

# Public Document Pack

Mid Devon District Council

## Scrutiny Committee

Monday, 12 December 2016 at 2.15 pm  
Exe Room, Phoenix House, Tiverton

Next ordinary meeting  
Monday, 16 January 2017 at 2.15 pm

Those attending are advised that this meeting will be recorded

## Membership

Cllr F J Rosamond  
Cllr Mrs H Bainbridge  
Cllr Mrs C P Daw  
Cllr T G Hughes  
Cllr Mrs J Roach  
Cllr T W Snow  
Cllr N A Way  
Cllr Mrs B M Hull  
Cllr Mrs G Doe  
Cllr Mrs A R Berry  
Cllr J L Smith  
Cllr S G Flaws

## 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 AND SUBSTITUTE MEMBERS

To receive any apologies for absence and notices of appointment of substitute Members (if any).

### 2 PUBLIC QUESTION TIME

To receive any questions relating to items on the Agenda from members of the public and replies thereto.

Note: A maximum of 30 minutes is allowed for this item.

### 3 MINUTES OF THE PREVIOUS MEETING (*Pages 5 - 14*)

To approve as a correct record the Minutes of the last meeting of this Committee (attached).

The Committee is reminded that only those members of the Committee present at the previous meeting should vote and, in doing so, should be influenced only by seeking to ensure that the minutes are an accurate record.

4 **MEMBER FORUM**

An opportunity for non-Cabinet Members to raise issues.

5 **DECISIONS OF THE CABINET**

To consider any decisions made by the Cabinet at its last meeting that have been called-in.

6 **CHAIRMAN'S ANNOUNCEMENTS**

To receive any announcements that the Chairman of Scrutiny Committee may wish to make.

7 **CLINICAL COMMISSIONING GROUP** *(Pages 15 - 16)*

At the request of the Committee Mr John Finn, Deputy Chief Operating Officer of Planned Care and Programmes at the Northern, Eastern and Western Devon Clinical Commissioning Group will be in attendance to answer questions.

8 **PLANNING DESIGN GUIDES** *(Pages 17 - 20)*

At the request of the Committee to receive information regarding Planning Design Guides.

9 **AN OVERVIEW OF SECTION 106 MONIES** *(Pages 21 - 24)*

At the request of the Committee to receive a report providing an overview of the S106 process in collecting financial contributions from development via the planning system.

10 **MEMBER DEVELOPMENT ANNUAL UPDATE** *(Pages 25 - 30)*

To receive a report from the Member Services Manager updating the Committee on Member Development.

11 **PERFORMANCE AND RISK** *(Pages 31 - 60)*

To receive a report from the Head of Communities and Governance providing Members with an update on performance against the corporate plan and local service targets for 2016-17 as well as providing an update on the key business risks.

12 **CONTROL OF PIGEONS** (Pages 61 - 62)

At the request of the Committee to receive information from Environmental Health Officers regarding feral pigeons.

13 **UPDATE FROM THE PARTNERSHIP WORKING GROUP** (Pages 63 - 64)

Councillor Evans will update the Committee regarding a recent visit to South Hams and West Devon District Councils.

14 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Members are asked to note that the following items are already identified in the work programme for the next meeting:

Note: - this item is limited to 10 minutes. There should be no discussion on items raised.

Police Commissioner  
Performance and Risk  
Whistleblowing update  
RIPA six monthly update  
Draft Budget

**Stephen Walford**  
Chief Executive  
Friday, 2 December 2016

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Tel: 01884 234209

E-Mail: [jstuckey@middevon.gov.uk](mailto:jstuckey@middevon.gov.uk)

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# Public Document Pack Agenda Item 3

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **SCRUTINY COMMITTEE** held on 10 October 2016 at 2.15 pm

### **Present**

#### **Councillors**

F J Rosamond (Chairman)  
Mrs C P Daw, Mrs G Doe, R Evans,  
Mrs B M Hull, Mrs J Roach, J L Smith,  
T W Snow and N A Way

### **Apologies**

#### **Councillor(s)**

Mrs H Bainbridge, Mrs S Griggs, T G Hughes,  
Mrs A R Berry and S G Flaws

### **Also Present**

#### **Councillor(s)**

C J Eginton, P H D Hare-Scott and R Wright

### **Also Present**

#### **Officer(s):**

Stephen Walford (Chief Executive), Andrew Jarrett (Director of Finance, Assets and Resources), Amy Tregellas (Head of Communities and Governance and Monitoring Officer), Nick Sanderson (Head of Housing and Property Services), Tina Maryan (Area Planning Officer) and Julia Stuckey (Member Services Officer)

## 58 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr Mrs H Bainbridge, Cllr Mrs S Griggs who was substituted by Cllr R Evans, Cllr T G Hughes, Cllr Mrs A R Berry and Cllr S G Flaws who was substituted by Cllr Mrs B M Hull.

## 59 **PUBLIC QUESTION TIME**

Cllr B Warren, Chairman of Willand Parish Council, I referring to item 8 on the agenda said that within the report it is recommended by the officer that the Committee 'note the progress as outlined in this report'. There are some areas of the report which show limited progress or conclusions have not been reached. It could also be argued that there is a need to resolve the question of confidentiality and the questionable use of the data protection act as a reason to withhold information from Members, Town and Parish Councils and members of the public who have raised planning enforcement issues.

Would Members feel it helpful and expedient to have more information on performance indicators and the results of 'bench marking exercises' before bringing forward the Local Enforcement Plan to Cabinet in November? Paragraph 2.9.1 states 'This is in progress with exploration undertaken of how performance in planning enforcement is measured in other authorities. Draft performance indicators have been produced and will be taken to the Planning Committee for their consideration.'

Although it may be helpful to know what others are doing is not MDDC capable of setting its own policy which could then be a leader in setting robust performance indicators.

Are the responses from the other authorities available for inspection?

Knowing how sensitive Planning Enforcement – or the perceived lack of it – is in the District would it not be wise for the stated proposed performance indicators to be available for consultation or discussion before being placed before the Planning Committee? Without this it could be noted that the only view the Planning Committee will have is that of the officer.

Paragraph 2.12 states 'Officers investigate the possibility of finding a way of updating residents and town/parish councils in relation to complaints regarding enforcement and reporting back to this Committee within 4 months.'

Paragraph 2.12.1 states 'A benchmarking exercise has been undertaken in order to understand how other authorities deal with this issue and has found that little information on live enforcement cases is regularly disseminated to Town and Parish Councils. Whilst MDDC Members can be briefed with a legal expectation of confidentiality, when information goes to Towns and Parishes, we cannot work on the same presumption of confidentiality.'

Are Members content with this explanation which appears to infer a slight on the integrity of Town and Parish Councillors who invariably raised the issue in the first place? Why does this need to be delayed by 4 months?

The Chief Executive in front of this Committee and at our Parish Council meeting has emphasised his wish to see more opened with appropriate communication. The comment in paragraph 2.12.1 could go against this commendable statement of intent and allow the Head of Planning and Regeneration to go back to the earlier position that anything to do with planning enforcement is confidential. We have sufficient examples of this being the case where 'confidentiality' has been used to try and hide activity or failures by certain officers.

May I please end on a positive note in that our current Enforcement Officer has been a breath of fresh air? She responds promptly and positively when issues are raised. She responds with appropriate updates as to actions taken or reasons for not taking any action which are understood and appreciated by the Parish Councillors. No mention of Data Protection Act or breaches of trust and anything mentioned which could be sensitive is responsibly dealt with without any problems to date. We feel that her approach is in tune with the intentions of the Chief Executive in relation to communication. Long may it continue.

My final question is will you please thoroughly scrutinise this report and ensure that the improvement in communication which we are currently experiencing is maintained thus restoring confidence in the system?

Mr Keith Grantham, referring to item 8 on the agenda said that this question relates to the Local Enforcement Plan put forward by the Head of Planning and Regeneration paragraphs 2.12, 2.12.1. At various meetings I have attended the theme the Chief Executive has taken is MDDC must be more open and accountable.

This is happening, with a lot more information being put on the Council's website and many of the officers being helpful. This is why I cannot understand the Head of Planning and Regeneration wanting to take a retrograde step and move back to the old days by proposing not to inform Town and Parish Councils on enforcement matters. This suggests that Towns and Parishes cannot be given and trusted with information. This is a smear on the integrity and trustworthiness of Parish Councillors. All Councillors are elected in the same way, as far as I am aware, no District Councillor signs any form on confidentiality. If they do then this could be rolled out to Parishes too. The Head of Planning appears to choose to hide behind confidentiality. Why? She states in her report a benchmarking exercise has been undertaken and in a sweeping statement says other councils do not pass on information to Towns and Parishes, but there is no definitive information to back up this statement. At this moment in time, we have a very good relationship with the enforcement officer who covers the east area and hope this will not change. Will the Planning and Regeneration department follow the Chief Executives instructions and be more open and accountable?

The Chairman indicated that answers to the questions raised would be answered at the agenda item.

#### 60 **MEMBER FORUM**

There were no issues raised under this item.

#### 61 **MINUTES OF THE PREVIOUS MEETING**

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

#### 62 **DECISIONS OF THE CABINET**

The Chairman informed the Committee that there had been a Call In regarding the Aids and Adaptations Policy which had been approved by Cabinet on 29<sup>th</sup> September 2016.

The Monitoring Officer outlined the Call In process, explaining that in correspondence with Councillor Mrs Roach she had explained that in this instance the correct decision making process had been followed and that in her opinion she did not consider there to be a valid reason for Call In, however the Constitution permitted Members to Call In against her advice.

Cllr Mrs J Roach had called in the matter and was supported by Cllrs R M Deed, J L Smith, N A Way and R Wright.

Cllr Roach gave the grounds for Call In as:

- The Council does not appear to have considered the option of seeking to make all bungalows (whenever possible) in the council's ownership accessible for future tenants or their visitors who use wheelchairs or mobility aids. This could be part of a programme of works when the council has a void.

- The council has shown a lack of vision in preparing for the challenges that will happen as the population lives longer than any previous generations.
- Para 12, the Council does not appear to have considered the possibility that some people might not be able to cope with the requirements of this section, either because they do not feel able to cope with the actual filling in of forms etc. or do not have the money to fund the requirements.

Cllr Mrs Roach explained that her concerns were with regard to the policy not being very visionary. She considered that with an aging population more and more people would require mobility scooters and that properties would need adaptation to accommodate them. Cllr Roach would like the Authority to look at this matter in a more positive manner and when dealing with void properties, or undertaking modifications consider installing wider doorways or hard standings.

Cllr J L Smith had supported the Call In and he suggested that when developing property it would be financially viable to undertake works when properties were empty rather than undertaking retrospective adaptations on occupied properties. He suggested that it would cost more in the long run and that adapting each void as it occurred would be cost effective.

Cllr N A Way, who supported the Call In, suggested that it, would be short-sighted not to adapt bungalows as and when they became vacant.

Cllr B Wright, in support of the Call In, suggested that adopting suitable properties such as bungalows could mean someone being mobile and not suffering from isolation in the future.

The Head of Housing and Property Services explained that the Aids and Adaptions Policy did not say that adaptations would not be undertaken but that they would only be done for free if there was an Occupational Therapist report confirming need. He informed the Committee that the Housing Service spent in the region of £300k per annum on adapting its housing stock. He further explained that works with a cost of over £1000 needed to be approved by an Occupational Therapist and that work would be carried out within three months of the agreement. The Occupational Therapist's report would need to indicate that the use of a mobility scooter was a necessity and not just a preference. He explained that housing stock was upgraded when it became empty but it was not practical to provide facilities in properties where they may not be required.

Cllr Mrs Roach said that there were visions to make the country accessible to everyone, even those in wheelchairs. The adaptations would help if a disabled person visited the property and that every property should be able to accommodate a mobility scooter even if the householders did not meet the criteria. She suggested looking at access points to a property when it was a void as this would cost less in the long run.

Discussion took place regarding the possibility of a tenant moving to a suitable property should one become available, the fact that some properties could not be adapted and the need to consider budgets.



It was **RECOMMENDED** that Council accept the Aids and Adaptations Policy with the exception of 12.5 which should be looked at in greater detail by the Homes Policy Development Group

(Proposed by Cllr Mrs J Roach and seconded by Cllr J L Smith)

Note: - The Chairman informed the Committee that he considered Call In should be used for exceptional circumstances only and that on this occasion he did not consider the matter to be appropriate for Call In as the correct decision making process had been carried out.

### 63 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman stated that at the last meeting of the Committee concerns had been raised regarding a staircase in a property at St Andrews Street, Tiverton which did not meet current Building Control Regulations and read the following statement from the Head of Housing and Property Services:

The staircase at St Andrews Street was an original feature that was restored as part of the refurbishment in consultation with the Council's Conservation Officer. The Conservation Officer had a duty to retain as much of the original features of the properties as possible that was reviewed at the time of Listed Building Consent being granted, this also formed part of the Planning Conditions for the development and which was detailed on a schedule of works.

The staircase was restored and additional measures were put in place to ensure that the residents had hand rails fitted where possible, this was also reviewed by a Building Control Officer from Mid Devon.

It is appreciated that the staircase is not to a modern standard but it remains an historic feature of a listed building and is not dangerous – thousands of houses have similar steep staircases. When viewing, prospective tenants are advised of this by the Housing Officers.

The Chairman also reminded Members that the CCG would be attending the December meeting of the Committee and that an email containing a document 'Your Future Care' had been sent to them. The Chairman asked that Members look at this consultation with a view to questions for the CCG.

### 64 **CAR PARKING 6 MONTH UPDATE (0.38)**

The Committee had before it a report \* from the Director of Finance, Assets and Resources providing an update on the new car parking charging strategy 6 months after implementation.

The Director outlined the contents of the report, providing updated figures for September which were not available at the time the agenda was published. Figures so far were reasonably close to the 2016/17 budget that was set £141k higher than in the previous year, but members should still exercise caution when making predictions/observations based on limited vend and income data.

A Member Working Group was looking into statistical information that had been compiled to try to drill down vend patterns, to see if demand and supply were compatible and to put forward recommendations to the Policy Development Group regarding any changes that might need to be made from April 2017.

Discussion took place regarding:

- The removal of the £1 tariff and perceived drop in footfall in the town centres;
- Customers sharing £2 day tickets and the need for vending machines that provided a vehicle registration system;
- Trader information being anecdotal and the difficulties in establishing the impact of parking charges on the towns;
- The increase in on road parking and the problems that this can cause;
- The need to make difficult choices and the fact that the increased charges have generated higher income;
- Free parking was being utilised but this could be reducing dwell time.

Members were invited to join the Car Parking Working Group should they wish.

Note: - \* Report previously circulated and attached to Minutes.

## 65 **PLANNING ENFORCEMENT UPDATE (1:03)**

The Committee had before it a report \* from the Head of Planning and Regeneration regarding Planning Enforcement.

The Area Planning Officer outlined the contents of the report which updated Members on progress made since a report from May 2016 which had detailed various measures for improvement within the service.

The officer explained that since the initial review, progress had been made in many areas, although it was recognised that this improvement journey was not yet complete and that the service would wish to continue to address the actions on the list as well as identifying new areas for continual improvement.

Discussion took place regarding Data Protection training that had been undertaken by officers. This had been arranged following concerns raised by Members that officers were using Data Protection as a way to justify non-sharing of information. The training had been put in place in order that officers could be certain what information could not be shared to allow them to be confident to share anything else.

Members were informed that a new Enforcement Officer had been appointed recently and that another part time officer was due to start shortly. This would bring the current structure to 2.5 FTE, although a restructure was being considered in order to allow the Planning Service to respond to the requirements placed upon it.

Measures had been put in place to speed up the process for Section 106 Agreements.

Benchmarking had been undertaken and officers had looked into what performance indicators were used by other authorities. Most English authorities did not have them but Welsh authorities did and these were being looked into.

Officers would investigate how performance indicators and performance reports could be extracted to update Members and then be disseminated on to Town and Parish Councils.

The Chief Executive indicated that he would like to see the restructure of the Planning Service in place for the new financial year.

Note: - \* Report previously circulated and attached to Minutes.

## 66 **CABINET MEMBER FOR FINANCE (1.35)**

The Committee had before it a position statement \* from the Cabinet Member for Finance. The Cabinet Member outlined the contents of the report, informing the Committee that most services had been under budget at the year end and that the authority had been one of the first in the country to submit its accounts. He stated that he considered the Finance team to be extremely well run and thanked the Director for Finance, Assets and Resources for this.

The report highlighted items of interest in the last year such as the acquisition of Market Walk, the successful depot move for Waste Services, increased income to car parking, joint working with other authorities and areas of challenge such as changes to Business Rates, Universal Credits and uncertain times following Brexit.

Discussion took place regarding;

- Changes to Council house rents;
- New Homes Bonus;
- Statutory and non-statutory services;
- Lobbying that District Councils can do to be stronger together;
- The four year funding programme.

The Chairman thanked the Cabinet Member for his report.

Note: - \* Report previously circulated and attached to Minutes.

## 67 FLOOD PREVENTION (2.01)

At the request of Members the Committee had before it a report \* from the Head of Housing and Property Services informing it of the Council's responsibility for flood prevention.

The Officer outlined the contents of the report highlighting the responsibilities of the authority in time of flood and what help the public could expect to receive. He informed the Committee that sandbags were provided to protect the Council's own housing stock and buildings and that the public were helped to ensure that they had their own flood prevention in place.

Discussion took place regarding:

- The difficulty the public have in knowing which authority to contact in time of flood;
- Private landowners and their responsibilities in flood prevention;
- Resources available to deal with flood issues;
- Planning responsibilities regarding Sustainable Urban Drainage;
- Leaf clearance to prevent drains blocking.

Note: - i) \* Report previously circulated and attached to Minutes

ii) Cllr N A Way declared a personal interest as he was a Member of Devon County Council.

## 68 CHANGES TO THE MANAGEMENT STRUCTURE (2.22.30)

At the request of the Chairman the Chief Executive updated Members on his Management Restructure and the role of the Director of Operations.

The Chief Executive reminded the Committee that he had taken a report to Cabinet in July setting out his plans. He had considered that the current structure required reorganisation in order to move forward with a strategic officer resource in order to affect a programme of change.

He had taken the decision to restructure into three areas, Finance Assets and Resources, Corporate Affairs and Business Transformation and for forwarding facing services a Director of Operations. These posts had been ring fenced internally, but he had not recruited at this stage and advertisements were now out to the market for this post. Members would be involved as part of the recruitment process.

The Chief Executive explained that it was his intention that the Director of Operations post would provide the kind of leadership to Operations that was now in place for the other service areas.

69 **IDENTIFICATION OF ITEMS FOR THE NEXT MEETING**

Control of Feral Pigeons  
Performance and Risk  
Section 106 Monies  
Questions for the CCG  
Member Development Annual Update  
Safeguarding update

(The meeting ended at 4.53 pm)

**CHAIRMAN**

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## Scrutiny 12 December 2016. Questions for the CCG.

How does A&E liaise with orthopaedics or other departments at the RD&E or other hospitals?

Recently a victim of a car accident with a severely smashed femur, (requiring complete replacement) and severe bruising was seen in A&E on a Friday, sent home with nothing more than pain killers and rudimentary sling, to wait for the shoulder clinic the following Thursday. After a week of excruciating, intolerable pain, they were operated on the following day – one week after the accident. The Consultant remarked it was the worst case he had ever seen! This must have been apparent after the initial x-rays so why wasn't it referred for more urgent treatment? Why?

Having had a wrist fracture recently I congratulate A&E at the RD&E on their efficient treatment, but it appears for something which could not be stabilised immediately, requiring referral and surgery there was an unacceptable wait causing huge suffering.

You state that you aim to improve future care and services to ensure people have the maximum opportunity to retain their wellbeing and in independence, avoiding hospital admissions where possible and providing more care in people homes. It is apparent that at the moment this is inadequate.

How will the CCG address the issue of preventive medicine?

How much of the budget is devoted to education to maintain good health rather than treating ill health? What form does that take and which age groups are being targeted?

Are you working with local GP surgeries?

There is evidence that good quality nutrition not only prevents ill health, but after illness or surgery aids recovery times and outcomes.

What is the procurement policy for food served in our hospitals?

What is the daily budget per patient?

And what is the policy re refined sugar, refined carbohydrates, hydrogenated/trans fats and food additives in hospital food?

There is huge concern about antibiotic resistance in the future. In Belgium in the 1970's it was routine practice before prescribing, to test not only to see if an antibiotic was appropriate but for the appropriate antibiotic for that microbe.

There is at last, in the UK a suggestion that Pharmacies and GP surgeries should test to see if patients have a virus or a bacterial infection before prescribing antibiotics.

Will this be promoted throughout the CCG and when in future are we likely to have a quick test which will identify the appropriate antibiotic as well?

We face an unprecedented demand for health and social care over the next 4 years. What does it mean for our locality in terms of health provision and social care?

The proposals in "Your Future Care" propose radical reform. Turning proposals into practice will make many demands. How will the staff be practically and culturally prepared for the changes? What is the time scale?

How will health and social care be integrated?

Who commands the budget?

How will governance be organised so that there is clarity of direction and accountability? (NB recent experience of Tiverton Hospital).

Your Future Care proposes a new model of care in people's homes saving between £2.8m and £5.6m. How will that address the current shortfall of £85m?

It also proposes 3 interventions in an integrated model for the frail and elderly- comprehensive assessment; single point of access; rapid response. How will this work, and who will be responsible for implementation?

How will the needs for those with mental health issues be addressed?

Nurse education will now be costed as a normal HE course. Will the model of cross functioning involving both hospital and community commitment be seen as a suitable career, bearing in mind the upfront costs?

How many discharges from hospital are held up because the person's home is unsuitable?

How many discharges are held up because there is no care package available?

What is the value of the Healthwatch contract?

What is the total cost of the Health and Wellbeing board?

In advance of the meeting may we please have a diagram of the structure of the CCG and the NHS/Social Services care services?

What is the current state of the finances of the CCG and the Health Trusts operating in this part of Devon?



Scrutiny Committee 12<sup>th</sup> December 2016

## Note on housing design

In the context of town planning design refers to the art of making places for people whether in towns, cities, streets and other spaces. It includes the way places work as well as how they look.

National policy states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of buildings. This is identified as being particularly important for the design of homes that people live in and the spaces surrounding those homes.

The aim in Mid Devon is to deliver high quality buildings and spaces that meet the need of users, taking account of an aging population whilst ensuring compatibility with surrounding development and uses.

The interpretation of design can be subjective and in order to guide decision making in planning there are a number of planning policies as well as guidance documents to be referred to when considering the design of a proposed development.

Design is not simply the 'look' of a development but includes matters such as its function/adaptability/coherency/sustainability/practicality and the connection between people and places being created. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. The National Planning Policy Guidance (NPPG) states: Achieving good design is about creating places, buildings, or spaces that work well for everyone, look good, last well, and will adapt to the needs of future generations.

The design of new housing developments is assessed against the following planning policies and guidance in the National Planning Practice Guidance.

## The National Planning Policy Framework

The Government consider good design to be a key aspect of sustainable development, indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that developments should:

- function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and

- are visually attractive as a result of good architecture and appropriate landscaping.
- 

The NPPF goes on to state that design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally. Also, policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

The NPPF indicates that local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits). This policy is echoed in the NPPG.

### **Mid Devon Local Plan Policies that set the context for assessing design**

#### **Mid Devon Core Strategy: COR1, COR2 and COR3**

COR1 Strategic policy with regards to achieving sustainable development, including reference to accessible forms of development, integrated development, innovative design and clear distinction of spaces.

COR2 Requires development to sustain the distinctive quality, character and diversity of Mid Devon's environmental assets through high quality sustainable design which reinforces the character and legibility of the built environment and creates attractive places, as well as the efficient use of natural resources and the preservation and enhancement of Mid Devon's natural landscape.

COR3 Strategic policy with regards to meeting housing need, but also refers to needing an appropriate mix of dwelling sizes and types.

#### **Local Plan Part 3**

Policy DM2 sets the principles that development should demonstrate to encourage new development to be of high quality, including: clear understanding of the characteristics of the site, its wider context and the surrounding area; efficient and effective use of the site; positive contribution to local character including any heritage or biodiversity assets and the setting of heritage assets; creation of safe and accessible places that also encourage sustainable modes of travel such as walking and cycling; visually attractive places that are well integrated with surrounding buildings, streets and landscapes, and do not have an unacceptably adverse effect on the privacy and amenity of the proposed or neighbouring properties and uses, taking account of: Architecture/ Siting, layout, scale and massing/ Orientation and fenestration/ Materials, landscaping and green infrastructure/ Appropriate drainage including sustainable drainage systems (SUDs) and connection of foul drainage to a mains sewer where available.

Major residential development proposals will be required to achieve 'green' status under at least 8 of the 12 Building for Life criteria.

Policy DM14 – Design of housing – Requires new housing development to deliver:

High quality local places taking in to account physical context, local character, density and land use mix;

Adequate levels of daylight, sunlight and privacy to private amenity spaces and principal windows;

Suitably sized rooms and overall floor space which allows for adequate storage and movement within the building together with external space for recycling, refuse and cycle storage;

Adaptable dwellings that can accommodate a range of occupiers and their changing needs over time which will include the provision of a stairway suitable for stair lift installation or space for the provision of a lift in homes with more than one storey;

Private amenity space that reflects the size, location, floor space and orientation of the property;

Sustainable forms of development that maximise the natural benefits of the site through design, materials, technology and orientation;

On sites of 10 houses or more the provision of 20% of dwellings built to the lifetime homes standard;

Car parking in accordance with Policy DM8

DM27 identifies that heritage assets (such as Conservation Areas/Listed buildings) are an irreplaceable resource that contributes to the character of the district. The assessment of impact that the design of a development will have on an area will include consideration of any impact on heritage assets.

### **Building For Life 12**

In addition to the above policies, further guidance encouraging good design of new housing is found in Building For Life 12 (BFL 12) produced by the Design Council. BFL 12 is the industry standard for the design of new housing developments. It is intended that through applying the 12 principles of Building For Life that new housing development can be attractive, functional and sustainable.

### **Other national requirements.**

The Government has introduced a series of National Space Standards for residential properties which set out suitably sized rooms and overall floorspace amounts that allow for adequate storage and movement . These update and replace policy DM15 of the Mid Devon Local Plan part 3 on dwelling sizes.

### **Design review panel**

The NPPF suggests that local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design. The Design Review Panel provides an impartial, multi-disciplinary, constructive, expert, peer review process during the pre-application stage of the planning process. Mid Devon have used the local Design Review Panel arrangements as part of the assessment of development design on a number of occasions, including Alexandra Lodge, Tiverton; Cummings Nursery, Cullompton. The NPPF states local planning

authorities should have regard to the recommendations from the design review panel when assessing planning applications.

SCRUTINY  
12<sup>TH</sup> DECEMBER 2016

AGENDA ITEM:

## REPORT OF JENNY CLIFFORD THE HEAD OF PLANNING AND REGENERATION.

### AN OVERVIEW OF THE EXPENDITURE OF S106 CONTRIBUTIONS WITHIN MID DEVON.

**Cabinet Member(s):** Cllr Richard Chesterton  
**Responsible Officer:** Mrs Jenny Clifford, Head of Planning and Regeneration

**Reason for Report:** At their meeting on 12<sup>th</sup> September 2016, Members resolved that a report should be brought before them providing an overview of the expenditure of s106 contributions. It is understood that this requested report is to provide an overview of the S106 process in collecting financial contributions from development via the planning system.

**RECOMMENDATION:** That Members note the contents of this report.

**Relationship to Corporate Plan:** The primary purpose of the planning system is to regulate the use and development of land in the public interest. The collection of financial contributions from development to be spent within the district can assist with the delivery of Corporate Plan priorities of community, housing, economy and environment

**Financial Implications:** Financial contributions which are collected must be spent in accordance with the terms of the legal agreement and the Council's adopted policy otherwise there is a risk that developers could request a refund of all monies paid.

**Legal Implications:** The use of s106 agreements is regulated by s122 of the Community Infrastructure Levy Regulations 2010. A planning obligation may only form a reason for granting planning permission if it is:

- a) Necessary to make the development acceptable in planning terms;
- b) Directly related to the development, and
- c) Fairly and reasonable related in sale and kind to the development.

Under s123 of the Community Infrastructure Levy Regulations 2010, the Council is also only able to pool up to 5 separate planning obligations for the funding of an infrastructure project or type. This applies to those entered into since 6<sup>th</sup> April 2014.

Limitations are also in place over tariff style infrastructure contributions and affordable housing dependent upon the scale of the development and its location. These were introduced by the Government in November 2014 and reported to Cabinet at the December 2014 meeting. They were subsequently overcome via legal challenge, but have recently been reinstated via High Court ruling.

**Risk Assessment:** The authority has a s106/CIL Monitoring Officer in post to ensure that financial contributions are collected, recorded and spent in accordance with the legal agreement and the Council's adopted policy.

#### 1.0 Introduction

1.1 Planning obligations under Section 106 of the Town and Country Planning Act 1990 (as amended), commonly known as s106 agreements, are legal agreements between Local Authorities and developers specifically in relation to planning applications. Planning obligations may also take the form of a unilateral agreement, whereby the land owner or developer makes a legal agreement. In this latter type, the Council is not a signatory.

- 1.2 Planning obligations are used when it is considered that a development will have significant impacts on the local area that cannot be moderated by means of conditions attached to a planning decision.
- 1.3 For example, a new residential development can place extra pressure on the social, physical and economic infrastructure which already exists in a certain area. A planning obligation will aim to balance the pressure created by the new development with improvements to the surrounding area ensuring that where possible the development would make a positive contribution to the local area and community. This could either be by carrying out works in the local area or providing a financial contribution towards something relevant in the area
- 2.0 Circumstances when it is appropriate to use a planning obligation**
- 2.1 The content of the planning obligation will vary depending on the nature of the development and the policies of the District. It can:
1. Restrict the development or use of the land in any specified way
  2. Require specified operations or activities to be carried out in, on, under or over the land
  3. Require the land to be used in any specified way; or
  4. Require a sum or sums to be paid to the authority on a specified date or dates or periodically.
- 2.2 The most common planning obligations used in Mid Devon are for the collection of monies towards a) the provision, or improvement of Public Open Space across the district and b) the improvement of air quality in the Air Quality Management Areas in Crediton and Cullompton. These are collected in relation to planning applications for new dwellings in accordance with the Supplementary Planning Documents (SPD) 'The provision and funding of open space through development (adopted May 2008)' and 'Air Quality and Development' (adopted May 2008).
- 2.3 On larger developments, a planning obligation would be used to secure affordable housing provision (either with physical dwellings on site or a financial contribution to enable them to be delivered elsewhere), contributions towards education provision where the development would result in the local school exceeding its capacity, improvement works to the existing highway or anything else which is relevant to the development.
- 2.4 Planning obligations are also used in Mid Devon to ensure that new agricultural workers dwellings are tied to the land holding on which the dwelling was justified to prevent the two being disposed of separately at a later date.
- 2.5 Mid Devon have been using standard planning obligations for public open space and air quality for a number of years where developers largely pay the required financial contribution upfront to avoid delays in the application process and unnecessary legal fees.
- 3.0 The expenditure of financial contributions collected under a planning obligation.**

- 3.1 Up until April 2014, the monies collected from developments towards Public Open Space were directed pooled for spend in 'catchment areas'. In many instances this was the parish in which the development was located, but in more rural parts of the district the 'catchment area' could include an area covering up to 7 parishes. Parish Councils and other community groups are able to request funding for projects which accord with the SPD and are invited to discuss any proposals with the CIL/s106 Monitoring Officer Juliet Hamlyn-Payne by email [jhamlyn-payne@middevon.gov.uk](mailto:jhamlyn-payne@middevon.gov.uk) or by post to Development Management, MDDC, Phoenix House, Phoenix Lane, Tiverton EX16 6PP
- 3.2 The Council can only commit the contributions collected from developments which have actually commenced on site. Although many contributions are collected before planning permission is granted, if the development is never commenced the Council may need to pay back those monies to the developer at a later date.
- 3.3 With regards to the contributions collected towards air quality in either Cullompton or Crediton, this is held in two separate 'pots' and is available for the Council to spend on projects in the respective areas where it could be demonstrated that it would lead to an improvement in air quality in that area.
- 3.4 However, since April 2014 a Local Planning Authority can no longer use planning obligations to pool more than five contributions for infrastructure by project or type. This has meant that we are no longer able to collect money for spending in a catchment area as more than 5 obligations have already been entered into by infrastructure type. Instead, there is only opportunity to pool up to 5 obligations by specific project. Contributions are now requested towards very specific projects e.g. previously we could collect contributions for development in Cullompton to be spent on POS within the catchment area of Cullompton but now we need to collect contributions for a specific project such as providing youth and/or fitness outdoor equipment at Linear Park, Cullompton, and only 5 planning obligations can be used to fund the same project.
- 3.5 Parish Councils and other community groups are urged to come forward at an early stage if they are considering a scheme to provide or improve public open space in their area so that we can start collecting contributions towards them, as it may take a long time particularly in some rural areas.
- 4.0 **The collection of financial contributions in future.**
- 4.1 This change in the way contributions are collected is as a result of the the Community Infrastructure Levy Regulations which came into force in April 2010. These reforms restricted the use of planning obligations and clarified the relationship between planning obligations and the Community Infrastructure Levy. The levy is a local charge that local authorities in England and Wales can choose to charge on new developments in their area to fund infrastructure.
- 4.2 MDDC will be introducing a CIL levy and the draft charging schedule is programmed for submission to an Inspector along with the local Plan Review in March 2017. The Councils draft charging schedule proposes to charge development a community infrastructure levy on a £ per square metre basis for infrastructure provision across the whole district, with the exception of strategic scale development sites (Tiverton eastern urban extension, north west and east Cullompton urban extensions and J27 M5 motorway). Once adopted, the community charging levy will replace the existing system of collecting financial contributions outside the specific sites listed above. 15% of monies collected for infrastructure under CIL will go to the community. This rises to 25% where a neighbourhood plan has been adopted.

- 4.3 However, planning obligations will continue to play an important role in making individual developments acceptable. Affordable housing will continue to be delivered through planning obligations rather than the levy. Local authorities can also continue to pool contributions for measures that cannot be funded through the levy.
- 4.4 In June 2016 Cabinet took a decision to introduce planning obligation monitoring fees so that the taxpayer does not subsidise the monitoring of developer legal agreements. Once the Community Infrastructure Levy is introduced, the regulations also allow for a 5% deduction to be taken towards the cost of its administration. These mechanisms will be used to ensure the cost of monitoring and administration of S106 agreements and CIL is met by developers /landowners benefitting from permission rather than Mid Devon taxpayers.

**Contact for more Information:**

Mrs Alison Fish, Area Planning Officer ext 4266 [afish@middevon.gov.uk](mailto:afish@middevon.gov.uk)

**Circulation of the Report: Cllr Richard Chesterton**

**List of Background Papers:**

Community Infrastructure Levy Regulations 2010  
Cabinet December 2014  
Cabinet June 2016



## SCRUTINY COMMITTEE 7 NOVEMBER 2016

### Member Development Monitoring Report

**Cabinet Member**                      Cllr Clive Eginton  
**Responsible Officer**                Member Services Manager

**Reason for Report:** The action plan for the South West Charter for Member Development states that Member development opportunities should be monitored.

**Recommendation:** That the contents of report be noted.

**Relationship to Corporate Plan:** This relates to the corporate governance of the Council and therefore is supporting all priorities of the Corporate Plan.

**Financial Implications:** Specific training for Members is funded from the Members Training Budget.

**Legal Implications:** None.

**Risk Assessment:** Poor Member Development may result in lack of engagement by Members.

#### 1.0 Introduction

1.1 The South West Charter for Member Development was originally awarded to the Council in November 2010 following a lengthy evidence gathering exercise which also included Members and senior officers attending interviews with the examining body. Reassessment to secure the Charter for a further three years took place on 3 March 2014 and it is proposed that further reaccreditation takes place in the Spring of 2017.

1.2 As a commitment to the Charter, Member Services officers working alongside the Member Development Group will continue to address Members' development issues through briefings on key issues, one to one Personal Development Plan interviews which help to identify a Member's specific training/development requirements and specialist presentations at Committee meetings.

1.3 This report informs the Committee of training events that have taken place between January and early October this year.

#### 2.0 Training Delivered

2.1 The information set out below covers details of the events that have taken place since January 2016

Speed Reading
Police Presentation
Financial Monitoring
Budget discussion, Tiverton and Crediton
Sickness
Chairing Skills
North West Cullompton Masterplanning
Tiverton Eastern Urban Extension Design Guide
Assertiveness, Influencing and Persuading Skills
Confidence Building and Public Speaking
Fire Authority
ICT and Data Protection and repeated at Council
Planning Committee Tour of the District
Devon Home Choice
21 <sup>st</sup> Century Councillor
Grass Cutting
Waste and Recycling
Devon Home Choice - Repeat
Mills Project
Council Tax Reduction Scheme
Local Plan Review
Devolution

- 2.2 A wide range of learning opportunities has been delivered and training sessions have taken place to provide additional skills and knowledge linked to specific committees. The records show that 41 Members have attended at least one recorded training session and that 224 places have been taken up on the various learning events. The majority of the opportunities are provided at low cost due to being delivered in house by appropriate officers.
- 2.3 The Member Training Budget is set at £5000 annually; to date there is a budget balance of £2716.25. £225 income has been received from sharing training sessions with other authorities.
- 2.4 Compared to the statistics provided at this time last year, the number of sessions provided are reduced; however the previous year was the first of the new Council and did include the induction programme.
- 2.5 As part of our commitment to Member Development, evaluation of every training session does take place, an email is sent to those who have attended asking a variety of questions specific to the event and always with an invitation to suggest any improvements that could be made; feedback is generally encouraging with any issues that arise being fed back to officers facilitating the sessions.

### **3.0 Member Development Group**

- 3.1 The Member Development Group is a group of Members who work alongside Member Services Officers to promote the Members learning programme, this group is made up of 6 Members and includes Group Leaders. This provides a joint approach to Member Development which is required for the Charter.

3.2 The Members of the Group have provided useful feedback on how improvements can be made to the induction programme following the election of new Members, the programme was seen to have been comprehensive and had covered the needs of the new Members. Members also put forward ideas for future training needs which have been included in the Member Development Programme

#### 4.0 **Personal Development Plans**

4.1 All Members are encouraged to take part in personal development planning (PDP) in which they identify the type of training they would like to take part in. To date 30 Members have taken the opportunity of attending a meeting with an officer, 5 have declined and 7 have yet to make arrangements. The following issues have been identified, some of which have already been addressed.

- Public speaking
- Revisit of Scrutiny and PDG training
- How to deal with people that step over the line
- Speed reading for iPad
- Social media
- Confidence and assertiveness
- iPad
- Excel
- Email – house keeping
- Media training
- Planning for non-committee members
- Update on procedure rules
- Persuasion skills
- The formation of motions for Council
- Code of conduct
- Planning issues
- How to be a professional councillor
- Time management
- Housing policy issues
- Effective arguing
- Community Engagement

4.2 Officers are at the present time endeavouring to procure the training requested.

4.3 The Council also shares development opportunities with other Devon authorities; we were pleased to welcome Members from East Devon for 2 sessions in April when Assertiveness, Influencing and Persuading Skills and Confidence buildings and public speaking sessions took place. Exeter City Council have also expressed an interest in sharing Member Development sessions, unfortunately the timing of these sessions was just prior to all out elections in Exeter.

## 5.0 Attendance

4.1 Attendance at briefings can be sporadic and at the request of the Member Development Group briefings prior to Full Council meetings have taken place with some success with regard to attendance. This format will be continued where possible. To address issues of poor attendance Member Services started a process of reminders, electronic appointments are circulated to Members a few weeks prior to the event to book a place in their diaries and encourage attendance; also same day reminders have been introduced which seem to have been well received, this process continues.

## 5.0 Future Planning

5.1 The current timetable of evening training sessions is attached at appendix 1. The Scrutiny Committee may like to suggest further additions to the timetable.

5.2 We are currently piloting holding sessions simultaneously one in Phoenix House and the other via a link to the Meadow Suite at Lords Meadow Leisure Centre which will save Members from the Crediton area travelling to Tiverton.

5.2 Members of the Planning Committee require on-going training as there is a need for them to consider new legislation and guidance when determining planning applications.

5.3 The majority of the Audit Committee also attends annual training provided by the South West Audit Partnership.

5.4 All Members use electronic communication to some degree and the number of Members now using iPads to access the Modern.Gov app and their emails is very encouraging; Member Services continue to support Members with regard to ICT training and iPad use.

5.5 As of 1 October 2016, parish liaison has come under the umbrella of Member Services, therefore it is hoped that we can encourage better communication and be able to support the parishes alongside our Members.

**Contact for more Information:** Sally Gabriel 01884 234229  
([sgabriel@middevon.gov.uk](mailto:sgabriel@middevon.gov.uk))

**Background Papers:** Training records, individual evaluation forms and Member Development Group minutes.

**Circulation of the Report:** Cllrs: C J Eginton, Management Team and the Member Development Group.

## **Appendix 1**

### **Autumn Member Development Sessions**

- Dementia
- Rural Broadband
- Safeguarding
- Get up to Speed (IT and Social Media)
- Leisure
- Standards Issues
- Refugees
- Budget implications
- Mental Health Masterclass
- Personal Safety for Councillors

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**SCRUTINY COMMITTEE**  
**12 DECEMBER 2016:**

**AGENDA ITEM:**

## **PERFORMANCE AND RISK FOR THE SECOND QUARTER OF 2016-17**

**Cabinet Member** Cllr Margaret Squires  
**Responsible Officer** Director of Corporate Affairs & Business Transformation,  
Jill May

**Reason for Report:** To provide Members with an update on performance against the corporate plan and local service targets for 2016-17 as well as providing an update on the key business risks.

**RECOMMENDATION:** That the Committee reviews the Performance Indicators and Risks that are outlined in this report and feeds back any areas of concern to Cabinet.

**Relationship to Corporate Plan:** Corporate Plan priorities and targets are effectively maintained through the use of appropriate performance indicators and regular monitoring.

**Financial Implications:** None identified

**Legal Implications:** None

**Risk Assessment:** If performance is not monitored we may fail to meet our corporate and local service plan targets or to take appropriate corrective action where necessary. If key business risks are not identified and monitored they cannot be mitigated effectively.

### **1.0 Introduction**

- 1.1 Appendices 1-5 provide Members with details of performance against the Corporate Plan and local service targets for the 2016-17 financial year.
- 1.2 When benchmarking information is available it is included.
- 1.3 Appendix 6 shows the higher impact risks from the Corporate Risk Register. This includes Operational and Health and Safety risks where the score meets the criteria for inclusion. See 3.0 below.
- 1.4 All appendices are produced from the Corporate Service Performance And Risk Management system (SPAR).

### **2.0 Performance**

#### Environment Portfolio - Appendix 1

- 2.1 Most of the PIs are above target with only 2 showing below target: **% of missed collections reported per quarter (recycling)**; this is only marginally

under target. The figure is the same as quarter 1 and is an improvement on 2015/16; more detail has been added as a note on Appendix 1. **% of missed collections reported per quarter (refuse and organic waste)**; this is only marginally under target.

- 2.2 The **% of household waste reused, recycled and composted** continues to improve and has reached 56.2% which is a very good result.

#### Homes Portfolio - Appendix 2

- 2.3 Housing tenancy PI's have improved overall from the previous quarter, with only one, **Rent Arrears as a Proportion of Annual Rent Debit**, being slightly under target.

- 2.4 The PI for the **Average Days to Re-let** times has improved from the last quarter from 17.2 days to 15.6 days, which means the service is currently performing better than the target of 16 days.

#### Economy Portfolio - Appendix 3

- 2.5 In this first year for the Economy PDG, members are asked to continue to consider what targets they would like to monitor but existing metrics are included at Appendix 1.

- 2.6 It should be noted that for **empty shops** a favourable result is achieved when the actual is less than the target and that as they are counted at the start of the quarter Q3 is included.

- 2.7 The **funding to support economic projects** reflects MDDC's share of the Exeter & Heart of Devon business support funding (£53,092), the Devon Enabling Fund (£3,750) and LEADER funding (£541).

- 2.8 There will also be statistics to reflect the general state of MDDC's economy available from time to time.

#### Community Portfolio - Appendix 4

- 2.9 **Compliance with food safety law** is above target which means that 91% of premises were again rated 3 or above under the Food Hygiene Rating Scheme.

#### Corporate - Appendix 5

- 2.10 The **sickness** figures were below target for 2015/16. This has been the source of some considerable concern to Members.

- 2.11 The **Response to FOI requests** is remains above target compared to being 'well below target' for 2015/16 which was due to a vacancy.



2.12 The **Planning Performance Planning Guarantee determine within 26 weeks** was on target for Q2 at 100%.

### **3.0 Risk**

3.1 The Corporate risk register is reviewed by Management Team (MT) and updated, risk reports to committees include risks with a total score of 15 or more and all those with an impact score of 5. (Appendix 6)

3.2 Appendix 7 shows the risk matrix for MDDC for this quarter. If risks are not scored they are included in the matrix at their inherent score which will be higher than their current score would be.

### **4.0 Conclusion and Recommendation**

4.1 That the Committee reviews the performance indicators and any risks that are outlined in this report and feeds back any areas of concern to Cabinet.

**Contact for more Information:** Catherine Yandle, Audit Team Leader ext 4975

**Circulation of the Report:** Management Team and Cabinet Member

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## Corporate Plan Quarterly PI Report Environment

Quarterly report for 2016-2017  
Arranged by Aims  
Filtered by Aim: Priorities Environment  
For MDDC - Services

**Key to Performance Status:**

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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\* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan Quarterly PI Report Environment										
Priorities: Environment										
Aims: Increase recycling and reduce the amount of waste										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Residual household waste per household (measured in Kilograms)</u>	225.63 (2/4)	424.08	421.00	95.36	185.36			185.36 (2/4)	Stuart Noyce	(Quarter 1 - 2) This figure is estimated as Devon County Council verify the information 1-2 months behind perf deadline. Recycling continues to rise so above target. (LD)
<u>% of Household Waste Reuse, Recycled and Composted</u>	52.2% (2/4)	50.6%	52.0%	55.9%	56.2%			56.2% (2/4)	Stuart Noyce	(Quarter 2) This figure is estimated. Devon County Council verify data 1-2 months after perf deadline. Performance is above annual target but is always

Corporate Plan Quarterly PI Report Environment											
Priorities: Environment											
Aims: Increase recycling and reduce the amount of waste											
Performance Indicators											
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes	
										higher in first two 1/4s due to garden waste tonnage. (LD)	
<u>Net annual cost of waste service per household</u>		£60.88	£58.17	n/a	n/a	n/a		n/a	Andrew Jarrett, Stuart Noyce		
<u>Number of Households on Chargeable Garden Waste</u>	0 (2/4)	7,021	10,000	8,431	8,533			8,533 (2/4)	Stuart Noyce	(Quarter 2) Number of customers continues to increase and this figure does not include sack customers. Target based on £500k income target. (SN)	
<u>% of missed collections reported per Quarter (refuse and organic waste)</u>	0.02% (2/4)	0.02%	0.03%	0.03%	0.03%			0.03% (2/4)	Stuart Noyce	(Quarter 2) Non Rounded Actual 0.036%. A few issues with IT systems have led to no drivers notes. (LD)	
<u>% of Missed Collections logged per Quarter (recycling)</u>	0.08% (2/4)	0.12%	0.03%	0.04%	0.04%			0.04% (2/4)	Stuart Noyce	(Quarter 2) On target for this quarter. A few issues with IT systems have led to no drivers notes. (LD)	

### Aims: Reduce our carbon footprint

## Corporate Plan Quarterly PI Report Environment

### Priorities: Environment

#### Aims: Reduce our carbon footprint

#### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>To improve energy efficiency and continue to reduce consumption by 0.5% post degree day adjustment</u>		3.4%	0.5%	n/a	n/a	n/a		n/a	Andrew Busby	

#### Aims: Protect the natural environment

#### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</u>	8 (2/4)	21	No target - for information only.	2	3			3 (2/4)	Stuart Noyce	

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## Corporate Plan Quarterly PI Report Homes

Quarterly report for 2016-2017  
 Arranged by Aims  
 Filtered by Aim: Priorities Homes  
 For MDDC - Services

### Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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\* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan Quarterly PI Report Homes										
Priorities: Homes										
Aims: Build more council houses										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes	
<u>Build Council Houses</u>		14	30	0	0			Nick Sanderson	(Quarter 2) 4 Houses to be built in Birchen Lane by the end of February 2017, and the remainder of 30 to be built by the end of August 2017. (NS)	
Aims: Facilitate the housing growth that Mid Devon needs, including affordable housing										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes	
<u>Deliver 15 homes per year by bringing Empty Houses into use</u>	4 (2/4)	8	15	2	5			Simon Newcombe, Tanya Wenham		
<u>Number of affordable homes delivered (gross)</u>	14 (2/4)	27	80	16	3			Angela Haigh	(Quarter 1 - 2) Quarter two saw the addition of three new shared ownership properties. (NS)	
Aims: Other										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes	
<u>Local Plan Review</u>	n/a	n/a		n/a	n/a	n/a		Jenny Clifford		
<u>Number of Successful Homelessness Prevention</u>	154 (2/4)	295	No Target - for information only	70	136			Angela Haigh		

Corporate Plan Quarterly PI Report Homes									
Priorities: Homes									
Aims: Other									
Performance Indicators									
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes
<b>Cases</b>									
<b><u>% Decent Council Homes</u></b>	99.35% (7/12)	100.00%	100.0%	100.0%	100.0%			Angela Haigh, Nick Sanderson	(September) On Target (SB)
<b><u>% Properties With a Valid Gas Safety Certificate</u></b>	99.95% (7/12)	99.86%	100.0%	99.9%	100.0%			Angela Haigh	(September) A single expired property. This is at Legal Stage. MDDC will seek a court injunction to enable access. This is the final month of the Rober Heath Heating contract. Subsequent data will relate to Servicing & Maintenance carried out by Liberty Gas Group Ltd. (WD)
<b><u>Rent Collected as a Proportion of Rent Owed</u></b>	99.20% (7/12)	99.74%	100.0%	97.3%	99.6%			Angela Haigh	(September) Performance remains just outside target and so I am not unduly concerned about performance against this indicator. (CF)
<b><u>Rent Arrears as a Proportion of Annual Rent Debit</u></b>	1.09% (7/12)	0.66%	1.0%	1.0%	1.0%			Angela Haigh	(September) Although outside target, performance remains in the top



Corporate Plan Quarterly PI Report Homes									
Priorities: Homes									
Aims: Other									
Performance Indicators									
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Head of Service / Manager	Officer Notes
									quartile, which is good. The numbers of tenants in receipt of Universal Credit is increasing and this is likely to have an impact on our ability to collect rent going forward. (CF)
<u>Dwelling rent lost due to voids</u>	0.66% (7/12)	0.75%	no target - for information only	0.7%	0.6%			Angela Haigh	
<u>Average Days to Re-Let Local Authority Housing</u>	15.5days (7/12)	16.3days	16.0days	17.2days	15.6days			Claire Fry, Nick Sanderson	(September) On Target (MB)

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## Corporate Plan Quarterly PI Report Economy

Quarterly report for 2016-2017  
 Arranged by Aims  
 Filtered by Aim: Priorities Economy  
 For MDDC - Services

### Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
-------------------------	---------	-------------------	--------------	-----------	--------------	-------------------

\* indicates that an entity is linked to the Aim by its parent Service

## Corporate Plan Quarterly PI Report Economy

### Priorities: Economy

#### Aims: Attract new businesses to the District

##### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Number of business rate accounts</u>		2,872	No target - for information only.	2,868	2,880			2,880 (2/4)	John Chumbley	

#### Aims: Focus on business retention and growth of existing businesses

##### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Number of Apprentices at MDDC</u>		13	9	14	13			13 (2/4)	Jill May	(Quarter 1) Government target proposed is 2.3% of FTEs (JM)

#### Aims: Improve and regenerate our town centres

##### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Increase in Car Parking Vends</u>	n/a	n/a	No target - for information only.	129,488	159,929			159,929 (2/4)	Andrew Jarrett	(Quarter 1) The accountant noticed there was missing data in May and logged this with the supplier who

## Corporate Plan Quarterly PI Report Economy

### Priorities: Economy

#### Aims: Improve and regenerate our town centres

#### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
										confirmed there was a "driver error". (JN)
<b><u>Tiverton Town Centre Masterplan</u></b>	n/a	n/a		n/a	n/a	n/a		n/a	Jenny Clifford	
<b><u>The Number of Empty Shops (TIVERTON)</u></b>	16 (3/4)	16	18	18	17	18		18 (3/4)	John Bodley-Scott	
<b><u>The Number of Empty Shops (CREDITON)</u></b>	6 (3/4)	7	8	9	7	8		8 (3/4)	John Bodley-Scott	(Quarter 2) 7 out of 115 properties (JB)
<b><u>The Number of Empty Shops (CULLOMPTON)</u></b>	7 (3/4)	8	8	10	10	10		10 (3/4)	John Bodley-Scott	(Quarter 3) 10 out of 86 properties (JB)

### Aims: Other

#### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<b><u>Local Plan Review</u></b>	n/a	n/a		n/a	n/a	n/a		n/a	Jenny Clifford	
<b><u>Funding awarded to support economic projects</u></b>	n/a	n/a	No target - for information only	£53,092	£57,383			£57,383 (2/4)	None	(Quarter 2) Moved £3,750 from Q1 (CY)

## Corporate Plan Quarterly PI Report Community

Quarterly report for 2016-2017  
Arranged by Aims  
Filtered by Aim: Priorities Community  
For MDDC - Services

### Key to Performance Status:

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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\* indicates that an entity is linked to the Aim by its parent Service

### Corporate Plan Quarterly PI Report Community

#### Priorities: Community

**Aims: Work with local communities to encourage them to support themselves**

#### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>£ Council Grants / Head of Population</u>	n/a	n/a	£1.48	n/a	n/a	n/a		n/a	John Bodley-Scott	

#### Aims: Promote physical activity, health and wellbeing

#### Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Introduce Trimtrails across the District</u>	n/a	n/a	1	n/a	n/a	n/a		n/a	Jill May, Simon Newcombe	
<u>Total number of users is at least 900,000</u>	208,965 (1/4)	824,612	900,000	236,000				236,000 (1/4)	Jill May	
<u>Operational Recovery Rate</u>	83.76% (2/4)	85.15%	88%	84%	83%			83% (2/4)	Lee Chester	

#### Aims: Other

<b>Corporate Plan Quarterly PI Report Community</b>										
<b>Priorities: Community</b>										
<b>Aims: Other</b>										
<b>Performance Indicators</b>										
<b>Title</b>	<b>Prev Year (Period)</b>	<b>Prev Year End</b>	<b>Annual Target</b>	<b>Q1 Act</b>	<b>Q2 Act</b>	<b>Q3 Act</b>	<b>Q4 Act</b>	<b>Actual to Date</b>	<b>Head of Service / Manager</b>	<b>Officer Notes</b>
<b><u>Local Plan Review</u></b>	n/a	n/a		n/a	n/a	n/a		n/a	Jenny Clifford	
<b><u>Number of web hits per month</u></b>	0 (2/4)	0	For information only	27,980	29,245			29,245 (2/4)	Liz Reeves	
<b><u>Compliance with food safety law</u></b>	n/a	n/a	90%	91%	91%			91% (2/4)	Simon Newcombe	

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## Corporate Plan Quarterly PI Report Corporate

Quarterly report for 2016-2017

Arranged by Aims

Filtered by Aim: Priorities Delivering a Well-Managed Council  
For MDDC - Services

**Key to Performance Status:**

Performance Indicators:	No Data	Well below target	Below target	On target	Above target	Well above target
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\* indicates that an entity is linked to the Aim by its parent Service

Corporate Plan Quarterly PI Report Corporate										
Priorities: Delivering a Well-Managed Council										
Aims: Put customers first										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<b>Planning Applications: over 13 weeks old</b>	26 (2/4)	40	45	37	39			39 (2/4)	Jenny Clifford	
<b>New Performance Planning Guarantee determine within 26 weeks</b>	97% (2/4)	97%	100%	93%	97%			97% (2/4)	Jenny Clifford	
<b>Working Days Lost Due to Sickness Absence</b>	3.68days (2/4)	8.12days	8.00days	1.71days	3.73days			3.73days (2/4)	Jill May	
<b>% total NNDR collected - monthly</b>	66.70% (7/12)	99.10%	99.20%	33.96%	61.48%			71.40% (7/12)	John Chumbley	
<b>% of complaints resolved w/in timescales (10 days - 12 weeks)</b>	100% (2/4)	93%	90%	94%	89%			89% (2/4)	Liz Reeves	(Quarter 2) Some services still need help using the system & 2 stage 2 complaints had 'disappeared' now found and should still be resolved within timescales. (RT)
<b>Number of Complaints</b>	39 (2/4)	95	For information only	106	75			75 (2/4)	Liz Reeves	(Quarter 2) Information from CRM report (RT)
<b>Response to</b>	90% (2/4)	87%	90%	95%	95%			95% (2/4)	Lynsey	

Corporate Plan Quarterly PI Report Corporate										
Priorities: Delivering a Well-Managed Council										
Aims: Put customers first										
Performance Indicators										
Title	Prev Year (Period)	Prev Year End	Annual Target	Q1 Act	Q2 Act	Q3 Act	Q4 Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>FOI Requests (within 20 working days)</u>									Chilcott, Liz Reeves	



## Risk Report Appendix 6

**Report for 2016-2017**  
**Filtered by Flag:Include: \* CRR 5+ / 15+**  
**For MDDC - Services**

**Not Including Risk Child Projects records or Mitigating Action records**

*Key to Performance Status:*

Risks: No Data (0+) High (15+) Medium (5+) Low (1+)

### Risk Report Appendix 6

**Risk: Asbestos** Health risks associated with Asbestos products such as lagging, ceiling/wall tiles, fire control.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Street Scene Services**

**Current Status:**  
Medium (5)

**Current Risk Severity: 5 -**  
**Very High**

**Current Risk Likelihood: 1 -**  
**Very Low**

**Head of Service: Stuart Noyce**

**Review Note:** Risks largely restricted to trained/professional EH or PSH officers therefore overall status remains low

**Risk: Asbestos** Health risks associated with Asbestos products such as lagging, ceiling/wall tiles, fire control.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Housing Services**

**Current Status:**  
Medium (5)

**Current Risk Severity: 5 -**  
**Very High**

**Current Risk Likelihood: 1 -**  
**Very Low**

**Head of Service: Nick Sanderson**

**Review Note:** Risks largely restricted to trained/professional EH or PSH officers therefore overall status remains low

## Risk Report Appendix 6

**Risk: Breaches in HR Legislation** Failure to keep Council policies up to date, that complement the appropriate legislation

Failure to develop staff knowledge and competence regarding legislation/changes

**Effects (Impact/Severity):** - The Council could face poor reports from assurance bodies  
 - Failure to meet statutory duties could result in paying penalties, stretching already thin financial resources  
 - Failure to comply with legislation could lead to legal challenge against individuals or the Council as a whole  
 - Future legislation changes, their impact on services and the cost of implementing changes to policies, procedures and service delivery

**Causes (Likelihood):**

**Service: Human Resources**

<b>Current Status: Medium (5)</b>	<b>Current Risk Severity: 5 - Very High</b>	<b>Current Risk Likelihood: 1 - Very Low</b>
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**Head of Service: Jill May**

**Review Note:** The council employs four Chartered Ins of Personnel and Development (CIPD) staff who undertake regular employment law updates. All policies are reviewed on an three year programme which has slipped lately due to pressure of work (reorganisations, consultations and redundancies) however we always prioritise legislative change. Therefore whilst this is a huge risk it is a risk which is managed.

**Risk: Car Park** Car Park Overcrowding

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Leisure Services**

<b>Current Status: High (20)</b>	<b>Current Risk Severity: 5 - Very High</b>	<b>Current Risk Likelihood: 4 - High</b>
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**Head of Service: Jill May**

**Review Note:**

**Risk: Chemicals** Staff using chemicals incorrectly.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Leisure Services**

<b>Current Status: No Data</b>	<b>Current Risk Severity: 5 - Very High</b>	<b>Current Risk Likelihood: 2 - Low</b>
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**Head of Service: Lee Chester**

**Review Note:**

## Risk Report Appendix 6

**Risk: Council Finances - Banking Arrangements** Problems with banks and online services may affect ability to access funds when we need to or receive / process payments on a timely basis

**Effects (Impact/Severity):** Unable to promptly pay suppliers or treasury commitments

**Causes (Likelihood):** ICT systems down at Council or Bank so impossible to review cash position or make urgent payments

**Service: Financial Services**

<b>Current Status: No Data</b>	<b>Current Risk Severity: 5 - Very High</b>	<b>Current Risk Likelihood: 1 - Very Low</b>
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**Head of Service: Andrew Jarrett**

**Review Note:**

**Risk: Council Finances - Investments** Failure to invest in the Council's funds in an efficient and effective manner may cause potential of a loss of monies invested

**Effects (Impact/Severity):** • Could result in cash flow loss of up to £3M

**Causes (Likelihood):** • Future banking collapses

**Service: Financial Services**

<b>Current Status: No Data</b>	<b>Current Risk Severity: 5 - Very High</b>	<b>Current Risk Likelihood: 1 - Very Low</b>
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**Head of Service: Andrew Jarrett**

**Review Note:** Cabinet have recently agreed to invest in CCLA

**Risk: Council Finances - Treasury Management** Failure to comply with the CIPFA Code of Practice on Treasury Management /local authority accounting would be a breach in statutory duty

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Financial Services**

<b>Current Status: No Data</b>	<b>Current Risk Severity: 5 - Very High</b>	<b>Current Risk Likelihood: 1 - Very Low</b>
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**Head of Service: Andrew Jarrett**

**Review Note:** Strategy is approved by Cabinet annually. 2015 Audit found no issue with this

## Risk Report Appendix 6

**Risk: Document Retention** If documents fail to be retained for the statutory period then we may face financial penalties

**Effects (Impact/Severity):**

- The Council may be disadvantaged in taking or defending legal action if prime documents are not retained;
- Performance statistics cannot be verified;
- The external auditor may not be able to verify the Council's final accounts and subsidy may be lost.
- Mismanagement of burial records

**Causes (Likelihood):** • "Data debris" cluttering system and storage space

**Service: Management Team**

<b>Current Status: No Data</b>	<b>Current Risk Severity: 5 - Very High</b>	<b>Current Risk Likelihood: 1 - Very Low</b>
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**Head of Service: Liz Reeves**

**Review Note:**

**Risk: Electrical testing** Failure to carry out periodic electrical testing could result in the risk of electrocution or fire.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Housing Services**

<b>Current Status: Medium (10)</b>	<b>Current Risk Severity: 5 - Very High</b>	<b>Current Risk Likelihood: 2 - Low</b>
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**Head of Service: Nick Sanderson**

**Review Note:**

**Risk: Failure to comply with card security standards** As an organisation we need to comply with the requirements of TrustWave to be authorised as card payment processors.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Management Team**

<b>Current Status: Medium (5)</b>	<b>Current Risk Severity: 5 - Very High</b>	<b>Current Risk Likelihood: 1 - Very Low</b>
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**Head of Service: Liz Reeves**

**Review Note:**

## Risk Report Appendix 6

**Risk: Fire and Explosion** Risks associated with storage of combustible materials, fuels and flammable substances and sources of ignition, as well as emergency procedures (existence, display and knowledge of), accessibility (or obstruction) of emergency exits and walkways to. Also, risks associated with use of fire extinguishers, having correct type in location, in date and trained operatives on site.

**Effects (Impact/Severity):** Very High (5) – Although the risk is low, a fire in the server or storage room could potentially cause loss of life, have serious financial implications and severely impact the councils ability to provide services due to loss of IT infrastructure.

**Causes (Likelihood):** Very Low (1) – The likelihood of a fire within ICT is extremely low. No quantities of combustible materials are stored within the work area. There is easy access to the emergency exit and all staff have received fire awareness training.

**Service:** I C T

**Current Status:**  
Medium (5)

**Current Risk Severity:** 5 -  
Very High

**Current Risk Likelihood:** 1 -  
Very Low

**Head of Service:** Liz Reeves

**Review Note:**

**Risk: H&S RA - Recycling Depot Operatives** Role risk assessment - Highest Risk scored

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service:** Street Scene Services

**Current Status:** No  
Data

**Current Risk Severity:** 5 - Very  
High

**Current Risk Likelihood:** 2 -  
Low

**Head of Service:** Stuart Noyce

**Review Note:** RA Review

**Risk: H&S RA - Refuse Driver/Loader** Risk Assessment for Role - Highest risk from role RA. - Risk of RTA from sever weather conditions

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service:** Street Scene Services

**Current Status:** No  
Data

**Current Risk Severity:** 5 - Very  
High

**Current Risk Likelihood:** 2 -  
Low

**Head of Service:** Stuart Noyce

**Review Note:** Annual Review of Risk Assesment

## Risk Report Appendix 6

### **Risk: H&S RA - Street Cleansing Operative** Job Role Risk Assessment

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Street Scene Services**

**Current Status: Medium (10)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 2 - Low**

**Head of Service: Stuart Noyce**

**Review Note:** Risk with control measures added

**Risk: Homelessness** Insufficient resources to support an increased homeless population could result in failure to meet statutory duty to provide advice and assistance to anyone who is homeless.

**Effects (Impact/Severity):** • Dissatisfied customers and increase in complaints  
• An investigation by DCLG  
• Legal costs

**Causes (Likelihood):** • Social and economic factors like the recession and mortgage repossessions increase the number of homeless.

**Service: Housing Services**

**Current Status: High (16)**

**Current Risk Severity: 4 - High**

**Current Risk Likelihood: 4 - High**

**Head of Service: Nick Sanderson**

**Review Note:**

**Risk: Impact of Welfare Reform and other emerging National Housing Policy** Changes to benefits available to tenants could impact upon their ability to pay. Other initiatives could impact upon our ability to deliver our 30 year Business Plan.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Housing Services**

**Current Status: High (15)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 3 - Medium**

**Head of Service: Nick Sanderson**

**Review Note:**

## Risk Report Appendix 6

**Risk: Inadequate gas appliance maintenance and certification** Failure to maintain service of our gas appliances on an annual basis could result in death and prosecution

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Housing Services**

**Current Status: Medium (10)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 2 - Low**

**Head of Service: Nick Sanderson**

**Review Note:**

**Risk: Information Security** Inadequate Information 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 information strategy in place.

Risk of monetary penalties and fines, and legal action by affected parties

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: I C T**

**Current Status: High (15)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 3 - Medium**

**Head of Service: Liz Reeves**

**Review Note:** this should be reviewed 6 monthly, corporate risk is high. Constant checks are in place and firewall etc. but risk of cyber attack constant

**Risk: Legionella** Legionella

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Leisure Services**

**Current Status: Medium (5)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 1 - Very Low**

**Head of Service: Jill May**

**Review Note:**

## Risk Report Appendix 6

### **Risk: Lone Working** Lone Working of centre employees

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

**Current Status:**  
Medium (10)

**Current Risk Severity:** 5 - Very High

**Current Risk Likelihood:** 2 - Low

Head of Service: Jill May

Review Note:

### **Risk: Noise** Risk of hearing damage and headaches from high noise levels above 85 decibels and nuisance noise eg Printers, fans.

Effects (Impact/Severity):

Causes (Likelihood):

Service: Street Scene Services

**Current Status:**  
Medium (5)

**Current Risk Severity:** 5 - Very High

**Current Risk Likelihood:** 1 - Very Low

Head of Service: Stuart Noyce

Review Note: No change

### **Risk: Plant Rooms** plant rooms

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

**Current Status:** No Data

**Current Risk Severity:** 5 - Very High

**Current Risk Likelihood:** 1 - Very Low

Head of Service: Jill May

Review Note:

### **Risk: Pool Activities** Pool Activities

Effects (Impact/Severity):

Causes (Likelihood):

Service: Leisure Services

**Current Status:** No Data

**Current Risk Severity:** 5 - Very High

**Current Risk Likelihood:** 2 - Low

Head of Service: Lee Chester

Review Note:



## Risk Report Appendix 6

**Risk: St Andrew Street** A staircase in the new development does not meet current building regulations due to conservation requirements.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Housing Services**

**Current Status: High (15)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 3 - Medium**

**Head of Service: Nick Sanderson**

**Review Note:** The staircase has to remain in position, no further issues reported from the housing team. We will continue to monitor and will take action where possible and permitted.

**Risk: Vehicles, Transport, Driving** Risk of collisions with other moving or stationary vehicles, cycles and/or pedestrians.

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Street Scene Services**

**Current Status: Medium (5)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 1 - Very Low**

**Head of Service: Stuart Noyce**

**Review Note:** No change

**Risk: Widespread fire in block of flats** Failure to carry out adequate fire risk assessments on our multiple occupancy properties, could result in widespread fire and death

**Effects (Impact/Severity):**

**Causes (Likelihood):**

**Service: Housing Services**

**Current Status: Medium (10)**

**Current Risk Severity: 5 - Very High**

**Current Risk Likelihood: 2 - Low**

**Head of Service: Nick Sanderson**

**Review Note:**

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# Risk Matrix

Report  
For MDDC - Services  
Current settings

Risk Likelihood	5 - Very High	No Risks	No Risks	No Risks	No Risks	No Risks
	4 - High	No Risks	No Risks	2 Risks	4 Risks	2 Risks
	3 - Medium	No Risks	2 Risks	8 Risks	10 Risks	5 Risks
	2 - Low	2 Risks	7 Risks	28 Risks	12 Risks	6 Risks
	1 - Very Low	4 Risks	9 Risks	7 Risks	19 Risks	10 Risks
		1 - Very Low	2 - Low	3 - Medium	4 - High	5 - Very High
		Risk Severity				

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## MID DEVON DISTRICT COUNCIL

### THE CONTROL OF PIGEONS POLICY

The control of pigeons is a very emotive subject. Many people see them as part of the natural wildlife of while others see them as a pest and would like to see them removed from our streets and open spaces.

Over recent years there has been a marked increase in the number of feral (wild) Pigeons within Mid Devon. Feral pigeons have thrived by adapting to life; learning to roost and breed within our urban environment making use of man-made structures i.e. open lofts, ledges, window sills, pipe work and parapets etc.

#### Significance

The fouling of buildings and pathways frequently occurs at places where pigeons roost and nest. Their acidic droppings react with chemicals in the stonework causing erosion of the surfaces and accumulations of droppings can become infested with mites and insects. Pigeons can carry a number of potentially infectious diseases such as salmonella, tuberculosis and ornithosis (a mild form of psittacosis - pneumonia-like symptoms). They are also a source of allergens, which can cause respiratory ailments like pigeon fancier's lung and allergic skin reaction. There is potential for these illnesses to be spread to people through contact with pigeon droppings, dandruff and feathers; pigeon parasites; or where dead infected pigeons get into water sources.

Other problems include the blockage of gutters which can cause water damage by seepage coming into the property, chimneys being blocked causing smoke problems or gasses such as carbon monoxide being forced back into the house all leading to increased costs of maintenance and risk of nuisance to neighbouring properties.

A large number of roosting pigeons can also give rise to odour and noise complaints, not to mention the risk to health and safety in terms of slipping hazards on pavements and fire escapes, from the accumulations of droppings.

Mid Devon District Council does not have a policy to control or cull birds within Mid Devon. Past studies have shown that lethal control programmes are ineffective. They have shown that culling tends to lead to an initial decrease in numbers but this has the effect of increasing the available food supply for the remaining birds thereby improving breeding conditions. In a short time numbers will rise again due to the improved breeding conditions and may even be greater than before. A programme of culling is likely to be considered cruel by the general public and would result in this Authority receiving a lot of poor and damaging publicity.

Generally, the size of a pigeon flock is dependent on the amount of food available. So therefore, food is the most important factor determining the size of any pigeon population, and the best known, long-term solution to pigeon problems is to restrict its availability. So therefore, removing food sources is the single most important factor in reducing the number of feral pigeons in a town.

## **Advice to be given to the public**

Part of our policy is to try and educate and change people's behavior in relation to feeding pigeons.

If someone feels that they must feed birds then it should only be within the curtilage of their own yard or garden, and no food should be left lying around for long periods of time as this can also attract rodents into the area.

It should be explained that:

- Pigeons are wild birds capable of finding their own food. Waste food does not contain the essential vitamins the birds require causing ill health and deformity.
- Feeding pigeons attracts them to areas that are not natural to them and exposes them to injury. They are especially vulnerable to attack by cats when encouraged to feeding on the ground.
- Feeding results in all year breeding that causes overcrowding. The birds become stressed causing disease and parasites to spread quickly within the flock.
- Waste food left down for pigeons attracts foxes, rats and mice.
- Pigeons control their numbers very effectively and a reduction in the food supply does not mean the birds will die of starvation, it just means they will breed less often or even not at all.

Should a person continue to excessively overfeed pigeons and/or other birds an investigation under the Anti-Social Behaviour, Crime and Policing Act 2014 should be carried out.

Under the Anti-Social Behaviour, Crime and Policing Act 2014, a council may issue a Community Protection Notice if it feels like the conduct an individual is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the surrounding locality.

## **Accumulations of droppings**

Should the Council receive a complaint regarding an accumulation of droppings, we would work with the property owners to discourage situations developing where these accumulation of droppings become a statutory nuisance, and we will offer advice towards the proofing of their buildings. There are several methods of discouraging pigeons from roosting on premises e.g. by use of netting and spikes. However, this is a specialist area of work and we recommend you contact a local pest control company, who should be a member of the [British Pest Control Association](#), for further advice and information.

Should this advice not be followed, the Council would carry out an investigation under the Environmental Protection Act 1990. Under this legislation, the Council does have powers to deal with accumulations, such as pigeons droppings that may be prejudicial to health and or a statutory nuisance.

Notes of a meeting South Hams and West Devon 24 October 2016.

In attendance: Cllr John Tucker (Leader SHDC), Cllr Philip Sanders (Leader WDBC), Steve Jordan (Executive Director – Strategy and Commissioning, Head of Paid Service, SHWD), and Sophie Hosking (Executive Director, Service Delivery and Commercial Development, SHWD).

Cllr R Evans and J Stuckey (clerk)

The Leaders of South Hams and West Devon (Cllr John Tucker (Leader SHDC), Cllr Philip Sanders (Leader WDBC) introduced themselves and gave some background information.

Both Councils had been aware that changes were needed and when West Devon found themselves without a Chief Executive (theirs had gone to South Hams) the decision was made to share. There were a series of restructures which started with a combined 15 directors and resulted in a reduction to 7. Due to changes in pension law the Chief Executive then needed to retire and at this point the decision was made not to replace but to appoint 2 Directors - Steve Jordan (Executive Director – Strategy and Commissioning, Head of Paid Service, SHWD), and Sophie Hosking (Executive Director, Service Delivery and Commercial Development, SHWD).

I.E.S.I (said easy, a company from the South East, owned by councils) was appointed to work on a restructure and appoint to the new posts. Following this all staff were offered voluntary redundancy. Impact behaviour assessments were undertaken by all staff and everyone that wanted to stay had to apply for a job. Posts were all new. The Leaders considered that during this process they got rid of most of the 'deadwood' and managed to hang on to most of the good people. No posts were ring fenced – anyone could apply for anything.

The Leaders reported that this had been a tough time from a Members perspective. Both authorities had been 'family type' set ups and Members knew and trusted their officers. Members were reluctant to travel to joint meetings but it was clearly understood that the main driver was financial. The overall objective was to save (savings quoted as £8m) and the budget for the 2 authorities is set until 2021.

The Leaders considered that they had an agenda for growth and that silo working had been removed.

Members were adamant that there would be no loss of sovereignty for each council. Both meeting structures operated independently and reports that required decisions were taken to both. To date both authorities had agreed on all decisions.

The most difficult area to agree had been harmonisation of staff terms and conditions. The two authorities had different travel agreements and redundancy levels so these areas had to be sorted.

From a customer point of view nothing had changed. They were moving towards online self-service as much as they could.

As part of the restructure an admin function had been put in place that took care of all admin for all services. Officers, such as Planners or Environmental Health could then concentrate solely on the technical part of the job that no one else could do. The case management IT system allowed for multi skilling of staff.

The first change was to systems and functions. Officers now hot desked (only 6 workstations per 10 employees) and worked from home at least 2 days a week. Hours worked at home could be at any time to suit the employee. Only the reception desk and customer support team (phones) were manned. If Members felt the need to talk to an employee rather than email they could SKYPE. Performance stats showed that productivity was greater.

This had allowed the councils offices to become cost neutral as other space was rented out.

Both Directors agreed that getting the IT right was crucial.

The next stage, which was currently being worked on, was to put all services into a company, privately owned by both councils, to contract work. A business case was being drawn up for this. Staff would tupe and each council would procure services from the company. Other councils would also be able to procure council services from them.

With regard to funding they did not break down costs on a day to day basis but had come to an agreement about how costs were split for example 60 40 on planning, 50 50 on IT.

Both sides felt that the future for local authorities would be in commissioning services. For example, even if waste services were operating different schemes, they could still be managed by a central team.

When asked how the changes had been received by staff the Directors said that it had been a rollercoaster. 30% of staff had left (80 on one day) and grieving had taken place. It had been a tough time with a dip in performance. They were now coming out of this. There were queues for phone calls but they were no worse than in previous years, although perception was that it was worse. The Directors stressed the importance of Members being on side during this time. Staff surveys had shown concerns regarding capacity but staff had also said that they would recommend it as a place to work. The survey had a 67% response rate, which was high.

If the new company happened staff would tupe to it and contracts could be changed in the future. Pay could be profit related.

Good relationships with the trade unions had helped.

The authorities had an excellent HR specialist and they offered her services should they be required.