

Cabinet

Tuesday, 7 October 2025 at 5.15 pm
Phoenix Chamber, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 4 November 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: 371 595 855 327

Passcode: ia9FQ3K3

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

A G E N D A

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

1. **Apologies**
To receive any apologies for absence.
2. **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
3. **Declarations of Interest under the Code of Conduct**
To record any interests on agenda matters.
4. **Minutes of the Previous Meeting** *(Pages 7 - 18)*
To consider whether to approve the minutes as a correct record of the meeting held on 2 September 2025.
5. **Draft Budget Report 2026/2027** *(Pages 19 - 34)*
To receive a report from the Deputy Chief Executive (S151) Officer and the Head of Finance, Property and Climate Resilience on the Draft Budget Report 2026/27.
6. **Corporate Performance Report** *(Pages 35 - 50)*
To receive a report from the Corporate Performance and Improvement Manager to provide a quarterly update against the Corporate Plan 2024-28 and service performance measures for Quarter 1.
7. **Corporate Risk Report** *(Pages 51 - 72)*
To receive a report from the Corporate Performance and Improvement Manager to provide a quarterly update regarding the Corporate Risk register.
8. **PSPO Dog Variation Order- Silverton** *(Pages 73 - 84)*
To receive a report from the Head of People, Performance and Waste and the Environment and Enforcement Manager to authorise commencement of statutory procedures (including consultation) to vary by order the Mid Devon (Public Spaces Protection) (Dog Control) Order 2024 and to delegate authority to decide whether to make the order of variation after consultation has taken place.
9. **PSPO Alcohol Prohibition** *(Pages 85 - 98)*
To receive a report from the Head of People, Performance and Waste and the Environment and Enforcement Manager that it considers issuing a Public Spaces Protection Order under the powers given to the Council by the Anti-Social Behaviour, Crime and Policing Act 2014 to tackle anti-social behaviour associated with public consumption of alcohol in Crediton Town Centre.

10. **Bin it 123- Next steps and additional recycling** *(Pages 99 - 108)*
To receive a report from the Head of People, Performance and Waste and the Operations Manager for Street Scene and Open Spaces reviewing the progress made to date by Bin-It 123 and consider the key elements of the next strategic phase that are necessary to maximise recycling rates as well as increase resident engagement and support.
11. **Variation of Tenancy Agreement** *(Pages 109 - 124)*
To receive a report from the Head of Housing and Health on the Variation of Tenancy Agreement following on from Cabinet approval on 1st April 2025 to commence statutory consultations with tenants under the Housing Act 1985 section 103 to vary the terms of our tenancy agreement this presents the results of the consultation and the final draft Tenancy Agreement for approval.
12. **Mid Devon Housing (MDH) Mobility Scooter in Flats Policy** *(Pages 125 - 150)*
To receive a report from the Head of Housing and Health on the Mid Devon Housing (MDH) Mobility Scooter in Flats Policy setting out the conditions under which tenants and their visitors may use, store and charge mobility scooters and powered wheelchairs within Mid Devon Housing flats and communal areas.
13. **Play Area Inspection Policy** *(Pages 151 - 162)*
To receive a report from the Head of Finance, Property and Climate Resilience on the Play Area Inspection Policy to review the Councils management of play area risk assessment and safety inspections.
14. **Memorial Tree and Seat Policy** *(Pages 163 - 172)*
To receive a report from the Head of Finance, Property and Climate Resilience on the Memorial Tree and Seat Policy to review a proposed Policy for Memorial Trees and seats on Council properties.
15. **Notification of Key Decisions** *(Pages 173 - 186)*
To note the contents of the Forward Plan.

Guidance notes for meetings of Mid Devon District Council

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

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

1. Inspection of Papers

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

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

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

2. Members' Code of Conduct requirements

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

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

3. Minutes of the Meeting

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

4. Public Question Time

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

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

5. Meeting Etiquette for participants

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

For those joining the meeting virtually:

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

6. Exclusion of Press & Public

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

7. Recording of meetings

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

8. Fire Drill Procedure

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

9. WIFI

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

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MINUTES of a **MEETING** of the **CABINET** held on 2 September 2025 at 5.15 pm

Present

Councillors

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

Apology

Councillor

N Bradshaw (online)

Also Present

Councillor(s)

S Robinson

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Maria De Leiburne (Director of Legal, People & Governance (Monitoring Officer)), Richard Marsh (Director of Place & Economy), Paul Deal (Head of Finance, Property & Climate Resilience), Simon Newcombe (Head of Housing & Health), Lisa Lewis (Head of Digital Transformation & Customer Engagement), Christie McCombe (Area Planning Officer) and Laura Woon (Democratic Services Manager)

Councillors

Online

J Buczkowski, J Cairney, G Czapiewski, M Farrell and
L G J Kennedy

35. APOLOGIES

Apologies were received from Councillor N Bradshaw; she was in attendance online.

36. PUBLIC QUESTION TIME

Barry Warren

Question 1:

Due to time constraints placed upon me I have forwarded to you, prior to this meeting, three documents which are self-explanatory and relevant to the amended Policy you are considering. I hope they provide background in order that you can understand the motivation for my questions.

Do Cabinet consider that the revised policy before you sufficiently puts in place policy and procedures which will prevent the delays and other issues which have been the

subject of criticism and comment by the Information Commissioner against this Council?

Question 2:

Under Clause 4 Legal obligations under the Acts in the third paragraph of page 45 of your papers it states: 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.

In the past 10 years how many staff have been disciplined for failure to comply with the policy?

Question 3:

Under Clause 12 Complaints procedure, in the second paragraph of page 48 of your papers it states: A review is undertaken by the Senior Information Officer (SIO) or their nominated representative in consultation with other relevant Officers / departments as appropriate.

The response comes from Information Management, after information has been obtained from relevant departments or officers, then it appears that this policy is permitting the same officers to carry out the review.

Is this good practice and does it prevent unnecessary delay, which has been the subject of adverse comment on more than one occasion by the Information Commissioner?

Question 4:

Under Clause 15 Training and awareness in the second paragraph it states: The Senior Information Officer will ensure that there is a training plan to raise awareness of FOI and EIR across MDDC.

Has the Training Plan been produced and if so where and when is it Scrutinised by elected members?

Question 5:

Last Friday, I received the reply to an FOI request, which did not answer the questions asked. This type of reply has been received in the past and has led to review requests and then the involvement of the ICO. A lot of time could be saved by the right answer being provided in the first place.

How is this policy going to prevent repetitions of these experiences?

The Leader stated the reason that the Council ask for questions in advance of the meeting were so that the committees could consider the points that were raised at public question time. He acknowledged Mr Warren's claim that he had experienced delay in gathering information.

Paul Elstone

Question 1:

Paragraph 1.3 of the report states that this Council is one of a number that have been targeted for real term funding cuts for year 2026/27 and beyond. This as part of the Fairer Funding Reforms.

Exactly what reasons have been given to this Council as to why they are being targeted?

Question 2:

Which other Councils in Devon have been similarly targeted?

Question 3:

I have made Freedom of Information requests in respect of the social housing developments of four (4) different councils.

The requests required the minimum of research.

Two Councils responded to my request within two working days providing complete and detailed answers.

One other Council responded to me within 7 days even apologising for the delay and with their Senior Housing Development Officer phoning me this to ensure they were providing me with the full information I requested.

MDDC were the fourth Council contacted.

I requested a copy of the Shapland Place overheating assessment (a document that is freely posted on other Councils planning websites, as part of the planning application submission, since it is a document that should be signed off before and not after the modules are built).

15 days later I received a response from this Councils FOI Team, which said amongst other things, and I quote *"The Council cannot therefore provide a response to this request"*.

I requested a review and received a response after 20 working days stating that MDDC "did not hold a copy of the document requested" a response that seriously conflicts with the written answer given to a public question which said, and I quote *"That the report had been provided to the Council"*.

I submit this as one of many examples as to why this Council's FOI system lacks openness, transparency and even integrity.

Will this Cabinet request that Scrutiny implement a full review into how the Freedom of Information system is really functioning this especially as Members of this Council are now having their integrity and reputation challenged when their responses to public questions are found to be incorrect?

The Leader stated that rural Councils in particular were targeted under the settlement in relation to item 5 on the agenda. He acknowledged the speed of responses from other Councils on Freedom of Information requests as this Council works closely with them. This Council received a lot of Freedom of Information requests and the response time was within the appropriate timeframes.

The Leader thanked Mr Warren and Mr Elstone and said that they would receive a written response to their questions. The Leader noted that the Cabinet had received and read the email from Mr Warren in regards to the Freedom of Information and Environmental Information Regulation Policy item on the agenda.

37. **DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT**

All Cabinet Members referred to item 6, Freedom of Information (FOI) and Environmental Information Regulations (EIR) Policy and declared that they had received correspondence from a member of the public in relation to this item.

38. **MINUTES OF THE PREVIOUS MEETING**

The minutes of the previous meeting held on 5 August 2025 were **APPROVED** as a correct record and **SIGNED** by the Leader.

39. **MEDIUM TERM FINANCIAL PLAN (MTFP)**

The Cabinet had before it a report * from the Deputy Chief Executive (S151) Officer and the Head of Finance, Property and Climate Resilience on the Medium Term Financial Plan (MTFP).

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

- The Medium Term Financial Plan (MTFP) for the General Fund and Housing Revenue Account. The report was a little different to that provided in previous years, due to the raft of changes expected from 2026/27 and the longer term restrictions placed upon this Council by Local Government Reorganisation (LGR).
- The report did not give a forecast shortfall to be addressed. Instead it highlighted the unprecedented level of uncertainty faced by all councils in respect of funding from 2026/27 onwards and estimated a range that the shortfall could fall within.
- It was extremely unlikely that this position would gain any clarity until the late autumn, starting with headline information within the Chancellor's Autumn Statement (expected late October 2025), culminating in indicative funding allocations at an authority level within the financial settlement (expected earlier than normal in November 2025).
- There was so much uncertainty until later in the autumn, the focus remained on the delivery of high quality services and was continuing with the budget process and savings options and that would be considered by the next round of Policy Development Groups (PDGs) meetings in anticipation of the funding announcements.
- When further information was received an update would be provided on the position and the approach to setting the budget in February 2026.

The Deputy Chief Executive (S151) Officer highlighted the following:

- Due to this Council's reasonably high levels of business rate growth over the last decade and levels of reserves, the Council would be targeted for more significant funding reductions moving forward.
- The Government were planning changes to all councils' major funding streams, it was planning revisions to Council Tax collection methods and major changes to Business Rates.
- There were also significant changes to the funding of refuse and recycling and there were relatively smaller changes to other areas of the Council.
- A detailed response had been provided to the Government consultation on the funding changes and the impact they would have on this Council.
- This Council would continue to deliver high quality business and usual services over the coming years as the move towards Local Government Reorganisation (LGR) continued.

Discussion took place with regard to:

- Clarification around the weekly food collection scheme and the funding in the future, as this Council was already delivering this scheme, they were not eligible, had the position changed to provide all councils with funding? It was confirmed that there would be a financial contribution to all councils to the running costs, but further details are not yet known.
- The Leader would write to the three local MP's over the funding settlement and the detrimental negative impact on the financial position.

RESOLVED that:

1. The updated MTFPs for the General Fund covering the years 2026/27 to 2028/29 be **NOTED**;
2. The principles set out in Section 4 be applied where possible and the approach to balancing the General Fund Revenue Budget outlined in paragraph 7.2 be **APPROVED**.
3. Recommendations from the Policy Development Groups on the Budget Proposals identified by senior managers and their views be garnered on where savings should be sought and to what level.

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

Reason for Decision:

By undertaking regular reviews of the MTFP the Council could ensure that its Corporate Plan priorities were affordable. Many areas required greater clarity, particularly around national funding and possible changes to Government policy.

Note: *Report previously circulated

40. FREEDOM OF INFORMATION (FOI) & ENVIRONMENTAL INFORMATION REGULATIONS (EIR) POLICY

The Cabinet had before it a report * from the Head of Digital Transformation and Customer Engagement to review the Freedom of Information (FOI) and

Environmental Information Regulations (EIR) Policy to ensure compliance with legislation and regulations.

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

- This Council's commitment to both the FOI Act and the EIR Regulations, it provided clear guidance for officers and Members on how the Council met compliance obligations.
- The scope of the policy covered all recorded information held by this Council, or held on their behalf.
- The existing policy was based on best practice. There had been no legislative or guidance amendments identified as being necessary since the review of the policy in 2022. There had been a small number of additions or amendments to the policy that provided further clarification around related legislation, the review panel practices, and the requirements around open Government Licensing under the Re-Use of Public Sector Regulations. These changes were highlighted in yellow on the policy draft.
- They reflected three areas of change: Section 3 – Relevant Legislation, brought all references fully up to date. Section 12 – Complaints Procedure, which outlined the Senior Information Officer review process. Whilst FOI reviews were not a statutory requirement it was the Council's policy position to undertake a review within 20 working days. (EIR reviews must be completed with 40 days.) Section 14 – set out in detail how the handling of enforcement, disclosure, refusals would be handled, and the costs regime under the Re-Use of Public Sector Regulations.
- It was important to note that disclosure was the default position. Information was only withheld where a legal exemption or exception applied, and in those cases written justification must always be provided. Requests were logged, performance was reported quarterly, and datasets were published in line with the Transparency Code to allow public monitoring.
- The Scrutiny Committee were now receiving more regular updates on the Council's performance, and their engagement had led to some improvements that were made to the webpages to provide improved visibility of requests and responses in June this year. Those could be found by searching the website for disclosure logs.
- The policy also made it clear that FOI would not give access to an individual's own personal data that was handled separately under data protection law.
- There had been ongoing public comments about the Council's handling of information requests. FOI and EIR regulations were designed to facilitate access, but did not grant unrestricted access to all information. Interpretations about exemptions could vary, and it was the role of the Information Commissioner's Office (ICO) to assess each case individually. That process could sometimes be complex and, importantly, the time taken to resolve disputes was determined by the ICO's own capacity, not by this Council.
- Finally, the policy would be reviewed at least every three years with the next review due by August 2028.

RESOLVED that:

1. The revised Freedom of Information and Environmental Information Regulations Policy be **APPROVED**.

2. 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 remained current and reflected any changes in legislative or regulatory guidance be **APPROVED**.

(Proposed by Cllr D Wulff and Seconded by Cllr M Fletcher)

Reason for Decision:

Not complying with Freedom of Information Act 2000 (FOIA) and Environmental Information Regulations 2004 (EIR) would expose MDDC to the potential for Enforcement action by the Information Commissioners Office (ICO).

Note:* Report previously circulated.

41. **DATA PROTECTION POLICY**

The Cabinet had before it 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 in June 2025.

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

- The DUAA introduced phased changes between now and June 2026, designed to promote innovation and economic growth which would make things easier for organisations.
- Not all provisions were yet in force, but the policy had been updated in anticipation. From August 2025, the ICO's would also be reconstituted as the Information Commission, with expanded enforcement powers.
- There were a few immediate changes that affected this Council directly: Data Subject Access Requests must now be handled on the basis of reasonable and proportionate searches, and this applied retrospectively to requests since January 2024. A new "stop-the-clock" mechanism would also apply where clarification was needed. Since August 2025, the ICO had stronger powers, including interview notices, compulsory document requests, and penalties for non-cooperation.
- Looking ahead, the Council must also implement a clear complaints system for data subjects, acknowledging receipt within 30 days and responding appropriately. Officer and Member training would be updated this autumn to ensure awareness of the new obligations.

Discussion took place with regard to:

- The use of Artificial Intelligence (AI) and protecting data, would that be covered by these policies?
- Would Members be receiving more information on the R.A.C.I model? It was confirmed that this would be circulated to Members.

RESOLVED that:

1. The revised Data Protection Policy be **APPROVED**.
2. 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 remained current and reflected any legislative changes or regulatory guidance be **APPROVED**.

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

Reason for Decision:

Not complying with the Data Protection Act 2018 and GDPR would expose MDDC to enforcement action by the Information Commissioner's Office (ICO).

Note:* Report previously circulated

42. AWARD OF CONTRACT FOR THE AIR SOURCE HEAT PUMP (ASHP) UPGRADES 2025/28

Cabinet had before it a report * from the Head of Housing and Health on the tendering of the Upgrading of Air Source Heat Pump (ASHP) Systems Contract 2025 - 2028 for Housing Revenue Account (HRA) properties to confirm the award of the contract.

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

- The report was to advise Cabinet on the outcome of the procurement process to award a contract to maintain and upgrade air source heat pumps systems within the Councils housing stock.
- This Council was an early adopter of ASHP systems with a number installed across stock as a part of a rolling commitment to replace end of life existing traditional heating systems and to reduce the Council's carbon footprint.
- Some of these systems had been installed for over 10 years and in common with all heating systems, required regular maintenance and updating.
- The proposed contract was for two and a half years with a possible one year extension to be delivered by specialist provider PH Jones Limited.
- The contract had been secured through a direct framework award under the approved Public Sector Housing Purchasing Consortium (PFH).
- As such, PH Jones Limited were publicly named on the framework. Any commercially sensitive information and tender evaluation data was held by PFH. There was no requirement for a Part 2 element to this report and it could name the proposed framework contractor at this stage.

Discussion took place with regard to:

- Could this service be provided in-house with suitable training for council staff or was this more specialist work? It was confirmed it was a specialist role.

- Were records kept for information on the efficiency of ASHP over time and also the possible increase in maintenance compared with conventional systems and were there any statistics of such care?
- Was PH Jones a privately owned company or a national group? It was confirmed it was a large national company and could provide more details.
- Could this Council access the same grant as individuals to install one of these pumps which quite commonly came with a 15 year warranty? The Council work closely with Exeter Community Energy and other providers, many grants were not available for Social Housing landlords.

RESOLVED that:

1. 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 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 be **APPROVED**.

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

Reason for Decision:

The Housing Revenue Accounts (HRA) budget for the works was £300,000.00 per annum. Each upgrade and relevant works would be surveyed and fully costed prior to a works order being issued.

Note:* Report previously circulated.

43. **TIVERTON EUE. AREA B MASTERPLAN**

Cabinet had before it and **NOTED** a report * from the Director of Place and Economy on the Tiverton EUE Area B Masterplan.

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

- This report sought to note the Tiverton draft Area B Master Plan, Officers were not advising that it was to be adopted. Adopted Local Plan Policy required a public master planning exercise on Area B.
- Since the November 2024 public consultation there had been considerable Member involvement with consideration through an all Member briefing on 27 March 2025 and through the Planning Policy Advisory Group (PPAG), whose role was to consider and a debate detail for officers to then prepare Cabinet reports.
- The Area B Masterplan was in appendix 1 and was attached to the report. Area B was the final part of the Tiverton Eastern Urban Extension (EUE) that needed master planning.
- Consultation on Area B had been extensive, including through the adoption of the Tiverton EUE Master Plan, SPD, the Tiverton EUE Design Guide and Stage One and two public consultations specifically on Area B back in 2020.

- During 2023 a developer got involved in Area B and started to proactively work with land owners and this Council.
- In collaboration with this Council, a Stage one public consultation was undertaken between November of last year and January 2025 on the Master Plan for Area B. The results of that consultation were reported to Cabinet on 17 June 2025 who considered the comments received.
- Any developments on Area B would still be bound to the adopted Tiverton EUE Master Plan SPD has weight in planning decisions and by the policies of the Local Plan Review which were the starting point of any planning application or decision.
- The draft Area B Master Plan was presented to PPAG on 19 August 2025 where after detailed consideration it was recommended to this Cabinet.
- The main points that arose out of that PPAG meeting were as follows:
 - Affordable housing - there was a discussion around policy TIV 1 and the amount of affordable housing that was delivered at detailed planning application stage. Officers gave advice on the viability.
 - Post Hill- point of access, Members of PPAG were pleased that the comments received through the public consultation had been acknowledged and that the new junction into Area B from Post Hill was being redesigned.
 - Allotments- there was a question around there appearing to be a net loss of allotments across the EUE and how the allotments proposed on Area B might be managed.
 - Nursing home- there was a question around alternative uses for the site identified for a nursing home on Area B, should there be an over delivery of nursing homes when one was proposed on Area A and others elsewhere within the town.
 - Vehicular access from Mayfair into Area B- there was a detailed debate around Mayfair being used as a public point of access to a restricted number of dwellings on Area B.
- The overall design of the Master Plan was based around a series of design principles that were to seek to create a new garden neighbourhood with a character and appearance inspired by the defining characteristics of Tiverton and the immediate surroundings and that were reminiscent of a Garden City environment these included.
 - Planning for modern requirements and standards, including making efficient use of land, land for the provision of new homes and took account of sustainability objectives.
 - Establishing a firm foundation for a place that was green and leafy, with generous private gardens, making the most of sunlight and natural daylight and creating opportunities for community recycling and food production.
 - The Area Master Plan considered a range of nearby settlements, in order to understand the typical settlement structure across Mid Devon. The settlement studies included Bradninch, Thorverton and Silverton.

Discussion took place with regard to:

- Clarification and reassurance that the Council and the Director of Place and Economy would consider any changes happening in Parliament, as MP's were pursuing that all new housing development needs were to include solar panel or other renewable energy installation.

- That Devon County Council highways team were aware of the concerns around the roads and junctions that were discussed at PPAG.
- The requirement for fire suppressant to be installed in all new builds would that be looked into with this Council? It was confirmed that this may be a building control and building regulation matter.

RESOLVED that:

1. The Draft Masterplan (Appendix 1) be **NOTED**.
2. The Masterplan for Area B of the Tiverton Eastern Urban Extension be **NOTED**;
3. Delegated authority 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 be **APPROVED**.

(Proposed by Cllr S Keable and Seconded by Cllr J Wright)

Reason for Decision:

The process for preparing the Draft Masterplan would be in compliance with the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement. Planning policy required the completion of a master planning exercise.

Note:* Report previously circulated.

44. **NOTIFICATION OF KEY DECISIONS**

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

This included the following:

- The Destination Management Plan had moved from October to the meeting in December 2025.
- The Economic Strategy 2024/2029 had moved from October to the meeting in December 2025.
- Asset Management Plan had moved from October to the meeting in January 2026.

Note: * Key Decisions Report previously circulated.

(The meeting ended at 18.16)

LEADER

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Cabinet Meeting 2 September 2025- Public Questions and Responses

<p>Barry Warren</p>	<p>Question 1: Due to time constraints placed upon me I have forwarded to you, prior to this meeting, three documents which are self-explanatory and relevant to the amended Policy you are considering. I hope they provide background in order that you can understand the motivation for my questions.</p> <p>Do Cabinet consider that the revised policy before you sufficiently puts in place policy and procedures which will prevent the delays and other issues which have been the subject of criticism and comment by the Information Commissioner against this Council?</p> <p>Response from the Cabinet Member for Quality of Living, Equalities and Public Health: This question was not submitted in advance, and Cabinet approved the policy at the meeting.</p> <p>Question 2: Under Clause 4 Legal obligations under the Acts in the third paragraph of page 45 of your papers it states: 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.</p> <p>In the past 10 years how many staff have been disciplined for failure to comply with the policy?</p> <p>Response from the Cabinet Member for Quality of Living, Equalities and Public Health: Zero.</p> <p>Question 3: Under Clause 12 Complaints procedure, in the second paragraph of page 48 of your papers it states: A review is undertaken by the Senior Information Officer (SIO) or their nominated representative in consultation with other relevant Officers / departments as appropriate.</p> <p>The response comes from Information Management, after information has been obtained from relevant departments or officers, then it appears that this policy is permitting the same officers to carry out the review.</p>
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	<p>Is this good practice and does it prevent unnecessary delay, which has been the subject of adverse comment on more than one occasion by the Information Commissioner?</p> <p>Response from the Cabinet Member for Quality of Living, Equalities and Public Health: Yes, and No respectively.</p> <p>Question 4: Under Clause 15 Training and awareness in the second paragraph it states: The Senior Information Officer will ensure that there is a training plan to raise awareness of FOI and EIR across MDDC.</p> <p>Has the Training Plan been produced and if so where and when is it Scrutinised by elected members?</p> <p>Response from the Cabinet Member for Quality of Living, Equalities and Public Health: Training is currently under review and when ready will require all officers and members to complete.</p> <p>Question 5: Last Friday, I received the reply to an FOI request, which did not answer the questions asked. This type of reply has been received in the past and has led to review requests and then the involvement of the ICO. A lot of time could be saved by the right answer being provided in the first place.</p> <p>How is this policy going to prevent repetitions of these experiences?</p> <p>Response from the Leader of the Council: This question was not submitted in advance, and Cabinet approved the policy at the meeting.</p> <p>The Leader stated the reason that the Council ask for questions in advance of the meeting were so that the committees could consider the points that were raised at public question time. He acknowledged Mr Warren's claim that he had experienced delay in gathering information.</p>
Paul Elstone	<p>Question 1: Paragraph 1.3 of the report states that this Council is one of a number that have been targeted for real term funding cuts for year 2026/27 and beyond. This as part of the Fairer Funding Reforms.</p> <p>Exactly what reasons have been given to this Council as to why they are being targeted?</p>

Response from the Leader of the Council:

The Deputy Chief Executive (S151) provided a verbal response to this question when presenting the relevant agenda item.

Question 2:

Which other Councils in Devon have been similarly targeted?

Response from the Leader of the Council:

This information is currently not in the public domain as it is still the subject of ongoing modelling – i.e. the final numbers and affected Councils may change.

Question 3:

I have made Freedom of Information requests in respect of the social housing developments of four (4) different councils.

The requests required the minimum of research.

Two Councils responded to my request within two working days providing complete and detailed answers.

One other Council responded to me within 7 days even apologising for the delay and with their Senior Housing Development Officer phoning me this to ensure they were providing me with the full information I requested.

MDDC were the fourth Council contacted.

I requested a copy of the Shapland Place overheating assessment (a document that is freely posted on other Councils planning websites, as part of the planning application submission, since it is a document that should be signed off before and not after the modules are built).

15 days later I received a response from this Councils FOI Team, which said amongst other things, and I quote *“The Council cannot therefore provide a response to this request”*.

I requested a review and received a response after 20 working days stating that MDDC “did not hold a copy of the document requested” a response that seriously conflicts with the written answer given to a public question which said, and I quote *“That the report had been provided to the Council”*.

I submit this as one of many examples as to why this Council's FOI system lacks openness, transparency and even integrity.

Will this Cabinet request that Scrutiny implement a full review into how the Freedom of Information system is really functioning this especially as Members of this Council are now having their integrity and reputation challenged when their responses to public questions are found to be incorrect?

Response from the Leader of the Council:

The Scrutiny committee has already agreed to monitor FOI/EIR via a quarterly performance dashboard and an annual report.

The Leader stated that rural Councils in particular were targeted under the settlement in relation to item 5 on the agenda. He acknowledged the speed of responses from other Councils on Freedom of Information requests as this Council works closely with them. This Council received a lot of Freedom of Information requests and the response time was within the appropriate timeframes.

The Leader thanked Mr Warren and Mr Elstone and said that they would receive a written response to their questions. The Leader noted that the Cabinet had received and read the email from Mr Warren in regards to the Freedom of Information and Environmental Information Regulation Policy item on the agenda.



Report for: Cabinet

Date of Meeting:	7 October 2025
Subject:	2026/27 Draft Budget Update
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 – Emerging Budget Pressures Appendix 2 – Savings Options – General Fund - Cabinet Appendix 3 – Savings Options – General Fund - PDGs Appendix 4 – HRA Savings Options

Section 1 – Summary and Recommendation(s)

To present to Members the potential pressures and savings options for consideration / approval to mitigate the forecast Medium Term Financial Plan (MTFP) shortfall covering the period 2026/27 to 2028/29.

Recommendation(s):

That Cabinet Members:

- 1. Consider and agree the Green and Amber pressures on the General Fund within Appendix 1;**
- 2. Consider and agree the Green and Amber savings options for the General Fund for services reporting directly into the Cabinet, as shown within Appendix 2;**
- 3. Consider and agree the Green and Amber savings options for the General Fund for services reporting into the five Policy Development Groups Cabinet within Appendix 3, taking into account the recommendations from the Policy Development Groups as noted in paragraph 2.11;**
- 4. Consider and agree the Green and Amber savings options for the Housing Revenue Account within Appendix 4, taking into account the recommendations from the Homes Policy Development Group as noted in paragraph 2.11;**

5. Consider the pressures / savings options with a red risk/deliverability rating within Appendices 1 – 4 and agree if any should be included within the 2026/27 Budget;
6. Consider any additional suggestions to balance the remaining shortfall for both the General Fund and Housing Revenue Account and request that the Policy Development Groups identify further savings options and recommend back to Cabinet for approval.

Section 2 – Report

1.0 Introduction and purpose of the Medium Term Financial Plan

- 1.1 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 and years beyond that.
- 1.2 On 2 September, the first draft MTFP covering the period 2026/27 to 2028/29 for the General Fund and Housing Revenue Account (HRA) was presented to Cabinet. For the General Fund, this estimated a funding shortfall for 2026/27 within the range £846k to £3,350k, due to the significant uncertainty surrounding future funding streams. This number is largely driven by inflation and assumptions around further cuts in grant funding using 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.
- 1.3 For the HRA, an estimated funding shortfall of £541k in 2026/27 rising to £1,796k by 2028/29 was presented. The future years shortfall is a cumulative figure without any remedial action taken, i.e. if the £546k is found to balance the 2026/27 position, the overall budget gap will reduce to £1,255k.
- 1.4 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 agreed to apply the four main principles for balancing the budget, and therefore need to take the necessary decisions and actions to manage net spending within affordable limits.

2.0 2026/27 Budget Options – General Fund

- 2.1 During the summer, Leadership Team and senior service managers 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 pressures (**Appendix 1**) are being felt and budget savings (**Appendices 2 and 3**) could be found have formed the basis of the discussions with the Policy Development Groups (PDGs). In addition the PDGs were asked to identify further options to resolve the immediate budget gap for 2026/27 and future years.

- 2.2 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.

Officers recommend approving the Green and Amber Pressures and Savings. However the Policy Development Group views are included within paragraph 2.8 below.

- 2.3 Within the proposals put forward, a number have options for the level of pressure / saving. For example, in terms of setting a fee, the minimum proposals would be to increase by inflation, but Members could choose to go beyond this and increase the fee further, thereby potentially generating additional income. Within the Appendices and table below, Option 1 is the officer recommendation and is included as Green. Option 2 is considered Amber, with Option 3 classified as Red.
- 2.4 In addition, a number of the budget options contain potential proposals to reduce staffing. This will only be possible through natural staff turnover and therefore cannot be guaranteed. Furthermore, these savings will further stretch service delivery and is likely to lead to lower levels of service provision if agreed. Therefore, it is proposed that only a proportion of the overall value is assumed within the budget, increasing the existing Vacancy Target within the baseline by either £181k (20% of total saving, amber risk) or £272k (30% of total saving, red risk).
- 2.5 Based on only accepting the Green and Amber budget proposals, the overall 2026/27 position is forecast to move as set out below:

	Option 1a	Option 1b	Option 1c
Initial forecast Shortfall	£919k	£846k	£3,350k
Emerging Budget Pressures – Appendix 1			
Green and Amber	+ £1,513k	+ £1,513k	+ £1,513k
Budget Proposals Identified (Green and Amber inc Option 1):			
Cabinet – Appendix 2	(£703k)	(£703k)	(£703k)
Economy & Assets PDG – Appendix 3	(£85k)	(£85k)	(£85k)
Community, People and Equalities PDG – Appendix 3	(£20k)	(£20k)	(£20k)
Homes – Appendix 3	(£125k)	(£125k)	(£125k)
Planning, Environment & Sustainability PDG – Appendix 3	(£120k)	(£120k)	(£120k)
Service Delivery & Continuous Improvement PDG – Appendix 3	(£364k)	(£364k)	(£364k)
Total Green & Amber Savings Options	(£1,417k)	(£1,417k)	(£1,417k)
Revised forecast Shortfall	£1,015k	£942k	£3,446k

- 2.6 **This position reflects the recommendations from officers.**
Officers will continue to look at further options to mitigate the shortfall.

- 2.7 Clearly this leaves a sizeable shortfall still to be addressed. This could be reduced by the inclusion of the stretched savings options (Option 2 or 3 where relevant). These options are mutually exclusive, meaning only one option can be implemented.

Replacing Option 1 savings with Option 2 savings that are categorised as Amber, potentially further reduces the shortfall to:

Revised forecast Shortfall (see above)	£1,015k	£942k	£3,446k
Add back Green Option 1 saving – SD & CI Appendix 3	£89k	£89k	£89k
Stretch Budget Proposals Identified (inc Options 2):			
Replace with Amber Savings Options – SD & CI Appendix 3	(£206k)	(£206k)	(£206k)
Potential Revised forecast Shortfall	£898k	£825k	£3,329k

It should be noted that the Service Delivery & Continuous Improvement Policy Development Group did not wish to recommend using the stretched savings options.

- 2.8 Applying the Red savings (option 3 instead of Amber option 2), potentially further reduces the shortfall to:

Revised forecast Shortfall (see above)	£1,015k	£942k	£3,446k
Add back Amber Option 1 or 2 saving			
Green Option 1 saving – SD & CI Appendix 3	£89k	£89k	£89k
Cabinet – Appendix 2	£181k	£181k	£181k
Total Amber Savings	£270k	£270k	£270k
Stretch Budget Proposals Identified (inc Options 3):			
Red Budget Savings Proposals Identified – Appendix 2	(£322k)	(£322k)	(£322k)
Red Budget Proposals Identified – Appendix 3	(£290k)	(£290k)	(£290k)
Red Budget Proposals Identified (inc Options 2 & 3 – Appendix 3)	(£339k)	(£339k)	(£339k)
Total Red Savings Options	(£951k)	(£951k)	(£951k)
Potential Revised forecast Shortfall	£334k	£261k	£2,765k

Note, the above exclude the Red Pressures identified which sum to £160k.

It should be noted that officers are not recommending the inclusion of red risk savings at this time, and none of the Policy Development Groups supported the inclusion of these savings options.

- 2.9 If the funding settlement is in line with Option 1a or 1b, and all savings options proposed were maximised (stretched) and agreed, the projected shortfall is reduced to such a level that could be managed through a small draw from reserves. However, it should be noted that this goes beyond the officer recommendations and would have negative implications for service delivery.

2.10 Under option 1c, there clearly remains a significant budget shortfall in 2026/27. Therefore, all possible options to increase income or reduce costs must be considered. This will require all service areas 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. Further options will be investigated and will be brought forward for consideration over the next few months in the run in to setting the 2026/27 budget in February 2026.

2.11 During the PDG discussions, the following recommendations were made:

- SD & CI PDG – that only the Green (option 1) savings were accepted

The relevant Amber savings within that PDG sum to £260k. However, the bulk of those relate the potential level of Extended Producer Responsibility Grant, whatever the level of grant award, this will be included within the base budget, and therefore the officer's view of the applicable risk that this value doesn't materialise is considered relatively low.

- Community PDG – that Appendix 3 – row 20 – Cease Community Development Grants – (£120k red saving) was rejected.

As a red saving, this is not the recommendation of officers anyway.

- Economy & Assets PDG – that Cabinet positively and more flexibly consider the red saving proposal for letting out further space within Phoenix House (Appendix 3 – Row 7). Consideration should be given to identifying a suitable partner organisation to maximise the usage of the building and potentially build greater working relationships.

Whilst this is possible, with Local Government Reorganisation on the horizon, the pool of potential partners wishing the rent is extremely limited. Hence the red risk rating.

- PES PDG – the committee were concerned about a potential reduction in Section 106 monitoring fees (Appendix 2 – row 15) and whether this would affect the quality of the facilities being provided. The committee asked that S106 income be considered further.

This is a pressure and therefore this increased the budget for S106 Monitoring Fees. Officers continue to recommend approval of this pressure.

- Homes PDG – no comments were received and all proposals were supported.

2.12 Members will appreciate that all budget options will require political support and therefore if some suggestions are deemed unacceptable then other savings will need to be proposed. Members should indicate where these alternatives should be sought.

3.0 2026/27 Budget Options – Housing Revenue Account

- 3.1 The HRA is a ring-fenced account within Mid Devon'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).
- 3.2 Similar to the General Fund, Leadership Team have worked with the HRA to identify 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. The RAG (Red, Amber, Green) approach has been applied, along with Option 1 being considered Amber and Option 2 being considered Red where applicable. These options were considered by the Homes PDG.
- 3.3 The overall forecast position for the HRA is as follows:

		2026/27
Initial forecast Shortfall		£546k
Emerging Budget Pressures / (Savings)		
Green Savings	Appendix 3	(£27k)
Amber Savings		(£450k)
Total Savings Options		(£477k)
Revised forecast (Surplus) / Shortfall		£69k

- 3.4 Therefore, if the assumptions are correct, there remains a small shortfall to be addressed.
- 3.5 This could be mitigated by the inclusion of the red risk saving (option 2). Note, in this case, the red saving is in addition to the amber saving as it stretches the saving possibility, not replaces it. If the red option was supported, this could be sufficient to mitigate the current projected shortfall.

4.0 Conclusion

- 4.1 The potential significant General Fund budget shortfall remaining if only Green and Amber options are agreed, or if option 1c becomes reality, is a significant challenge and the identification of further budget reductions is critical to balancing the budget for 2026/27 and indeed future years.
- 4.2 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.

- 4.3 As members are aware, the Autumn Budget is now set for 26 November which means any settlement announcement is going to be later than previously advised which will result in the detail at local authority level potentially being announced later than anticipated. This may require additional information being present to members either late or outside of the standard committee papers process. In addition to this challenge, changes in key senior ministerial positions are also likely to potentially build further uncertainty and delay into these announcements.
- 4.4 Therefore, as a result of this combination of issues, it is highly likely that some level of draw from reserves may 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.
- 4.5 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.
- 4.6 In order to conclude the statutory budget setting process, updates to the draft budget position will go through the November PDG's and all Cabinet meetings in the run up to the budget being agreed at Full Council on the 18 February 2026. During this period Officers will continue to identify and examine further savings possibilities that can reduce the longer term budget gap.

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. These continue to be kept under review and updated where necessary.

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

Date: 23 September 2025 via Leadership Team meeting

Statutory Officer: Maria De Leburne

Agreed on behalf of the Monitoring Officer

Date: 23 September 2025 via Leadership Team meeting

Chief Officer: Stephen Walford

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

Date: 23 September 2025 via Leadership Team meeting

Performance and risk: Dr Stephen Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 23 September 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
- 2 September Cabinet report – 2026/27 – 2028/29 MTFP

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
1	Finance Leasing costs	Cabinet	Paul Deal	CR210?	Likely increase in financing lease charges due to increase in numbers of vehicles leased	£50								
2	Finance	Cabinet	Paul Deal	FP100	Revise Budget to reflect employee joining the pension scheme	£11								
3	Finance	Cabinet	Paul Deal	IE290	Reduced investment returns as rates and cash balances reduce	£300			£100					
4	Property	Economy & Assets	Paul Deal	PS810	Increase budget for contract cleaning in line with current costs	£10								
5	Property	Economy & Assets	Paul Deal	PS991	Amend Lease income to reflect current tenant leases	£20								
6	Property	Economy & Assets	Paul Deal	PS991	Amend Cemetery income to reflect current levels	£10								
7	Property	Economy & Assets	Paul Deal	PS810	Amend Lease income to reflect current tenant leases	£15								
8	Property	Economy & Assets	Paul Deal	PS880	Amend Bus Station income to reflect current income levels	£10								
9	Property	Economy & Assets	Paul Deal	OS460	Failure to achieve full assumed financial contribution or transfer of assets is secured with some of all of the major town and parish councils		£50							
10	Public Health & Licensing	Community, People & Equalities / Homes	Simon Newcombe	PH733 / PH740	Additional staffing required within Public Health & Licensing (x2 FTE's) to deal with minimum statutory service levels	£91								
11	GF Housing Options	Homes	Simon Newcombe	PH320	Anticipated reduction in HPG income received in 2026/27 due to a change to formula calculation - Not expected to be known until Dec 25/Jan 26	£25								
12	People Services	Cabinet	James Hamblin	HR100	0.5 FTE increase in staffing to support the Council's Learning & Development requirements	£18								
13	People Services	Cabinet	James Hamblin	HR100	Payroll & HR System Ongoing annual costs	£11								
14	Property	Planning, Environment & Sustainability	Paul Deal	PS950	Option 1 Increase budget within Climate Change - originally planned for consultancy, funding bid completion, grant schemes or increased officer time			£100						
15	Development Management	Planning, Environment & Sustainability	John Hammond	PR200	Reduced S106 Monitoring fees - Budget currently at £51k	£25								
16	Development Management	Planning, Environment & Sustainability	John Hammond	PR225	Waiting on Govt decision on J28. assume 50% of costs	£40								
17	Forward Planning	Planning, Environment & Sustainability	Tristan Peat	PR600	Additional agency costs if unable to recruit to perm posts	£70								
18	Forward Planning	Planning, Environment & Sustainability	Tristan Peat	PR200	Increased planning appeals due to local plan		£100							
19	Communications	Cabinet	Lisa Lewis	CS200	Increase hours previously agreed	£10								
20	Revenues and Benefits	Cabinet	Fiona Keyes	RB100	Granicus additional software	£14								
21	Revenues and Benefits	Cabinet	Fiona Keyes	RB100	Council Tax disregard. S13A and Ukraine	£80								
22	Revenues and Benefits	Cabinet	Fiona Keyes	RB200	Band G business rates specialist Possible use of EMR (EQ787) to offset	£48								
23	Revenues and Benefits	Cabinet	Fiona Keyes	RB100 / 200 / 300	MOU change required for NEC to go on the Cloud (encryption)	£10								
24	Revenues and Benefits	Cabinet	Fiona Keyes	Collection Fund	Possible reduction in Council Tax collection due to softening of enforcement / increase in staffing required to drive up collection rate	??								
25	Street Scene - Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS700	DCC Shared Savings funding (Budget for 2025-26 £450k) - Shared Savings cease to be paid after 2025/26.	£450								
26	Street Scene - Recycling	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS725	Dry recycling material income (2025-26 £636.5k). Actual for 2024-25 £600k - Very volatile in terms of income per tonne. Assumed possible 10% reduction in income			£60						
27	Street Scene - Recycling	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS725	Recycling Credit funding (Budget 2025-26 £566k) - For 2026-27 this has been reduced by £1 per tonne from £72.72 to £71.83 inline with pEPR, therefore a reduction £7k projected. Actual 2024-25 £474k.	£7								
28	Street Scene	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	Street Scene Services 3404/3405	Option 3: Projection on fuel spending. Budgeted 2025-26 £471.5k @ £1.25 per litre, currently £1.08 per litre. Projection of pressure is budgeted at £1.35. Prices can fluctuate dependent on external factors. (This only includes Street Scene services)		£38							
29	Street Scene - Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS700	Impact of the Emission Trading Scheme - 11500 tonnes of waste 2024-25 at current government estimate of £49 per tonne.									£500
						£1,325	£188	£160	£100	£0	£0	£0	£0	£500

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Savings including Option 1 - Recommended by Policy Development Groups

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
1	All Services	Cabinet	Paul Deal	Account codes 2301 / 2304	Saving estimation on Utilities spend		(£100)							
2	All Services	Cabinet	Paul Deal	Account codes 2501	Saving estimation on Business Rates on MDDC Property - subject to revaluation and changes to overall scheme			(£50)						
3	All Services	Cabinet	Paul Deal	All	Potential to free up minor Earmarked Reserves through reprioritisation of funds		(£100)							
4	All Services	Cabinet	Paul Deal	All	Potential further increase in Council Tax income above current assumptions (e.g. a combination of further increase Band D charge, additional growth in Taxbase and improvement in collection rate)		(£150)							
5	All Services	Cabinet	Paul Deal	All	Likely reduction in capital financing charge due to level of slippage in 2024/25 Capital Programme	(£50)								
16	People Services	Cabinet	James Hamblin	HR100	Mgt of Staff Survey in-house instead of outsourced (alternate years)				(£10)					
24	ICT	Cabinet	Brian Trebilcock	IT700-4106	Reduction in cost of Veeam Licences, as licenced differently RISK: * none	(£5)								
25	ICT	Cabinet	Brian Trebilcock	IT400-4103	Reduce budget for Computer Hardware (Operational) RISK: * insufficient funds to replace computer equipment in-year. * Extending the use-life of End Users Devices * Possible security risk if firmware and software updates are not available		(£15)			£0			£0	
26	ICT	Cabinet	Brian Trebilcock	IT400-4110	Reduction in Budget for Equipment Maintenance RISK: * Unsupported hardware, increased risk of failure due to age, * Security, if patches and updates not available.		(£10)			£0			£0	
27	ICT	Cabinet	Brian Trebilcock	IT200-4103 (EMR755)	Reduce budget for Computer Hardware Currently £100k per year (£120k for 26-27) - reduce this request over next three years by £40K to £60 per year. RISK: * insufficient funds to replace computer equipment in-year. * Extending the use-life of End Users Devices - 4 years to 5 years * Possible security risk if firmware and software updates are not available		(£60)							
28	Revenues and Benefits	Cabinet	Fiona Keyes	RB100	Encouraging take-up of council tax e-billing to save on printing and postage costs Work in progress hard line approach required whilst it is the right thing to do members may not like it		(£25)							
29	Revenues and Benefits	Cabinet	Fiona Keyes	RB340	LHA assistance scheme. Budget not fully used since 2018	(£7)								
42	All Services	Cabinet	Stephen Walford	All	Within the base budget there is already £282k Vacancy Target included. This assumption assumes we can increase Vacancy Savings Target from amalgamation of specific service proposals impacting upon staffing levels. Option 1 - 20% of Green / Amber / Red of the total service proposals affecting staffing levels.		(£181)			(£22)			(£2)	
Cabinet Total						(£62)	(£641)	(£50)	(£10)	(£22)	£0	£0	(£2)	£0

Options 2 and 3 - to stretch Option 1 further.

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
55	All Services	Cabinet	Stephen Walford	All	Within the base budget there is already £282k Vacancy Target included. This assumption assumes we can increase Vacancy Savings Target from amalgamation of specific service proposals impacting upon staffing levels. Option 2 - 30% of Green / Amber / Red of the total service proposals affecting staffing levels.			(£272)			(£33)			(£3)
Cabinet Total						£0	£0	(£272)	£0	£0	(£33)	£0	£0	(£3)

Amalgomated Staffing Savings (for information only)

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
						(£51)	(£441)	(£413)	£0	(£48)	(£63)	£0	£0	(£10)
	All Services	Cabinet	Stephen Walford	All	Within the base budget there is already £282k Vacancy Target included. This assumption assumes we can increase Vacancy Savings Target from amalgamation of specific service proposals impacting upon staffing levels. Option 1 - 10% of Green / Amber / Red of the total service proposals affecting staffing levels. Option 2 - 20% of Green / Amber / Red of the total service proposals affecting staffing levels. Option 3 - 30% of Green / Amber / Red of the total service proposals affecting staffing levels.									
						(£51)	(£441)	(£413)	£0	(£48)	(£63)	£0	£0	(£10)

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Savings including Option 1 - Recommended by Policy Development Groups

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
8	Property	Community, People & Equalities	Paul Deal	PS200	CCTV Saving achieved through contract extension - subject to continued agreement with Town Council		(£10)							
12	Licensing	Community, People & Equalities	Simon Newcombe	PH740	Uplift in licensing fee income for 2026/27	(£10)								
20	Growth and Economic Development	Community, People & Equalities	Adrian Welsh	CD200 4701	Cease Community Development grants.			(£120)						(£120)
Community, People & Equalities Total						(£10)	(£10)	(£120)	£0	£0	£0	£0	£0	(£140)

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
6	Property	Economy & Assets	Paul Deal	RS140 / RS150	Inclusion of new income budget for Renewable Heat Initiative (RHI) following end of previous contract	(£30)								
7	Property	Economy & Assets	Paul Deal	PS810	Lease more space commercially within Phoenix House (include recharges). Clarity required on requirements for PH, flexibility in changing accommodation, hybrid working etc			(£50)						
9	Property	Economy & Assets	Paul Deal	PS992	Refresh out of date leases - dependent upon market conditions at the time, income might reduce, might push some tenants out			(£10)						
10	Property	Economy & Assets	Paul Deal	PS160	Potential reduction in maintenance spend - high risk as dependent upon condition survey results and requirements			(£100)						
21	Growth and Economic Development	Economy & Assets	Adrian Welsh	PR400 4701	Cease Grants		(£30)							
22	Growth and Economic Development	Economy & Assets	Adrian Welsh	PR400 4442	Reduce Local projects initiatives by 50%		(£25)							
Economy & Assets Total						(£30)	(£55)	(£160)	£0	£0	£0	£0	£0	£0

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
11	GF Housing Options	Homes	Simon Newcombe	PH320	Reduction in TA hotel and B&B budget costs due to uplift in GF owned accommodation	(£25)								
13	GF Housing Options	Homes	Simon Newcombe	PH320	Further reduction in TA hotel and B&B costs due to better 16-18yr homelessness support (potential Young Devon contract)	(£10)								
14	GF Housing Options	Homes	Simon Newcombe	PH320	Increase in licence fee income from TA rents - reflects 2024/25 outturn and trend	(£30)								
15	GF Housing Options & Public Health	Homes	Simon Newcombe	CR380 / PH320 / PH733	Contribution from the Homes for Ukraine pot towards staffing costs within Public Health & GF Housing	(£60)								
Homes Total						(£125)	£0	£0	£0	£0	£0	£0	£0	£0

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
17	Development Management	Planning, Environment & Sustainability	John Hammond	PR200 7254	Planning Performance Agreements - increase income from £20,000 - £40,000 for 2025/26. Note the use of PPA's should reflect the service looking to acquire additional capacity resource to deal with increased demands. As such, an increase in PPA income should also reflect an increase in consultants commissioned to act on new applications. Note use of PPA likely to increase because of (i) HLS and (ii) Familiarity with process	(£20)			(£10)			(£10)		
18	Development Management	Planning, Environment & Sustainability	John Hammond	PR200 7201	Fees & Charges - Increase in national fees for particular application types. The target of £835,000 for 2024/25 was not achieved by reason of national trends resulting in the submission of fewer applications. MHCLG introduced new fees for a number of application types which result in high volume submissions, which, based upon the 2024/25 submissions would increase actual (rather than target) income by @ £100,000		(£50)							
19	Development Management	Planning, Environment & Sustainability	John Hammond	PR200 7201	7201 - Fees & Charges Likely increase if applications for housing. The target of £835,000 for 2024/25 was not achieved by reason of national trends resulting in the submission of fewer applications. As MDCC no longer has a sufficient housing supply it is likely that we will receive speculative applications for housing development until a new Local Plan is put in place. Combined with line 8 above fees should increase compared to recent levels.		(£50)							
23	Forward Planning	Planning, Environment & Sustainability	Tristan Peat	PR600 4701	Grants £10k SLA with the Devon Community Housing Hub to undertake parish based housing needs surveys for planning purposes and to support Community Land Trusts wishing to bring forward local housing schemes. The Council is presently unable to undertake local housing needs surveys in house and is not aware of a suitable alternative provider. There may be potential to use funds from S106 agreements for the provision of affordable housing instead to pay for part / all of the SLA with the Devon Community Housing Hub subject to this being CIL regulation 122 compliant.			(£10)						
Planning, Environment & Sustainability Total						(£20)	(£100)	(£10)	(£10)	£0	£0	(£10)	£0	£0

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
30	Leisure Income	Service Delivery & Continuous Improvement	Andy Mackie	RS140	Tennis courts conversion to include Padel courts increase income circa £50k		(£50)							
31	Leisure Income	Service Delivery & Continuous Improvement	Andy Mackie	RS150	Tennis court upgrade and convert 1-2 for padel, increase income circa £10k		(£10)							
32	Leisure income	Service Delivery & Continuous Improvement	Andy Mackie	RS140	Pool inflatable fun sessions circa £10k uplift in income pa		(£10)							
33	Leisure income	Service Delivery & Continuous Improvement	Andy Mackie	RS140	Stock resale potential		(£5)							
34	Leisure Income	Service Delivery & Continuous Improvement	Andy Mackie	RS140	New Softplay and Café income with upfront investment required (potential of £60k - £100k)						(£60)			
35	Street Scene - Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS700	Option 1: Projection on Garden Waste income from residents (Budget 2025-26 £850k) - Currently customers are charged £72/£61, 12150 subscribed and has plateaued in 2024-25. Freeze prices	£0								
36	Street Scene - Trade Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS710	Option 1: Projection on Trade Waste income from customers (Budget for 2025-26 £1056k). Increase of 3%	(£32)								
37	Street Scene - Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS700	Option 1: Projection in Bulky Waste income from residents (Budget for 2025-26 £58.5k) - Adding 3% for each additional item	(£2)								
38	Street Scene - Car Parks	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	CP520/540	Option 1: Projection on Parking Income from customers (Budget for 2025-26 £855k) - Increase in 5% advised	(£44)								
39	Street Scene - Car Parks	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	CP520/541	Option 1: Projection on Parking Permits from customers (Budget 2025-26 £219k) Actual for 2024-25 £30k under budget. Increases of 5%	(£11)								
40	Street Scene - Recycling	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS725	pEPR funding (Provisional 2025-26 £1380k. Guaranteed £927k) - Projection dependant on recycling figures at 85%, 95% and 105%. This will be impacted in 2027-28 when DRS is introduced along with soft plastic recycling. £200k reflects a potential increase in grant over and above current assumption.		(£200)							
41	Street Scene	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	Street Scene Services 3404/3405	Option 1: Projection on fuel spending. Budgeted 2025-26 £471.5k @ £1.25 per litre, currently £1.08 per litre. Prices can fluctuate dependent on external factors. (This only includes Street Scene services)	£0								
Service Delivery & Continuous Improvement Total						(£104)	(£260)	£0	£0	£0	(£60)	£0	£0	£0

Grand Total - Option 1

(£289)	(£425)	(£290)	(£10)	£0	(£60)	(£10)	£0	(£140)
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Options 2 and 3 - to stretch Option 1 further.

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
43	Property	Planning, Environment & Sustainability	Paul Deal	PS950	Option 2 Reduce budget within Climate Change - originally planned for consultancy, funding bid completion, grant schemes or increased officer time. Note Option 1 is a proposal to further increase this budget.			(£100)						
Planning, Environment & Sustainability Total						£0	£0	(£100)	£0	£0	£0	£0	£0	£0

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
						Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
44	Street Scene - Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS700	Option 2: Projection on Garden Waste income from residents (Budget 2025-26 £850k) - Currently customers are charged £72/£61, 12150 subscribed and has plateaued in 2024-25. Increase of 3% (£2)		(£25)							
45	Street Scene - Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS700	Option 3: Projection on Garden Waste income from residents (Budget 2025-26 £850k) - Currently customers are charged £72/£61, 12150 subscribed and has plateaued in 2024-25. Increase of 5% (£3.50)			(£43)						
46	Street Scene - Trade Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS710	Option 2: Projection on Trade Waste income from customers (Budget for 2025-26 £1056k). Increase of 5%		(£54)							
47	Street Scene - Trade Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS710	Option 3: Projection on Trade Waste income from customers (Budget for 2025-26 £1056k). Increase of 8%			(£84)						
48	Street Scene - Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS700	Option 2: Projection in Bulky Waste income from residents (Budget for 2025-26 £58.5k) - Adding 5% for each additional item		(£3)							
49	Street Scene - Waste	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	WS700	Option 3: Projection in Bulky Waste income from residents (Budget for 2025-26 £58.5k) - Adding 8% for each additional item.			(£5)						
50	Street Scene	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	Street Scene Services 3404/3405	Option 2: Projection on fuel spending. Budgeted 2025-26 £471.5k @ £1.25 per litre, currently £1.08 per litre. Projection of saving if reduced to £1.15. Prices can fluctuate dependent on external factors. (This only includes Street Scene services)		(£38)							
51	Street Scene - Car Parks	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	CP520/540	Option 2: Projection on Parking Income from customers (Budget for 2025-26 £855k) - Increase in 8%		(£69)							
52	Street Scene - Car Parks	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	CP520/540	Option 3: Projection on Parking Income from customers (Budget for 2025-26 £855k) - Increase in 10%			(£86)						
53	Street Scene - Car Parks	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	CP520/541	Option 2: Projection on Parking Permits from customers (Budget 2025-26 £219k) Actual for 2024-25 £30k under budget. Increases of 8%		(£18)							
54	Street Scene - Car Parks	Service Delivery & Continuous Improvement	Darren Beer / Matthew Page	CP520/541	Option 3: Projection on Parking Permits from customers (Budget 2025-26 £219k) Actual for 2024-25 £30k under budget. Increases of 10%			(£22)						
Service Delivery & Continuous Improvement Total						£0	(£206)	(£239)	£0	£0	£0	£0	£0	£0

Grand Total - Option 2 or 3

£0	(£206)	(£339)	£0	£0	£0	£0	£0	£0
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Amalgamated Staffing Savings (for information only)

ROW	Service	Cabinet / Policy Development Group	Budget Holder	Cost Centre	BRIEF Saving Description (including risks of delivery)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
	All Services	Cabinet	Stephen Walford	All	Within the base budget there is already £282k Vacancy Target included. This assumption assumes we can increase Vacancy Savings Target from amalgamation of specific service proposals impacting upon staffing levels. Option 2 - 20% of Green / Amber / Red of the total service proposals affecting staffing levels. Option 3 - 30% of Green / Amber / Red of the total service proposals affecting staffing levels.	(£51)	(£441)	(£413)	£0	(£48)	(£63)	£0	£0	(£10)

Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
		Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
HO700	Rent convergence		(£137)			(£136)			(£135)	
	Option 1: Assumed £1 pw cap									
	Risk - subject to consultation									
HO770	Increase in garage rents		(£18)			(£18)			(£18)	
	Assumed CPI+1%									
	Risk - reduced uptake of garage rental									
HO700	Increase in Housing rents		(£155)							
	Option 1: Assumed increase to CPI+1%									
	Risk - lower levels of rent received									
Multiple	Government compensation for employer NI increase	(£27)								
	Risk - retained by GF									
Multiple	Extension of component replacement timeframes		(£140)							
	Kitchens and bathrooms excluded									
	Risk - increased cost of in-year maintenance									
		(£27)	(£450)	£0	£0	(£154)	£0	£0	(£153)	£0

Options 2 and 3 - to stretch Option 1 further.

Cost Centre	BRIEF Saving Description (including risks of delivery)	2026/27			2027/28			2028/29		
		Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)	Low Risk (£k)	Medium Risk (£k)	High Risk (£k)
HO700	Rent convergence			(£136)			(£118)			£0
	Option 2: Assumed £2 pw cap									
	Risk - subject to consultation									
		£0	£0	(£136)	£0	£0	(£118)	£0	£0	£0

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Report for: Cabinet

Date of Meeting:	07 October 2025
Subject:	Corporate Performance Report
Cabinet Member:	Cllr Luke Taylor, Council Leader
Responsible Officer:	Matthew Page, Head of People, Governance & Waste. Dr Steve Carr, Corporate Performance and Improvement Manager.
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1: Performance Dashboards Quarter 1

Section 1 – Summary and Recommendation(s)

To provide Members with an update on performance against the Corporate Plan 2024-28 and service performance measures for Quarter 1 (2025/26).

Recommendation(s):

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

Section 2 – Report

1.0 Introduction

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

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

2.0 Performance Analysis

Theme 1: Planning, Environment and Sustainability

- 2.1 “Carbon emissions avoided (renewables and green transport)” is made up of two indicators as outlined. Through generating electricity through solar panels, the Council has avoided 36 t CO₂e this financial year so far (April to June 2025). This is ahead of the annual target of 50 t CO₂e. Through the use of electric vehicles in its fleet, the Council avoided a further 6.4 t CO₂e (April to June 2024) against an annual target of 10 t CO₂e.
- 2.2 No new electric car rapid charger points were installed in quarter 1. In 2024/25, six new charging points were installed against an annual target of four per annum. The Council hosts 20 charge points on its sites.
- 2.3 Householder planning applications determined within 8 weeks is 100% for the past 12 months, and minor applications overturned at appeal was 0.5%. Both are comfortably ahead of target.

Theme 2: Community, People and Equalities

- 2.4 There have been 168 complaints this financial year (April to June 2025), 94.6% have been responded to within the target timescales.
- 2.5 Homes made safe under the Housing Assistance Policy is 13 for the financial year to date (April to June 2024), behind the annual target (60 for 2025/26).
- 2.6 There have been 7 new subscribers to the Let's Talk Mid Devon platform in the financial year to date (Target for 2025/26 is 400). The Council has

moved away from focussing on registrations, as this has been fed back as a barrier to completing ongoing questionnaires, with a focus now on contribution and engagement rates as well. In Q1, 2,063 people visited the site with 85 people contributing. These figures are a reflection of the number and type of engagement live on the platform during the period. Quarter 2 is already showing much higher contribution figures due to a larger scale survey being active.

- 2.7 No new community emergency plans have been developed by towns and parishes in 2025/26 yet. In May 2025, an event was held at Kentisbeare on Community Emergency Plans led by Devon Communities Together of which MDDC attended. There were seven different towns/ parishes in attendance who are updating or writing their community emergency plans. As such there is progress towards four plans being completed by the end of 2025/26.
- 2.8 The Corporate Plan has a new performance indicator, “Support the VCSE sector by securing additional external funding.” Data for this financial year is not currently available.

Theme 3: Homes

- 2.9 There were 535 applicants on the Devon Home Choice waiting list (Band A-C) at the end of Q1, 2025/26. This is higher than at the end of Q1 2024/25, when it was 470 applicants.
- 2.10 Support was provided to 100% of those experiencing homelessness in the financial year to date (April to June 2025).
- 2.11 Five homes became part of Mid Devon Housing in Quarter 1. Performance is behind target (100 homes for 2025/26). The five homes that were added are net zero (modern methods of construction). There have been delays to live projects and difficulties awarding contracts for some projects. The profile of the build programme is such that the majority of homes are expected to be complete and available in Q3 and Q4.

Theme 4: Economy and Assets

- 2.12 The number of regular traders at the Pannier market was 82% in Quarter 1 2025/26, Table 1. Performance is slightly behind target, 85%.

Table 1: Regular Traders at the Tiverton Pannier market, 2024/25 to present

Financial Year	Quarter	Regular Traders
2024/25	1	87 %
	2	84 %
	3	85 %
	4	81 %
2025/26	1	83 %

- 2.13 The number of regular traders at the Pannier market can also be considered by trading day. For Quarter 1 2025/26, the occupancy rate was: Tuesday (75%); Friday (85%); and Saturday (86%).
- 2.14 Businesses supported (non-financial support) was 67 in the financial year to date. This is ahead of target, 250 for 2025/26.
- 2.15 The Council has commercial and retail properties available for lease in Tiverton, Cullompton, and also leases space at Phoenix House. 3.4% of the available commercial leases were vacant at the end of Quarter 1 2025/26, performing ahead of target (5%).
- 2.16 The Corporate Plan has two performance indicators related to supporting events in our town centres and supporting tourism events. At the end of quarter 1, the Council had arranged support for five events to support our town centres, and one tourism event. Both performance indicators are performing ahead of target for 2025/26.

Theme 5: Service Delivery and Continuous Improvement

- 2.17 Levels of residual household waste collected performed slightly behind target for the financial year to date (April to June 2025), with 75.4 kg collected per household against a target of 72.5 kg. Performance continues to improve year on year, Figure 1.

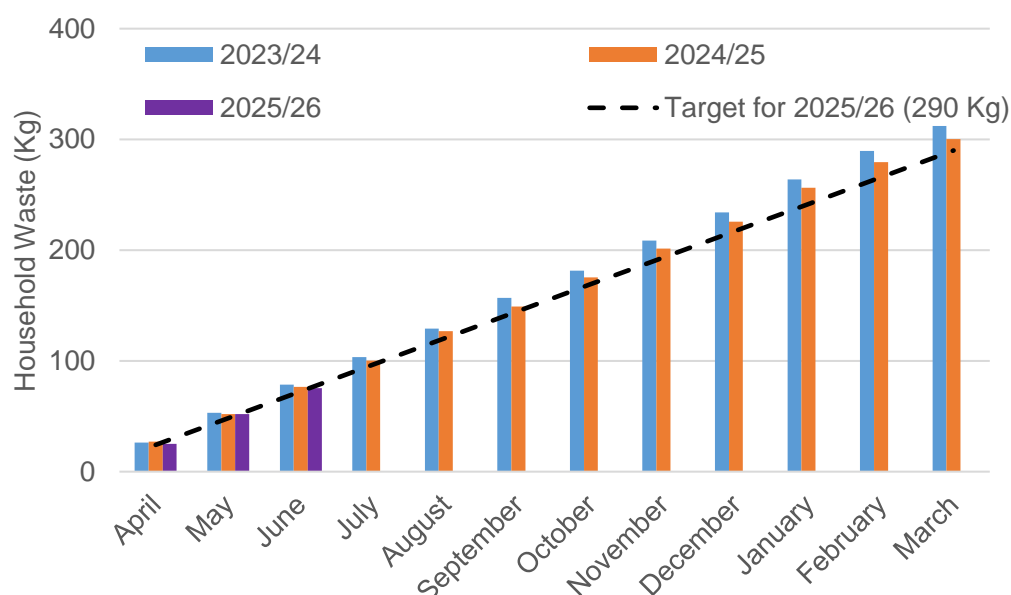


Figure 1: Residual Waste per Household (Kg), 2023/24 to present.

- 2.18 Household waste recycled in the financial year to date is 58.5%, slightly behind target (59%).

- 2.19 The total proportion of missed bin collections in the financial year to date is 0.02%, against a target of 0.03%.
- 2.20 Staff turnover at the Council for the financial year to date is 5.1 %, Figure 2. Performance is behind target (4.0 %).

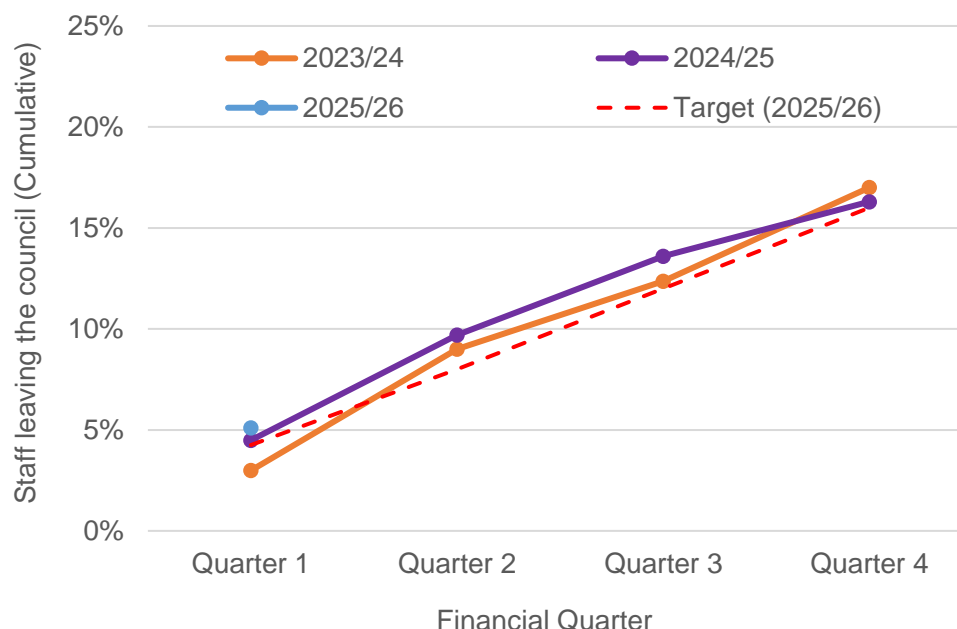


Figure 2: Staff turnover per financial quarter (Cumulative year to date), 2023/24 to present.

- 2.21 Leisure cost per visit can only be accurately calculated and assessed at the end of the financial year, therefore no assessment on performance will be given until the annual report.
- 2.22 Council Tax collected in the financial year to date is 28.51%, slightly higher than last year (28.37%) and ahead of target (28.46%).
- 2.23 National Non Domestic Rate (NNDR) collected thus far is 31.27% (Quarter 1, 2025/26), compared to 31.87% for Quarter 1 2024/25.
- 2.24 “Public survey engagement rate” is a relatively new performance measure. Data for Quarter 1 shows an engagement rate of 7.5%, behind the target of 15%. This survey is now being run against the small number of new processes on the CRM system, and only since August 2024. Once the monitoring has been proven it will be added to each process as it goes live and then cascaded to other services that are not processed through the CRM system.

Corporate Indicators

- 2.25 Staff sickness absence is 1.91 days per FTE for April to June 2025 against a performance target of 2.13 days. Sickness absence in the previous financial year was 1.78 days at the end of Quarter 1.
- 2.26 Council tax paid by direct debit is currently at 78% (target of 80%), and Non-domestic rates paid by direct debit is 51% (target of 50%).

Financial Implications

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

Legal Implications

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

Risk Assessment

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

Impact on Climate Change

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

Equalities Impact Assessment

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

sections of the community. The council has reviewed and implemented a revised approach to undertaking Equality Impact Assessments.

Relationship to Corporate Plan

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

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151

Date: 23.09.25

Chief Officer: Stephen Walford

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

Date: 23.09.25

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 08 September 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: Dr Steve Carr, Corporate Performance & Improvement Manager

Email: scarr@middevon.gov.uk

Telephone: 3CX Extension: 4217

Background papers: Corporate Plan 2024-28

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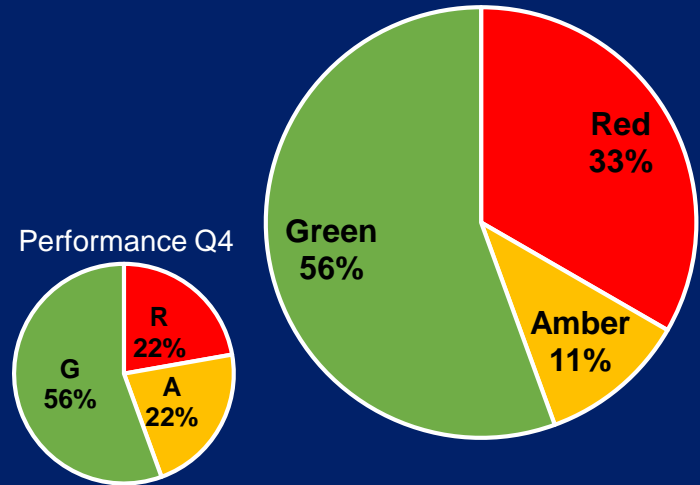
Planning, Environment & Sustainability PDG Performance Dashboard – Quarter 1 2025/26

Performance Measures	Performance	Annual Target	RAG
Own fleet CO2e avoided (YTD)	6.4 t CO ₂ e	10 t CO ₂ e	G
Solar panel performance – corporate estate (YTD)	36 t CO ₂ e	50 t CO ₂ e	G
Electric car charger points installed across MDDC sites (YTD)	0	4	R
Householder planning applications determined within 8 weeks (Past 12 months)	100 %	70%	G
Minor applications overturned at appeal (Past 12 months)	0.5 %	10%	G

Performance Measures	Performance	Annual Target	RAG
PE&S PDG – Projected Outturn	£1,183k	£1,227k	G
PE&S PDG – Projected Capital Outturn	£1,014k	£5,219k	R
PE&S PDG – Capital Slippage % of projects (Current)	100%	0%	R
Building Control Income – Projected Outturn	£231k	£251k	A

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

Overall Performance Q1



In Focus

Electric vehicle charger points – Whilst this performance indicator is showing as Red, it should be noted that we remain ahead of schedule, with six charge points delivered in 2024/25 against an annual target of four.

Carbon footprint – The Council’s carbon footprint for 2024/25 has been calculated and is reported to the September PES PDG meeting.

The Green Enterprise Grant scheme for 2025/2026 was launched in Q1 and began to receive expressions of interest.

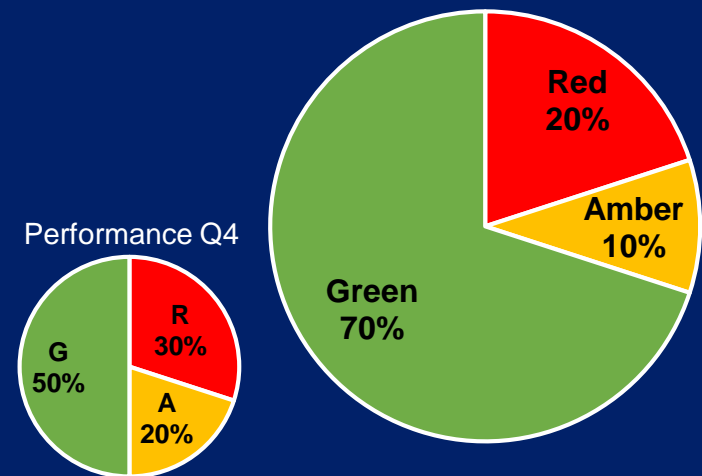
Economy & Assets PDG Performance Dashboard – Quarter 1 2025/26

Performance Measures	Performance	Annual Target	Rating
Pannier market occupancy rate (Average YTD)	82%	85%	A
Businesses supported – non financial support (YTD)	67	250	G
Commercial property voids (YTD)	3.4 %	5%	G
Events supported in our town centres (YTD)	5	6	G
Tourism events supported (YTD)	1	2	G
Business rateable value (Current)	£55,140,109	N/A	
Empty business properties (Current)	240	N/A	
Funding secured to support economic projects (YTD)	£524,000	£400,000	G

Finance Measures	Performance	Annual Target	Rating
E&A PDG – Projected Outturn	£938k	£1,068k	G
Car Parking Income – Projected Outturn	(£1,083k)	(£1,083k)	G
Pannier Market Income – Projected Outturn	(£88k)	(£108k)	R
E&A PDG – Capital Slippage % of projects (Current)	12.5%	0%	R

Corporate Risk	Risk Rating (Trajectory)
Culm Garden Village – Loss of capacity funding	9 (No Change)
Culm Garden Village – Project delays/ impacts due to infrastructure delays	15 (No Change)
Cullompton Town Centre Relief Road	15 (No Change)

Overall Performance Q1



In Focus

Cullompton Cricket Ground: Progress is well underway on Cullompton Cricket Club’s new facility, which forms part of Cullompton Relief Road infrastructure work. The high-quality cricket outfield is on Horn Road, to the east of the M5 and its relocation is a critical step in delivering the Cullompton Town Centre Relief Road, a project designed to ease congestion, improve air quality, and unlock future growth across Cullompton, including the proposed Culm Garden Village

Cullompton railway station: Funding has been officially confirmed by the Department for Transport, and HM Treasury.

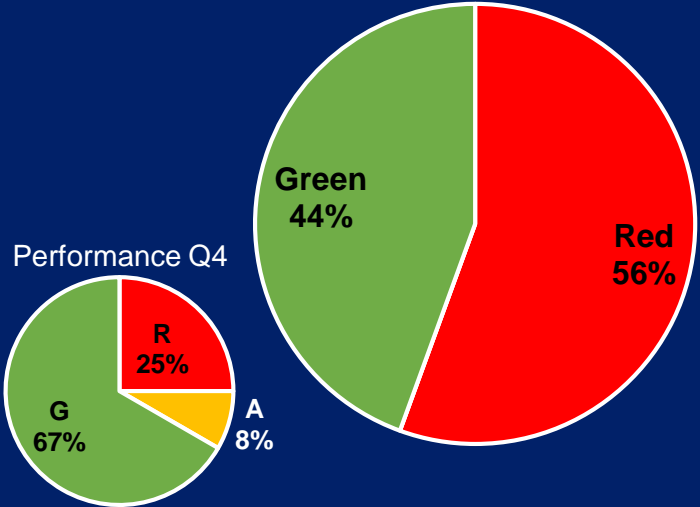
Community, People & Equalities PDG Performance Dashboard – Quarter 1 2025/26

Performance Measures	Performance	Annual Target	RAG
Homes made safe under the Housing Assistance Policy (YTD)	13	60	R
New Subscribers to Let's Talk Mid Devon (YTD)	7	400	R
Support towns and parishes to develop their Community Emergency Plans (YTD)	0	4	R
Support VCSE sector by securing external funding (YTD)	Not available	£200,000	
Licenced vehicle inspections (YTD)	16	40	G
Food Service - Total Inspections completed (Current QTR)	69 %	100 %	R
Private water supply sampling (YTD)	51	120	G
Environmental protection service requests (Average YTD)	97.0 %	95 %	G
Engagement rate on Let's Talk Mid Devon (Current)	5.0 %	16.0 %	R

Finance Measures	Performance	Annual Target	RAG
CP&E PDG – Projected Outturn	£1,324k	£1,324k	G
CP&E PDG – Capital Slippage % of projects (Current)	N/A	0 %	
Council Tax Reduction Scheme (Current)	£4,804,574	N/A	

Corporate Risk	Risk Rating (Trajectory)
Emergency Recovery	8 (Decreasing)

Overall Performance Q1



In Focus

Hotspot Policing: The Council is working with Devon and Cornwall Police and the Office of the Police and Crime Commissioner to provide additional foot patrols in Tiverton as part of a £1.3m crime prevention project.

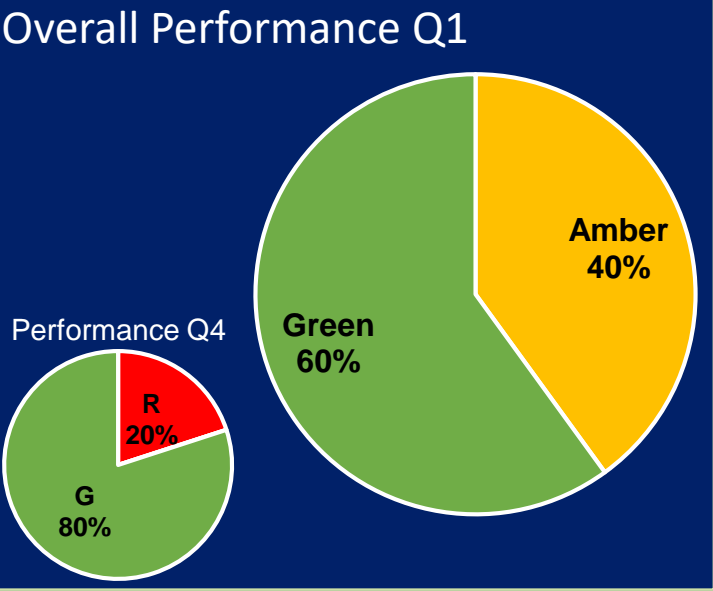
The town is one of two new areas to be included in the Hotspot policing scheme for Devon & Cornwall, which aims to prevent incidents of antisocial behaviour (ASB) and violent crime.

Homes PDG Performance Dashboard (General Fund) – Quarter 1 2025/26

Performance Measures	Performance	Annual Target	RAG
Providing support to those experiencing homelessness	100 %	100 %	G
Applicants on the Devon Home Choice waiting list (Band A-C)	535	N/A	
Households in Hotels (Current)	13	N/A	
Households placed in interim or temporary accommodation this quarter	52	TBC	
Home Improvement Loans sanctioned (YTD)	2	10	A
Private rented sector improvements (YTD)	8	10	G
Private sector housing service requests response rate (Av. YTD)	100 %	95 %	G
Unoccupied and unfurnished empty homes (Current)	441	N/A	

Finance Measures	Performance	Annual Target	RAG
Homes PDG – Projected Outturn	£134k	£130k	A
Spend on external interim and temporary accommodation (Q1)	£48,362	N/A	

Corporate Risk	Risk Rating (Trajectory)
Homes for Ukraine Scheme	4 (No Change)
Housing Crisis	12 (No Change)



In Focus

Landlord networking event: In May, the Council held an event aimed at improving private rented accommodation. Held at the Corn Barn in Cullompton, the event promised to help landlords be mindful of their legal obligations and to ensure their tenants have access to good quality, well managed and safe rental accommodation.

The evening’s line-up included an engaging keynote speech from TV’s Martin Roberts who, also a landlord himself, shared his experiences and insights with attendees.

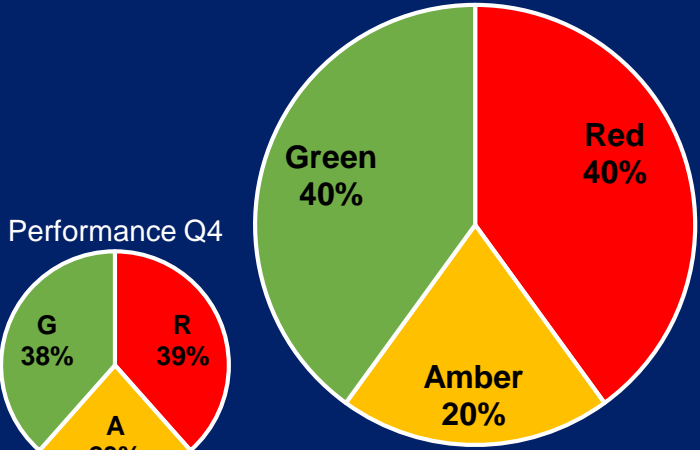
Homes PDG Performance Dashboard (HRA) – Quarter 1 2025/26

Performance Measures	Performance	Annual Target	RAG
MDH Satisfaction that the home is safe (TSM – TP05)	N/A	70 %	
MDH Delivery of new Social Housing (YTD)	5	100	R
New MDH net-zero MMC properties (YTD)	5	50	R
Tenant satisfaction with the overall repairs service (TSM – TP02)	N/A	70 %	
Market delivery of new affordable homes (Annual)	N/A	94	
MDH Overall tenant satisfaction (TSM - TP01)	N/A	TBD	
MDH Complaints responded to within Complaints Handling Code timescales (TSM-CH02; Average YTD)	100 %	100 %	G
MDH Antisocial behaviour cases relative to the size of the landlord (TSM – NM01; YTD)	2.03	TBD	
MDH Housing stock occupancy rate (YTD)	97.5 %	97 %	G
MDH Routine repairs completed on time (Average YTD)	93.1 %	95 %	A
MDH specific tenant engagement events (YTD)	37	100	G

Finance Measures	Performance	Annual Target	RAG
HRA – Projected Outturn	(£118k)	£0	G
HRA – Projected Tenant Income (Outturn)	£15,070k	£15,076k	A
HRA – Projected Capital Outturn	£17,302k	£27,663k	R
HRA – Capital Slippage % of development projects (Current)	29.4%	0 %	R

Corporate Risk	Risk Rating (Trajectory)
Housing Rent Correction Error	8 (No Change)

Overall Performance Q1



In Focus

Housing rent corrections: Progress is being made to correct and refund housing rent where appropriate. The rent correction cases are not all refunds due to benefits being awarded. Each case needs to be reviewed before a refund can be considered.

The checking is very much in progress and anticipate to have all housing benefit corrected by the end of August 2025. Following this, the matter of tenant refund can be looked at.

As of 07 August 2025, there have been 76 refunds, and 1,501 housing benefit corrections.

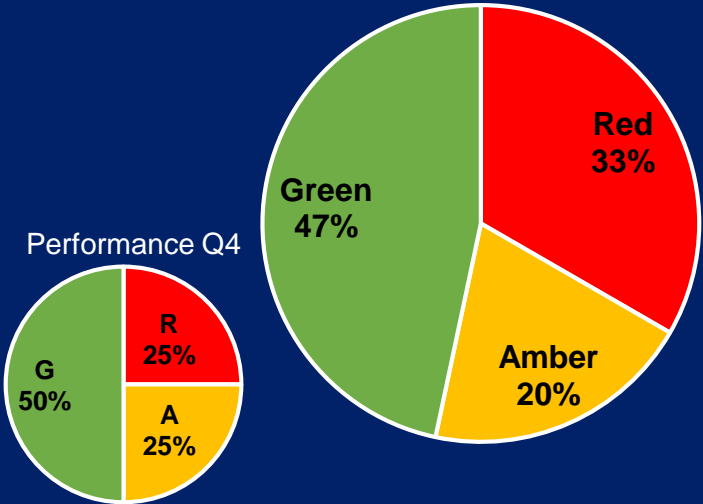
Service Delivery and Continuous Improvement PDG Performance Dashboard – Quarter 1 2025/26

Performance Measures	Performance	Annual Target	RAG
Household waste collected per household (YTD)	75.4 Kg	290 Kg	A
Household recycling rate (Average YTD)	58.5 %	59 %	A
All council complaints resolved within timescales (Average YTD)	94.6 %	85 %	G
Staff turnover (YTD)	5.1 %	16 %	R
Missed Bin Collections - All (YTD)	0.02 %	0.03 %	G
Leisure cost per visit (Annual)	N/A	£1.12	
National non-domestic rates collection rate (YTD)	31.27 %	98 %	G
Council Tax collection rate (YTD)	28.51 %	97.5 %	G
Public survey engagement rate (YTD)	7.5 %	15.0 %	R
Households on chargeable garden waste (Current)	12,188	12,200	A
Response to FOI/ EIR requests within 20 working days (YTD)	98.7%	97%	G

Finance Measures	Performance	Annual Target	RAG
SD&CI PDG Projected Outturn	£4,481k	£4,813k	G
Income received from recycled material (YTD – April and May)	(£119k)	(£637k)	G
Agency Spend ‘v’ Budget (SD&CI; YTD)	£59k	£64k	R
SD&CI PDG – Projected Capital Outturn	£4,298k	£6,301k	R
SD&CI PDG – Capital Slippage % of projects (Current)	20%	0%	R

Corporate Risk	Risk Rating (Trajectory)
None related to PDG	

Overall Performance Q1



In Focus

Poolside upgrades: We have completed major poolside upgrades at Active Crediton and Active Tiverton. These improvements include refurbished changing facilities, poolside areas and essential structural repairs, and took place between March and June 2025. They form a key part of our ongoing investment in high-quality, accessible leisure facilities for the local community. The newly refurbished areas offer a modern, fresh, and comfortable environment for users of all ages. Designed with accessibility, inclusivity, and sustainability in mind, the upgrades are receiving positive feedback from customers.

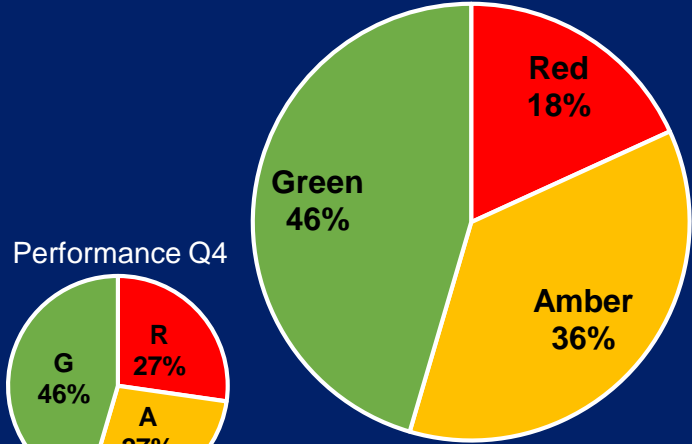
Corporate Performance Dashboard - Quarter 1 2025/26

Performance Measures	Performance	Annual Target	RAG
Sickness absence (working days lost YTD)	1.91 days	8.5 days	G
Number of projected FTE filled (Average YTD)	92.9 %	90.0 %	G
Council Tax paid by Direct Debit (Current)	78 %	80 %	A
Non-domestic rates paid by Direct Debit (Current)	51 %	50 %	G
Cyber security awareness training uptake (Current)	91.5 %	90 %	G

Finance Measures	Performance	Annual Target	RAG
Cabinet Services – Projected Outturn	£7,109k	£6,794k	A
No. of Procurement Waivers required (QTR)	8	0	A
Treasury Income – £ return (YTD)	£190k	£776k	A
Invoices Paid on time (YTD)	99.0 %	98.0 %	G
Sundry Debt recovery rate (YTD)	75.5 %	97.5 %	R
Agency Spend ‘v’ Budget	£95k	£0	R

Corporate Risk	Risk Rating (Trajectory)
Cyber Security	20 (No Change)
Information Security	12 (No Change)
Financial Sustainability	25 (Increasing)
Cost of Living Crisis	16 (No Change)
Corporate Property Fire Safety	9 (No Change)
Devolution and Local Gov. Reorganisation	20 (No Change)

Overall Performance Q1



In Focus

Household Support Funding: The Council has received a share of Government funding, which is aimed to help residents struggling with the cost of household essentials. The scheme can provide rapid, short-term financial support to meet immediate needs such as food, energy and water costs. The scheme will run until 31st March 2026 or until funds have been spent.

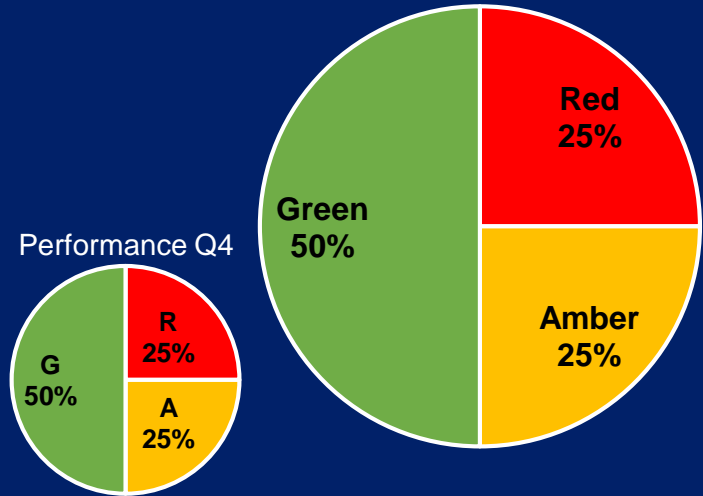
Planning Dashboard – Quarter 1 2025/26

Performance Measures	Performance	Annual Target	RAG
Major applications overturned at appeal (Past 24 months)	1.8 %	10 %	G
Minor applications overturned at appeal (Past 24 months)	0.5 %	10 %	G
Major Planning applications determined within 26 weeks (Past 12 months)	91 %	95 %	A
Minor and other planning applications determined within 16 weeks (Past 12 months)	91 %	95 %	A
Householder planning applications determined within 8 weeks (Past 12 months)	100%	70 %	G
Planning applications over 13 weeks without a decision (Current)	63	N/A	
Planning Enforcement: Total Open Cases (Current)	431	N/A	
Planning Enforcement: New Cases received in quarter	72	N/A	
Planning Enforcement: Cases Closed in quarter	23	N/A	

Finance Measures	Performance	Annual Target	RAG
Cost of Planning Appeals (YTD)	£55k	£0	R
Planning fees income – Statutory (YTD)	(£167k)	(£835k)	R
Planning fees income – Discretionary (YTD)	(£48k)	(£172k)	G
S106 income (YTD)	£0	N/A	
S106 spend (YTD)	£37k	N/A	

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

Overall Performance Q1



In Focus

Additional Training sessions provided: Three sessions have been provided to the Planning Committee. Given the need to apply the "Tilted balance" to decision making, training on the wider context for decision making as well as a practical exercise in applying the tilted balance have been provided to the committee to assist their understanding of the new obligations upon them.

Report for: Cabinet

Date of Meeting:	7 October 2025
Subject:	Corporate Risk Report
Cabinet Member:	Cllr Luke Taylor, Council Leader
Responsible Officer:	Steve Carr, Corporate Performance and Improvement Manager. Matthew Page, Head of People, Performance & Waste.
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1: Corporate Risk Matrix Appendix 2: Corporate Risk Register

Section 1 – Summary and Recommendation(s)

To provide Members with a quarterly update on the Corporate Risk Register.

Recommendation(s):

That Cabinet Members review the Corporate Risk Register and feedback any areas of concern.

Section 2 – Report

1.0 Introduction

- 1.1 The Corporate Risk Register (CRR) contains the strategic risks which are most likely to impact the corporate priorities of the Council. It is reviewed at least quarterly by Heads of Service and the Leadership Team and updated as required. It is then presented to the Audit committee and to Cabinet. Risks are managed on the Council's corporate performance and risk management system, SPAR.
- 1.2 The corporate risks are presented on a risk matrix (heat map), Appendix 1. Information on each risk is presented in a standard template, Appendix 2.

These risks have been determined by the Council's Leadership Team in consultation with Heads of Service and other Council officers.

2.0 Summary of Corporate Risk

2.1 There are currently 17 risks on the CRR. Risks are presented with both their current and target risk ratings. Also included is a trend symbol indicating any change to the risk rating since the previous review.

Risk Name		Risk Owner	Risk Rating		
			Current	Trend	Target
CR1a	Culm Garden Village – Loss of capacity funding	Group Manager for GED	9	↔	9
CR1b	Culm Garden Village – Delay/ impact to project arising from infrastructure delays	Group Manager for GED	15	↔	15
CR2	Cyber Security	ICT Operations Manager	20	↔	15
CR3	Failure to meet Climate Change Commitments by 2030	Head of Finance, Property & Climate Resilience	15	↔	9
CR4	Homes for Ukraine Scheme	Head of Housing & Health	4	↔	9
CR5	Information Security	Head of Digital Transformation & Customer Engagement	12	↔	8
CR7	Financial Sustainability	Head of Finance, Property & Climate Resilience	25	↑	12
CR8	Quality of Planning Committee Decisions	Director of Place & Economy	9	↑	3
CR10	Cullompton Town Centre Relief Road	Group Manager for GED	15	↔	15
CR11	Cost of Living Crisis	Head of Revenues, Benefits & Leisure	16	↔	16
CR12	Housing Crisis	Head of Housing & Health	12	↔	9
CR15	Corporate Property Fire Safety	Chief Executive	9	↔	6
CR16	Building Control Service viability	Building Control Manager	12	↔	2
CR17	Emergency Recovery	Head of Housing & Health	8	↓	4
CR18	Housing Rent Error Correction	Head of Housing & Health	8	↔	3
CR19	Devolution and Local Government Reorganisation	Chief Executive	20	↔	15
CR20	Emergency Planning Response	Head of Housing & Health	8	New	4

Risk rating change since previous update:

↑ Increased

↔ No change

↓ Decreased

2.2 For each risk the following information is given in Appendix 2:

- Risk name
- Risk description
- Current risk severity and likelihood
- Current risk rating
- Risk Owner
- Risk Type
- Mitigating actions (including name, description, responsible officer, current effectiveness and when it was reviewed)
- Notes.

2.3 Since this report was last published in June 2025, the following significant changes have been made to the CRR:

- CR7 Financial Sustainability: Risk Rating has increased from 16 to 25 in light of local government funding announcements.
- CR8 Quality of Planning Decisions: Risk Rating has increased from 6 to 9, reflecting the fact that the Local Plan is out of date.
- CR17 Severe Weather Emergency Recovery has been redrafted and widened out to Emergency Recovery. Risk Rating reduced from 12 to 8.
- CR20 Emergency Planning Response was added to the CRR in August 2025.

Financial Implications

There are no direct financial implications arising from this report. However, risks which are not mitigated may have financial implications for the council. Equally, the treatment of risk may require resources to be (re)allocated. Having a robust approach to risk management will continue to help the council minimise future financial risks and implications. A number of the corporate risks being managed contain financial risk, such as CR7 Financial Sustainability.

Legal Implications

Risk management is an integral part of the Council's Corporate Governance arrangements and there is a statutory responsibility under the Account and Audit Regulations (2015) to put in place risk management arrangements.

Risk Assessment

Failure to take advantage of opportunities and mitigate risks could impact on the Council's ability to deliver its strategic objectives. Assessment of the effectiveness of the framework for identifying and managing risks and for demonstrating clear accountability is a key element of the Council's governance arrangements.

Impact on Climate Change

Corporate Risk 3 relates directly to the council meeting its climate change targets.

Equalities Impact Assessment

Having a council which is resilient to risk means that it is better positioned to support its communities. A number of corporate risks which relate to equalities are detailed on the Corporate Risk Register. This includes CR4 Homes for Ukraine; CR11 Cost of Living Crisis; and CR12 Housing Crisis. Actions to mitigate these risks will support the council meet its equality duties.

Relationship to Corporate Plan

Effective risk management is crucial to enable the council to mitigate risks to achieving Corporate Plan priorities.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 13.09.25

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 16 September 2025

Chief Officer: Stephen Walford

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

Date: 16 September 2025

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 04 September 2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Steve Carr, Corporate Performance and Improvement Manager

Email: scarr@middevon.gov.uk

Telephone: 3CX: 4217

Background papers:

Appendix 1: Corporate Risk Matrix

<div><div></div><div></div><div></div><div></div><div></div></div> <div>Risk Severity</div>	5	5	10	15 CR1b; CR10	20 CR2	25 CR7
	4	4	8 CR17; CR18; CR20	12 CR5; CR12;	16 CR11	20 CR19
	3	3	6	9 CR1a; CR8; CR15	12 CR16	15 CR3
	2	2	4 CR4	6	8	10
	1	1	2	3	4	5
		1	2	3	4	5

Appendix 2: Corporate Risk Register

CR1a	Culm Garden Village – Loss of capacity funding	Current Severity: 3	Current Likelihood: 3	Current Risk Rating: 9	
Risk Description: Possible discontinuance of Government funding support for Culm Garden Village activities, thereby affecting Mid Devon District Council Culm Garden Village team capacity and leadership function, resulting in project/programme slippage.					
Risk Owner: Group Manager for GED		Latest Review: 15/08/2025		Risk Type: Economic/ Financial	
Mitigating Actions				Responsible Officer	Current Effectiveness
CR1a.1	Funding opportunities: Lobby for further rounds of Homes England garden communities capacity funding		Group Manager for GED	Satisfactory	
CR1a.2	Identify alternative opportunities to secure funding to support the project – including from landowners/ developers involved in the Culm Garden Village project.		Group Manager for GED	Satisfactory	
Notes: This risk relates to the funding sources in place for the Culm Garden Village, rather than the overall delivery of the Culm Garden Village project. Capacity funding was secured for this financial year; however we do not currently have any assurances of funding for the next financial year. Although recent developments in relation to funding of the relief road, are welcomed along with the capacity funding for this financial year, the risk remains higher than the target risk as longer term capacity funding remains uncertain.					

CR1b	Culm Garden Village – Delay/ impact to project arising from infrastructure delays	Current Severity: 5	Current Likelihood: 3	Current Risk Rating: 15	
Risk Description: Lack of Government funding for enabling infrastructure – Cullompton Town Centre Relief Road/ Junction 28/ Cullompton station re-opening – resulting in delays to scheme progression and housing delivery.					
Risk Owner: Group Manager for GED		Latest Review: 15/08/2025		Risk Type: Economic/ Financial	
Mitigating Actions				Responsible Officer	Current Effectiveness
CR1b.2	Junction 28, M5: Continue to work closely with Devon County Council on Strategic Outline Business Case with the aim of securing funding to upgrade Junction 28 – Devon County Council to submit bid to Government in March/ April 2024 following Devon County Council Cabinet approval.		Group Manager for GED	Fully Effective	
CR 1b.3	Cullompton station re-opening: Continue to work closely with Network Rail to ensure the timely submission of the Final Business Case to Government.		Group Manager for GED	Completed	

Notes:

Funding now secured for provision of the Relief Road from Homes England. Significant progress with regard to land assembly. The Outline Business Case for J28 improvements has been submitted to Department for Transport and awaiting a decision – this is now expected in the Autumn.

Positive news announced with regard to funding for the Railway Station and Network Rail is mobilising a team to take forward its delivery. CR1b.3 marked as complete in August 2025.

CR2	Cyber Security	Current Severity: 5	Current Likelihood: 4	Current Risk Rating:20	
Risk Description: Inadequate Cyber Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service. If the Council fails to have an effective ICT security strategy in place. Risk of monetary penalties and fines, and legal action by affected parties.					
Risk Owner: ICT Operations Manager		Latest Review: 12/08/2025		Risk Type: Data Protection/Information Security	
Mitigating Actions				Responsible Officer	Current Effectiveness
CR2.5	Regular Vulnerability scans on network devices: ICT use 'Nessus' vulnerability scanner to access and detect vulnerabilities on all network devices. Mitigation is then completed to remove or reduce the risk due to the vulnerability. Although this has only been added now as an action, it has been running for a number of years.		ICT Operations Manager	Satisfactory	
CR2.6	Active Directory review: The current Active Directory (AD) (the address book for all users in MDDC to use computers) has been around for over 20 years. it has been managed, updated by ICT Staff and has a lot of clutter. A project is underway to review the configuration of AD to simplify the hierarchy and review the policies applied to the users, PCs and server on the MDDC Network. It will also provide a mean to fully incorporate the Microsoft and NCSC security baselines, to ensure full compliance and improve security.		ICT Operations Manager	Satisfactory	
CR2.7	Establish Supply Chain Risk Management: There is no risk on the IT risk register to highlight supplier failure. It would be beneficial to include a risk regarding supplier failure to ensure that all associated supplier risks & potential controls are considered, e.g. a Standard Operating Procedure and/or minimum requirements to obtain assurance e.g. from regular meetings etc.		Head of Digital Transformation & Customer Engagement	Satisfactory	
Notes: Managed Security Operations Centre has now gone 'Live'. Monitoring of alerting rules and additional rules will be ongoing.					

Microsoft M365 licences have been upgraded from E3 to E5, to provide better monitoring and control of security and compliance. Multi-Factor Authentication has now been implemented for logon to M365 and access to the corporate Virtual Private Network. Supply chain monitoring and assurance solution has been procured. Implementation will commence 20th August, with training for Officers that will be using the system.

CR3	Failure to meet Climate Change Commitments by 2030	Current Severity: 3	Current Likelihood: 5	Current Risk Rating: 15
Risk Description: Due to a variety of factors, there is a risk that the Council will not meet its goal of becoming carbon neutral by 2030. There is also a risk that the Council will not achieve district-wide progress to meet obligations under the Climate Act 2008 for climate adaptation (resilience) and mitigation (emission reductions).				
Risk Owner: Head of Finance, Property & Climate Resilience		Latest Review: 15/08/2025		Risk Type: Environmental
Mitigating Actions			Responsible Officer	Current Effectiveness
CR3.1	Policy and Strategy: Policy and strategy relevant to the climate emergency includes: <ul style="list-style-type: none">• Corporate Plan 2020-2024 sets a number of relevant aims;• Climate Strategy and Handbook 2020-2024;• Housing Strategy 2021-2025;• Procurement Strategy (March 2023);• Cabinet adopted a new Climate Emergency planning policy statement (March 2023);• Local Plan 2013-2033 review; Plan Mid Devon sets the Climate Emergency as the top overarching priority for the next Local Plan.	Climate and Sustainability Specialist		Satisfactory
CR3.2	Oversight and decision-making: To embed a consistent approach to committee reports, project reports and decision-making, considering the potential climate impacts and opportunities and adaptation needs linked to the climate crisis.	Climate and Sustainability Specialist		Action Required
CR3.3	Climate Change Strategy and Climate Action Plan: Cabinet approved the new Cabinet Climate Change Strategy (2025-2028) and a Climate Action Plan (CAP) in December 2024. Themed alignment of strategic, policy and operational activity. CAP to be reviewed annually to reflect the pipeline of planned projects, budgets, etc. The Strategy serves as a starting point for engagement with communities, businesses and other partners, to co-create a vision.	Climate and Sustainability Specialist		Satisfactory
Notes: Local Government Reform - with restructure due by the end of 2028 - presents implications for the 2030 milestone.				

The Council has a themed alignment of strategic, policy and operational activity through the Climate Change Strategy 2024-2028. A Climate Action Plan (CAP) will be implemented to reduce emissions, aiming achieve corporate Net Zero at the soonest opportunity; the CAP is to be reviewed annually to reflect the pipeline of planned projects, budgets, etc. and progress is reported regularly to PES PDG. The Strategy has also served as a starting point for engagement with communities, businesses and other partners, to co-create a vision and plans for community-led activity.

The Council's carbon footprint (assessed independently on an annual basis) has fluctuated since the 2018/2019 baseline result. Reports are published on the Sustainable Mid Devon website <https://sustainablemiddevon.org.uk>. Emissions are measured in tonnes of carbon dioxide equivalent (tCO2e).

Nett emissions for the 2024/25 financial year were 18,364 tCO2e. This was 2% higher than the previous year, and only marginally lower than the 2018/19 baseline. However, the Council has achieved tangible progress in reducing emissions for elements in its direct control comprising Council Offices and Facilities; Transport; and Offset. The 1,589 tCO2e figure for 2024/25 is circa 35% lower than the 2,427 tCO2e figure for the 2018/19 baseline year. These contributed just under 9% of the 2024/25 overall total footprint.

Aspects within the Council's 'organisational boundary' yet outside direct control are harder to reduce, but these present vital opportunities for the Council to invest in and / or influence ways to reduce climate impacts, as recognised in the Climate Change Strategy 2024-2028.

CR4	Homes for Ukraine Scheme	Current Severity: 2	Current Likelihood: 2	Current Risk Rating: 4
Risk Description: There is a risk of the 'Homes for Ukraine scheme' failing should the host relationship breakdown and re-matching is not an option. Where refugees cannot afford to pay for private accommodation the Council has a Homelessness Duty.				
Risk Owner: Head of Housing & Health		Latest Review: 15/08/2025		Risk Type: Social
Mitigating Actions		Responsible Officer		Current Effectiveness
CR4.9	End of hosting arrangements: There is currently uncertainty over whether the thank you payments for hosting arrangements will continue beyond three years. Once the hosting comes to an end the Ukrainian guests will need to find alternative accommodation and this could be within Mid Devon or further afield. Mid Devon housing options will be required to assist with housing this group.	Operations Manager - Public Health		Satisfactory
CR4.10	Funding for guest grants: Mid Devon provides grants to Ukrainian guests so they can access the private rented sector when their hosting ends. Grants may not be available in 2025/26. The current Ukraine funding is being kept under review with a view to any underspend being earmarked for 2025/26 to continue grants. This	Operations Manager - Public Health		Satisfactory

	will help mitigate pressures as a result of hosting arrangements ending. Mid Devon has nine houses available as temporary accommodation if they are unable to find private rented accommodation at the time the hosting ends.		
Notes: No change since previous risk review. Additional arrivals under the scheme continue to be very low. Local Authority Housing Fund (Round 1) funding spend complete and ten temporary accommodation (TA) properties in use. These substantially support TA where required for Homes for Ukraine guests. Ongoing support for transition into private rental sector continues to be effective.			

CR5	Information Security	Current Severity: 4	Current Likelihood: 3	Current Risk Rating: 12
Risk Description: Inadequate data protection could lead to breaches of confidential information and ultimately enforcement action by the ICO.				
Risk Owner: Head of Digital Transformation & Customer Engagement		Latest Review: 15/08/2025	Risk Type: Data Protection/Information Security	
Mitigating Actions			Responsible Officer	Current Effectiveness
CR5.2	Compliance Tools: Improvement of monitoring activity and implementation of tools assessing near misses or user education opportunities. May include better alerts on data sharing within/without MS tenant, information tagging.	Head of Digital Transformation & Customer Engagement		Action Required
CR5.3	Supply Chain Management: Inadequate supply chain management decreases organisational resilience and information security. Manual review is slow and unresponsive. Procurement practice has been strengthened. Market testing and business case being pursued for software solution to manage supplier risk overview. This will be done via ITIG board during summer 2025. A risk review is also being initiated by the Head of Service on cyber risk in conjunction with Cyber Assessment Framework assurance findings.	Head of Digital Transformation & Customer Engagement		Satisfactory
Notes: New risk assessment completed and through IT and Information Governance Board – to be reviewed by Leadership Team. Supply chain risk management system implementation commences w/c 18 August 2025. Procurement of phishing simulation and training tool in progress. Scoping document and business case for assistance implementing info tagging and use of MS Purview next to be done.				

CR7	Financial Sustainability	Current Severity: 5	Current Likelihood: 5	Current Risk Rating: 25
Risk Description: The council faces a range of financial challenges. We are subject to ongoing budget reductions whilst the cost of providing services continues to increase due to a range of inflationary pressures. We are also subject to single year budget settlements which impacts on the ability for medium term financial planning. We need to be able to plan and meet these challenges so that we can continue to deliver effective services and achieve the priorities we wish to.				
Risk Owner: Head of Finance, Property & Climate Resilience		Latest Review: 08/08/2025	Risk Type: Economic/Financial	
Mitigating Actions			Responsible Officer	Current Effectiveness
CR7.2	Identify Efficiencies: Taking proactive steps to increase income and reduce expenditure through efficiencies, vacancies that arise and delivering services in a different way.		Head of Finance, Property & Climate Resilience	Satisfactory
CR7.5	Medium term planning: Work to close the budget gap is on-going. A range of options are being considered but Covid, business rates and uncertainty over fair funding review make the situation extremely challenging. To close the budget gap and maintain services: We continue to work with managers to reduce costs and explore new income streams.		Head of Finance, Property & Climate Resilience	Satisfactory
Notes: Risk Rating increased from 16 to 25 in August 2025. During the Government's current fair funding review we have been singled out with about 50 other Councils (Districts and London Boroughs) for the largest funding reductions, currently estimated at overall cuts of between 5-7%. In addition, there are the changes associated with the elimination of all Business Rates growth back to a baseline created in 2013/14. These 2 inter-related issues may result in the Council losing circa £2.5m in funding p.a. All set against a back drop of Local Government reorganisation making any medium term financial planning extremely challenging. CR7.2: Meeting with all service managers in early August to discuss various savings targets and income maximisation potential. CR7.5: Senior finance officers are attending Ministry of Housing, Communities and Local Government and District Council Network meetings to understand what is currently being modelled and then assess the direct impact on the Council. Unfortunately, it remains likely that individual Council figures will not be available until November/ December which will make the 2026/27 budget setting process extremely difficult.				

CR8	Quality of Planning Committee Decisions	Current Severity: 3	Current Likelihood: 3	Current Risk Rating: 9
Risk Description: Planning decisions are monitored at Government level nationally – the risk is to stay significantly below 10%. Over 10% could put a Local Planning Authority into special measures. Links to Performance Indicator measures 11a, 11b, 12a and 12b.				
Risk Owner: Director of Place & Economy		Latest Review: 11/08/2025		Risk Type: Reputation
Mitigating Actions			Responsible Officer	Current Effectiveness
CR8.3	Regular informal planning committee meetings: Keeping planning committee informed of all appeals and upcoming planning policy, and any actions the Council is making.		DM Manager / Director of Place & Economy	Satisfactory
CR8.4	Additional Training Sessions: Three training sessions have been provided to the Planning Committee. Given the need to apply the "Tilted balance" to decision making training on the wider context for decision making as well as a practical exercise in applying the tilted balance have been provided to the committee to assist their understanding of the new obligations upon them.		DM Manager	Completed
Notes: Risk Likelihood has increased from 2 to 3 in August 2025, and as a result the overall risk rating has increased from 6 to 9. With the Local Plan now being out of date, the Council may receive speculative applications for housing development that do not accord with the Adopted Plan. This will lead to significant local opposition to the applications, notwithstanding the increased housing requirements we must deliver against. CR8.4 Added in Summer 2025. Three sessions completed.				

CR10	Cullompton Town Centre Relief Road	Current Severity: 5	Current Likelihood: 3	Current Risk Rating: 15
Risk Description: Inability to deliver the Cullompton Town Centre Relief Road				
Risk Owner: Group Manager for GED		Latest Review: 15/08/2025		Risk Type: Economic/Financial
Mitigating Actions		Responsible Officer		Current Effectiveness
CR10.4	Land Assembly: Continue land assembly discussions so as to de-risk the project, assist in unlocking scheme delivery and increase the likelihood of securing funding.	Group Manager for GED		Satisfactory
CR10.5	Complementary projects: Continue to develop and deliver complementary projects such as the Railway Station and the Heritage Action Zone public realm scheme.	Group Manager for GED		Satisfactory

	This will support the case for investment in the town and demonstrate the capacity to deliver.		
Notes: Works are progressing well with the delivery of the relief road, which is anticipated to start in summer 2026. Land assembly is going well. Works continue to relocate the sports clubs that are effected by the road. Risk is expected to reduce further as further progress is made with delivery.			

CR11	Cost of Living Crisis	Current Severity: 4	Current Likelihood: 4	Current Risk Rating: 16
Risk Description: The high rates of inflation experienced in 2022 and 2023 have the potential to impact on council employees, residents, communities and businesses in Mid Devon. In turn this may affect the council in terms of increased costs, reduced council income, and put additional pressure on council services.				
Risk Owner: Head of Revenues, Benefits & Leisure		Latest Review: 07/08/2025	Risk Type: Financial, Social	
Mitigating Actions			Responsible Officer	Current Effectiveness
CR11.1	Benefit administration: The council delivers a range of benefits which support the financial position of our residents. This includes the Housing Support Fund, Discretionary Housing Fund, and the Exceptional Hardship Fund.		Operations Manager - Revenues Benefits and Recovery	Fully Effective
CR11.2	Council Tax Reduction Scheme: The council has introduced a new scheme (from 1 April 2023) which provides a more generous level of support.		Operations Manager - Revenues Benefits and Recovery	Fully Effective
CR11.3	Shared Prosperity Fund (SPF): The SPF and Rural England Prosperity Fund Investment Plans have a number of projects designed to support businesses and community organisations over Jan 2023 – March 2025. This includes grant schemes to support innovation and decarbonisation projects including those that reduce energy costs and increase productivity.		Growth and Regeneration Officer	Fully Effective
Notes: Housing Support Fund 7 is now live and is well subscribed as were the previous schemes. Government are creating a new scheme from April 2026 and it will be for Local Authorities, such as MDDC, to deliver.				

CR12 Housing Crisis		Current Severity: 4	Current Likelihood: 3	Current Risk Rating: 12
<p>Risk Description: Failure to supply sufficient housing to meet Mid Devon's needs leading to increased homelessness and increased temporary accommodation (TA). There may be insufficient TA to meet demand and financial pressure is placed on the Council through increasing volume of and dispersed provision of TA. Co-linked failure to prevent homelessness occurring through increasing demand on resources, poor existing housing and failure to meet prevention duty/deliver mitigating actions including support to vulnerable residents.</p> <p>It is a statutory duty on the Council to prevent and provide relief/assistance to people threatened with or actually presenting as homeless. There is a local, regional and national shortage of affordable housing including social housing at the most affordable social rent level with a significant, growing waiting list of those registered on Devon Home Choice. Together with the current, ongoing cost of living crisis and other pressures this is leading to a growing housing crisis.</p>				
Risk Owner: Head of Housing & Health		Latest Review: 15/08/2025		Risk Type: Financial, Social
Mitigating Actions		Responsible Officer		Current Effectiveness
CR12.1	MDDC Housing Strategy 2021-2025: Coherent, corporate approach to providing affordable homes and maintaining housing quality	Head of Housing & Health		Fully Effective
CR12.2	MDDC Homeless Prevention & Rough Sleeping Strategy 2020-2025: Focus on rough sleeping, prevention, accommodation options and client support	Head of Housing & Health		Satisfactory
CR12.3	Strategic lobbying on social housing funding, flexibilities and homelessness pressures: Continued membership of DLUHC LA Strategic Housing Advisory Group	Head of Housing & Health		Fully Effective
CR12.4	Devon Housing Forum: Regional engagement and collaboration on affordable housing delivery and supported housing – continued engagement	Head of Housing & Health		Satisfactory
CR12.5	Local Plan housing delivery: Market provision of affordable homes	Forward Planning Team Leader		Action Required
CR12.6	Mid Devon HRA Development Programme: 500 new homes 2022/23 – 2026/27	Head of Housing & Health		Satisfactory
CR12.7	Temporary Accommodation: Opportunities to purchase HMO or similar shared market accommodation to meet TA needs/successful business cases made into capital programme. Two HMOs recently purchased, available 2023/24	Head of Housing & Health		Fully Effective
CR12.8	Empty Homes: Bringing empty homes back in to use/local leasing scheme for TA (link to CR12.7) or to alleviate wider	Head of Housing & Health		Action Required

CR12.9	Long-term development voids: Effective use of long-term development voids in Mid Devon Housing stock as TA where safe	Head of Housing & Health	Fully Effective
CR12.10	Ivor Macey House: Ongoing provision of Ivor Macey House supported TA accommodation (MDH HRA lease to G/F)	Head of Housing & Health	Completed
CR12.15	Private Sector Homes for Ukraine: Team Devon Homes for Ukraine scheme Private Sector Housing transition support	Head of Housing & Health	Satisfactory
CR12.16	Residents Financial Support: Cost of living pressure, grants and signposted support, help with/access to benefits (https://www.middevon.gov.uk/residents/residents-financial-support/)	Head of Revenues, Benefits & Leisure	Satisfactory
CR12.17	Housing Assistance Policy (Better Care Funding): living well at home/homeless prevention and Home Start grants/loans	Head of Housing & Health	Satisfactory

Notes:

CR12.10 marked as complete in August 2025.

Onboarding new cabinet lead continues regarding Housing Strategy for 2025 onwards. Homes Policy Development Group (PDG) Value for Money and best practice report on Modern Methods of Construction modular building in Mid Devon Housing for Cabinet decision approved at Cabinet in July following Homes PDG and Scrutiny support. Developing Devon Strategic Housing Pipeline (MDDC sites) further with Director of Place and Homes England. Ongoing successful bids into Homes England Affordable Homes Programme and Ministry of Housing, Communities and Local Government PBP with a number of new Housing Revenue Account development projects live/supported. Successful draw down of Devon Care Leaver funding to support specific accommodation. Successful bid for additional Local Authority Housing Fund 3 funding to support further temporary accommodation (TA) acquisition. Belmont Rd TA fully occupied, planning approval granted for St Pauls TA property for conversion to additional TA. Cabinet decision confirmed for purchase of further additional Tiverton property for TA - surveys complete and completion/ acquisition is likely end of August 2025.

CR15	Corporate Property Fire Safety	Current Severity: 3	Current Likelihood: 3	Current Risk Rating: 9
Risk Description: Upcoming changes in legislation will place more stringent demands on the council in terms of fire safety across its corporate property estate. Failure to meet these standards could lead to penalties being imposed by the Fire Service including fines, which would be an additional cost to any investment required to complete repairs. The corporate property estate requires investment to ensure that significant fire safety risks, identified through external fire safety health checks, are mitigated. There are a number of sites which require fire safety checks. It is likely that these will identify fire safety risks that will require remediation. These will be addressed on a priority basis. As with any risk associated with fire, there is a potential for damage or loss to property and/or life.				

Risk Owner: Chief Executive		Latest Review: 11/08/2025		Risk Type: Physical, Reputational, Financial	
Mitigating Actions				Responsible Officer	Current Effectiveness
CR15.2	Investment Programme: Ensure that funding has been allocated and is drawn down to implement fire safety improvements.			Contracts and Services Manager	Satisfactory
Notes: The initial tranche of work is completed at Phoenix House/Exe Valley/Lords Meadow. There are some minor snags to be finished at Culm Valley. A specification is being worked up to go to the market for the next tranche of work required.					

CR16	Building Control Service viability	Current Severity: 3	Current Likelihood: 4	Current Risk Rating: 12
Risk Description: The NMD Building Control Partnership has been struggling with maintaining staffing levels for the past two years owing to a national shortage of skilled Building Control officers and skilled support staff. The service has continued to meet obligations by utilising agency staff. But changes presented through the Building Safety Act 2023 and the creation of the Building Safety Regulator are likely to result in further pressures in terms of attracting and retaining skilled permanent staff and in terms of service viability owing to additional duties placed upon the service in an increasingly challenging economic climate.				
Risk Owner: Building Control Manager		Latest Review: 03/09/2025	Risk Type: Reputational	
Mitigating Actions			Responsible Officer	Current Effectiveness
CR16.2	Recruitment and retention: Address staffing and skills shortage and reliance on agency surveyors by continuing to seek to recruit new staff to the service, building on recent successes.		Building Control Manager	Satisfactory
CR16.4	Reporting obligations: Continue to utilise interim reporting mechanisms to meet reporting requirements. Pursue long term reporting solution, dependent upon new reporting systems being created by external suppliers/others.		Building Control Manager	Satisfactory
Notes: Continue to trade with three vacant Inspecting positions, with one of these being filled with an agency inspector. CR16.4 Text updated from “Prepare for new reporting obligations: Continue to preparation for the introduction of the new reporting obligations for the BSR, due to commence in April 2024 – including ensuring appropriate systems are in place.				

CR17	Severe Weather Emergency Recovery		Current Severity: 4	Current Likelihood: 2	Current Risk Rating: 8
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Risk Description: When there is an event/incident which has potential to harm people or property a multi-agency response may be required in the form of declaring an “Emergency” through the Local Resilience Forum (LRF). This process is split into two phases; 1: The Response which is chaired predominantly by the police and is often heavily focused on the blue light services during/immediately following the event/incident. 2: Recovery which is chaired by the Local Authorities and is more focused on Local Councils working with communities to achieve a state of new normality. Because of this, MDDC has a large role to play within the Recovery Phase as a Category 1 responder of which there are many risk to the organisation from Financial, Reputational and Legal. This risk assessment is specifically looking at our most common event that escalates to an emergency which is Severe Weather including extremes in heat/cold, floods and wind etc. Currently there has been little training on Recovery and MDDC’s Recovery Plan is out of date. In addition to this, low staff resources would make Recovery very difficult as it can be a very time consuming and costly endeavour with some Recovery groups sitting years after the initial incident.			
Risk Owner: Head of Housing & Health		Latest Review: 14/08/2025	
		Risk Type: Economic/Financial/Capacity/Reputation	
Mitigating Actions		Responsible Officer	Current Effectiveness
CR17.1	<p>CMT Capacity: There is a member of CMT on rota. This role covers incident manager (response) or can be specifically assigned to the recovery phase including chairing/ co-chairing the LRF recovery group. This will be in addition to their regular responsibilities.</p> <p>There will be a member of CMT on rota specifically assigned to the recovery phase including the chairing/co-chairing LRF recovery group. This will be in addition to their day to day job requirements and will add additional stress and pressures. Due to this, the Resilience Officer or another Corporate Manager can be brought in to assist with the multi-agency duties as required.</p> <p>With CMT now being five people, there is increased pressure and meeting this mitigation will be dependent on the CMT having no vacancies and being available during the recovery phase of an incident. This action will be kept under review.</p>	Head of Housing & Health	Satisfactory
CR17.2	Adequate Continuity Planning: Each service area needs up to date Business Continuity Plans to effectively retain critical services during and after an emergency. Training will be provided and plans reviewed by the Resilience Officer.	Resilience Officer	Action Required
CR17.3	Overall Staff Capacity: Each business area will understand their critical functions and ensure they are functioning during recovery. Above this each service area will manage their own capacity to deal with recovery plus their business as usual	Resilience Officer	Action Required

	through agency, overtime and mutual aid as detailed within their Business Continuity Plan.		
CR17.4	<p>Out of Hours Capacity: Only Emergency Duty Officer, Housing, Homeless/Housing Options and Customer Service CMT, Housing and Waste have Out of Hours within their contracts and so other services would need to rely on goodwill/ civic duty to cover any out of hours work during response and recovery. Recovery is often completed within office hours however the services with an Out of Hours service will be trained to ensure that any initial assessments and actions can be completed to a sufficient level until which point a full Recovery co-ordination group can be stood up. This will be detailed within the renewed Recovery plan.</p> <p>Paper detailing current out of hours gaps to be produced alongside a clear outline of which critical roles need some level of out of hours cover.</p>	Resilience Officer	Action Required
CR17.9	<p>Reputational damage: During the recovery phase of an emergency there will be a lot of differing priorities and expectations from our communities and Councillors at all levels. This can lead to potential conflicts, disputes and confusion. The Communications Team will work to give clear messaging which is in line with the multi-agency communications plan. Sufficient media training will be given to the Leadership Team and key members of the Council to ensure the correct information is being released to the media and communities.</p>	Head of Digital Transformation & Customer Engagement	Action Required
CR17.10	<p>Financial Availability: Due to the circumstances, vulnerable people may require additional financial assistance due to the damages caused by an incident. In addition there may be other additional costs incurred through the recovery stages and there is no central fund for the recovery phases of an emergency. The finance team will review other instances of Recovery within other districts to understand what potential funding streams there may be should MDDC be required to chair or assist in Recovery.</p>	Head of Finance, Property & Climate Resilience	Action Required
CR17.11	<p>Competency Training: To ensure staff that may be involved in the Recovery phase are competent, Recovery Training will be rolled out as detailed within the Devon Emergency Planning Partnership Competency Framework. This will be led as a joint project between MDDC and Devon County Council.</p>	Resilience Officer	Action Required
CR17.12	<p>Competency Exercises: Once training is completed, exercises will be developed to ensure that the processes and procedures are tested and fit for purpose.</p>	Resilience Officer	Action Required
Notes:			

The risk has been widened out, and no longer just focuses on the recovery from severe weather. Risk rating reduced from 12 to 8. Any changes made to the text are in red. CR17.10 to CR17.12 added in August 2025.

Business Continuity Plans continue to be developed with most now just awaiting review from IT before signoff. This will then allow for service areas to understand their risks and plan for potential responses and longer term recovery. Media training has been discussed and dates are being arranged to include the Cabinet and Leadership Team.

CR18	Housing Rent Error Correction	Current Severity: 4	Current Likelihood: 2	Current Risk Rating: 8
Risk Description: That the Council doesn't effectively manage the correction and repayment process associated with the recently identified housing rent error.				
Risk Owner: Head of Housing & Health		Latest Review: 15/08/2025	Risk Type: Reputational, Financial	
Mitigating Actions			Responsible Officer	Current Effectiveness
CR18.1	Officer Review Groups: These have been operating since the error was identified and regular update meetings are held with: the Regulator for Social Housing; the Department for Work & Pensions; and our external auditors Bishop Fleming		Head of Housing & Health and Head of Revenues, Benefits & Leisure	Satisfactory
CR18.2	Key stakeholders: We also are communicating regularly with key local stakeholders: Churches Housing Action Team (CHAT); Citizens' Advice Bureau; Involve, etc.		Head of Housing & Health and Head of Revenues, Benefits & Leisure	Satisfactory
CR18.3	Progress Updates: Regularly provided to the two relevant Cabinet Members and formal update reports will be made to Cabinet as and when required.		Deputy Chief Executive	Satisfactory
Notes: Regulatory decision published by Regulator of Social Housing (RSH) who are satisfied with actions taken to address historic error. Regular monitoring arrangements in place between RSH and Council on plan implementation. Officer resources/team in place. "No benefit" refunds have commenced July 2025, and Housing Benefit refunds will be processed by end of August. Universal Credit/ Department for Work and Pensions (DWP) refunds still await national policy decision by DWP via Treasury. Work has commenced on the review of historic evictions and may also start soon on former tenant cases in Sept, in lieu of a DWP update/ guidance. Regular tenant, Homes PDG, Cabinet and Scrutiny updates being provided.				

CR19	Devolution and Local Government Reorganisation	Current Severity: 4	Current Likelihood: 5	Current Risk Rating: 20
<p>Risk Description: The Government published its English Devolution White Paper in December 2024, which set out its intended directions for the future arrangements of local government service provision in England. It introduced the concept of ‘Strategic Authorities’ (SA), which it is intended will be large entities of circa 1.5m people – to be headed politically by a directly elected Mayor. It is not yet clear what expanded grouping will cover Devon, since our current Combined County Authority (CCA) covering Devon and Torbay is only around 975k (this could be a peninsula geography, expanded to include Plymouth and Cornwall, but this is not yet confirmed). How Mid Devon’s influence is brought to bear in any new SA of this scale is not yet clear.</p> <p>In addition, the Government has made it clear that beneath these new Strategic Authorities, their desire is to see new councils created of a unitary structure and of a scale suitable to withstand future service pressures. This is described as being of 500,000 population, although exceptions below this are possible. In Devon, this would mean the restructuring of all current councils, with the likelihood that Devon County, the 8 districts, Torbay (unitary) and potentially Plymouth City council will all cease to exist in their current form by 2028, to be replaced by larger restructured council(s) covering the Devon area. Clearly, such a change will impact significantly upon corporate delivery and objectives as work is undertaken to identify what the future looks like and how to best restructure and realign service provision across Devon with a view to seeking to use this as an opportunity to enhance outcomes for our residents and businesses.</p>				
Risk Owner: Chief Executive		Latest Review:		Risk Type: Political, Legal, Financial
Mitigating Actions			Responsible Officer	Current Effectiveness
CR19.1	Effective collaboration: To continue to work with other system leaders across Devon to maximise collaboration and share effort/resource where possible		Chief Executive (and Council Leader)	Satisfactory
CR19.2	Performing during transition: To use the well-established relationships across Devon to continue to meet strategic aims over the coming years while change is managed.		Chief Executive (and Leadership Team)	Satisfactory
CR19.3	Staff communication: To communicate regularly with staff to provide reassurance, explanation, updates and context, in order to minimise concern and maximise effective operational delivery across this changing organisational context.		Chief Executive	Satisfactory
CR19.4	Engage with all council members ahead of key decision points; 21 st March and 28 th November 2025 being notable known dates at this time.		Chief Executive (and Council Leader)	Satisfactory
<p>Notes: Resident consultation closed on the 31/08/2025 Update to Scrutiny Committee on 08/09/2025</p>				

CR20	Emergency Planning Response	Current Severity: 4	Current Likelihood: 2	Current Risk Rating: 8
<p>Risk Description: Mid Devon District Council has a Statutory Duty as a Category 1 organisation to respond to Major Incidents. By their definition, Emergencies can happen at any time however much of Mid Devon District Council Services do not have Out of Hour functions and so some rely on best endeavours response and in some cases due to resourcing only have a small number of competently trained personnel that could respond. This then has the risk that certain services within MDDC will be unavailable out of hours even if requested by the Devon, Cornwall and the Isles of Scilly Local Resilience Form (DCIOS LRF) which may result in reputational damage of MDDC as aspects of Response may take longer. MDDC has the following services that contain 24/7 cover: Emergency Duty Officer; Housing (for MDDC Stock but could diversify if required); Housing Options/Homeless; Customer Service.</p> <p>Notable services without 24/7 cover which are on best endeavours which may be requested in a Major Incident: Communications; Building Options; Environmental Health; Strategic Emergency Duty Officer.</p> <p>In addition, MDDC's ability to staff a rest centre will be difficult due to large scale changes within the Rest Centre plan from DCC including its staffing requirement. Because of this, there is no up to date contact list of staff volunteers that could aid in the setting up of a rest centre in the unlikely case that we are asked to do so.</p>				
Risk Owner: Head of Housing & Health		Latest Review: Added in August 2025		Risk Type: Economic/Financial/Capacity/Reputation
Mitigating Actions			Responsible Officer	Current Effectiveness
CR20.1	Competency Training: To ensure that staff are capable, MDDC will be following the Devon Emergency Planning Partnership Competency Framework for training. This includes Tactical and Strategic training to ensure that MDDC is competent but also to identify and manage the risk of Out of Hours resource demand during a Major Incident.	Resilience Officer		Action Required
CR20.2	Competency Exercises: Once training is completed, exercises will be developed to ensure that the processes and procedures are tested and fit for purpose.	Resilience Officer		Action Required
CR20.3	Capability: To ensure that the DCIOS LRF is aware of the capability of MDDC, a document will be created that can be shared which clearly shows what services are available 24/7 and which are not to ensure that partners are aware of this capability and do not over promise or expect actions from MDDC that we are simply unable to complete until within hours.	Resilience Officer		Action Required
CR20.4	Communications: To ensure communications and warning and informing can be maintained in an emergency, a "Crisis" Communications plan has been developed.	Communications and Engagement Manager		Satisfactory

	This includes some pre-approved messaging that can be sent out. We will increase these pre-approved messages and review who has access to communications channels which in turn increases the likelihood of communications being sent out, out of hours. This review can include potential of allowing on-duty staff access to share messages from other partner agencies.		
CR20.5	Rest Centres: Once the DCC review of Rest Centres is complete, MDDC will quickly embed that plan and ensure that its staff are trained and ready to mobilize as per the plan.	Resilience Officer	Action Required
CR20.6	Out of Hours Capacity: Only Emergency Duty Officer, Housing, Homeless/Housing Options and Customer Service have Out of Hours within their contracts and so other services would need to rely on goodwill/ civic duty to cover any out of hours work during response and recovery. MDDC out of hour's capacity will be addressed within the emergency plan and capability review which will both undergo periodic reviews to ensure that the organisation is assessing the risk that our capacity limitations create, and that new mitigating actions are created if the risk is deemed too high.	Corporate Management Team	Satisfactory
Notes: Risk Added in August 2025.			

Report for: Cabinet

Date of Meeting:	7 October 2025
Subject:	Public Spaces Protection Order – Dog Control
Cabinet Member:	Cllr Josh Wright, Cabinet Member for Service Delivery and Continuous Improvement
Responsible Officer:	Luke Howard, Environment and Enforcement Manager Matthew Page, Head of People, Performance and Waste
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1 – Plan of Recreation Ground, Silverton

Section 1 – Summary and Recommendation(s)

1. The Cabinet consider recommending commencement of statutory procedures (including consultation) to vary by order the Mid Devon (Public Spaces Protection) (Dog Control) Order 2024 and to delegate authority to decide whether to make the order of variation after consultation has taken place.
2. The Cabinet consider recommending that they grant a general delegation to the Cabinet Member for Service Delivery and Continuous Improvement for all other future variations of the Mid Devon (Public Spaces Protection) (Dog Control) Order 2024.

Recommendation(s):

The Cabinet recommend the following resolutions:

1. **On being satisfied that the statutory grounds for varying the Mid Devon (Public Spaces Protection) (Dog Control) Order 2024 (“the Dog Control PSPO ”) are met, as detailed in the Report, to allow Officers to commence statutory consultation for the following:**

2. To vary the Dog Control PSPO by including the prohibition that dogs are excluded from the area known as the recreation ground Silverton (as shown on the plan at Appendix 1). Delegated Authority to be granted to the Director of Legal, People & Governance (Monitoring Officer) to draft the necessary order varying the Dog Control PSPO that can then go out to consultation.
3. The Cabinet consider granting delegated authority to the Operations Manager for Street Scene and Open Spaces, in consultation with the Cabinet Member for Service Delivery and Continuous Improvement etc. to:
 - consider the responses to the necessary consultation, publicity and notification
 - decide whether to refer the matter back to Cabinet for a decision or to decide in the light of the responses received whether to make the Variation Order and to authorise the Director of Legal, People and Governance (Monitoring Officer) to seal the order
 - authorise, if it is considered appropriate, the Director of Legal, People and Governance (Monitoring Officer) to make any minor amendments to the draft of the variation order prior to sealing the variation order
4. That a general delegation be made to the Cabinet Member for Service Delivery and Continuous Improvement to decide any further future variations to the Dog Control PSPO proposed by the Operations Manager for Street Scene and Open Spaces following the necessary statutory consultation, publicity and notification requirements for future PSPOs.
5. Delegation to be given to the Director of Legal, People and Governance (Monitoring Officer) to make orders of variation, following decisions from the Cabinet Member for Service Delivery and Continuous Improvement.

Section 2 – Report

1.0 Introduction

- 1.1 The Council's Dog Control PSPO was extended on the 7 October 2024.
- 1.2 The Dog Control PSPO is an example of a Public Spaces Protection Order. A Public Spaces Protection Order (PSPO), is a measure to tackle anti-social behaviour, introduced by the Anti-Social Behaviour, Crime and Policing Act 2014 ("2014 Act").

- 1.3 PSPOs require or prohibit certain activities from taking place in certain places (restricted areas) in order to prevent or reduce any detrimental effect caused by those activities to local people (section 59(4) of the 2014 Act).
- 1.4 Failure to comply with a PSPO prohibition or requirement is an offence and a person (without reasonable excuse) will be liable on summary conviction to a fine currently set at up to £1000.
- 1.5 A constable or a person authorised by the Council may decide in the case of a PSPO breach, that a fixed penalty notice is more appropriate than prosecution. In this case, once the penalty has been paid, any liability for conviction will be discharged.
- 1.6 Silverton Parish Council requests that the dog Control PSPO is varied to exclude the dogs from the “Recreation Ground – Silverton” (aka “Community Area”).
- 1.7 Under the 2014 Act the Dog Control PSPO may be varied by applying to a new area of public space to which it previously did not apply (only if certain conditions are met as regards activities in that new area).
- 1.8 The first condition is that:
 - a) activities carried out in the new area have had a detrimental effect on the quality of life of those in the locality, or
 - b) is likely that activities will be carried out in the new area and that they will have such an effect.
- 1.9 The second condition is that the effect, or likely effect, of the activities:
 - a) is, or is likely to be, of a persistent or continuing nature,
 - b) is, or is likely to be, such as to make the activities unreasonable, and
 - c) justifies the restrictions imposed by the notice.

2.0 The Dog Control PSPO

- 2.1 The Dog Control PSPO has the following prohibitions and requirements, breaches of which are deemed a criminal offence:
 - 1. Prohibition of dog fouling
 - 2. A requirement of dogs to be on a lead:
 - a) in cemeteries or churchyards,
 - b) in certain parks, or
 - c) when requested by an authorised officer or police constable
 - 3. An exclusion of dogs from a certain area such as play areas
 - 4. A limit on the number of dogs walked at a time by one person

2.2 Public Spaces

2.3 A PSPO can only apply to a Public Space. The term “Public Spaces” is defined in the Dog Control PSPO to mean land within the district of Mid Devon, which is open to the air including covered land which is open on at least one side and to which the public are entitled and permitted to have access, with or without payment, with the exception of Forestry Commission Land.

2.4 Exclusion of dogs

Silverton Parish Council requests that dogs be excluded from the recreation ground identified in Appendix 1, due to problems with dogs.

2.5 Exemptions

2.6 An Offence will not be committed if:

- a) A person has a reasonable excuse
- b) A person has permission from the owner of the land
- c) A person is exempt under Clause 10 of the Dog Control PSPO. Clause 10 covers those needing assistance dogs, or with some form of disability, which might prevent them from complying with the Dog Control PSPO. There are also exemptions for certain working dogs i.e. those involved in law enforcement, military duties, statutory emergency services and search/rescue and those using a working dog for agricultural activities or exempt hunting as set out in Schedule 1 of the Hunting Act 2004.

3.0 **Reasons for Recommendations**

3.1 Dog fouling remains a significant concern for the Council. Despite considerable efforts to promote responsible dog ownership there remains a minority of dog owners who do not clean up after their dogs or keep them under control. Dog fouling is unpleasant and a risk to human health.

3.2 Responsible dog ownership enforcement via a PSPO will aid the reduction of risk to the general public of diseases such as toxocariasis from dog faeces; freedom from potential animal attacks and safeguarding the public and wildlife via the 'dogs on a lead' enforcement.

3.3 Any requirements or prohibitions that are to be imposed must be both reasonable to impose and aimed at preventing or reducing the risk of the detrimental effect from continuing, occurring or recurring in the future.

3.4 One of the advantages to having the Dog Control PSPO in place is that if there is an offence of failing to comply with a requirement or prohibition then the offender may be given a Fixed Penalty Notice (FPN); if the FPN is not paid then the offender may be prosecuted.

- 3.5 This can be contrasted with the alternative of using a Community Protection Notice (“CPN”). The purpose of a CPN, which was introduced under the 2014 Act is similar to a PSPO, which is to stop a person aged 16 or over, business or organisation committing anti-social behaviour which spoils the community’s quality of life. The use of a CPN can be considered problematic in the context of dog control.
- 3.6 Prior to the issue of a CPN a written warning must be issued to the individual concerned that if they do not stop the anti-social behaviour i.e. their dog fouling, they could be issued with a CPN. Only if the dog fouling happens again on a separate occasion can a CPN be issued. If the dog fouling then happens again on another separate occasion, in breach of the CPN, an offence is committed and a FPN can be issued. It is submitted that the public would be concerned if a FPN could only be issued on the third occasion of the dog fouling.
- 3.7 Similar issues apply in using the Dogs Act 1871 in relation to dangerous dogs. Civil proceedings that a dog is dangerous, and not kept under proper control can be brought at a Magistrates’ Court, and this can be done by the police, local authorities, or individual members of the public. If the Magistrates are satisfied that the complaint is justified, they can make any order they feel appropriate to require the owner to ensure that the dog is kept under proper control or, in extreme cases, destroyed. This type of action is usually only appropriate for serious cases, and is time consuming involving court hearings, which can take considerable time to arrange.
- 3.8 There are other criminal offences that can be prosecuted under the Town Police Clauses Act 1847 and the Dangerous Dogs Act 1991 (as amended) in relation to dogs that are deemed out of control and dangerous. Such prosecutions would be time consuming and expensive.
- 3.9 A check of the websites of Devon District Councils, as well as the Plymouth City Unitary Council, reveal widespread adoption of the control of dogs by PSPOs.
- 3.10 It is recognised that under the Animal Welfare Act 2006, dog owners are required to provide for the welfare needs of their dogs and that, in most cases, this will include off-lead exercise
- 3.11 Examples of where dogs can run freely are :
- Beacon Park, Crediton
Bluebell Avenue, Tiverton
Cotley Brook, Tiverton
Crow Bridge, Cullompton
Glebelands Road, Tiverton
The land at Moorhayes adjacent to Lea Road, Tiverton
Mountbatten Road, Tiverton
People’s Park, Crediton

Railway Walk, Tiverton
River Exe Recreation Ground, Tiverton
The Oval, Tiverton
Knighthayes, Tiverton
CCA Fields, Cullompton
Oakford Recreation Ground

- 3.12 As summarised above the Dog Control PSPO protects enclosed play areas by prohibiting dogs. Officers consider that this approach is justified as children are more susceptible to diseases from exposure to faeces and urine from dogs. Similarly it is felt that young children are more at risk of injury from dogs. This is because young children will naturally be excited whilst playing which may provoke a reaction from dogs in the area. The consequences of a dog attack on a young child is likely to be far more severe than for an adult.
- 3.13 Silverton recreation area is predominantly used for different types of sport and recreation. The parish council have reported issues in relation to dogs running freely and fouling on the pitch with owners not being responsible in clearing the mess up. This has created issues for both sport matches and training. It is therefore recommended that dogs are not permitted on the recreation ground to prevent these issues from occurring.

4.0 Consultation and publicity

- 4.1 The Council, before extending and/ or varying the Dog Control PSPO, must observe certain "necessary" consultation and publicity requirements.

4.2 Consultation

- 4.3 The Council is obliged to consult with the local Chief Officer of Police; the Police and Crime Commissioner; owners or occupiers of land within the affected area where reasonably practicable, and appropriate community representatives.
- 4.4 Community representatives' are defined broadly in the 2014 Act as 'any individual or body appearing to the authority to represent the views of people who live in, work in or visit the restricted area'. This gives the Council the freedom to determine who best to contact given local circumstances and the scope of the proposals.
- 4.5 It is proposed to consult with:

Silverton Parish Council
MDDC Councillors
Chief Constable of Devon Cornwall Police
Police & Crime Commissioner
The Kennel Club

4.6 Publicity and publication

- 4.7 The Council must publish the text of the proposed order varying the Dog Control PSPO.

5.0 Other Legal Considerations

- 5.1 In deciding whether to vary the Dog Control PSPO, the 2014 Act says the Council must have particular regard to the rights of freedom of expression, and freedom of assembly, set out in Articles 10 and 11 of the European Convention on Human Rights.
- 5.2 The need to "have particular regard" to Articles 10 and 11 suggests that Parliament in passing the Act has sought to give these rights an elevated status in relation to deciding whether to make a PSPO.
- 5.3 Article 10: freedom of expression reads as follows:
1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions, and to receive and impart information and ideas, without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
 2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.
- 5.4. Article 11: freedom of assembly and association reads as follows:
1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.
 2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.
- 5.5 Although PSPOs are a robust remedy because they affect the behaviour of every person within a specified area rather than being targeted at

individuals, officers consider that varying the Dog Control PSPO does not unnecessarily interfere with lawful and legitimate activity.

- 5.6 It is submitted that in varying the Dog Control PSPO the Council will have found the right balance in the need to tackle anti-social behaviour associated with dogs, against the desire and entitlement of the public to use a public space.

6.0 General Delegation

- 6.1 A general delegation is sought for any other future variations. It is proposed that future variations be delegated to the Cabinet Member for Service Delivery and Continuous Improvement.
- 6.2 The purpose for this delegation is to expedite requests for variations by Parish and Town Councils. This would enable minor variations for land to be included/excluded within the order without the need to refer to Cabinet for the decision.
- 6.3 The Cabinet Member for Service Delivery and Continuous Improvement in consultation with the Operations Manager for Street Scene and Open Spaces will need to ensure the statutory test is met, as highlighted in paragraphs 1.8 and 1.9 of this report.
- 6.4 The Cabinet Member for Service Delivery and Continuous Improvement will also need to ensure under this delegation that the statutory consultation is undertaken with the relevant identified parties prior to exercising their delegated powers.

7. Conclusion

- 7.1 Officers believe that there are reasonable grounds to suggest that incidents relating to dogs are of such a nature that they have had, and are likely to have, a detrimental effect on the quality of life of the public whilst enjoying the open spaces of the recreational ground in Silverton.
- 7.2 Unfortunately, even though the majority of people do not create the issues identified, the continuing nature of the irresponsible behaviour by a minority of dog owners, and the adverse impact they have on the public justify the imposing of restrictions as proposed in this report.

Financial Implications

Whilst a consequence of enforcement may be an increase in Fixed Penalty Notices, income generation is not a reason for introducing a new PSPO.

Legal Implications

The Dog Control PSPO is designed to curb anti-social behaviour arising from irresponsible control of dogs and dog fouling.

Risk Assessment

The Council is at risk of not being able to enforce dog control infringements which could result in reputational damage for not taking appropriate action against offenders. The Council will also be at risk of not meeting statutory duties such as under Section 89 of the Environment Protection Act 1990 to ensure that land is clear of litter, which includes dog waste.

Impact on Climate Change

A PSPO requires or prohibits certain activities from taking place in certain places (restricted areas) in order to prevent or reduce any detrimental effect caused by those activities to local surroundings and people. Further, reduced levels of dog related anti-social behaviour improve the desirability of our open spaces.

Equalities Impact Assessment

An updated Equality Impact Assessment will be undertaken after the consultation proposed in the Report and prior to any decision whether to make the PSPO.

Relationship to Corporate Plan

The Street Scene Enforcement Service is a frontline service, which works throughout the District ensuring cleanliness and attractiveness of our public realm through both education and enforcement.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 4.9.25

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 4.9.25

Chief Officer: Andrew Jarrett

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

Date: 4.9.25

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 05.09.2025

Cabinet member notified: (yes)

Section 4 - Contact Details and Background Papers

Contact: Luke Howard, Environment and Enforcement Manager

Email: lhoward@middevon.gov.uk

Telephone: 01884 255255

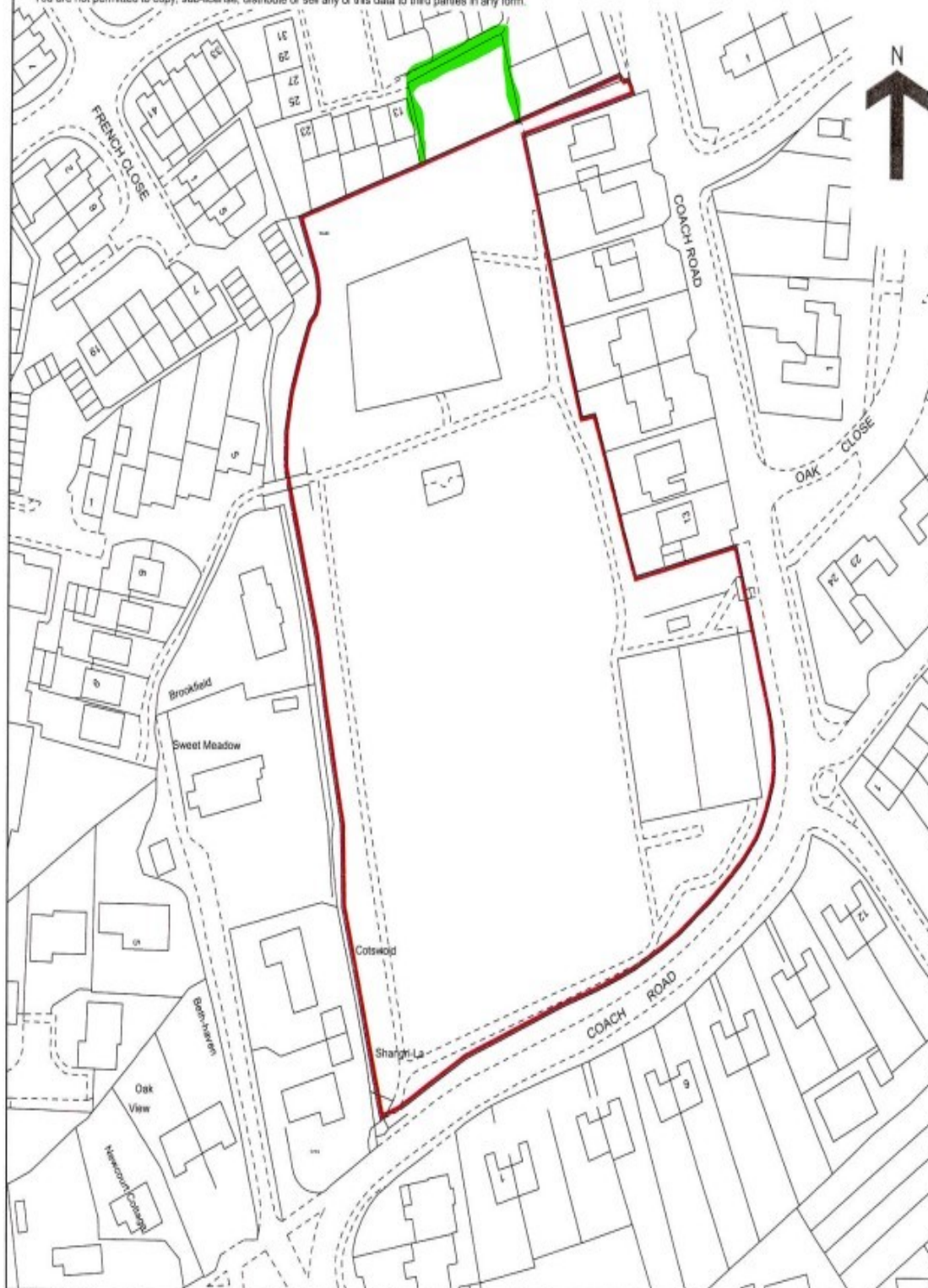
Background papers: None

HM Land Registry
Official copy of
title plan

Title number **DN692915**
Ordnance Survey map reference **SS9503SE**
Scale **1:1250** enlarged from 1:2500
Administrative area **Devon: Mid Devon**



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This official copy issued on 1 March 2018 shows the state of this title plan on 1 March 2018 at 09:14:04.
It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002).
This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale.

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Report for: Cabinet

Date of Meeting:	7 October 2025
Subject:	Public Spaces Protection Order – Alcohol Prohibition, Crediton Town.
Cabinet Member:	Cllr Josh Wright, Cabinet Member for Service Delivery and Continuous Improvement
Responsible Officer:	Luke Howard, Environment and Enforcement Manager Matthew Page, Head of People, Performance and Waste
Exempt:	N/A
Wards Affected:	Crediton Boniface and Crediton Lawrence
Enclosures:	Appendix 1 – Proposed Public Spaces Protection Order Appendix 2 – Map of proposed alcohol prohibition within Crediton

Section 1 – Summary and Recommendation(s)

- (1) For Cabinet to consider issuing a Public Spaces Protection Order under the powers given to the Council by the Anti-Social Behaviour, Crime and Policing Act 2014 to tackle anti-social behaviour associated with public consumption of alcohol in Crediton Town Centre. The proposed Public Spaces Protection Order (the “Crediton Order”), can be found at Appendix 1 of this report, prohibiting the consumption of alcohol in areas located in Crediton Town Centre as highlighted in the plan at Appendix 2.
- (2) The process of issuing a Public Spaces Protection Order involves statutory consultation, publicity and notification of the order itself.
- (3) Delegated authority is sought for: a) to carry out the statutory processes and b) to consider whether to issue the order in the light of the statutory consultation responses.

Recommendations

That Cabinet considers recommending the following resolutions:

- 1. On being satisfied that the statutory grounds for making the Crediton Order are met, the Cabinet to authorise the Operations Manager for Street Scene and Open Spaces to carry out the necessary statutory consultation, publicity and notification for the proposed Crediton Order.**
- 2. The Cabinet to grant delegated authority to the Director of Legal, People & Governance (Monitoring Officer) to draft the Crediton Order to go out to consultation.**
- 3. The Cabinet to grant delegated authority to the Operations Manager for Street Scene and Open Spaces, in consultation with the Cabinet Member for Service Delivery and Continuous Improvement, to then:**
 - consider the responses to the necessary consultation, publicity and notification**
 - decide, in light of the responses received to the consultation, whether to not proceed with the order if there are numerous material objections, or to authorise the Director of Legal, People and Governance (Monitoring Officer) to seal the order**
 - authorise the Director of Legal People and Governance (Monitoring Officer) to make any minor amendments to the draft of the Crediton Order prior to sealing**

Section 2 – Report

1.0 Introduction

- 1.1 Under the Anti-Social Behaviour, Crime and Policing Act 2014 (2014 Act), councils can make a Public Spaces Protection Order (PSPO) after consultation with the Police, the Police and Crime Commissioner, the owner or occupier of land in the restricted area and other community representatives as they see fit to consult.**
- 1.2 PSPOs are designed to stop individuals or groups committing anti-social behaviour in a public space. In a PSPO, a council can set the restrictions and requirements it wants in a public space. These can be blanket restrictions or requirements, or alternatively can be targeted against certain behaviours by certain groups at certain times. A PSPO can restrict access to public spaces (including certain types of highway) where that route is being used to commit anti-social behaviour. PSPOs can be enforced by a police officer and authorised council officers.**

- 1.3 A local authority can only make a PSPO in its own area if it is satisfied on reasonable grounds that the behaviour being restricted is:
- having, or be likely to have, a detrimental effect on the quality of life of those in the locality;
 - be persistent or continuing in nature; and
 - be unreasonable
- 1.4 A PSPO can last for a period of up to three years. Orders may also be varied or discharged by the local authority at any time during their validity.
- 1.5 Before making a PSPO, a local authority must observe certain "necessary" consultation, publicity and notification requirements.
- 1.6 Local authorities must openly and publicly consult with:
- The chief officer of police, and the local policing body, for the police area that includes the restricted area
 - Any community representatives the local authority considers it appropriate to consult with
 - Where practicable the owner or occupier of land within the restricted area. This should include the relevant county council where they are the Highway Authority
- 1.7 Local authorities must notify the following authorities of a proposed PSPO:
- The parish council or community council (if any) for the area that includes the restricted area
 - Where the PSPO is made, or will be made by a District Council in England, the County Council (if any) for the area that includes the restricted area
- 1.8 There are also publicity requirements that have to be complied with when making a PSPO.
- 1.9 Failure to comply with a PSPO prohibition or requirement is normally an offence. However, consuming alcohol in breach of a PSPO is not an offence as such. Instead a Constable, PCSO or authorised person who reasonably believes that a person is consuming (or intends to consume) alcohol in breach of the PSPO has the power to require them not to consume the alcohol and/or to surrender anything in their possession which they reasonably believe to either be alcohol or a container for alcohol. A failure to comply is an offence, which on summary conviction attracts a fine not exceeding level 2 on the standard scale (currently £500). Offences may also be disposed of by way of a fixed penalty notice of up to £100, payable to the local authority.

2.0 The Proposed Crediton Order

- 2.1 The proposed Crediton Order, contained at Appendix 1, prohibits alcohol consumption taking place within Public Spaces in the roads and areas located in Crediton Town centre as shown on the plan at Appendix 2 of this report.
- 2.2 A Public Space is land which is open to the air (including covered land which is open on at least one side) and to which the public are entitled and permitted to have access, with or without payment.
- 2.3 Prohibitions on alcohol consumption in the Crediton PSPO will not apply to any part of a licensed premises, including beer gardens and terraces, with the expectation that the management of those premises will control the consumption of alcohol within the curtilage of their premises, under threat of a licence review if they failed to do so. Public spaces which are licensed for the sale of alcohol (e.g. parks licensed for events) are also exempted at times when alcohol is being lawfully sold there.

3.0 Reasons for Recommendations

- 3.1 Since the 10 September 2023 Devon and Cornwall Police have recorded twenty seven incidents reported directly to them regarding anti-social behaviour experienced by members of the public from street drinkers.
- 3.2 Of these reports, twenty five date from March 2024 to November 2024, when the last data set was generated. This indicates a significant rise in ASB from street drinkers within the area over the course of nine months.
- 3.3 The local neighbourhood Policing team have specifically requested we introduce this PSPO as an extension of their current powers. It is felt this will enable them to better disperse street drinkers and take swift and appropriate action against non-compliance.
- 3.4 The majority of these ASB incidents have taken place in the proposed alcohol prohibition area (see Appendix 2 plan).

4.0 Consultation and publicity

- 4.1 It is proposed to consult with:
 - Crediton Town Council
 - Sector inspector Mid Devon representing Devon and Cornwall Police as delegate for Chief Officer
 - Police and Crime Commissioner
 - Relevant town and District elected members
 - Devon County Council
 - Chamber of commerce for Crediton
 - The owners of the land affected

5.0 Other Legal Considerations

- 5.1 The Council is required to have regard to the European Convention on Human Rights and in particular Articles 10 and 11. In deciding whether to make the Crediton Order, the 2014 Act says the Council must have particular regard to the rights of freedom of expression, and freedom of assembly set out in Articles 10 and 11 of the European Convention on Human Rights.
- 5.2 The need to "have particular regard" to Articles 10 and 11 suggests that Parliament in passing the 2014 Act has sought to give these rights an elevated status in relation to deciding whether to make a PSPO.
- 5.3 Article 10: freedom of expression reads as follows:
1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
 2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.
- 5.4. Article 11: freedom of assembly and association reads as follows:
1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.
 2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.
- 5.5 These qualified rights may be legitimately interfered with in the interests of public safety, the prevention of crime and disorder and in accordance with the law. When considering whether to proceed with the Crediton PSPO the Council must balance the rights and freedoms of individuals against the needs of the wider community. Officers consider that subject to consultation the

balance is in favour of making the Crediton PSPO as the wider community will benefit significantly from the protection of the Crediton PSPO and there will only be a relatively limited interference with individuals' rights and freedoms.

6.0 Conclusion

- 6.1 Officers believe that there are reasonable grounds to suggest that incidents of anti-social public consumption of alcohol in the areas identified are of such a nature that they have had, and are likely to have, a detrimental effect on the quality of life of the public in the Crediton town centre.
- 6.2 Unfortunately, even though the majority of people do not create the issues identified, the continuing nature of the irresponsible behaviour by a minority group, and the adverse impact this is having on the public, justify the imposing of the restrictions as proposed in the Crediton Order.

Financial Implications

Whilst a consequence of enforcement may be an increase in Fixed Penalty Notices, income generation is not a reason for introducing a new PSPO.

Legal Implications

The statutory test considers the impact of the activity on the grounds that it has Have had, or be likely to have, a detrimental effect on the quality of life of those in the locality; Be persistent or continuing in nature; Be unreasonable; and Justify the restrictions imposed by the notice. It is believed the proposals fulfil this test and current behaviours are having a detrimental effect on the quality of life within the area in a persistent and continuing nature. It is not believed the prohibition of alcohol is unreasonable within the scope of this proposal and it is justified as a means to extend Policing powers to manage the issues.

Risk Assessment

All enforcement of this order will be an extension of Policing powers. This report does not propose to utilise officer time for enforcement. The Council is a conduit for the implementation of the legislation.

Impact on Climate Change

This report is not considered to have any bearing on climate change or climate impact.

Equalities Impact Assessment

An updated Equality Impact Assessment will be undertaken after the consultation proposed in the Report and prior to any decision whether to make the Crediton Public Space Protection Order

Relationship to Corporate Plan

This report aims to tackle issues relating to specific ASB concerns. This aligns with the corporate plan to create safer environments for communities to live in.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 4.9.25

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 4.9.25

Chief Officer: Andrew Jarrett

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

Date: 4.9.25

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 05.09.2025

Cabinet member notified: (yes)

Section 4 - Contact Details and Background Papers

Contact: Luke Howard, Environment and Enforcement Manager

Email: lhoward@middevon.gov.uk

Telephone: 01884 255255

Background papers: None

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The Mid Devon (Crediton Alcohol Prohibition) Public Spaces Protection Order 2025

1. Mid Devon District Council (the “Council”) in exercise of its powers under section 59 and 72 of the Anti-Social Behaviour Crime and Policing Act 2014 (the “Act”) hereby makes this Order.
2. This order shall be cited as the “Mid Devon (Crediton Alcohol Prohibition) Public Spaces Protection Order 2025.
3. This Order comes into force on the day of for a period of three years.

Definitions and Interpretations

4. In the following provisions of this Order the following terms shall have the meanings hereby respectively ascribed to them:-

“Authorised Officer” means a person authorised in writing by the Council to enforce this Order”

“Plan” means the plan attached to this order

“Crediton Town Centre Land” means all the land within the land shown edged red on the Plan which is open to the air (including covered land which is open on at least one side) and to which the public are entitled and permitted to have access, with or without payment.

“PCSO” means a Police community support officer

Prohibition in relation to alcohol consumption

5. The consumption of alcohol is prohibited within Crediton Town Centre Land.

Offences and Penalties

6. A Police Constable, PCSO or Authorised Person who reasonably believes that a person is consuming (or intends to consume) alcohol whilst present within the Crediton Town Centre Land has the power to require them:
 - a) not consume the alcohol or anything they believe to be alcohol in breach of this Order; and/or
 - b) to surrender anything in their possession which they reasonably believe to be alcohol or a container for alcohol. This can then be disposed of in whatever way is deemed appropriate.
7. For this power to be valid, the Police Constable PCSO or Authorised Person must:

- a) Inform the person that a failure to comply with a requirement (without reasonable excuse) will be an offence.
 - b) Show evidence of their authorisation if asked to do so.
8. A person who fails without reasonable excuse to comply with a requirement imposed on him or her by Police Constable PCSO or Authorised Person given under article 6 of this Order is an offence, which on summary conviction attracts a fine not exceeding level 2 on the standard scale.
9. A Fixed Penalty Notice may be issued by an Authorised Officer PCSO or Police Constable to anyone believed to have committed an offence under this Order. The Fixed Penalty shall be £100.00. Payment of the Fixed Penalty of £50.00 within 14 days from the date of the Fixed Penalty Notice will discharge the liability for prosecution.

Exemptions

10. Nothing in this Order shall apply to —
- (a) Premises authorised by a premises licence to be used for the supply of alcohol;
 - (b) Premises authorised by a club premises certificate to be used by the club for the supply of alcohol;
 - (c) A place within the curtilage of premises within paragraph (a) or (b);
 - (d) Premises which by virtue of Part 5 of the Licensing Act 2003 may at the relevant time be used for the supply of alcohol or which, by virtue of that Part, could have been so used within 30 minutes before that time;
 - (e) A place where facilities or activities relating to the sale or consumption of alcohol are at the relevant time permitted by virtue of a permission granted under section 115 of the Highways Act 1980 (highway related issues);
 - (f) Council-operated licensed premises or land when the premises or land are being used for the supply of alcohol, or within 30 minutes of the end of the period during which the premises have been used for the supply of alcohol.

Reasons for the Order

11. The Council is satisfied that the two conditions below have been met, in that:
- (1) Activities of consumption of alcohol carried on in the Crediton Town Centre Land have had a detrimental effect on the quality of life in that area, or it is likely that these activities will be carried on in the Crediton Town Centre Land and they will have such an effect;
 - 2) The effect, or likely effect, of the said activities is, or is likely to be, of a persistent or continuing nature, is, or is likely to be, such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.

Appeals

12. Any challenge to this Order must be made at the High Court by an interested person within 6 weeks of it being made. An interested person is someone who lives in, regularly works in or visits the restricted area. This means that only those who are directly affected by the restrictions have the right to challenge. The right to challenge also exists where an order is varied by the Council. Interested persons can challenge the validity of the Order on two grounds: that the Council did not have the power to make the Order or to include particular prohibitions or requirements; or that one of the requirements of the legislation, for instance consultation, has not been complied with. When an application is made, the High Court can decide to suspend the operation Of the Order pending the Court's decision, in part or in whole. The High Court can uphold, quash or vary the Order.

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50240111662 – NPT ASB – STREET DRINKERS, CREDITON (HIGH STREET AND SURROUNDING LOCATIONS) – PSPO REVIEW Suggested area that PSPO would cover shown, based on previous reports of ASB.

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Report for: Cabinet

Date of Meeting:	7 October 2025
Subject:	Bin-It 123 – The future and the potential to add additional recycling streams
Cabinet Member:	Cllr Josh Wright, Cabinet Member for Service Delivery and Continuous Improvement
Responsible Officer:	Darren Beer, Operations Manager – Street Scene and Open Spaces Matthew Page, Head of People, Performance and Waste
Exempt:	N/A
Wards Affected:	All – District Wide
Enclosures:	None

Section 1 – Summary and Recommendation(s)

This report considers the following:

- The paper builds upon a previous report presented to Cabinet in January 2025 where Members were presented various options to consider regarding potential extra service provision. This paper sets out potential future recycling collections that are being considered for implementation and how these best be considered in terms of their operational and cost implication, especially alongside the current depot reconfiguration which needs completing by June 2026.
- The paper reviews the progress made to date by Bin-It 123 and considers the key elements of the next strategic phase that are necessary to maximise recycling rates as well as increase resident engagement and support.

Recommendations

Following discussion at the Service Delivery and Continuous Improvement PDG on the 15 September 2025, Cabinet are asked to;

- 1. Approve the strategy regarding the direction of travel for increasing resident awareness and participation with the Bin-It 123 scheme.**
- 2. To request an evidence based paper from Officers on the potential impact of the potential additional recycling collections, including pilots of these collections, for review before consideration is given to formal approval.**

Section 2 – Report

1.0 Introduction

- 1.1 A report was presented earlier this year with recommendations to both the Service Delivery and Continuous Improvement (SDCI) PDG and Cabinet on the feasibility of various potential recycling initiatives which included a trial of collecting unusable metal pots and pans in the District. This was completed and subsequently recommended by both the SDCI PDG and Cabinet to implement future collections across the District, which commenced on the 15th September 2025.
- 1.2 In July 2021 a trial of three weekly waste collections was completed in both rural and urban areas of the District. This proved that three weekly waste collections were feasible, but also that education and communication were vital to helping secure resident engagement and support.
- 1.3 The decision to progress to three weekly waste collections was taken to commence from October 2022. This decision had the provision that additional side waste be collected for a substantive transitional period to allow residents time to become accustomed to the new scheme.
- 1.4 Following the election of the current administration in May 2023, the decision was taken to cease the collection of ‘side waste’ from waste collections in February 2024. This involved; targeted communications to raise awareness of the importance of recycling, using social media to explain the purpose and benefit of our collections and organising site tours for all Parish and Town representatives.
- 1.5 Between 01 April 2023 and 31 March 2024, Mid Devon were in the top 5% nationally for our recycling rate and lowest residual tonnage per household. Mid Devon was recognised by OFLOG for being one of the most improved recycling councils in the country and the council was shortlisted for the prestigious national LGC award in Environmental Services in June 2025.

2.0 Challenges and external influences

- 2.1 As with many of Mid Devon's national counterparts, there is a need to encourage residents to pay closer attention to recycling. The Council's recycling rate dropped in the first quarter of this year from 59.78% to 58.41% compared to the same period last year. The Council is also considering further additional recycling collections alongside the redevelopment of the Carlu depot as it seeks to comply with national Environment Agency regulations.
- 2.2 In addition, the new extended producer responsibility for packaging scheme (pEPR) links funding arrangements with being efficient and effective. The significance of recycling to securing greater future funding makes this objective all the more important. This has come into place for the 2025-26 financial year. At present, Mid Devon has been informed (July 2025) that the anticipated payment value the Council is due to receive is £1.38 million, up from the previous estimate received in November 2024, which was the minimum guaranteed payment of £927k. This was as a result of the Council challenging the original local authority grouping in which Mid Devon was placed, which resulted in the Council being placed in a different grouping including other national authority comparators who have similar net efficient costs associated with collection of household packaging waste.
- 2.3 Although detail is currently light, the UK Emissions Trading Scheme (ETS) is a mechanism for managing the financial cost of reducing carbon emissions between different sectors of the economy. From January 2028, the ETS will be extended to include emissions from the incineration of waste and councils could face significant additional costs arising from this extension.
- 2.4 Regardless of the detail of any new scheme the direction of travel is clear. Local authorities will be financially rewarded for recycling more (while being efficient and effective), with additional costs for processing its residual waste.
- 2.5 There is a need to further review recycling and refuse collections in order to meet our Devon target of a 60% recycling rate by 2025 and the National target of 65% by 2035. Current and future budget provision will need to be considered when thinking through future proposals and how they are delivered.
- 2.6 A key consideration for this paper therefore is what activity and which priorities, both around the strategy to reinvigorate Bin-It 123 but also to increase recycling activity, are the most important.

3.0 Depot Reconfiguration

- 3.1 A Cabinet decision was approved in July 2025 to reconfigure the Carlu depot to ensure that it complies with new Environment Agency regulations due to come into practice in June 2026. After obtaining the necessary planning application, which has now been submitted, an application will be made to vary our site permit, so the collections can be aligned with the new site set up and arrangements.
- 3.2 This application will also include potential new recycling collections that the Council are wishing to trial and potentially implement, including disposable nappies and soft plastics (flexibles). A key purpose of this paper is to capture the future appetite and priorities regarding additional recycling collections and ensure the new site permit allows this activity to be implemented.
- 3.3 In terms of timescales the Council is due to receive the decision on the planning application by the end of 2025 and, if successful in obtaining this permission, will then apply for the new site permit in January 2026. The Council would then be in a position to start piloting new recycling activity in the first quarter of the 2026-27 financial year.

4.0 Reinvigorating focus on Bin-It 123 to increase recycling

There are three key elements to our strategic focus to reinvigorate residents with the importance of recycling; focused communication, enforcement reinforced by robust education and proactive incentivising of residents to increase their own recycling.

4.1 Communication strategy

- 4.1.1 It is vital that there is a clear narrative for residents on the importance of increasing our recycling. In addition to the environment objective of reducing our carbon footprint and meeting our net zero commitment, increased recycling secures further funding for the Council that can be reinvested into our public services (every 100 tonnes of recycling for the District per annum, equates to an additional 2.63kg of recycling per household per annum). Each resident has the opportunity to help benefit their neighbours and community by increasing their own recycling rate.
- 4.1.2 This message is important to secure resident buy in and support for our activities and with further recycling activity, which will be introduced in the future (e.g. collection of non-usable metal pots and pans), the Council will take each opportunity to remind residents of the opportunities that arise from increasing our District recycling rate.
- 4.1.3 The proactive communication steps taken to positively engage residents has been a key component of the Council's implementation of Bin-It 123 and achieving improved recycling rates. In addition to being a key component of reinvigorating the Bin-It 123 strategy outlined above, it will also be important

to outline additional recycling activity introduced in the future and how residents both best access and support this new activity.

- 4.1.4 This communication will also give an opportunity to emphasise and reiterate key principles and practice around how our recycling rate can be further increased by residents. This will benefit both our local environment, reduce our carbon footprint but bring more income into the Council which will benefit our key public facing services.

4.2 Enforcement reinforced by robust education

- 4.2.1 The District Officers have an important role to play in helping enforce compliance from residents with Bin-It 123. There has been an increase in surveillance of known District hot spots and the Council is committed to utilising applicable legislation against those households that are consistently not complying with the Bin-It 123 scheme. The importance of environmental enforcement has been raised with Mid Devon by our national colleagues who have asked the service to outline to them both the steps that we already have taken and those we plan to take in the future.
- 4.2.2 A proactive and willing approach to enforce compliance with Bin-It 123 needs to be complimented by robust education. In recent months the Council has employed a team of temporary Recycling Advisers to offer practical advice and guidance to residents on how to increase their recycling. In addition to looking to make this resource a permanent feature of our service, the advice given to residents will stress that compliance with Bin-It 123 is the minimum standard the Council is asking for from residents.

4.3 Proactive incentivising of residents to increase recycling

- 4.3.1 A key component of the strategy around eliminating additional side waste collections was to incentivise and explain to residents the importance of recycling as much material as possible. This included site tours for Parish and Town representatives to explain the waste and recycling pathway but also circulate regular updates to show how different areas of the District were complying with Bin-It 123.
- 4.3.2 Additional steps the service now wish to take include highlighting good practice from residents in areas of the District as well as celebrating excellence in performance and strong individual contributions from households. Ideas include creating a network of community recycling champions to share best practice as well as rewarding occasional examples of excellent resident contribution.

5.0 The Art of the Possible; Future Recycling Collections

There is a natural desire to explore adding additional recycling collections to the permanent recycling collection. Key considerations to make when exploring these themes are the potential impact that an additional recycling collection would have on the overall recycling rate for the District as well as

the potential commercial value of products that we may collect and then have to dispose.

5.1 Recycling and collection of nappies

- 5.1.1 A trial collecting disposable nappies was agreed by Cabinet to take place in the District at the January 2025 Cabinet. It subsequently transpired that the depot permit required amending to allow disposable nappies to be collected in the recycling.
- 5.1.2 As previously reported, priority with regards to nappies in the Waste Hierarchy is given first to reuse then recycling and finally disposal. Therefore, reusable nappies should be promoted as the first avenue for parents when thinking about the environment. There are schemes and advice available including Recycle Devon, which explores the use of real nappies over disposable nappies and signposts residents to the different types, how to wash them and also offer a free trial.
- 5.1.3 NappiCycle have pioneered a process allowing them to recover the material from used nappies. It uses friction washing to break down used nappies and absorbent hygiene products (AHPs) into clean reusable products. In Wales, the recycled nappies are then being used in asphalt for road surfacing, composite deck boards, and other secondary products.
- 5.1.4 This service can currently be provided to all Welsh Local Authorities. Trials are currently taking place in England.
- 5.1.5 The Council's discussions with NappiCycle to pilot a trial would include collecting nappies and AHPs from around 200 eligible properties by the team. They will then be collected from the depot by a contractor from NappiCycle and taken to the Welsh plant for recycling. The cost of the trial will be approximately £4.5K, which includes gate fees, transport to Wales, vehicles, staffing, fuel and materials.
- 5.1.6 Once complete, a full analysis will be presented to Members for consideration, which will include a cost and benefits exercise. Initial information suggests it will cost around £280k per annum to roll this scheme out fully into the District (should it be so desired following the pilot). This would offset approximately 1,000 tonnes of nappies and AHPs from the residual waste stream from around 3,500 properties. This equates to around 4 million nappies collected per year.

5.2 Recycling and collection of flexible plastics

- 5.2.1 Government have mandated the collection of soft plastics (flexibles) by all local authorities from March 2027. There is no current detail on how this is going to be achieved and whether new burdens will pay for this.

- 5.2.2 Currently soft plastics can be taken to supermarkets in the District, which is supported by the FlexCollect scheme. The UK Plastics Pact Roadmap for 2025 includes the following takeaways for the supply chain; as far as possible, flexible plastic packaging needs to be designed to be recycled using existing infrastructure, collecting flexible plastic packaging in the longer term needs to happen directly from households in order to capture the maximum amount of material. The timing of this future collection is dependent on the outcome of ongoing Government consultation.
- 5.2.3 There is an existing network of collection points at supermarkets with a plan for the number of collection points to increase, with all adopting a consistent approach to accepting all types of bags and wrapping. Citizens wish to be able to recycle, with 26% currently willing to use supermarket collection points. Future work will be undertaken to understand and implement the best methods to collect (from kerbside) soft flexible plastic packaging.
- 5.2.4 Significant investment will also be required regarding the flexible plastic packaging and recycling infrastructure. Further end markets outside of food packaging will be required to make this work with collaboration across the whole value chain being needed to make this work.
- 5.2.3 As previously highlighted, points for future consideration would include how the product will be collected along with the potential volume of the material. The configuration of the current fleet of recycling vehicles would only allow it to be collected in one of the existing stillages, such as the one used for paper or it would need to be collected with plastic and cans, then manually separated by additional depot staff.

5.3 Recycling and collection of coffee pods

- 5.3.1 As has previously been reported, focus for the Podback scheme was via posted returns of coffee pods, supermarkets and high street coffee shops (pick up and drop off) and the use of Household Waste Recycling Centres as disposal points, which are currently being supported by Podback. One supermarket chain has begun rolling the scheme out across all its 350 stores, including Tiverton. Podback have said they have collected 10 million pods from the supermarket so far in 2025, equating to 197 tonnes. Another supermarket chain has partnered with Podback to provide convenient ways to recycle their used coffee pods in over 600 of its stores and there are talks of expanding this to other supermarkets.
- 5.3.2 Podback has installed 200 drop-off points at Household Waste and Recycling Centres across the UK, now serving 30% of UK households. These allow residents to bring pods in any container and deposit them loose into designated bins.
- 5.3.3 Podback have also said that, plastic and aluminium pods are recycled in the UK. The coffee grounds are transformed by anaerobic digestion into renewable energy and soil improver, with the aluminium and plastic from the

used pods being used in the manufacture of products such as drinks cans, building products and industrial packaging.

- 5.3.4 A pilot would not be able to be completed until after the roll out of collecting pots and pans due to the limited storage space on the waste and recycling vehicles, as one option would be to utilise the same stillage as that for collecting textiles, small WEEE and now pots and pans. Collecting using the existing fleet would minimise costs. The service with Podback is designed to be cost neutral and no income would be received, but the scheme would divert coffee pods from being disposed in the waste stream and marginally increase recycling rates.

5.4 Promoting other recyclables

- 5.4.1 Following some background work completed by one of the Members, the Street Scene service will update the MDDC website to include details where residents can take their used medicinal blister packs to be recycled, both empty and with tablets. This includes empty blister packs being returned to all Superdrug stores that have a pharmacy and to some Boots stores including Tiverton.
- 5.4.2 Toothpaste tubes can now be recycled as manufacturers have moved towards plastic only tubes rather than layered plastic and foil tubes as previously used as packaging (this involves a simple check that that it says 'recyclable' on the tube).
- 5.4.3 Not everyone is aware that many bathroom and kitchen products can also be recycled including the cardboard toilet roll tubes, shampoo bottles, shaving bottles and cleaning bottles, which will be included in future communication plans.

6.0 Conclusion

- 6.1 The Cabinet are asked to note the contents of this report and prioritise potential future recycling streams to be explored once the site permit has been obtained for the future site reconfiguration. Consideration needs to be given to which streams will help further increase our recycling rate and analysis on costs, as well as the all-important reinvigoration of Bin-It 123 and accompanying strategy.
- 6.2 The contents of this report need to be carefully considered alongside the numerous government initiatives e.g. pEPR, ETS, Simpler Recycling, Environment Agency regulations, food waste funding, etc, that need to be implemented. However, building on the significant progress made by the service to ensure it continues to be one of the highest performing national authorities remains a key Council priority objective.

- 6.3 As an authority Mid Devon looks to promote the Waste Hierarchy and strongly encourage residents to review what they then do themselves with regards to waste at home around reduce and then reuse before recycling.

Financial Implications

It should be noted that an increase in recycling tonnages for each material will increase our recycling credits for that material. This increase also has an effect on the income received from each product at this current time. At present this is difficult to determine due to the constant variations in market values.

Legal Implications

Under Section 46 of the Environmental Protection Act, Waste Collection Authorities may by means of notice specify how householders present their waste for collection. There will legal requirements to adhere to legislation around Simpler Recycling.

Risk Assessment

In the event that any future changes are trialled (or mandated by government) a register of risks would need to be compiled in advance of those proposed service changes. There are potential risks, including impacts on; carbon emissions, the carbon footprint, operational costs and other resources required (from containers to personnel).

Impact on Climate Change

An increase in recycling would further enable the Council to reduce its carbon footprint and hit its carbon net zero commitment. Recycling is one of the most 'mainstream' concepts of addressing overarching sustainability goals, therefore it is vital to make sure that the council is maximising the effectiveness of both its scheme design, but also its operational implementation.

Equalities Impact Assessment

The service will continue to provide assisted collections according to the current policy; considerations for residents residing in HMOs, flats and properties with no outside space will be included in any proposed project plan. The service would review the lessons learnt and best practice from recent changes along with a review of other councils who have successfully implemented strategic changes to their waste collections operations. Consideration will need to be sought regarding a potential bin levy and the impact for those in receipt of Council Tax Reductions

Relationship to Corporate Plan

This report identifies with the Service Delivery and Continuous Improvement section of the Corporate Plan for 2024-2028, and in particular 5.2 – *We will increase our recycling services, enabling our communities to achieve even higher levels of recycling.* Supporting and enabling customers to recycle and reduce residual waste contributes to Mid Devon District Councils' commitment to the Devon Climate Emergency.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 2.9.25

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 2.9.25

Chief Officer: Andrew Jarrett

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

Date: 2.9.25

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 29/08/2025

Cabinet member notified: (yes)

Section 4 - Contact Details and Background Papers

Contact: Darren Beer, Operations Manager – Street Scene and Open Spaces

Email: dbeer@middevon.gov.uk

Telephone: 01884 255255

Background papers:

5.1 [Nappies - Recycle Devon](#)

5.1 [Local Authorities – NappiCycle](#)

5.2.1 [Household collections — Flexible Plastic Fund](#)

5.2.2 [Creating-a-circular-economy-for-flexible-plastic-packaging-Roadmap-2025-v2May21_0.pdf](#)

5.3.1 [Podback](#)

5.4.1 [Recycling medicine packaging and blister packs: everything you need to know | Recycle Now](#)

5.4.1 [Waste & Recycling | Environmental, Social, & Governance | Superdrug](#)



Report for:

Cabinet

Date of Meeting:	7 October 2025
Subject:	VARIATION OF TENANCY AGREEMENT
Cabinet Member:	Cllr Jane Lock - Cabinet Member for Housing, Assets and Property Services
Responsible Officer:	Simon Newcombe – Head of Housing and Health
Exempt:	None
Wards Affected:	All
Enclosures:	Annex A – Tenancy Agreement Annex B – Equality Impact Assessment

Section 1 – Summary and Recommendation(s)

The Tenancy Agreement is the legal contract between the Council and its tenants. The agreement sets out both the tenant's and the Council's rights and responsibilities. Under Section 102/103 of the Housing Act 1985, the Council has recently concluded a statutory consultation regarding the proposed amendments to the Council's Tenancy Agreement.

Following on from Cabinet approval on 1st April 2025 to commence statutory consultations with tenants under the Housing Act 1985 section 103 to vary the terms of our tenancy agreement this report presents the results of the consultation and the final draft Tenancy Agreement for approval.

It also sets out the steps needed to meet the legal requirements for varying the terms and conditions of tenancy for existing tenants.

Recommendation(s):

That Cabinet make the following resolution as recommended by the Home Policy Development Group:

- 1. The Tenancy Agreement is approved subject to any responses from new tenants signed up after the preliminary consultation ended**

2. **Delegated authority be given to Head of Housing and Health (in consultation with the Cabinet Member for Housing, Assets and Property Services) to review the consultation responses from the new tenants and authorise such changes to the new tenancy agreement as he considers necessary in the light of any late consultation responses**
3. **Delegated authority be given to Head of Housing and Health (in consultation with the Cabinet Member for Housing, Assets and Property Services) to draft and serve the notice of variation to existing secure/introductory tenants under section 103 of the Housing Act 1985 to vary the terms and condition of their tenancies so that they are on the terms and conditions of the new tenancy agreement**

Section 2 – Report

1 Introduction

- 1.1 The Tenancy Agreement is the legal agreement between the Council and residential council tenants. As such it underpins our relationship with our tenants.
- 1.2 It should be noted that there has been significant change since November 2016 when the Tenancy Agreement was last reviewed and the amended version came into use. Since then, the fire at Grenfell Tower, subsequent legislative and regulatory changes, the pandemic, and the cost of living crisis have all impacted the work of MDH as a landlord. It is important that the tenancy agreement in use reflects the external operating environment. In particular, the implementation of the Social Housing Regulation Act 2023 has brought about significant changes, with the aim of putting tenants at the heart of the work of Registered Providers. Recent policy reviews have taken account of some of the required changes and the tenancy agreement also needs to be updated to ensure that conditions of tenancy are aligned with policy commitments.
- 1.3 The Homes PDG set up a working group to look at tenure reform. As a result of this a recommendation was made to Cabinet that the use of flexible tenancies be halted. This means that we will need to issue a new Tenancy Agreement which reflects this new approach.

2 Consultation approach

- 2.1 We sent a preliminary notice of variation to all secure and introductory tenants after this was approved by Cabinet on 1st April 2025. The Preliminary Notice, Notice of Variation (a document outlining the changes to the Tenancy Agreement), Tenancy agreement changes at a glance leaflet, Informative Table of Substantive Changes and reasons for the changes and a consultation form were posted to all secure and introductory tenants, inviting them to comment on the proposed changes.

2.2 Tenants were able to respond to the consultation in the following ways:

- Writing to Tenant Involvement at Mid Devon Housing; Phoenix House, Phoenix Lane Tiverton EX16 6PP;
- Emailing comments to tenantinvolvement@middevon.gov.uk;
- Contact the Tenant Involvement team on 01884 255255;
- Contacting MDH on Facebook – www.facebook.com/middevonhousing;
- By making a comment on our consultation page at - letstalk.middevon.gov.uk/tenancy-agreement-consultation
- Attending one of four drop in sessions.

Scan the QR code to
view the consultation
documents and submit
your comments online



- 2.3 We started consulting with existing tenants on 2nd June 2025 and we invited them to comment on the proposed tenancy agreement. Tenants were able to find detailed information on the consultation process, consultation documents, existing documents and a table of substantive changes which detailed what amendments were proposed via a dedicated website. In addition three in person consultation ‘drop in’ sessions and an ‘on line’ session were provided where tenants could meet with staff to discuss face to face.
- 2.4 In compliance with Section 103 of the Housing Act 1985, the statutory consultation took place over a 28-day period ending on 30th June 2025. Tenants were given 28 days to comment on the proposals and all the responses received were collected, replied to and noted.
- 2.5 New secure and introductory tenants whose tenancies started after 2nd June 2025 were informed of the variation to their tenancies when they signed up to their new tenancy. They were able to make comments if these were received during the consultation period.
- 2.6 New secure and introductory tenants whose tenancies started after the consultation ended on 30th June 2025 were informed of the variation to their tenancy agreement when they signed up to their new tenancy. They were able to make comments on the proposed variation individually within 28 days of signing the original agreement. Comments received from those tenants is being collated and delegated authority has been given to the Head of Housing and Health to take these into consideration when finalising the Tenancy Agreement.
- 2.7 In total 3,179 consultation packs were posted to tenants 2nd June 2025 – 1st August 2025. (Note: joint tenants each received a separate pack as dictated by legislation).

3 Responses to Consultation

3.1 As of 1st August 2025, 214 responses had been received. (135 feedback forms and 79 telephone call-backs requested)

3.2 A majority of tenants were happy with the new tenancy agreement and stated that it was easy to understand.

3.3 A sample of comments received were:

We have received preliminary notice of variation to the terms and conditions of our tenancy. We have read through this and are more than happy to agree to them.

Well it seems just common sense. Most I would have no issue with.

I think it is a well thought out agreement and suitable for this day and age

Good evening. Following receipt of the proposed new tenancy agreement today, we have decided to email our response. The agreement was fairly easy to read. We can just understand the document. We have far too many comments to put on here. You only have to look at XXXXX to see more or less all the rules are broken.

3.4 Some of the suggestion changes received included:

I would like to comment that people who are living in flats with communal outside space and gardens should be allowed areas, specific to themselves for a few seats or pots, so they have something to go outside for. This should be monitored to ensure safety but I have noticed increasingly, especially older residents, feel like prisoners in their homes and have made this comment to me because they are not allowed items outside their properties. I.e. growing some tomatoes in a pot. This person was told he is not allowed. Surely this is a human right. A lot of people have very little to keep themselves interested in life. Rules are good and appreciate they have to be there, but a blanket no in my opinion is not the way forward. In the interest of people's lives surely we could make provision for this to be allowed, even if it is monitored. I would be interested to learn the reasons behind the decision to not allow this.

I've received your new tenancy agreement and there are two things that concern me. Firstly is paragraph 5.61 no mobility scooter must be parked on the home. As the housing officer was aware I had one when viewing the property and didn't say it would be a problem. Secondly not to lay laminate flooring which I had already done as soon as moving in and had this laid because I'm unable to Hoover as it's too heavy for me to push a Hoover because of my disability.

Unfortunately, I cannot agree with point 8.14 and therefore cannot sign new terms of the agreement. On the day of signing the agreement in 2016 and collecting the keys, we were shocked when opening the flat. Each wall was a different colour, blue, red, a shade of black, grey and magnolia. To confirm this, we have photos of the flat before it was painted. The only thing the Council did was leave a bucket of white paint and a bucket of magnolia colour. We had to

do everything ourselves, it took me two weeks. It would be very inappropriate to expect us, the tenants, to paint the apartment in colours that the Council approved before leaving the property, taking into account the condition of the property we received.

Section 4.5

I am not happy with how you can make us responsible for a visitor once they have left my property anyone is free to go and do what they like once they have left my home so how does that make me responsible for their actions even if they was with me before hand or even after . Once we have said our good bye they are no longer a visitor at my home.

- 3.5 These points have been addressed in the tenancy agreement where possible, in particular where we remain consistent with recent policy updates, legislation and best practice or the wider balance of responses received.
- 3.6 This feedback will also support ongoing policy reviews and updates, for example mobility scooters where it was linked into the new, draft policy which is a separate agenda item for the PDG.
- 3.7 Many tenants who responded had specific issues with their property or estates which were not directly part of the new tenancy agreement. Any issues raised were passed onto the relevant teams to be actioned.

4 Next Steps and Implementation

- 4.1 Subject to Cabinet approval, we will plan and implement the introduction of the new Terms & Conditions.
- 4.2 For **NEW** tenants, after a date to be agreed, this will simply mean signing them to the new Tenancy Agreement.
- 4.3 For **EXISTING** tenants, we are required Under Section 103, of part IV of the Housing Act 1985, to give formal notification of any changes by serving the notice of variation with a minimum of 28 days' notice. It is proposed this will be issued in September 2025 with the new tenancy agreement to take effect from October 2025.

5 Recommendation

- 5.1 In accordance the above and to enable effective, compliant introduction of the new Tenancy Agreement, the following recommendations are made:

The Homes PDG recommends to Cabinet that:

- 1. The Tenancy Agreement is approved subject to any responses from new tenants signed up after the preliminary consultation ended**
- 2. Delegated authority be given to Head of Housing and Health (in consultation with the Cabinet Member for Housing, Assets and Property Services) to review the consultation responses from the new**

tenants and authorise such changes to the new tenancy agreement as he considers necessary in the light of any late consultation responses

- 3. Delegated authority be given to Head of Housing and Health (in consultation with the Cabinet Member for Housing, Assets and Property Services) to draft and serve the notice of variation to existing secure/introductory tenants under section 103 of the Housing Act 1985 to vary the terms and condition of their tenancies so that they are on the terms and conditions of the new tenancy agreement**

Financial Implications

There will be financial costs incurred as part of this process. A Notice of Variation will be sent to all secure and introductory tenants (circa 3000) by 2nd class post. We have no option legally but to send hard copies of notices and one to each individual tenant.

Legal Implications

As a registered provider (RP) of social housing, the Council is obliged to comply with the requirements of the Housing Act 1985. The specific requirements within the Act with regard to the legal requirements for introducing a new Tenancy Agreement are set out within the report.

The Council's legal team have been closely engaged through this process with regard to the updated Tenancy Agreement itself and the notice/adoption process to ensure legal compliance.

Risk Assessment

It is good practice to review tenancy agreements on a regular basis to take account of changes to legislation, regulatory requirements, policy and good practice. RPs also need to ensure that those responsible for housing management can rely on a robust tenancy agreement which can be used in support of efficient and effective management of tenancies and the housing stock.

Impact on Climate Change

The Housing Act 1985 requires local authority landlords to undertake consultation and also to print out various documents and to send these through the post when reviewing conditions of tenancy. This will, of course, have an impact upon emissions but cannot be avoided, in line with legislative requirements.

Equalities Impact Assessment

The regulatory framework currently includes the Transparency, Influence and Accountability Standard and, in line with the provisions of this, RPs are required to treat all tenants with fairness and respect; and also to demonstrate that they understand the different needs of their tenants, including in relation to the equality strands and tenants with additional support needs.

Officers working in MDH have training in support of this and are mindful that the Public Sector Equality Duty applies in the discharge of their duties. Work has started to refresh the information held on tenants in MDH records and, to this end, diversity information will be sought at most contacts starting once teams have been briefed.

An Equality Impact Assessment has been completed and no significant impacts have been identified. Those tenants who may have difficulty using standard means of written communication, including those who with literacy issues or whose first language is not English can request alternative forms of communication, including telephone calls, face to face contact and alternative formats including information in large print.

Relationship to Corporate Plan

We will work closely with our tenants to ensure they feel safe, secure and happy in their homes.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151 Officer
Date: 1.9.25

Statutory Officer: Maria de Leburne
Agreed on behalf of the Monitoring Officer
Date: 1.9.25

Chief Officer: Andrew Jarrett
Agreed by or on behalf of the Chief Executive/Corporate Director
Date: 1.9.25

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: Simon Newcombe – Head of Housing & Health
Email: snewcombe@middevon.gov.uk
Telephone: 01884 244615

Background papers:

Current Tenancy Agreements:

<https://www.middevon.gov.uk/residents/mid-devon-housing/your-tenancy/tenancy-agreements/>

Housing Act 1985

<https://www.legislation.gov.uk/ukpga/1985/68/contents>

Equality Impact Assessment

Purpose of the Equality Impact Assessment process:

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

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

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

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

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

Section 1: Equality Impact Assessment Screening

Title and description of the policy/ decision:	Notice of Variation	
Job title of the person(s) undertaking the assessment:	MDH Policy Officer	
Council service:	Mid Devon Housing	
Date of assessment:	07.07.2025	
What are the aims, purposes, objectives and proposed outcomes of the policy/ decision?		
To issue a Notice of Variation to all Secure and Introductory tenants, providing 28 days' notice of changes to the tenancy agreement following a review in accordance with Section 103 of the Housing Act 1985. This follows a consultation with all affected tenants.		
Who may be affected by the policy/ decision?	All secure and introductory tenants within Mid Devon Housing	
How have stakeholders been involved in the development of the policy/ decision? E.g. a consultation exercise	Consultation under Housing Act 1985 Section 103 Engagement via social media, drop-in sessions, home visits, telephone, email, and post.	
Will there be scope for prompt, independent reviews and appeals against decisions arising from the policy/ decision?	Yes	
To which part(s) of the Public Sector Equality Duties is the policy/ decision relevant:		
	Yes No Details	
1. Eliminate unlawful discrimination	<input checked="" type="checkbox"/> <input type="checkbox"/>	Measures in place to ensure accessible communication.
2. Advance equality of opportunity	<input checked="" type="checkbox"/> <input type="checkbox"/>	Adjustments provided to mitigate access barriers.
3. Foster good relations between different groups	<input checked="" type="checkbox"/> <input type="checkbox"/>	Inclusive communication strengthens tenant relationships.

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

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

Characteristic	Positive	Negative	Neutral	Comments
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Older tenants may be unsettled by the process; mitigated via face-to-face support and phone communication.
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Mitigated by offering large print, verbal explanations, and face-to-face support.
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts

Characteristic	Positive	Negative	Neutral	Comments
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Any tenants who cannot read or write in English will be mitigated through the use of translation services to provide the review in alternative languages
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Pregnancy/ maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Marriage and Civil partnership*	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts

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

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

Yes

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

--

EIA Screening Complete

Section 2: Equality Impact Assessment

Evidence and Consultation

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

- **Tenant consultation responses.**
- **Internal data on vulnerable tenants**
- **Regulatory guidance and best practice from the housing sector.**
- **Tenant diversity data.**

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

Potential Impacts/ Issues Identified/ Opportunities identified	Mitigation required (action) or Justification	Lead Officer and target completion date	What is the expected outcome from the action?
Sex			
Age			
Confusion or stress among older tenants	Offer personal communication: face-to-face visits or phone calls	Tenant Involvement Team	Improved understanding and reassurance
Disability			
Visual, cognitive, or literacy barriers	Use of alternative formats, plain English, home visits	Tenant Involvement Team	Enhanced accessibility
Religion or Belief			
Race			
Language barriers for non-English speakers	Translation services available	Housing Policy Team	Equitable access to information
Sexual Orientation			
Gender Reassignment			

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

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

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

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

Mid Devon Housing Website

=====

Equality Impact Assessment Sign off

For completion by Corporate Manager

Are you prepared to agree and sign off the EIA?

☒ **Yes** ☐ **No**

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

Name: Simon Newcombe

Job Title: head of Housing and Health

Date:

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Report for:

Cabinet

Date of Meeting:	7 October 2025
Subject:	MID DEVON HOUSING (MDH) MOBILITY SCOOTER IN FLATS POLICY
Cabinet Member:	Cllr Jane Lock Cabinet Member for Housing, Assets and Property Services
Responsible Officer:	Simon Newcombe – Head of Housing and Health
Exempt:	None
Wards Affected:	All
Enclosures:	Annex A - Mobility Scooter in Flats Policy Annex B - Equality Impact Assessment

Section 1 – Summary and Recommendation(s)

The use of mobility aids, such as powered wheelchairs and mobility scooters is growing rapidly, enabling many individuals to maintain independence and improve quality of life.

MDH is committed to equality and inclusion and recognises the vital role these aids play in helping residents engage in daily activities and community life. These aids significantly contribute to resident wellbeing. However, they are typically not medically prescribed devices subject to relevant standards and safety controls but are more likely to be classified as lifestyle devices that are not necessarily manufactured and maintained in accordance with recognised standards. This, and the inherent risk of having relatively large batteries stored and charged inside our properties increases fire risks.

MDH has a statutory responsibility to uphold high standards of health and safety across its estates. In fulfilling this duty, MDH is required to ensure that the use of mobility vehicles within flats and communal areas complies with all relevant legal and safety requirements.

This policy 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.

Recommendation(s):

That Cabinet recommends to Council to adopt the Mobility Scooter in Flats Policy and Equality Impact Assessment contained in Annexes A and B respectively as recommended by the Homes Policy Development Group.

Section 2 – Report

1 Introduction

- 1.1 The National Fire Chiefs Council (NFCC) has issued safety guidance for mobility scooters, noting both their benefits and associated fire risks. The guidance addresses the safe storage, charging, and use of these devices in residential properties. Further local guidance has been published by Devon and Somerset Fire & Rescue Service.
- 1.2 The increased prevalence of both mobility scooter and of flats within the MDH stock with lifts that facilitate mobility scooters on all floors, notably with regard to the new accommodation at St Georges Court, means that we are required to have a new policy on the safe use of mobility scooters.
- 1.3 It is of overriding important that all our tenants are safe in our homes. As such, that we comply with all relevant safety legislation including the mitigation and management of fire risks and meet the wider requirements of the statutory Safety and Quality Standard (consumer standard).
- 1.4 The proposed policy (Annex A) outlines the responsibilities of Council tenants in flats. It sets clear rules regarding the use, storage, and charging of mobility scooters in flats and communal areas including the requirement to obtain written permission from the Council before use or acquisition.
- 1.5 Tenants are not permitted to store or charge mobility scooters in communal areas for fire safety and wider safe evacuation reasons.
- 1.6 The policy also covers related powered wheelchairs.
- 1.7 The policy does not apply to homes that are not blocks of flats. This is due to reduced risks within fully self-contained properties without communal areas and wider evacuation considerations across multiple floors. Nonetheless, all tenants with a mobility scooter will be encouraged to consider information within the policy with regard to safe storage, charging, testing and insurance.
- 1.8 The policy does not cover e-scooters and e-bikes. These typically contain different lithium batteries. Further research and policy development work is required to understand the potential fire risks from these devices further where different equality considerations may be also be relevant. As part of our existing clear communal areas policy regarding the management of flats, e-scooters and e-bikes and any other bulky or potentially hazardous items are not permitted in communal areas.

2 Mobility scooters in flats and related considerations

- 2.1 The permission process ensures that:
- Storage and charging are done safely
 - Appropriate contents insurance is held for personal protection
 - Users are fully aware of the policy and agree to comply with its terms
 - Devices undergo regular Portable Appliance Testing (PAT)
- 2.2 Tenants will not be granted permission to store or charge mobility scooters in flats above the ground floor. This is due to safety concerns in moving the scooter to upper floor via stairs or lifts.
- 2.3 Permission will also be refused where, for example, there is no safe storage arrangement in the tenant's home and no alternative safe storage and charging space can be provided or a major physical alteration to the premises is required, which the Council believes to be unreasonable in terms of the structural limitations of the building(s) and/or disruption to other service users.
- 2.4 Due to safety concerns, the Council reserves the right to revoke permission at any time should a tenant/leaseholder breach the policy. Devices must then be removed immediately and possibly permanently.
- 2.5 The introduction communal mobility scooters storage areas has been investigated during the development of this policy. However, this has proven to be both impractical, potentially unsafe and cost-prohibition due to the following requirements:
- Single scooter storage solutions only – placing multiple scooters (and therefore several batteries) adjacent to each other creates a significant additional fire risks
 - High infrastructure requirements – power for charging meeting external charging standards, standalone/fully sealed/weatherproof/ventilated units with initial capital costs and on-going revenue implications for maintenance, creation of new accessibility access points and security provisions
 - Prohibitions on internal shared facilities within communal areas and underground car park areas or under-crofts, the latter being a specific issue at our St Georges Court property
- 2.6 The Council has never provided bespoke, specific facilities for the storage of mobility scooters within its stock including bungalows and other units specifically held for older persons/low mobility tenants use.

3 Consultation and engagement

- 3.1 Tenants and Members of the Homes PDG were invited to comment on the draft policy between 21/07/25 -18/08/25.
- 3.2 One comment was received on Let's Talk Mid Devon *'If I can't have my mobility scooter at my flat, I won't be able to go out which will affect my mental health. I rely on it and not allowing people in flats to have mobility scooters should mean*

that that person should be moved to accommodation which is more suitable for keeping a scooter as this is the difference between some people's independence'. It was explained to the respondent that tenants residing in ground floor flats who wish to store and charge mobility scooters and powered wheelchairs in their flats may be permitted to do so, subject to MDH written approval. It was also explained that permission would not be given for mobility scooters above ground floor due to health and safety reasons. The tenant was invited to send over their details so that MDH could look into whether this applies to their property, however the tenant is yet to make contact.

- 3.3 Despite only one response to the consultation, it is important that tenants are fully aware of the new policy. To this end, should the policy be adopted, MDH will proactively signpost the policy on our webpages/Facebook pages and in the next tenant newsletter. Where relevant, particularly in relation to queries, service requests or complaints we will also ensure specific tenants or other stakeholders are also aware of the policy as required.
- 3.4 At point of allocation for all flats within the MDH stock, the allocations teams will specifically signpost this policy so any incoming tenants with mobility needs are aware of the policy terms in advance.

4 Safeguarding and vulnerable tenants

- 4.1 The policy may adversely affect older people and those with disabilities, especially if permission is denied. It could also indirectly affect carers, who may have to provide increased support. These concerns have been considered in the policy's development to ensure a balanced approach with regard to safety requirements.
- 4.2 Where arrangements cannot be made to accommodate a mobility scooter within the tenant's current home MDH will engage with the tenant to explore alternative arrangements. This may include:
- External single scooter, secure storage solutions (at the tenant's cost and where safe)
 - Access to adapted communal spaces (with risk mitigation)
 - Advice on home adaptations or alternative housing options.

5 Recommendation

- 5.1 It is therefore recommended that:

The Homes PDG recommends to Cabinet that Council adopt the Mobility Scooter in Flats Policy and Equality Impact Assessment contained in Annexes A and B respectively.

Financial Implications

None beyond those identified in the Equality Impact Assessment.

Legal Implications

As a registered provider of social housing, the Council must comply with the regulatory standards set by the Regulator of Social Housing. In particular, that we comply with all relevant safety legislation including the mitigation and management of fire risks and meet the wider requirements of the statutory Safety and Quality Standard (consumer standard).

This policy has been developed in close consideration with the latest The National Fire Chiefs Council (NFCC) safety guidance for mobility scooters, noting both their benefits and associated fire risks.

Whilst mobility scooters are currently not directly regulated in the UK, the primary legislation relating to mobility scooters and fire safety includes the Regulatory Reform (Fire Safety) Order 2005.

Wider relevant legislation and related MDH policies are set out in section 4 of the policy.

Risk Assessment

Denying permission for mobility devices may significantly reduce an individual's independence. To mitigate this, the Council will consider reasonable property alterations to facilitate device storage, subject to an Occupational Therapist's assessment or provide advice on home adaptations or alternative housing options.

Impact on Climate Change

None directly arising from this report.

Equalities Impact Assessment

An Equalities Impact Assessment has been completed which considers the effect the policy may have on users of mobility scooters who live in our flats. Requests for a mobility scooter will not be unreasonably refused but where we are not able to grant permission we will provide advice on home adaptations or alternative housing options.

Relationship to Corporate Plan

We will work closely with our tenants to ensure they feel safe, secure and happy in their homes.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 27.8.25

Statutory Officer: Maria de Leburne

Agreed on behalf of the Monitoring Officer

Date: 27.8.25

Chief Officer: Andrew Jarrett

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

Date: 27.8.25

Performance and risk: Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

Date: 21/08/2025

Cabinet member notified: Yes

Section 4 - Contact Details and Background Papers

Contact: Simon Newcombe, Head of Housing and Health

Email: snewcombe@middevon.gov.uk

Telephone: 01884 255255

Background papers and information:

National Fire Chief Council (NFCC)

Mobility Scooter Guidance for Residential Buildings

https://nfcc.org.uk/wp-content/uploads/2023/07/09062018_NFCC_Mobility_Scooter_Guidance_Final.pdf

Devon & Somerset Fire & Rescue Service

Fire safety for battery-powered mobility scooters and wheelchairs

<https://www.dsfire.gov.uk/safety/businesses/battery-powered-scooters-and-wheelchairs>



Mobility Scooter in Flats Policy

This policy was produced in 2025 and is version 1.0

This policy was adopted by Council on xxxx

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

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DRAFT

1 Introduction

- 1.1 Mobility scooters are becoming increasingly popular in society. Customers are utilising mobility scooters and powered wheelchairs in particular to improve their independence.
- 1.2 Mid Devon House (MDH) affirms its commitment to promoting equality and inclusion, and acknowledges the essential role that a variety of mobility aids, including mobility scooters, play in supporting residents to maintain independence, to access opportunities, and to participate fully in community life. These aids contribute significantly to enhancing residents' quality of life and social wellbeing.
- 1.3 MDH has a statutory responsibility to uphold high standards of health and safety across its estates. In fulfilling this duty, MDH is required to ensure that the use of mobility vehicles within flats and communal areas complies with all relevant legal and safety requirements.
- 1.4 This policy 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.

2 Aims and Objectives

- 2.1 The main aims of the policy are:
 - To provide tenants and their visitors with clear and comprehensive guidelines regarding the safe use, storage, and charging of mobility scooters and powered wheelchairs on Council-owned flats and land;
 - To ensure MDH fulfils its statutory obligations to protect the health, safety, and wellbeing of all residents, staff, and visitors within its housing stock;
 - To prevent mobility scooters from causing obstructions, trip hazards, increased fire risks or blocking designated escape routes in the event of an emergency;
 - To ensure that all prospective and existing tenants are provided with appropriate information and guidance prior to acquiring (by purchase, lease, or other means) any mobility scooter or powered wheelchair, including the requirement to seek permission from MDH for storage or charging at their property;
 - To ensure that tenants and leaseholders in flats are fully aware of their responsibilities concerning the use, storage and charging of mobility aids within and around buildings, particularly in communal areas;
 - To clarify that tenants and leaseholders bear full responsibility for any injury to individuals or damage to Council property resulting from the use, storage, or charging of mobility scooters or powered wheelchairs;
 - To ensure that tenants and leaseholders obtain and maintain appropriate insurance coverage, including public and third-party liability, to protect against potential claims arising from damage to buildings, property, or communal grounds, or injury to residents, visitors or staff.
 - Ensure that tenants with disabilities or mobility needs are supported to maintain independence and equality of access to their homes and services.

- Provide reasonable adjustments, including alternative solutions for safe storage/charging where a tenant's disability means compliance with the standard arrangement would cause substantial disadvantage. This will normally only apply to powered wheelchairs supplied by a medical professional.
 - Commit to signposting to alternative solutions (including re-housing) in the case of affected tenants where policies on fire safety and accessibility potentially conflict.
- 2.2 The objective is to ensure that the use of mobility scooters or powered wheelchairs within Council owned flats and land is safe and adheres to guidance provided by the National Fire Chiefs Council.

3 Regulatory Framework and Context

- 3.1 Under the Safety and Quality Standard, The Regulator of Social Housing (RSH) requires all registered providers to provide safe and good quality homes and landlord services to tenants. Under the Neighbourhood and Community Standard, registered providers must work co-operatively to assist in resolving issues affecting the upkeep and safety of the shared spaces associated with their homes.
- 3.2 The RSH regards councillors as responsible for ensuring that providers' businesses are managed effectively and that providers comply with all regulatory requirements.
- 3.3 The Social Housing (Regulation) Act 2023 has impacted the regulatory framework for social housing and introduces a new, proactive consumer regulation regime focused on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 3.4 As part of the new consumer regulation regime, from April 2023, the RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measures include those applicable directly to building safety as well as those based on tenant perception surveys setting out tenants' views on our performance.
- 3.5 The TSM's associated with this policy are:
- TP06 - Satisfaction that the landlord listens to tenant views and acts upon them
 - TP07 - Satisfaction that the landlord keeps tenants informed about things that matter to them
 - TP08 - Agreement that the landlord treats tenants fairly and with respect
 - TP10 - Satisfaction that the landlord keeps communal areas clean and well maintained

4 Related Legislation and Relevant Policies

- 4.1 MDH is governed by the following legislation and government guidance:

- The Housing Act 2004
- The Landlord & Tenant Act 1985
- Social Housing (Regulations) Act 2023
- Regulatory Reform (Fire Safety) Order 2005
- Equality Act 2010
- Management of Health and Safety at Work Regulations 1999
- The Chief Fire Officers Association Mobility Scooter Guidance 2017
- The National Fire Chiefs Council - Fire Safety in Specialised Housing Guidance 2017
- The National Fire Chiefs Council - Mobility Scooter Guidance for Residential Buildings 2018
- Use of Invalid Carriages on Highways Regulations 1988
- The Health and Safety at Work Act 1974
- The Care Act 2014
- Local Government Association guidance on fire safety in purpose built blocks of flats 2011

4.2 The following should be read in conjunction with the policy:

- MDH Tenancy Agreement
- MDH Tenancy Management Policy
- MDH Neighbourhood Management Policy
- MDH Homes Safety Policy

5 Permission & Permitted Use

- 5.1 All tenants and leaseholders living in flats must obtain prior written permission from MDH before storing or charging mobility vehicles or powered wheelchairs within any Council-owned flats or on Council-managed land.
- 5.2 Permission will not be granted to store or charge mobility scooters in flats above the ground floor.
- 5.3 Requests for permission must be submitted in writing using a permission form and will be assessed on a case-by-case basis. MDH reserves the right to refuse permission where it is determined that granting such permission may pose a risk to health, safety, or the integrity of the property.
- 5.4 Tenant wishing to seek permission for a mobility scooter or powered wheelchair must apply using a permission request form. These can be found on our website: [Mobility Scooters - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/mobility-scooters)

- 5.5 This policy does not seek to prohibit the reasonable use, storage, or charging of mobility scooters or powered wheelchairs across MDH-managed housing. Instead, it aims to ensure that such use is safe, controlled, and consistent with fire safety and housing management standards.
- 5.6 Tenants residing in ground floor flats who wish to store and charge mobility scooters and powered wheelchairs within their private dwelling may be permitted to do so at their own risk, subject to obtaining MDH's written approval. Approval will be conditional upon the storage and charging not causing damage to the building fabric, internal infrastructure or MDH-owned fixtures and fittings.
- 5.7 The storage and charging of mobility scooters and powered wheelchairs must only be carried out using the original manufacturer-supplied chargers. These chargers must be subject to Portable Appliance Testing (PAT) on an annual basis. Tenants are responsible for arranging and funding PAT testing for their devices and must provide MDH with valid certification each year as a condition of continued permission. MDH are able to provide a PAT test and valid certificate for a fee. Please contact us for further details.
- 5.8 Tenants are also responsible for ensuring their mobility scooter or powered wheelchair is serviced and maintained regularly. The manufacturer's service guide should be followed for maintenance.
- 5.9 Tenants are required to maintain appropriate insurance which should include valid public liability insurance for any mobility scooters and powered wheelchairs used, stored, or charged on the premises, in case of either damage to the Council's property, or injury involving other Council tenants or their visitors. Evidence of up-to-date specific mobility scooter insurance coverage must be submitted to MDH on an annual basis.
- 5.10 Please note that mobility scooters and powered wheelchairs are not covered by the Council's insurance. Therefore, tenants should arrange their own contents insurance cover.
- 5.11 The Council does not accept liability for any losses or damage to a mobility scooter or powered wheelchair, whether it is on the Council's property or not.
- 5.12 If permission is refused the tenant has the right to appeal the decision. The wish to appeal the decision should be communicated to MDH in writing within 21 days of the tenants being informed of the refusal. The appeal will be conducted by the Operations Manager for Housing. The outcome of the appeal will be final.

6 Mobility Scooters and Powered Wheelchairs

- 6.1 Mobility Scooters are defined as an "Invalid Carriage" under the Use of Invalid Carriages on the Highways Regulations 1988 in which they are divided into three categories:

6.2 Class 1 Vehicles

- Manually operated wheelchairs which are not electrically powered. These do not need to be registered with the DVLA and tenants do not need to apply for permission to have or store such wheelchairs.

6.3 Class 2 Vehicles

- Powered wheelchairs and mobility scooters for pedestrian routes and indoor use, that are limited to a maximum speed of 4mph and do not exceed an unladen weight of 113.4 kg.
- Class 2 vehicles are not allowed on the public highway and are not required to be registered with the Driver and Vehicle Licensing Agency (DVLA).
- Tenants do need to apply for permission to have these types of vehicles.

6.4 Class 3 Vehicles

- Powered vehicles and mobility scooters that are designed to:
 - Travel up to 8mph and are used on roads/highways and;
 - Fitted with a device to restrict travel to a maximum speed of 4mph on pedestrian routes and for indoor use.
- Class 3 Vehicles must not exceed an unladen weight of 150 kg.
- Class 3 vehicles are not classed as motor vehicles but they are required to be licensed with the DVLA for road use and cannot be operated by anyone below the age of 14
- Permission will not be given to store or use this type of vehicle within MDH properties.

6.5 If permission for a mobility scooter has been given, tenants should ensure that they follow these guidelines:

- Ensure that they follow any manufacturer guidelines or instructions on the safe use and charging of their equipment
- Remove the battery from the mobility scooter (if possible) if not being charged or used
- Restrict charging at night, from 8pm to 8am – this will reduce the risk to those who are asleep
- Ensure that the scooter is not stored in front of exit doorways or fire escape routes within the property or anywhere within the property inhibiting safe entry and exit. If in doubt, the tenant should contact MDH for advice on suitable storage location.

6.6 Where safe storage or charging within a property is not feasible and a tenant requires a mobility aid due to a disability, MDH will engage with the tenant to explore alternative arrangements. This may include:

- External, single scooter secure storage solutions (at tenants cost and where safe to do so)
- Access to adapted communal spaces (with risk mitigation)
- Advice on home adaptations or alternative housing options.

7 Storage and Charging within Flats and Communal Areas

Storage

- 7.1 Tenants must obtain prior written permission from MDH to store a mobility scooter or powered wheelchair within the confines of their property. Storage of mobility scooters within the home is undertaken entirely at the resident's own risk.
- 7.2 Permission to store a mobility scooter or powered wheelchair will not be granted where its use necessitates travel in a lift to access the property (that is flats or maisonettes accessed via lift above ground floor level).
- 7.3 The storage of mobility scooters in any internal communal area—including, but not limited to, corridors, stairwells, or spaces beneath staircases—is strictly prohibited.

Charging

- 7.4 Tenants must obtain prior written permission from MDH to charge a mobility scooter within the confines of their property. Permission will be subject to compliance with the established mobility scooter charging criteria. Charging within the home is undertaken entirely at the resident's own risk.
- 7.5 The charging of mobility scooters in any internal communal area-including, but not limited to, corridors, stairwells, or spaces beneath staircases of the building - is strictly prohibited.

- 7.6 The charging of mobility scooters in any external communal area is not permitted under any circumstances. Residents must not run extension leads or power cables through doorways, windows, or any other access points for the purpose of charging a mobility scooter stored outside of landlord-owned land.

8 Complaints

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

- 8.2 If things do go wrong the Council is committed to:

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

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

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

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

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

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

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

9 Equality Impact Assessments

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

10 Summary of Additions and Policy Amendments

The following Policy amendments have been made:

Date	Amendment Made	Amendment Authorised by

Equality Impact Assessment

Purpose of the Equality Impact Assessment process:

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

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

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

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

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

Section 1: Equality Impact Assessment Screening

Title and description of the policy/ decision:	Mobility Scooter in Flats Policy
Job title of the person(s) undertaking the assessment:	MDH Policy Officer
Council service:	Mid Devon Housing
Date of assessment:	18.07.2025
What are the aims, purposes, objectives and proposed outcomes of the policy/ decision?	
<p>This Policy 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.</p> <p>The main aims of the policy are:</p> <ul style="list-style-type: none"> • To provide tenants and their visitors with clear and comprehensive guidelines regarding the safe use, storage, and charging of mobility scooters and powered wheelchairs on Council-owned flats and land; • To ensure MDH fulfils its statutory obligations to protect the health, safety, and wellbeing of all residents, staff, and visitors within its housing stock; • To prevent mobility scooters from causing obstructions, trip hazards, increased fire risks, or blocking designated escape routes in the event of an emergency; • To ensure that all prospective and existing tenants are provided with appropriate information and guidance prior to acquiring (by purchase, lease, or other means) any mobility scooter or powered wheelchair, including the requirement to seek permission from MDH for storage or charging at their property; • To ensure that tenants and leaseholders in flats are fully aware of their responsibilities concerning the use, storage, and charging of mobility aids within and around buildings, particularly in communal areas; • To clarify that tenants and leaseholders bear full responsibility for any injury to individuals or damage to Council property resulting from the use, storage, or charging of mobility scooters or powered wheelchairs; and • To ensure that tenants and leaseholders obtain and maintain appropriate insurance coverage, including public and third-party liability, to protect against potential claims arising from damage to buildings, property, or communal grounds, or injury to residents, visitors, or staff. 	
Who may be affected by the policy/ decision?	<p>Persons with a protected characteristic and or medical condition/need that requires use of a mobility scooter or powered wheelchair.</p> <p>The Council remains committed to promoting the rights of those with protected characteristics and the independence of our tenants through supporting their use of mobility aids such as mobility scooters or powered wheelchairs, but this must be balanced with our duty to ensure that shared areas are safe places for other residents, staff, and visitors to access, and remain clear of obstructions in the event of a fire which mobility scooters or powered wheelchairs can pose if stored and charged</p>

	there.
How have stakeholders been involved in the development of the policy/ decision? E.g. a consultation exercise	All Council tenants and Members were consulted about the Policy between 21 st July 2025 and 18 th August 2025.
Will there be scope for prompt, independent reviews and appeals against decisions arising from the policy/ decision?	MDH will review this Policy every 5 years and as required to address legislative, regulatory, best practice or operational issues. However the Head of Housing and Health is given delegated authority to make minor amendments to the Policy as required by legislative changes, formal guidance or local operational considerations.
To which part(s) of the Public Sector Equality Duties is the policy/ decision relevant:	
	Yes No Details
1. Eliminate unlawful discrimination	<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Advance equality of opportunity	<input type="checkbox"/> <input checked="" type="checkbox"/>
3. Foster good relations between different groups	<input type="checkbox"/> <input checked="" type="checkbox"/>

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

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

Characteristic	Positive	Negative	Neutral	Comments
Sex	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Age	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Mobility scooters or powered wheelchairs are generally utilised by elderly people to aid their mobility. The Policy provides guidelines to tenants to help them facilitate mobility scooter or powered wheelchair ownership in a way which reduces any risk to the tenant and other tenants in the building.
Disability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Although MDH will not be able to grant permission for mobility scooters or powered wheelchairs in all instances, the Policy requires MDH to seek alternative solutions for tenants where owning and storing of a mobility scooter in their current

Characteristic	Positive	Negative	Neutral	Comments
				accommodation is not possible.
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Sexual Orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Gender reassignment	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Pregnancy/ maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts
Marriage and Civil partnership*	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No specific impacts

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

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

Yes

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

EIA Screening Complete Section 2: Equality Impact Assessment

Evidence and Consultation
<p>What existing sources of information have you gathered to help identify how people covered by the protected characteristics may be affected by this policy/ decision? E.g. consultations, national or local data and/or research, complaints or customer feedback. Please identify any gaps in the available information that might make it difficult to form an opinion about the effect of the policy on different groups.</p>
<p>The Policy is likely to impact on residents who currently use mobility scooters or powered wheelchairs to support their mobility and also those who are considering using them.</p> <p>Residents who may use mobility scooters or powered wheelchairs include, but are not limited to:</p> <ul style="list-style-type: none"> Older persons who have restricted mobility Individuals who have a disability as defined in the Equality Act 2010 <p>Mobility scooters or powered wheelchairs are recognised as mobility aids which can enhance the quality of life and help maintain a standard of independence for many older or less mobile residents, who otherwise may be limited in their ability to access common facilities where they live or access those in the wider community.</p> <p>The National Fire Chiefs Council (NFCC) has issued guidance (Fire Safety in Specialised Housing [2017] and Mobility Scooter Guidance for Residential Buildings [2018]) recognising that while mobility scooters or powered wheelchairs enhance residents' quality</p>

of life, they also pose fire risks. The guidance outlines considerations for the safe use, storage, and charging of mobility scooters in residential buildings.

This Policy will be sent to current Council tenants and Members for consultation between 21st July 2025 and 18th August 2025. The results of the consultation will be reviewed and any necessary changes made to the Policy.

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

Potential Impacts/ Issues Identified/ Opportunities identified	Mitigation required (action) or Justification	Lead Officer and target completion date	What is the expected outcome from the action?
Sex			
No impacts have been identified in the completion of the assessment.			
Age			
<ul style="list-style-type: none"> The Policy may have an impact on elderly residents who are considering using a mobility scooter or powered wheelchair to support their mobility, in buildings with shared spaces Designated sheds or areas where users are permitted to store and charge their mobility scooters or powered wheelchairs may not be available and may be inaccessible. The potential use of enforcement against mobility scooter or powered wheelchair users where there is a breach of the tenancy agreement, the Neighbourhood Management policy, and any permissions to use, store or charge their mobility scooter. 	<ul style="list-style-type: none"> We will engage with residents where they are in breach of the Policy and their tenancy agreement. Before any enforcement action is taken, we will work with the owner to find an alternative solution. The Policy clearly defines what mobility scooter or powered wheelchair users can and cannot do regarding storage and charging. Where the Council is unable to accommodate persons who use a mobility scooter or powered wheelchair alternative accommodation will be discussed and arranged. 		

Disability			
<ul style="list-style-type: none"> The provisions in the Policy may potentially have a negative impact on persons with disabilities that impede or affect their mobility, who currently use mobility scooters or powered wheelchairs. The Policy may also have an impact on residents who are considering using a mobility scooter or powered wheelchair to support their mobility in buildings with shared spaces Designated sheds or areas where mobility scooter users are permitted to store and charge their mobility scooters or powered wheelchairs may not be available and may be inaccessible. The potential use of enforcement against mobility scooter or powered wheelchair users where there is a breach of the tenancy agreement, the Neighbourhood Management policy, and any permissions to use, store or charge their mobility scooter. 	<ul style="list-style-type: none"> We will engage with residents where they are in breach of the policy and their tenancy agreement. Before any enforcement action is taken, we will work with the owner to find an alternative solution. The Policy clearly defines what mobility scooter or powered wheelchair users can and cannot do regarding storage and charging. Where the Council is unable to accommodate persons who use a mobility scooter or powered wheelchair alternative accommodation will be discussed and arranged. 		
Religion or Belief			
No impacts have been identified in the completion of the assessment.			
Race			
No impacts have been identified in the completion of the assessment.			
Sexual Orientation			

No impacts have been identified in the completion of the assessment.			
Gender Reassignment			
No impacts have been identified in the completion of the assessment.			
Pregnancy/ maternity			
No impacts have been identified in the completion of the assessment.			
Marriage and Civil partnership (Applies only to Employment and the duty to give regard to the elimination of discrimination)			

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

Following consultation with tenants and members, the Policy will be reviewed in the light of any feedback.

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

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

Mid Devon Housing Website

=====

Equality Impact Assessment Sign off

For completion by Corporate Manager

Are you prepared to agree and sign off the EIA?

☐ **Yes**

☐ **No**

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

Name: Simon Newcombe

Job Title: Head of Housing and Health

Date:

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Report for: CABINET

Date of Meeting:	7 October 2025
Subject:	Play Area Risk Assessment and Safety Inspection Review
Cabinet Member:	Cllr Josh Wright, Cabinet Member for Service Delivery and Continuous Improvement
Responsible Officer:	Paul Deal, Head of Finance Property and Climate Resilience
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1 – Risk Assessment Record (site specific) Appendix 2 – Risk Assessment (Parish order)

Section 1 – Summary and Recommendation(s)

To review the Council's management of play area risk assessment and safety inspections

Recommendation(s):

That Cabinet approve the continued approach for the inspection and risk assessment of the council's play areas and that these are brought back for future review no later than 2028 as recommended by the Service Delivery and Continuous Improvement Policy Development Group.

Section 2 – Report

1.0 Introduction/Background

- 1.1 The previous review of risk assessments and safety inspections of the Council's play areas was carried out in 2022.
- 1.2 The Council has 78 play areas (including skate parks and BMX track) in its direct control. The number of Play Area leased to Parish and Town Council is 20 with a further 1 currently pending. There are 3 closed sites with no equipment.

- 1.3 There shall also inevitably be a reduction in the number of (i) pieces of equipment within play areas and (ii) play areas to inspect over time. This is due to the managed decline of equipment and the lack of funding to replace it in some places resulting in closures in accordance with previously agreed Policy subject to review with Town and Parish Councils at the time. Un-equipped play areas shall still require inspections.
- 1.4 The Council has a legal responsibility for the safety of those using its playgrounds. Both criminal and civil aspects of the law are relevant.
- 1.5 Under sections 3 and 4 of the Health and safety at Work Act 1974 (“the Act”) there is a clear duty on playground providers to ensure – so far as reasonably practicable - the health and safety of those who use the facility. Further under the Occupiers’ Liability Acts 1957 and 1984 there is a duty to keep visitors (and trespassers) to Council premises reasonably safe from harm. Failure to comply with the duties under these Acts may result in legal enforcement action being taken. An improvement or prohibition notice could be served and/ or the appropriate enforcing authority could bring a prosecution.
- 1.6 Inspections are carried out by two qualified members of staff within Property Services. The FTE is 0.70 at a cost of £28,520 for inspection of equipment and supervision and £76,820 (25-26 budget) for essential operational maintenance and planned works (excluding Capital).
- 1.7 Income from parish councils for the provision of an inspection service is projected to be circa £11,000 in the current year. This sum may increase further as play areas are transferred or Parishes seek the inspection service
- 2.0 Inspection Regime**
- 2.1 The publication “Best Play” states that play provision should aim to manage the balance between the need to offer risk and the need to keep children safe from harm.
- 2.2 There is a legal requirement to carry out risk assessments on all play areas, the Health and Safety Executive has endorsed the use of risk versus benefit assessments, for children’s play area provision.
- 2.3 Although the number of play areas that the Council are responsible for have reduced there is still a need to ensure that play areas that pose the highest potential risk receive the highest level of inspections. This has been determined by carrying out a play area risk assessment that awards scores to each site depending on the type of equipment installed and the inherent risk that it poses. The higher the score the more frequent the inspection regime, see Appendices 1 and 2.
- 2.4 Appendix 1 shows an example of an individual play area Risk Assessment Record and Appendix 2 list Play Area Risk Assessment in Parish order including risk scores and inspection frequencies.

- 2.5 Individual scores on the Risk Assessment Record are multiplied across the page and summed down the page.
- 2.6 Play area sites with a score less than 30 have Operational inspections monthly. Those with a score of 30 or greater have more frequent Routine inspection
- 2.7 Inspections are categorised as Routine, Operational and Annual, with a reduced schedule operating during the autumn and winter. Twice and three times weekly inspections are classed as Routine. Currently, each of our play areas receives a monthly and an annual inspection as a minimum. The higher scoring sites receive additional Routine inspections up to a maximum of three per week. Inspections are undertaken during the working week (Monday – Friday) - there are no weekend or bank holiday inspections.
- 2.8 Around 2,000 inspections are undertaken annually.
- 2.9 Inspections are classified as:
- a) Routine Inspection - this is a basic safety check and will identify hazards resulting from vandalism, anti-social behaviour, mis-use and wear and tear from normal use.
 - b) Operational Inspections - more detailed and include the condition of both static and moving parts, such as chains, seats and bearings.
 - c) Annual Inspection - this examines the integrity of the structures and takes an overview of the play area as a whole.
- 2.10 Inspection frequency is under constant review depending on condition of equipment, prevalence of anti-social behaviour and vandalism and the weather. Reduced inspection frequencies during autumn and winter are off-set with increased emphasis on land drainage and flood-defence assets.
- 2.11 All inspections are entered into a database and the results can be interrogated to ensure identified repairs are carried out. The service is looking to implement a cost effective means of directly entering inspection records into a database via handheld or portable devices at the earliest opportunity to further improve effectiveness and efficiency.
- 2.12 In addition to the in-house inspections as detailed above an Annual independent inspection is carried out by independent certified annual play area inspection company. This has most recently been the Royal Society of Prevention of Accidents (RoSPA) but other providers are available and service value will be tested.
- 2.13 Routine inspections (i.e. two or three times weekly) are carried out at the four larger park sites (Amory Park, Peoples Park and Westex Recreation Ground in Tiverton and Newcombes Meadow in Crediton), skate parks and the BMX track.

3.0 Safety Record

3.1 The Council is aware of three accidents in the review period. The most significant of these was a component failure on a newly installed piece of equipment and an installer/ manufacturer responsibility.

3.2 No claim has been received by the Council in the review period.

4.0 Recommendations

4.1 That the current play area risk assessment and inspection regime continues as it is for period of no longer than three years.

Financial Implications

The cost of the current inspection process is included within the base budget. The cost of litigation should the Council be found negligent or in breach of its statutory duties with regards to inspection and maintenance of its play areas could be substantial.

Legal Implications

The Council must have an inspection and maintenance regime for its play areas as stated within the Health and Safety at Work Act 1974.

Risk Assessment

There is a potential cost of litigation and loss of reputation should the Council be found negligent with regards to inspection and maintenance of its play areas in the event of injury or death of a child or any other person.

Impact on Climate Change

None

Equalities Impact Assessment

Regular inspection ensures the safe availability of play facilities for all elements of the community in the Councils play areas throughout the District.

Relationship to Corporate Plan

Ensures equipment in play areas and parks is fit for purpose to encourage active play and recreation for children and young people.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett
Agreed by or on behalf of the Section 151
Date: 04/09/2025

Statutory Officer: Maria De Leburne
Agreed on behalf of the Monitoring Officer
Date: 04/09/2025

Chief Officer: Stephen Walford
Agreed by or on behalf of the Chief Executive/Corporate Director
Date: 04/09/2025

Performance and risk: Stephen Carr
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 04/09/2025

Cabinet member notified: (yes)

Section 4 - Contact Details and Background Papers

Contact: Steve Densham
Email: Sdensham@middevon.gov.uk
Telephone: 01884234921

Background papers:

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Criteria	
Likelihood of an accident	After considering the generic assessment of the equipment the figure is derived from a scale 1 – 3 1 = Possible 2 = Likely 3 = Very Possible
Number of items on site	This refers to fixed pieces of equipment and includes fencing and goal posts. For multi-play equipment the number is derived from the number of modules including link modules. For fencing the following is used 1 = not easily climbed 2 = can be climbed 3 = Easily climbed
Seriousness of injury	This refers to the type of ground below the equipment which could reduce the seriousness of the injury and is considered along with the generic assessment. 1 = Rubber 2 = Woodchip 3 = Other
Additional Weightings	Additional weightings cover hazards such as closeness of rivers, roads and railways and the presence of paddling pools, old equipment and the high incidence of vandalism. The number used is achieved by allocating two points per hazard.

Equipment Type	Likelihood of accident	Number of items	Seriousness of Injury	Additional Weighting	
Rotating					0
Rocking					0
Swinging					0
Balance	1	2	1	1	2
Slide					0
Hanging					0
Climbing					0
Crawling					0
Fencing	1	1	1	1	1
Multi Item	2	2	1	1	4
Other					0

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Appendix 2

Site	Town Village	Site	Status	Score	Summer	Winter
301	Bow	Godfrey Gardens	Owned	6	Monthly	Monthly
302	Bow	St. Martins Close	Owned	8	Monthly	Monthly
303	Bow	Village Hall	Village Hall	29	Monthly	Monthly
304	Bow	Iter Park	Owned	25	Monthly	Monthly
401	Bradninch	Townlands	Owned	20	Monthly	Monthly
402	Bradninch	Barnes Close	Owned	7	Monthly	Monthly
601	Burlescombe	Brays Close	Owned	20	Monthly	Monthly
602	Westleigh	Westleigh	Parish	30	Monthly	Monthly
1101	Cheriton Bishop	Glebelands	Lease-Out		Monthly	Monthly
1701	Coleford	Coleford	Parish	18	Monthly	Monthly
1801	Crediton	Greenway	Closed	5	Monthly	Monthly
1802	Crediton	Beech Park	Owned	14	Monthly	Monthly
1803	Crediton	Newcombes	Owned	50	Three times weekly	Twice Weekly
1804	Crediton	Barnfield	Owned	20	Monthly	Monthly
1805	Crediton	Tuckers Meadow	Owned	18	Monthly	Monthly
1806	Crediton	Lords Meadow	Owned	16	Monthly	Monthly
1807	Crediton	Walnut Drive	Owned	10	Monthly	Monthly
1808	Crediton	Spinningpath Gardens	Lease-Out		Monthly	Monthly
1809	Crediton	Queen Elizabeth Drive (1)	Owned	11	Monthly	Monthly
1810	Crediton	Beacon Park	Owned	13	Monthly	Monthly
1811	Crediton	Lords Meadow "In Line Skating"	Owned	38	Twice Weekly	Twice Weekly
1812	Crediton	Fulda Crescent	Lease-Out – No Equipment		Monthly	Monthly
1813	Crediton	Queen Elizabeth Drive (2)	Owned- no equipment	6	Monthly	Monthly
1814	Crediton	Monks Close	Owned	7	Monthly	Monthly
1815	Crediton	Cromwell's Meadow	Owned	7	Monthly	Monthly
1816	Crediton	Kirton Rise	Owned	30	Monthly	Monthly
1901	Copplestone	Sunnymead	Lease-Out		Twice Weekly	Twice Weekly
1902	Copplestone	Fernworthy Park	Lease-Out		Monthly	Monthly
2101	Cullompton	Knightswood	Owned	38	Twice Weekly	Twice Weekly
2102	Cullompton	Rivermead	Lease-Out		Monthly	Monthly
2103	Cullompton	Ash Drive	Owned	12	Monthly	Monthly
2104	Cullompton	Conifer Close	Owned	9	Monthly	Monthly
2105	Cullompton	Linden Road	Owned	17	Monthly	Monthly
2106	Cullompton	Headweir Road	Lease-Out		Monthly	Monthly
2107	Cullompton	Ploudal Road	Owned	14	Monthly	Monthly
2108	Cullompton	Stoneyford	Lease-Out		Monthly	Monthly
2109	Cullompton	Tufty Park	Lease-Out		Monthly	Monthly
2110	Cullompton	Bockland Close	Owned	15	Monthly	Monthly

Appendix 2

2111	Cullompton	Meadow Lane "In Line Skating"	Owned	36	Twice Weekly	Twice Weekly
2112	Cullompton	Clover Drive	Closed	5	Monthly	Monthly
2113	Cullompton	Spindlebury	Owned	13	Monthly	Monthly
2114	Cullompton	Siskin Chase	Owned	6	Monthly	Monthly
2115	Cullompton	Starlings Roost	Owned	14	Monthly	Monthly
2116	Cullompton	Water Meadow	Owned	10	Monthly	Monthly
2117	Cullompton	Hayman's Close	Owned	6	Monthly	Monthly
2118	Cullompton	Hayman's Green	Owned	9	Monthly	Monthly
2119	Cullompton	Chaffinch Drive	Owned	20	Monthly	Monthly
2120	Cullompton	Dove Close	Owned	7	Monthly	Monthly
2121	Cullompton	Crossparks	Owned	12	Monthly	Monthly
2122	Cullompton	Bullfinch	Owned	9	Monthly	Monthly
2123	Cullompton	Linear Park	Owned	14	Monthly	Monthly
2124	Cullompton	Saxon Way	Owned	12	Monthly	Monthly
2125	Cullompton	Windsor Close	Owned	5	Monthly	Monthly
2126	Cullompton	Hanover Gardens	Owned	8	Monthly	Monthly
2601	Hemyock	Hollingarh Way	Owned	5	Monthly	Monthly
2602	Hemyock	Logan Way	Owned	10	Monthly	Monthly
2603	Hemyock	Millhayes	Owned	7	Monthly	Monthly
2901	Holcombe Rogus	Holcombe Rogus	Parish		Monthly	Monthly
3301	Lapford	Church Close	Owned	3	Monthly	Monthly
3501	Morchard Bishop	Greenaway	Owned	8	Monthly	Monthly
4101	Puddington	Puddington	Parish		Monthly	Monthly
4201	Sampford Peverell	Cornlands	Owned	8	Monthly	Monthly
4301	New Buildings	New Buildings	Owned	8	Monthly	Monthly
4302	Sandford	Town Barton	Owned	6	Monthly	Monthly
4501	Ellerhayes	Ellerhayes	Owned	7	Monthly	Monthly
5201	Tiverton	Trickey Close	Owned	16	Monthly	Monthly
5202	Tiverton	Palmerston Park	Owned	14	Monthly	Monthly
5203	Tiverton	Amory Park	Owned	32	Twice Weekly	Twice Weekly
5204	Tiverton	Colesmead	Owned	6	Monthly	Monthly
5205	Tiverton	Cotteylands	Owned	27	Monthly	Monthly
5207	Tiverton	Peoples Park	Owned	73	Three times weekly	Twice Weekly
5208	Tiverton	Westexe Rec	Owned	41	Three times weekly	Twice Weekly
5209	Tiverton	Wilcombe	Owned	38	Twice Weekly	Twice Weekly
5210	Tiverton	Lowman Priory	Owned	15	Monthly	Monthly
5211	Tiverton	Marguerite Road	Owned	7	Monthly	Monthly
5212	Tiverton	Hawthorn Road	Owned	8	Monthly	Monthly
5213	Tiverton	Halsbury Road	Closed	7	Monthly	Monthly
5214	Tiverton	Ashley Rise	Owned	11	Monthly	Monthly
5215	Tiverton	Cudmore Park	Owned	17	Monthly	Monthly
5216	Tiverton	Starkey Close	Owned	13	Monthly	Monthly

Appendix 2

5217	Tiverton	Orchard Leigh	Owned	16	Monthly	Monthly
5218	Tiverton	Banksia Close	Owned	23	Monthly	Monthly
5220	Tiverton	Everett Place (1)	Owned	12	Monthly	Monthly
5221	Tiverton	Everett Place (2)	Owned	12	Monthly	Monthly
5222	Tiverton	Bolham Road Skate park	Owned	49	Three times weekly	Twice Weekly
5224	Tiverton	Waylands	Owned	15	Monthly	Monthly
5225	Tiverton	Spencer Drive	Owned	11	Monthly	Monthly
5226	Tiverton	Popham Close	Owned	3	Monthly	Monthly
5227	Tiverton	Marley Close	Owned	7	Monthly	Monthly
5228	Tiverton	Amory BMX	Owned	43	Three times weekly	Twice Weekly
5301	Uffculme	Pippins Field	Leased-Out		Monthly	Monthly
5302	Uffculme	Pathfields	Lease-Out		Monthly	Monthly
5303	Uffculme	Culm Valley Way	Leased-Out		Monthly	Monthly
5801	Wembworthy	Wembworthy	Closed		Monthly	Monthly
5901	Willand	South View	Lease-Out		Monthly	Monthly
5902	Willand	The Orchards	Lease-Out		Monthly	Monthly
5904	Willand	Harpitt Close	Owned	12	Monthly	Monthly
5905	Willand	Gables Lea	Lease-Out		Monthly	Monthly
5906	Willand	Chestnut Drive	Lease-Out		Monthly	Monthly
5907	Willand	Victoria Close	Owned	18	Monthly	Monthly
5908	Willand	Worcester Crescent	Lease-Out		Monthly	Monthly
5909	Willand	Mallow Court	Lease-Out		Monthly	Monthly
5910	Willand	Buttercup Road	Owned	15	Monthly	Monthly
6201	Yeoford	Yeo View	Parish		Monthly	Monthly

	Leased to Parish
	Lease to Parish
	Pending
	Lease to the
	Council ended

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Report for: CABINET

Date of Meeting:	7 October 2025
Subject:	Memorial Tree and Seat Policy
Cabinet Member:	Cllr Josh Wright, Cabinet Member for Service Delivery and Continuous Improvement
Responsible Officer:	Paul Deal, Head of Finance, Property and Climate Resilience
Exempt:	None
Wards Affected:	All
Enclosures:	Appendix 1 – Memorial Seat and Tree Policy

Section 1 – Summary and Recommendation(s)

To review a proposed Policy for Memorial Seats and Trees on Council property.

Recommendation(s):

That Cabinet recommends to Full Council the adoption of the Memorial Benches and Memorial Tree Policy as recommended by the Service Delivery and Continuous Improvement Policy Development Group.

Section 2 – Report

1.0 Introduction/Background

- 1.1 From time to time the Council receives requests to support the provision of memorial trees and seats on its land. There is currently no policy setting out how to deal with these enquires. The proposed policy, attached as Appendix 1, sets out what is generally currently followed on an ad hoc basis for the purpose of clarity, equity and transparency.

2.0 Rational

- 2.1 Consideration will be given to requests for a seat with plaque or a tree on Council land in memory of loved ones who have died and other special events. This policy sets out the basis for this and seeks to demonstrate an equitable and transparent process.

2.2 The Council's parks and open spaces are primarily places for recreation and not memorial gardens. However, they do though provide a place for reflection and remembrance and are part of supporting well-being through the provision of quality open spaces.

2.3 There will not always be an immediately available space for a seat or tree and for those requests that can't be accommodated immediately, there will be the option to be added to a waiting list that will be maintained by the Council.

3.0 **Trees**

3.1 Trees will only be provided where there is a need for a tree in-line with the Council's Tree Policy. That may be where there is space to accommodate a tree or further tree or where an existing tree has failed and needs to be replaced. There isn't infinite space for trees and any newly planted tree must enhance and not detract from the setting.

3.2 No plaques or other marker will be permitted to accompany a tree as these may be the subject of theft and/or vandalism. However, natural floral tributes may be placed up to 3-times annually (birthday, anniversary or religious event) with any wrapping removed and may remain in place for up to 1 week.

4.0 **Seats**

4.1 Seating can only be provided where there are sites available within the Council's parks and cemeteries and where a new seat is needed to replace either a missing seat or one which is in a poor state of repair. Seats are not always replaced like for like. They need to be in places where the Council determines they will be used and enjoyed.

4.2 Locations for seats

Tiverton

- People's Park
- Westexe Recreation Ground
- Cemetery

Crediton

- Newcombes Meadow
- Cemetery

Other Towns and Parishes

- There are no similar ornamental parks owned by the Council and the Cemeteries are operated by Town and Parish Council where they exist.

Other sites may be considered, for example play areas and other open-spaces.

4.3 Engraved stainless steel plaques with appropriate wording may be affixed to a bench. Again, natural floral tributes may be placed up to 3-times annually

(birthday, anniversary or religious event) with any wrapping removed and may remain in place for up to 1 week.

- 4.4 The principles of the seating policy are endorsed by the Tiverton People's Park Trustee Group.

5.0 **Costs**

- 5.1 The cost of any memorial seat or tree will be met by the requestor.
- 5.2 Costs are subject to annual review but will increase by at least the appropriate Consumer Prices Index.

Financial Implications

There may be some financial advantage to the Council as the donation of seats and trees should result in improvements to the Council's parks and open spaces.

Legal Implications

None.

Risk Assessment

No risks additional to normal operational risk to consider.

Impact on Climate Change

Minimal impact but planting additional trees will be beneficial.

Equalities Impact Assessment

The provision of seats where the Council may not otherwise provide them may ameliorate the experience of those users with reduced mobility and enable greater confidence to use parks and cemeteries for recreation and reflection. Seats will be compliant with Disability Discrimination legislation requirements.

Relationship to Corporate Plan

Supports the use of parks and cemeteries for well-being. Supports carbon reduction targets with tree planting where appropriate and re-use of materials.

Section 3 – Statutory Officer sign-off/mandatory checks

Statutory Officer: Andrew Jarrett

Agreed by or on behalf of the Section 151 Officer

Date: 04/09/2025

Statutory Officer: Maria de Leburne
Agreed on behalf of the Monitoring Officer
Date: 04/09/2025

Chief Officer: Andrew Jarrett
Agreed by or on behalf of the Chief Executive/Corporate Director
Date: 04/09/2025

Performance and risk:
Agreed on behalf of the Corporate Performance & Improvement Manager
Date: 04/09/2025

Cabinet member notified: (yes)

Section 4 - Contact Details and Background Papers

Contact: Steve Densham
Email: Sdensham@middevon.gov.uk
Telephone: 01884234921

Background papers:



Memorial Seat and Tree Policy

September 2025

Policy No. PS001

Version Control Sheet

Title: **Memorial Seat and Tree Policy**

Purpose: **To detail the Memorial Seat and Tree Policy for Mid Devon District Council (Council) to standardise requests for memorial benches or trees on Council land.**

Owner: **Head of Finance, Property and Climate Resilience**

Date: **September 2025**

Version Number: **1.0**

Status: **Draft**

Review Frequency: **Every three years**

Next review date: **September 2028**

Consultation **This document was sent out for consultation to the following:**
People's Park Trust

Document History

This document requires/obtained the following approvals.

Title	Date	Version Approved
People's Park Trust	April 2025	Draft
Service Delivery & Continuous Improvement PDG	September 2025	Draft
Cabinet	November 2025	Draft
Full Council	December 2025	Draft

Related Policies:

N/a

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4	Responsibilities.....	4
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6	Complaints	6
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1 Introduction

Consideration will be given to requests for a seat with (or without) a plaque or a tree on Council land in memory of loved ones passed away and other special events. The subsequent provision of a seat or tree is to be fully funded by the applicant.

There will not always be an immediately available space for a seat or tree and those requests that can't be accommodated immediately, there will be the option to be added to be added to a waiting list that will be maintained by the Council.

Ownership of any approved seat or tree will remain with the Council with no obligation to replace trees that either fail after completion of aftercare periods or are vandalised after an initial 6-month period. Similarly, the Council will have no obligation to replace benches after an initial 10-year timeframe or if they are vandalised after an initial 6-month period.

Changes to policy and guidance will occur infrequently, as such this policy should be reviewed every three years.

2 Purpose

This policy formalises the previous ad hoc approach applied for purposes of clarity, equity and transparency.

3 Scope

This policy covers mainly ornamental parks and cemeteries owned by the Council. Primarily this includes:

Tiverton

- People's Park
- Westex Recreation Ground
- Cemetery

Crediton

- Newcombes Meadow
- Cemetery

Other sites, for example play areas and other open-spaces, may be considered.

4 Responsibilities

This policy will be managed, promoted, and regulated through the Council's Property Services Team, who will undertake the following:

Trees

- Trees will be selected taking into account the applicant's wishes where appropriate to do so, but the key concern will be to choose a tree which aligns with and complements the existing trees within the relevant location, i.e. right tree, right place. The Council's specialist staff will have authority to decide on this matter and their decision will be final with explanation given to the applicant.
- The tree will be purchased and planted by the Council to ensure the right genus and quality in accordance with industry standards and good practice. The

applicant (and family members) may be present for the purchase and/or planting, if they request to.

- The Council will provide aftercare including watering for a an initial 6-month period after planting and for the two summer seasons after planting where necessary and replace in the next planting season any tree that has failed for whatever reason. The Council will have no obligation to replace trees that fail after completion of aftercare periods or are vandalised after the initial 6-month period.

The following restrictions apply:

- No plaques or other marker will be permitted to accompany any tree as these may be the subject of theft and/or vandalism.
- Natural floral tributes may be placed up to 3-times annually (birthday, anniversary or religious event) with any wrapping removed and may remain in place for up to 1 week.

Seats

- Where there is a need for a seat to replace either a missing seat or one which is in a poor state of repair, upon request the Council's specialist staff will provide a seat manufactured in recycled plastic to align with the style of others within the relevant location.
- An engraved stainless steel plaque with appropriate wording may be affixed to the bench.
- A seat is offered for a period of 10-years. Should a seat or plaque become damaged or unsafe through general wear and tear during the 10-year period, the Council will arrange for repair or replacement, as appropriate. The Council cannot guarantee the long-term safety or security of the bench and, in the event that the seat or plaque is stolen or damaged through vandalism, the Council shall not be responsible for providing a replacement.

The following restrictions apply:

- Natural floral tributes may be placed up to 3-times annually (birthday, anniversary or religious event) with any wrapping removed and may remain in place for up to 1 week.

Applicant's Details

The Council will maintain a record of each applicant and the applicant's contact details in accordance with the General Data Protection Regulations. It is the responsibility of the applicant to provide the Council with updated details in writing. Failure to do so could lead to the tree or bench being removed without the applicant being notified.

5 Costs (as at September 2025)

The cost of any memorial seat or tree will be met in full by the applicant. All costs are subject to annual review but will increase by at least the appropriate annual Consumer Prices Index.

The cost for the supply of a container grown tree with a full season's growth, planting, staking, mulching and after care is £325 plus VAT.

The cost for the supply of a seat, plaque (if necessary) and installation for a 5-year period is £1,396 plus VAT.

Replacement plaques will be charged at £95 plus VAT.

Requests for minor repair, where it is possible, will be charged at £100 plus VAT and plaque retouching at £20 plus VAT.

6 Complaints

Any complaints relating to the implementation of this policy will be dealt with through the Council's Complaints Procedure.

7 Application Process

Applications must be made in person/by post to Mid Devon District Council, Phoenix House, Tiverton, EX16 6PP.

8 Review Period

This policy will be reviewed every three years.

This document, which is owned by the Property Services Team, forms part of the Council's Parks and Open Space Management Policy framework and, as such, must be fully complied with.

MID DEVON DISTRICT COUNCIL – NOTIFICATION OF KEY DECISIONS

October 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)
October 2025					
SPO Dog Variation Order-Silverton	Service Delivery & Continuous Improvement Policy Development Group Cabinet	15 Sep 2025 7 Oct 2025	Luke Howard, Environment and Enforcement Manager	Cabinet Member for Service Delivery and Continuous Improvement	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 Cabinet	15 Sep 2025 7 Oct 2025	Matthew Page, Head of People, Performance & Waste	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)
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 To receive and approve the new Tenancy Agreement.	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
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
Play Area Inspection Policy To receive and approve the revised Play Area Inspection Policy.	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

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)
	Cabinet	7 Oct 2025			
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
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 Cabinet	15 Sep 2025 7 Oct 2025	Paul Deal, Head of Finance, Property & Climate Resilience	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)
	Council	29 Oct 2025			
November 2025					
Corporate Recovery Policy To receive the updated Corporate Recovery Policy.	Audit Committee Cabinet	30 Sep 2025 4 Nov 2025	Dean Emery, Head of Revenues, Benefits & Leisure	Cabinet Member for Governance, Finance and Risk	Open
Draft Budget Report 2026/2027	Cabinet	4 Nov 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
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	Open
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	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)
December 2025					
Motion 608- Anaerobic Digester Plants	Planning, Environment & Sustainability Policy Development Group	23 Sep 2025	Jason Ball, Climate and Sustainability Specialist	Cabinet Member for Planning and Economic Regeneration	Open
	Planning, Environment & Sustainability Policy Development Group	25 Nov 2025			
	Cabinet	2 Dec 2025			
	Council	17 Dec 2025			
Unauthorised Encampment Policy To consider the report	Community, People & Equalities Policy Development Group Cabinet	11 Nov 2025 2 Dec 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
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	

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)
Car Parking and Permit proposals To receive a report regarding Car Parking generally and Permit proposals.	Economy & Assets Policy Development Group Cabinet	20 Nov 2025 2 Dec 2025	Matthew Page, Head of People, Performance & Waste	Cabinet Member for Planning and Economic Regeneration	Open
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.	Community, People & Equalities Policy Development Group Cabinet	11 Nov 2025 2 Dec 2025	Zoë Lentell, Economic Development Team Leader	Cabinet Member for Parish and Community Engagement	Open
Draft Budget Report 2026/2027	Cabinet	2 Dec 2025	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Corporate Performance Q2	Cabinet	2 Dec 2025	Dr Stephen Carr, Corporate Performance & Improvement Manager	Leader of the Council	Open

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)
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
January 2026					
Leisure Pricing Strategy To receive a revised draft leisure Pricing Strategy for 2026.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	24 Nov 2025 13 Jan 2026	Dean Emery, Head of Revenues, Benefits & Leisure	Cabinet Member for Service Delivery and Continuous Improvement	Fully exempt <i>Contains commercially sensitive information.</i>

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)
Economic Strategy 2024 - 2029	Economy & Assets Policy Development Group Cabinet	20 Nov 2025 13 Jan 2026	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	20 Nov 2025 13 Jan 2026	Adrian Welsh, Strategic Manager for Growth, Economy and Delivery	Cabinet Member for Planning and Economic Regeneration	Open
Asset Management Plan To receive the revised Asset Management Plan.	Economy & Assets Policy Development Group Cabinet	20 Nov 2025 13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Shopfront Enhancement Schemes To receive a report setting out the Shopfront Enhancement Scheme for approval.	Economy & Assets Policy Development Group Cabinet	20 Nov 2025 13 Jan 2026	Simon Newcombe, Head of Housing & Health	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)
Infrastructure Funding Statement	Planning, Environment & Sustainability Policy Development Group Cabinet	25 Nov 2025 13 Jan 2026	Richard Marsh, Director of Place & Economy	Cabinet Member for Planning and Economic Regeneration	Open
Draft Budget Report 2026/2027	Cabinet	13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
Fees and Charges Report	Cabinet	13 Jan 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open
February 2026					
Pay Policy Report	Cabinet Council	10 Feb 2026 18 Feb 2026	James Hamblin, Operations Manager for People Services	Leader of the Council	Open
Draft Budget Report 2026/2027	Cabinet Council	10 Feb 2026 18 Feb 2026	Paul Deal, Head of Finance, Property & Climate Resilience	Cabinet Member for Governance, Finance and Risk	Open

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)
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
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

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)
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	3 Mar 2026	Tristan Peat, Forward Planning Team Leader	Cabinet Member for Planning and Economic Regeneration	Open
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

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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)
Single Equalities Policy and Equality Objective To consider the report.	Cabinet	7 Apr 2026	Matthew Page, Head of People, Performance & Waste, Dr Stephen Carr, Corporate Performance & Improvement Manager	Cabinet Member for People, Development and Deputy Leader	Open
Corporate 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

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)
Customer Care Policy To receive the revised Customer Care Policy.	Service Delivery & Continuous Improvement Policy Development Group Cabinet	23 Mar 2026 7 Apr 2026	Lisa Lewis, Head of Digital Transformation & Customer Engagement	Cabinet Member for Service Delivery and Continuous Improvement	Open
Tenancy Fraud (NEW) To receive and approve a new policy in relation to Tenancy fraud.	Homes Policy Development Group Cabinet Council	17 Mar 2026 7 Apr 2026 22 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open
Aids and Adaptations policy To receive a report updating and reviewing the Aids and Adaptations Policy.	Homes Policy Development Group Cabinet	17 Mar 2026 7 Apr 2026	Simon Newcombe, Head of Housing & Health	Cabinet Member for Housing, Assets and Property and Deputy Leader	Open

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