction in line with the Council's commitment.
- 9.5 Pay inflation has been included at 3% across the MTFP in line with the General Fund. Other non-staffing related costs of providing both the repairs and tenancy services are increased by between 3% - 5%.
- 9.6 Rent policy set out by central government states that existing rents must be increased annually by the previous September's CPI rate, plus an additional 1%. At present this rate is not yet known so an assumption of 3% has been applied across the MTFP. Given CPI is currently at 3.8% (July August 2021), this is prudent but also allows for the ongoing impact of the Cost of Living and wider economic constraints.
- 9.7 Due to the current economic climate it is also assumed that garage ground rents will be retained at their current level, £275 per annum. This can be reviewed in a year's time when we may have more economic certainty.
- 9.8 With interest rates slowly falling, and with lower overall balances to be invested, income generated from interest where cash balances have been invested is also assumed to be at prudent falling levels. There is an increase in the cost of Capital Financing and interest payable reflecting the proposed investment in housing shown in the Capital Programme.

- 9.9 At the moment there hasn't been any inclusion of the possible implication of other MHCLG announcements such as Right-to-Buy and increasing the level of funding for increases in affordable housing delivery.
- 9.10 Efficiency savings will be required to offset these shortfalls. As with the General Fund, senior managers have been considering options to mitigate the shortfall and these will be brought to the Housing PDG for consideration. These include:
- Consideration of asset lifetimes for maintenance works
 - Options for rent convergence as currently being consulted upon by MHCLG.
 - Increases in garage rents and other fees and charges.
- 9.11 Any surpluses generated by the HRA are used to contribute to the Housing Maintenance Fund (HMF). This fund is designed to meet any spikes in the cost of major works in the HRA's 30-year Business Plan. The need for external borrowing will be minimised as far as possible through the use of the Housing Maintenance Fund (HMF) which currently holds over £12.1m.

10.0 Conclusion

- 10.1 The MTFP will continue to be updated to ensure it is a live document. It is subject to amendment and review by Leadership Team and Members and will provide a clear guide prior to commencing the annual budget setting process in future years.
- 10.2 Like all councils, the Council is facing an ongoing and very challenging financial future. The Corporate Plan aligns to available financial resources so that the District can be best placed to maximise cost effective delivery of its services that are valued by its residents.
- 10.3 It should also be noted that Management will continue to play a pro-active role in both reducing ongoing service costs and exploring new possibilities to raise additional income.
- 10.4 Having a realistic financial plan will enable the Council to ensure it is allocating its limited financial resources to its key priorities. The Corporate Plan sets out the Council's goals/objectives and must clearly be matched by the financial resources that are available.
- 10.5 2026/27 onwards is the most uncertain time from a government funding perspective coupled with the implementation and delivery of LGR is resulting in the most challenging budget planning process. These facts will result in many councils, including our own, having to rely on the temporary use of reserves until some urgently needed government clarity is forthcoming.
- 10.6 The imprudent use of reserves formed a key piece of feedback made to MHCLG in the response to the Fair Funding consultation provided by the S151 Officer.

- 10.7 Any finalised clarity regarding our government funding will not be provided until late November / early December which will result in urgent update papers from the S151 Officer indicating our final position for 2026/27 and the subsequent two financial years.

Financial Implications

By undertaking regular reviews of the MTFP the Council can ensure that its Corporate Plan priorities are affordable. The implications of the budget gap are set out within the paper. Many areas require greater clarity, particularly around national funding and possible changes to Government Policy. Therefore a number of key assumptions underpin the reported position, which will be refined as greater clarity is received through the budget setting process.

Legal Implications

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

Risk Assessment

The MTFP makes a number of financial assumptions based on a sensible/prudent approach, taking account of the most up to date professional advice that is available. However, many of these assumptions are open to challenge.

Impact on Climate Change

The allocation of resources will impact upon the Council's ability to implement/fund new activities linked to climate change, as the MTFP sets the broad budgetary framework for the Council over the coming years. However, some provision has already been included in the base budget and further evaluation/consideration will be made as the draft budget passes through the PDGs over the next few months. Significant investment is currently forecast within the Capital Programme, however this will be dependent upon full options appraisals and levels of Grant funding available.

Equalities Impact Assessment

No implications arising from this report.

Relationship to Corporate Plan

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

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151/ Deputy Chief Executive

Date: 22 August 2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 22 August 2025

Performance and risk: Dr Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 22 August 2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Andrew Jarrett – Deputy Chief Executive (S151)

Email: ajarrett@middevon.gov.uk

Telephone: 01884 234242

Background papers:

- 2025/26 Budget
- 2025/26 Qtr. 1 Budget Monitor

Appendix 1

The Table below gives an overall summary of the Council's General Fund MTFP position (which includes a wide range of assumptions).

MTFP General Fund Summary – assumed worst position

2025/26 £'000		Notes	2026/27 £'000	2027/28 £'000	2028/29 £'000
16,284	Net Direct Cost of Services	1, 2	16,973	17,692	18,441
(2,050)	Net recharge to HRA		(2,112)	(2,175)	(2,240)
857	Provision for Repayment of Borrowing	3	1,021	1,249	1,294
15,091	Net Service Costs		15,882	16,766	17,495
(481)	Net Interest Costs/(Receipts)	4	(280)	(100)	(50)
462	Net Transfers to/(from) Earmarked Reserves	5	0	0	0
15,071	Total Budget Requirement		15,602	16,666	17,445
	Funded By:				
(5,079)	Retained Business Rates		0	0	0
(7,472)	Council Tax		0	0	0
(140)	Revenue Support Grant		0	0	0
(35)	Domestic Abuse Safe Accommodation Grant		0	0	0
(57)	Recovery Grant		0	0	0
(27)	Employer National Insurance Contributions Grant		0	0	0
(740)	Funding Floor		0	0	0
(498)	New Homes Bonus		0	0	0
0	New Core Funding Assumption	6	(11,002)	(10,702)	(10,402)
(927)	Extended Producer Responsibility Grant	1, 7	(1,000)	(1,000)	(1,000)
0	New Weekly Food Waste Collection Grant 5	8	(250)	(250)	(250)
(15,071)	Total Funding		(12,252)	(11,952)	(11,652)
0	Annual Gap – Increase/(Decrease) In-year		3,350	4,714	5,793
0	Cumulative Gap		3,350	7,764	13,257

The above figures are based on business as usual with no remedial management intervention. So is very much the most prudent worst case scenario, prior to any offsetting action.

Notes:

1. The Extended Producer Responsibility (EPR) Grant is currently assumed to be a direct grant. For illustration purposes, this has been stripped out of the Direct Service cost and shown separately under funding.
2. This includes the assumed inflationary pressure.
3. The Provision for repayment of borrowing incorporates the financial implications of the current Capital Programme.
4. The reduction in Net Interest Costs/(Receipts) reflects a prudent assumption of the interest earned on balances held. The annual falls as balances held are reducing to fund the capital programme, plus interest rates are falling.
5. Net Transfers to/(from) Earmarked Reserves reflects assumed contributions to, or drawdowns from reserves. At the outset, it is prudent that the working assumption is that reserves are not required.
6. For illustration purposes, all core funding has been included within a single line – see Table 1c within the covering report. In reality, Council Tax will reflect our locally calculated figure, not that assumed by Government. It is assumed that this will also be relevant for Business Rates. A prudent assumption

of a reduction in core funding of £300k occurs in years 2027/28 and 2028/29 – although this could be protected by transitional grant.

7. The new Extended Producer Responsibility Grant sits outside of the Settlement. The indicative allocation for 2025/26 was £927k, however recently the Government have increased this to £1,438k. A prudent assumption of £1,000k has been made for future years. Note, as producers decrease the volume of packaging, the value of this grant will also fall.
8. This is a broad assumption that MDDC will qualify for this grant funding, and a high level assumption of the funding we might receive. Note the costs of delivering weekly food collect far exceed this assumed level of funding.

MID DEVON DISTRICT COUNCIL
HRA MEDIUM TERM FINANCIAL PLAN 2026-27 TO 2028-29

	2025-26 £	Infl %	2026-27 £	Infl %	2027-28 £	Infl %	2028-29 £
Employee costs							
Base salary budget	4,578,730		4,725,249		4,867,007		5,013,017
Other Employee costs							
<i>Inflation base</i>	4,578,730	3.0%	4,725,249	3.0%	4,867,007	3.0%	5,013,017
Total in year cost	4,578,730		4,725,249		4,867,007		5,013,017
Premises costs							
Base budget	551,430		578,270		605,920		634,400
Cost pressures	10,000		-		-		-
<i>Inflation base</i>	561,430	3.0%	578,270	3.0%	605,920	3.0%	634,400
Total in year cost	561,430		578,270		605,920		634,400
Transport related costs							
Base budget	287,530		301,910		317,010		332,860
Cost Pressures							
<i>Inflation base</i>	287,530	5.0%	301,910	5.0%	317,010	5.0%	332,860
Total in year cost	287,530		301,910		317,010		332,860
Supplies and services							
Base budget	2,503,910		2,944,106		3,353,811		3,521,501
Cost Pressures	300,000		250,000				-
<i>Inflation base</i>	2,803,910	5.0%	3,194,106	5.0%	3,353,811	5.0%	3,521,501
Total in year cost	2,803,910		3,194,106		3,353,811		3,521,501
Support services	2,050,250	3.0%	2,111,758	3.0%	2,175,110	3.0%	2,240,364
Total gross expenditure	10,281,850		10,911,292		11,318,858		11,742,142
Rents , fees, charges and Other Income							
Housing Rents	(15,145,680)		(15,822,565)		(16,571,164)		(17,184,081)
Garage and Garage Ground Rent income	(368,530)		(366,926)		(366,926)		(366,926)
Other Income	(676,380)		(687,136)		(637,054)		(593,796)
<i>Inflation base</i>	(16,190,590)	3.0%	(16,876,627)	3.0%	(17,575,144)	3.0%	(18,144,803)
One off initiatives							
Total in year cost	(16,190,590)		(16,876,627)		(17,575,144)		(18,144,803)
NET COST OF SERVICES	(5,908,740)		(5,965,335)		(6,256,286)		(6,402,661)
Capital Financing	1,057,450		1,074,977		1,101,142		1,145,399
Interest Payable (PWLb)	1,024,080		1,117,100		1,191,600		1,376,700
Interest Payable HRA to GF	34,870		32,377		29,816		27,185
Interest Payable (finance leases)	24,330		24,330		21,900		61,000
Contribution to Capital - MRA	2,903,900	3.0%	2,991,017	3.0%	3,080,748	3.0%	3,173,170
Principal adjustment to MRP	960,635		1,016,223		1,073,458		1,132,386
Transfers to sinking funds	50,000		50,000		50,000		50,000
Contribution / (Draw) from reserves	(146,525)		200,000		200,000		200,000
Indirect costs/reserve transfers	5,908,740		6,506,024		6,748,664		7,165,840
Annual Deficit (Surplus) / Savings to be found	0		540,689		492,378		763,178
Cumulative Deficit (Surplus) / Savings to be found	0		540,689		1,033,066		1,796,245

Assumptions:

- 1 Salary inflation in line with General Fund assumptions
- 2 Utilities costs assumed a general uplift in line with General Fund assumptions
- 3 Transport costs assumed inflationary increase only
- 4 Supplies and Services - additional Disrepair costs
- 5 General Fund recharges assumed in line with GF forecast
- 6 Rents increases assume a nominal 3% inflation
- 7 Capital Financing are based upon current Capital Programme assumptions. Reasonable stepped increases occur after the lifetime of this MTFP in order to fund the delivery of the approved development programme.

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Report for: CABINET

Date of Meeting:	02 September 2025
Subject:	Freedom of Information and Environmental Information Regulations Policy
Cabinet Member:	Cllr David Wulff, Cabinet member for Quality of Living, Equalities and Public Health
Responsible Officer:	Head of Digital Transformation & Customer Engagement
Exempt:	n/a
Wards Affected:	n/a
Enclosures:	Freedom of Information and Environmental Information Regulations Policy

Section 1 – Summary and Recommendation(s)

To review the Freedom of Information (FOI) and Environmental Information Regulations (EIR) policy to ensure compliance with legislation and regulations.

Recommendation(s):

Recommendation 1 – That the revised Freedom of Information and Environmental Information Regulations Policy be approved.

Recommendation 2 - That Cabinet approve the delegation of the FOI/EIR Policy to the Head of Digital Transformation & Customer Engagement, in consultation with the IT & Information Governance (ITIG) board to ensure that the policy remains current and reflects any changes legislative or regulatory guidance.

1.0 Introduction

- 1.1 The policy was last reviewed in 2022 and as agreed at the adoption of the policy should be reviewed every three years or if legislation changes determine a change in policy or practice.

2.0 The Policy

- 2.1 The existing policy is based on best practice. There have been no legislative or guidance amendments identified as being necessary since the review of the policy in 2022.
- 2.2 There have been a small number of additions or amendments to the policy itself to provide further clarity around related legislation, review panel practices and the requirements around Open Government Licensing (OGL) under the Re-Use of Public Sector Regulations (RPSI) 2015. These changes have been highlighted in yellow on the attached policy draft.

3.0 Staff Changes

The small team is made up of the Senior Information Officer (DPO) and the Information Management Officer. At the time of writing the report the latter post will soon be vacant and a recruitment process has been commenced.

4.0 Conclusion

- 4.1 That the revised FOI/EIR Policy be approved and the next review date set for 3 years hence, unless legislative or guidance changes instigate a review.

Financial Implications: The FOI/EIR Policy does not itself have any financial implications but the Council incurs significant costs meeting the requirements of the legislation. There is a direct cost of the Information Management Team in responding to FOI/EIR requests and an indirect cost for the time of many other staff in replying to requests for information. The Council reserves the right to make permitted charges for particularly large or complicated requests on a case by case basis.

Legal Implications - Not complying with the Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR) would expose MDDC to the potential for enforcement action by the Information Commissioner's Office (ICO).

Risk Assessment - Approving the Freedom of Information and Environmental Information Regulations Policy reduces the risk of enforcement action by the ICO.

Impact on Climate Change - There are no implications relating to Climate Change with this policy.

Equalities Impact Assessment - No equality issues identified for this report.

Relationship to Corporate Plan - This policy supports good governance arrangements enabling confidence in delivery of the Corporate Plan.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Deputy Chief Executive Section 151 Officer

Date: 22.08.2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 22.08.2025

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 21/08/2025

Cabinet member notified: yes

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

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

Section 4 - Contact Details and Background Papers

Contact: Lisa Lewis, Head of Digital Transformation and Customer Engagement

Email: (llewis@middevon.gov.uk)

Telephone: 01884 234981

Background papers: FOI & EIR Policy

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Mid Devon District Council

Freedom of Information and Environmental Information Regulations Policy

Policy Number IM 005

Aug 2025

Version Control Sheet

Title: Freedom of Information (FOI) and Environmental Information Regulations (EIR) Policy

Purpose: To detail the commitment of Mid Devon District Council (MDDC) to Freedom of Information and Environmental Information Regulations and to advise Officers and Members on the standards to be implemented.

Owner: Head of Digital Transformation & Customer Engagement

Date: Aug 2025

Version Number: 6.0

Status: Final

Review Frequency: Triennial

Next review date: Aug 2028

Consultation This document was sent out for consultation to the following:
IT & Information Governance Board (ITIG)

Document History

This document obtained the following approvals.

Title	Date	Version Approved
ITIG	Aug 2025	6.0
Cabinet	Sept 2025	6.0

Freedom of Information and Environmental Information Regulations Policy

1. Introduction

The main principle behind the Freedom of Information Act (FOIA) and the Environmental Information Regulations (EIR) is that people have a right to know about the activities of public authorities, unless there is a good reason for them not to. Access to information helps the public hold public authorities to account for their actions and allows public debate to be better informed and more productive. Access to official information can also improve public confidence and trust if government and public sector bodies are seen as being open.

The FOIA and EIR confer rights of access for members of the public to information held by public authorities. The legislation also places obligations on public authorities to proactively publish certain information and respond to requests for information in accordance with the legislation.

2. Scope

The FOIA and EIR cover all recorded information held by the MDDC. Recorded information includes printed documents, computer files, letters, emails, photographs, and sound or video recordings. It is not limited to official documents, and it covers, for example, drafts, emails, notes, recordings of telephone conversations, and CCTV recordings. Nor is it limited to information MDDC creates, so it also covers, for example, letters received from members of the public.

Meta-data, found within the properties of a document, is recorded information and therefore must be considered for release under the legislation. Information held on behalf of MDDC is also covered, even if it is not held on MDDC premises.

Although individual Councillors are not public authorities in their own right, information that they hold about MDDC business or on behalf of MDDC falls within the scope of the legislation and must also be considered for release.

Information held solely on behalf of another person, body or organisation is not covered by the FOIA (unless there is some control over the information that is held) but may be covered by EIR. An employee's purely private information is not covered, even if it is on a work computer or email account; nor is information that is stored solely on behalf of a trade union, or an individual Councillor.

MDDC only must provide information that is already held in recorded form in response to a request. MDDC is not obliged to create new information or find the answer to a question from an officer who may happen to know it.

3. Relevant Legislation:

- **Freedom of Information Act 2000 (FOIA)**
- **Environmental Information Regulation 2004 (EIR)**
- **Re-use of Public Sector Information Regulation 2015 (RPSI)**
- **Transparency Code 2015**
- **UK General Data Protection Regulation 2016 (UK GDPR)**
- **Data Protection Act 2018 (DPA)**

4. Legal obligations under the Acts

The FOIA, and the EIR regulations are similar in many ways.

MDDC has two main obligations under both:

- To publish certain information proactively
- To respond to requests for information

To meet the requirement to publish information proactively, MDDC maintains a publication scheme. This lists the information that is currently made available to the public, describes how such information can be accessed and any charges associated with providing this information.

MDDC's publication scheme will be reviewed in accordance with the review date of this Policy, in accordance with changes made to the model scheme provided by the Information Commission.

Section 1 of the FOIA (in part):

- (1) Any person making a request for information to a public authority is entitled-
 - (a) To be informed in writing by the public authority whether it holds information of the description specified in the request, and
 - (b) If that is the case, to have that information communicated to him.

A request for information under the FOIA is valid if it is made in writing (an EIR request may be verbal) and provides a name and a postal or email address to which the requested information can be sent. Organisations as well as individuals can make requests, including newspapers, companies, and campaign groups. Under

both regimes, a response must be issued within 20 working days. Under certain circumstances, this period may be extended.

MDDC will make staff, contractors, and customers aware of how the legislation may affect them. It will be made clear that MDDC cannot guarantee complete confidentiality of recorded information. As a public body, MDDC must consider for release any information that is held if it is requested.

In managing its business records and handling requests for information under the FOIA and the EIR regulations, MDDC is committed to complying with the respective statutory Codes of Practice, and with the Public Records Act, which set out good records management practice and the obligations of public authorities to maintain their records in an ordered and managed way, so they can readily retrieve information when it is needed.

Whilst Codes of Practice in their entirety are not legally binding, failure to follow them is likely to lead to breaches of the relevant legislation.

Compliance with this policy is compulsory for all staff employed by MDDC. A member of staff who fails to comply with the policy may be subject to disciplinary action under MDDC's disciplinary policy.

Managers are responsible for ensuring that their staff are made aware of the existence and content of this policy.

5. Enforcement of the Legislation

FOIA and EIR are regulated by the Information Commission (IC), which provides guidance in relation to the legislation and can issue decision notices that require MDDC to release previously withheld information. Under the provisions of section 54 of the FOIA and Regulation 11(3) of the EIR, if MDDC fails to comply with an IC decision notice, the Commissioner may certify in writing to the court that the public authority has failed to comply with the regulations. The court may inquire into the matter and, after hearing any witnesses who may be produced against or on behalf of, the public authority, and after hearing any statement that may be offered in defence, deal with the authority as if it had committed a contempt of court.

Destruction or concealment of information with the intention of preventing disclosure is a crime under section 77 of the FOIA, and Regulation 19 of the EIR. Depending on the nature of the incident, an authority, or its individual members of staff could be charged with an offence. The penalty could be a hefty fine.

There are no financial or custodial penalties for failure to provide information on request or for failure to publish information, however you could be found in contempt of court for failing to comply with a decision notice, enforcement notice, or information notice.

6. Environmental information

The EIR create additional rights of access to environmental information. It is important that requests for environmental information are identified as such and dealt with in accordance with the appropriate legislation. The EIR operate broadly in the same way as the FOIA. The most significant differences relate to the circumstances under which information can be withheld. It is the role of the Information Management Officer (IMO) to determine whether the information requested falls within the scope of the EIR, to process the request appropriately and to determine the correct exemptions.

7. Personal information

A member of the public is entitled to request third party personal information under the FOIA/EIR. It is important to carefully balance the case for transparency and openness under the FOIA/EIR against the data subject's right to privacy under Data Protection legislation. A decision will be made on a case-by-case basis as to whether the information can be released in accordance with data protection legislation. FOIA does not give people a right of access to their own personal data. If a member of the public wants to see information that MDDC holds about them, a Subject Access Request should be submitted under the UK GDPR. For more information, please refer to the Data Protection Policy (IM 002).third party

8. Copyright and intellectual property rights

Information that is released under the FOIA or the EIR can be protected by copyright. n This will enable MDDC to make a claim in the courts if the requestor or someone else uses the information in breach of copyright.

The IC encourages public authorities to use an open government license provided by the National Archives. This describes any restrictions on redistribution and reuse of information that has been released.

9. Withholding information

An applicant does not need to provide a reason for wanting the information, but justification must be made for refusing to disclose information. When deciding whether to disclose information to the public there is a presumption in favour of disclosure. This means that disclosure of information is the default position for MDDC. Information will only be withheld when there is a legal reason to do so.

Exemptions under the FOIA include where the information has been provided in confidence, commercial interests, personal information and when there are statutory prohibitions on disclosure. It is the responsibility of the Information Management team to decide whether information can be withheld under the legislation, and to provide written justification to the requestor within the formal response. Any appropriate exemptions will be quoted as will any associated prejudice and public interest test as required. Please refer to Appendix 1 for a complete list of these exemptions.

The EIR contain exceptions under which environmental information can be withheld, these are similar but not the same as the exemptions under FOIA. Please refer to Appendix 1 for a complete list of these exceptions.

The FOIA itself does not prevent MDDC from voluntarily disclosing information outside the provisions of the Act.

10. Advice and assistance

MDDC is obliged to provide advice and assistance to members of the public who wish to request information. This obligation extends to assistance with the formulation of a request, modifying a request to make it 'manifestly reasonable', with the 'appropriate limit' set out in Section 12 of the FOIA, and under Reg 12(4)(b) of the EIR, and signposting to other FOI organisations that may hold relevant information when the information requested is not held by the Council.

11. Costs

There is a limit to the amount of time a local authority can be asked to spend on a single request. For FOIA the 'appropriate limit' equates to 18 hours. MDDC is entitled to refuse a request if it is estimated that responding to the request will exceed this limit. The EIR do not have this same time limit.

MDDC is entitled to charge a fee against costs reasonably incurred when informing the requestor whether information is held and communicating that information. Such costs may include postage and photocopying but not locating or retrieving the information itself. Any fee charged must be calculated in accordance with the FOIA, EIR and/or Data Protection (Appropriate Limit and Fees) Regulations 2004 SI No. 3244 as appropriate.

It is the current policy of MDDC to provide information free of charge (by email) whenever possible. MDDC does reserve the right to charge for particularly large or complicated requests, or those requested by post on a case-by-case basis.

12. Complaints procedure

If a member of the public is not satisfied with the response that they receive to an FOIA/EIR request, or believes the charges to be excessive, they are entitled to complain to MDDC and request that an internal review of the decision is conducted. Complaints can be submitted to:

Information Management Officer
Mid Devon District Council
Phoenix House
Phoenix Lane
Tiverton
Devon
EX16 6PP

Email: foi@middevon.gov.uk

A review is undertaken by the Senior Information Officer (SIO) or their nominated representative in consultation with other relevant Officers / departments as appropriate. The review will assess the way in which the request was handled and address any concerns that were referred to in the complaint. EIR reviews must be completed within 40 working days, FOIA reviews are not a statutory requirement however it is MDDC's policy to undertake a review within 20 working days.

If the requestor remains dissatisfied, they are entitled to complain directly to the Information Commission and request that they investigate the way in which their request (and review where undertaken) has been handled. The information Commission may then decide to issue a decision notice which upholds, partially upholds or overturns MDDC's decision.

Either party can appeal a decision notice issued by the Information Commission to the Information Tribunal which will then either uphold the decision notice or substitute it with an amended or entirely new decision. This is the final point of appeal for FOIA/EIR requests.

13. Identification of roles and responsibilities

The Information Management Officer will be responsible for processing requests for information. This will include logging each request on the Register, coordinating the retrieval of requested information, determining what of the requested information can be released and issuing a formal response to the requestor.

They will also be responsible for maintaining the publication scheme and conducting an annual review of its contents. This will involve ensuring that the most recent

versions of documents are available and that the information published is accurate and up to date.

A disclosure log of all FOIA/EIR requests completed is published on our website. This is a live document that is updated regularly.

Service FOIA/EIR Representatives will be nominated from each service area. FOIA/EIR Representatives will be responsible for the retrieval of requested information and providing it to the IMO. They are also responsible for communicating any concerns or problems with the disclosure of the requested information, as soon as possible after the request is allocated to them.

All officers will have a responsibility under the legislation to ensure that requests are identified and handled in accordance with the legislation. Officers will undertake mandatory training to ensure they are aware of these responsibilities.

Requests for information will be passed to the Information Management Officer at the earliest opportunity and information requested will be retrieved in sufficient time for any exemptions or exceptions to be considered and a response issued within the statutory 20 working-day time limit.

14. Re-Use of Public Sector Regulations 2015 (RPSI)

RPSI Regulations 2015 gives members of the public the right to ask permission to re-use information held by a public authority. This can include distribution and the selling of the provided information.

Under RPSI the council is obliged to publish an asset list of information already in the public domain. MDDC publishes this in the form of a publication scheme. To Re-use, a RPSI request will need to be made.

For a Re-Use request to be valid the information must be readily available through either open data sets or information already put in the public domain through Freedom of Information requests.

These requests must be made in writing and will include the name and address of the applicant, a formal Identification of the document requested for re-use and a reason for re-use. MDDC will then have 20 working days to respond to the request. MDDC may extend the period of responding by such time as is reasonable in the circumstances if the request is complex.

Where an Open Government License (OGL) has been identified there is no need to complete a RPSI request as this information can be Re-used subject to

the terms of the license. For more details around OGLs please read here: [Open Government Licence](#)

15. Training and awareness

It is essential that MDDC officers and elected members are familiar with the requirements of the FOI and EIR legislation and the requirements that are placed upon them.

The Senior Information Officer will ensure that there is a training plan to raise awareness of FOI and EIR across MDDC. Reference material and guidance is available on SharePoint and regular updates are provided via MDDC's internal communications. There is also mandatory training on MDDC's e-learning software; completion of this is monitored.

Training will also be offered to Councillors. This training will be specifically tailored to ways in which the legislation applies to elected members in addition to more general guidance and information about the legislation.

MDDC's commitment to proactive publication will be communicated to the public through the website. This will include details of how a request can be submitted, advice about what information is already published and guidance about how to submit a request.

16. Performance measures

The Information Management Officer will maintain records of all requests received and the response issued. Monthly statistics will be reported quarterly to Scrutiny committee and published on the website.

Under the Transparency Code 2015, the Council publishes open datasets. Additional open data is published on the website, providing details of statistics that are regularly requested. Each dataset includes details of what is contained and how frequently it will be updated.

17. Review of policy

This policy will be reviewed no later than 2028. The Head of Digital Transformation and Customer Engagement is given delegated authority to make minor amendments to the policy as required by legislative changes, formal guidance, or local operational considerations.

18. Relationship with existing policies

This policy has been formulated in accordance with the following Council documents:

IM 004 Records Management Policy

IM 003 Data Protection Policy

Compliance with this policy will also facilitate compliance with the Data Protection Act 2018 and the UK GDPR.

Appendix 1

Exemptions under the FOIA

Section 12 – Exceeds the appropriate limit for cost and time.
Section 14 – Repeated or vexatious requests
Section 21 – Information accessible by other means
Section 22 – Information intended for future publication
Section 23 – Security bodies
Section 24 – Safeguarding national security
Section 25 - Certificates under ss.23 and 24: supplementary provision
Section 26 – Defence
Section 27 – International relations
Section 28 – Relations within the UK
Section 29 – The economy
Section 30 – Investigations
Section 31 – Law enforcement
Section 32 – Information contained in court records/transcripts
Section 33 – Public audit
Section 34 – parliamentary privilege
Section 35 – Policy formulation
Section 36 – Effective conduct of public affairs
Section 37 – Communications with Her Majesty and the awarding of honours
Section 38 – Health and safety
Section 39 – Environmental information
Section 40 – Personal information
Section 41 – Information provided in confidence
Section 42 – Legal professional privilege
Section 43 – Public sector contracts, commercial interests
Section 44 – Prohibitions on disclosure

Exceptions under the EIR

Regulation 12(4)(a) – Information not held
Regulation 12(4)(c) – Request formulated in too general a manner
Regulation 12(4)(d) – Material in the course of completion
Regulation 12(4)(e) – Internal communications
Regulation 12(5)(a) – Internal relations, defence, national security, or public safety
Regulation 12(5)(b) – The course of justice and enquiries
Regulation 12(5)(c) – Intellectual property rights
Regulation 12(5)(d) – Confidentiality of proceedings
Regulation 12(5)(e) – Confidentiality of commercial or industrial information
Regulation 12(5)(g) – Protection of the environment

Report for: CABINET

Date of Meeting:	2 September 2025
Subject:	Data Protection Policy
Cabinet Member:	Cllr David Wulff, Cabinet member for Quality of Living, Equalities and Public Health
Responsible Officer:	Head of Digital Transformation & Customer Engagement
Exempt:	n/a
Wards Affected:	n/a
Enclosures:	Appendices 1 & 2

Section 1 – Summary and Recommendation(s)

To review the existing policy to ensure compliance with the Data Protection Act (DPA) 2018, the General Data Protection Regulations and the impact of the new Data Use and Access Act 2025 (DUAA) which gained royal assent June 2025.

Recommendation(s):

Recommendation 1 – That the revised Data Protection Policy be approved.

Recommendation 2 - That Cabinet approve the delegation of the Data Protection Policy to the Head of Digital Transformation & Customer Engagement, in consultation with the IT & Information Governance (ITIG) board and Legal Services to ensure that the policy remains current and reflects any legislative changes or regulatory guidance.

1.0 Introduction

- 1.1 The Data Protection (DP) policy was last reviewed in 2022. As part of good governance policies require review on a regular basis to ensure that they remain current and reflect best practice.
- 1.2 New legislation has come into effect and our Data Protection policy has been amended accordingly. It should be noted that not all provisions in the Act are currently in force, e.g. Schedule 5, however they have been identified in the policy in preparation.

2.0 The Policy

- 2.1 A new act achieved royal assent in June 2025. This was the [Data Use Access Act 2025](#) (DUAA). The purpose of the new Act is to promote innovation and economic growth and make things easier for organisations. The changes will be phased in between June 2025 and June 2026.
- 2.2 An overview of the changes this act has introduced can be found at Appendix 2. It should be noted that not all changes are relevant to Mid Devon District Council (MDDC).
- 2.3 Due to the new act our policy has been reviewed and amended to ensure that all relevant legislation or regulations have been identified in our DP policy that relate to the way that we handle data in the council. The DUAA does, or will, amend other legislation and practices relating to data.
- 2.4 The Information Commissioner Office (ICO) will continue to regulate the current DPA 2018, UK GDPR and Privacy and Electronic Communication Regulation 2003 (PECR) which stay in force but will be amended by DUAA.
- 2.5 The revised policy provides clarity on associated legislation, guidelines and responsibilities of staff and members. These have been highlighted in the draft policy for ease of identification.
- 2.6 There are two elements of the DUAA that introduce immediate changes for us in the DP space:
- Data Subject Access Requests (DSARs)
 - Changes to the Information Commissioner Office powers
- 2.7 DSARs – MDDC must now ensure DSAR responses are based on reasonable and proportionate searches. This is applied retrospectively to requests received since 1 January 2024. In the future the Act will introduce a ‘stop-the-clock’ mechanism which allows us to pause the response deadline if we are seeking clarification from the requester.
- 2.8 The ICO – From August 2025 the ICO will obtain expanded powers including interview notices, document requests and penalties for non-cooperation. Subsequently, it will become the Information Commission (IC).

3.0 Future Considerations

- 3.1 The DUAA introduces a requirement for the data ‘controller,’ i.e. MDDC to implement a complaints system for data subjects to lodge complaints with us. MDDC will have a duty to acknowledge receipt within 30 days and take appropriate steps to respond to the complaint.

- 3.2 MDDC already has a robust Feedback and Complaints practice. In advance of ICO guidance we will implement a complaints mechanism for data subject complaints in line with the above and publish details on our website. MDDC will reserve the right to amend practice in line with any subsequent best practice guidance from the ICO.
- 3.3 A review of our training around DP will commence in the autumn to ensure we communicate to officers and members any changes which amend their obligations around data protection practice or decision making.
- 3.4 Recommendation 2 requests delegation of the policy to the Head of Digital Transformation & Customer Engagement to amend this policy, in consultation with the ITIG board and Legal Services. This is to ensure that the policy can be amended appropriately considering changes to legislation and guidance and communicated to staff and members through updates and training quickly.

4.0 Conclusion

- 4.1 The Data Protection policy has been reviewed and amended for clarification of obligations and responsibilities considering the DUAA 2025. Staff and members should continue to follow existing guidelines and training as day-to-day practice is currently unaffected.
- 4.2 The Information Management team will ensure training is reviewed on an ongoing basis over the coming months to ensure all are kept up to date on any changes to policy or practice that will be required.

Financial Implications - The Data Protection Policy does not have any financial implications itself rather the contrary if legislation is not complied with.

Legal Implications - Not complying with the DPA 2018 and GDPR would expose MDDC to enforcement action by the Information Commissioner's Office (ICO).

Risk Assessment - Approving the Data Protection Policy reduces the risk of enforcement action by the ICO.

Impact on Climate Change - There are no implications relating to Climate Change with this policy.

Equalities Impact Assessment - No equality issues identified for this report.

Relationship to Corporate Plan - This policy supports good governance arrangements enabling confidence in delivery of the Corporate Plan.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Deputy Chief Executive Section 151 Officer

Date: 22.08.2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 22.08.2025

Performance and risk: Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 22.08.2025

Cabinet member notified: yes

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

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

Section 4 - Contact Details and Background Papers

Contact: Lisa Lewis, Head of Digital Transformation and Customer Engagement

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Background papers:

Appendix 1: Data Protection Policy and Guidance v7.0 Draft

Appendix 2: Overview of DUAA 2025 changes

Mid Devon District Council

Data Protection Policy

Policy Number: IM 003

Aug 2025

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Version Control Sheet

Title: Data Protection Policy and Guidance

Purpose: To detail the commitment of MDDC to the protection of personal data, and to advise Officers, and Members, on the standards to be implemented regarding personal data processing.

Owner: Head of Digital Transformation & Customer Engagement

Version Number: 7.0

Status: Draft

Review Frequency: Triennial or before if new legislation is implemented.

Next review date: Aug 2028

Consultation This document was sent out for consultation to the following:
IT & Information Governance (ITIG) Board

Document History

This document obtained the following approvals.

Title	Date	Version Approved
ITIG Board	Aug 2025	
Leadership Team	Aug 2025	
Cabinet	Sept 2025	

Data Protection Policy

1. Introduction

Mid Devon District Council (MDDC) is required to control and process personal data by virtue of its provision of services to the residents of the district and the legislative framework governing those services. This requirement to collect and process personal information is critical to the work carried out by Officers and Members.

Our residents, partners and suppliers have an expectation that their personal data will be processed by MDDC in a way that is lawful, transparent, fair, without prejudice and only where necessary.

MDDC and MDDC electoral services are separate data controllers but are both subject to The Data Protection Act 2018 and the UK-GDPR. These provide the legislative framework. This policy provides specific guidance for processing personal data within the Council.

2. Relevant legislation

Data Use and Access Act 2025 (DUAA 2025)

Data Protection Act 2018 (DPA 2018)

Environmental Information Regulation 2004 (EIR)

Freedom of Information Act 2000 (FOI)

Privacy and Electronic Communication Regulation 2003 (PECR)

United Kingdom General Data Protection Regulations 2016 (UK GDPR)

3. Related Documents

IM 001 Information Security Policy IM

IM 004 Records Management Policy

IM 005 Freedom of Information Policy

IM 002 Information Security Incident Policy

IM 006 Data Quality Policy

IM 011 Artificial Intelligence Policy

4. Scope

This policy applies to anyone who has access to any personal data held by, or on behalf of, MDDC.

To operate efficiently, MDDC must collect and use information about data subjects with whom it works and for whom it provides services. These may include members of the public, current, past, and prospective employees, clients, customers, and suppliers.

In addition, the Council may be required to collect and process information to comply with specific legislative requirements.

The Data Protection Act and UK GDPR require that this personal information must be fairly and transparently collected and properly handled, however it is collected, recorded, and used, whether it be on paper, computer files or recorded by any other means.

MDDC must ensure that all Employees, Elected Members, Contractors, Agents, Consultants, Partners, or other servants of MDDC who have access to any personal data held by, or on behalf of MDDC, are fully aware of and abide by their duties and responsibilities under The Data Protection legislation.

5. Policy Statement

MDDC regards the lawful and correct treatment of personal information integral to the successful operations and to maintaining confidence between MDDC and those with whom it carries out business. MDDC will ensure that it treats personal information lawfully and correctly.

MDDC will through this policy, appropriate management, and the use of controls: -

- Fully observe the conditions regarding the fair collection and use of personal information;
- Meet its legal obligations to specify the purpose for which information is used;
- Collect and process appropriate information only to the extent that it is needed to fulfil operational needs or to comply with any legal requirements;
- Ensure the quality of information used;
- Apply checks to determine the length of time information is held and ensure it is appropriately disposed of after use;
- Take appropriate technical and organisational security measures to safeguard personal information held;
- Ensure that MDDC is complying with its obligations by design and default.
- Ensure that personal information is not transferred abroad without suitable safeguards;
- Ensure that the rights of people about whom the information is held can be fully exercised under Data Protection legislation.

6. The principles of data protection

UK GDPR stipulates that organisations processing personal data must comply with 7 key principles which are legally enforceable and require that personal information shall be:

Processed lawfully, fairly, and transparently – Data will be processed in a manner that the individual would expect, a lawful basis for the processing has been identified and there is an accessible privacy notice that informs individuals how their personal data is collected, used, and protected.

Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes (**'purpose limitation'**): This means:

- Personal data will be used for the purpose it was intended for, and for a new purpose only if it is compatible with the original purpose. Compatible purposes are set out in Article 8A of the UK GDPR, and Schedule 5 to the DUAA 2025 and include scientific and historical research, archiving in the public interest, protecting public security, responding to an emergency crime, taxation, safeguarding, and legal obligation.

Adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed (**'data minimisation'**)

This means MDDC will collect the data necessary for our specified purposes, and no more than is sufficient to conduct these purposes.

- We will consider anonymisation and pseudonymisation where practical and will review the data we hold and delete information in line with our records management policy.

Accurate and, where necessary, kept up to date (**'accuracy'**):

- MDDC must ensure that the personal data we hold is accurate and up to date. MDDC must take reasonable steps to keep data up to date and erase any data that is inaccurate or misleading subject to the nature of that data. Consideration must be taken of any challenges to the data.

Kept in a form which permits identification of data subjects and for no longer than is necessary (**'storage limitation'**):

- MDDC holds data in accordance with statutory retention periods and organisational policy as set out in the Records Management Policy and Record Retention Schedules.

Personal data may be stored for longer periods as far as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes. These must be identified. In these circumstances consideration should be given as to whether data can be anonymised. Processed in a manner that ensures appropriate security of the personal data (**'integrity and confidentiality'**):

- All data is processed in line with information security and ICT Policies.
- Security procedures are implemented to ensure access control for the lifecycle of the data, including access control, secure file, use of encryption and secure methods of disposal.
- All users of personal data shall receive appropriate, timely and regular training.

The data controller shall be responsible for, and be able to demonstrate compliance (**'accountability'**)

- MDDC will ensure and identify through a clear decision-making process that its functions are conducted to ensure full compliance with the relevant legislation.

7. Processing of Personal Data

The DPA 2018 sets out the definition of personal data summarized below: data relating to a living individual who can be identified from:

- That data; or
- That data and other information, which is in the possession of or is likely to come into the possession of the data controller and includes an expression of opinion about the individual and any indication of the intentions of the data controller, or any other person in respect of the individual.

We must only process this personal data if there is a valid lawful basis for processing. UK GDPR sets out seven lawful bases for processing.

- **Consent** – a person has given clear consent to process their data for one or more specific purposes.
- **Contract** – processing is necessary to perform a contract with a person or because they have asked for specific steps to be taken.
- **Legal obligation** – the processing is necessary to comply with the law.
- **Vital interests** – the processing is necessary to protect someone's life.
- **Public task** – the processing is necessary to perform a task in the public interest or for our official functions, and the task or function has a clear basis in law.

8. Special Category Data

The DPA 2018 and UK GDPR identifies some personal data that requires extra protection because the use of this data could create significant risks to an individual's fundamental rights and freedoms. This is known as “**special category**” data.

Special category data is defined as personal data consisting of information revealing:

- Racial or ethnic origin;
- Political opinions;
- Religious or philosophical beliefs;
- Trade union membership;
- Genetic data - for the purpose of uniquely identifying a natural person
- Biometric data for the purpose of uniquely identifying a natural person
- Data concerning health;
- Sex life;
- Sexual orientation.

In addition to the requirement of one or more of the seven lawful bases to process special category personal data, the UK GDPR and the DPA 2018 set out additional conditions that must be met before this type of data can be processed.

Criminal Offence Data and Enforcement Processing

Article 10 of UK GDPR requires that criminal offence data (criminal allegations,

proceedings, or convictions) be also subject to special conditions when processing. Processing for non-law enforcement purposes requires a specific condition under the DPA 2018 Schedule 1 to be identified.

There are some limited circumstances where MDDC, acting as a competent authority, will process data for the purpose of criminal enforcement. In these circumstances UK-GDPR does not apply. Instead, a separate legislative framework contained in Part 3 of the DPA 2018 applies (Sections 29-81). These requirements should be complied with for any processing of this nature.

For any processing of special category or criminal offence data, the Council is required to have appropriate guidance that sets out how the Council meets its obligations under this part of the legislation. This is published on the MDDC website.

9. Right to be informed

Privacy Notices

It is MDDC's policy to be open and transparent about its processing of personal data and to ensure that information about the collection and use of personal data is available to people whose data is being processed. Information about what data is collected and how it is processed is published in privacy notices on the Council's website.

MDDC makes available privacy information to data subjects through our website and via digital forms or upon request.

We will regularly review the purposes for processing and when necessary, update the Privacy Notices.

10. Data Subject Rights and Requests

Personal data will only be disclosed in accordance with the provisions of the DPA 2018 or UK GDPR. Anyone is entitled to request copies of personal information that MDDC holds about them. This is called a Subject Access Request (SAR). Details of how data subject requests can be made are available on the MDDC website [here](#). Data subjects will need proof of identification. MDDC will reserve the right to request clarification to aim to provide the specific data required by the requester.

Once the SAR form has been received and formal identification provided, the Information Managers will ensure that reasonable and proportionate searches are conducted to retrieve the requester's data.

The requester will have a right to the information we hold, subject to the exemptions in identified in the DPA 2018. This will include documents, letters, communications, and may include opinions that are related to the data subject. Information may be withheld subject to Schedule 1-5 either fully or partially with redactions.

MDDC will endeavor to respond to all SARs and other enquiries promptly and no later than one calendar month. If the request is substantial, we will reserve the right to extend to the full 90-day period as sanctioned in the DPA 2018. Data Subjects will be notified of this delay.

Additional requests will be considered separately. These include the following:

- Have inaccurate data amended or completed,
- Have personal data erased,
- Request the restriction of suppression of their personal data,
- Move, copy, or transfer personal data easily from one database to another or Organisation safely and securely without hindrance to usability,
- Object to the processing of their personal data in certain circumstances and their absolute right to stop their data being used for direct-marketing purposes,
- Object to profiling and other rights in relation to automated decision making.

11. Automated Decision Making and Artificial Intelligence

Automated decision making in processing is a rapidly evolving area of privacy. If a significant decision, defined as a decision that would produce a legal effect or similarly significant consequence on the data subject, is automated without any genuine or meaningful human involvement then Articles 22A to 22D of UK GDPR must be complied with. To this end MDDC will:

- Inform relevant data subjects of any automated decisions;
- Allow the customer to make representations;
- Offer the right to human intervention on request;
- Enable customers to contest any automated decision as defined in Article 22A

MDDC will keep a register of automated decision-making processes to ensure compliance with the provision in Article 22A-22D. For more details, please see IM 011 AI Policy.

12. Disclosure and Sharing of Personal Data

MDDC may share personal data we hold across council services in accordance with the privacy notices made available to data subjects, either at the point of initial contact or via our website.

We may also disclose personal data we hold to third parties, including:

- Contractors or suppliers (data processors) who work for us to deliver our services. A contract and/or a data processing agreement (DPA) must be in place with all data processors to be compliant with data protection legislation.
- Processors, including but not limited to, all contractors, consultants, partners or other servants or agents of MDDC must ensure that they and all of their staff who have access to personal data held or processed for, or on behalf of MDDC, are aware of this policy and are fully trained in and are aware of their duties and responsibilities under data protection legislation. Any breach of any provision

of the legislation will be deemed as a breach of contract and handled accordingly.

- Any disclosure to another council or partner organisation will be made under an external data sharing agreement (DSA) or under specified parts of the data protection legislation, for example Schedule 2 DPA 2018.

13. Data Processing Requests

The DPA 2018 has provisions that allow public sector organisations to circumvent the principles laid down by UK GDPR in specific circumstances.

These will be received in the form of a Data Processing Request. These requests will be logged and reviewed by Information Management and upon assessing their validity and confirming the data in question, will respond. MDDC reserves the right not to comply with these requests as there is no requirement to comply. Provisions for this are provided in schedules 2-4 of the DPA 2018. Common examples would be crime and taxation and social care.

14. Data Protection Impact Assessments (DPIA)

Under Article 35 of UK GDPR it is a requirement that MDDC completes a risk assessment where processing operations are likely to result in a high risk to the rights and freedoms of individuals.

MDDC maintains a standard of privacy by design, by which all new policies, projects, services, and other changes will be developed with privacy and data protection as a key consideration. This will include completing a DPIA for all processing that is high risk, in accordance with the Data Protection Impact Assessment Policy.

A DPIA must be completed prior to any new, or changes to activities that involve the processing of personal data, to include: -

- New Processing that involves personal data, which is considered high risk data,
- Use of new IT systems/applications for processing personal data,
- Large volumes of individuals data processed,
- Personal data of vulnerable individuals (adults/children),
- Processing highly sensitive personal data,
- Using AI technology to automate decision making and/or profiling,
- Use of CCTV.

The DPIA will be reviewed and authorised by the Senior Information Officer and the service area's Information Asset Owner in consultation with the Head of Digital Transformation and Customer Engagement and the Operations manager of ICT where necessary.

15. Data Breaches

A data breach is a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to personal data. This can be either accidental or deliberate.

All staff and members have a duty to report a confirmed or suspected personal data breach via the internal reporting process as soon as they become aware using the Information Security Incident form found at the end of the Information Security Incident policy (IM 002)

16. Marketing and cookies

In addition to the requirements around Data Protection, there are additional provisions within PECR 2003, relating to Marketing and Use of Cookies. Marketing is communication of any kind that advertises to a customer. This can include any type of communication. MDDC will, in specific circumstances, market to their customers. While there is no requirement to comply with PECR when conducting their obligations as a public authority, some non-public processes, particularly around Leisure and other commercial activities, will need to comply with these provisions.

To this end MDDC will ensure we:

- Will only market to customers if we have either gained consent from the customer or have a clear legitimate interest to promote services or initiatives.
- Will ensure that customers are given clear opportunities to opt out of marketing at any time.
- MDDC may use cookies and tracking technologies to improve user experience. Customers will have the right to withdraw consent, object to direct marketing and complain in accordance with the complaints provisions within this policy.

17. Information Commission Registration

The DPA 2018 and UK GDPR require data controllers who process personal data to register with the Information Commission, and to renew their registration on an annual basis. Any changes to the register must be notified to the Information Commission within 28 days. Failure to notify is a criminal offence.

MDDC and Electoral Services are registered and appear on the public register of data controllers maintained by the Information Commission.

The Data Protection Officer is responsible for notifying and updating the Information Commission of changes to the processing of personal data by the Council.

18. Training and Awareness

Since any MDDC employee may be involved in creating, maintaining and using personal information/records, it is vital that everyone understands their responsibilities

as set out in this policy. All Officers and Members must have read and accepted the Data Protection Policy and in so doing agree to act in accordance with it and the data protection principles referred to above.

Training will be renewed annually. operations managers will ensure that staff responsible for managing personal data are appropriately trained or experienced and that all staff understand the need for proper management of personal data. To this end MDDC will ensure all Officers handling personal data are appropriately trained and supervised.

19. R.A.C.I. Model

The RACI model is used for clarifying and defining roles and responsibilities in cross-functional or departmental projects and processes as detailed below:

- **Responsible:** All staff, members, or third-party providers of services or support who use MDDC assets and process data on behalf of MDDC.
- **Accountable:** SIRO, SRI, SIO acting as the DPO
- **Consult:** IT and Information Governance Board, with the Info.
- **Inform:** All staff, or third-party providers of services or support who process data for MDDC

20. Review of policy

This policy will be reviewed in 2028 or in accordance with any changes made to relevant legislation and to ensure the policy reflects any changes to formal guidance or local operational considerations.

Appendix 1 - Roles and Responsibilities

The **Senior Information Reporting Officer (SIRO)** for MDDC is responsible for ensuring proper application of Data Protection within MDDC – Deputy Chief Executive

The **IT and Information Governance Board (ITIG)** leads and advises on IT and Information Security. Any Data Protection reporting and related decisions will be discussed and made by this group. The ITIG board is accountable to the council through the portfolio holder, cabinet Member for Quality of Living, Equalities and Public Health, and The Leadership Team.

The **Senior Responsible Individual (SRI)** is responsible for monitoring compliance activities for Data Protection legislation, organising strategic and operational activities relating to data management, information security and training, and convening the ITIG – Head of Digital Transformation & Customer Engagement

The **Senior Information Officer (SIO)** acts as the Data Protection Officer and provides the operational link between senior leadership and the organization for Data Protection, Freedom of Information and Records Management practices. They will provide guidance, training and contribute to compliance activities. The SIO reports to the Head of Digital Transformation and Customer Engagement (SRI).

Information Management (IM) acts as the department that advises, processes, and ensures compliance with data protection and other associated areas. IM will develop and operate methods of handling personal information that are regularly assessed and evaluated;

Information Asset Owners are responsible for the management of personal data processed by their services, in accordance with this policy, and ensuring that all staff are aware of Data Protection requirements. They act as the link between Information management and the other departments. These officers are Operational Managers and Service Leads.

All Members and Employees of MDDC will be responsible for ensuring that the personal data they control in relation to their work is maintained in accordance with the data protection principles. To this end there is an expectation that officers will:

- Ensure paper files and other records or documents containing personal/special category data are kept in a secure environment. Ensure personal data held on computers, mobile devices and computer systems is protected using secure passwords and in accordance with MDDC Information and IT policies.

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Appendix 2

Overview of Data Use Access Act (DUAA) 2025

NB. Not all changes are applicable to MDDC.

What data protection laws does the DUAA change?

The DUAA amends, but does not replace, the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 (DPA) and the Privacy and Electronic Communications Regulations (PECR).

How might the DUAA help us to innovate?

The DUAA might help you to innovate in the following ways:

- **Research provisions:** it makes it clearer when you can use personal information for the purposes of scientific research, including commercial scientific research. It clarifies that people can give 'broad consent' to an area of scientific research.
- **Privacy notices:** it allows you to re-use people's personal information for scientific research without giving them a privacy notice, if that would involve a disproportionate effort. So long as you protect their rights in other ways and still explain what you're doing by publishing the notice on your website.
- **Automated decision-making:** it opens up the full range of reasons, or 'lawful bases', that you can rely on when you use people's personal information to make significant automated decisions about them. So long as you continue to apply appropriate safeguards. This potentially includes allowing you to rely on the legitimate interests lawful basis for this type of processing. This doesn't apply to special category data which is more protected.
- **Cookie rules:** it allows you to set some types of cookies without having to get consent, such as those you may use to collect information for statistical purposes and improve the functionality of your website.

How might the DUAA make things easier for us?

The DUAA might make things easier for you in the following ways:

- **New 'recognised legitimate interests' lawful basis:** when you use personal information for certain 'recognised legitimate interests', it removes the need for you to balance the impact on the people whose personal information you use, against the benefits arising from that use. For example, when protecting public security.
- **Disclosures that help other organisations perform their public tasks:** it allows you to give personal information to organisations such as the police, without having to decide whether that organisation needs the information to

perform its public tasks or functions. Instead, the organisation making the request is responsible for this decision.

- **Assumption of compatibility:** it allows you to assume that some re-uses of personal information are compatible with the original purpose you collected it for, without having to do a compatibility test. This includes disclosing personal information for the purposes of archiving in the public interest, even if you originally only got consent for a different purpose.
- **‘Soft opt in’ for charities:** if you’re a charity, it allows you to send electronic mail marketing to people whose personal information you collect when they support, or express an interest in, your work, unless they object.
- **Subject access requests (SARs):** it makes it clear that you only have to make reasonable and proportionate searches when someone asks for access to their personal information.
- **Making things clearer:** it improves the way the law is written and structured to make it easier for you to follow and apply, but without materially changing how you can use personal information. For example:
 - it clarifies that direct marketing can be a legitimate interest; and
 - it rewords the test you need to apply when transferring personal information outside the UK.

Are there any new requirements for us to meet?

- **Children and online services:** if you provide an online service that is likely to be used by children, the DUAA explicitly requires you to take their needs into account when you decide how to use their personal information. You should already satisfy this requirement if you conform to our Age appropriate design code (AADC).
- **Data protection complaints:** if you don’t already do so, the DUAA requires you to take steps to help people who want to make complaints about how you use their personal information, such as providing an electronic complaints form. You also have to acknowledge complaints within 30 days and respond to them ‘without undue delay’.

(Source Information Commissioner’s Office)

Report for: Cabinet

Date of Meeting:	02 September 2025
Subject:	AWARD OF CONTRACT FOR THE UPGRADING OF AIR SOURCE HEAT PUMP SYSTEMS TO COUNCIL HOMES 2025 - 2028
Cabinet Member:	Cllr Jane Lock - Cabinet Member for Housing, Assets and Property
Responsible Officer:	Simon Newcombe – Head of Housing and Health
Exempt:	None – open, direct Framework award
Wards Affected:	All
Enclosures:	None

Section 1 – Summary and Recommendation(s)

To advise Members on the results for the tendering of the Upgrading of Air Source Heat Pump Systems Contract 2025 - 2028 for Housing Revenue Account (HRA) properties and confirm the award of the contract.

Recommendation(s):

1. **It is recommended that the Upgrading of Air Source Heat Pump Systems Contract 2025 - 2028 with the option to extend to 2029, be awarded to PH Jones Ltd.**
2. **Delegated authority be granted to the S151 Officer (in consultation with the Cabinet Member for Housing, Assets and Property) to complete the associated Upgrading Air Source Heat Pump Systems Contract 2025 – 2028 for HRA properties with the option to extend to 2029.**

Section 2 – Report

1 Introduction

- 1.1 The term of this contract is 2 years 6 months to align with financial/accounting years with a possible 1 year extension subject to budget, performance and the approval of the Head of Housing in consultation with the Cabinet Member for Housing, Assets and Property.

- 1.2 The procurement procedure was a direct award process via the Procurement for Housing (PfH) Framework Heating Solutions framework, Lot 1 – Domestic Heating - Servicing, Repairs, Maintenance, Installations and Associated Services.
- 1.3 The Council has a number of Air Source Heat Pump (ASHP) systems installed across its stock as part of its rolling commitment to replace end-of-life existing heating systems and reduce its carbon footprint. Some of these systems have been installed for over 10-years and in common with all heating systems require regular maintenance and updating.
- 1.4 These works were previously included in a combined heating maintenance contract awarded in 2022 which is coming to an end. A review of contract delivery and consideration of the different nature of ASHP systems (compared to traditional heating systems), the age of some MDH systems, together with apparent contractor challenges in carrying stock for upgrades and repairs across all systems means that MDH have opted for a separate ASHP contract. This is with a contractor that can provide a dedicated service and the compliant procurement process to award this contract via a framework is set out below.

2 Framework Compliance and Benefits

- 2.1 PfH is a purchasing consortium that is open to all UK Housing Associations, Local Authorities and other public bodies. PfH is a Contracting Authority under EU procurement directives and UK public procurement regulations. PfH are one of the largest goods and services consortia based in the UK with an annualised spend under management (SuM) of more than £0.4bn, 1,100 members and 650+ active customers, across a range of products and services.
- 2.2 PfH provides a shared procurement expertise and resource. In relation to the specific Mid Devon Housing (MDH) contract requirements, it provides a comprehensive range of services and capital works, tailored to the specific needs of the client.
- 2.3 As with all public sector expenditure on goods and services, the process of procuring new maintenance and repair contracts must comply with strict public procurement rules including the recently implemented Procurement Act 2023. In order to provide assurance in respect of procurement and ensure maximum consistency of pricing without putting every contract award through an expensive bespoke market tendering exercise, direct awards can be undertaken. A direct award is permitted under the current procurement legislation and each direct award is made under a compliant framework.
- 2.4 Frameworks are umbrella agreements that set out the terms, that include specification, quality, price, quantity, under which individual contracts (call offs) can be made during the lifetime of the framework (normally 4 years). Legislation governs the way frameworks are run. Suppliers compete through open competition to be appointed to a framework. Publicly funded contracting

authorities such as the council then call off individual contracts or run specific tender/competition exercises across those contractors appointed onto the framework.

- 2.5 Frameworks also provide wider assurance due to in-depth expertise in specific sectors, high quality specifications and pre-tender engagement through to consistency and independence of the evaluation and award process. There are further advantages in speeding up the procurement process and enabling works to progress more quickly. As such, where it fits with the operational requirements of the service, MDH have awarded several other framework contracts recently including elements of its planned maintenance programme and the development of new homes.
- 2.6 This framework procurement approach was specifically agreed with the Council's Procurement Service prior to commencement and the proposed contract has been reviewed by the Council's Legal Service.
- 2.7 The requirement has been advertised and capable suppliers have been identified through competitive procurement as further set out below.
- 2.8 All suppliers have been fully assessed for their experience, technical and professional ability

3 Procurement Process

- 3.1 In total 73 contractors submitted tender response for the framework and following an extended PfH evaluation process (Price / Quality Split 30% / 70%), 33 companies were appointed as suppliers via the framework to provide a mixture of domestic and commercial heating across the regions of England, Wales and Northern Ireland.
- 3.2 The quality aspect of the contract evaluation targeted service delivery and engagement, health and safety, resources and subcontracting, customer service facilities and management information and reporting.
- 3.3 For Lot 1 domestic heating, there were 5 contractors that expressed a desire to work within the South West with PH Jones scoring best of those able to meet MDH requirements.

4 Conclusion

- 4.1 Approval is required from Cabinet for award of the proposed contract.
- 4.2 Following the decision to award, there will be a compulsory 10 day standstill period after which the contract will be awarded.
- 4.3 Mobilisation will take up to one month and the contract will not commence before 12 October 2025.

Financial Implications

The Housing Revenue Account (HRA) budget for the works is £300,000.00 per annum. Each upgrade and relevant works will be surveyed and fully costed prior to a works order being issued. Capital investment in the MDH stock will result in a lower revenue cost in the coming years, which will enable the repairs service to operate more effectively and manage future maintenance costs.

Legal Implications

We have a legal duty to let our Council Homes in a reasonable condition, which also contributes to the Decent Homes Standard, the wellbeing of our tenants and our Tenant Satisfaction Measures. The conditions of engagement are based on a standard PfH contract, which provides a robust framework for managing and controlling the performance of the contractor.

Risk Assessment

The principal risk is failing to limit costs due to additional works and delivery of the programme. The performance of the contract shall be monitored monthly and corrective action will be taken where performance falls below Key Performance Indicator Targets. These include: 1) customer satisfaction; 2) variations and extras; 3) delivery of programme; 4) number of defects; and 5) managing Health and Safety.

Impact on Climate Change

MDDC were early adopters of heat pump technologies in our properties. These works will maintain ASHPs in suitable properties. Modern heat pumps are more efficient and the refrigerant used is less harmful to the environment. Therefore upgrades to early systems will offer further benefits.

Equalities Impact Assessment

All staff have received Equality and Diversity awareness training. MDDC discuss equality and diversity at the progress meetings and encourage the contractor to carry out awareness training.

Relationship to Corporate Plan

Homes are a priority for the Council and in the context this contract supports the delivery of several key objectives, including; investing in our homes, monitoring tenant satisfaction and ensuring our tenants feel safe, secure and happy in our homes.

The contract will also contribute towards meeting our obligations relating to the Decent Homes Standard by making best use of the existing stock

The works will also maintain delivery of the MDH/Council carbon targets regarding climate change

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Deputy Chief Executive (Section 151 Officer)

Date: 22.08.2025

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 22.08.2025

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 22.08.2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Mike Lowman, Operations Manager for Housing

mlowman@middevon.gov.uk or Simon Newcombe, Head of Housing and Health
snewcombe@middevon.gov.uk.

Background papers: None

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Report for: Cabinet

Date of Meeting:	02 September 2025
Subject:	Draft Area B Masterplan.
Cabinet Member:	Cllr S Keable. Planning & Economic Regeneration
Responsible Officer:	R Marsh, Director of Place and Economy
Exempt:	N/A
Wards Affected:	Tiverton Cranmore
Enclosures:	Appendix 1: Draft Area B Masterplan

Section 1 – Summary and Recommendation(s)

To present to Members a Draft Masterplan for Area B of the Tiverton Eastern Urban Extension. This report seeks a recommendation to Cabinet to Note the Masterplan having taken into account the comments received during the public consultation as presented to Cabinet 17 June 2025.

Recommendation(s):

1. **That Members note the Draft Masterplan (Appendix 1);**
2. **That Members recommend to Cabinet that:**
 - i) **The Masterplan for Area B of the Tiverton Eastern Urban Extension is noted; &**
 - ii) **Delegated authority be given to the Director of Place & Economy in consultation with the Cabinet Member for Planning and Economic Regeneration prior to publication to make any typographical, grammatical and formatting changes to the Masterplan for Area B of the Tiverton Eastern urban Extension.**

Section 2 – Report

1.0 Introduction

- 1.1 The existing Tiverton Eastern Urban Extension (EUE) Masterplan was adopted as a Supplementary Planning Document (SPD) in April 2014 and updated in June 2018. Whilst covering the whole of the allocated urban extension, it was not able to address all of the allocation to the same degree

of detail. This was due to the absence of some site-wide survey work for Area B. As a consequence the Adopted Masterplan SPD did not fully resolve the land use issues across the whole allocation. The Adopted Masterplan SPD therefore makes reference to the fully surveyed land area as Area A and the area requiring a greater degree of masterplanning, to the south east of the allocation, as Area B.

- 1.2 Policy TIV1(i) of the Adopted Mid Devon Local Plan requires the completion of a masterplanning exercise for Area B. Following Cabinet approval two stages of public consultation have already been completed on Area B. Stage 1 was completed in 2017 and Stage 2 in 2020. Cabinet resolved to adopt the Draft masterplan – subject to updates – at Cabinet (3 September 2020).
- 1.3 Adoption of the document however was postponed for receipt of the Mid Devon Playing Pitch Strategy. The conclusions in the Strategy supported the delivery of 8 hectares of sports provision, on and off site of the EUE, as reflected in Policy TIV3c of the Adopted Mid Devon Local Plan 2013 - 2033.
- 1.4 The impact of delivering 8 hectares of formal play space is significant - including how Area B is zoned to accommodate it and the amount and density of development to support it. The Area B Masterplan was therefore postponed so it could be updated to address this issue as well as unresolved issues such as a secondary point of access into Area B.
- 1.5 Westcountry Land has been proactively working within the Area B allocation and in collaboration with Mid Devon District Council undertook a public consultation exercise between November 2024 and January 2025 (approved for consultation at Cabinet 12 November 2024). Details of the public consultation including the comments received were presented at PPAG on 19 May 2025 and at Cabinet 17 June 2025.

2.0 Summary of Area B Masterplan

- 2.1 Policy TIV1(i) requires the completion of a ‘public Masterplanning exercise in respect of the southeast of the site (Area B)’. A public masterplanning exercise was completed between November 2024 and January 2025 as a stage 1 public consultation. As a stage 1 consultation it presented more detail than might normally be expected. This was due to the volume of information previously gathered through adoption of the existing Tiverton EUE masterplan and through the previous two stage consultation on Area B as well as acknowledgement within the wider community, that Area B will be developed.
- 2.2 The Masterplan attached as Appendix 1 is presented as a masterplan to be NOTED. It is not the intention to formally adopt it as a Supplementary Planning Document. The adopted Tiverton EUE Masterplan SPD provides that function and as such is a material consideration in the determination of planning applications. The Area B Masterplan (attached) preserves the principles set out within the Adopted Tiverton EUE Masterplan SPD but with additional

detail, specific to Area B. Both the adopted Tiverton EUE Masterplan SPD and the Area B Masterplan will be bound by the policies of the Mid Devon Local Plan Review 2023-2033 which continue to be the starting point in any planning decision.

- 2.3 On this basis, the Area B Masterplan sets out the background and evolution of the Area B masterplan; translating the Adopted SPD's vision into a masterplan for Area B, along with a parameters plan guided by the completion of detailed survey and analysis work and comments received through the public consultation exercise. As required by Policy TIV1 of the Local Plan Review this document completes the masterplanning exercise for the whole of the Tiverton Eastern Urban Extension.
- 2.4 After a full consideration of the consultation responses received, and the completion of detailed survey and analysis work the masterplan has been structured in the following way:

1.1 Introduction	4.1 The Design Approach
1.2 Purpose and Role of the Document	4.2 Expanding the Knowledge Base
	4.3 Settlement Studies
2.1 The Site and its Location	4.4 Opportunities and Constraints
2.2 The Site in Context	4.5 Community Consultation
2.3 Area B	
	5.1 The Area B Masterplan – Parameter Plan
3.1 Meeting Policy Objectives	5.2 The Design Concept
3.2 Existing Guidance – Adopted SPD	5.3 Amount and Use (Land Budget)
3.3 Guiding Principles	5.4 Landscape and Open Space
3.4 Additional Design Guidance	5.5 Movement
	5.6 The Character of Area B
	6.1 Delivery

- 2.5 Key summary points for the Area B Masterplan are as follows:

- The Area B masterplan proposes 650 homes (including a retirement / extra care home). Current calculations indicate a likely total of 1,608 homes on the EUE:

Development Site	No. units
Braid Park/ Fairfax Heath (constructed)	269
Highwood Gardens (constructed)	18
Blundell's Grange (outline planning permission)	700
Post Hill (Reserved Matters application)	70
Area B (masterplan)	650
TOTAL	1,707

This falls within the mid-range of expectation set out in Policy TIV1, for between 1,580 to 1,830 dwellings on the Tiverton EUE.

- The Area B Masterplan proposes 2.23 hectares of formal sports provision. No provision for formal sports was made on Area A on the basis that Area A was providing significant infrastructure including land for the A361 road junction and neighbourhood centre (including a new primary school and community centre). Formal sports are proposed north and south of West Manley Lane – a 4G sports pitch and sports hub north of West Manley Lane with informal pitches south of West Manley Lane. Detailed planning application stage will determine parking provision (north of West Manley Lane) with pedestrian / cycle access across West Manley Lane to serve these facilities.
- The Countryside Park is retained within the Area B Masterplan. Land assembly for its delivery will be addressed at detailed application stage but with the expectation that it will be delivered in phases. Management of it will also be addressed at detailed application stage with discussions underway about various management options that also satisfy Biodiversity Net Gain requirements.
- The principal point of highway access into Area B from Post Hill is retained. Following the public consultation exercise this point of access has been redesigned – to retain existing traffic priorities along Post Hill / Blundell's Road. The Area B Masterplan retains the expectation that vehicular access will be delivered between Areas A and B. Similarly, in the interest of good planning, vehicular access will be expected up to the eastern boundary of Area B as detailed within the parameters plan.
- A Gypsy and Traveller site is not identified within the Area B masterplan. This is not entirely dissimilar to the Adopted Masterplan SPD. Outline planning applications (14/00881/MOUT and 13/01616/MOUT) were both granted planning permission with a requirement to deliver 3 Gypsy and Traveller pitches. The Adopted Masterplan SPD was able to identify one of the sites (which is still allocated as a Gypsy and Traveller site) whilst the other was to be confirmed at detailed planning application stage.
- The Area B Masterplan offers a high level parameters plan which retains the ability to take access for up to 10 units from either Mayfair or Area B (but not both). Detailed planning application stage will determine the number of units and means of access – whether from Mayfair or Area B.
- A buffer strip is identified along the boundary with properties on Mayfair. Detailed planning application stage will determine the exact depth.

- The Area B masterplan presents a design concept for Area B based on nearby historic villages. The masterplan confirms that Design Codes will be produced as part of an outline application.

3.0 Key Issues arising through the consultation

Key Issue	Officer Comment	Change identified
Post Hill junction: the design & prioritisation of traffic flows needs to be reviewed	Junction redesigned to retain existing traffic priorities.	Junction redesigned
Cycle & pedestrian connections: to the Former Railway Line, Grand Western Canal, Mayfair and town centre.	Identified on the parameters & movement plans – detailed planning application stage to provide exact details.	Cycle and pedestrian connections north to south / east to west included.
Public transport: ensure bus services serve the whole of the EUE and Post Hill in an integrated way.	The Parameters plan supports connectivity on both the eastern and western boundaries of Area B. Contributions for bus services will be gathered at detailed planning application stage.	Road connections shown up to the boundaries of Area B to ensure connectivity.
Phase 2 of the A361 road junction needs to be completed prior to development.	Phase 2 of the A361 road junction is postponed. DCC Highway Authority have not objected to the principle of development on Area B without Phase 2 constructed.	No change.
Construction of Area B should follow Area A (west to east)	The new point of access into Area B from Post Hill allows the rate of development to be accelerated to accord with Gov. policy.	No change.
The proposed dwellings next to Mayfair should be accessed from Area B not from Mayfair Copse.	The Area B masterplan allows either option (but not both together). The final point of access will be determined at detailed planning application stage.	No change. The Area B masterplan allows either option (but not both together).
The impact of drainage on the Tidcombe Fen SSSI, Ailsa Brook and the wider ecological impact of poorly maintained drainage to be given full consideration.	Principle of development accepted through the Adopted Local Plan review. DCC Local Lead Flood Authority will be consulted at detailed planning application stage with DCC Ecology.	No change. Detailed planning application stage.
Sports pitches south of West Manley Lane should not be included.	Informal sports pitches (no lighting) proposed south of West Manley Lane.	No change.
No information on the proposed location of the Gypsy and Traveller site	To be addressed at detailed planning application stage.	No change.
Provide a landscaped buffer strip to Mayfair Copse.	Agreed. Detailed planning application stage to confirm depth of buffer strip.	Buffer strip identified.
The 'village' design concept is welcomed	Agreed.	No change.

The designated sewer treatment works have insufficient capacity.	SWW have provided assurance that capacity is and will be available.	No change.
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4.0 Next Steps

4.1 A provisional timetable for the next stages of Area B are set out as follows:

Action	Summary
Cabinet 2 September 2025	Area B Masterplan to be Noted
Area B Hybrid Planning Application	Expected submission Autumn 2025

Financial Implications: No budget has been set aside by the Council to support the production of the masterplan. It has largely be funded by the developer including the production of the draft masterplan for public consultation, booking of venues and neighbour consultation. The Council has provided ‘in-kind’ financial support through Officer involvement and hosting on line communications and social media.

Legal Implications: The process for preparing the Draft Masterplan will be in compliance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council’s Statement of Community Involvement. Planning policy requires the completion of a masterplanning exercise.

Risk Assessment: Policy sets out that masterplanning should take place before applications are submitted. Delay in the production of the Draft Masterplan could in turn delay the delivery of housing on this part of the site.

Impact on Climate Change: A core principle within the Draft Masterplan is to support the Council’s commitment to achieving net zero carbon emissions by 2030 through design and timely delivery of infrastructure, dwellings and employment. The Draft Masterplan has regard throughout to climate change and within the confines of adopted planning policy seeks to promote development that responds positively to climate change.

Equalities Impact Assessment: The masterplan is required to meet the policy requirement for pitch provision for the gypsy and traveller community which will result in a more positive outcome for that community. No other equality issues are identified within the emerging masterplan, but it is noted that design should have regard to the needs of different groups in the community including by age and disability.

Relationship to Corporate Plan: The Masterplan will provide guidance on the planning and delivery of a strategic site for Mid Devon. It is intended to support the Adopted Tiverton Eastern Urban Extension Masterplan SPD (2018). The Masterplan will directly relate to the Corporate Plan 2024-28 priorities including:

- Planning, environment & sustainability;
- Community, people & equalities;
- Homes; and
- Economy & assets.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 20 August 2025

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 20 August 2025

Chief Officer: Andrew Jarrett

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

Date: 20 August 2025

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 21/08/2025

Cabinet member notified: yes

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

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

Section 4 - Contact Details and Background Papers

Contact: C. McCombe, Area Planning Office, Major Projects

Email:

Telephone: 01884 234277

Background papers:

Adopted Local Plan Review 2013-2033:

[Mid Devon Local Plan Review 2013-2033](#)

Adopted Tiverton EUE Masterplan SPD (2018):

[11742-teue_masterplan-supplementary-planning-document-rev-q_lr.pdf](#)

Tiverton EUE Design Guide (2016):

[160624 Design Guide DH.indd](#)

Tiverton EUE Area B Masterplan 2020:

[19045_draft-spd_final-for-cabinet_200114.pdf](#)

Cabinet 17th June 2025

Cabinet 16th January 2020

Cabinet 30th May 2019

Cabinet 26 October 2017

Cabinet 2nd February 2017

Tiverton's Eastern Urban Extension

Area B Masterplanning Exercise

Revision 4

8th August 2025

Page 87



Forword

This Masterplan concerns the Tiverton Eastern Urban Extension. It has been prepared on behalf of Westcountry Land, in partnership with Mid Devon District Council (MDDC).

In accordance with the Adopted Mid Devon Local Plan Review (2013-2033), hereafter known as the Local Plan Review, and the process contained within the Adopted Tiverton Eastern Urban Extension Supplementary Planning Document, this document represents the masterplanning exercise required within the documents for land in the south eastern area of the Tiverton Eastern Urban Extension allocation (Area B). Accordingly, this Masterplan contains the background and evolution of the masterplanning exercise required for Area B, as required by Policy TIV1 of the Local Plan Review. This document completes the masterplanning exercise for the whole of the Tiverton Eastern Urban Extension.

This Masterplan is informed by extensive survey work and analysis that has been undertaken across the landholdings of Westcountry Land. It provides detailed guidance about how the urban extension should be designed and developed to provide a comprehensive form of development across the whole of the Area B allocation. On this basis, this masterplan needs to be read in conjunction with the Adopted Tiverton Eastern Urban Extension SPD.

The Adopted Tiverton Eastern Urban Extension SPD and this Masterplan have been prepared in response to adopted local plan policies and have been informed by extensive consultation with key stakeholders and people in the local community.

Contents

Setting the scene

Explaining the background to the site, the purpose of the document, its terms and how it should be read and used.

Outlining the policy background to the site and other design influences.

- Page 89
- 1.1 Introduction
 - 1.2 Purpose and Role of the Document
 - 2.1 The Site and its Location
 - 2.2 The Site in Context
 - 2.3 Area B
 - 3.1 Meeting Policy Objectives
 - 3.2 Existing Guidance - Adopted SPD
 - 3.3 Guiding Principles
 - 3.4 Additional Design Guidance

Achieving a quality place

Setting out the vision, concept and design principles for achieving a quality of place and how those are going to be implemented and phased.

- 4.1 The Design Approach
- 4.2 Expanding the Knowledge Base
- 4.3 Settlement Studies
- 4.4 Opportunities and Constraints
- 4.5 Community Consultation
- 5.1 The Area B Masterplan - Parameter Plan
- 5.2 The Design Concept
- 5.3 Amount and Use (Land Budget)
- 5.4 Landscape and Open Space
- 5.5 Movement
- 5.6 The Character of Area B
- 6.1 Delivery

A garden neighbourhood

The overall design of the masterplan is based around a series of design principles that seek to create a new garden neighbourhood with a character and appearance inspired by the defining characteristics of Tiverton and its immediate surroundings and that is reminiscent of a garden city environment. Whilst the plan is designed around modern requirements and standards (including making efficient use of land for the provision of new homes) and takes account of sustainability objectives; it seeks to establish a firm foundation for a place that is green, leafy with generous private gardens, making the most of sunlight and natural daylighting, and creating opportunities for community recycling and food production.

Introduction

Section 1



1.1 Introduction

Tiverton's new garden neighbourhood at Post Hill is a major allocation in the Local Plan Review. The allocation already benefits from the Adopted Tiverton Eastern Urban Extension Supplementary Planning Document (hereafter known as the Adopted SPD).

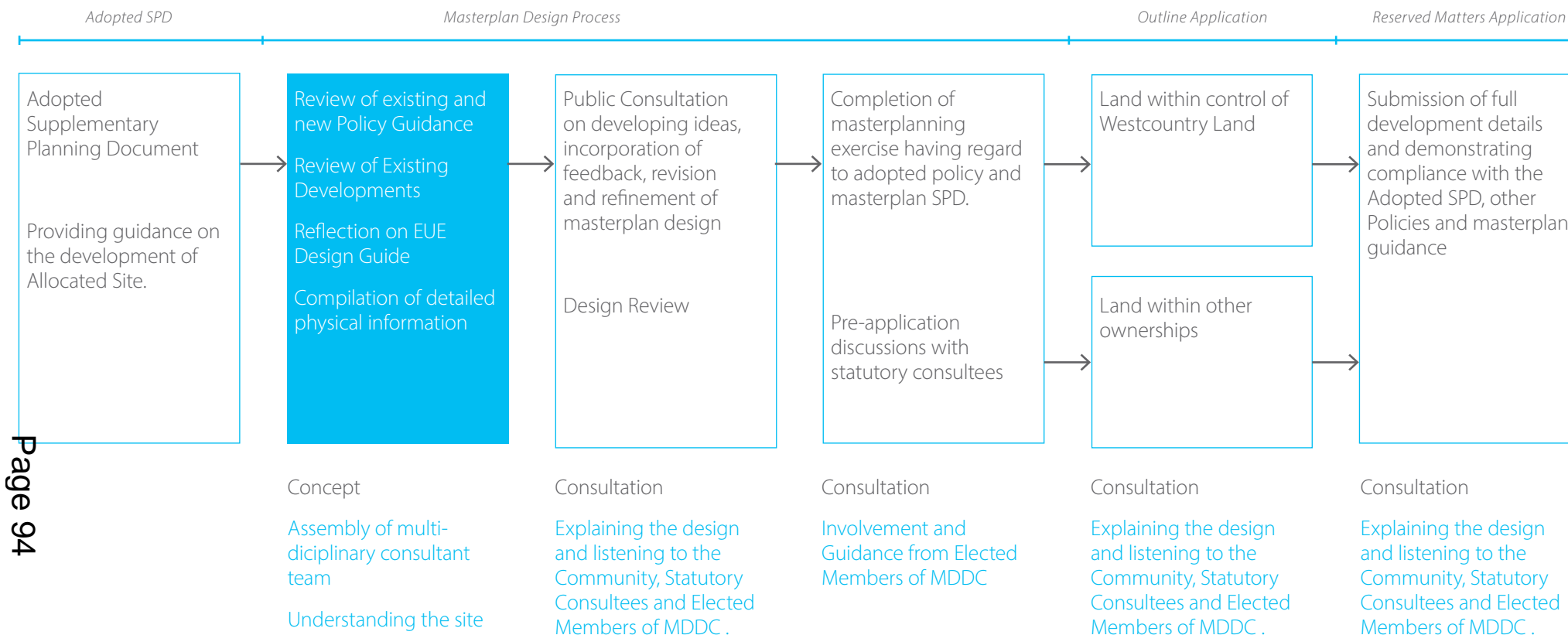
This Adopted SPD sets out the District Council's expectations on masterplanning, design quality and infrastructure requirements across the whole of the urban extension. Whilst the Adopted SPD provides guidance for the whole of the Tiverton Eastern Urban Extension it acknowledges that a masterplanning exercise is required for part of the site, referred to as Area B.

This masterplan document provides that required masterplanning exercise and has been prepared by Bean Designed, with expert advice from Carney Sweeney Planning and a team of specialist consultants, on behalf of the principal landowners Westcountry Land Ltd and in partnership with Mid Devon District Council.

This document is informed by the current planning policy and design guidance including within the Tiverton EUE Design Guide (2016) and the Adopted SPD (2018), detailed studies and analysis across the Area B allocation and existing planning consents on Area A.

Area A

Development of the western and northern areas of the Urban Extension is well underway with numerous homes having Planning Consent and under construction.



1.2 Purpose and Role of the Document

The purpose and role of this document

Page 95
The purpose of this document is to translate the adopted SPDs vision into a masterplan for Area B, along with a parameter plan guided by the completion of detailed survey and analysis work."

The document has been prepared to provide further guidance on the development of the eastern half of the allocated site, known as Area B.

This document recognises and refers to the Adopted SPD throughout and as such this masterplan should be read alongside this document.

This document completes the existing comprehensive guidance in relation to Area A, and represents the masterplanning approach for land to the south east of the allocation.

The flow diagram opposite illustrates the design process being undertaken and identifies key stages within it.

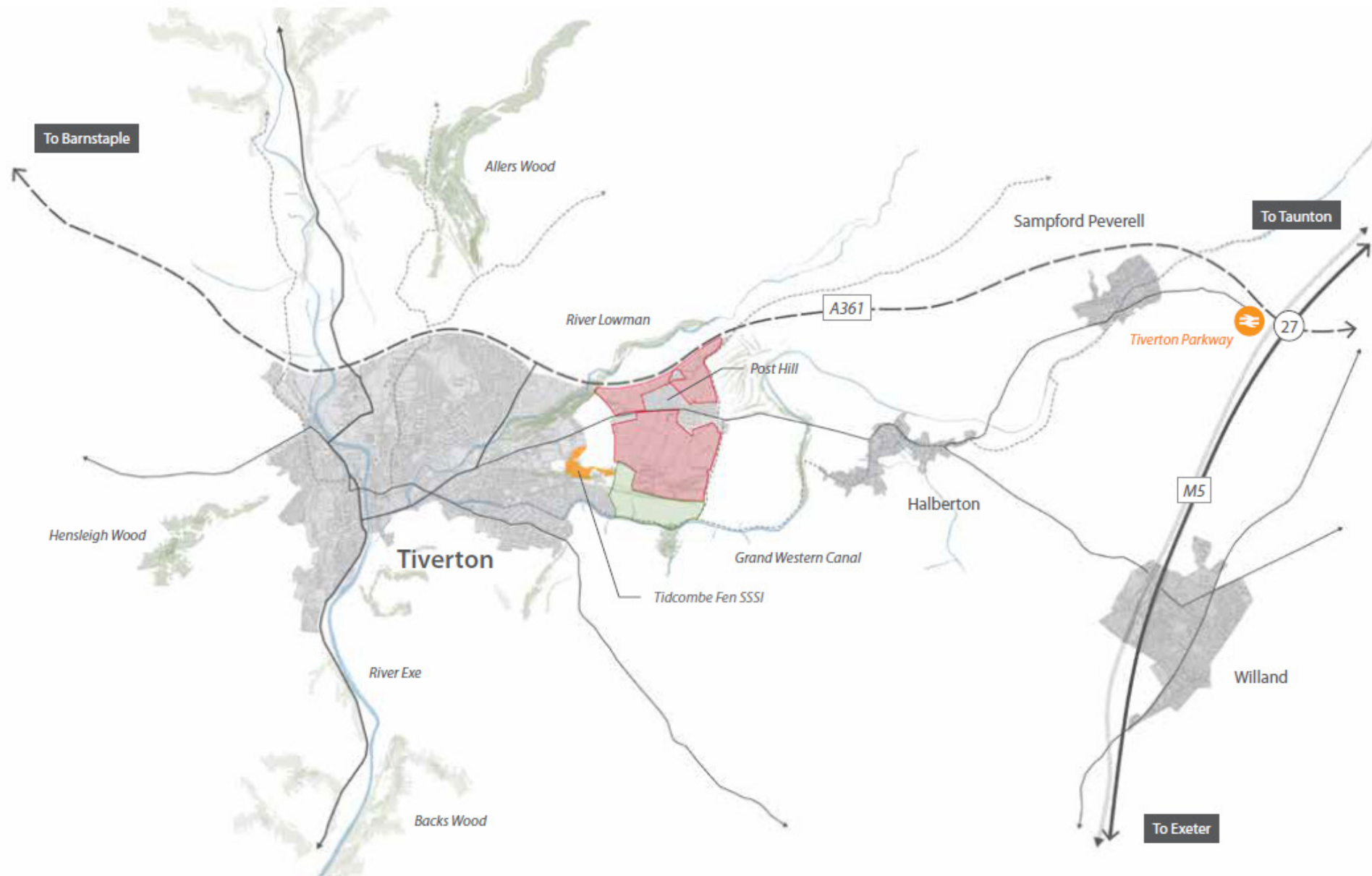


"In the early C18th Defoe could still describe Tiverton as the greatest manufacturing centre in the county, and surviving C18th and early C19th houses show that the town remained comfortably prosperous."

The Buildings of England, Devon.
Nikolaus Pevsner

The Site and its Location

Section 2



2.1 The Site and its Location

Site in Context

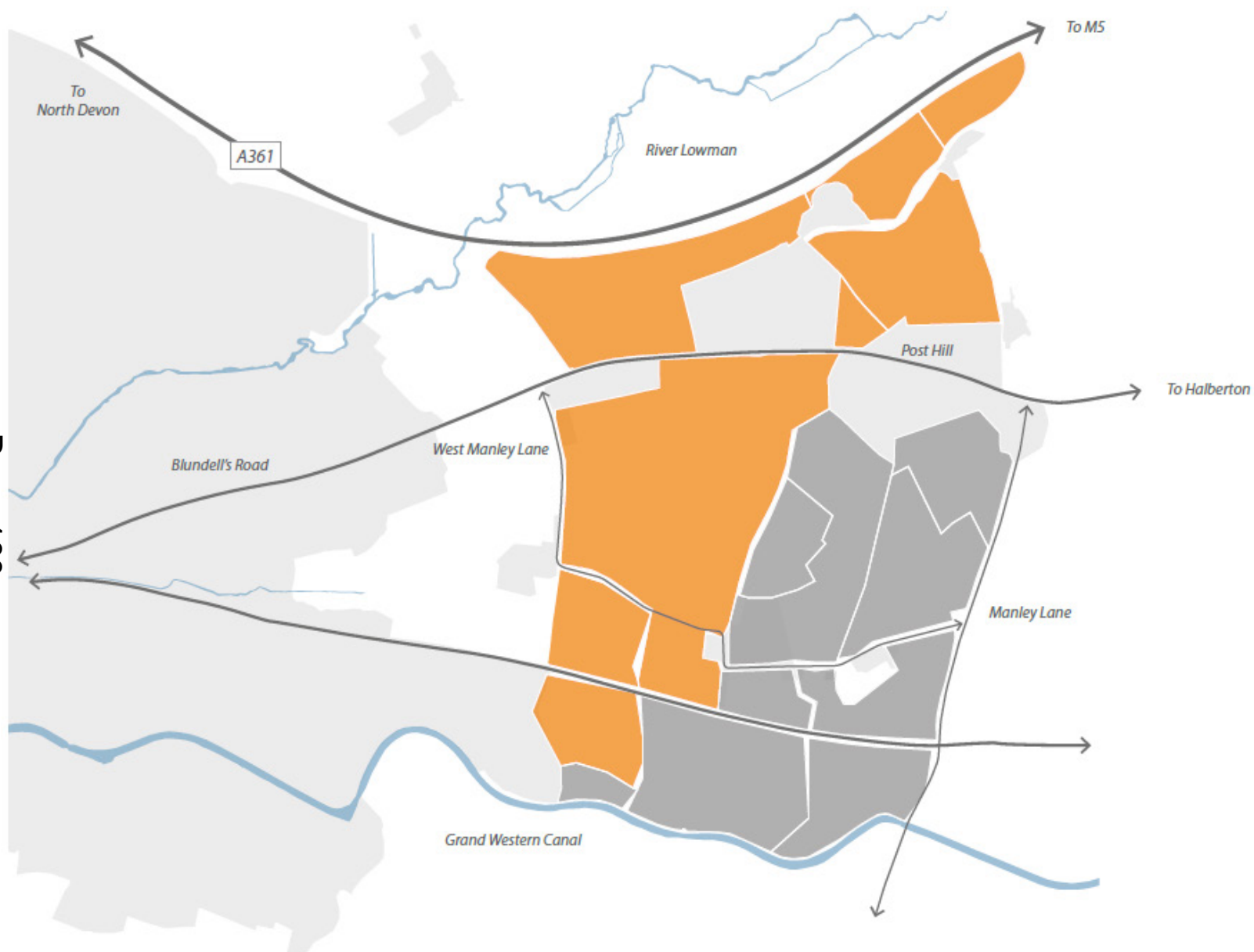
Tiverton is well connected and accessible with good links via the A361 to North Devon and the M5 to Exeter, Plymouth (via A38), Taunton and Bristol. The site is well positioned in relation to Tiverton Parkway Station and the Grand Western Canal, the River Lowman corridor, disused railway (a Sustrans route) and numerous footpaths, bridleways and cyclepaths connecting back to Tiverton and into the countryside.

The wider Urban Extension site lies on the eastern side of Tiverton on land in the Post Hill area. Post Hill is about 3km from the town centre. The Urban Extension comprises about 200ha of land and is located on the eastern fringe of the built up area of Tiverton. The land can be broadly divided into three areas; a parcel to the north of Blundell's Road, a larger parcel to the south and a final area further south again between the disused railway and the Grand Western Canal.

Blundell's School and its land holdings including sports pitches lies immediately to the west and the site wraps around the existing residential area of Post Hill. Further to the east is the village Halberton. Sampford Peverell is some 3 miles further to the east, near to Tiverton Parkway Railway Station and Junction 27 of the M5.

The A361 is just to the north of the site and the villages of Halberton and Sampford Peverell lie about 2km and 5km to the east respectively. There are existing areas of relatively low density housing fronting onto Blundell's Road. There are also a number of streets that access onto Blundell's Road – these include, Uplowman Road, Fairway and Mayfair, along with the recent developments on Putson Lane and Enterprise Way.





2.2 The Site in Context

Site in Context

Area B forms the eastern section of the Urban Extension, as illustrated opposite in an extract from the Adopted SPD.

Area B is bounded to the west by a former Drovers Track and to the east by Manley Lane, and is illustrated here on an extract from the SPD.

To the north the area is bounded by existing residential development around Post Hill and Mayfair, and to the south by the Grand Western Canal.

The land form is undulating with a distinct band of steeper ground running from north east to the south west.

Between the disused railway and Grand Western Canal are a series of irregular shaped fields divided by hedgerows. These are allocated for an area of Green Infrastructure to support the new neighbourhood - both Area A and Area B.

A significant portion of Area B is now under the control of Westcountry Land, with the majority of the development area under this single ownership.





Existing Adopted SPD Masterplan

Legend

- | | |
|------------------------------|----------------------------------|
| A A361 | Residential |
| B Blundell's Road | Residential with rural character |
| C Post Hill | Employment |
| D Grand Western Canal | Employment (care home) |
| E Blundell's School | Mixed-use |
| F Tiverton Golf Club | School & sports pitch |
| G River Lowman | Landscape |
| H Alsa Brook | Fen, catchment & buffer zone GI |
| I Tidcombe Fen | Area B |

Urban interventions

- 1** Neighbourhood centre
- 2** Primary school
- 3** Community facilities and shops
- 4** Employment at the heart of the community
- 5** Employment uses
- 6** A new junction onto the A361
- 7** Residential development at a varied densities
- 8** A clear hierarchy of streets and spaces
- 9** Possible location for Energy from Waste plant
- 10** Possible location for gypsy / traveller pitches
- 11** Preferred vehicular link through NHS site
- 12** Potential non-vehicular link through Fairway

Landscape interventions

- 13** Pedestrian and cycle connections
- 14** The Sustrans cycle route
- 15** Green Infrastructure area
- 16** Wetland habitat areas
- 17** Woodland
- 18** Sports and recreation areas
- 19** Children's play areas
- 20** Green corridors and routes formed around retained hedgerows
- 21** Landscape community hubs - a focus for the multi-functional landscape
- 22** Landscape spine
- 23** Buffer to Post Hill properties
- 24** Neighbourhood allotments
- 25** Community orchards
- 26** Attenuation ponds throughout the area



2.3 Area B

Existing Adopted SPD Masterplan

Area B of the Tiverton Eastern Urban Extension is identified within the red line boundary on the Adopted SPD masterplan (opposite).

This Masterplan provides access into Area B with a primary connection mid-way down the eastern boundary of Area A.

This Masterplan identifies the southern part of the Area B development area for sports and recreation.

Masterplan Key

1. Neighbourhood centre
2. Primary school
3. Community facilities and shops
4. Primary access route
5. Landscape spine
6. Sport / Recreation
7. Children's play areas
8. Attenuation ponds throughout the area



"The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social and environmental priorities; and a platform for local people to shape their surroundings. "

Paragraph 15

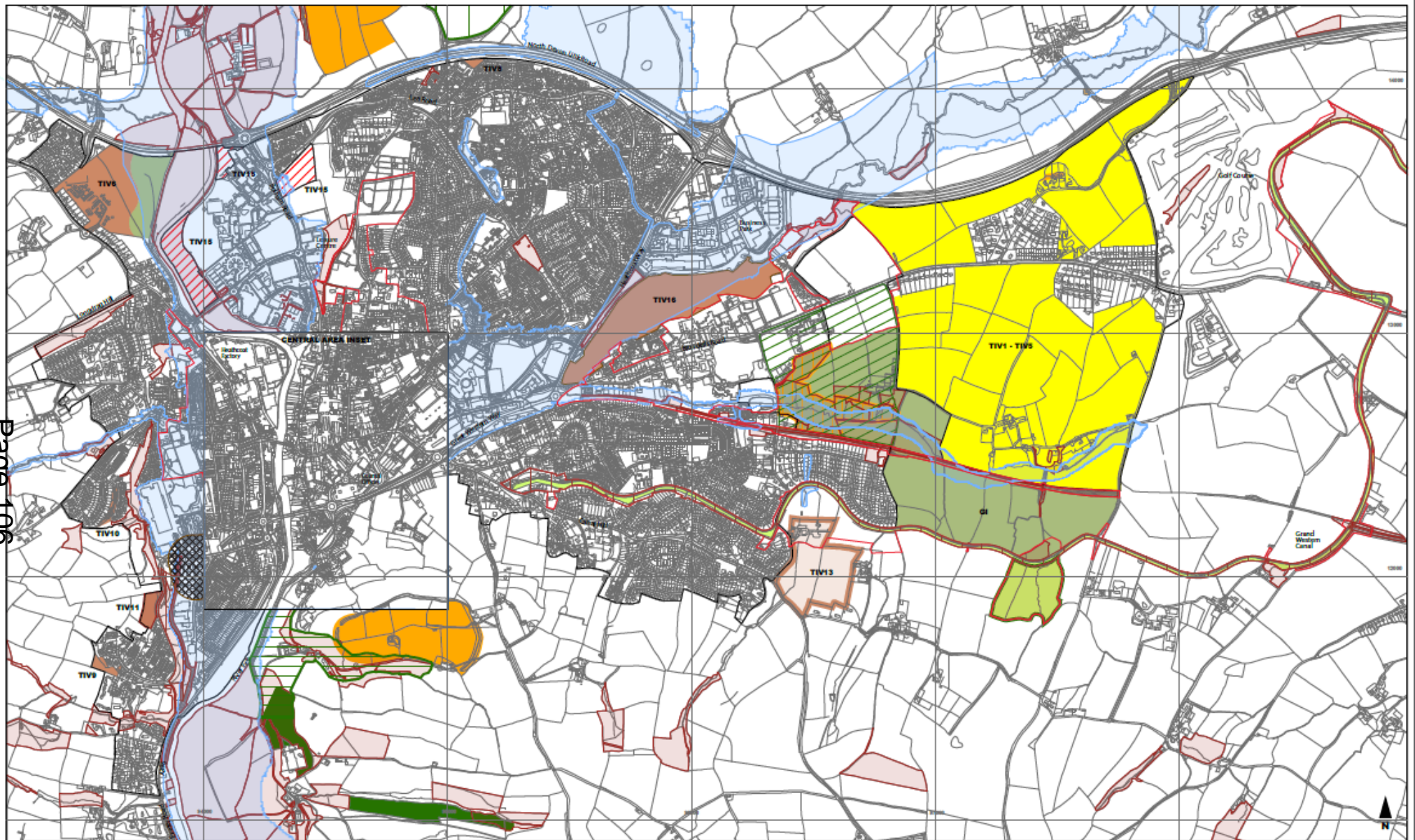
National Planning Policy Framework

Ministry of Housing, Communities and Local Government

December 2024

Meeting Policy Objectives

Section 3



Settlement Limit		Conservation Area		National Register of Historic Parks and Gardens		Safeguarded Areas for School Expansion	
Residential Allocation		Ancient Monument		Local Register of Historic Parks and Gardens		Floodplain	
Contingency Housing Site		Ancient Woodlands		Tidcombe Lane Fen Catchment Area		Minerals Consultation Area	
Mixed Use Allocation		County Wildlife Site (2007 data)		Site of Special Scientific Interest			
Green Infrastructure		Local Nature Reserve		Priority Habitats			

Mid Devon Local Plan Review 2013 - 2033
Adopted Policies Map
Tiverton

Scale
1:14,000

© Crown copyright and database rights 2020. OS 100022292
 Note: The Ordnance Survey will not have updated the base to show recent changes.
 Consequently, not all development may be shown.

July
2020

3.1 Planning Policy Objectives

Site in Context

The Adopted Masterplan SPD was considered under the adopted Local Plan policy and provides an overview of the adopted policy context, notably policies AL/TIV/1 to AL/TIV/7 within the AIDPD which relate specifically to the allocation of the Tiverton EUE. Whilst these policies remain relevant in the context of the Adopted Masterplan SPD, the preparation of this Masterplan has been considered under the Local Plan Review (2013-2033) which refines previous policy requirements.

The Local Plan Review retains the thrust of policies AL/TIV/1 to AL/TIV/7 but consolidates them into policies TIV1 to TIV5 as follows:

Policy TIV1

The key consideration in terms of Area B is the reduced housing target of 1580 to 1830 compared to the former AIDPD policy AL/TIV/1. The supporting text to Policy TIV1 requires a target of 35% affordable housing although it is recognised that this will be subject to viability as phases come forward.

The supporting text also recognises that the Tiverton eastern urban extension will be zero rated for Community Infrastructure Levy reflective of the high cost of infrastructure across the site, instead being secured by Section 106 agreements.

Policy TIV2

Requirements include the provision of bus, pedestrian and cycle routes at appropriate locations throughout the development, and cycle and pedestrian links to the former railway line, Grand Western Canal and nearby public rights of way which are of key relevance to Area B.

Policy TIV3

Requires 47 hectares of strategic green infrastructure on the western and southern edges of the Eastern Urban Extension including the implementation of management and funding arrangements of it.

Policy TIV4

Predominantly relates to the provision of education, shopping and community facilities which will fall within Area A. Consideration will however need to be made to

the contributions referenced within the policy wording.

Policy TIV 5

The criteria within this policy should be read in conjunction with the delivery strategy discussed at Section 6 of this document. A number of triggers will be met through the delivery of Area A impacting on Area B.

Other Policy Considerations

Future planning applications within Area B will be considered against the full suite of policies within the Local Plan review; including beyond those set out within policies TIV1 to TIV5.

Other policies and guidance of particular note include:

Policy S3: Meeting Housing Needs which includes reference to 5% of self-build and custom dwellings being provided on sites of over 20 dwellings or more. Reference is also made to the provision of Gypsy and Traveller pitches.

Policy S5: Sets the required standards for all types of open space.

3.2 The Existing Guidance - Adopted SPD

The Adopted SPD

This document should also be read in conjunction with the Adopted SPD. This masterplan is not intended to replace the 2018 SPD but to provide an update with specific reference to Area B. This masterplan completes the masterplanning process for the eastern urban extension.

The Area B masterplanning exercise has provided an opportunity to review the requirements set out in the Adopted Masterplan SPD where relevant to Area B.

This masterplan does not seek to provide new or amended requirements in relation to Area A.

This masterplan should also be read in conjunction with the Design Guide for the Tiverton Eastern Urban Extension (2016).

The Vision

This document shares the same vision as the Adopted SPD;

“The overarching ambition of this project is to ensure that an attractive and well-designed garden neighbourhood creates a positive future for the east of Tiverton and Post Hill.”

Guiding Principles

The vision in the Adopted SPD was translated into a series of guiding principles.

These guiding principles have been used to inform and guide the masterplan for Area B, being equally relevant to the current considerations of this part of the Urban Extension.. They have been updated where necessary to reflect the latest position. The next chapter summarises these guiding principles, with a focus on those that are relevant and a direct influence on the design process.

The other aspects of these guiding principles remain of relevance to the wider Urban Extension.

3.3 Guiding Principles

The Adopted SPD

The guiding principles in the Adopted SPD have been updated where necessary to reflect the latest position. They are summarised here:

- Character**
- Urban design**
- C. Movement – transport**
- D. Landscape, open space and recreation**
- E. Socially equitable**
- F. Economy and employment**
- G. Energy and efficiency**

A. Character

Establishing a garden neighbourhood character

An overarching guiding principle is that the new place establishes a mature garden neighbourhood that takes its cues and inspiration from the character of the rural locality and wider inspirational rural settlements.

Pulling from the structuring character elements within the Guiding Principles A1 and A2, Area B should aspire to:

Make the most of natural contours and features - a green and leafy character – a clear overall structure to streets and spaces - a linear form of development with spaces flowing from this central street - views to the surrounding countryside – landscape dominated streets - strong sense of enclosure along village streets, wide frontage housing – informal layout away from linear street structure – retention of existing routes – detached, semi detached and terraces set in variable sized front gardens – open spaces and recreational areas – village streets with grass verges, existing trees and hedgerows.



3.3 Guiding Principles

Urban Design

Placemaking and quality design

The new garden neighbourhood should be designed in accordance with best practice in urban and rural design and as such should respond to Building for a Healthy Life and Safer Places criteria.

The Adopted SPD used the original 12 sub-headings from Buildings for Life, the national guide in operation at that point in time. Since the adoption of the SPD, BHL has been updated and has been used to guide this masterplan for Area B.

The design principles within the updated guidance represent a tangible measure for determining how successfully a new neighbourhood has been designed with emphasis on creating a community.

C. Movement - transport

Policy TIV2 sets out requirements for transport provision to support the proposed EUE.

C1. The new garden neighbourhood will have a network of movement corridors and connections with the existing town that ensures the promotion of sustainable modes of transport and the reduction of the need to travel by private motor car.

C2. The structure of the development should create a well connected and walkable neighbourhood focused around

a mixed use neighbourhood centre. This should include good pedestrian and cycle connections throughout the area and provision for public transport.

C3. The new neighbourhood should have a clear and legible hierarchy of streets and spaces to respond to different travel and movement needs.

C4. There should be strong links and connections between the existing community, adjacent neighbourhoods, Tiverton town centre and the new community.



3.3 Guiding Principles

C5. Where appropriate streets should be designed to provide pedestrian priority.

C6. Provision should be made to enhance connections and the ability to travel by cycle.

C7. Environmental enhancements and traffic calming should be introduced on Post Hill between the new junction on Blundell's Road linking to the A361 and Manley Lane.

MDDC expects that policy and the following guiding principles will be met:

C7a. Reducing traffic speeds;

C7b. Reducing pedestrian / traffic conflict and ensuring safe pedestrian crossings;

C7c. Enhancing cycle provision;

C7d. Creating an attractive traffic calmed environment reflective of the significance of Blundell's Road as a gateway to Tiverton from the east.

C7e. Ensuring air quality is not detrimentally affected and mitigation measures (as appropriate) are incorporated.

D. Landscape, open space and recreation

Policy TIV3 sets out policy requirements for green infrastructure including open space, sports and recreation provision and environmental protection and enhancement, to support the proposed EUE.

The new garden neighbourhood will comprise significant areas dedicated to landscape, open space, Sustainable Urban Drainage Systems (SUDS) and wildlife habitats commensurate to the scale of development.



Policy TIV 5 sets out policy expectations for the delivery of infrastructure as part of the overall approach to the phasing of the development.

D1. The structure of the development should be shaped around the existing character and features of the landscape, reinforcing the qualities of the neighbourhood.

D2. Development should protect and enhance existing important fauna and flora across the site, and provide for a 10% Biodiversity Net gain.



3.3 Guiding Principles

D3. Development should ensure that landscape and open space is integrated into the new community, and is used to connect the various parts of the neighbourhood together, creating strong green links and corridors into the wider landscape.

D4. The landscape and greenspaces should be multi-functional, incorporating water attenuation (SUDS), food growing (allotments and orchards), informal, formal and children's play and recreation.



D5. Provision should be made for appropriate management regimes to be put in place to ensure ongoing maintenance and stewardship of the landscape areas and improvements to water quality through SUDS.

E. Socially equitable

The role of the EUE will be as a new neighbourhood for Tiverton that is self sustaining, respectful of the existing Post Hill community and part of the wider town. The new neighbourhood should be designed to be equitable, balanced and fair.



E1. In the new neighbourhood there should be access for all to employment opportunities - either within the community or within easy reach.

E2. There should be access for all to nursery and primary education. Wider opportunities should be available for secondary, further and adult education.

E3. In the new neighbourhood there should be access for all to health facilities, either within the community or within easy reach.



3.3 Guiding Principles

E4. Open space and landscape should be an integral part of the new community. Opportunities for food growing, life walking and cycling, sports and play should be available to everybody.

E5. The new neighbourhood should have a suitable a balance and distribution of housing comprising homes of all types and tenures.

E6. The neighbourhood should be designed so that it respects and integrates positively with existing communities and so that they share the benefits.



F. Economy and employment

Policies TIV 1 & 4 set out a requirement for between 95,000sqm and 130,000sqm of employment floorspace to be provided during the plan period and phased in relation to the delivery of housing and infrastructure across the whole site.

Whilst the major of employment land will be provided north of Blundell's Road adjacent to the new A361 junction opportunity also exists to provide small 'satellite' clusters within the proposed residential areas.



It is important that the character and appearance of the 'satellite' employment opportunities contributes positively to the sense of place within Area B. To integrate these employment uses within the residential areas, buildings should reflect the scale, massing and proportions of the surrounding buildings, and be carefully designed to integrate into the village character streetscape.

An application of the principles within the updated BHL, which update the Adopted SPD Guiding Principles F1 to F12 will ensure a cohesive integration of a mixture of uses and add to the vibrancy of the space.



3.3 Guiding Principles

Energy and resource efficiency

Policies S1 and S9 set out the requirements for carbon footprint reduction.

It is anticipated that reduced carbon levels will be achieved across the site through a combination of enhanced building fabric and provision on site renewables e.g. solar thermal and photovoltaic panels, where appropriate.

The new neighbourhood should be designed to be as energy and resource efficient as possible - across the development time line and in full life cycle terms.

Principles G1 to G10 within the Adopted SPD remain applicable, and there is an expectation that the level of energy and resource efficiency provided within future planning applications are above those at the time of writing the Adopted SPD.



3.4 Additional Design Guidance

National Planning Policy Framework

The NPPF sets out that high-quality design is fundamental to the planning and development process, aiming to create well-designed places that are beautiful, enduring, and successful. It outlines that planning policies and decisions should ensure developments are visually attractive, function well, and contribute positively to the overall quality of the area.

National Design Guide

To accompany the National Planning Policy Framework, the national design guide was published to set out the characteristics of well-designed places and demonstrates what good design means in practice.

It forms part of the government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

Future planning applications on Area B should make reference to this latest guidance and demonstrate how they comply with its guidance.

Building for a Healthy Life

Building for a Healthy Life (BHL) updates England's most widely known and most widely used design tool for creating places that are better for people and nature. The original 12 point structure and underlying principles within Building for Life 12 are at the heart of BHL.

The new name reflects changes in legislation as well as refinements made to the 12 considerations in response to good practice and user feedback.

Future detailed planning applications on Area B should be accompanied with a BHL assessment to demonstrate how they comply with its guidance.

Mid Devon Design Guide

The MDDG was adopted in October 2020. This design guidance emphasises how important high quality, locally distinctive design is to Mid Devon District Council's intention to deliver sustainable development across the district.

Biodiversity Net Gain

Designing with nature in mind was already a key consideration within the Adopted SPD, and is important in delivering a green, attractive, healthy place to live.

Biodiversity Net Gain (BNG) is a way of creating and improving natural habitats. BNG makes sure development has a measurably positive impact ('net gain') on biodiversity, compared to what was there before development.

It is now mandatory that developers must deliver a minimum BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development.

"The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process."

Page 117

Paragraph 131

National Planning Policy Framework

Ministry of Housing, Communities and Local Government

December 2024

The Design Approach

Section 4

4.1 Design Approach

Background

The Area B masterplan process began with a reflection of policies within the Local Plan Review, the Adopted SPD, the Design Guide for the Tiverton Eastern Urban Extension, updated design guidance and the series of physical studies undertaken across Area B.

The Adopted Masterplan SPD expressed a series of land use components in an indicative structure. The predominant land use on Area B is residential. Alongside this sits the provision of connected green spaces and green infrastructure, sports pitches and connections to the wider community.

Given the scale of Area B and the length of time since the initial design work was prepared in the Adopted SPD, the approach for the design of Area B has been to work from first principles.

The Design Process

The design process undertaken began with an interpretation of the over-arching agreed vision; to consider the physical and environmental attributes of the site, reflect upon the design guidance and policies currently in place, examine the existing developments on Area A and then respond with a masterplan that incorporates this learning and increases design quality for Area B.

Unlike many sites, the design process for Area B starts from quite an advanced position owing to positive and comprehensive masterplanning work done for Area A and the wider site.

The design approach within this masterplan recognises and refers to the Adopted SPD and the Design Guide throughout and as such this masterplan should be read alongside these documents.

Objective

The overriding objective of this document is to improve the design quality of proposals and the resulting developments, ensure that infrastructure and phases are co-ordinated and strategic policy aspirations are met. It should provide a foundation for improving the speed, efficiency and effectiveness of the pre-application and determination processes.

4.2 Expanding the Knowledge Base

Current Best Practice

With the design process starting from a well informed position provided by the Adopted SPD and Design Guide, the latest National and local policy guidance was reviewed. Notable changes were to the importance of good design within National Policy, alongside the publishing of a National Design Guide and an evolution to “Building for Life”.

As part of this review, a reflection on the existing developments that have come forward within Area A was also undertaken.

The objective of this study was to evaluate how these developments are shaping up towards the delivery of the vision, the overall objectives such as place-making and as the majority of Area B was allocated as residential use, the delivery of housing numbers.

As an extension to this study, a review of the nearby settlements referred to within the Design Guide were also undertaken.

Physical Studies

To progress the design of the Area B masterplan, gaps within the knowledge base needed to be filled. As recognised within the Adopted SPD, at the time of its production, Area B was in multiple land ownerships. The vast majority of the developed area within Area B is now under control by a single party, and as such has facilitated bringing this area of the allocation forwards.

Throughout 2024 a series of detailed studies were undertaken to consider the following physical attributes of the site:

- 1. Topography
- 2. Ecology and Arboriculture
- 3. Archaeology
- 4. Transport
- 5. Drainage

These background studies deepened the understanding

of the sites opportunities and constraints as set out within the Adopted SPD, and are summarized in Section 4.4.

New Opportunities

The acquisition of land on the south side of Post Hill has presented an opportunity to form a new vehicular, pedestrian and cycle connection into Area B from Post Hill. This provides an opportunity for development on Area B to be brought forward independently of Area A.

This new connection opens up opportunities for public transport to move through the Eastern Urban Extension with greater opportunity for connectivity.

It would be prudent to ensure that future connections to the east are considered in the interest of good planning.

4.3 Settlement Studies

The Tiverton EUE Design Guide considered a range of nearby settlements as a means to understand the typical settlement structure across Mid Devon. Reviewing the settlements of Bradninch, Thorverton and Silverton that were included in the Design Guide, fresh settlement studies were undertaken.

Site visits to each settlement were undertaken and using the methodology contained in 'Characterising Neighbourhoods, Exploring Local Assets of Community Significance' (2017) an Ordnance Survey base was annotated alongside images of key buildings and streetscapes.

The data gathered was laid over the Area B residential area, (see pages 35-37), at the same scale and was rotated to best align with the topography of Area B. This process allowed a deeper understanding of how these historic settlements have evolved and how the character generated by their form, structure and built form might inform the development of Area B.

A similar process was applied to the new development on the southern edge of Bradninch that has been well received in the local community.

The key elements taken from each study will form the basis of an Area B Design Code. This Design Code is to be submitted with the initial application, with a compliance statement accompanying each subsequent planning application, to enable and ensure the delivery of a high quality development.



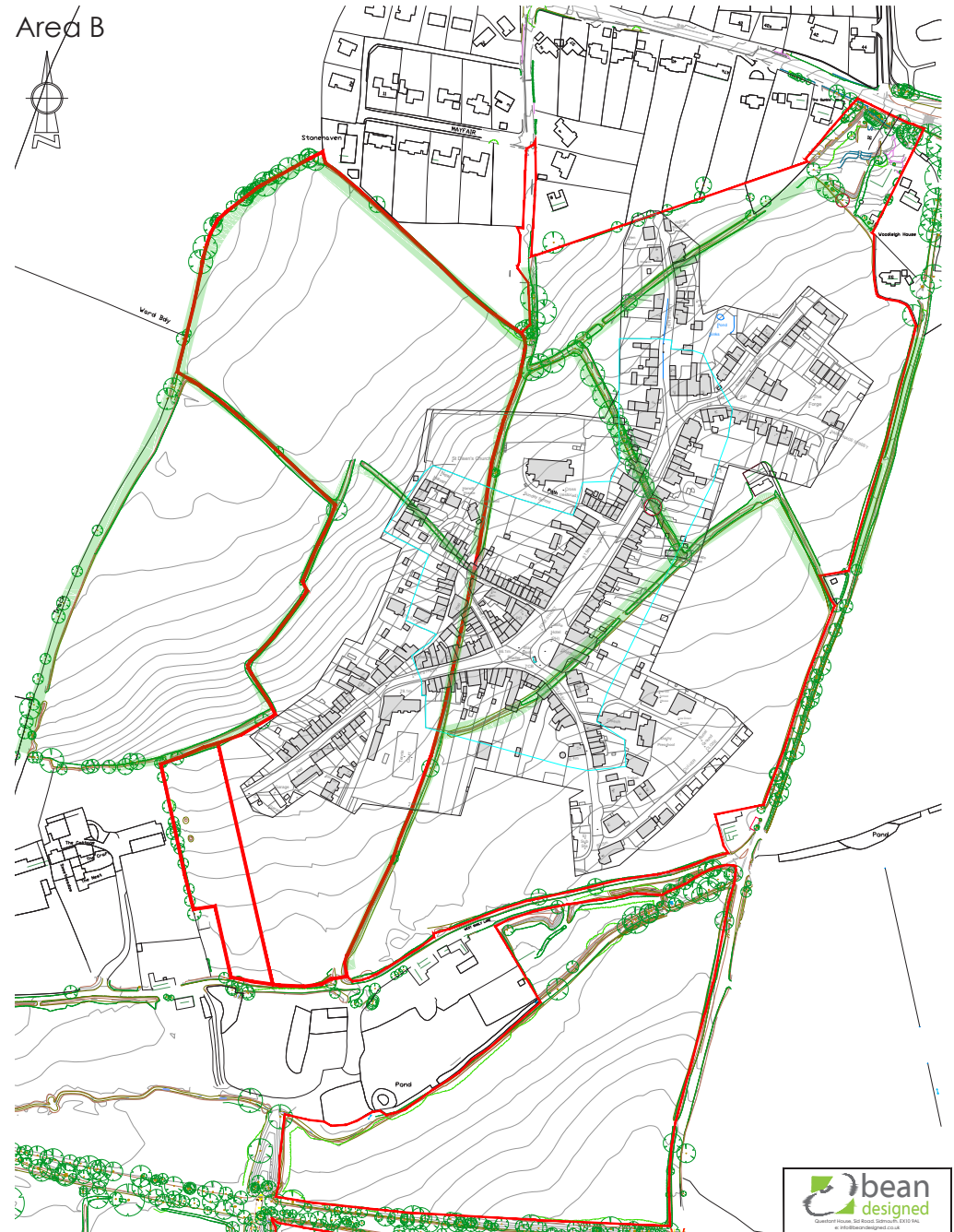
4.3 Settlement Studies

Bradninch

Bradninch is a small historic town, some 3 miles south of Cullompton and 6 miles south of the site. The population of the Parish was 2165 in 2021.

The key elements taken from this settlement:

- Sense of enclosure
- Continuity of frontage to main street
- Variable street widths
- Simple buildings with subtle variations
- Variations in plot frontage and their relationships to the street
- Variations in built height, buildings step down slopes
- Countryside glimpses beyond the urban form
- Parked cars dominate street



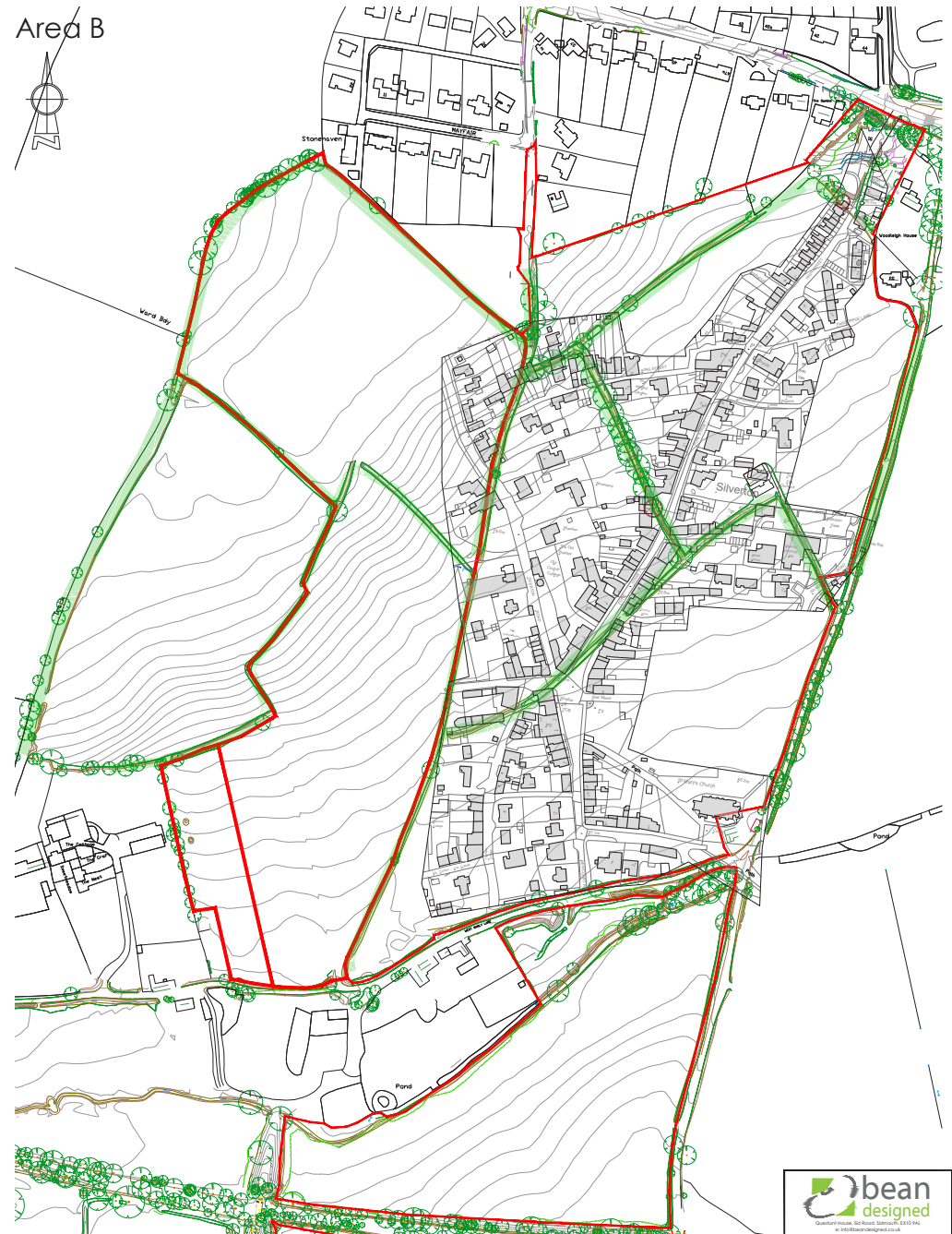
4.3 Settlement Studies

Silverton

Silverton is a large historic village, some 5 miles south west of Cullompton and 8 miles south west of the site. The population of the Parish was 1494 in 2011.

The key elements taken from this settlement:

- Sense of enclosure
- Continuity of frontage to main street
- Variable street widths
- Simple buildings with subtle variations, principally eaves to the street
- Variations in plot frontage relationships to the street
- Variations in built height, articulated roofscape
- Countryside glimpses beyond urban form



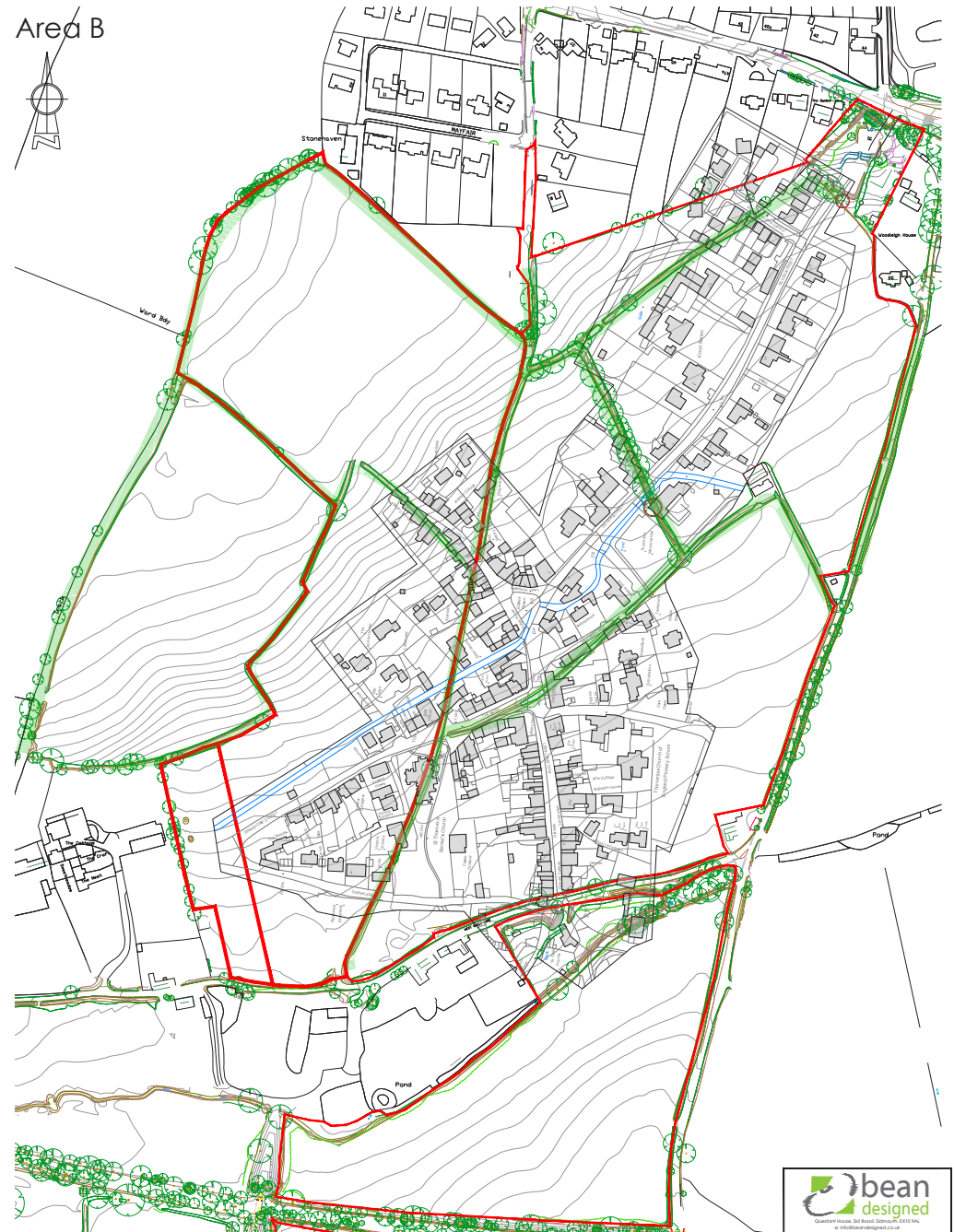
4.3 Settlement Studies

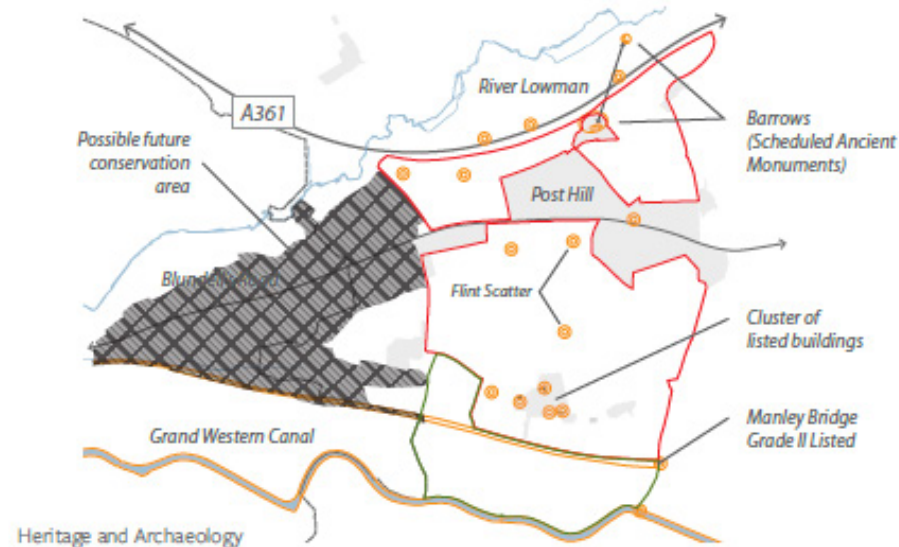
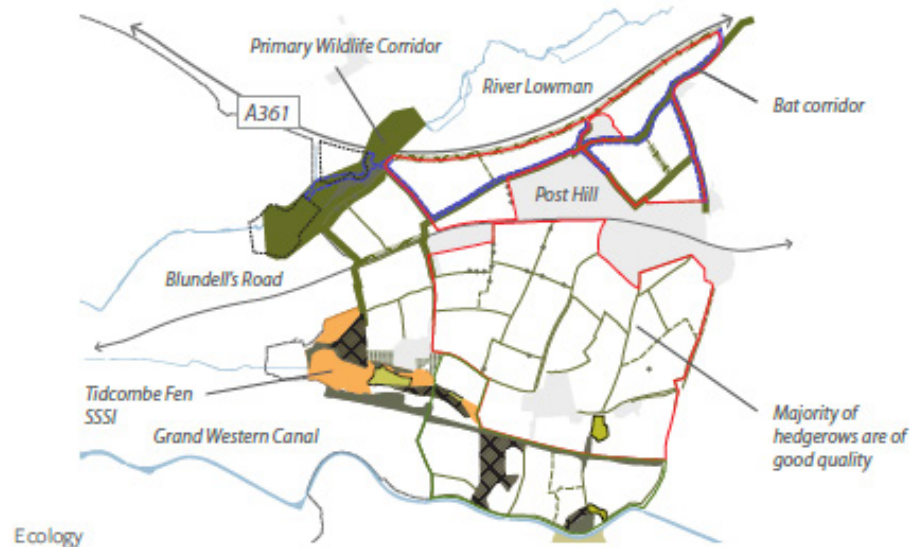
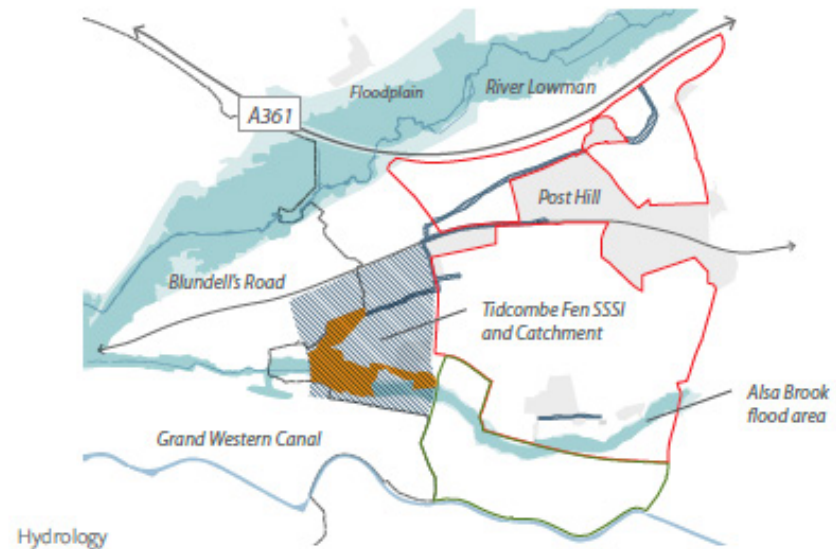
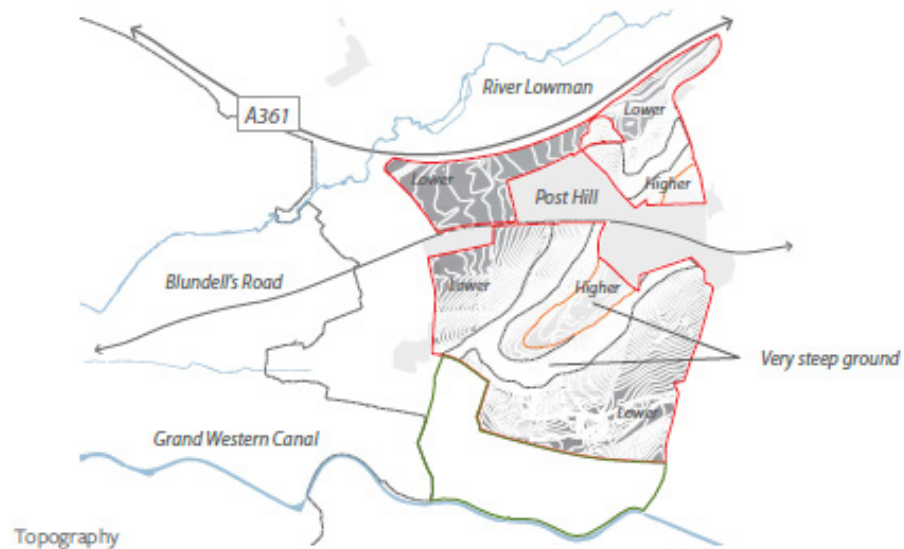
Thorverton

Thorverton is a historic village, some 8 miles south west of Cullompton and 10 miles south west of the site. The population of the Parish was 674 in 2011.

The key elements taken from this settlement:

- Sense of enclosure
- Continuity of frontage to main street
- Variable street widths
- Simple buildings with subtle variations
- Evidence of organic growth - broad range of building types
- Variations in plot frontage relationships to the street
- Incidental pockets of green space
- Countryside glimpses beyond urban form





Above: Summary diagrams of site constraints

□ Eastern Urban Extension Area

□ Green Infrastructure Area



4.4 Opportunities and Constraints

Wider Site

The Adopted SPD considered the wider site in terms of its opportunities and constraints, as illustrated opposite. This background information provided an informed starting point to develop the masterplan for Area B.

Area B - Topography

Physically, Area B has a different morphology to Area A, with the part of Area A abutting Area B having a gentle south-westerly slope. The two areas are bisected by the route of the Drovers Track, with the landform on Area B falling away towards the south and east. This change in the underlying topography, naturally places Area B with an open southerly aspect towards the valley and Grand Western Canal.

The site has been extensively surveyed and this has been used to inform the masterplan evolution process. Working with the sites topography, areas suitable for development, the type of development and potential routes though the site have been identified.

Area B is outlined in red, with the existing residential consented development areas within Area A shown.



4.4 Opportunities and Constraints

Archaeology

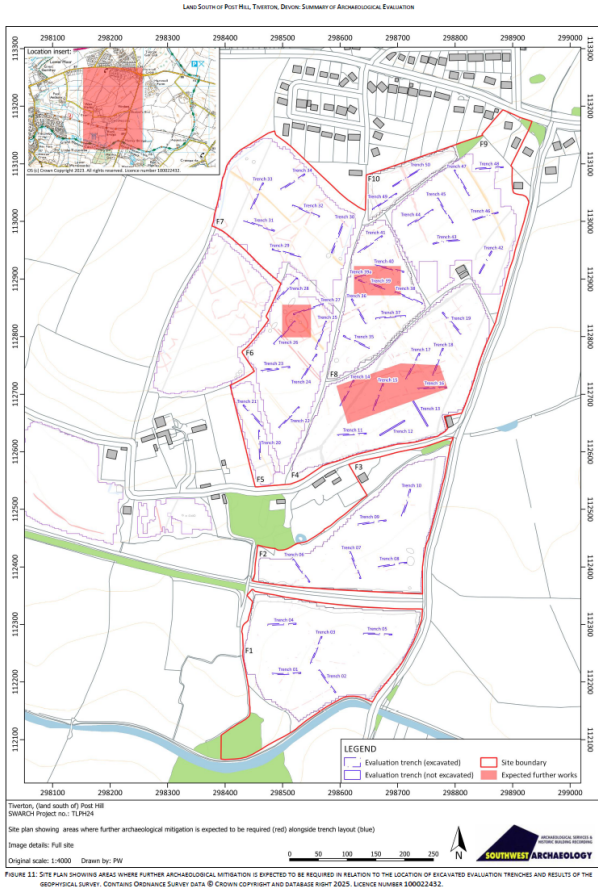
Area B has several historic remnant field boundaries, creating irregular shapes with strong hedgerows. As part of grounding a development in its setting, working with existing historic features can aide in delivering a place with context and meaning.

Below ground archaeology has also been considered, with a total of 48 xc.50m trenches and one c.20m trench targeted geophysical anomalies identified by the preceding surveys.

The evaluation largely validated the results of the surveys, identifying a total of 65 archaeological features which confirm the presence of a possible prehistoric (Neolithic) barrow or later settlement enclosure; a series of other prehistoric (Iron Age) to Romano-British settlement enclosures; and phases of prehistoric to medieval and post-medieval field-systems.

The archaeological potential for much of the site is low (field F1-F2, F5, F9-F10), both the geophysical surveys and evaluation trenching indicating only restricted archaeological potential. Further intervention has been identified as unlikely to be particularly rewarding. The remaining parts of the site, however, are considered of moderate or high potential (within fields F4 and F6-F8) and though none of the identified features are of Schedulable quality, these areas of prehistoric and Romano-British activity are of local and regional significance and it is expected that further archaeological mitigation will be required in these areas.

The results of these studies has informed the evolution of the masterplan.



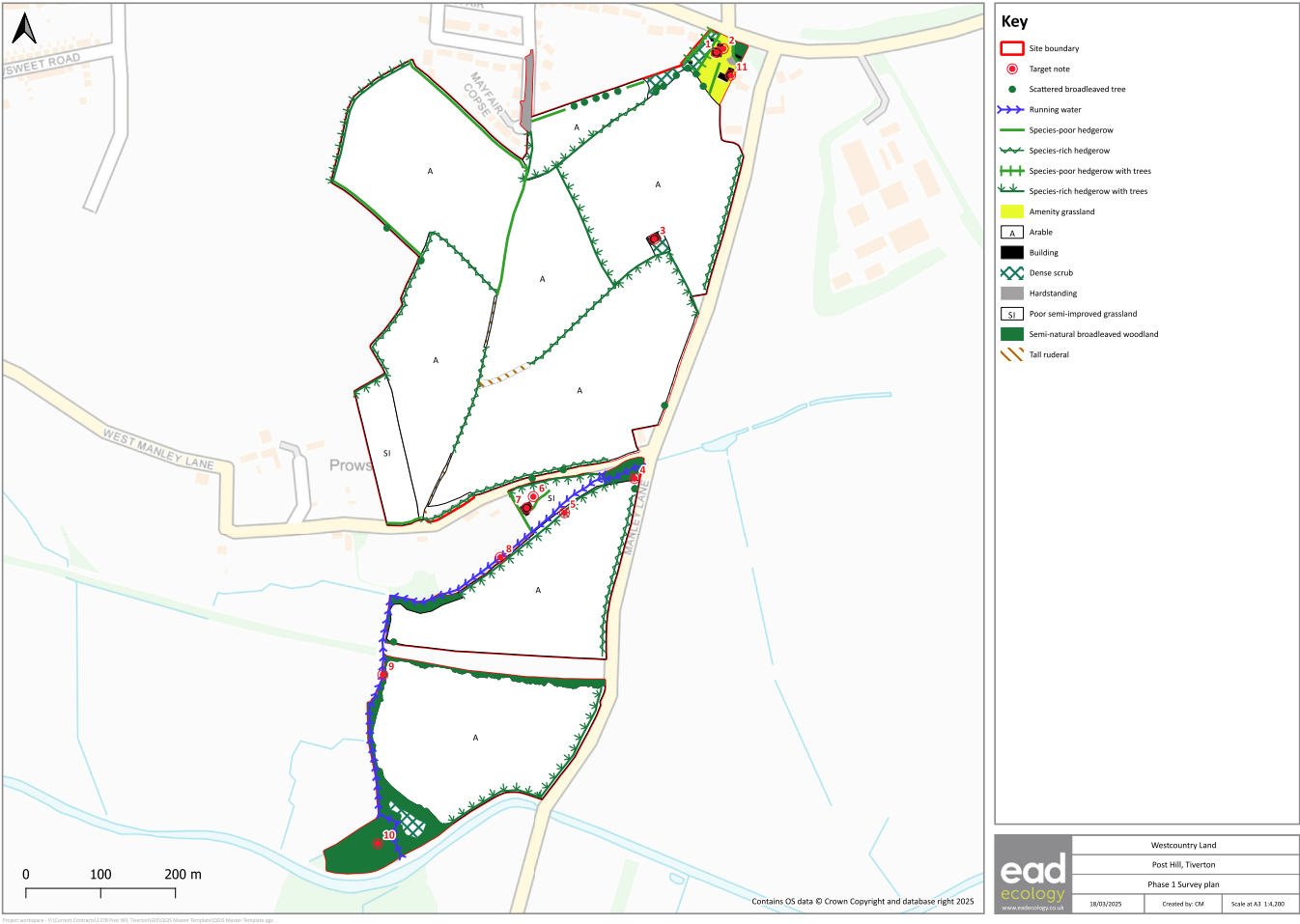
4.4 Opportunities and Constraints

Ecology and Arboriculture

Since the adoption of the SPD, Biodiversity Net Gain has become a major design influence. Responding to this and evolving the masterplan with nature in mind, sits comfortably with the wider aspirations of the vision for the site.

The surveys undertaken have identified a number of protected and notable species and habitats. Of these the Tidcombe Fen SSSI and its catchment, the Grand Western Canal County Wildlife Site (along part of the southern boundary), dormice, protected birds and bats, badgers and the native species rich hedgerows are most important. A number of veteran trees are within the extensive network of hedgerows and within fields.

It is considered that development of the site could achieve the mandatory Biodiversity Net Gain requirement of 10%, and that compliance with national/local biodiversity planning policy and wildlife legislation could be achieved.



4.4 Opportunities and Constraints

Area B

Area B is outlined in red, with the existing consented development areas within Area A shown.

1. Area B starts with a plateau area at the north west, then falls to the south-east, with some sections steeper than others. Consider the three dimensional form of the development from views in from the south,

The site is an irregular patchwork of agricultural fields defined with historic boundaries of hedgebanks containing individual or linear groups of trees. Consider their relationship to development - what function and role should they play? Consider the role of these features with regard to ecology, landscape and amenity.

The acquisition of two plots on Post Hill gives an opportunity for the principle route from Area A to join the local Post Hill / Blundell's Road corridor. This was not an option in 2016 within the Adopted SPD,

4. Mayfair, to the north of Area B is not suitable for a significant number of additional vehicular movements. It is suitable as a pedestrian and cycle link serving Area B,
5. Carefully consider the relationship of West Manley Lane, the historic buildings, ecology and landscape along the southern boundary,
6. Explore options of connecting to pedestrian links to Manley Lane, West Manley Lane, and consider current and future connectivity.



4.4 Opportunities and Constraints

Area B

Area B is outlined in red, with the existing consented development areas within Area A shown.

1. Opportunity to connect to Post Hill through the acquisition of two detached homes and gardens.
2. Opportunity to create a through linkage across the entire southern half of the EUE.
3. Opportunity to work with the guidance in the TEUE Design Guide - to establish a linear pattern of development along this new connection.
4. Opportunity to utilise the existing infrastructure and historic field pattern as a green frame to the residential development.
5. Opportunity to realign the Initial Masterplan connections across the site to integrate with existing green infrastructure.
6. Opportunity to provide enhanced recreation and sports facilities in the southern part of the site.
7. Opportunity to provide future linkages to the south, east, the north and the Sustrans route, (Blue represents vehicular, green represents pedestrian and cycle).
8. Opportunity to establish a buffer to existing homes on Mayfair.



4.4 Opportunities and Constraints

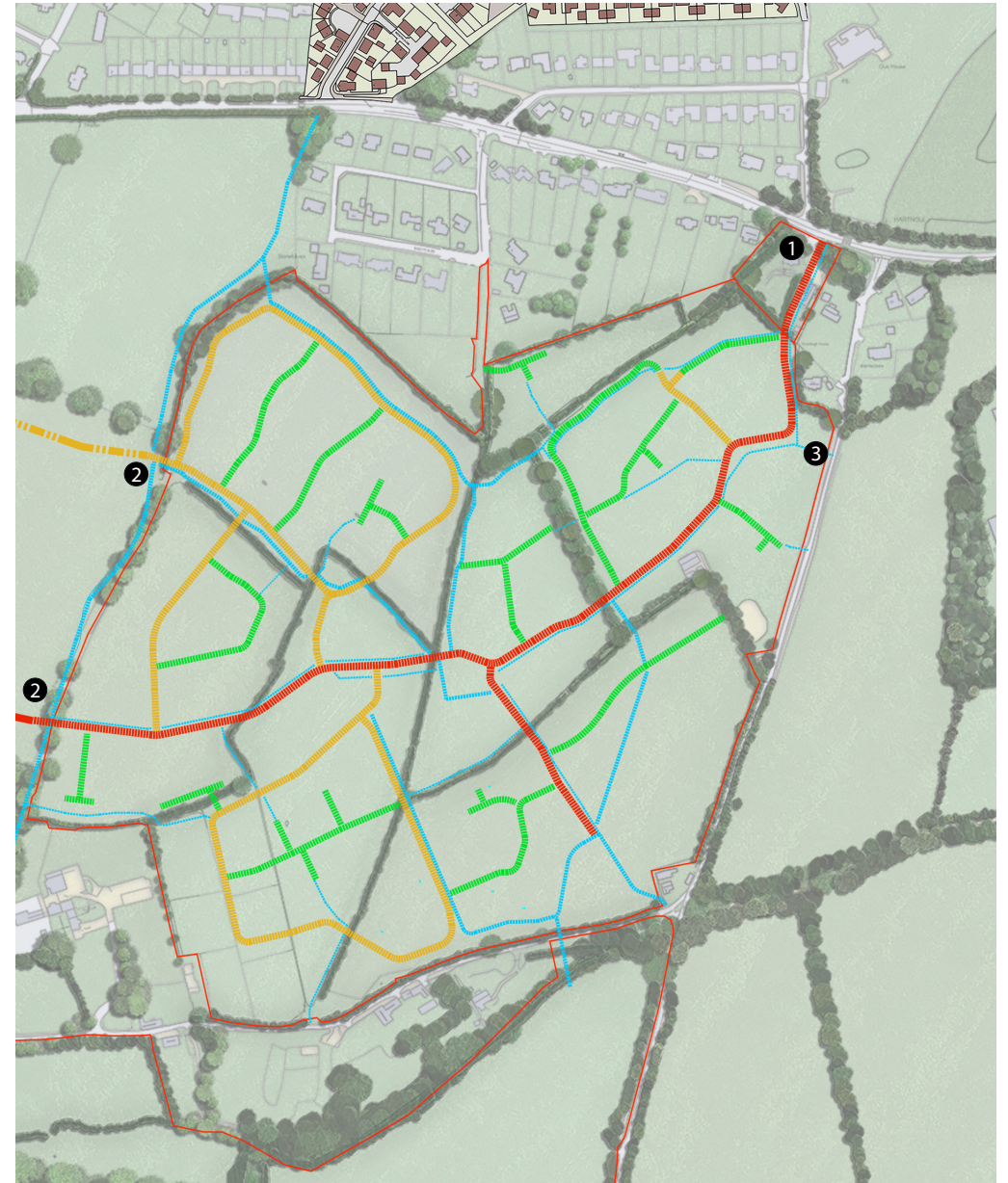
Access

In the 9 years since the Adoption of the SPD, new opportunities have arisen to further connect Area B with the wider community.

The initial concept movement plan, prepared for the Public Consultation, is shown here.

The acquisition of two detached homes and gardens on the south side of Post Hill has presented an opportunity for enhanced connections across Area B; providing opportunity for a connected through route between Area A and B (2) on to Post Hill (1).

This opportunity for additional connectivity opens up future possibilities for public transport to move through Areas A and B, Post Hill and Blundell's Road. It would be prudent to ensure that future connections to the east are considered (3) in the interest of good planning.



4.4 Opportunities and Constraints

Drainage

The development area within Area B falls outside areas at the risk of flooding, with Area B outlined in red.

The scale of the proposal will have the potential to increase surface water runoff. A series of attenuation ponds and swales are proposed along the southern boundaries as part of a Sustainable Urban Drainage scheme. This scheme will use methods and best practice to reduce water run off and improve water quality.

The Alsa Brook (1), and its flood plain meanders through the south of the site, north of and broadly parallel with the Sustrans route which makes use of the former railway line, and is indicated here in blue (2).

Tidcombe Fen

Tidcombe Fen Site of Special Scientific Interest (SSSI) is a wetland habitat and a catchment area - both are very sensitive to hydrological change. This adjoins the Area A on its western boundary. Any development would need to take account of the hydrological characteristics of the Fen.



A parameters plan has been produced incorporating the feedback.

Questions:

What are your thoughts about the amount and spread of land uses across Area B?

Have you any comments on the proposed locations of sports, play and allotment space?

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"The old village homes of England are a precious heritage of the past.

These buildings are fraught with an appeal to the mind and have a significance deeper than is conveyed by mere terms of stone, of brick, of timber"

"The Village Homes of England"
Sydney R Jones

The Area B Masterplan

Section 5



Legend



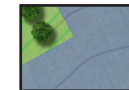
Redine Boundary of Area B



Residential use



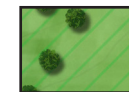
Mixed Use - Employment and Residential



Mixed Use - Employment and Retirement / care



Sports and Recreation



Countryside Park

Urban Interventions

- ① New junction onto Post Hill
- ② Connection to Area A
- ③ Linear main street
- ④ Village square
- ⑤ Pedestrian / Cycle Link
- ⑥ Future Link

Landscape Interventions

- ① Retained hedgerows
- ② Sports / Play
- ③ Sustrans cycle route
- ④ Woodland
- ⑤ Allotments
- ⑥ Countryside Park
- ⑦ Sustainable Drainage

5.1 The Area B Masterplan

Parameter Plan

The Area B Masterplan

The Parameter Plan has been produced in response to the sites' context, updated site information and application of the design principles set out within the Adopted SPD. It is a physical illustration of how the character areas, streets, parks and open spaces, land uses and transport corridors could be arranged in order to ensure that the vision, concept and guiding principles are delivered.

The parameters plan is designed around a number of structuring elements that will define the quality and sense of place for the new neighbourhood. These are shaped and knitted together by the guiding principles.

Terms of the parameter plan

The parameter plan is illustrative and as such is designed to provide guidance about the quantity and location of different land uses as well as where key connections should be made throughout the neighbourhood. The parameters plan is intended to be inherently flexible so that the shape of different aspects of the new garden neighbourhood can be designed in many ways to respond to different circumstances. The actual position and alignment of routes, shape of blocks, streets and open space will vary from what is illustrated on the plan.

The Area B Concept

The design concept for Area B could be described as a "village character", which takes its cues from the surrounding settlements, such as Silverton, Bradninch and Thorverton.

The built form of Area B will be more 'organic' than 'planned' and will provide a linear pattern of development along its principle route that is intended to connect to Area A. In this way, it can respond positively to the sites topography, existing historic field patterns and green infrastructure to enable places, streets and buildings to present a gentler organic character.

There is a clear ambition for a principle route that will connect between Post Hill and Area A and that it will be accessible to public transport.

These design aspirations have influenced the siting of the key land uses and activities and the connections between them. Where routes align, both for movement and ecology, there is an opportunity to strengthen the route and where they are separate, opportunities to create more memorable spaces, both green and in built form.

The evolved Area B masterplan aims to deliver:

- Sense of enclosure within the residential core
- Continuity of frontage to the main street
- Variable street widths
- Simple buildings with subtle variations
- Evidence of organic growth - broad range of building types
- Variations in plot frontage relationships to the street
- Incidental pockets of green space
- Countryside glimpses beyond urban form
- Connected, leafy, green car-free routes



5.2 The Area B Masterplan

The Design Concept

“Village Character”

The design concept for Area B, is being referred to as “village character”. This concept was evolved from a reflection of the way in which the inspirational settlements within the Design Guide formed and then evolved. This organic process was applied to Area B, with the masterplan evolving in a traditional linear form around the line of the east-west connective street from Post Hill in the east through to Area A in the west.

This presented an opportunity to deliver an informal organic character, with homes interspersed within a connected patchwork of trees and hedgerows. This organic form enabled the retention and enhancement of the existing hedgerows, a defining feature of the site, and used them as structural elements to create irregular and individual development parcels.

The built form is strongest along the main internal routes, softening around its edges. Housing along the main street presents a strong sense of enclosure through the use of built form, reflective of the main streets within the Design Guide study settlements.

As observed within the study settlements, buildings should present a simple form with a degree of articulation to reflect organic growth along the streets.

Across Area B, buildings are mainly two storey in height, but to deliver an organic feel, eaves heights should vary, some roof spaces should be utilised to create a varied roofscape, and with taller buildings located in key areas, to aide wayfinding or increase the sense of enclosure. Built form will be a range of terraced, semi-detached and detached, responding to the degree of enclosure needed within each area of micro-character. Houses should front onto all public spaces to provide natural surveillance.

Around the edges of the site, it is envisaged that it will be mainly detached houses fronting onto the green edges of the site, with their heights considered as part of the wider streetscape and presence of existing landscape features. The intention is to feather the built form into the wider countryside.

In general the density of the site will range from 45dph to 15dph. Higher and lower density ranges will need to be justified through design coding and aspirations for place-making. The sense of enclosure will be of great importance

in defining the character of the spaces and places being created. In this respect, density will vary but it can be assumed that density along the principle street will be within the higher range and density towards the edges of the site will be in the lower range.

To the south, pedestrian and cycle connections link the developed areas with the natural spaces of the wider countryside and future countryside park, as well as a new linkage to the Sustrans cycle route. The route of the drovers track separates Area A from Area B, and pedestrian linkages onto this route enable its use to connect with the neighbourhood centre.

As defined within the Adopted SPD, Area B is predominantly identified for residential use with some satellite employment spaces, ideally located within the mini-centre as a cluster of mixed use to add vibrancy. Other land uses include sports pitches, allotments, community orchards, play areas and informal open space.

Strategic landscaping, in the form of village greens, small copses of trees, enhanced hedgerows, both new and existing to provide a connected patchwork across the site.

5.2 The Area B Masterplan

The Design Concept

Hierarchy of Streets

Clarity in the hierarchy of the streets will be important in establishing a richer townscape and for making it easier for people to orientate and find their way around. The resulting development should be permeable - providing lots of choices for pedestrians and cyclists to move around and legible - with lots of memorable and recognisable spaces and places.

A main street capable of serving public transport, with the scale of the streets diminishing away from this main street. Car free pedestrian and cycle routes will connect all the spaces within and around the site. These routes will be attractive, direct, green and safe for all users, changing in scale and character from the linear “main street”, through to car free cycle routes that inter-wind and connect the site with its surroundings.

This movement framework combined with the retained and enhanced landscape features creates the opportunity for the creation of attractive, memorable places.

This masterplan has been refined so that the development of Area B can respond to the specific character of Tiverton and its locality. There are many features of the site that have been incorporated into the masterplan to ensure that the new development is established out of the character and qualities of the existing features.

One of the strongest existing features within the development parcels of Area B is the network of existing hedgerows. Retention and enhancement of these historic boundaries offers the potential to ground the development in its context, and retain an echo of the sites former agricultural use.

The proposal also respects the existing dwellings on Post Hill, Mayfair and on West Manley Lane, through separation and the addition of landscape buffers.

Changes in density are an important structuring element that contributes to the sustainability of the settlement, reinforces the sense of place of character areas across the neighbourhood, and ensures that there is a variety and balance of housing types throughout. Density will be higher at the key intersections and lower when close to the site edges. Higher and lower density ranges will need to be justified through design coding

The parameters plan continues the principle of centre to edge of the SPD and Design Guide, with densities ranging from 45 dph along the “main street”, reducing outward towards to the sites edges of around 15 dph.

The proposed densities would enable a townscape and landscape to be structured with a strong village character.

Making the most of local features

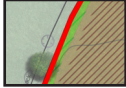

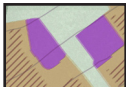
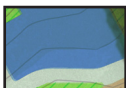
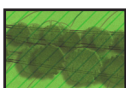
Changes in density



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Area B Land Use Plan

Legend

-  Redine Boundary of Area B
-  Residential use
-  Mixed Use - Employment and Residential
-  Mixed Use - Employment and Retirement / care
-  Green infrastructure

5.3 Amount and Use (land use budget)

Land Use Budget

The masterplan has been shaped so that it provides a suitable foundation for achieving a sustainable development form. This is manifest in a number of the key characteristics of Area B:

The land uses are distributed so that within Area B the mini centre and employment areas are in easy walking distance of housing;

The new connection linking Post Hill through to Area A enables greater permeability and potential access to public transport

Housing is arranged in different densities with the highest near the main streets and lowest furthest out;

Opportunities are provided for community food production close to home;

Play, sports pitches and attractive parkland areas provide the basis for a healthy lifestyle;

Proposals to enhance biodiversity throughout the plan area are numerous;

Sustainable water management is proposed;

Amount of Development

The amount of development proposed is indicative, but has been considered to provide for a balanced mixed community whilst making the best use of land.

The overall Area of Area B is 54.80Ha.


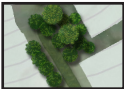
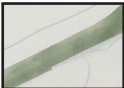
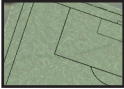
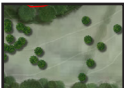
Within this, the Area B masterplan provides a total of 32.95 ha of open space, including the countryside park, formal sports pitches and play areas, informal recreation spaces, ecological habitats and community growing spaces.

The remaining land area of 21.85 ha would provide up to 650 new homes and associated infrastructure, including retirement and mixed use buildings in a density range from 15dph up to 45dph that will be justified through design coding.








Tiverton Eastern Urban Extension		
Land Use		Total
Red Line Area	54.80 ha	21.85 ha
Residential inc. Infrastructure	21.11ha	
Mixed Use (Commercial & Residential)	0.19 ha	
Mixed Use (Commercial & Retire / Care)	0.55 ha	32.95 ha
Public Open Space	30.46 ha	
Allotments	0.26 ha	
Formal Sports	2.23 ha	



Legend

-  Redine Boundary of Area B
-  Woodland Copses
-  Retained and Augmented Hedgerows
-  Sports Pitches
-  Countryside Park

Landscape Interventions

-  Retained hedgerows
-  Sports / Play
-  Sustrans cycle route
-  Woodland
-  Allotments
-  Countryside Park
-  Sustainable Drainage

5.4 Landscape and Open Space

Landscape and Public Open Space

The SPD outlined the defining feature of the garden neighbourhood will be *"the extent and quality of public open space within the developed areas and the extensive multi-use parkland that wraps around the southern boundary of the scheme incorporating the area of Green Infrastructure."*

This masterplan for Area B fully embraces this approach within the developed area, through working with the vast majority of the sites green infrastructure - its hedgerows and trees, incorporating them into the structure of the site, augmenting and enhancing them so that they help define the character of this area.

Public open space is provided both within and outside the developed area. The masterplan provides for a range of spaces, from formal sports pitches through to informal recreational spaces, and areas designed for nature.

The developed area itself will reflect this green and leafy village character, embracing the best aspects of the study settlements and principles of the Adopted SPD.

The southern edge of the developed area has been pulled further north, enabling a larger separation from West Manley Lane, whilst the location of new playing pitches pulls development further away from the sites boundaries.

The playing pitches are proposed in two locations, with the northern pitch being a 4G playing surface with lighting and changing facilities, whilst the two smaller southern pitches will have a natural grass surface without lighting.

As the development style is now more reflective of the organic growth of a village, the streetscapes will have a more informal character, building lines will be varied with incidental pockets of green space interrupting the built form. The most significant landscape features - the sites hedgerows, are actively incorporated into the masterplan. These assets performing several roles, such as ecological corridors, landscape features, and for residential amenity. To help create a "rural feel", as mentioned in the Adopted SPD, some hedgerows are used to define residential parcels. The outlook from some of the rear private gardens will be onto a natural green boundary, where nature can be observed. To ensure the longevity of these boundaries, they will be contained within managed areas.

Within Area B, the network of green spaces provides car free connectivity across the site, enabling attractive safe routes out from the neighbourhood centre in Area A out towards the recreational facilities of the sports pitches and countryside park.

Strategic planting

There will be a number of areas of strategic planting across the allocated area. These include:

- Landscape buffer planting between existing housing at Post Hill and the proposed residential areas;
- Strengthening of hedgerows and other landscape features and habitats;
- Pockets of woodland and small copses of native trees.
- Areas of ecological mitigation



5.4 Landscape and Open Space

Parkland

This Masterplan continues to provide the wider “parkland” attractive public green spaces, as envisaged within the adopted SPD, with a subtle evolution.

The green infrastructure connections and green routes within the developed parts of Area B now respond and incorporate the existing north-south landscape features, and these spaces are supported with a more organic, village form of development.

The linear east-west swathe has been replaced with a more informal patchwork approach, knitting copses of planting with village greens, hedgerows and new homes.

These green areas comprises a range of open spaces including; informal areas for play and recreation; new and enhanced existing hedgerows; landscape dominated car free routes around and across the site; pocket greens; formal play areas; flat landscaped areas and steeper areas such as the landscaped spine that cuts up from Manley Lane towards Mayfair; attenuation ponds and other SUDS features; allotments and orchards; all designed to provide easy access from all parts of the community.

Countryside Park

This masterplan still includes a countryside park within the area south of West Manley Lane as envisaged within the Adopted SPD, providing a landscape resource comprising: wetland areas; woodland areas; retained veteran trees; meadows and public access.

This public space will provide a range of spaces to accommodate nature and recreational use. It is envisaged that the specific design of the countryside park and its future management will be subject to a detailed planning application with the involvement of all stakeholders. The eastern end of the countryside park is proposed to contain additional public recreational sports pitches and a new cycle link to the existing Sustrans route along the former railway line.

Tidcombe Fen

Tidcombe Fen is a Site of Special Scientific Interest (SSSI). It is a rare type of wetland habitat comprising a variety of rare flora.

This masterplan seeks to take account of the environmental and ecological sensitivities of the Fen.

It will need to be demonstrated at the application stage that the SSSI and its hydrological catchment area will not be adversely affected by development. The plan is designed in mind of the Fen, its catchment, the Alsa Brook and the marshy areas to the south of the site that feed the wetland.

Delivery and Management

Planning applications will be expected to demonstrate how green infrastructure areas will be managed and maintained. Specific arrangements may vary according to the type of space and its function but are expected to include access and management agreements with landowners and the creation of a management company.





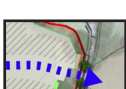
Local organisations may also come forward to manage some of the areas for public benefit.

It is important that the delivery of green infrastructure areas takes place in step with the development. It is envisaged that the eastern end of the countryside park, on land controlled by Westcountry Land, will be included within the initial planning application on Area B.



Area B Movement Plan

Legend

-  Denotes boundary of Area B
-  "Main street"
-  "Secondary street"
-  Pedestrian / Cycle Route
-  Potential Future Link - reserved space

5.5 Movement

Movement

The plan for transport and movement is to encourage walking, cycling and public transport ahead of car use, whilst ensuring that the masterplan is pragmatic and designed to ensure that cars are catered for sensibly. The masterplan retains the walkable neighbourhood principles where all facilities are within easy reach of all houses. The development retains a focus upon the neighbourhood centre and buses connected to the wider town will be available from here, and with the addition of the internal loop, potentially closer to the remainder of the site.

The neighbourhood is positively connected to a number of strategic pedestrian and cycle routes. The development site is in an accessible location in relation to amenities and facilities in the Tiverton and as such is considered to be in a sustainable location.

The new junction is partially completed from the A361. This provides additional capacity and enable access to the employment sites in the north west of the area. Its early delivery (in part) acts as a primary access for construction vehicles.

Within Area B, there is a clear hierarchy of streets, with the main street following a natural course across the site and across the contours of the slope. From this street, lower scale secondary streets serve the main residential areas, and also a secondary link into Area A as well as the sports facilities.

The site is well traversed with car free cycle and pedestrian routes, sitting in green leafy corridors. These routes provide good connections across the site, whilst around the edge of the site, perimeter footpaths connect with the wider community and provide green recreational routes.

Mayfair

The masterplan identifies the existing street network on Mayfair as being suitable for a pedestrian and cycle connection, integrating communities. The masterplan considers this existing street is suitable for serving a small number of homes but provides no through connection for vehicular use. This access and its level of use will be subject to a detailed planning application.

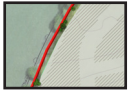
Local connections

This masterplan connects to the eastern end of Post Hill, establishing a through connection, on what was essentially a vehicular cul-de-sac within Area B. The new connection on to Post Hill has facilitated the linear form of development conceived for Area B. The new connection on to Post Hill creates a more modest secondary point of access into Area B, contrasting with the major junction adjacent to the neighbourhood centre within Area A. This contrasts with the more formal and planned entrance in Area A.

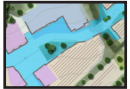
Future connectivity has also been considered, with the masterplan accommodating options for wider connections that may be required in the future. This is a sensible design response that may avoid a lack of connectivity ensuring that any opportunities arising in the future are well connected, integrated and successful



Legend



Denotes Area B Boundary



Denotes Linear Street Character

5.6 The Character of Area B

The Existing Adopted SPD

The Adopted SPD masterplan was sub divided into eight areas that had a distinctive character of their own and which would come together to define the wider whole. Whilst it is important that the neighbourhood has a continuity and definable sense of place, the character areas respond in different ways to their particular role and location within the development.

The SPD Masterplan addressed Area B with a single character, referred to as Character Area E. This was summarised as:

"This predominantly residential area falls between the residential core and the park edge and includes the south east area, large sections of which front onto the parkland. Housing will be designed to be at lower densities comprising mainly semi-detached and detached properties with gardens. The housing edge will be softened to feather into the greenspace beyond."

Area B

This masterplan also has a singular overriding character, and following the masterplanning exercise it became one of a "Village Character", that covers the whole of the development parcel of Area B.

This character has a linear form along its "Main Street". This is a primary link between Post Hill and Area A, along with a secondary route from the south-eastern corner of the site towards the neighbourhood centre in Area A. The intersection of these two routes creates an ideal opportunity for a mini-centre where a mixture of land uses could be sited. Recreational facilities including the provision of sports pitches are located at the lower, flatter areas of the site, whilst space for sustainable drainage is provided at the lowest part of the site.

Within the overall village character, there will be localised pockets of micro-character – recognisable spaces defined with perhaps buildings of individuality, pocket greens, changes in scale or groupings of buildings of a similar elevational style - located along the primary street, around major nodes, at gateways and around the edges.

Delivery

To help guide, shape and deliver the development, it is proposed to prepare an element of design coding within the next stage of the planning process.

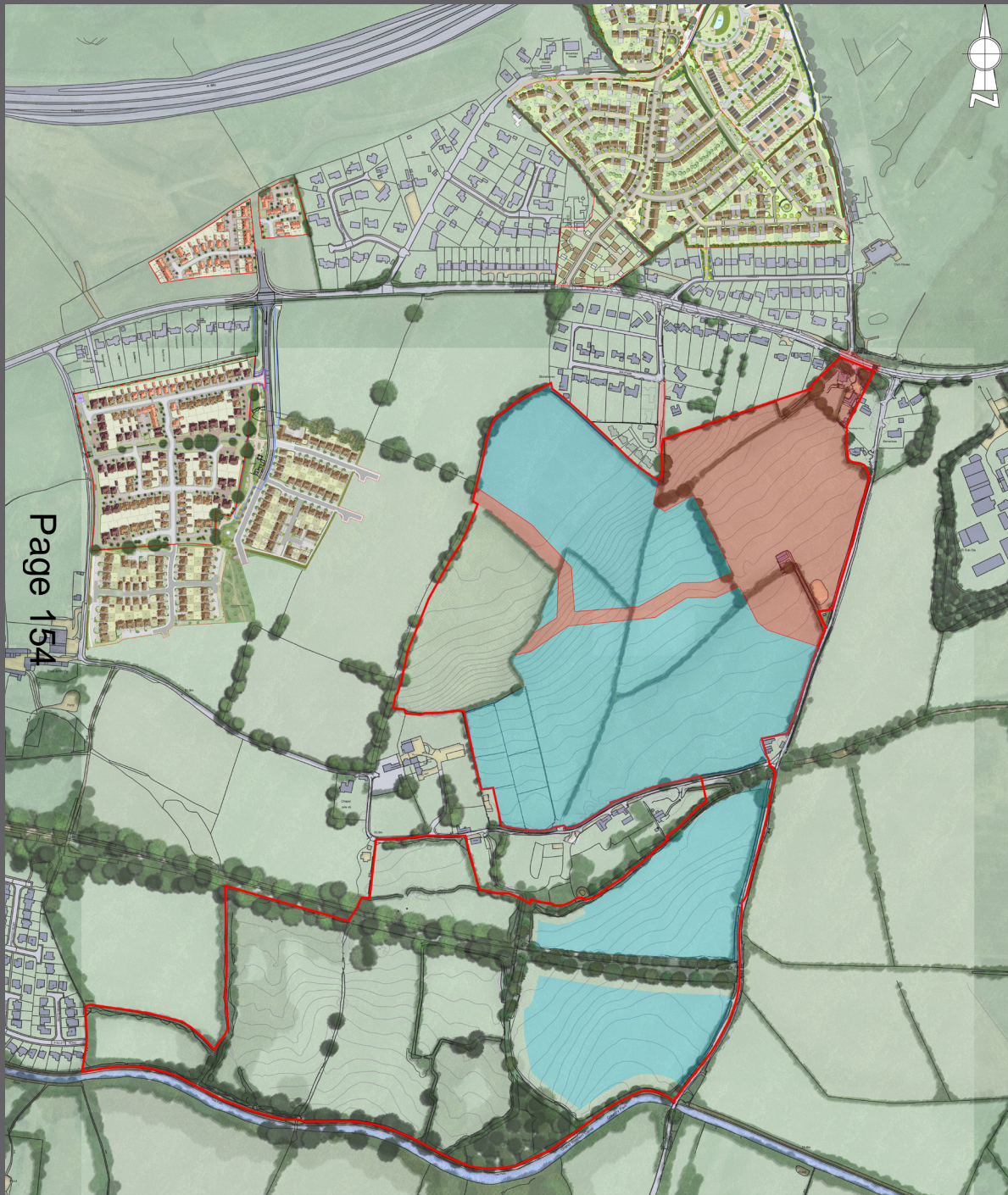
It is envisaged that this design code will cover:

Street typologies / Street enclosure and density / Edge and Node responses / Gateways / Landscape forms / Green Infrastructure / Heights and massing / Boundary treatments / External Materials.

This approach will ensure that all future applications within Area B deliver a consistency across this site, unifying the spaces but also enabling an appearance that has grown over time.

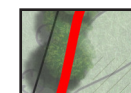
“to significantly boost housing delivery we must close the gap between the amount of land allocated and permissioned and the number of homes being completed”

Matthew Pennycook
Minister of State for Housing and Planning
2nd June 2025



*The National Design Guide
The ten characteristics of well-designed places*

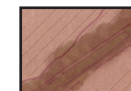
Legend



Denotes boundary of Area B



Denotes Area to be submitted with
Outline details (Hybrid Application)



Denotes Area to be submitted with full
details (Hybrid Application)

6.1 Delivery

Phasing

The development of Area B is planned to begin with a hybrid planning application, comprising of an Outline application to cover the entire area owned or controlled by Westcountry Land, with the initial phase of homes, and associated infrastructure being submitted as a detailed application at the same time, as a Hybrid Application.

The detailed area will include the drainage works, highway design taken to the site boundaries, strategic landscaping as well as the initial phase of approximately 160 new homes.

The remaining area covered by the Outline part of the Hybrid Application will be divided into approximately 3 remaining phases for future Reserved Matters applications.

The initial planning application on Area B will be accompanied by the submission of a Design Code to address the entirety of Area B.

Design Quality

A Design Code for Area B is to be prepared in accordance with the Guidance contained within the National Design Guide and National Model Design Code, and will draw upon the ten characteristics that work together to create a well-designed place.

Scope of the Area B Design Code

The Adopted SPD, the Design Guide and this masterplan comprehensively provide the background and context to this site, and have expressed areas of location, movement, land uses and an overall vision for the Urban Extension. This vision is fully supported with overarching guiding principles, and it is this design framework that enables the preparation of a specific Design Code that will be focused towards a characterful place that nurtures and sustains a sense of community whilst addressing environmental issues and climate resilience.

Future Area B planning applications will be expected to demonstrate compliance with this Code, as well as the wider Adopted SPD, and other guidance.

In terms of Character, the Design Code will draw upon the inspirational settlements considered in the Design Guide and this masterplan, and address the elements that comprise character generation.

These elements may include the following topics, bearing in mind that they are all interrelated;

Movement; at the localised level: considering connections; street typologies, street hierarchy, active travel and integration within the hierarchy of public spaces.

Nature; considering the integration of green and blue infrastructure across the site, its functions (Play / Recreation / Sports / BNG / Landscape / Ecology / Drainage / Well-being & Amenity) and its role in and its role in supporting connected, multifunctional, rich and diverse habitats at street and household level.

Built Form; addressing aspects of density, mix of uses, building typologies, their use and role within the street, scale, height and proportions, frontages and boundaries, external materials, security, privacy and natural surveillance, storage of vehicles and cycles, street enclosure, built form articulation and roofscape.



MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

September 2025

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

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
September 2025					
ASHP 2 ASHP upgrades 2025/26 - 2027/28	Cabinet	2 Sep 2025	Stephen Bennett, Building Surveyor	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Area B Masterplan	Cabinet	2 Sep 2025	Christie McCombe, Area Planning Officer	Cabinet Member for Planning and Economic Regeneration	Open
MTFP Report	Cabinet	2 Sep 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Data Protection Policy	Cabinet	2 Sep 2025	Lisa Lewis, Head of Digital Transformation & Customer Engagement	Cabinet Member for Quality of Living, Equalities and Public Health	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Freedom of Information (FOI) & Environment Information Regulations (EIR) Policy	Cabinet	2 Sep 2025	Lisa Lewis, Head of Digital Transformation & Customer Engagement	Cabinet Member for Quality of Living, Equalities and Public Health	Open
October 2025					
PSPO Dog Variation Order-Silverton	Service Delivery & Continuous Improvement Policy Development Group	15 Sep 2025	Luke Howard, Environment and Enforcement Manager	Cabinet Member for Service Delivery and Continuous Improvement	Open
	Cabinet	7 Oct 2025			
Car Parking Report	Cabinet	7 Oct 2025	Luke Howard, Environment and Enforcement Manager	Cabinet Member for Governance, Finance and Risk	Open
Bin It 123 - next steps and additional recycling To discuss the next steps in relation to Bin-It 123 and any additional recycling proposed.	Service Delivery & Continuous Improvement Policy Development Group	15 Sep 2025	Matthew Page, Head of People, Performance & Waste	Cabinet Member for Service Delivery and Continuous Improvement	Open
	Cabinet	7 Oct 2025			

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
PSPO Alcohol Prohibition To recommend a PSPO in regards to Alcohol Prohibition.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	15 Sep 2025 7 Oct 2025	Matthew Page, Head of People, Performance & Waste	Cabinet Member for Service Delivery and Continuous Improvement	Open
Tenancy Agreement The Homes PDG will recommend to the Cabinet	Homes Policy Development Group Cabinet	9 Sep 2025 7 Oct 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Leisure Pricing Strategy To receive a revised draft leisure Pricing Strategy for 2026.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	15 Sep 2025 7 Oct 2025	Dean Emery, Head of Revenues, Benefits & Leisure	Cabinet Member for Service Delivery and Continuous Improvement	Fully exempt <i>Contains commercially sensitive information.</i>
Unauthorised Encampment Policy To consider the report	Cabinet	7 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
MDH Mobility Scooter in Flats Policy (NEW) To receive and approve the new MDH Mobility Scooter in Flats Policy which sets out the conditions under which tenants and their visitors may use, store, and charge mobility scooters and powered wheelchairs within MDH flats and communal areas.	Homes Policy Development Group Cabinet Council	9 Sep 2025 7 Oct 2025 29 Oct 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Economic Strategy 2024 - 2029	Economy & Assets Policy Development Group Cabinet	18 Sep 2025 7 Oct 2025	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery	Cabinet Member for Planning and Economic Regeneration	Open
Destination Management Plan for Mid Devon	Economy & Assets Policy Development Group Cabinet	18 Sep 2025 7 Oct 2025	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery	Cabinet Member for Planning and Economic Regeneration	Open

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Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Asset Management Plan To receive the revised Asset Management Plan.	Economy & Assets Policy Development Group Cabinet	18 Sep 2025 7 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Play Area Inspection Policy To receive and approve the revised Play Area Inspection Policy.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	15 Sep 2025 7 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Service Delivery and Continuous Improvement	Open
Corporate Risk Report	Audit Committee Cabinet	30 Sep 2025 7 Oct 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Corporate Performance Q1	Cabinet	7 Oct 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Draft Budget Report 2026/2027	Cabinet	7 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Memorial Benches and Memorial Trees Policy (NEW) To receive a new Policy pertaining to Memorial Benches and Memorial Trees.	Service Delivery & Continuous Improvement Policy Development Group	15 Sep 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Service Delivery and Continuous Improvement	Open
	Cabinet	7 Oct 2025			
	Council	29 Oct 2025			
November 2025					
Corporate Recovery Policy To receive the updated Corporate Recovery Policy.	Audit Committee	30 Sep 2025	Dean Emery, Head of Revenues, Benefits & Leisure	Cabinet Member for Governance, Finance and Risk	Open
	Cabinet	4 Nov 2025			
Draft Budget Report 2026/2027	Cabinet	4 Nov 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
2025/26 Budget Monitoring - Quarter 2	Cabinet	4 Nov 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Tax Base Calculations	Cabinet Council	4 Nov 2025 17 Dec 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
2025/26 Treasury Management Report - Qtr 2	Cabinet	4 Nov 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	
December 2025					
MDDC Council Tax Rebate Policy	Community, People & Equalities Policy Development Group Cabinet	11 Nov 2025 2 Dec 2025	Fiona Keyes, Operations Manager for Revenues Benefits & Recovery	Cabinet Member for Governance, Finance and Risk	
Tenancy Strategy To receive the revised Tenancy Strategy	Homes Policy Development Group Cabinet	18 Nov 2025 2 Dec 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Strategic Grants Review 2025 To consider requests from external organisations for grants.	Cabinet	2 Dec 2025	Zoë Lentell, Economic Development Team Leader	Cabinet Member for Parish and Community Engagement	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Draft Budget Report 2026/2027	Cabinet	2 Dec 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Corporate Performance Q2	Cabinet	2 Dec 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Housing Strategy To receive the revised Housing Strategy.	Homes Policy Development Group Cabinet	18 Nov 2025 2 Dec 2025	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Corporate Risk Report	Cabinet	2 Dec 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Corporate Anti-Social Behaviour Policy To consider the report.	Community, People & Equalities Policy Development Group Cabinet	11 Nov 2025 2 Dec 2025		Cabinet Member for Quality of Living, Equalities and Public Health	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
January 2026					
Shopfront Enhancement Schemes To receive a report setting out the Shopfront Enhancement Scheme for approval.	Economy & Assets Policy Development Group Cabinet	27 Nov 2025 13 Jan 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Planning and Economic Regeneration	Open
Infrastructure Funding Statement	Planning, Environment & Sustainability Policy Development Group Cabinet	25 Nov 2025 13 Jan 2026	Richard Marsh, Director of Place & Economy		Open
Draft Budget Report 2026/2027	Cabinet	13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Fees and Charges Report	Cabinet	13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
February 2026					

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Pay Policy Report	Cabinet Council	10 Feb 2026 18 Feb 2026	James Hamblin, Operations Manager for People Services	Leader of the Council	Open
Draft Budget Report 2026/2027	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
2025/26 Budget Monitoring - Quarter 3	Cabinet	10 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Treasury Management Strategy Statement, Minimum Revenue Provision Policy Statement and Annual Investment Strategy 2026/27	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
2026/2027 Capital Strategy and 2026/2027 Capital Programme	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Establishment Report	Cabinet Council	10 Feb 2026 18 Feb 2026	James Hamblin, Operations Manager for People Services	Cabinet Member for Service Delivery and Continuous Improvement	Open
Policy Framework	Cabinet Council	10 Feb 2026 18 Feb 2026	Laura Woon, Democratic Services Manager	Leader of the Council	Open
Business Rates Tax Base	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
March 2026					
Draft Vision and Spatial Options	Cabinet		Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
April 2026					
Domestic Abuse Policy (NEW) To receive a new policy in relation to Domestic Abuse in MDH properties.	Homes Policy Development Group Cabinet Council	17 Mar 2026 7 Apr 2026 22 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Data Policy (NEW) for MDH To receive the new Data Policy for Mid Devon Housing	Homes Policy Development Group Cabinet Council	17 Mar 2026 7 Apr 2026 22 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Single Equalities Policy and Equality Objective To consider the report.	Cabinet	7 Apr 2026	Matthew Page, Head of People, Performance & Waste, Dr Stephen Carr, Corporate Performance & Improvement Manager	Cabinet Member for People, Development and Deputy Leader	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Corporate Recovery Policy	Audit Committee Cabinet	31 Mar 2026 7 Apr 2026	Dean Emery, Head of Revenues, Benefits & Leisure		Open
Corporate Risk Report	Cabinet	7 Apr 2026	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Corporate Performance Q3	Cabinet	7 Apr 2026	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open
Customer Care Policy To receive the revised Customer Care Policy.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	23 Mar 2026 7 Apr 2026	Lisa Lewis, Head of Digital Transformation & Customer Engagement	Cabinet Member for Service Delivery and Continuous Improvement	Open

Title of report and summary of decision	Decision Taker	Date of Decision	Officer contact	Cabinet Member	Intention to consider report in private session and the reason(s)
Tenancy Fraud (NEW) To receive and approve a new policy in relation to Tenancy Fraud.	Homes Policy Development Group Cabinet Council	17 Mar 2026 7 Apr 2026 22 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Aids and Adaptations policy To receive a report updating and reviewing the Aids and Adaptations Policy.	Homes Policy Development Group Cabinet	17 Mar 2026 7 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open