

Public Document Pack

Mid Devon District Council

Scrutiny Committee

Monday, 13 March 2017 at 2.15 pm
Exe Room, Phoenix House, Tiverton

Next ordinary meeting
Friday, 17 March 2017 at 11.00 am

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 MEMBER FORUM

An opportunity for non-Cabinet Members to raise issues.

4 **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.

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 **CABINET MEMBER FOR PLANNING AND ECONOMIC REGENERATION** *(Pages 15 - 22)*

The Cabinet Member for Planning and Economic Regeneration will update the Committee regarding areas covered by this remit.

8 **'CULM' GARDEN VILLAGE -LAND TO THE EAST OF CULLOMPTON.** *(Pages 23 - 26)*

At the request of the Committee the Head of Planning and Regeneration will provide an update on the 'Garden Village'.

9 **PLANNING PRODUCTIVITY REPORT** *(Pages 27 - 46)*

To consider a report of the Head of Planning and Regeneration updating Scrutiny Committee on the recent assessment of productivity in the Planning Service.

10 **UPDATE FROM ENVIRONMENTAL HEALTH ON SPECIFIC ISSUES** *(Pages 47 - 58)*

To consider a briefing paper from the Public Health and Professional Services Manager and the Head of Planning and Regeneration with regard to Cleave Farm and Crossparks, Templeton.

11 **UPDATE ON THE TIVERTON TOWN CENTRE MASTERPLAN** *(Pages 59 - 62)*

To consider a report of the Head of Housing and Property Services

updating the Scrutiny Committee on the current position in producing a Tiverton Town Centre Masterplan.

12 **CAR PARKING UPDATE** (Pages 63 - 78)

To receive a report of the Director of Finance, Assets and Resources presenting a car parking update after the first 10 months of the new charging strategy.

13 **PERFORMANCE AND RISK** (Pages 79 - 108)

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.

14 **SAFEGUARDING UPDATE**

To receive a verbal update regarding Safeguarding from the Director of Corporate Affairs & Business Transformation.

15 **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.

Mel Stride MP

Stephen Walford
Chief Executive
Friday, 3 March 2017

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Members of the public may also use other forms of social media to report on proceedings at this meeting.

Members of the public are welcome to attend the meeting and listen to discussion. Lift access the first floor of the building is available from the main ground floor entrance. Toilet facilities, with wheelchair access, are also available. There is time set aside at the beginning of the meeting to allow the public to ask questions.

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Tel: 01884 234209

E-Mail: jstuckey@middevon.gov.uk

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **SCRUTINY COMMITTEE** held on 13 February 2017 at 2.15 pm

Present

Councillors

F J Rosamond (Chairman)
Mrs H Bainbridge, Mrs C P Daw,
Mrs G Doe, S G Flaws, Mrs B M Hull,
T G Hughes, Mrs J Roach, J L Smith,
T W Snow and N A Way

Apologies

Councillor(s)

Mrs A R Berry

Also Present

Councillor(s)

R M Deed, R J Dolley, C R Slade, R L Stanley and
Mrs M E Squires

Also Present

Officer(s):

Jill May (Director of Corporate Affairs and Business Transformation), Catherine Yandle (Internal Audit Team Leader), Alan Ottey (Market Manager) and Julia Stuckey (Member Services Officer)

97 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from Cllr Mrs A R Berry.

98 **PUBLIC QUESTION TIME**

Miss S Coffin, referring to item 8 on the agenda said that with regard to the apparent high performance figures stated in paragraph 7 (page 16) we dispute the satisfactory situation reflected in the stated 95%. This is not the experience of affected Templeton residents over the past 10 – 12 years although it could be construed as reflecting the continuing effort and attitude of your officers to repeatedly rebuff and frustrate potential complainants.

Affected parishioners have experienced out of hours reports misdirected and delayed. Out of hours operators refusing complaints over the phone, officers visiting after the incident or pre-warning the offender of their presence. The problems Templeton has experienced have been regarding noise, increased traffic, fly infestations, odour, and breaches concerning boreholes with potential pollution. Your officers in Planning and Environmental Health have been unable or unwilling to accept that there may be a difference between rural and urban nuisance but it still needs genuine investigation instead of taking the route of least resistance and appeasement to what can, in some instances, verge on intimidation and bullying. Although initially it might appear easier and cheaper to treat the residents as a nuisance it emboldens the offender and leads to an escalation of the problem.

Since 2005 the individual referred to enlarged his dairy herd and operated a piece-meal mega farm without planning approval as well as operating an unlicensed milk transfer operation from an unsuitable location. The dairy business went into administration in approximately 2014 and residents have reported that he now appears to be operating an unlicensed transfer station from Cleave Farm and Crossparks, importing and exporting both slurry, digestate and feedstocks to and from the 8 Greener for Life Anaerobic Digesters across three counties. This includes the mixing of slurry and digestate from AD's in an open slurry pit just under and just over 100m from two individual properties. The unlicensed change of use has resulted in continual increase in emptying and filling of the slurry pits/containers at Crossparks and Cleave, rather than the acceptable two or three times a year.

Now we have experienced an escalation with a potential risk to health over the last three weeks, when effected residents suddenly experienced varying degrees of exposure to heavy unidentified gas omissions from Crossparks pit, resulting in adverse health symptoms which they have logged with their respective doctors with emergency services becoming involved. The affected residents are now insisting on an urgent correlated and comprehensive investigation between planning, Environmental Health as well as the Environment Agency and DEFRA with genuine intention to resolve the reported issues rather than the continual passing of this complex problem between them.

Templeton residents ask why their wellbeing and quality of life under the relevant Human Rights Act should be considered any less important than that of other residents of Mid Devon District Council. It is not only towns and cities that are entitled to reasonable air quality. Surely everyone has the right to be able to breath in their own home and garden without adverse health effects.

After all, your enforcement officers were able to identify the potential detrimental effect on residents within 400m of the excavated empty slurry pit at Pulsards Farm, Pennymoor ENF/16/00269/NUDRU for potentially exactly the same type of transfer operation, which they commented would be unlikely to obtain retrospective planning permission. Yet two properties within 100m distance from Crossparks slurry pit, which is actively being used as a mixing pit and as a transfer station, is not recognised as a nuisance by Environmental Health, who have been less than forthcoming in their efforts to acknowledge or resolve the continuing nuisance issues.

Finally may we respectfully remind Councillors that nuisance is within your councils remit under duties given to local authorities by the Environmental Protection Act 1990 you are required to investigate statutory nuisance complaints and to serve a notice when there is a statutory nuisance. You also have similar powers when there is a situation that is prejudicial to health. The standards of evidence needed to serve a statutory notice is on a balance of probability and not beyond all reasonable doubt.

Equally as we understand it a statutory nuisance to our residents will occur long before matters become prejudicial to health. However, continuous exposure to odours, that have already caused to varying degrees adverse effects on different individuals and which had already been reported to your officers would surely reflect on your councils responsibility for any ensuing heightened or continuing health problems.

Miss Coffey also referred to a question that she had asked on 12 December to which she had not yet received a response.

The Chairman indicated that these questions would be answered in writing.

99 **MEETING MANAGEMENT**

The Chairman indicated that he intended to take items 3 and 12 on the agenda after item 9.

100 **MINUTES OF THE PREVIOUS MEETING**

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

101 **DECISIONS OF THE CABINET**

The Committee **NOTED** that none of the decisions made by the Cabinet at its last meeting had been called in.

102 **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman had no announcements to make.

103 **CLINICAL COMMISSIONING GROUP**

The Chairman welcomed Caroline Dawe, Deputy Chief Operating Officer, Northern Eastern Planning and Delivery Unit of the Clinical Commissioning Group to the meeting.

Ms Dawe gave a brief synopsis of the current situation, explaining that the Success Regime had been put in place as a partnership because of financial challenges. The Success Regime had been working for the last 18 months and from the Clinical Commissioning Group (CCG) perspective had undertaken a vast programme of work. The scheme was projected to start being more strategic and had delivered a financial programme. Then the Sustainable Transformation Plan (STP) was introduced which involved health working as a system with all of its partners, Devon County Council (DCC), acute providers, community providers and the Ambulance Service. This started to supersede but involve the work of the Success Regime. As part of the STP an overarching framework was put in place, which was available to view on the website. This document set out what the objectives were of each programme. Each programme was at a different stage, some were at workshop stage to understand best practice. 'Where your Future Care' sat within one of the seven work streams as integrated local care. This was about redesigning community services, district nurses and primary care, a cohesive set of community services to wrap around patients, ensuring they worked closely with social care providers to prevent admissions. Your Future Care was the first part of this programme which required three stages; comprehensive assessment to identify needs, the setting up of a single point of access and sufficient rapid responses to prevent people going into hospital. Your Future Care had been out to consultation and results were currently being collated. There had been a significant number of responses and attendance at engagement events.

Ms Dawe explained that levels of service currently varied throughout the area.

Discussion took place regarding:

- Bed-blocking and the reduction in community hospital beds; Ms Dawe explained that the beds that had been closed had not been in the right place and did not provide the right services. The CCG had been able to demonstrate that patients stayed longer in community beds than they did if they received more acute care followed by support at home. Community hospitals were relevant but needed to be equipped. Longer stays in hospital were not good for the patient in the longer term. The contract for 'Living Well at Home' led by DCC along with the CCG provided services across the area to manage social care for those staying at home. Work so far had been considered successful and the number of patients helped positive. Optimisation of beds, general efficiencies, good practice and diagnostics helped to get patients out of hospital sooner, reducing dependency, improving performance and flow through the hospital.
- Crediton and the need for hospital beds for patients from the area to be provided in Exeter rather than Tiverton or Okehampton to make allowance for local transport links;
- Hubs – A Hub was planned for Crediton and Ms Dawe explained that there was no blue-print as to what the Hub would be. Hubs in the area were at different stages of development and needed to be relevant to the community.
- Staffing – Royal Devon and Exeter (RDE) had a new model of care and would be introducing a new basic level nurse to work in the community.
- The need for paperwork for District Nurses to be reduced in order that they could spend more time dealing with patients.
- Good work that was happening in the community and the tendency to listen to anecdotal negative tales and not the thousands of hours of care that were working well.
- The need for authorities to work with the NHS to ensure that housing provision was appropriate for the population;
- The need to increase usage of Tiverton Hospital and changes to contract arrangements there.

The Chairman highlighted consultation that was taking place regarding the Sustainable Transformation Programme at the New Hall Tiverton on 6th March from 10.30am to 12.30.

Ms Dawe apologised that other agencies such as DCC had not been able to attend the meeting with her and offered to return at a later date if required.

The Chairman thanks Ms Dawe for her attendance.

104 **CABINET MEMBER FOR COMMUNITY WELL BEING**

The Committee had before it and **NOTED** a report * from the Cabinet Member for Community Well Being.

The Cabinet Member outlined the contents of the report, highlighting two recent reports regarding Leisure Pricing and Community Engagement.

A report regarding Leisure Pricing had been to the Community Policy Development Group who had recommended that the Cabinet Member agree the strategy and price increases by delegated decision. The Cabinet Member explained that it was within his delegated powers to make the decision but on this occasion he had consulted with the PDG.

The Cabinet Member explained that his report also included an update from Environmental Health, Licensing and Grants. It had been agreed that the grants process be changed to a commissioning approach and to date nine applications had been received. He would be meeting with officers within the next couple of weeks to assess those applications.

Discussion took place regarding:

- Changes to leisure pricing which allowed those with concessionary memberships to use the facilities without time restrictions;
- Food premises and scores on the doors;
- An accident and the investigation that had taken place;
- A meat prosecution case that was ongoing.
- Praise for the leisure website and its ease of use.

The Chairman thanked the Cabinet Member for his report.

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

105 **PANNIER MARKET SIX MONTHLY REVIEW (01:18)**

The Committee had before it and **NOTED** a report * from the Town Centre and Market Manager regarding the Pannier Market.

The officer outlined the contents of the report highlighting areas of improvement such as monthly trader meetings, the use of flags to brighten up the interior, the extent that events increased footfall, the measuring of footfall, lock-ups were now fully let with a waiting list, promotional work on social media, work with PETROC, monthly inspections of the premises, new website and logo, cycle racks and the potential to use click and collect.

The officer informed Members that in his experience it could take up to three years to revive a market.

Discussion took place regarding:

- A deep clean and decorate were underway and quotes had been received;
- The officer had met with a market trader to discuss the formation of a farmers market and was currently undertaking work to find out which would be the best day of the week to hold this;
- Policies were currently being updated and the officer had been in talks with DCC (Devon County Council) regarding the canal and the possibility of erecting signage there to direct visitors to the town centre and market;
- The successful Crediton Farmers Market;
- The success of South Molton Market which was assisted by still having a livestock auction market and it was only open on two days a week until 1pm. A number of traders had been attracted from there
- The proposed erection of multi coloured canopies and the need to introduce colour to the area;
- The possibility that DCC may wish to sell recycled goods from their recycling centre at the market;
- National statistics that indicated that face to face shopping within shopping centres, town centres and markets was down year on year.

It was **RECOMMENDED** to Cabinet that the Council focus on three key aims for the Pannier Market:

- a) To deep clean and decorate the market hall within 3 months.
- b) To introduce a farmers market by end of May.
- c) To update all policies for the market and put up signage including one for tolls by end of April.

(Proposed by Cllr Mrs J Roach and seconded by Cllr F J Rosamond)

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

II) Cllr N A Way declared a personal interest as he was a Crediton Town Councillor.

106 MEMBER FORUM

Discussion took place regarding:

- Meetings of the Committee that had been moved to accommodate the attendance of the local MP's and the reinstatement of the meeting scheduled for 13 March 2017;

- Safeguarding and a report that was provided to the Committee by Devon County Council. An update would be provided at the next meeting;
- Car parking revenue and the number of vends; a report was requested for the next meeting to include changes in footfall for the town centres and an update from the Town Centre Manager and Economic Development Officer.
- Urgent decisions agreed by the Chairman of Scrutiny.

107 CONSULTATION

Cllr Mrs J Roach had requested that the Committee consider conducting a Scrutiny exercise in Tiverton, Crediton and Cullompton, to ascertain from the taxpayers their views on the authority and what they considered were the top issues in their community.

Discussion took place regarding;

- Whether or not the Committee should go out and talk to the public;
- Consultation that had already been undertaken that was identified within the report from the Cabinet Member for Community Well Being;
- The need for any questions asked to be specific and not to raise expectations;
- The need for caution when interpreting results and ensuring that the poll was demographic;
- The number of complaints received by some Members and the view that the public do not think highly of Members. Being known in the 'main street' may help improve their reputation;

It was **RESOLVED** that a working group be put in place to consult with the public; the group to comprise of Cllr Mrs C Daw, Cllr Mrs J Roach and Cllr J L Smith.

It was agreed that the Town Centre and Pannier Market Manager would be the lead officer for the Group and that a meeting be put in place to scope the project.

108 PERFORMANCE AND RISK (02:03)

The Committee had before it and **NOTED** a report * from the Director of Corporate Affairs and Business Transformation 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.

The Audit Team Leader outlined the contents of the report, reminding Members that Performance and Risk was now being reported on a monthly basis.

Discussion took place regarding:

- The number of garden waste permits sold;

- Car parking vends had increased during December;
- In Tiverton and Crediton the number of empty shops were below the national average;
- The increase in on road parking due to parking fee changes;
- The Town Centre Masterplan and a request for an update regarding this at the next meeting;
- Gas and electrical testing that took place in Council homes;
- The risk of an increase in homelessness and what was being done about this;
- Lone workers and procedures in place to protect them;
- The Pannier Market and an incident involving a door which had now been resolved.

Note: - Report previously circulated and attached to Minutes.

109 **DRAFT WHISTLEBLOWING POLICY (02.24)**

The Committee had before it a report * from the Director of Corporate Affairs & Business Transformation, presenting the Committee with the Draft Whistleblowing Policy.

The Audit Team Leader explained that the policy had been written in a way that directed it to employees rather than the employer and that hopefully this made it easier to read.

Discussion took place regarding the need for officers to feel confident enough to use the policy should they come across something that they believed was not right. The Director of Corporate Affairs & Business Transformation confirmed that training would be put in place once the policy had been adopted. She also confirmed that the Bullying and Harassment Policy could be used to protect staff at a later date and that any dismissal of an officer that had whistle blown would automatically be classed as unfair dismissal.

It was **RECOMMENDED** that the Audit Committee consider adding the Monitoring Officer to the list of people in section 5 that a concern could be raised with.

(Proposed by the Chairman)

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

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

Garden Village
 Performance and Risk
 Safeguarding Update
 Update on actions taken by Environmental Health regarding specific issues

Update on the Tiverton Town Centre Masterplan
Car Parking (vends and footfall in the town centre)

(The meeting ended at 4.50 pm)

CHAIRMAN

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SCRUTINY COMMITTEE 13TH MARCH 2017

REPORT ON THE PORTFOLIO OF THE CABINET MEMBER FOR PLANNING AND ECONOMIC REGENERATION.

ECONOMIC DEVELOPMENT.

STRATEGIC CONTEXT

1.1 Heart of the SW Partnership Productivity Plan

The Heart of the SW Partnership (including the LEP, 17 local authorities, 2 national parks and 3 Clinical Commissioner Groups) have recently published a jointly agreed green paper 'Driving productivity in the Heart of the South West' in order to stimulate debate about how we can drive economic growth in the area. This green paper is itself a response to the Government's Industrial Strategy which focuses on narrowing the productivity gap between the UK and other G7 countries. The LEP will be working with partners to finalise a Productivity Plan by the autumn which will replace its Economic Strategy. MDDC is the lead district on the Business Group for the development of the productivity plan, reflecting the work we are doing locally and regionally to influence business support priorities.

1.2 Business Transformation

Under the Exeter and Heart of Devon (EHOD) banner we have been working with our neighbouring local authorities (East Devon, Exeter and Teignbridge) to develop a joint economic strategy, focusing on delivering joint services to businesses. Within this, MDDC is leading on the theme of "Business Transformation". This includes a number of key activities:

- The pooling of business support resources across councils to enable economies of scale and greater access to match funding.
- The procurement of a joint business support service, which offers advice ranging from business planning support for potential entrepreneurs, to growth advice for young companies.
- Development of a successful local authority led Growth Hub bid in partnership with Devon County Council.
- Taking a leading role on the Better Business for All group, which focuses on the commercialisation of regulatory services and connecting regulatory services with other business support activities
- Working directly with other areas within our local authority to help them to become more commercially minded

BUSINESS – Supporting Business Growth and Job Creation

2.0 Inward Investment – *Attracting new business into the area*

The Economic Development Officer is currently in early discussions with commercial developers bringing forward schemes on four business development sites in Mid Devon. However, due to commercial sensitivity we are unable to reveal details at this stage.

He has also had approaches from a number of businesses on plans for expansion in Mid Devon. Even though these plans may not materialise, it is hoped that our input will help facilitate the process.

2.1 Developing Business Infrastructure - Broadband

MDDC recognises that broadband access and speeds are a significant factor in making the district more attractive to potential investors, an enabling factor in helping businesses grow, and a key factor in making the area an attractive place to live. Over the last 8 months we have been actively exploring opportunities to drive forward the rollout of super-fast broadband locally. However, this particular scheme has not come to fruition. We are currently working with the Connecting Devon and Somerset (CDS) contract winner to identify opportunities to improve coverage in Mid Devon, and will look beyond the CDS funded projects for other opportunities as they emerge.

2.2 Joint Procurement of Business Support

During this financial year we have been jointly funding Business Information Point (BIP) together with other EHOD partners to deliver business advice and support in the area

The Heart of the South West Growth Hub contract has now been signed between Devon County Council and the Department of Communities and Local Government (DCLG). This is a national programme providing business advice and support, mainly funded through ERDF funding.

The project will offer a detailed diagnostic for businesses to identify their needs and all of the services that could be of use to help them grow. The business advisors undertaking these diagnostics will then pull together packages of support for the business clients, and coordinate the support delivered to them, acting as a single point of contact for the business.

This will mitigate the need to fund business support separately, and we are looking to see what specialist support could be provided to enhance the Growth Hub offer.

2.3 Mills Project update

This is a project to bring a number of historic watermills, weirs and leats back into use creating local hydro-electricity schemes to power local businesses and communities.

The Hydro Mills Group, who are leading on this project, are developing their business plan, which will be used to further a number of funding bids. Two smaller bids have so far been successful, bringing in fully-funded consultancy support to help the development of a business plan and to help tighten up the legal structure of the group. We are now looking to submit an application to EU funded Low Carbon Programme by the summer of 2017 to support the pilot phase of the project. This would see three sites being brought back into use, including an opportunity for Mid Devon District Council to develop

Tiverton Weir for hydroelectricity generation. A preliminary feasibility study has already been undertaken and demonstrates that it could be a financially viable option.

2.4 Helping businesses access funding - LEADER update

Following the Brexit vote and then the Autumn Statement, there was a long moratorium on publicising the LEADER programme to local businesses. The programme is now re-open, and there have been six new enquiries from local businesses and the team will be working to help them develop their funding applications.

The last of the previous wave of projects was approved at the beginning of December. Room4U, a community project to provide a day-care facility for vulnerable residents in Silverton, has received £57,828 towards the development of the facility.

PLACE – Town Centre Management and attracting visitors to the district.

3.0 Cullompton Townscape Heritage Initiative

In January we heard from the Heritage Lottery Fund that the Council was unsuccessful in its application to the Townscape Heritage Programme. Feedback from the Heritage Lottery said that it was a very strong bid and there was little we could have done to improve it, but there was fierce competition for funding in this round and the programme was over three times subscribed. We had previously been advised that first time bids hardly ever get through on their first submission and indeed the national board prioritised re-submissions over first-time bids. We are being encouraged to re-submit for the next annual round in December of this year.

3.1 Power to Change

With support from the EDR team, Crediton Community Bookshop have been awarded £150k from the Power to Change funding programme, which has allowed them to move to a larger and more central premises at 21 High Street, Crediton. They intend to develop the site as a community resource including an event space for literary and arts exhibitions, and a variety of workshops. This has had a beneficial effect on local businesses in the heart of the town with reports of new customers and increased trade.

3.2 Tiverton Town Centre and Market Strategy and Tiverton Town Centre Masterplan

Cabinet have recently approved 'A Strategy for Tiverton' which sets out a direction for town centre management and the market over the next ten years. The current focus is on:

- Ensuring market policies and procedures are up to date
- Enhancing the physical environment of the town and market
- Maximising the market offer by attracting more traders and organising events.

The Scrutiny Committee has recently received an update from the Market Manager on the current situation at Tiverton Market.

The Council has commissioned the preparation of a Tiverton Town Centre Masterplan Supplementary Planning Document. This is at an early stage of preparation with an initial stakeholder workshop having taken place recently. More information on the masterplan including anticipated timescale for its production is to be found within the separate report on this agenda.

3.3 Destination Management Plan for Tourism

The results of a visitor survey have recently been published and discussed at Economy PDG and Cabinet. We are currently finalising the Mid Devon Survey Report before going out to consultation with key partners to develop a joint action plan with tourism businesses in order to attract more visitors into the area, and increase visitor spend.

PLANNING SERVICE.

1.0 Local Plan Review.

The Forward Planning team continues to concentrate upon finalising the Local Plan Review. Public consultation on the proposed submission plan incorporating the proposed modifications was completed on the 14th February 2017. The approximately 800 representations are being logged, indexed and assessed prior to submission of the plan with associated documents to the Planning Inspectorate by the end of March 2017. The plan is still on track to meet this timescale, but it will be tight. The Examination into the plan could be as early as July 2017, but no clarification over dates is currently available. The timescale will be set by the Planning Inspectorate. The Programme Officer that works with the Inspector over the administration of the Examination process is due to start shortly. An updated Local Development Scheme identifying plan timetable has recently been agreed.

The flood modelling work commissioned to support the plan at J28 of the M5 (Cullompton) is progressing and the model is now complete and is in testing stage in order to provide a baseline against which early highway design can be assessed. Sign off by the Environment Agency of the flood model is anticipated within the next couple of weeks. Early stage highway work has also been looking at junction upgrade in conjunction with the proposed town centre relief road. This is an iterative process, allowing for flood modelling and highway design to have regard to each other. This work will form part of the evidence base supporting the Local Plan Review.

2.0 Community Infrastructure Levy (CIL)

A revised draft CIL charging schedule has been prepared and was also subject to recent public consultation in tandem with the Local Plan Review. The updated charging schedule takes account of the proposed allocation at J27 as well as minor changes to add clarity. It is proposed that CIL documentation will be submitted to the Planning Inspectorate together with the plan so that a joint Examination may be held.

3.0 Greater Exeter Strategic Plan (GESP).

Early work continues on the Greater Exeter Strategic Plan jointly with East Devon, Exeter City and Teignbridge Councils. An update report including emerging timescale for the plan was considered at Council on 22nd February 2017. Consultation on the vision, themes and scope of the plan is currently taking place until 10th April 2017 together with a call for sites to be considered as part of the plan. The proposed timescale indicates the production of a draft plan for consultation in early 2018. A Local Development Scheme for the GESP has been agreed setting out the timescale for the plan.

4.0 Neighbourhood Planning.

Neighbourhood plans are currently being prepared with four parts of the District having designated neighbourhood plan areas:

- Cullompton - designated on 30th April 2014 (looking at making allocations)
- Crediton - designated on 2nd July 2014
- Silverton - designated on 3rd July 2014 (looking at making allocations)
- Tiverton and Halberton - designated on 28th July 2015

None have yet progressed to the stage of referendum.

5.0 Garden Village project.

An expression of interest for the creation of a garden village for up to 5,000 dwellings east of Cullompton gained Government backing early this year and will represent a significant long term project. It is the subject of a separate briefing note on this agenda.

In order to project plan, coordinate and drive forward progress towards the delivery of the Garden Village, the Council proposes shortly to commission a project lead / project manager resource funded by Government grant.

6.0 Major project work.

Tiverton Eastern Urban Extension – A range of work streams are currently addressing infrastructure provision including the new junction to the A361, assessing gypsy and traveller requirements as part of the allocation, negotiating on the S106 agreement for the major outline planning application by Chettiscombe Trust, pre-application discussions prior to reserved matters application submission and the first stage public consultation on the Area B masterplan is due to start this month.

Approximately 1,000 houses are in the planning system, a masterplan has been adopted, a design guide agreed and the first stage of the traffic calming / environmental enhancement of Blundell's Road has been installed.

NW Cullompton Urban Extension – A masterplan for the site has been adopted. Discussions have subsequently been taking place with the land promoters /developers and Devon County Council over highway and transport considerations. Early stage discussions over viability have also been taking place. The first planning applications are expected to be submitted this month and to include an application for the new road connecting Willand Road with Tiverton Road.

J27 M5 – Pre-application discussions have taken place with the promoters of development on this site and involved local Ward Members. Such discussions are still ongoing with consultees on technical issues including transport matters. The promoters are undertaking further public consultation prior to application submission. The timescale for application submission is not yet clear.

7.0 Housing land supply.

The Inspector considering the appeal for 60 dwellings on the west side of Uffculme, found that the Council was not been able to demonstrate the required five year housing land supply (together with a 20% buffer). This has been the subject of a separate report to Scrutiny Committee in May 2016. A range of speculative housing applications on non-allocated sites have either been submitted or are subject to pre-application discussions and the Council is currently vulnerable to such proposals. Advancing the Local Plan Review to adoption remains the key means of re-establishing the required housing land supply. Officers also continue in their efforts to bring forward residential development on sites that has been planned for or on appropriate windfall sites. Residential planning permissions granted are at a 10 year high, but are not being translated into completions in sufficient numbers. The recent Housing White Paper sets out a direction of travel for councils to take more control of the delivery aspects of planning and growth including intervention. How this might be best achieved and associated measures is currently the subject of a Government consultation.

8.0 Planning productivity review.

A review has recently been undertaken with support from the Local Government Association as part of their productivity expert programme. A separate report on this agenda provides more detail on the scope of the review, outcomes and next steps.

9.0 Other planning policy matters.

Although policy related work within the service has focused upon the Local Plan Review, other documents produced or commissioned include a review of the Statement of Common Ground, Local Enforcement Plan, Landscape Implications of Solar PV Proposals Supplementary Planning Document (SPD) and Refuse Storage for New Residential Properties SPD.

10.0 Building Control

The new partnership arrangements for the delivery of this service with North Devon Council are progressing with a 'go live' date of 3rd April 2017. Agreement was given at the Council meeting of 22nd February to progress the partnership.

11.0 Performance.

The Government sets a range of additional performance targets for planning authorities in order to drive performance. Although financial year end figures are not yet available, those reported to Planning Committee at the end of quarter 3 of 16/17 indicate that application determination results are in the main meeting the national planning performance indicators on speed and quality of decision making, with the exception being within the 'other' application category which has slipped below the 80% determination rate in 8 weeks. ('Other' applications comprise changes of use, certificates of lawful development, listed building consent, demolition in conservation areas, householder and advert consent applications).

The Planning Service is still currently carrying several vacant posts in development management, pending a review of its staffing structure. This restructure is progressing with the aim of being implemented early in the new financial year.

Building Control performance in plan checking and for full applications has missed local performance targets in quarter 3 of 2016/17. However all targets have been met over the past 2 months with concerned efforts made to ensure that backlogs have been successfully addressed ready for the launch of the partnership in early April.

12.0 Housing White Paper.

The recent Housing White Paper 2017 seeks to set out how to 'fix our broken housing market' and contains a range of measures and themes of direct relevance to this part of council and not least, confirms the Government's thrust to deliver growth in housing supply at an accelerated rate. It confirms a direction of travel that Local Authorities should take a more interventionist approach in the housing market in order to ensure delivery of high quality housing, in the right place and on an accelerated basis. It reaffirms the need for an up the date plan. Many of the specific proposals within the White Paper are currently out to consultation. One of the measures is for the introduction of a 20% rise in nationally set planning fees providing extra fee income is invested into increasing the capacity and capability of planning departments. A £2.3 billion Housing Infrastructure Fund has also been announced which will be focused on enabling housing delivery.

The Government has also recently announced that the review of developer financial contributions via S106 agreements and the Community Infrastructure Levy will be addressed within the Autumn Statement.

SCRUTINY COMMITTEE

'CULM' GARDEN VILLAGE –LAND TO THE EAST OF CULLOMPTON.

BACKGROUND

The Government asked Councils for expressions of interest for locally-led garden villages, towns and cities under a prospectus issued in March 2016. A report was considered by Cabinet at the meeting of 9th June 2016 in relation to making an expression of interest to the Government for a locally-led garden village on land to the east of Cullompton.

The Local Plan Review identifies Cullompton for future strategic growth and proposes to allocate land to the east of Cullompton as a suitable location for this growth. The draft allocation policy is for mixed use development including 1,750 dwellings with at least a further 850 post 2033. In addition, a neighbourhood planning exercise for Cullompton is well underway and is considering spatial allocations including further land to the east of Cullompton in order to support community infrastructure. To get to this stage, the plan has previously been through three separate stages of public consultation with a further one currently underway (until 14th February). The growth of Cullompton has been supported by the Town Council.

On 2nd January 2017, the Minister announced that we were one of 14 successful bids for garden village status.

PURPOSE /ASPIRATIONS OF DESIGNATION

Garden villages will be part of a new generation of locally led development to meet local housing need, with a focus on creating attractive, well-designed places. The Government intention is to assist and speed up the delivery of an ambitious high quality, housing programme where strong communities are at the heart of new development.

From a Mid Devon perspective, making an expression of interest for growth east of Cullompton aligns with pre-existing Local Plan Review proposals, aspirations of the Cullompton Neighbourhood Planning Group and Cullompton Town Council, both of which supported our bid. We are already aware that new infrastructure will be required to support development east of Cullompton and have commissioned work on flooding modelling and J28 M5 highway works to accommodate development. The Government's prospectus offers a tailored support package by way of capacity funding, brokerage across government to unblock issues and access to government funding streams on housing, roads and rail capital programmes. The Government has also offered working with successful Councils to deliver planning freedoms in exchange for housing delivery and that this might include ensuring a greater ability to resist speculative residential planning applications.

RELATIONSHIP WITH THE LOCAL PLAN

As submitted, the expression of interest identifies opportunity on land to the east of Cullompton for a garden village of a scale up to 5,000 dwellings. It envisages that an initial phase equating with the proposed Local Plan Allocation together with an additional

housing proposed through the neighbourhood planning process. Later phase(s) could be proposed within the context of future plans and policies beyond those currently being considered. There is therefore more planning uncertainty about the later phases of the garden village. Growth beyond that currently planned for will still need to go through a formal planning process. The bid recognises that there is potential within that part of the district for growth beyond our current plans and that of the neighbourhood planning group. Recognising the potential of this area for further future growth is not new –it is already referred to within the Local Plan Review.

It is not proposed to change the contents of the Local Plan Review as a result of achieving garden village status, although the Local Plan Inspector will be advised. Further growth to accommodate the larger garden village aspirations is expected to be considered separately under later plans and planning proposals and to go through full public consultation.

Public consultation on the Local Plan Review is currently taking place until 14th February, focused around changes to the plan.

THE EXPRESSION OF INTEREST

As submitted the expression of interest showed the location of the existing Local Plan Review proposed land application east of Cullompton and on other maps indicated illustratively a wider area. It is important to recognise that whilst locational plans of a wider area were included, they have yet to go through a formal planning process and accordingly are no more than illustrative, showing one way in which the garden village could be delivered.

The additional work that we have commissioned in relation to junction improvements at J28 of the M5 motorway is well underway and has the potential to significantly address the current capacity concerns of the junction and allow for further growth beyond that allocated within our adopted plan. The junction improvements are being designed to increase capacity by 5,000 dwellings and so this forms a logical maximum for future, further growth.

Garden village status is expected to assist in the delivery of the town centre relief road and J28 improvements through financial assistance, opening up the potential for an up-front Government loan in order to deliver the improvements earlier than we would expect if funding is fully reliant upon development. It proposes working in parallel on masterplanning and detailed highway improvement design or order to shorten the lead in period to planning permission for the works and their delivery.

The bid also makes it clear that at Garden Village scale there is also an opportunity to take a full catchment based approach to water management in order to help address existing flooding in the Cullompton area by a series of mitigation measures that could include holding water back within part of the site. This would be to the benefit of existing and future residents of Cullompton and the surrounding area.

In putting our bid together, we received support from the Town Council, neighbourhood planning group and the LEP.

NEXT STEPS

The Government's written conformation to us of garden village status for the project indicates expected capacity funding in the order of £200,000 for 16/17 and 17/18. We understand there will be further funding opportunities beyond this dependent upon progress.

Engagement will take place with the Homes and Communities Agency over the project and its delivery. We need to establish a robust project management approach, mechanisms for governance of the project that will involve interested parties, community liaison / consultation and communication.

More information on garden villages and a copy of our expression of interest with more detail are available on our website here <https://www.middevon.gov.uk/residents/planning-policy/culm-garden-village/>

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SCRUTINY
13TH MARCH 2017

PLANNING PRODUCTIVITY REVIEW

REPORT OF THE HEAD OF PLANNING AND REGENERATION.

Cabinet Member Cllr Richard Chesterton
Responsible Officer Mrs Jenny Clifford, Head of Planning and Regeneration

Reason for Report: To update Scrutiny Committee on the recent assessment of productivity in the Planning Service.

RECOMMENDATIONS: That the report be noted.

Relationship to Corporate Plan: The primary purpose of the planning system is to regulate the use and development of land in the public interest and be a positive force in protecting what is good in our environment and preventing what is unacceptable. The Planning Service is a statutory service, the effective operation of which is central to the delivery of Corporate Plan priorities of community, housing, economy and environment. The Local Development Plan sets out the strategy and approach to the development in the district together with community and environmental safeguarding / enhancement until 2026.

Financial Implications: The budget for the Planning Service for 16/17 has been set at £493,000 with expected income from applications and other sources of £834,000. Activities by the Planning Service to enable housing delivery also directly results in the award of New Homes Bonus (funding) from the government.

Legal Implications: National Planning Policy Framework 'The purpose of planning is to help achieve sustainable development. Sustainable development is about positive growth- making economic, environmental and social progress for this and future generations.' The same document advocates a positive approach, with planning taking an enabling role.

The Service operates within a highly regulated environment which has been and continues to be subject to significant Government changes. The Planning Service including the enforcement of planning control must operate within the legal and performance parameters established through legislation and Government performance indicators, but should also command public confidence in the system. The operation of the Planning System will by its nature often involve making difficult decisions that will not be universally supported within the community.

Risk Assessment: The operation of the Planning Service is by its nature open to what can be high levels of public scrutiny with potential for challenge. It must operate within legislative constraints. The Government is currently seeking to accelerate the delivery of housing and continues to make changes to the planning system to achieve both this and wider aspirations of increasing the speed of decision making. The Government has also recently published its intention to open up the assessment of planning applications to alternative providers on a pilot basis. This may indicate a wider intention to introduce competition into elements of the planning system.

The Local Planning Authorities are expected to operate in a reasonable way, in accordance with statutory requirements and Government guidance. There is an expectation that the Council will be able to justify its decision making.

Risk in relation to planning arises from lack of an adopted and up to date development plan, lack of a five year land supply, departure from legislation and guidance, inability to justify and evidence decisions. Adequate resource is required to achieve this.

1.0 BACKGROUND.

1.1 In April 2016 an application was made to the Local Government Association under their productivity expert programme for external advice to undertake a review of aspects of the Planning Service and in particular to focus on how best to realise efficiency and productivity gains. A grant was subsequently awarded and a peer-type review commissioned by an external consultant holding a Head of Planning position with another authority.

1.2 There is a strong desire to improve the productivity of the service to deliver the efficiency gains that will allow the effective allocation of staff and financial resource to focus on major (and complex) growth and place-shaping activity. The realisation of growth aspirations within the existing Local Plan, emerging plans including the Local Plan Review and Greater Exeter Strategic Plan and delivery of the Culm Garden village all require the Planning Service to take a leading role, capacity for which must be available. The service also seeks to find ways to continually improve, learn from best practice and to respond to changing demands upon it as a result of Government changes to the planning system, legal requirements, the District Council's Corporate Plan objectives and priorities.

1.3 Key deliverables sought through the review were:

- A review of the planning and enforcement service.
- Expert advice on additional steps and measures that could contribute to an improvement plan for the service.
- Advice on how best to embed improvement measures within a structural, operational or cultural redesign as part of a transformational approach.
- Recommendations on future advisory/leadership capacity-building for the Head of Service.

1.4 Anticipated outcomes were:

- A >10% efficiency gain across the planning service.
- A more productive, confident, and effective planning and enforcement service.
- Increased income through maximising income generation potential in areas of discretionary activity including pre-application and planning performance agreement processes.
- A service more able to partner effectively to share expertise and learning, or to benefit from synergies across councils.
- Improved recruitment and retention within the service.

- An empowered management function that seeks to inspire for strategic outcomes.

1.5 An assessment of the planning and enforcement service has now been undertaken, advising on best practice and the potential for productivity gains and any other improvements that could be made to realise efficiency gains.

2.0 OUTCOMES AND CONCLUSIONS REACHED.

2.1 The report delivering the outcomes from the review is attached for Member information at **Appendix 1**. The conclusions reached are as follows:

The planning service has been the subject of not insignificant change in recent years including as a consequence of restructures and staff changes. Not surprisingly, this has to a degree impacted on the performance of the team. Members have a keen interest in the outputs of the service and a review of the service and the operation of the planning committee has recently been completed. The performance of the planning application team is generally good, notwithstanding the gaps that currently exist in the staffing structure and the team are committed to the delivery of a quality service. A further restructure of the service is planned and whilst the analysis of the nature and character of the workload is complicated by the fact that existing staff are covering for the vacant posts, it is evident that any restructure needs to be better related to the caseload.

Performance management is in place and will be further enhanced by a new reporting and monitoring tool that is going to be added to the existing back office system. IT is generally used well but there is scope for making improvement particularly in terms of reducing manual data inputting and making key processes less 'clunky'.

Moves are being made make the service to be 'paper light' in terms of its operation. This gives an ideal opportunity to reflect on how key stages of the application process are undertaken so that they more efficient and effective.

There has been a great deal of interest in the delivery of the enforcement function for the Council particularly in terms of the responsiveness of the service. Key information is already held and with appropriate expression against performance indicators this should be sufficient to demonstrate the level of enforcement activity without the need to resort to case lists.

Planning committee operates in a professional way but generally quite lengthy. Parts of the agenda could be delivered in a different way which would not only save time for the meeting but also it would significantly reduce the amount of officer time spent on preparing the committee agenda.

2.2 The report also makes a series of recommendations across a range of topics areas:

- i) Customer relations
- ii) Performance management
- iii) Setting of priorities and allocating resource
- iv) ICT systems
- v) Work practices and procedures
- vi) Enforcement
- vii) Operation of the Planning Committee

3.0 NEXT STEPS.

- 3.1 The Head of Service in conjunction with the Chief Executive (acting in his Director of Growth role) have reviewed the structure of the existing service, together with its relationship with economy and regeneration functions. Together with the recent Housing White Paper, which set out a direction of travel for councils to take more control and ownership of the 'delivery' aspects of planning and growth, there is clearly a need to consider how the council's capacity, intervention and resource can be better aligned to the demands of today and the needs of the future. Consultation with staff over proposed changes to the existing service structure is proposed to start shortly.
- 3.2 The outcomes from the productivity report are being shared with Members and staff. Recommendations arising deal mainly with detailed operational matters and are being reviewed by service managers. A service improvement plan is being prepared in order to project manage and implement change.
- 3.3 One of the main areas of focus for the Scrutiny Committee over the last year has been the enforcement part of the Planning Service. Significant efforts have been made within the service to address Members concerns over communication and service responsiveness. Significant improvements have been made, with a number of positive comments at both Cabinet and Planning Committee, recognising the effort that has been put in to change the culture to one that better reflects member/customer needs. Regretfully, at the time of writing this report notice has been received from two members of staff, which will mean further change in the short term. T Efforts will be made to advertise these vacancies and reappoint as soon as possible the enforcement service back up to its full complement of staff.

Contact for more Information: Mrs Jenny Clifford, Head of Planning and Regeneration (01884) 234346

Circulation of the Report: Councillor Richard Chesterton

List of Background Papers:

Scrutiny Committee 22nd February 2016, 23rd May 2016, 10th October 2016

Planning Committee 9th March 2016, (further report expected 29th March 2017)

MID DEVON DISTRICT COUNCIL

PLANNING SERVICES PRODUCTIVITY PEER REVIEW

I would like to thank you for your invitation into Mid Devon District Council to deliver the recent review. I was well supported by council members and your staff colleagues who were open and engaged with the process. Particular thanks must go to Shane Broad for her contribution in supplying the data which was invaluable to me.

1.0 Executive Summary

Mid Devon District Council recognise the need for and importance of future growth and wishes to ensure that its planning service is in a strong position to be able to deal effectively with its business as usual activities and also the new work streams associated with the growth projects. This is set against a background of budget pressures for the Council as a whole. In response to member concerns about some aspects of the planning there has already been an internal review of the service and from that a programme of improvements is already in place and in the process of being implemented which will better support council priorities particularly in respect of the Economy and Homes. The service has had not insignificant challenges in respect of staff levels (staff churn) and not surprisingly this has impacted on the ability to deliver a consistent to its internal and external customers. An appetite for change and improvement was evident in the discussions held with staff and it should be noted that the service has a good number of effective systems in place which reflect what a modern planning service should be. From this point of view no significant flaws in the service were identified and the recommendations represent a series of incremental improvements and changes rather than radical service redesign.

It is recognised that there exists much good work to build on. Councillors and staff are enthusiastic and committed to planning and development, staff are dedicated and support councillors in delivering many good outcomes.

Nevertheless there are clear opportunities exist to improve speed and to sharpen internal processes and performance management. Consideration needs to be given as to how the project work associated with growth is going to be managed in an effective way and how the cost of this this is going to be managed. The planning service plays a key role in delivering growth which brings with it business rates and council tax income as well as the provision of homes and employment. Therefore it is important that a fit for purpose service is provided and that staff and members understand the significance of their respective roles.

2.0 Introduction

The Council requested that Peterborough City Council undertake a productivity review of the planning service. This request follows on from the recent internal review of the service

undertaken following the expressions of concern about some aspects of the quality and performance of the service. Mid Devon District Council is keen to promote economic and housing development as this is a key part of the corporate strategy for the council. The review involved meeting with members of staff from the planning service as well as key members. Phone interviews were also held with a number of key customers. In addition performance data was reviewed and a small amount of assessment was undertaken in respect of detailed work practices

3.0 Background

Mid Devon, being adjacent to the M5 corridor and in close proximity to Exeter has some significant advantages that weigh in its favour in respect of the delivery of future growth. Added to this area boast a highway quality environment. The Council acknowledges the need and importance of growth and wish to ensure that this is delivered in away which is brings benefits to the existing communities.

The Council's recently adopted Corporate Plan reflects the growth and development ambitions of the authority which are emerging in the Local Plan which will soon be reaching formal submission stage. The Strategy identifies key outputs which will be the responsibility of the Planning Service to deliver namely:

- 360 homes per year
- Produce SPDs for the NW Cullompton and Tiverton (Area B eastern) urban extensions
- Produce a Tiverton Town Centre Master Plan
- Production of a design guide

and there are other links to work of the service in respect of the priorities for the Environment and Communities.

The Development Management Service has in recent years undergone a number of changes such as a move back to having three area based teams (from two), a restructure, the absence of three senior staff members senior staff leaving, the bringing in of staff to manage the growth projects and the loss of all of the enforcement staff. Such a level of change has undoubtedly impacted on staff, the ability to implement the restructure in the way originally intended and service delivery but to the team's significant credit the underlying performance on applications has not dropped to level that would normally be of concern and the developers and agents that were interviewed maintained that the authority was one of the better council's that they do business with.

The planning service has been the subject of a 'mini-review' with the results being considered by both Scrutiny (May 2016) and the Planning Committee and as recently as October 2016 a progress report was presented to Scrutiny which outlined the progress made on the action identified in the earlier report. This demonstrates that the authority has will and desire to change and improve.

It was found that there was generally good use of IT systems with all the more recent case files held electronically, all the constraint data used for validation held on GIS and linked to the back office system, electronic consultation, encouragement of the use of online submissions and uses of some electronic performance management tools. Notwithstanding the proposed introduction of a performance management module to the back office system and the soon to be introduced move to a 'paper light' working environment, a number of improvement areas have been identified which should further drive improvement to the effectiveness and efficiency of the end to end process.

The service has a customer charter, published performance figures, a planning enforcement policy statement (currently being updated), a 'paid for' pre application service, operated a design review panel system for the larger / more important development proposals, a duty officer rota for dealing with routine planning enquiries an up to date local validation list and a Customer Forum. These are all things that a modern planning service should operate.

4.0 Culture

During the visit, meetings were held with a number of members and officers and from this it was clear that there was a strong desire to deliver a good quality service and facilitate growth. Time was spent within the team and it was evident that staff had good customer service skills. Telephone interviews were also held with a number of agents and developers and the feedback regarding the quality of staff and the commitment to overcoming issues with schemes was largely positive. The planning service has undergone some significant changes in terms of personnel and this has inevitably lead to some issues with the continuity of service delivery.

With any planning service, a decision has to be made as to where the balance lies between 'performance management' and customer service. This balance is often set by the cultural tone of the wider organisation. There is the sense that the authority may be going through an adjustment to its organisational culture and so it is important to bring the planning service along with those changes. This means that it is increasingly important for corporate, directorate and service messages to be communicated to staff and for them to be involved in change management.

5.0 Customer Relations

There have been in the past customer satisfaction surveys but response rates have been poor and an Agent Forum is held each quarter but this is not that well attended. Thought should be given as to how this might be relaunched and made more relevant to the needs of agents and developers . Use is already made of developer and agent email contact lists to alert them to any changes to the planning legislation, staff changes and process and procedure revisions.

The Development Management team clearly do some good work and achieve some quality outcomes. There appeared to be muted celebration of these positives by the service. The number of formal complaints about the service does not appear to be significant in relation to the quantum of applications that the service deals with and in order to provide a

balanced perspective of the service, the outcomes of complaints and the level of positive feedback from customers should be periodically reported on including to staff.

Discussions with staff indicated that there was potential mismatch between the reality and perception of the speed and level of communication / interaction with members. Officers feel that they are now engaging with members in the right way on the right applications / projects and this is reflected in many positive comments about the improvements made. There is some strong evidence that key applications / projects have enjoyed smoother progression than might have otherwise been the case and this is a significant positive. Clearly a balance has to be struck between engagement with members on applications and allowing officers the freedom to do the day job as there is the risk that the process becomes unsustainable. Should the perception of concern remain the consideration should be given to:

- triaging applications and projects to determine if there should be proactive member engagement and what form that should take
- keep in a central record of member service request and responses in order to evidence performance.

Recommendations

1. Look to relaunch the agents forum and engage them in the delivery of the content of the meetings
3. The service should celebrate and publicise successes to a greater degree and work with applicants on press releases and promotional activities.
4. A log should be kept of both compliments and complaints as evidence of the good work of the team and evidence of how the service has acted on complaints.

6.0 Performance Management

There is undoubtedly monitoring of performance taking place in key aspects of the service and management has and continues to take steps to react to what the results are showing them. Officer are given decision due lists, extension of time alerts and so on all of which help officers manage their work and in addition the Support Team act as 'decision notice chasers'. These systems will be enhanced further by the introduction of the Enterprise Module for the back office system. The system enables key tasks some of which are time sensitive in the processing a planning application allowing officers to manage their cases and managers to monitor and respond to the performance results and trends.

As mentioned above there is performance monitoring management taking place. It was clear that most staff had an awareness of this but they did not all appear to know what the performance results were for the service even though these outputs are available to read in the committee reports and in the statistics published on the web site. This is something that could be addressed through the monthly performance results being posted in key areas around the office.

Recommendations:

1. That regular whole service team meetings are held.
2. Progress against targets is regularly reported to staff (including through information on office noticeboards) and discussed at team meetings, with good performance praised.

8.0 Setting of Priorities & Allocating Resource

Significant effort is being put into handling the development proposals on the large strategic sites and discussions with the promoters of these sites demonstrate that they are appreciative of this approach. During the visit it appeared that there was scope for making changes to work practices and procedures to free up officer time which could then be redirected towards the delivery of a consistent, timely service which prioritises those developments that make the most significant contribution to meeting the corporate objectives. The observations and specific recommendations regarding work practices and procedures are identified throughout the different sections of this report. It is important that the recommendations are considered by the councils in the context of them being implemented in order to facilitate improved priority setting and effective use of resources.

Currently, the service provides a paid for pre-application service and a 'drop in' duty officer facility. In addition, in order to meet the cost of providing a service for major planning applications, thought is being given to the introduction of 'planning performance agreements' for all major planning application. With regard to 'pre-application' advice requests, there is a protocol and service standard which is clearly set out for customers using the service. The aims of any pre-application service are to clearly identify to the customer if planning permission is likely to be approved or refused and if the latter state why this is the case and what changes if any could be made to the scheme to make it acceptable. In order for customers to have confidence in the pre application service it must fulfill these aims and the advice given to be stood by in the event of a planning application being subsequently submitted. In addition the service should be timely. Without these being fulfilled the service risks its customers not using the service and losing out on all the benefit that it brings to the service, the Council as a whole (including its stated community strategy objectives) and the delivery of growth. The pre-application service aims to deliver feedback to customers on their submitted schemes within 12 weeks. However, looking at the list of current live pre-application cases some 45% (80 out of 178 currently live pre-applications cases) are in excess of this 12 week performance target. The slippages are likely to be as a result of the vacancies that exist in the team at present and the need to focus resources on the delivery of timely decisions on planning applications as a priority. Where pressure situations such as this arise, consideration should be given to temporarily changing the scope of the pre-application advice and or temporarily revising the service standards for different types of development proposal. For example, the service could choose to only deal with/prioritise those development proposals that are fundamental to the Council's objectives schemes as these are the developments that bring arguably the greatest benefits.

With regard to the greater use of planning performance agreements, these definitely have the potential to assist the authority to managing the peaks in development proposals. The operation of such agreements is (outside London) more usually associated with the more exceptional major planning applications and or in association with some sort of added value package. Entering into agreements in order to help meet the cost of dealing with the more extraordinary development proposals and or to an enhanced speed and or quality. Careful thought therefore needs to be given to what the added value package being offered to applicant is going to be.

Looking at the staff structure against the nature of the current case load (all applications including pre-applications), it appears that the more senior staff (APO, Principals and Planning Officer) are dealing with simple planning applications which could be dealt with by more junior staff. In terms of the volumes of such work against the current case list, this has been conservatively estimated to be some 40 cases (the figure would be 26 cases if no cases of the Planning Officer were factored into the calculation). To put this in context, the case load of the two existing Planning Assistants is between approximately 30 and 50 cases).

If a less conservative view were to be taken then the number of applications that are being dealt with by APOs and Principal Officers that could be dealt with by more junior staff would be greater. These senior officers are dealing with some 17 single dwelling applications, some 20 barn conversion / barn to residential prior notification applications and some 13 applications involving residential schemes of 5 dwellings and under. This equates to 54 applications and by way of comparison the existing Planning Officer has a caseload of 42 including pre-application work.

Whilst this information suggests that the structure is out of balance with the nature of the work coming into the service a number of points must be factored in. Firstly, there are two vacant posts in the structure and therefore the 40 applications in question have had to be allocated across the team (and thus senior officers have been dealing with simple applications). Secondly, the nature and character of current applications may be different to what it has been in the past (there has not been the opportunity to undertake any analysis of past trends so no observations on this can be made) and the trend might be a temporary spike. Finally, there will always be fluctuations in the nature and complexity of applications and therefore to a degree it is inevitable that part of an officer's workload will comprise of simpler applications as the the organisation has to have the capacity to deal with any fluctuations (i.e rise) in the more complex application which require a more experienced officer to deal with.

The planned restructure should look in greater detail at the at the incoming workload and the anticipated project workload (with flexibility allowances being made) to inform and guide the proposal. It is outside of the scope of this review to put forward any detailed proposals in respect of any restructure, however regard should be had to the following:

- The impact that a restructure would have on staff morale particularly in the context of the previous restructure which did not have the opportunity to be fully implemented

due to significant staff churn taking place which had to be responded to through a flexible response.

- The involvement of staff in the formation of a new structure in order to achieve buy in and ownership (this has already taken place in respect of the high level restructure options)
- Having a more fluid structure below Principal level working on the basis (when vacancies arise) of budget and character of the workload as opposed to structure per se)
- Whilst a two area based system has been tried previously and changed back to a three area system (it is understood primarily on the grounds of the geographic extent of each of the areas and the associated travel time, its reintroduction should be evaluated amongst other options, with each of the two areas potentially being broken down into two sub areas. This would have the effect of putting the APO's in a role which has a greater management focus and would allow them to take on some management responsibilities currently fulfilled by the Head of Service.
- Evaluate the pros and cons of having a free standing 'projects' team as opposed to having these officers in each of the area teams. The latter has the advantages of them reporting into the area team leader (APO), a better ability to be able to utilise the resource if any 'troughs' in project work arise and the potential to use existing staff to fill 'temporary' project posts on a secondment basis with their posts being backfilled with temporary contract staff (agency staff is not being suggested here) and perhaps greater potential for the projects to be better integrated into the team and therefore achieve a greater level of continuity. The ability to do this is dependant on the calibre of existing staff.

Recommendations

1. Consider the scope of and service levels being provided in respect of pre-application enquiries to ensure that whilst the service is unable to fulfil the published facility in its entirety, the service is appropriately managed as are customer expectations.
2. Consider the use of simpler / shorter delegated reports (or adopting the Camden delegated report in the decision notice approach) on straightforward applications where there has been no objections e.g. householder applications.
3. Review the market conditions in respect of the ability to introduce for all major applications a planning performance agreement regime and identify if the added value being offered is sufficient to overcome the barriers that may be identified.
4. That protocols be put in place so that significant economic development enquiries are directed to an appropriate 'handling team' and that inputs are sought from relevant service teams so that customer expectations can be satisfactorily managed.
5. Consider as part of the planned restructure the need to achieve a better fit (with a flexibility allowance) with the work coming in to the service.

ICT Systems

As already mentioned, there is generally good use made of IT within the service. This is partially as a result of there being a systems administration capability embedded in the team. A good portion of historic applications are available electronically, constraint information is mapped on GIS and used directly with the back office system to validate and consult on planning applications. The system is also used to a degree for some aspects of performance management for example reminders to staff about approaching determination deadlines and extensions of time. The service is activity encouraging applicants/agents to use online submission as a way of reducing the amount of data inputting that the support staff have to do when booking in / validating planning applications. However, it is understood that following an upgrade some 4 years ago this 'auto data filed population' function has not worked. This breakdown should be should fixed as a priority as time is being mis-spent manually inputting data which does not need to be done. Given that some 60% of applications are submitted via the portal some significant efficiencies could be gained by getting the system operating again.

The team are looking to make further advances in the use of IT to better manage the service though the installation of the performance management module of the back office planning application administration system and move to a more 'paper light' way way of working which will enhance the ability for agile working capability to be improved. Electronic based consultation is the norm and further enhancements are planned with the potential creation of a consultation portal which will place consultee responses directly into the back office system therefore cutting the level of manual intervention that is currently required to undertake this task.

At present there is a degree of agile working available for staff to take advantage of but there is mixed understanding about the opportunities and technical limitations surrounding this. Clarification of these points could potentially improve the flexible working opportunities for staff and result in productivity gains. Some members of staff that have worked remotely have experienced issues with the stability of the system, with them commenting that they often get 'thrown out' of the system.

One area of concern to most staff was the 'long winded' way in which site photographs have to be uploaded on to the system. This should be investigated to see if this can be streamlined at all as staff are frustrated by a drawn out process which should be simple and easy.

Another area where staff are frustrated by the systems is in the production of committee and delegated reports which are time consuming to produce in the required format which places time pressures on the support team, longer lead in times for the production of committee reports (especially) and staff working relatively unproductively. It is appreciated that a great deal of resources have gone into enabling the system to work as well as its does now and so it is understood why there might be some nervousness about making changes. An alternative to the existing approach could be to use Uniform to pull out certain information from the planning application record but after then the rest of the process is done in MS word. However it is understood that an evaluation has demonstrated that

notwithstanding the issues identified, the current system remains over all a better proposition.

The Council's web site is clearly and logically set out and all the embedded links functioned as they should and there is a wealth of information, guidance and some performance information at the fingertips of customers. Included on the web site is the local validation list and this could be improved through the inclusion of web links to internal or external web pages so that the applicant / agent can establish if their site is subject to a particular constraint e.g a link to the Environment Agency Flood Risk Maps or the Conservation Area maps for the district. It has been noted however that the Council's web site does not appear to have any mapping tools and access to data sets that the general public can utilise. potential improvements can be suggested to customers to see if they would find them helpful before decisions are made to make the changes.

The installation of the Enterprise tool onto Uniform presents an ideal opportunity to integrate milestone tasks into the system enabling enhanced performance management opportunities and quality control. It also enables all staff to be engaged in to be engaged in the process. Appropriate time should therefore be put to the thoughtful configuration of the system.

Recommendations

1. The reinstatement of the 'connector' that facilitates the auto population of Uniform with data from planning applications that are submitted on line.
2. The provision of clarification to staff about remote access to back office system
3. That the on line local validation list be enhanced through the inclusion of web links that would enable customers to a greater degree
4. Consideration be given to providing the public with web based mapping access to key data sets
5. Allocated the necessary time to configure the Enterprise system in order to achieve maximum benefit.

9.0 Work Practices & Procedures

During the visit, some time was spent with administration & planning officers to observe work practices and procedures in action. There is some crossover with the ICT section of this report. The key observations were as follows.

A paid for pre-application process is in place, but it is noted (elsewhere in this report) that, probably due to staff vacancies, it is not performing as well as it should do. The current process is that the case officer can issue their own responses to these requests for pre-application advice. This arrangement is a little at odds with that associated with the sign off of planning applications and the risk is that there is inadequate quality control in place. In addition, staff highlighted that, perhaps too frequently, planning applications that were submitted post pre-application advice were not always allocated to the original case officer.

Preparation of a hard copy case file all fully labelled up. As these now contain only a copy of the application form and drawings now (save for exceptional circumstances) a simple unlabelled (save for a hand written case reference number) folder would sufficient saving the administration team time and effort.

When amended plans come in to the service, the case officer completes a re-consultation request form. This could be replaced by the case officer simply issuing an instruction email to the Validation Team.

Extension of time requests are not always responded to in a timely way by agents & applicants. The request process could be changed so that the request give a timeframe for response and states if there is no reply it will be assumed that the request has been approved. The reasons why extensions of time have been sought should be universally recorded (in Uniform) through the use of one of the customisable fields and should include options such as Sec 106, amended plans, committee consideration. This will enable the reasons for the use of extensions of time to monitored and reported as may be necessary.

Each file contains a check sheet which the case officer goes through as they prepare the officer report on the application. The APO also uses the check sheet as they go through the process of authorising the decision. The completed check sheet is then placed on the file. Whilst there is security in having a completed check sheet on each of the application files, staff should be disciplined enough to go through these checks without having to completed the checksheet and can just have the checklist to hand at their desks as an aid memoire.

Multiple hard copy handovers (though some staff do operate in a more electronic way than others) for the sign off and issue of delegated decision notices (excluding conditions / reasons for refusal) and produce a draft decision notice. The manager then 'OKs' the decision in Uniform (making any small changes themselves in uniform or in the delegated report or passing it back to the case officer) with the Validation Team then doing any formatting and then issuing the decision with no further checks.

Currently only APOs can sign off decisions and consideration should be given to allowing the Principal Officers to sign off low level applications e.g householder applications and the like.

Where development proposals are the subject of a unilateral agreement, the agreements are not made publically available or passed to the Sec 106 monitoring officer or legal until such time as planning permission is granted for the development. Whilst this is logical in that the terms of the agreement will not be active until such time as the development has planning permission, officers have themselves indicated that too frequently the agreements do not get passed to legal and the Sec 106 as they ought. Therefore a better system needs to be put in place.

Some standards conditions requiring subsequent discharge could have model discharge responses available for use by applicants / agents. Examples of these could be hedge

planting specifications, construction management plans, sensitive lighting plan requirements, transport management plans, management and maintenance of communal open space. This would require these condition to undergo less assessment that might otherwise be the case.

The Planning Inspectorate operates a predominantly online appeal process and this includes the completion and submission of the 'appeal questionnaire' by the Council. The completion of the submission is jointly undertaken by the support team and the planning case officer. However, the draft questionnaire 'ping pongs' between the staff involved in hard copy format whereas it could and should be prepared online with the case officer being given the login details.

Recommendations:

1. Put measures in place for manager sign off of pre-application responses
2. Take steps to reduce the incidence of post pre application planning applications being allocated to a different case officer.
3. Application files are reduced to unlabelled folders as they are now only containing the basic application information.
5. Amended plan reconsultation requests are facilitated through an email request to the Validation Team
6. Extensions of time - change the requests so that the applicant / agent is given an explanation as to why the request is being made (and the reason is recorded in the back office system) with a reply date deadline with a zero response being deemed to be an agreement.
7. Delegated decision check sheet be removed from the process.
8. Streamline the delegated decision sign off process. The case officer produces an officer report (less conditions/ refusal reason) and a draft decision notice. This is then approved by the manager in Uniform and then the case is passed to the Validation Team for final formatting of the decision notice and issue.
9. Consideration should be given to the sub-delegation of powers to enable the Principal Planners to be able to sign off 'simple' applications e.g householder and the like.
10. That the process for and timing of passing unilateral agreements should be reviewed in respect of when the agreement are put on the public web site (public access) and when the agreements are passed to legal and the Sec106 agreement.
11. Model condition discharge responses should be prepared for such things as construction management plans and open space management / maintenance.
12. Appeal questionnaires and prepared on line instead of being printed, filled in by hand and then inputted.

10.0 Enforcement

The service is currently made up of 2.5 fte staff all of whom are new to the service (though two of the officers are experienced in their work). There is considerable level of member

interest in enforcement at the current time and consideration needs to be given to how performance and progress on cases will be reported going forward.

In terms of the authorisation process for the issue of enforcement notices. Having looked at the scheme of delegation, it is observed that committee authorisation is required before notices are served (save for in emergency situations). Of note is that it appears that committee almost always agrees that enforcement action is taken. In this context the administrative burden and delays involved in obtaining the authorisation (2-3 weeks being the lead in time for committee) consideration should be given to allowing the Head of Service to authorise non emergency enforcement action. If felt appropriate, the ward member could be given prior notification with an opportunity for calling in the decision.

The service is currently looking at revising the current performance indicators for the enforcement activity. A review of what the other local authorities are doing locally has been undertaken and there is significant variation. In addition those used by the Welsh authorities has been looked at but it is understood that these are likely to be reviewed in the not too distant future. It is therefore concluded that the ability to benchmark against other authorities will be limited. Care should be taken to ensure that any systems introduced do not in themselves become over burdensome so that they take up a disproportionate amount of time to report on.

Currently, information (amongst other things) is recorded in respect of:

- date of the service request
- ward / parish
- date of site inspection
- date of any notices served (and compliance due date and compliance inspection dates)
- date of case being closed
- reason why the case has been closed (e.g., no breach found, de minimis / not expedient, immune through passage of time, breach remedied informally, notice complied with etc)

Service requestors (i.e those that report in the alleged breach of planning control and any persons or organisations that may go on to subsequently report in the same matter) are updated on the case following the site visit / initial investigation and on the closure of the case (as well as at the time of any key activity between these two). Whilst there may have been some slippages in past years, there is clearly the basis of a system in place for ensuring that customers are being kept up to date on the progress on cases.

Performance targets / progress can be easily based around the information currently recorded (as opposed to the production of list of individual cases and progress reports) and would go a considerable way towards giving members and parish / town councils the reassurance that a timely enforcement service is being provided. The following suggestions are made (it is noted that some of these are already reported to committee):

- Reduction in the number of pending case from x to y by 31/3/17
- No. of cases in / closed (would be helpful to give figures for the month, cumulative for the year and for the same cumulative period the previous year)

- x% of initial site inspections undertaken in y days
- x% of no further action cases closed in y days
- No. of cases closed by reason
- No. of notices served
- No. of notices with compliance due date
- No. of notices complied with / not complied with (the latter can have a progress report)

The targets would have to allow for the impact that backlogs would have on the figures and as and when any backlog is cleared, the performance level target can be increased as may be seen appropriate.

Reporting on the basis of the above has distinct advantages as it uses (nearly completely) data that is already being recorded so it can be extracted in a report quickly and easily. The use of list of cases is likely to be far more labour intensive and has not insignificant risks around it i.e if Mr & Mrs Smith report in a case involving their neighbour, whilst they would not be named, the question is, is it appropriate/ desirable for that case to widely reported to the planning committee & town / parish council in public document. Whilst some local authorities do allow access to the enforcement case investigation list on line (e.g Wandsworth Council), consideration does need to be given to the character of the Mid Devon in that it is perhaps a more close knit and intimate community.

The enforcement team have not had the benefit of a specialist planning solicitor being available and so this has impacted on the timeliness of the serving of some notices. It has been suggested also that the notices have not been drafted until after the Planning Committee has authorised the serving of a notice. Whilst this does reduce the risk of a notice being issued without there being the proper authority in place, alternative safeguards could be put in place and if the preparation of the notice could be twin tracked with the preparation of the report to committee so as to speed up the issue of notices (if the scheme of delegation is not going to be changed to allow the Head of Service to issue notices). Enforcement officers have worked / are working with the legal team to agree template notices which will help ensure a timely process and it is understood that the securing of a solicitor with specialist planning knowledge is in hand.

Recommendations

1. That the scheme of delegation be changed to allow the Head of Service to authorise the serving of enforcement notices
2. That the service request acknowledgement letters / emails reference the soon to adopted enforcement policy / plan and reflect the level of service that they should expect to receive.
3. That performance standards be reset and focussed on the aspects of the process over which the enforcement team have the greatest control using data which is already being recorded.
4. That performance reporting is based on the data held as opposed to case lists with the latter perhaps being restricted to exceptional case

11.0 Operation of the Planning Committee

Whilst it was not possible to attend a meeting of the planning committee, the reports, minutes and recordings of several meetings were observed as part of this review. Good systems are in place for dealing with committee overturns of officer recommendations and there are high levels of delegation to officers. It is noted that the operation of the planning committee has been the subject of very recent (2016) and thorough review. Notwithstanding this, a number matters have been observed where change could be considered. The meetings are lengthy and there are some standing items that have the potential to be dealt with through more efficient means.

An example of this is the officer delegated decision list which could be issued electronically as a monthly list / a link to the already published list on the council's web site or members could be registered on 'public access' (the web tool through which planning applications can be viewed, commented on etc) so that they get direct notification of new and determined applications in their ward. In addition to removing a standing item from the committee agenda, it would free up officer time in the production of these reports (which incidentally has a different to the one on the web site) and ensure that the information is received by members in a more timely fashion than currently (if the automatic notification route is adopted).

It is noted and accepted that members have a keen interest in planning enforcement and that the scheme of delegation is such that enforcement notices (save for exceptional circumstances) must be authorised by planning committee. However, given that committee has not recently refused to authorise enforcement action, is such an arrangement effective use of the committee's and officer time? Consideration could be given to allowing officers to issue enforcement notices subject to prior notification to the ward member(s) who could call the case in for committee consideration. In addition the Head of Service could bring cases to committee for deliberation if it was felt to be a particular contentious case.

It is understood that the working relationship between members and officer is generally good and that this has been enhanced through a mix of training and a greater use being made of briefings on the larger / more contentious projects and applications. This good work should be maintained and progressed further through regular member training events (open to all members) which should focus on current issues facing the committee / service, the importance of growth and building effective working relationships.

The committee reports and presentations made to committee were thorough, very occasionally overly so in some cases in respect of the some of the simpler applications to the extent that the key merits / considerations were lost in the mass of information (this was an issue that was identified in the recent internal review of the operation of the committee). The consultee responses sections of the reports could benefit from there being an indication of whether the consultee 'objects', has 'no objection' etc immediately before the responses start. That would help the reader to quickly establish if the consultee has concerns or not. In addition, where there have been rounds of amended plans, a relatively full summary of the comments by consultees on the earlier versions of the proposal were included, making the reports a difficult read sometimes. Consideration should be given to just including the briefest of summary of what the consultees concern was with the original proposal and then go on to give the comments of the consultee in relation to the final version of the proposal.

Recommendations

1. That a programme of training be implemented which includes:
 - roles, responsibilities and working relationships;
 - links between planning, growth and finance;
 - ongoing 'technical' training in response to changes in legislation and issues that may arise in the course of planning committee meetings
2. That as much of the training as possible is done jointly between both councillors and officers to foster closer and more productive working relationships and a clearer understanding of their respective roles and responsibilities.
3. That the list of delegated decisions be removed from the agendas and that this information is distributed electronically (through weekly/ monthly lists or automated notification via 'public access' or as and when the decision notice is issued.
4. That the Committee report template be reviewed so that it is easy to identify from the outset if the consultee is objecting to the application or not.
5. Thought should be given to the provision of a summary of consultee comments rather than their reproduction in full and that where there have been amended plans as result of the consultee comments, a cursory summary of the initial comments (e.g The highway authority had concerns in relation to a,b & c and subsequently amended plans have been received and the highway authority observations are as follows...). Whilst this may be more time consuming for officers, it would make the reports more accessible to the reader.
6. That a concerted effort is made to ensure that officer presentations are as short and focussed as possible.

12.0 Conclusions

The planning service has been the subject of not insignificant change in recent years including as a consequence of restructures and staff changes. Not surprisingly, this has to a degree impacted on the performance of the team. Members have a keen interest in the outputs of the service and an review of the service and the operation of the planning committee has recently been completed. The performance of the planning application team is generally good, notwithstanding the gaps that currently exist in the staffing structure and the team are committed to the delivery of a quality service. A further restructure of the service is planned and whilst the analysis of the nature and character of the workload is complicated by the fact that existing staff are covering for the vacant posts, it is evident that any restructure needs to be better related to the caseload.

Performance management is in place and will be further enhanced by a new reporting and monitoring tool that is going to be added to the existing back office system. IT is generally

used well but there is scope for making improvement particularly in terms of reducing manual data inputting and making key processes less 'clunky'.

Moves are being made make the service to be 'paper light' in terms of its operation. This gives an ideal opportunity to reflect on how key stages of the application process are undertaken so that they more efficient and effective.

There has been a great deal of interest in the delivery of the enforcement function for the Council particularly in terms of the responsiveness of the service. Key information is already held and with appropriate expression against performance indicators this should be sufficient to demonstrate the level of enforcement activity without the need to resort to case lists.

Planning committee operates in a professional way but generally quite lengthy. Parts of the agenda could be delivered in a different way which would not only save time for the meeting but also it would significantly reduce the amount of officer time spent on preparing the committee agenda.

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Briefing on Cleave Farm and Crossparks, Templeton



Scrutiny Committee March 2017

1.0 Introduction

- 1.1 This is a briefing requested by the Scrutiny Committee following a detailed public question time item raised by Miss S. Coffin (Chair of Templeton Parish Council) at the previous committee meeting on 13 February 2017 as minuted.
- 1.2 The briefing is necessarily detailed in response to a range of points and assertions raised by Miss Coffin regarding investigations made by the Environmental Health team (Public Health Services) at Templeton. Specifically, in respect of potential nuisances and impact upon a private drinking water supply arising from agricultural, farm storage and spreading activities at Cleave Farm and Crossparks.
- 1.3 Cleave Farm has a number of storage facilities for farm slurry including a mobile nursery tank. Crossparks has an open slurry pit and is located approximately 1km to the north-west with an underground pipeline connection between the two locations. A plan showing these locations and the nearest residential dwellings is attached.
- 1.4 We understand the connected Cleave and Crossparks holdings were previously operated by Reed Farms Ltd and a Reed family partnership both of which are now in administration. However, Mr Winston Reed continues to operate the facilities under the permission of the Administrator (Moorfields Corporate Recovery).
- 1.5 The open slurry pit at Crossparks is used as a final storage point for subsequent on-farm land spreading of slurry and/or digestate for apparent agricultural benefit. Depending on the spreading location and other factors, the material can be either be pumped up from Cleave Farm via the pipeline or introduced via the nursery tank or various other tankers directly into the pit. There are onward underground pipe connections from the tank into adjacent fields to facilitate spreading and additionally material can be pumped out by tractor units and spread over a wider area.
- 1.6 Land used for spreading around Cleave and Crossparks was previously predominately located within an Environment Agency enforced Nitrate Protection Zone (NPZ) which placed legal controls on the management of the spreading. Since 1 January 2017, the Government (Defra) have redrawn a number of NPZ boundaries and the land in question is now outside of an NPZ area.
- 1.7 There are a number of potential agencies involved in the potential regulation of activities on-going at Cleave Farm and Crossparks. These were outlined to the committee in a joint Environmental Health and Planning report on Anaerobic Digesters in November 2015. In essence this is Environmental Health and Planning

internally. Externally the Environment Agency is responsible for land-spreading, pollution and waste movement/storage matters including any permitting requirements. Devon County Council has an interest as the waste planning authority and as the highways authority. Public Health England has no direct regulatory powers but as an arm of the Department of Health provide expert public health advice to the public and to the NHS/Local Government.

2.0 Role of Environmental Health

Statutory Nuisance

- 2.1 As correctly stated by Miss Coffin, Environmental Health are the enforcing authority for Statutory Nuisance legislation under the Environmental Protection Act (EPA) 1990. These are essentially reactive powers to investigate complaints of odour, noise, dust and other nuisances. Where a nuisance is proven there are related powers to serve abatement notices requiring action to cease the nuisance and ultimately prosecute in the event of non-compliance.
- 2.2 In order for a statutory nuisance to exist, the nuisance in question must be unlawful (i.e. have no legal authority to occur) and be prejudicial to health or result in an unreasonable interference in another person's use of their land or reduction in amenity or environmental quality. The context requires there to be something of a public health element in the consequences of the nuisance.
- 2.3 In investigating any nuisance that may be causing interference or loss of amenity, the Environmental Health team will be required to also assess the likely impact of the nuisance in terms of its frequency and persistency. Overall, there will also need to be a consideration of any existing 'best practicable means' in place to mitigate any impacts and any other factors such as any on-going or previous malicious or vexatious complaints made between the parties involved (where we are made aware).
- 2.4 The law does not make any separate definition of 'rural' or 'urban' nuisance. These were terms referenced by Miss Coffin at the last meeting, however in law a nuisance is a nuisance irrespective of the location. The combination of factors influencing whether a nuisance exists are very much specific to each individual case.
- 2.5 While the burden of proof is based on 'balance of probability' rather than 'beyond reasonable doubt' this is in part because there is no legal threshold or limit of dust, noise or odour that will give rise to a nuisance in every location and circumstance. Nonetheless, the EPA 1990 is still criminal legislation and subject to the scrutiny of a criminal court in respect of any appeal regarding the service of an abatement notice or subsequent prosecutions for alleged breaches of a notice.
- 2.6 Local authorities have a duty under the Act to inspect their areas from time to time to detect statutory nuisances and to take such steps as are *reasonably* practicable to investigate any complaints of statutory nuisance made by persons living within their area. However they do so, where they find that a statutory nuisance exists or is likely to occur or recur, they must take some action to abate that nuisance.

- 2.7 The law and adopted enforcement policy for Public Health Services also requires us to be reasonable and give persons the opportunity to cease or manage activities giving rise to a possible nuisance. Interventions at this level can be effective in dealing with specific activities and operations without the need to undertake any further, formal action.
- 2.8 In summary therefore, whilst the law can seem quite straightforward in terms of statutory nuisance the reality is often complex. In any given situation there may be a number of sometimes conflicting factors requiring impartial professional investigation. Ultimately it may not be possible to determine a nuisance on the balance of probability and therefore we are unable to undertake any formal action to require the activity to cease or reduce however frustrating this may be to the persons affected.
- 2.9 Furthermore, it is worth highlighting that whilst statutory nuisance powers are reactive, Environmental Health are not an emergency service and are required to operate largely within normal weekday working hours. The Council does not operate an out-of-hours environmental health service and this was withdrawn under the approval of members some years previously based on low uptake levels of the service and best use of resources. Out-of-hours investigations and evidence gathering can however continue through use of diary sheets, witness statements and monitoring equipment for example and limited targeted inspections where possible.

Private Water Supplies

- 2.10 The Private Water Supplies (England) Regulations 2016 are the current statutory provisions regulating private drinking water supplies i.e. those supplies that are not provided by a public utility company such as South West Water. There are over 1,000 supplies of all sizes in the Mid Devon area.
- 2.11 The regulations require the Environmental Health team to complete sampling for wholesomeness and undertake a risk assessment of all private water supplies (PWS), except for supplies to single non-commercial domestic dwellings, every five years. Risk assessments involve looking at the whole private water supply including the source, any storage tanks, any treatment systems and the premises using the supply.
- 2.12 We also obliged to provide a service to sample single domestic water supplies if requested by the supply owner and the same standards of wholesomeness apply.
- 2.13 There are procedures that local authorities must follow if any private water supply is determined as being unwholesome under the regulations. This includes a requirement to investigate the cause of any failures, inform users of the supply if it poses a potential danger to human health and giving advice to users to minimise any such potential dangers. Enforcement powers are available if needed and by law are directed to the owners and/or those in control of the supply to ensure the water is safe to drink, irrespective of the cause of the failure.

- 2.14 Therefore, the environmental health team have a statutory interest in any matters which could impact upon the wholesomeness of any private water supply borehole or spring in our area.

3.0 Environmental Health investigations

Background and performance

- 3.1 In respect of Cleave Farm and Crossparks there is a detailed and expansive history of investigation work by the Environmental Health team over a number of years. Consequently it is only possible to provide a summary herein. Nonetheless, it is hoped this summary provides assurances to the committee of our on-going commitment and effort to resolve matters where we have the power to intervene. At all times we have approached the situation in Templeton with due impartiality and there is no basis (or indeed logic) for the team to adopt any policy of appeasement, to rebuff or frustrate residents or follow a 'path of least resistance' as very much erroneously stated by Miss Coffin to the committee.
- 3.2 As the timeline below indicates, officers have undertaken numerous site visits and undertaken monitoring. They have also provided means to gather any relevant evidence and generally extended a significant effort in attempting to establish nuisance and investigate all other matters within our concern. The same officers have also worked closely with local members, all the relevant other agencies involved (as outlined above) and met with residents personally and in public and private meetings. We have done so in a timely manner within the performance standards set out for the service.
- 3.3 In reference to performance, Miss Coffin disputes the figures quoted in the report at the same meeting from the Cabinet Member for Community Well Being (Cllr Colin Slade). The report paragraph quoted by Miss Coffin is incorrect however, it is assumed that this is a reference to paragraph 10 of the report. The 95% target quoted here is an overall initial response time of 5-days for all service requests across Public Health Services (Licensing, Environmental Health and Private Sector Housing) and that has been met during 2016, despite resource pressures, and is documented on the service case management system.
- 3.4 The Environmental Health team have also been formal consultees on planning applications for new anaerobic digester plants including proposals for Menchine Farm (Nomansland) and Cross Moor Farm (Crossparks). This resulted in the team undertaking noise monitoring and assessments to British Standard (BS) 4142 involving significant additional site monitoring and interpretation/reporting time.

Investigation history

- 3.5 Records indicate Environment Health first had cause to investigate nuisance in the area of Cleave Farm in 2005. This was in respect of complaints of vehicle mud and noise. The activities identified were sufficiently transient and other matters outside of our jurisdiction that no formal action was required.

- 3.6 Between 2005 – 2011 we received a small number of additional nuisance complaints, largely once again in connection with vehicle noise. These were actioned and resolved in a similar manner to the original complaint. There was also one complaint in connection with slurry spreading near Crossparks which was passed to the Environment Agency as the matters concerned fell more clearly within their remit.
- 3.7 In late 2012 and 2013 matters escalated in respect of complaints of noise nuisance coming from slurry pumps at Cleave Farm. This resulted in a number of site visits, noise monitoring and correspondence with the site operator to seek a resolution. It cumulated in service of a formal Noise Abatement Notice in late 2013 under EPA1990. This notice was initially appealed however following dialogue between the operator and the Council this appeal was withdrawn and the notice fully complied with and the nuisance abated.
- 3.8 During 2014 there was an increase in reports of issues surrounding Crossparks, focussing on vehicle movements coming in/out, impacts on the public highway, slurry deliveries and spreading practices. Again, this resulted in a number of site visits by the Environmental Health team; however no nuisance was formally identified. We did however request in writing to the operator that the timing of spreading was altered so as to reduce any amenity impacts at weekends.
- 3.9 Also during 2014, we were required to become involved a neighbourhood dispute between the owners of Palm Springs (property closest to Crossparks) and the site operator regarding the positioning of new drinking water boreholes (private water supply) on the boundary of land used for spreading. Whilst we had some concerns over the location of the boreholes and potential impact, a risk assessment indicated the boreholes to be deep and adequately engineered providing good protection from surface run-off contamination or shallow leachate. We advised however that a 50m 'cordon sanitaire' be placed around the boreholes within which no spreading should occur in accordance with best practice and other provisions enforceable by the Environment Agency.
- 3.10 During 2015, noise (and to a lesser extent odour) complaints were raised in connection with tanker and tractor pumping in and out of the Crossparks pit. The team responded with an increasing number of site visits to try and witness possible nuisance and get an understanding of the operations being carried out. This resulted in a determination that a sporadic noise impact in particular was possible which could be adequately mitigated by moving operations to the opposite side of the pit where the adjacent farm building offered screening. Following notification in writing that we were prepared to serve notice, the operations were moved as desired and have substantially been carried out in this manner since.
- 3.11 A further complaint of noise nuisance coming from Cleave Farm was also received in 2015. Again, following prompt investigation a new noise nuisance was identified and on this occasion was managed and abated under the terms of the existing Noise Abatement Notice served in 2013.
- 3.12 A range of nuisance complaints, unfortunately following no clear pattern, continued to be received during 2016, ranging for poor spreading practices, noise and odour

associated with the Crossparks pit and further concerns in respect of impact on boreholes at Palm Springs. An increasing number of site visits were conducted to witness and assess nuisance however no statutory nuisances were identified or considered likely. One exception was the spreading of dusty chicken manure which was witnessed by an officer from Environmental Health and immediately determined as a nuisance – the officer intervened immediately with the contractor involved; the activity was ceased immediately without requirement to serve an Abatement Notice.

- 3.13 Also during 2016, concerns were raised by residents of the potential health impact of mixed materials being stored at Crossparks/spread locally. Consequently, Environmental Health sought formal advice from Public Health England (PHE) who provided reassurances, which were passed on to residents.
- 3.14 During last year we also offered noise monitoring equipment to local residents on a number of occasions without take-up. This included placing equipment on standby for a number of weeks on one occasion, despite demands on that equipment elsewhere in Mid Devon. In late December we did manage to place equipment in Palm Springs on the agreement of the occupants for a two-week period over the Christmas/New Year holiday as an immediate response to concerns over a possible nuisance. No substantial problems were subsequently found to have occurred and no noise nuisance established upon analysis of the recordings.
- 3.15 In respect of concerns raised most recently regarding impact on the same private drinking water supply, officers undertook a fresh risk assessment and found no change in the security of the supply from the impacts of spreading. Officers also offered to undertake reassurance sampling/testing despite the supply not actually being used for drinking (mains water is also available and being consumed). The offer of sampling was not taken, however an officer did arrange a separate meeting with the site operator and his farm manager, followed up in writing, to reiterate the 50m clearance zone (recommendation).

Current matters and position

- 3.16 Into 2017, officers have continued to make substantial numbers of visits including some out-of-hours. Largely these have resulted in no significant odour, dust or noise being found and no adverse symptoms being experienced by officers. However, one activity has given rise to concern in respect of potential odour arising from the mixing of material in the pit prior to spreading. This activity is occurring very infrequently and has only been directly witnessed by an officer on one occasion. Nonetheless, we have written to the site operator advising of a potential nuisance and since that time no mixing has been carried out. We have requested that the site operator meet with officers to carry out a joint assessment of the activity. An unannounced site visit on 22 February found no evidence of the mixing equipment at Crossparks or Cleave Farm.
- 3.17 In response to escalating complaints of ill-health from residents in recent weeks, arising in response to potential gas emissions including Hydrogen sulphide from the Crossparks pit, we immediately requested updated formal advice from PHE. This advice has been received and disseminated widely and concludes that nuisance

issues are likely to arise long before matters become prejudicial to health. At all times we have encouraged residents to speak to their GP or seek other medical help if they are concerned.

- 3.18 Reference is made in the statement by Miss Coffin to concerns being logged with emergency services. We are aware that a specialist hazardous materials officer from the Fire Service did attend Palm Springs and Crossparks in January this year. We held discussions with the fire officer immediately following this visit and understand they made a precautionary pre-arranged (i.e. non-blue light) visit in response to conflicting or uncertain information regarding gas at the property. The officer commented with residents that odours will be detected differently by individuals however was able to use specialist sensitive gas monitoring equipment to take measurements. The fire officer was satisfied that he did not detect any Hydrogen sulphide either inside or outside the property and did not find any immediate risk to health. The advice he provided, which we have also advocated, is that residents continue to work with the Council to identify nuisances and that nothing has been identified that suggested immediate serious danger requiring further the invention from the Fire Service.
- 3.19 The Environmental Health team are nonetheless in the process of obtaining and reviewing witness statements from residents who have expressed ill-health symptoms in connection with the above.
- 3.20 Officers have also continued to exchange regular updates and share information with the Environment Agency on matters of mutual concern. In February, as a result of shared information and concerns over possible mixing of other materials in the Crossparks pit (beyond slurry and digestate), a joint visit was made and formal samples were taken by the Agency and the results are pending at the time of writing.

Context and summary

- 3.21 Unless we have specifically required the site operator or a colleague/contractor etc. to be present at a site-meeting or inspection, we can unequivocally confirm that officers have *not* pre-announced any site visits with the parties being complained against, contrary to the statement made.
- 3.22 In terms of inspections or monitoring visits that we have formally logged on our records (there have been other ad-hoc visits and passing opportunities to make nuisance assessments etc.) the number undertaken by officers in the Environmental Health team are:
- 2013 – 6 visits
 - 2014 – 8 visits
 - 2015 – 10 visits
 - 2016 – 21 visits
 - 2017 – 12 visits (to date, - first seven weeks only)
- 3.23 The escalating visit numbers summarised above are in addition to significant (and on-going) time being taken up on phone calls, emails, reviewing results,

undertaking research/reviewing authoritative publications and updating members and residents etc. Taking a very conservative estimate of Environmental Health/Service Manager officer time used in the last two-years alone plus mileage costs it is calculated that more than £10k has been spent investigating matters set out herein. This excludes any resources spent in other service areas such as planning or by the Chief Executive/Leadership Team.

- 3.24 To put some context on the above, there are a maximum of 2.5 FTE staff resources available for pollution work within the Environmental Health team at any one time. Each year, these staff are responsible for dealing with over 400 service requests ranging from statutory nuisances, sanitary failures, drainage, filthy premises, pollution incidents/spillages and pest infestations. This is in addition to undertaking a number of on-going proactive statutory commitments e.g. inspecting permitted sites, air quality management areas and responding to licensing and planning consultations etc.
- 3.25 The response to issues at Cleave Farm and Crossparks cannot be considered insignificant and have in fact been heavily weighted in comparison to resources being allocated elsewhere. The terms of our legal obligations were set out above and require us to take steps that are *reasonably practicable*, a measure we have clearly met, and arguably exceeded, in respect of this investigation. The reality is that it is becoming increasingly difficult to sustain an above-and-beyond response against the needs of other service priorities and equally important complex cases elsewhere in the district. It is agreed that we must treat the residents of Templeton equitably, but by the same token we must do the same with all residents district-wide.

4.0 Other matters

Crossparks pit cover

- 4.1 As described above, the Crossparks pit is an open facility without a cover. Whilst it is compliant with agricultural storage requirements there would be benefit gained from having a floating cover. This would reduce residual odours and other gaseous emissions from material in-situ when the pit is not being emptied and filled. To this end the Environmental Health team advised the site operator in December 2016 of a Defra/Natural England grant scheme for funding covers. We understand from the site operator that he took advantage of this and an application has been successfully processed. We're awaiting confirmation of when the cover will be in place.

Out-of-hours operators

- 4.2 As members will be aware, for some time the Council has operated a call centre under contract with Taunton Deane Borough Council for callers contacting the Council out-of-hours on our central number. In her statement, Miss Coffin indicates that operators at Taunton Deane have refused to take complaints over the phone.
- 4.3 The Taunton Deane service was set-up principally to assist the Council in the management of urgent housing service repairs enabling standby-officers to arrange

for urgent works and for managing incidents triggering the emergency plan. It was not set up to provide a log and response service for environmental health matters, especially given there is no out-of-hours service within that team. Consequently, for a wide range of non-urgent calls Taunton Deane would have correctly advised callers to report issues directly through the Mid Devon website or contact us during working hours and this will have been consistent practice for some time.

- 4.4 In response to regular calls received more recently arising from activities at Crossparks (and to a lesser extent at Cleave Farm), we have requested that Taunton Deane log calls relating to environmental health and forward these through so they can be picked up as efficiently as possible the next working day and to avoid customers duplicating contact with the Council. This change came in effect in October 2016 and we have received information by this means since where calls have been made.
- 4.5. It is possible that expectations have been raised with residents as a result of making this change with Taunton Deane, however operators will have made it clear they are logging the call only.

Non-Environmental Health issues

- 4.6 The statement from Miss Coffin makes a number of other points that are not environmental health matters, particularly in respect of planning issues. The two internal services continue to work closely together. The committee requested a service manager response in respect of environmental health matters which are the main thrust of the statement from Miss Coffin. Input from the Planning Service to the points raised is below.
- 4.7 The Local Planning Authority (LPA) have been informed of concerns regarding activities at Cleave Farm and Cross Parks, Templeton. The LPA have liaised with the Environment Agency, Devon County Council and Environmental Health regarding the concerns that have been raised.
- 4.8 Neither Devon County Council or the Environment Agency have informed the Local Planning Authority that Cleave Farm is being used as a waste transfer station as the digestate being brought onto the farm is not considered to be waste. It is understood that the Environment Agency are currently investigating whether whey has been disposed of at Crossparks, however, the LPA have no further information on this matter at this time. The slurry and digestate mix being removed from Cross Parks is also not considered to be waste, as long as the slurry/digestate mix is spread on land for agricultural benefit. As the known products being brought onto and removed from the premises are not considered to be waste, then the LPA have concluded that neither Cleave Farm nor Crossparks can be stated to have experienced a change of use to a waste transfer station. A transfer station would be a building or processing site for the deposition of waste. If Cleave Farm and Crossparks are not being used as a transfer station then there has been no material change in use and planning permission for current activities at the premises is not required.

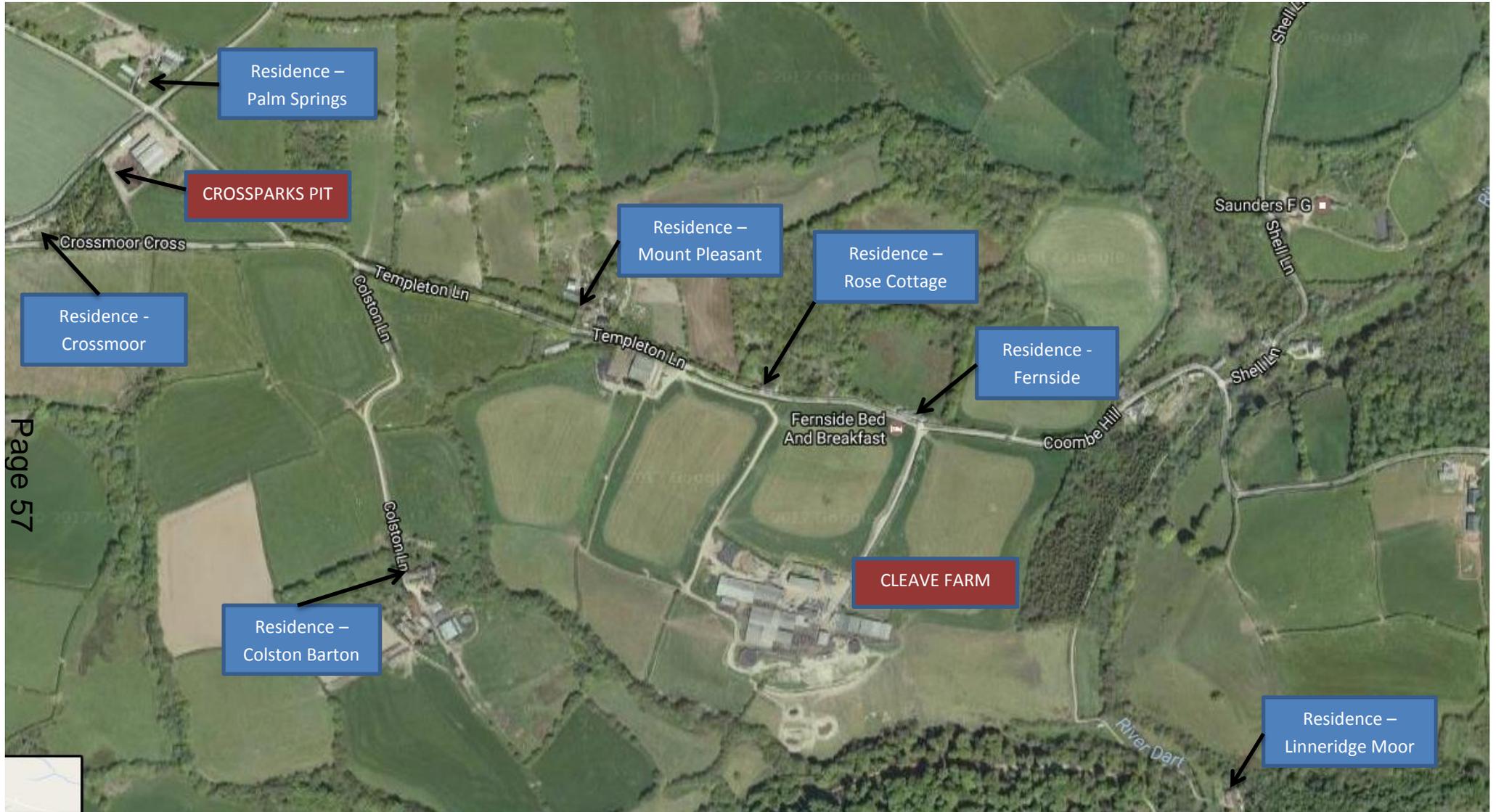
- 4.9 It is the LPA's understanding that as neither the input nor output to and from Cleave Farm and Crossparks are considered to be waste then no waste carrier licence is required for the vehicles bringing the digestate to Cleave Farm. Likewise when the slurry/digestate mixture is removed from Crossparks no licence is required. There are therefore no official records with regards to what vehicles are coming and going from these premises when digestate/slurry is being transported.
- 4.10 The EA have confirmed that Nitrate Vulnerable Zone (NVZ zone) restrictions have very recently been removed from areas of land in and around Templeton as nitrate levels are considered to be low enough to allow further spreading. As a result there is now a larger area of land available for the spreading of digestate/slurry mix in the Templeton area which may explain increased activity at Cleave Farm and Crossparks.4.11 There is a slurry lagoon at Crossparks that was granted planning permission in 1993 under reference 93/00639/FULL. There is a slurry pipeline between Cleave Farm and Crossparks that was not subject to a planning application and was not granted planning permission. However, it has been in situ and use for a number of years and is immune from Planning Enforcement action.

Simon Newcombe, Public Health and Professional Services Manager

Jenny Clifford, Head of Planning and Regeneration

3rd March 2017

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Scrutiny Committee
13 March 2017

Update on Tiverton Town Centre Regeneration and Enhancement Masterplan

Cabinet Member Cllr Ray Stanley
Responsible Officer Nick Sanderson, Head of Housing & Property Services

Reason for Report: To update Scrutiny on the current position in producing a Tiverton Town Centre Masterplan.

RECOMMENDATION: That Scrutiny notes the contents of the report.

Relationship to Corporate Plan: A thriving economy is one of the Councils key priorities in the Corporate Plan.

Financial Implications: The preparation of the masterplan is funded within the Capital Programme.

Legal Implications: None from this report.

Risk Assessment: A full risk assessment will be undertaken on any projects identified within the master planning scheme as they are developed.

1.0 Introduction

1.1 The Council as part of 'Tiverton Regeneration' project initiation document agreed to produce a masterplan for the Tiverton Town centre. The rationale being that the key to delivery of a regeneration project is the development of a masterplan to guide the process and act as a blue print for the development of the area.

1.2 Mid Devon District Council issued an invitation for expressions of interest for the preparation of a vision, regeneration masterplan and outline delivery plan for Tiverton Town Centre in August 2015. This required consultants to demonstrate the following experience and skills:

- That they have undertaken similar master-planning exercises in towns comparable to Tiverton in the last 5 years
- Urban Design and Land Use Planning
- Town Centre Regeneration
- Public Realm enhancements including traffic movement and links
- Public participation and engagement

Consultants were required to submit up to 3 case studies and to demonstrate how each case study met the 5 criteria above (with each scored in equal proportion). The consultant submissions were subsequently scored.

1.3 The top scoring 4 consultants meeting the above criteria were invited to prepare a full priced submission. Three were subsequently received and reviewed.

2.0 Current position

- 2.1 Following the receipt of the full priced submissions, Officers reviewed not only the submissions, but also desired outcomes from the commission. The Council wished to make changes to the brief to increase its scope and gave the 3 consultants that submitted full priced tenders an opportunity to amend and resubmit in light of these changes.
- 2.2 Following receipt of the revised tender submissions WYG Group were engaged to produce the Tiverton Town Centre Masterplan.
- 2.3 The project will be undertaken in two phases, detailed below:

Phase 1

Phase 1 - involves a comprehensive analysis of Tiverton and in particular the role and function of the town centre and it's potential for regeneration and repositioning to foster economic growth. Phase 1 will also include option proposals setting out the subject, scope and potential content of the masterplan. This will include the reviewing the evidence base i.e. retail studies, heritage studies, land use surveys, etc, and analysis of its position within Mid Devon as a whole and competition regionally to identify Tiverton's unique selling points. It will also include time for a 6 week public consultation and stakeholder consultation and meetings. The delivery timetable for this is expected to be 3 to 4 months.

Phase 2

This will include preparation of a draft masterplan document, including publishing the evidence base on the web site. The draft will be subject to 6 weeks of public/stakeholder consultation. A final masterplan to be prepared following the consultation period for consideration and adoption by Cabinet and Council. The delivery timetable for this is approximately 6 months.

- 2.4 As it is the intention that the document is adopted as an SPD, consultation will need to follow Mid Devon's Statement of Community Involvement (SCI), in particular SC14 and SC15. The SCI was adopted in October 2016.

3.0 Project Timetable to date

- 3.1 Project inception meeting- Complete
- 3.2 Agree consultation strategy- Complete
- 3.3 Agree project outputs – Complete
- 3.4 Agree SPD project plan – Complete
- 3.5 Review Evidence base – Complete (also to have on-going review)
- 3.6 Focussed stakeholder engagement – off target

Note: Completion of the Focussed stakeholder engagement is currently off target due to some stakeholder meetings being poorly attended. A reworked strategy to get 'buy in' is currently being drawn up.

3.7 The proposed timetable for the commission agreed at tender stage is as follows:-

- 7th October 2016 – Invitation to amend full priced submissions issued to the 3 consultants
- 21st October 2016 – Revised full priced submissions received (12 noon)
- 11th November 2016 - Contract awarded
- Evidence gathering, including consultation/stakeholder meetings)
- Planning Policy Advisory Group presentation approx. 3 weeks before Cabinet
- 30th March 2017 (Cabinet) - Masterplan Issues/Options
- (Consultation/stakeholder meetings)
- Planning Policy Advisory Group presentation approx. 3 weeks before Cabinet
- July/August 2017 (Cabinet) - Draft Masterplan agreed for consultation
- (Second consultation 6 weeks)
- September/October 2017 - Final Masterplan for adoption/approval by Cabinet and Council

3.8 The timetable is currently being adjusted to take into consideration the slippage in the stakeholder engagement project task and to meet with Cabinet dates.

Contact for more information: Nick Sanderson (01884 234960 – nsanderson@middevon.gov.uk)

Distribution of the report Cllr R Stanley, Management Team, Cabinet

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SCRUTINY COMMITTEE 13 MARCH 2017

CAR PARKING UPDATE FOR THE TEN MONTHS TO 31 JANUARY 2017

Cabinet Member Cllrs Karl Busch & Richard Chesterton
Responsible Officer Andrew Jarrett – Director of Finance, Assets & Resources

Reason for Report: To present a car parking update after the first 10 months of the new charging strategy.

RECOMMENDATION(S): The Committee note the current position on car parking vends and income for the first 10 months of 2016/17 and consider the attached footfall data and associated commentary.

Relationship to the Corporate Plan: The Council must ensure that it maximises the opportunity available from all of its property assets, however, it must also be mindful of the associated economic consequences that can be directly or indirectly related to major changes in any charging policy.

Financial Implications: The new car parking strategy targeted better utilisation of the Councils car parks, introduced a more streamlined tariff system and looked to increase overall income from its 10 Pay & Display car parks by £141k.

Legal Implications: None.

Risk Assessment: Regular financial monitoring information will indicate to Members whether this strategy is achieving its objectives.

1.0 Introduction

1.1 During 2015/16 the Managing the Environment Policy Development Group set up an officer and member working group to review our current car park charging policy and then make recommendations on a new one to be implemented on the 1/4/16. This review looked at: usage levels, benchmarked charges against neighbouring Councils, considered more free periods, reviewed concessions, considered economic consequence, etc.

2.0 The new charging strategy for 2016/17

2.1 After an extensive consultation process, reported at all of our 34 car parks and advertised in the local press and at the Council offices, the main changes made to our new charging policy were:

- The removal of the £1 tariff for 5hrs parking in the 3 long stays
- But freezing the £2 tariff for all day parking
- Introducing a 30min free period during the evening and freezing the overnight charge at a £1
- Extending the free period at Westexe and PHouse to 30 mins

- Introducing a 30 mins free period at William St and Wellbrook St
 - Reducing Sunday and BH charges to £1
- 2.2 It was then estimated that if current (15/16) vends remained at the same level for 2016/17 this new charging policy would generate circa £141k more income from the Council's 10 P&D car parks.
- 2.3 When evaluating the impact of a new charging policy for any product, it is often made harder, as other variables may well have direct/indirect effects/consequences. This is particularly relevant to car parking. Variables such as weather, the economy, fuel prices, provision of alternative parking, availability and range of shops, level of ad hoc concessions granted, road closures, etc. will also affect usage levels and hence income generated.
- 2.4 The Scrutiny Committee was provided information with regard to the first 6 months of 2016/17 relating to both income received and vends purchased. Subsequent to this meeting we have been asked to provide a further update on income and vends and in addition information/data held on footfall and any relevant observations from officers in the Economic Development team. This information is attached as appendices 3 and 4

3.0 Car parking vends and income for 1/4/16 – 30/9/16

- 3.1 Members of the Scrutiny Committee received an initial update on car parking income and vends after the first 3 months of 2016/17. This was then further updated to include the overall position upto the 30/9/16 (i.e. the first 6 months). We are now in a position to report the overall income and vends for the first 10 months of 2016/17. This information is shown in the table below.

Month	Income 16/17	Income 15/16	Variance
April	£58,948	£47,349	£11,599
May	£52,273	£48,910	£3,363
June	£56,200	£49,833	£6,367
July	£59,452	£54,616	£4,836
August	£58,514	£51,190	£7,324
September	£56,939	£52,610	£4,329
October	£58,724	£54,509	£4,215
November	£57,595	£50,436	£7,159
December	£60,105	£52,895	£7,210
January	£51,195	£48,508	£2,687
Total	£569,945	£510,856	£59,089

NB1 - The above table shows an overall income position vs the actual figures achieved in April to January against the same months in 2015/16 for all of the Council's P&D car parks.

- 3.2 In addition to the above table, Appendix 1 shows the total vends and income per car park for the first 10 months of 2016/17 and Appendix 2 shows the performance against budget of each car park.
- 3.3 If we assume that the first 10 months are representative of the rest of 2016/17 the Council would potentially generate circa £684k against a budget of £712k – which was set £141k higher than in 2015/16.
- 3.4 When evaluating our new charging strategy, we must also look at the vend analysis to establish how it has affected; parking numbers, length of stays, success of increased free parking concessions, etc. This information is also contained in Appendix 1.
- 3.5 At a previous meeting Members were informed that due to contractor software problems not all vend analysis had been recorded during May and June.

4.0 Conclusion

- 4.1 The first 10 months of income data shows that if fee/charges are maintained at broadly the same level during the remainder of 2016/17 that the Council should achieve some where close to the increased budget of £712k (note the P&D car park income budget was £571.5k in 2015/16).
- 4.2 Officers will continue to provide regular updates on car parking income and vend analysis to members.
- 4.3 Officers and members will review correspondence/feedback on the new charging strategy and consider whether any changes are required to our current strategy.
- 4.4 With regard to any correlation between parking tariffs and footfall it is virtually impossible to prove any direct cause and effect due to all of the other interrelated variables that can affect footfall numbers and the relatively inaccurate way we currently collect this data.
- 4.5 As seen in appendix 3 officers have investigated the potential cost of procuring more accurate headcount measures/systems, but at a cost of circa £10k, it is felt that this would not demonstrate value for money.

Contact for more information:

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ajarrett@middevon.gov.uk

Circulation of the Report:

Cllrs Richard Chesterton & Karl Busch,
Management Team

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Car Park Income Analysis

APPENDIX 1 (INCOME)

	P&D	Ringo	P&D	Ringo																				
	Feb-16		Mar-16		Apr-16		May-16		Jun-16		Jul-16		Aug-16		Sep-16		Oct-16		Nov-16		Dec-16		Jan-17	
INCOME																								
Becks Square Tiverton	5,925.38	77.75	5,757.04	95.92	7,389.17	122.08	6,454.13	94.58	7,615.25	99.58	8,202.67	117.50	7,809.75	105.83	7,395.08	125.42	7,426.21	123.33	7,004.00	129.58	7,326.50	134.17	5,746.25	114.58
High Street Crediton*	2,687.79	145.34	5,231.12	133.83	5,812.71	228.25	5,539.87	242.17	4,921.54	200.00	6,056.38	224.83	6,017.17	270.67	6,401.96	352.33	5,454.58	333.17	6,338.88	383.83	5,882.00	330.17	5,524.67	421.83
Market Place Tiverton	15,627.67	256.58	14,500.71	256.58	18,627.21	407.08	15,732.79	321.67	16,993.08	357.92	19,273.54	355.42	18,401.22	274.58	17,385.75	336.25	19,421.08	339.58	19,167.83	402.08	20,475.75	510.00	15,725.50	418.75
Market Street Crediton	2,658.21	121.01	2,809.58	156.75	3,163.37	109.18	3,206.96	80.42	3,133.37	104.17	3,473.50	85.00	3,456.00	83.33	2,658.62	83.75	3,173.71	111.67	3,522.92	169.17	3,741.38	111.67	2,768.25	85.00
Multi-Storey Tiverton	8,735.54	392.83	8,041.33	384.83	10,297.38	530.00	8,858.83	493.33	11,105.33	545.00	9,668.17	614.17	9,795.42	605.00	10,357.04	707.50	9,809.00	665.83	9,274.00	683.33	10,140.83	670.00	9,563.17	732.50
Phoenix House Tiverton	264.62	2.33	247.17	2.83	281.37	9.50	313.63	2.00	363.33	3.83	345.50	6.67	391.25	1.50	330.50	10.17	321.42	6.83	417.83	9.17	418.71	5.83	344.88	7.00
Station Road Cullompton*	1,926.29	131.33	2,230.67	107.50	3,861.62	108.00	3,728.46	140.00	3,213.08	124.17	3,189.79	109.17	3,038.37	151.67	3,446.96	108.33	3,009.08	172.50	3,009.83	75.00	2,676.46	117.50	2,785.33	165.83
Wellbrook Street Tiverton	1,265.96	30.75	1,396.71	31.50	1,197.92	43.33	1,099.08	47.50	1,377.08	46.67	1,147.83	45.00	1,341.13	30.00	1,123.54	50.00	1,406.50	48.33	1,279.83	27.50	1,112.17	46.67	1,403.75	39.17
Westexe South Tiverton	3,596.38	88.83	3,812.71	71.75	4,360.29	90.83	3,729.21	77.17	3,670.75	54.17	4,194.67	80.00	4,360.71	94.17	3,550.83	69.17	4,051.17	69.17	3,503.50	86.67	3,741.58	95.00	3,190.79	94.17
William Street Tiverton	3,047.17	185.67	2,800.75	135.75	2,184.46	124.17	2,014.62	106.67	2,170.42	100.83	2,180.67	81.67	2,197.21	89.17	2,292.79	153.33	2,624.17	156.67	1,913.67	196.67	2,412.21	155.83	1,891.67	171.67
Totals	45,735.01	1,432.42	46,827.79	1,377.24	57,175.50	1,772.42	50,677.58	1,605.51	54,563.23	1,636.34	57,732.72	1,719.43	56,808.23	1,705.92	54,943.07	1,996.25	56,696.92	2,027.08	55,432.29	2,163.00	57,928	2,177	48,944	2,251

	P&D	Ringo	P&D	Ringo	P&D	Ringo	P&D	Ringo														
	Apr-15		May-15		Jun-15		Jul-15		Aug-15		Sep-15		Oct-15		Nov-15		Dec-15		Jan-16			
INCOME																						
Becks Square Tiverton	7,155.87	76.17	7,260.25	61.75	6,641.46	59.75	7,294.83	68.58	7,080.08	72.58	6,770.25	54.00	6,919.96	86.08	6,269.04	74.83	7,029.62	77.58	5,515.58	93.00		
High Street Crediton*	3,979.79	232.17	4,501.92	183.67	4,672.54	99.67	4,418.71	145.83	4,236.54	127.83	4,649.37	118.83	4,655.17	129.42	4,413.46	191.42	4,615.83	155.25	3,990.92	152.75		
Market Place Tiverton	14,620.35	216.17	15,938.08	250.08	15,226.33	238.33	17,405.38	241.67	16,943.96	241.33	16,303.08	262.83	18,059.54	233.67	16,470.83	219.08	18,130.36	297.17	16,525.00	248.00		
Market Street Crediton	2,553.29	81.67	3,045.75	73.58	2,909.67	102.42	3,226.33	107.50	2,852.25	86.42	3,219.17	90.33	3,148.29	95.92	2,893.50	152.09	3,221.54	154.92	2,814.83	94.17		
Multi-Storey Tiverton	8,648.96	262.83	7,965.87	204.67	9,087.67	288.33	9,470.04	402.50	8,413.42	273.50	8,935.42	321.67	9,106.25	359.17	9,619.58	374.83	7,627.08	311.33	8,890.83	318.67		
Phoenix House Tiverton	292.92	0.5	240.96	0.50	253.67	-	244.75	5.25	239.96	2.42	257.17	4.92	248.96	-	275.38	2.50	315.25	1.00	274.13	-		
Station Road Cullompton*	1,767.17	79.83	2,507.75	43.33	2,812.79	67.67	2,777.33	78.17	2,397.04	38.00	2,863.75	79.50	2,999.63	113.83	2,611.37	140.08	2,055.46	93.50	1,913.33	157.83		
Wellbrook Street Tiverton	1,658.92	27.42	1,008.75	13.25	1,097.79	35.00	1,380.58	18.92	1,046.96	23.83	1,495.96	40.83	1,267.54	34.50	1,166.21	21.50	1,391.54	28.33	1,166.92	19.67		
Westexe South Tiverton	4,105.46	67.67	3,994.25	58.75	3,519.33	63.08	4,143.50	75.25	4,125.00	43.50	3,977.04	100.58	3,920.29	57.25	3,069.50	66.17	3,604.96	85.08	3,317.55	70.83		
William Street Tiverton	1,428.46	93.67	1,416.17	140.75	2,528.54	128.50	2,944.37	166.58	2,798.71	147.08	2,949.71	116.25	2,944.50	128.75	2,307.25	97.00	3,568.04	131.08	2,857.46	86.25		
Totals	46,211.19	1,138.10	47,879.75	1,030.33	48,749.79	1,082.75	53,305.82	1,310.25	50,133.92	1,056.49	51,420.92	1,189.74	53,270.13	1,238.59	49,096.12	1,339.50	51,560	1,335	47,267	1,241		

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Car Park Vend Analysis

APPENDIX 1 (VEND)

	P&D	Ringo																						
	Feb-16		Mar-16		Apr-16		May-16		Jun-16		Jul-16		Aug-16		Sep-16		Oct-16		Nov-16		Dec-16		Jan-17	
VEND																								
Becks Square Tiverton	5,680	70	6,044	84	6,249	85	6,131	76	6,480	72	6,881	86	6,598	84	6,536	96	6,199	91	6,139	104	6,371	97	5,325	87
High Street Crediton*	4,516	106	4,497	103	3,728	165	3,294	149	3,405	118	3,661	129	3,612	159	3,920	200	3,651	192	3,816	223	3,511	193	3,297	245
Market Place Tiverton	15,117	231	14,374	238	15,465	278	14,628	237	9,440	291	15,521	279	15,376	223	15,976	267	16,216	276	16,232	313	17,431	396	14,643	319
Market Street Crediton	2,172	84	2,249	108	2,291	71	2,211	52	2,485	70	2,463	55	2,587	56	1,924	57	2,174	80	2,378	51	2,703	80	1,892	56
Multi-Storey Tiverton	7,750	230	7,699	247	5,675	274	2,605	266	3,249	310	6,234	348	5,896	331	5,732	380	5,615	376	5,724	392	6,103	374	5,421	405
Phoenix House Tiverton	2,313	3	2,253	4	2,563	9	2,540	4	2,841	3	2,629	8	2,788	3	2,809	8	2,740	6	2,745	9	2,769	7	2,754	7
Station Road Cullompton*	2,965	75	3,418	62	2,449	65	2,295	87	2,269	75	1,962	68	2,048	94	2,305	65	2,133	108	2,235	109	1,836	75	1,846	108
Wellbrook Street Tiverton	949	18	930	21	943	28	875	28	709	25	976	23	1,036	25	1,034	34	1,124	36	1,051	13	937	21	1,038	18
Westexe South Tiverton	4,508	85	4,889	66	5,911	59	5,796	53	5,434	38	6,241	50	6,296	63	5,911	49	5,958	44	5,348	55	5,609	61	5,165	60
William Street Tiverton	2,856	141	2,838	114	2,436	86	Not working	69	1,881	67	5,318	51	5,434	69	6,753	110	6,660	107	5,811	128	6,439	99	6,157	108
Totals	48,826	1,043	49,191	1,047	47,710	1,120	40,375	1,021	38,193	1,069	51,886	1,097	51,671	1,107	52,900	1,266	52,470	1,316	51,479	1,397	53,709	1,403	47,538	1,413

	P&D	Ringo	P&D	Ringo	P&D	Ringo	P&D	Ringo																
	Apr-15		May-15		Jun-15		Jul-15		Aug-15		Sep-15		Oct-15		Nov-15		Dec-15		Jan-16					
VEND																								
Becks Square Tiverton	6,994	70	7,021	59	6,650	21	7,060	57	6,674	64	6,573	49	6,796	77	6,406	67	7,034	71	5,466	82				
High Street Crediton*	4,315	184	4,243	161	4,648	33	4,614	108	4,236	95	4,591	106	4,822	107	4,628	143	4,466	118	4,309	109				
Market Place Tiverton	14,316	194	14,974	225	16,157	76	17,074	207	15,556	208	16,472	231	17,206	203	16,712	189	18,434	265	15,643	205				
Market Street Crediton	2,240	56	2,306	52	2,322	29	2,545	73	2,249	58	2,436	63	2,529	67	2,335	105	2,512	115	2,192	66				
Multi-Storey Tiverton	5,994	165	6,251	142	8,454	77	9,240	255	8,524	174	8,587	213	9,115	208	8,764	234	8,763	198	8,111	209				
Phoenix House Tiverton	2,028	1	1,862	1	2,151	3	2,203	8	2,039	4	2,264	5	2,476	-	2,459	3	2,238	2	2,217	-				
Station Road Cullompton*	1,964	52	2,257	33	2,495	15	2,557	56	2,290	27	2,721	51	2,675	64	2,448	82	2,641	53	2,641	88				
Wellbrook Street Tiverton	953	18	828	9	898	5	942	13	861	14	1,002	26	1,052	19	949	13	878	16	960	14				
Westexe South Tiverton	4,932	63	4,789	59	4,770	21	5,113	65	4,898	43	4,698	85	4,784	52	4,122	59	4,320	82	4,161	69				
William Street Tiverton	1,424	79	1,430	106	2,548	38	2,846	127	2,685	105	2,931	85	2,849	95	2,331	90	3,527	102	2,853	68				
Totals	45,160	882	45,961	847	51,093	318	54,194	969	50,012	792	52,275	914	54,304	892	51,154	985	54,813	1,022	48,553	910				

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CAR PARK FINANCIAL MONITORING INFORMATION FOR THE PERIOD 01 APRIL TO 31 JANUARY 2017

	2016/17	2016/17	2016/17	2016/17	Full Year		
	Annual Budget	Profiled Budget	Actual	Variance	Forecast		Bud Income
	£	£	£	£	£	Spaces	pa per space
Pay and Display							
Beck Square, Tiverton	(83,780)	(70,719)	(72,796)	(2,077)		40	(2,095)
William Street, Tiverton	(30,780)	(25,065)	(23,255)	1,810		45	(684)
Westexe South, Tiverton	(45,800)	(38,462)	(39,489)	(1,027)		51	(898)
Wellbrook Street, Tiverton	(13,540)	(11,327)	(13,147)	(1,820)		27	(501)
Market Street, Crediton	(36,420)	(30,563)	(32,993)	(2,430)		39	(934)
High Street, Crediton	(79,330)	(67,662)	(63,190)	4,472		190	(418)
Station Road, Cullompton	(34,900)	(30,013)	(34,246)	(4,233)		112	(312)
Multistorey, Tiverton	(167,980)	(139,298)	(103,977)	35,321		631	(266)
Market Car Park, Tiverton	(216,120)	(181,036)	(183,075)	(2,039)		122	(1,771)
Phoenix House, Tiverton	(3,680)	(3,063)	(3,636)	(573)		15	(245)
P&D Shorts & Overs	0	0	196	196		0	0
	(712,330)	(597,208)	(569,608)	27,600	37,000	1,272	(8,124)
Day Permits	(31,000)	(31,000)	(18,864)	12,136			
Allocated Space Permits	(26,040)	(26,040)	(33,317)	(7,277)			
Overnight Permits	(1,000)	(1,000)	(195)	805			
Day & Night Permits	0	0	(10,475)	(10,475)			
Market Walk Permits	(9,380)	(9,380)	(11,974)	(2,594)			
Other Income	(34,450)	(19,045)	(19,172)	(127)			
	(814,200)	(683,673)	(663,605)	20,068	(10,200)		
Standard Charge Notices (Off Street)	(28,000)	(23,333)	(36,945)	(13,612)	(14,000)		

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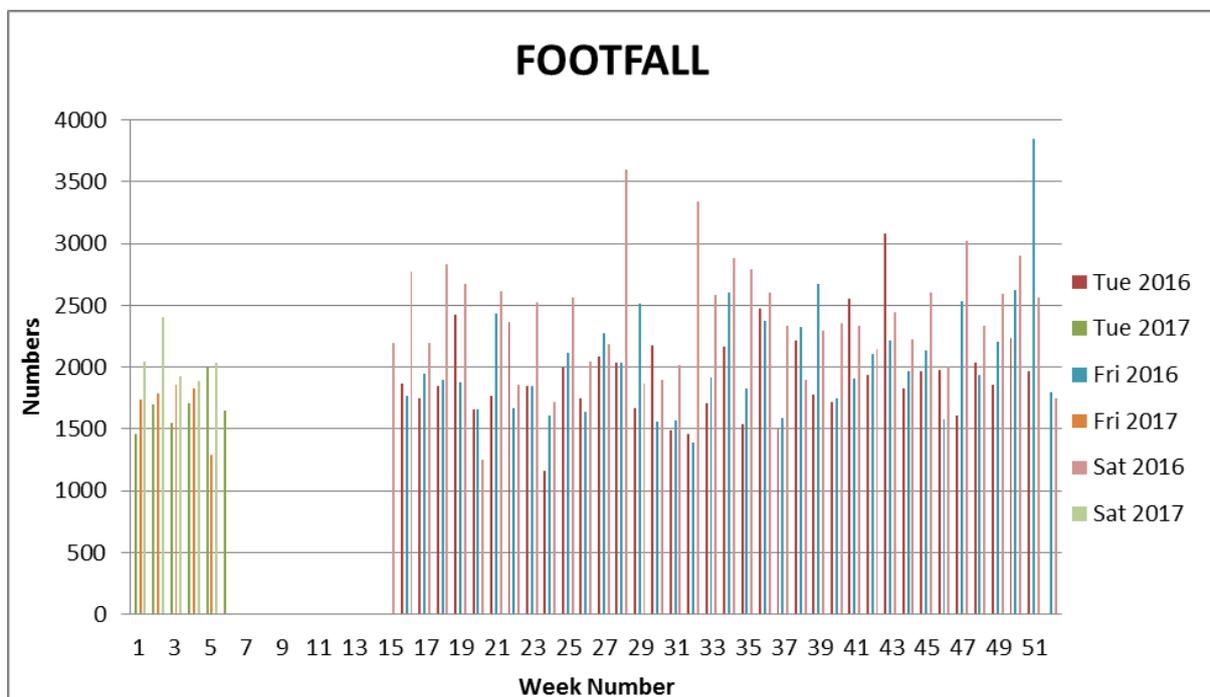
Briefing Note for Scrutiny Committee

Tiverton Market Footfall

Footfall is monitored at the market on each of the three market days (Tuesday, Friday and Saturday). This is done for purely operational reasons to provide a base line to evaluate the market's performance. With this information we are able to compare the market's performance by hour, by day and how the weather and events have an impact.

The method used is to carry out 10 minute manual counts at 10am, 12md and 2pm which covers the busiest times in the market. This is done from the south side of the market. A base line is established by adding the 3 figures together, multiplying by 6 to give per hour, then dividing by 3 to give an average footfall per hour. This figure is then multiplied by 4; this being about the number of hours that maximum trade and footfall is achieved, to give the final figure for each of the 3 market days. This is a rough and ready but well-tested method, which adequately meets the market's requirements. From these figures we are able to ascertain which are the best days, whether the footfall is increasing or decreasing over time and what other factors affect footfall i.e. weather.

Below are the figures since monitoring was started in April 2016 so a year on year comparison cannot be made until April 2017.



Footfall

Week Commencing	Tuesday	Friday	Saturday
11.4.16			2192
18.4.16	1864	1768	2768
25.4.16	1752	1944	2200
2.5.16	1848	1896	2832
9.5.16	2424	1880	2672
16.5.16	1656	1656	1248
23.5.16	1768	2432	2616
30.5.16	2360	1672	1856
6.6.16	1848	1848	2528
13.6.16	1160	1608	1720
20.6.16	2000	2120	2568
27.6.16	1752	1640	2048
4.7.16	2088	2272	2184
11.7.16	2032	2040	3600
18.7.16	1672	2512	1864
25.7.16	2176	1560	1896
1.8.16	1488	1568	2016
8.8.16	1464	1392	3336
15.8.16	1712	1920	2584
22.8.16	2168	2600	2880
29.8.16	1536	1832	2792
5.9.16	2472	2376	2600
12.9.16	1496	1584	2336
19.9.16	2216	2328	1896
26.9.16	1776	2672	2296
3.10.16	1720	1752	2352
10.10.16	2552	1904	2336
17.10.16	1936	2104	2144
24.10.16	3080	2216	2448
31.10.16	1824	1968	2224
7.11.16	1968	2136	2600
14.11.16	1976	1576	2008
21.11.16	1608	2536	3016
28.11.16	2032	1936	2336
5.12.16	1856	2208	2592
12.12.16	2232	2624	2904
19.12.16	1968	3848	2568
26.12.16	0	1800	1744
2.1.17	1456	1736	2048

9.1.17	1696	1784	2400
16.1.17	1552	1856	1928
23.1.17	1704	1832	1888
30.1.17	2000	1288	2032

Annual Footfall Count

An annual footfall count is done in the town centre by Forward Planning as part of the Authority's Annual Monitoring Report on the first Thursday and Friday after the August Bank Holiday. However, very little statistical inference can be made from these figures as the counts are too infrequent and there may be too many variables affecting the results on any given day to make them comparable i.e. weather, whether the schools are on holiday etc. The counts for the last 10 years are given below.

Tiverton

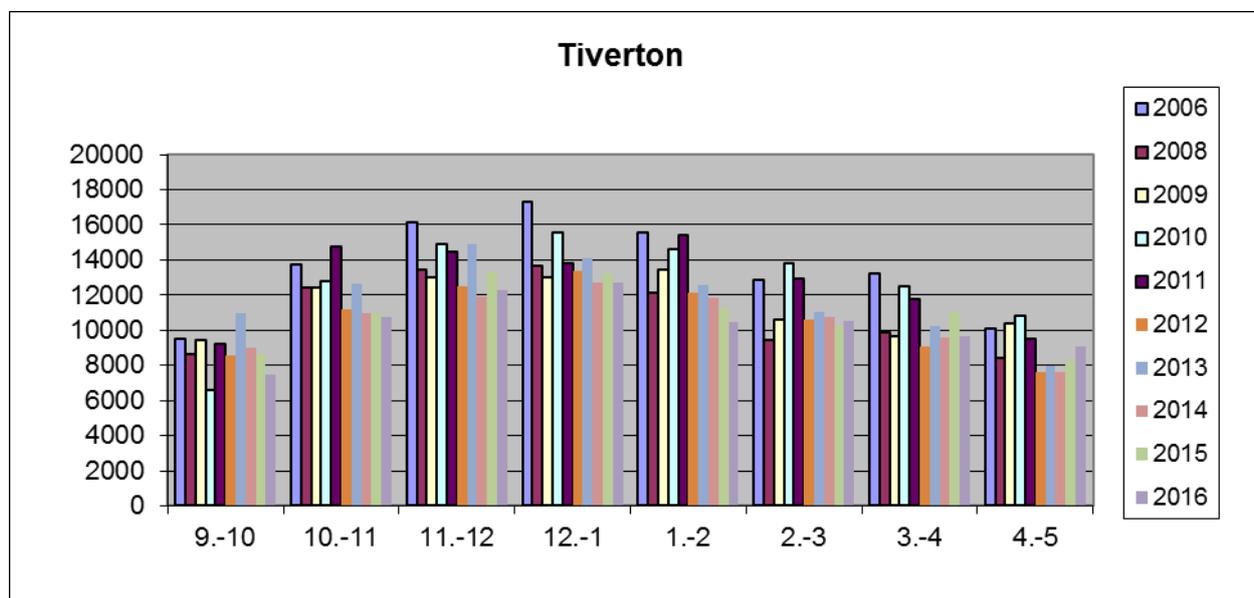
	2006	2008	2009	2010	2011	2012	2013	2014	2015	2016
9.-10	9540	8640	9444	6600	9240	8592	10980	9012	8640	7476
10.-11	13764	12420	12420	12768	14736	11172	12624	10980	10980	10716
11.-12	16128	13476	12984	14916	14460	12504	14928	11904	13296	12264
12.-1	17280	13644	13020	15552	13812	13368	14136	12708	13224	12720
1.-2	15540	12144	13452	14628	15396	12144	12576	11832	11268	10440
2.-3	12828	9420	10620	13812	12948	10632	11016	10752	10250	10548
3.-4	13212	9864	9672	12492	11748	9060	10212	9576	11028	9648
4.-5	10080	8388	10404	10800	9480	7596	8004	7620	8304	9060

NB In 2011 figures the children were still on school holidays.

NB in 2013 Figures 5 Primary Schools were closed (non pupil days) and 1 Primary School was open. The Secondary School was closed both days.

NB in 2014 Figures 2 Primary Schools were open, 4 Primary Schools were closed (non pupil days), the Secondary School was closed both days.

NB in 2015 Figures 3 Primary Schools were open, 3 Primary Schools were closed (non pupil days), the Secondary School was closed both days.



Automated footfall counting

Manual footfall counts are very labour intensive and prone to a number of errors. We therefore investigated the installation of a fully automated system as a precursor to submitting a bid to the High Street Innovation Fund. However, quotes from suppliers gave costs of upwards of £10,000 annually for the right equipment with a minimum 3-year contract. This was felt to be too expensive an investment for a town the size of Tiverton and not pursued.

Briefing for Scrutiny on Town Centre Car Parks, Tiverton

Within Tiverton Town Centre there are a number of car parks. These are both owned by the District Council and others are privately owned. The car parks are fairly evenly spread around the centre.

The Council owns car parks in Phoenix Lane (multi storey), Becks Square, at the Market, William Street and West Exe South. These are 'Pay and Display' car parks with different levels of charges. There are also two well used privately owned car parks in the town centre, the Marks and Spencer car park (which has a charge which is refundable within the store following a purchase) and a free car park at Tesco with a limitation of 3 hours. There is also limited on-street parking in Bampton Street, Gold Street and St Peter Street.

There is a feeling amongst businesses within the town as to the effect of charges on trade within the town centre. This is a very common complaint, not only in Tiverton but in most towns and cities across the country. In my experience, most business groups in meetings across the country, at one time or another, approach the issue of car park charges or on street charges.

A recent report for the Welsh Assembly states:¹ Charging for car parking is a complex issue. There is very little evidence base on the relationships between car parking charges and town centre footfall. It is only one aspect of a complex interplay of factors influencing willingness to travel by car, time and money spent and the business activity of the town centre. It is very difficult to separate the influence of car parking charges from other factors.

Car parking is often perceived, particularly amongst businesses, as being a key determinant for changes in footfall levels in town and city centres. Over three-quarters of business owners and employees would state that car parking options (i.e. charging/free) have an impact on the number of people coming to the town centre and therefore their custom. However, there is very little published evidence which links changes in car park charges to changes in footfall. Research undertaken in 2007 for Yorkshire Forward on car parking in market towns found:

“When changes to parking restrictions, charges or enforcement are made, the evidence suggests that the primary responses to that change tend to be:

- an acceptance of the new arrangements (in which case people's behaviour broadly remains unchanged);

¹ Assessing the Impact of car parking charges on town centre footfall, March 15, MRUK Research for the Welsh Government.

<http://www.senedd.assembly.wales/documents/b8912/Impact%20of%20Car%20Park%20Charges%20Research%20Report%20commissioned%20by%20the%20Minister%20for%20Economy%20Science%20and%20Tr.pdf?T=9>

- a change in parking location (people park further away from their destination in an attempt to avoid paying a charge); or
- a reduction in the length of stay in order to reduce parking costs.

Despite fears to the contrary, there is little evidence to suggest that the primary response to parking management is more extreme than this; there is no evidence that visitors use alternative destinations more.”²

In visitor interviews it is suggested that car park charges impact on how long they stay in the town and consequently, how much they spend. However the general availability and size of spaces is felt by the visitor to be more important than the cost in the overall decision about visiting. Traffic flow and signage to car parks also have a considerable effect on their decision to visit a town centre and on how long they stay.

There are many other issues around what affects the detrimental impact on footfall in a town and these include issues such as ‘out of town’ shopping areas. The fact these centres tend to offer free parking may be interpreted as giving a shopper a reason to visit them rather than a town centre.

Blanket free parking does not benefit the visitor or business as the spaces tend to be used by town centre workers thus having a detrimental negative impact on footfall.

There is need to reach a compromise between generating sufficient parking revenue and keeping charges at a rate that will not alienate shoppers/visitors and drive them out of the town. The Council should consider the impacts of car parking charges in the broadest possible sense and should not be viewed in isolation from other factors which affect visiting the town centre.

Alan Ottey

Town and Market Manager

21.2.17

² Car Parking Research: Renaissance Market Town Research, Yorkshire Forward 2007

SCRUTINY COMMITTEE 13 MARCH 2017:

PERFORMANCE AND RISK FOR 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 & Safety risks where the score meets the criteria for inclusion. See 3.0 below.
- 1.4 Appendix 7 shows the risk matrix for the Council.
- 1.5 All appendices are produced from the Corporate Service Performance And Risk Management system (SPAR).

2.0 Performance

Environment Portfolio - Appendix 1

- 2.1 The **Residual household waste per household (measured in Kilograms)** and **% of household waste reused, recycled and composted** are both above target. January figures are not yet available from Devon County Council.
- 2.2 Most of the PIs are above target with only 2 showing below target: **% of missed collections reported (refuse and organic)**; which is only marginally under target there have been a small increase in missed collections in the ¼ due to some staff changes in the waste service. One round has had a new driver due to an employee leaving and one round had a new loader due to a retirement. It takes a little time for route knowledge to be built up. The performance should improve back to normal shortly.
- 2.3 **Number of Households on Chargeable Garden Waste**; sales/renewals for November and December declined, it seems that customers are reluctant to renew their permits over the winter period when they are not using the bin. An increase in sales should be evident over the spring/summer period. There was an increase in the month of January.

Homes Portfolio - Appendix 2

- 2.4 Performance in respect of Housing Rents, **Rent Collected as a Proportion of Rent Owed** and **Rent Arrears as a Proportion of Annual Rent Debit** is on or above target, and the **Percentage of Decent Council Homes** has remained at 100% for the last quarter.
- 2.5 The PI for the **Average Days to Re-let** time has shown improvement since the last report; the average number of days has reduced by 1.4 days since December and brought it back to 14.9 days against a target of 16 days.
- 2.6 There is still one property where the gas certificate has expired, but the reason for this is explained fully within the PI report.
- 2.7 The **Local Plan Review** is still on target for submission by 31 March with the consultation having now been completed.

Economy Portfolio - Appendix 3

- 2.8 In this first year for the Economy PDG we are continuing to consider what measures best reflect the Corporate Plan targets but existing metrics are included in Appendix 1.
- 2.9 For **empty shops**, counted at the start of quarter Q4, for all three towns the number has gone down to the same as at the same quarter last year, all three PIs also meet or are better than target. The UK average in April 16 was 10.1% all three towns now have a vacancy rate lower than this which is positive.

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

Community Portfolio - Appendix 4

- 2.11 **Compliance with food safety law** is on target which means that 90% of premises were again rated 4 or above under the Food Hygiene Rating Scheme.
- 2.12 **Total number of users** is above the cumulative target and has been over 75,000 per month every month except August and December this year. Other results are a little disappointing.

Corporate - Appendix 5

- 2.13 The **working days lost due to sickness** is lower than target.
- 2.14 The **Response to FOI requests** remains on target compared to being 'well below target' for 2015/16 which was due to a vacancy.
- 2.15 The **Performance Planning Guarantee determined within 26 weeks** was on target for Q2 and Q3 at 100% but unfortunately in Q1 was only 93% so on a cumulative basis appears under target all year.
- 2.16 The PIs for Customer First are all on target or above with both visitors to Phoenix House and digital payments remaining steady.

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) Financial risks not scored.
- 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 PI Report Environment

Monthly 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 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	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Residual household waste per household (measured in Kilograms)</u>	329.42 (3/4)	424.08	421.00	0.00	0.00	95.36	0.00	0.00	183.10	211.13	242.85	273.41				273.41 (9/12)	Stuart Noyce	
<u>% of Household Waste Reuse, Recycled and Composted</u>	50.9% (3/4)	50.6%	52.0%			55.9%			56.2%	55.8%	55.3%	53.7%				53.7% (9/12)	Stuart Noyce	
<u>Net annual cost of waste service per</u>		£60.88	£58.17	n/a	Andrew Jarrett, Stuart Noyce													

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Corporate Plan 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	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
household																		
Number of Households on Chargeable Garden Waste	6,097 (3/4)	7,021	10,000	0	0	8,431	0	0	8,533	8,615	8,298	8,280	8,327			8,327 (10/12)	Stuart Noyce	(January) The PI is currently below target, some customers seem reluctant to renew over the winter period when they are not using the bin. There should be more take up over the spring period. A promotional flyer is being sent out with the annual Council Tax bills in March. (SK)
% of missed collections reported (refuse and organic waste)	0.02% (3/4)	0.02%	0.03%			0.03%			0.03%	0.03%	0.03%	0.03%	0.04%			0.04% (10/12)	Stuart Noyce	(January) There have been a small increase in missed collections in the ¼ due

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Corporate Plan 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	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
																		to some staff changes in the waste service. One round has had a new driver due to an employee leaving and one round had a new loader due to a retirement. It takes a little time for route knowledge to be built up. The performance should improve back to normal shortly. (SK)
% of Missed Collections logged (recycling)	0.13% (3/4)	0.12%	0.03%			0.04%			0.04%	0.03%	0.03%	0.03%	0.03%			0.03% (10/12)	Stuart Noyce	

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Corporate Plan PI Report Environment

Priorities: Environment

Aims: Reduce our carbon footprint

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar 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	Andrew Busby											

Aims: Protect the natural environment

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Number of Fixed Penalty Notices (FPNs) Issued (Environment)</u>	16 (3/4)	21		0	0	2	2	2	5	5	5	7	8			8 (10/12)	Stuart Noyce	

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Corporate Plan PI Report Homes

Monthly 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 PI Report Homes

Priorities: Homes

Aims: Build more council houses

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Build Council Houses</u>		14	30	n/a	n/a	0	n/a	n/a	0	n/a	n/a	0	n/a	n/a		0 (3/4)	Nick Sanderson	(Quarter 3) 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	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Number of affordable homes delivered (gross)</u>	19 (3/4)	27	80	n/a	n/a	16	n/a	n/a	19	n/a	n/a	27	n/a	n/a		27 (3/4)	Angela Haigh	
<u>Deliver 15 homes per year by bringing Empty Houses into use</u>	5 (3/4)	8	15	0	1	2	3	5	5	5	10	17	21			21 (10/12)	Simon Newcombe	

Aims: Other

Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Local Plan Review</u>	n/a	n/a		n/a		n/a	Jenny Clifford											
<u>Number of Successful Homelessness</u>	236 (3/4)	295	No Target - for information	n/a	n/a	70	n/a	n/a	136	n/a	n/a	224	n/a	n/a		224 (3/4)	Angela Haigh	

Corporate Plan PI Report Homes

Priorities: Homes

Aims: Other

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
<u>Prevention Cases</u>			only															
<u>% Decent Council Homes</u>	99.5% (10/12)	100.0%	100.00%	100.00%	100.00%	100.00%	100.00%	99.97%	99.97%	99.97%	100.00%	100.00%	100.00%			100.00% (10/12)	Angela Haigh, Nick Sanderson	
<u>% Properties With a Valid Gas Safety Certificate</u>	100.0% (10/12)	99.9%	100.00%	99.86%	99.78%	99.91%	99.87%	99.82%	99.96%	99.68%	99.95%	99.95%	99.95%			99.95% (10/12)	Angela Haigh	(January) The expired property is a long term No Access issue. The property is considered abandoned. MDDC to seek possession for non-payment of rent. Gas meter associated with the property is located internally, which means that we are unable to isolate the supply. (WD)
<u>Rent Collected as a Proportion of Rent Owed</u>	99.6% (10/12)	99.7%	100.00%	95.52%	96.76%	97.31%	97.77%	99.76%	99.56%	99.66%	99.67%	100.52%	100.05%			100.05% (10/12)	Angela Haigh	
<u>Rent Arrears as a Proportion of Annual Rent Debit</u>	1.0% (10/12)	0.7%	1.00%	0.87%	1.00%	1.04%	1.07%	0.10%	1.01%	1.00%	1.00%	0.70%	0.95%			0.95% (10/12)	Angela Haigh	
<u>Dwelling rent lost due to voids</u>	0.68% (10/12)	0.75%	no target - for information	0.7%	0.7%	0.7%	0.7%	0.6%	0.6%	0.6%	0.1%	0.6%	0.5%			0.5% (10/12)	Angela Haigh	

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Corporate Plan PI Report Homes																		
Priorities: Homes																		
Aims: Other																		
Performance Indicators																		
Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
			only															
<u>Average Days to Re-Let Local Authority Housing</u>	16.2days (10/12)	16.3days	16.0days	21.9days	16.8days	17.2days	16.8days	16.3days	15.6days	12.4days	16.4days	16.3days	14.9days			14.9days (10/12)	Angela Haigh	

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Corporate Plan PI Report Economy

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

Corporate Plan PI Report Economy

Priorities: Economy

Aims: Attract new businesses to the District

Performance Indicators

Title	Prev Year (Period)	Prev Year Target End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
Number of business rate accounts		2,872		2,860	2,863	2,868	2,864	2,870	2,880	2,880	2,889	2,899	2,906			2,906 (10/12)	John Chumbley	

Aims: Focus on business retention and growth of existing businesses

Performance Indicators

Title	Prev Year (Period)	Prev Year Target End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
Number of Apprentice starts at MDDC		13		9	0	0	14	0	0	13	16	11	10			10 (9/12)	Jill May	(June) Government target proposed is 2.3% of FTEs (SK)

Aims: Improve and regenerate our town centres

Performance Indicators

Title	Prev Year (Period)	Prev Year Target End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
Increase in Car Parking Vends	n/a	n/a		0	0	129,488	0	0	159,929	53,786	52,876	55,112	48,951			48,951 (10/12)	Andrew Jarrett	
Tiverton Town Centre Masterplan	n/a	n/a		n/a		n/a	Jenny Clifford											
The Number of Empty Shops (TIVERTON)	16	16	18	n/a	n/a	18	n/a	n/a	17	n/a	n/a	18	n/a	n/a	16	16	John Bodley-Scott	(Quarter 4) 16 out of 231 making a vacancy rate of 6.5% (JB)
The Number of Empty Shops (CREDITON)	7	7	8	n/a	n/a	9	n/a	n/a	7	n/a	n/a	8	n/a	n/a	7	7	John Bodley-Scott	(Quarter 4) 7 out of 117 units making a vacancy rate of 6.0% (Jan 2017) (JB)
The Number of Empty Shops (CULLOMPTON)	8	8	8	n/a	n/a	10	n/a	n/a	10	n/a	n/a	10	n/a	n/a	8	8	John Bodley-Scott	(Quarter 4) 8 out of 84 units making a vacancy rate of 9.5%

Corporate Plan PI Report Economy**Priorities: Economy****Aims: Improve and regenerate our town centres****Performance Indicators**

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
																		(Jan 2017) (JB)

Aims: Other**Performance Indicators**

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
Local Plan Review	n/a	n/a		n/a	Jenny Clifford													
Funding awarded to support economic projects	n/a	n/a	No target - for information only	n/a	n/a	£53,092	n/a	n/a	£56,842	n/a	n/a	£56,842	n/a	n/a		£56,842 (3/4)	John Bodley-Scott	

Corporate Plan PI Report Community

Monthly 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 PI Report Community

Priorities: Community

Aims: Promote physical activity, health and wellbeing

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head Service / Manager
Total number of users is at least 900,000	608,740 (3/4)	824,612	900,000	79,389	157,532	236,901	314,077	383,003	463,739	545,267	631,504	690,620	780,484	864,034		864,034 (11/12)	Jill Me
Operational Recovery Rate	85.57% (3/4)	87.52%	88%			84%			83%	82%	83%	84%				84% (9/12)	Lee Chest Karen Spark
Adult Zest Members	n/a	n/a	3,800	3,612	3,546	3,607	3,460	3,459	3,418	3,350	3,269	3,248	3,260	3,294		3,294 (11/12)	Lee Chest Karen Spark
Junior Zest Members	n/a	n/a	2,450	2,495	2,460	2,444	2,349	2,301	2,344	2,357	2,340	2,326	2,417	2,409		2,409 (11/12)	Lee Chest Karen Spark
Attrition Adult Members	n/a	n/a	4.50%	4.48%	4.88%	6.01%	6.59%	4.94%	9.31%	6.90%	5.83%	4.52%	7.36%	5.74%		5.74% (11/12)	Lee Chest Karen Spark
Attrition Junior Members	n/a	n/a	5.00%	4.05%	3.41%	4.58%	4.43%	4.13%	4.74%	4.41%	2.95%	3.31%	2.91%	2.76%		2.76% (11/12)	Lee Chest Karen Spark
Introduce Trimtrails across the District	n/a	n/a	1	n/a		n/a	Jill Me Simor Newco										

Aims: Other

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Actual to Date	Head of Service / Manager	Officer Notes
Number of social media communications MDDC send out	n/a	n/a	For information only	117	115	67	86	87	95	190	342	293	269			269 (10/12)	Liz Reeves	(January) No. c Posts Publisher No. of Tweets 1 (MA)
Number of web hits per month	0 (3/4)	0	For information only	9,196	9,261	9,523	9,389	15,986	26,856	26,432	26,296	22,671	33,752			33,752 (10/12)	Liz Reeves	
Local Plan Review	n/a	n/a		n/a		n/a	Jenny Clifford											
Compliance with food safety law	n/a	n/a	90%	90%	91%	91%	90%	91%	91%	90%	90%	90%	90%			90% (10/12)	Simon Newcombe	

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Corporate Plan PI Report Corporate

Monthly 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 PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Put customers first

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Apr Act
<u>% of complaints resolved w/in timescales (10 days - 12 weeks)</u>	98% (3/4)	93%	90%	0%	0%	94%	0%	0%	89%	100%	95%	88%	95%			
<u>Number of Complaints</u>	87 (3/4)	95	For information only	55	26	25	16	30	27	26	20	16	20			
<u>Planning Applications: over 13 weeks old</u>	36 (3/4)	40	45	n/a	n/a	37	n/a	n/a	39	n/a	n/a	33	n/a	n/a	n/a	
<u>New Performance Planning Guarantee determine within 26 weeks</u>	96% (3/4)	97%	100%	n/a	n/a	93%	n/a	n/a	97%	n/a	n/a	98%	n/a	n/a	n/a	
<u>Major applications determined within 13 weeks (over last 2 years)</u>	n/a	n/a	50%	n/a	n/a	51%	n/a	n/a	66%	n/a	n/a	71%	n/a	n/a	n/a	
<u>Response to FOI Requests (within 20 working days)</u>	88% (3/4)	87%	90%	95%	100%	96%	98%	91%	100%	92%	90%	85%	97%			
<u>Working Days Lost Due to Sickness Absence</u>	5.71days (3/4)	8.12days	8.00days	0.00days	0.00days	1.71days	1.71days	1.71days	3.73days	4.50days	5.17days	5.83days	6.64days			6.64
<u>% total Council tax collected - monthly</u>	93.98% (10/12)	98.12%	98.50%	11.33%	20.55%	29.70%	38.70%	47.82%	56.94%	66.81%	76.20%	85.05%	94.05%	97.23%		97
<u>% total NNDR collected - monthly</u>	91.48% (10/12)	99.10%	99.20%	12.42%	19.96%	33.96%	42.37%	49.64%	61.48%	71.40%	76.81%	84.78%	92.87%			92
<u>Number of visitors per month < 4,000</u>	4,212 (10/12)	4,191	4,000	2,843	2,940	3,014	2,906	2,883	2,890	2,906	2,906	2,813	2,797			
<u>Satisfaction with front-line services</u>	81.33% (3/4)	80.75%	80.00%	82.35%	78.57%	75.68%	81.25%	81.67%	80.56%	81.40%	82.00%	82.86%	82.46%			82
<u>Number of Digital payments</u>	32,680 (3/4)	43,087	For information only	5,628	11,894	17,622	23,513	29,062	34,858	42,473	49,804	54,711	60,034			60

Corporate Plan PI Report Corporate

Priorities: Delivering a Well-Managed Council

Aims: Put customers first

Performance Indicators

Title	Prev Year (Period)	Prev Year End	Annual Target	Apr Act	May Act	Jun Act	Jul Act	Aug Act	Sep Act	Oct Act	Nov Act	Dec Act	Jan Act	Feb Act	Mar Act	Ac

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: Housing Services

Current Status: Medium (5)	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 1 - Very Low
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Head of Service: Nick Sanderson

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

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

Current Status: Medium (5)	Current Risk Severity: 5 - Very High	Current Risk Likelihood: 1 - Very Low
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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 Report Appendix 6

Risk: Council Finances - Banking Arrangements Problems with banks and online services may affect ability to access funds when we need to send 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

Current Status: Medium (5)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Head of Service: Andrew Jarrett

Review Note: We use a well established, mainstream bank headquartered in the UK and so it is very unlikely that our banking arrangements will fail for as much as a single day.

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

Current Status: Medium (5)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Head of Service: Andrew Jarrett

Review Note:

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

Current Status: Medium (5)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Head of Service: Andrew Jarrett

Review Note:

Risk Report Appendix 6

Risk: Disability If you have a disabled employee - whether a new appointment or a change in the status of an existing member of staff - you should carry out a Risk Assessment to ensure that their health and safety needs are catered for. Some of the things you should consider in terms of the individual's needs are:

- access to toilet facilities
- access to the kitchen or other refreshment facilities
- safe evacuation in the event of fire
- comfort and ease in carrying out his or her work

Effects (Impact/Severity): Low (2) - A potential employee may be unable to take up a position if the council is unable to meet their specific requirements or prevent an existing employee from returning after absence.

Causes (Likelihood): Very Low (1) – Currently no disabled employees work within ICT. Provisions are in place including a lift, disabled toilets and an accessible refreshment area. The individual needs of any disabled officers would have to be determined on an individual basis.

Service: I C T

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Head of Service: Alan Keates

Review Note: Cannot be fully aware as others may have hidden disabilities.
Employee responsibility to inform employer

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: Customer First

Current Status: Medium (5)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Head of Service: Liz Reeves

Review Note:

Risk: Electrical testing Risk of electrocution or fire in Council Properties

Effects (Impact/Severity): Failure to carry out periodic electrical testing could result in the risk of electrocution or fire.

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: Every Council property is tested every 5 years as part of the cyclical testing programme.

Risk Report Appendix 6

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: Customer First

Current Status: Medium (5)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Head of Service: Liz Reeves

Review Note:

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 Risk assessment for role - Highest Risk scored - Vehicle Movements inside Depot

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: No incidents or further mitigating actions added.

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

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: Annual review - No incidents or further mitigating actions added.

Risk Report Appendix 6

Risk: H&S RA - Street Cleansing Operative Risk assessment for role - highest risk from role - Risk of RTA from severe weather conditions

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. It is likely that the new Homelessness Reduction Bill currently being read in Parliament will also have an impact on service demands in its current form.

Effects (Impact/Severity): - Dissatisfied customers and increase in complaints.

- This will involve an increase in officer time in dealing with Homelessness prevention and early intervention.

- Possible increase in temporary accommodation usage.

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

- Lack of private sector housing.

Service: Housing Services

Current Status: High (16)

Current Risk Severity: 4 - High

Current Risk Likelihood: 4 - High

Head of Service: Nick Sanderson

Review Note: Housing Options team keep up to date with case law updates and comply with legislation changes as and when required.

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 (5)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 1 - Very Low

Head of Service: Nick Sanderson

Review Note: Legislation requires Landlords to ensure that annual gas safety checks are carried out in properties with any fixed gas appliances regardless of ownership. Within the Councils domestic housing stock this is done in line with the current standards and best practice, and is monitored by the Gas and Database Administrator.

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 (20)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 4 - High

Head of Service: Liz Reeves

Review Note: Increased awareness training for all staff and members, Information Security training calendar to ensure all year reminders.
Trialling systems to send phishing emails to staff as training tool.

Risk: Legionella Legionella

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 Report Appendix 6

Risk: Lone Working Risks associated with working alone (eg on site visits, call-outs, evening, weekend and emergency work and working from home).

Effects (Impact/Severity): Medium (3) – Particularly relates to changing the backup tapes at the St Andrews Site. Potentially, an officer may suffer an injury or accident without support and may not be able to call for assistance.

Causes (Likelihood): Low (2) – Limited lone working is restricted to site visits of other council buildings. Officers working off site place information in the whiteboard as to their whereabouts.

Service: I C T

Current Status: Medium (10)

Current Risk Severity: 5 - Very High

Current Risk Likelihood: 2 - Low

Head of Service: Liz Reeves

Review Note: Lone worker policy refers to checking on staff absent for overdue periods.

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: Pannier market general risk assessment General risk assessment for the market's day to day operation

Effects (Impact/Severity): Score of 5 as their appears to be a movement in the structure causing the glass doors to bow

Causes (Likelihood): Survey done, not weight bearing. Market manager is inspecting regularly.

Service: Pannier Market

Current Status: High (16)

Current Risk Severity: 4 - High

Current Risk Likelihood: 4 - High

Head of Service: Zoë Lentell

Review Note: A door gave in on Fri 23 December 2016 but no injuries were sustained.

Risk: Pool Inflatable Pool Activities

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 Report Appendix 6

Risk: School Swimming Sessions School Swimming Sessions

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: Swimming Lessons Swimming Lessons

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: Swimming Pool Swimming pool & spectator walkway

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: 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 Report Appendix 6

Risk: Widespread fire in block of flats Fire in our multiple occupancy properties, could result in widespread damage, injury or even 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: The Corporate H & S Officer has now carried out Fire Risk Assessments in the common rooms at Broad Lane and Westfield Road.

Housing Caretakers inspect communal areas on a 5 week cycle, which includes checking fire exit doors and signage.

Any issues are reported to the relevant Neighbourhood Officer.

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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	1 Risk	2 Risks	2 Risks	2 Risks
	3 - Medium	No Risks	4 Risks	9 Risks	10 Risks	3 Risks
	2 - Low	2 Risks	13 Risks	33 Risks	16 Risks	11 Risks
	1 - Very Low	7 Risks	11 Risks	11 Risks	18 Risks	16 Risks
		1 - Very Low	2 - Low	3 - Medium	4 - High	5 - Very High
		Risk Severity				

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