

# Public Document Pack

## Mid Devon District Council

### Cabinet

**Tuesday, 29 August 2023 at 5.15 pm**  
**Phoenix Chamber, Phoenix House, Tiverton**

**Next ordinary meeting**  
**Tuesday, 19 September 2023 at 5.15 pm**

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

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

## Membership

Cllr L Taylor  
Cllr N Bradshaw  
Cllr J Buczkowski  
Cllr S J Clist  
Cllr S Keable  
Cllr J Lock  
Cllr J Wright  
Cllr D Wulff

# AGENDA

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

1. **Apologies**  
To receive any apologies for absence.
2. **Public Question Time**  
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
3. **Declarations of Interest under the Code of Conduct**  
To record any interests on agenda matters.
4. **Minutes of the Previous Meeting** (Pages 5 - 16)  
To consider whether to approve the minutes as a correct record of the meeting held on 1 August 2023 and 16 August 2023.
5. **Corporate Performance Report** (Pages 17 - 46)  
To receive a report from the Corporate Manager for People, Governance & Waste.
6. **Corporate Risk Report** (Pages 47 - 64)  
To receive a report from the Corporate Manager for People, Governance & Waste.
7. **Qtr. 1 Budget Monitoring** (Pages 65 - 94)  
To receive a report from the Deputy Chief Executive (S151).
8. **Performance Update - Performance Dashboards**  
To receive a verbal update from the Corporate Performance and Improvement Manager.
9. **Environment Enforcement Yearly Review Report** (Pages 95 - 102)  
To receive a report from the Corporate Manager for People, Governance and Waste.

10. **Review of 3 weekly bin collections** (*Pages 103 - 110*)  
To receive a report from the Corporate Manager for People, Governance and Waste.
- The Environment Policy Development Group made the following recommendations:
1. To cease collecting side waste from 1 October 2023 and deliver a comprehensive communications programme in advance of this to minimise the need for enforcement.
  2. To postpone the trial scheduled for 2023-2024 to allow for an evaluation of the effectiveness of the current scheme against the metrics of recycling % achieved, residual tonnage reduction, and overall cost to the authority.
11. **Neighbourhood Management Policy** (*Pages 111 - 134*)  
To receive a report from the Corporate Manager for Public Health, Regulation and Housing.
- The Homes Policy Development Group made the following recommendation:
- That the PDG recommends that Cabinet adopt the updated Neighbourhood Management Policy and Equality Impact Assessment contained in Annexes A and B respectively.
12. **3 Rivers Options Appraisal Report** (*Pages 135 - 164*)  
To consider any recommendations that may arise from the Scrutiny Committee.
13. **Housing Revenue Accounts - large sites options appraisal** (*Pages 165 - 196*)  
To receive a report from the Corporate Manager for Public Health, Regulation and Housing.
14. **Notification of Key Decisions** (*Pages 197 - 208*)  
To note the contents of the Forward Plan.
15. **Organisational response to the national consultation on the closure of (staffed) ticket offices on the railway network**  
To consider any organisational response to the national consultation on the closure of (staffed) ticket offices on the railway network. (verbal item for discussion)

**Stephen Walford**  
Chief Executive  
Friday 18 August 2023

## Meeting Information

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

If you want to ask a question or speak, email your full name to [Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk) by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed. Notification in this way will ensure the meeting runs as smoothly as possible.

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Public Wi-Fi is available in all meeting rooms.



# Public Document Pack Agenda Item 4.

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **CABINET** held on 1 August 2023 at 5.15 pm

### **Present**

#### **Councillors**

L Taylor (Leader)  
J Buczkowski, S Clist, S Keable, J Lock, S Keable, D Wulff, S J Clist  
and J Buczkowski

### **Also Present**

#### **Councillors**

D Broom, E Buczkowski, P Colthorpe, R Gilmour, L Knight, S  
Robinson.

### **Also Present**

#### **Officers:**

Andrew Seaman (Member Services Manager), Maria De Leburne  
(District Solicitor and Monitoring Officer), Andrew Jarrett (Deputy  
Chief Executive (S151)), Stephen Walford (Chief Executive), Dean  
Emery (Corporate Manager for Revenues, Benefits and Recovery)  
and Angie Howell (Member Services Officer)

## 20. **APOLOGIES (00:03:17)**

Apologies were received from Cllr N Bradshaw

Cllrs G Czapiewski, M Farrell, M Fletcher, A Glover, F Letch, N Letch, J Wright, attended the meeting via Teams.

## 21. **PUBLIC QUESTION TIME (00:03:32)**

Nick Quinn, a local resident submitted questions in relation to agenda Item 6 - Communication Engagement Strategy – which were read out by the Leader on behalf of the resident:

### **Question 1**

At paragraph 1.8 in the Report, on page 30 of your papers, the number of “followers” of the Council is given as 34,000 – with a breakdown by platform. How many of these ‘followers’ are based in Mid Devon, or the immediate surrounding area?

The Cabinet Member for Community and Leisure responded by stating that most followers/subscribers to our content do not need to provide addressing information so we are unable to quantify across most of the platforms. We can however identify 'claimed' addresses on the Next Door platform, and this currently stands at approx. 8000.

### **Question 2**

In the Strategy document, on page 36 of your papers, is a piece about a new online platform called Engagement HQ. I think this is already on the Internet as LetsTalkMidDevon” - which is what the public will call it. Using different names for the same thing can cause confusion. Why is the naming not consistent?

The Cabinet Member for Community and Leisure responded by stating that the Engagement HQ is the product name of the platform implemented. The website/url address is LetsTalkMidDevon which is what our residents will use to interact with us and was named subsequent to the report being written.

In relation to agenda Item 7 – Notification of Key Decisions – the following questions were read out by the Leader on behalf of the resident:

### **Question 3**

The document issued is headed “Forward Plan” and is said to contain any “*Key Decisions to be taken by Cabinet or Council*”. To be a “Key Decision”, the decision must meet certain requirements. It is not clear which of the current items listed meet these “key” requirements and which are ordinary decisions or information reports. Please can future “Notification of Key Decisions” lists indicate which items are actual “Key Decisions”?

The Leader responded by stating that the forward plan only needs to list key decisions, since these are the only ones that require ‘notice’ to be given. However, the document will also sometimes list other non-key decisions (or the part of the decision that is ‘non-key’ such as when things are going to a PDG first). The Forward plan is a useful organisational tool that aides the Council within the decision making process.

### **Question 4**

In the current “Notification of Key Decisions”, it is not clear what the decision to be taken actually is. Please can future “Notification of Key Decisions” lists specify the actual decision to be taken?

The Leader responded by stating that to publish a decision to be taken could be considered as predetermination. Recommendations on reports are only recommendations. The Forward Plan is a ‘live’ document and can change at any time in line with the priorities of the Council. Some of the decisions brought to Cabinet must have the ability to change before the next planned meeting so therefore it is not practical to detail the key decision to be made.

## **22. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:07:55)**

No interests were declared under this item. Members were reminded of the need to make declarations of interest where appropriate.

Cllr J Lock declared a personal interest in that she was the Chair of the Corporate Parent Board at Somerset County Council.

## **23. MINUTES OF THE PREVIOUS MEETING (00:08:10)**

The minutes of the previous meeting, held on 4 July 2023, were approved as a correct record and **SIGNED** by the Leader.

## **24. CARE LEAVERS COUNCIL TAX EXEMPTION (00:09:30)**

The Cabinet received a report which contained the Care Leavers Discount Policy. This outlined the Council’s approach to grant discretionary reductions in liability for Council Tax under S13a (1) (c) of the Local Government Finance Act 1992 in respect of specified care leavers within the Council’s area. The Council has the ability to reduce liability in relation to individual cases or class(es) of cases.

Consideration was given to:

- There was no mention of unaccompanied asylum seeking children (UASC) within the report, it was highlighted that the Council should be mindful of UASCs. The Corporate Manager for Benefits, Income and Recovery reassured that when cases were received from Devon County Council (DCC), Mid Devon’s Welfare Officer would look at the wider care that might be required.

- It was good that the Council could support this scheme and that Mid Devon would be the first District Council in Devon to adopt this policy.
- Asked who would make up the shortfall for the major preceptors, the Corporate Manager for Benefits, Income and Recovery explained that the entirety of costs for this scheme came under the billing authority and was not a shared cost.
- Asked if the Council covered these costs, it was explained that the exemption applied to those within the Mid Devon District as well as the preceptors as listed. The General Fund charges the Collection Fund at the end of each year for the tax base to rectify any costs incurred.
- It was asked if this Council, alongside DCC supported young people get into College. The Corporate Manager for Benefits, Income and Recovery explained that wider support from the Welfare Officer involved would signpost individuals to what was available.
- The benefits of this scheme for the taxpayer would be seen.

**RESOLVED** that:

1. Cabinet recommend to full Council the adoption of the care leavers discount policy.
2. Delegated authority is given to the Corporate Manager for Revenues, Benefits & Corporate Recovery to make technical scheme amendments to ensure it meets the criteria set by the Council (4.0 in policy)

(Proposed by Cllr J Buczkowski, seconded by Cllr S Keable)

Reason for the decision:

Helps Mid Devon to support customers and vulnerable households, bringing the Council and community closer together by working in partnership with other councils.

Note: \* Report previously circulated.

**25. COMMUNITY ENGAGEMENT STRATEGY (00:23:29)**

The Cabinet received a report which provided members with the revised Communication and Engagement Strategy and accompanying Media and Social Media Policy. The 2023 Communications and Engagement Strategy was referred back to Community PDG following a meeting of the Cabinet in April 2023. Following the Cabinet's request this amended strategy now includes more detail about the Council's engagement plans.

Consideration was given to:

- Asked whether there would be a practical element to emergency planning, The Corporate Manager for Digital Transformation and Customer Engagement explained that exercises were operated internally and would look to perform other practical exercises in the future.
- Asked if Cllrs were covered under the Whistle Blowing Policy, it was explained by the Corporate Manager for Digital Transformation and Customer Engagement that Subject Access Requests were dealt with under the Council's Data Protection Information Security Policies and that the legislation that covered Subject Access Requests differed to the Community Engagement Strategy.

- A better understand was sought in regards to Subject Access Requests, to which the Corporate Manager for Digital Transformation and Customer Engagement that all members agreed to the Council's data protection and confidentiality policies and were expected to adhere to them.
- It was explained that all Parish Clerks, would be notified of 'Let's talk Mid Devon' and that engagement with the Council was being promoted. In addition, platforms were available to all Parishes to use and Cllrs were encouraged to share information that had been released through press releases as well as keeping residents and parishes informed of consultations.

**RESOLVED** that:

The content of the revised Communication and Engagement Strategy and the Media and Social Media Policy be approved.

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

Reason for the decision:

To ensure that our customers, staff, members and stakeholders are informed about Council services, news and changes through appropriate and varied channels.

Note: \* Report previously circulated.

**26. NOTIFICATION OF KEY DECISIONS**

The Cabinet had before it, and **NOTED**, the notification of \* Key Decisions.

The following three items had been added to the Forward Plan since the publication of the draft plan attached to the agenda for the meeting:

- Housing Revenue Accounts - large sites options appraisal
- Tenant Involvement update and Action Plan
- Recharges Policy

In addition, the 'Makeup of the senior officer structure in light of posts held vacant' had been moved to October's Cabinet meeting.

Note: \* Notification of key Decisions previously circulated.

(The meeting ended at 17:49)

**CHAIRMAN**

# Public Document Pack

## MID DEVON DISTRICT COUNCIL

## MID DEVON DISTRICT COUNCIL

**MINUTES** of an **EXTRAORDINARY MEETING** of the **CABINET** held on 16 August 2023 at 5.15 pm

### **Present**

#### **Councillors**

L Taylor (Leader)  
J Buczkowski, S J Clist, S Keable, J Lock, and D Wulff

### **Also Present**

#### **Councillors**

D Broom, E Buczkowski, Mrs F J Colthorpe, G Czapiewski,  
G Duchesne, R Gilmour, C Harrower, B Holdman, L Knight,  
and S Robinson

### **Also Present**

#### **Officers:**

Andrew Jarrett (Deputy Chief Executive (S151)), Maria De Leburne (District Solicitor and Monitoring Officer), Andrew Seaman (Member Services Manager) and Sarah Lees (Member Services Officer)

Nick Harris a Director at Francis Clark was also present.

## **27. APOLOGIES (00:03:16)**

Cllrs N Bradshaw, M Farrell, M Fletcher, A Glover, L Kennedy, F Letch, N Letch, J Poynton and J Wright attended the meeting via Teams.

## **28. PUBLIC QUESTION TIME (00:05:59)**

### **Paul Elstone**

#### **Question 1:**

Recommendation 1 uses the terms “soft closure” and “over a sensible short term”. It is fully considered that these terms are both vague and ambiguous. For complete transparency, can the Cabinet Member for Finance categorically state that it is not the intention of this Council to invest any more funds into 3 Rivers Development in order to build any further projects?

The Cabinet Member for Finance responded by explaining that it may be helpful to summarise all of the options identified by Francis Clark that will be considered by Cabinet and in turn Full Council.

Firstly, Do nothing / No action: This option keeps the company in existence and “trading” until all developments are complete and properties sold, this could be up to 3 years and ongoing overheads would be incurred during this time. This option offers around a 22% less than expected financial return than a “soft closure”.

Secondly, Administration: This could be considered a “hard closure” and the Council would appoint administrators to liquidate the company and its assets, this would hand over complete control from elected representatives to administrators. The negativity associated with administration would also likely affect the value of the company’s assets and likely affect the reputation of MDDC. This option offers around a 37% less expected financial return rather than a “soft closure”.

Thirdly, Soft Closure: This would allow the Company to complete the two current projects and then sell all of the properties and its assets for the best value in the shortest amount of time. While the intention would be to complete this in the most expeditious way, the Council may wish to give guidance on a timescale. This option offers the best expected financial return for the Council.

Finally, Creditors Voluntary Liquidation: It is unlikely that this would, in fact, be an appropriate option given that the Council has committed to fund the two in-flight projects and, in any event, would deliver the worst return for the Council. This option offers around a 45% less than expected financial return than a “soft closure”. There are no plans, or indeed intention, from this Cabinet to start any further projects via 3 Rivers Developments Limited, this is in keeping with the previous resolution of Full Council.

### **Question 2**

What does “over a sensible short term” really mean. There must be a firm decision point. Can the Cabinet Member for Finance say what the decision point is?

The Cabinet Member for Finance responded by explaining that the intention of this Cabinet is to maximise the financial return to the Council and in turn the local residents. The recommendations seek to avoid the risk of a so called fire sale of assets for below market value, balanced with the need to minimise the risk and exposure of having a long drawn out process. Once a decision is made by Cabinet and in turn Full Council, the recommendations allow for a detailed pathway to be put in place that will be formulated with the guidance of professional advisors.

### **Question 3**

At what point will the 3 Rivers £300,000 per annum overhead payments cease?

The Cabinet Member for Finance responded by explaining that at this point, and before a decision is made by Full Council, it is impossible and would be wrong for me to give a definitive date. But as explained in my answer for question two, it is not the intention to have a long drawn out process and it is the intention to maximise the financial return for the Council.

### **Question 4**

The MDDC Deputy CEO and S151 Officer was a Founding Director of 3 Rivers between April 2017 and January 2021. During which time in my opinion, and that of many including Council Members that there have been a series of disastrous financial decisions which have been taken, fully involving 3 Rivers. Disastrous decisions which are now very seriously impacting on this Council's finances and will likely do so for years to come.

Decisions that have already required loan impairments – bad debts - of £5.3 million and should a former Conservative Cabinet Member be believed could reach £10 million. Decisions namely but not limited to: 1. The St Georges Court Tiverton Development, 2. The Knowle Lane Cullompton land purchase. The role of an S151 Officer requires high standards of governance amongst other things. With the disastrous failure and ongoing exposure of 3 Rivers this governance has been seriously lacking. Therefore, how can the Cabinet Member for Finance, or for that matter this Cabinet more broadly, have any confidence that the MDDC Deputy CEO and S151 Officer is the right person to lead the 3 Rivers Company wind-up?



The Cabinet Member for Finance responded by explaining that the decision that is made by Full Council will be implemented by this Cabinet, led by the Leader and myself, with decisions being made by elected representatives, on and supported by the advice of professionals, including the officers of the Council. The Authority's Chief Financial Officer has a statutory responsibility under section 151 of the Local Government Act 1972 to ensure the proper arrangements for the Council's Financial Affairs. For the record, and complete avoidance of doubt, I have complete confidence in the Council's Chief Financial Officer to correctly and properly discharge this function.

## **Nick Quinn**

### **Question 1.**

The public have never been allowed to see "Confidential Information" about this Council Owned Company. Now, we are told that 3 Rivers owes the Council more than £21M of Public Money and Cabinet are recommending closing it down – but we still cannot see the papers that have led to this course of action. Recommendation 1 in the report is to "Soft Close" 3 Rivers over a "Sensible Short Term Period" - but neither of these statements are specific. Would Cabinet please explain what "Soft Close" means, and what they consider a "Sensible Short Term Period" to be?

The Cabinet Member for Finance responded by explaining that a soft closure would allow the Company to complete the two current projects, and then sell all of the properties and its assets for the best value in the shortest amount of time. While the intention would be to complete this in the most expeditious way, Council may wish to give guidance on a timescale.

### **Question 2.**

Concerning Recommendations 2 and 3. The closure of 3 Rivers should not be managed by an Officer/Member partnership. It is recognised, in these recommendations that they are inexperienced in this field and will not be able to make the necessary progress without costly, expert help. 3 Rivers Developments was set up as a Private Limited Company, with the Council as the sole Shareholder. Surely, closing down this Company should be done in the same way as the closure of any other Commercial Company that has failed its shareholders. Professional Administrators should be brought in to manage the closure and told to obtain the maximum possible benefit for the shareholders.

Will Cabinet please consider replacing recommendations 2 and 3 with a single recommendation that says: "Cabinet recommends appointing a Professional Administrator, or Firm of Administrators, who will be charged with managing the closure of 3 Rivers Developments Ltd so as to obtain the maximum possible benefit for the sole shareholder - Mid Devon District Council"?

The Cabinet Member for Finance responded by explaining that this question is really one for Cabinet to consider during its deliberations. However, the appointment of administrators is one of the options being considered, but is not recommended for the reasons given in the answer to an earlier question, namely, this could be considered a "hard closure" and the Council would appoint administrators to liquidate the Company and its assets, this would hand over complete control from elected representatives to administrators. The negativity associated with administration

would also likely affect the value of the Company's assets and likely affect the reputation of MDDC. This option offers around a 37% less than expected financial return than a "soft closure". The appointment of external advisors from both the legal and accountancy professions is a key part of the recommendation for a soft closure.

## **Barry Warren**

### **Question 1.**

Can it please be confirmed that the Deputy Chief Executive was the Director of Finance (S151) when 3 Rivers Development Limited was formed and that he was one of the founding Directors of the Company?

The Cabinet Member for Finance responded by explaining that three directors were appointed by Councillors on the formation of 3 Rivers Developments Limited, the Council's Deputy Chief Executive and Section 151 Officer was one of those appointed by the Council; this action was not unusual.

### **Question 2.**

In 2019 did the then Cabinet, which consisted of Liberal Democrat and Independent Councillors, raise concerns as to the running of the Company and commissioned two independent reports resulting in some 33 recommendations for change - one of which was that the Deputy Chief Executive (S151) Officer should not be a Director of the Company?

The Cabinet Member for Finance responded by explaining that a report from an external advisor was received during 2020 which included 33 Recommendations, one was that the Deputy Chief Executive should not be a Director of the Company to avoid a perceived conflict of interest, and a further recommendation that a new shareholder agreement be put in place. The recommendations were approved by Councillors between June 2020 and July 2021 and the resulting Shareholders Agreement remains in force. I would point out, that as I stated in my response to question 1, it is not unusual to appoint officers to local authority owned companies and there is certainly no legislation prohibiting or, indeed, no best practice advice to avoid such an appointment.

### **Question 3.**

When did the Deputy Chief Executive cease to be a Director of 3 Rivers and when did he take over from the Chief Executive as the 'Council representative' as referred to in the Shareholder Agreement?

The Cabinet Member for Finance responded by explaining that Companies House record the date of director resignation as 25th January 2021 and the current shareholder agreement was approved by Cabinet on 8th June 2021.

### **Question 4.**

Since that time has the Deputy Chief Executive been the Officer who has prepared reports for Council, Cabinet and Committees involving most if not all issues in relation to 3 Rivers, including making them loans or impairing such loans or debts?

The Cabinet Member for Finance responded by explaining that the Authority's Chief Financial Officer has a statutory responsibility under section 151 of the Local Government Act 1972 to ensure the proper arrangements for the Council's financial



affairs. As an ex-Leader of the Council and ex-Chairman of the Scrutiny Committee, I am sure Councillor Warren knows this, and can appreciate it would be a little odd, if not unlawful if the Council's Chief Financial Officer did not have oversight of all financial reports, including those relating to 3 Rivers.

**Question 5.**

Has the Deputy Chief Executive been the Officer who has prepared 'Terms of Reference' for investigations to be carried out by the Devon Audit Partnership and the external auditors where allegations of 'irregularities' have been made by third parties?

The Cabinet Member for Finance responded by explaining that As stated in the answer to the previous question, the Authority's Chief Financial Officer has a statutory responsibility under section 151 of the Local Government Act 1972 to ensure the proper arrangements for the Councils financial affairs, and along with our Chief Executive and other members of the Corporate Management Team has overall responsibility for Mid Devon District Council's Counter Fraud Policy and procedures.

The Council forwarded all allegations received to DAP and External auditors to investigate, without terms of reference due to the nature of the allegations. I view this fully in accordance with section 7 of our Anti-Fraud, Bribery and Corruption Policy presented to the Audit Committee in January 2023. It is also worthy to note that DAP and EA completed full due diligence, and reported back to the Audit Committee that the allegations were unfounded.

**Question 6.**

When the Terms of Reference were agreed by the previous Cabinet in accord with the wishes of Council - who finalised them, circulated them to potential candidates to carry out the independent review and appointed Francis Clark?

The Cabinet Member for Finance responded by explaining that The Terms of Reference were agreed by the Leader of the Council at the time, Councillor Warren. These were circulated to 7 potential candidates and 3 bids received; Francis Clark was the most competitive bid and the appointment was approved by the Senior Leadership Team including CEO, DCEO/ S151, Monitoring Officer and Director of Place.

**Question 7.**

Did anyone other than the Deputy Chief Executive have any contact with Francis Clark as a representative of Mid Devon District Council and if so who?

The Cabinet Member for Finance responded by explaining that Yes, the Deputy Section 151 Officer was also involved as a representative of the Council.

**Question 8.**

Bearing in mind the involvement of the Deputy Chief Executive from the outset of 3 Rivers is it now reasonable to approve Recommendations 2 and 3 in the interests of his wellbeing and/or openness and transparency of the actions proposed?

The Cabinet Member for Finance responded by explaining that this really is a question for Cabinet to consider during its deliberations. It would be highly unusual if the Council's Chief Financial Officer was not involved in such an important and

serious matter, indeed it would likely be a dereliction of their statutory duty as explained in my answer to question 4.

**29. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00:25:13)**

No interests were declared under this item. Members were reminded of the need to make declarations of interest where appropriate.

**30. 3 RIVERS OPTIONS APPRAISAL REPORT (00:25:27)**

The Cabinet were presented a report\* which considered the current trading position of the Council's wholly owned property development company – 3 Rivers Development Ltd - and its potential for medium to longer term financial viability based on its own analysis and supported by external opinion from Francis Clark.

The Cabinet Member for Finance highlighted the options available to the Council along with a guideline on the potential losses for each option. And suggested that a soft closure was the most appropriate option out of the four.

The Deputy Chief Executive (S151) explained that the recommended soft closure considered and estimated a 6 to 12 month rundown for a soft closure.

The following was considered:

- Asked if there were more positive options available to the Council, the Deputy Chief Executive (S151) explained that a soft closure was the least worse option which also minimised risk.
- It was noted that the pandemic was a challenging moment for all business and that it was contemplated that 3 Rivers Development Ltd needed a second chance. However, it was suggested that a private company may not have been appropriate for a Local Authority to create. It was felt that this had put a strain on the openness and transparency of the Council. It was asked if actions of other Local Authorities had been considered.

The Deputy Chief Executive (S151) confirmed that the pandemic hindered all business nationally and in particular development companies, which was further compounded by the cost of living crisis that followed. Furthermore, it was agreed that the balance between confidential information of a company in a competitive market and the need for openness and transparency had been a challenge. It was noted that other Authorities operated trading companies all with mixed results and that failures tended to be what the media focussed on.

- Asked whether the confidential reports might be published publicly in the future, the Deputy Chief Executive (S151) explained that currently reports were live commercial reports that needed to be kept confidential but some financial information might be placed on Companies House in the future.
- The expected completion time of outstanding projects was sought along with reassurance in the losses calculated in the report, given the current housing market. The Deputy Chief Executive (S151) explained that the Bampton site was due to complete in 6 months and the St George's site completion date was imminent. In addition, the Deputy Chief Executive (S151) officer along with Francis Clark were experts and estimated that there could be a 10% tolerance of

the calculations presented. This was also supported by additional external advice and that the housing market was not something that could be easily predicted.

- It was established that all work requested by Full Council had been completed.
- That there was a need for the Council to move forwards on this matter.
- External reports were welcomed but encouraged that an independent survey took place at the Bampton site.
- It was felt that there was a need to maximise income from the remaining projects.

### **ACCESS TO INFORMATION - EXCLUSION OF PRESS AND PUBLIC**

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

**RESOLVED:** That, in accordance with Part I of Schedule 12A to the Local Government Act 1972, the press and public be excluded from the meeting for item 4 of business, for the reason set out below:

- Information under paragraph 3 (contains information relating to the financial or business affairs of any particular person including the authority holding that information).

(Proposed by the Leader, Cllr L Taylor)

The meeting then returned to an open session.

**RESOLVED:** That

1. Cabinet recommend to Full Council a “soft closure” of 3 Rivers Development Ltd. over a sensible short term period in order to minimise any potential financial exposure and maximise returns from company assets.
2. Delegated authority is given to the Deputy Chief Executive in conjunction with the Cabinet Member for Finance to deliver/instruct all necessary activities in order to deliver a “soft closure” and maintain timely decision making in order to protect the Council’s position during this process.
3. The Deputy Chief Executive, in discussion with the Cabinet Member for Finance, procure any additional professional advice required to protect the Council’s position and maximise the return to the Shareholder and minimise any potential further losses.

(Proposed by the Leader, Cllr L Taylor)

Reason for the decision:

The Company, at its inception, was set up to help partially fund and link to a number of key strategic objectives in the Corporate Plan. However, 6 years later the Council now needs to make a fundamental decision which will enable it to concentrate on the delivery of a new Corporate Plan.

Note: \* Report previously circulated.

(The meeting ended at 19:07)

**CHAIRMAN**

**Report for:****Cabinet**

Previously seen by  
Audit Committee (22 August 2023)

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Date of Meeting: 29 August 2023

**Subject:** **Corporate Performance Report**

Cabinet Member: Cllr Luke Taylor, Council Leader

Responsible Officer: Matthew Page, Corporate Manager for People, Governance & Waste.  
Dr Steve Carr, Corporate Performance and Improvement Manager.

Exempt: N/A

Wards Affected: All

Enclosures: Appendix 1A: Environment  
Appendix 1B: Climate Change  
Appendix 2: Homes  
Appendix 3: Economy  
Appendix 4: Community  
Appendix 5: Corporate Performance

**Section 1 – Summary and Recommendation(s)**

To provide Members with an update on performance against the corporate plan and local service targets for quarter 1 (2023/24).

**Recommendation(s):**

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

## Section 2 – Report

### 1.0 Introduction

- 1.1 The council's Corporate Plan was adopted in February 2020. It sets out the council's aims and priorities, and provides an explanation of the council's thinking and the key actions it would deliver on these priorities.
- 1.2 Appendices 1-5 provide Members with details of performance against the Corporate Plan and local service targets for quarter 1, financial year 2023/24. This spans the period April 2023 to June 2023.
- 1.3 The Corporate Plan has four themes: Homes, Environment, Economy, and Community. Climate Change is a cross cutting theme of the Plan. Alongside the performance reporting of the Corporate Plan, the council presents performance information on a wide range of corporate performance indicators, these are detailed in Appendix 5.

### 2.0 Performance Analysis

#### Environment (Appendix 1A)

- 2.1 Levels of residual waste collected per household is performing ahead of target for the year to date (Figure 1). Between April and June, the level of residual waste collected has decreased by over 15% from 2021/22 to 2023/24.

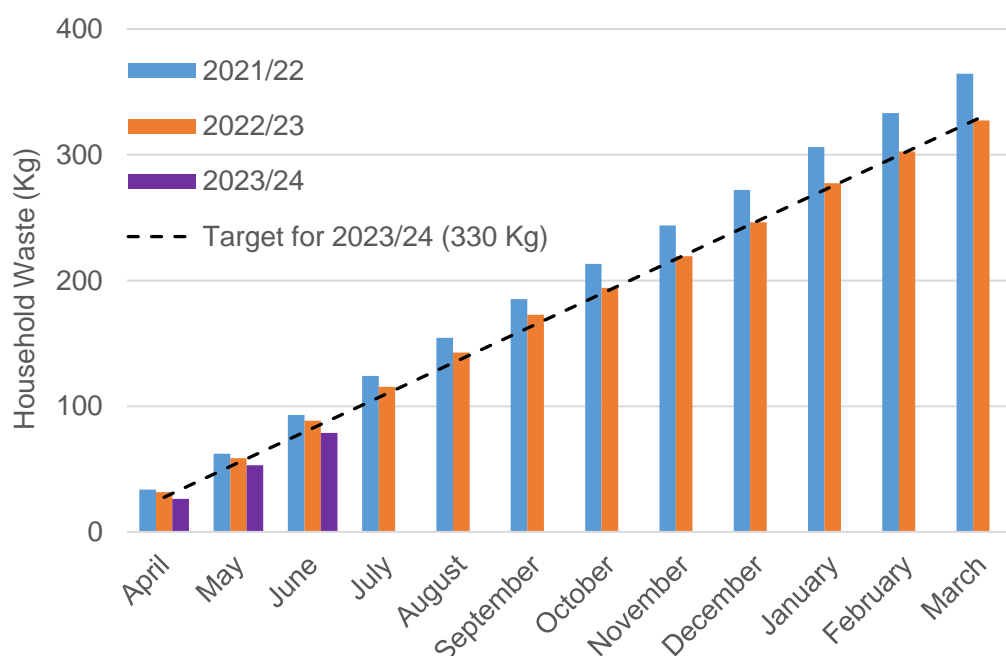


Figure 1: Residual Waste per Household (Kg), 2021/22 to present.

- 2.2 Household waste recycled in the financial year to date is 59.25% (April to June 2023), and is above target (56.5%). The recycling rate for May 2023 was 62.2%.
- 2.3 Households opted into chargeable Garden Waste collections is 12,141 (June 2023) compared to 11,961 last year (June 2022).
- 2.4 Levels of missed bin collections were higher than the target in April 2023. This is being closely monitored and there was a reduction in missed collections in May and June.
- 2.5 15 fixed penalty notices (Environment) have been issued (April to June 2023). One of the objectives for the Environment and Enforcement service is to educate the public and ensure a balanced and proportionate approach to enforcement activity. This will enable the service to build public confidence in our enforcement practice.

### Climate Change Appendix 1B

- 2.6 To date, the Council has installed three electric vehicle charger units, each with two charging points. Lease arrangements are being finalised for 3 new sites (one charger at each site). The number of charging point uses is slightly lower in quarter 1, 2023/24.

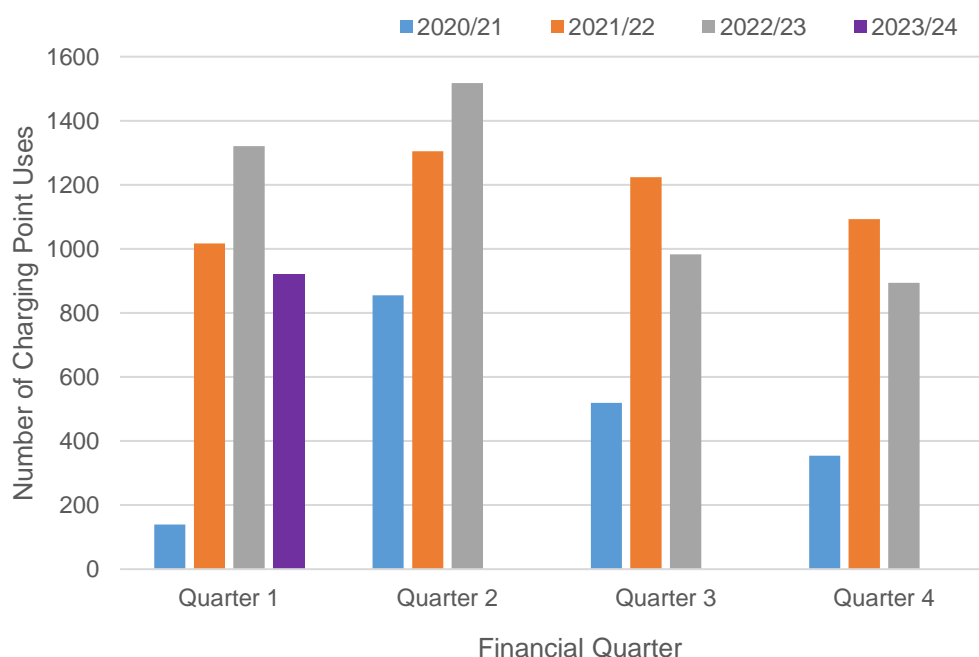


Figure 2: Electric Vehicle Charge Point uses per quarter, 2020/21 to present

- 2.7 Approximately half of Mid Devon District Council's building electricity supply is on a 100% renewable electricity tariff (Phoenix House, Exe Valley, and Tiverton Pannier Market. Cabinet has decided to renew the Council's

contract with LASER for gas and electricity for four years (01 October 2024 to 30 September 2028), based on factors including the soundness of the procurement route and the framework performance track record. Cabinet also agreed a commitment to renewable electricity tariffs, seeking to achieve 100% renewable electricity supply within two years. A move to 100% renewable can avoid carbon emissions circa 560 tCO<sub>2</sub>e annually.

- 2.8 Three new electrically powered vans in the council's fleet will cut emissions by the equivalent of 11 tonnes CO<sub>2</sub> annually by replacing vans which would have used 3,400 L diesel per year.
- 2.9 The Council's Carbon footprint for 2022/23 has now been calculated as 17,730 t CO<sub>2</sub>e. This is an increase on 2021/22 (16,415 t CO<sub>2</sub>e). This increase can be attributed to an investment in infrastructure (particularly the leisure centre decarbonisation projects) which, in the longer term, will help the council reduce its carbon footprint.

#### Homes Portfolio - Appendix 2

- 2.10 The number of households who considered themselves as homeless that approached the Council's housing advice service for Quarter 1 was 216, Figure 3.

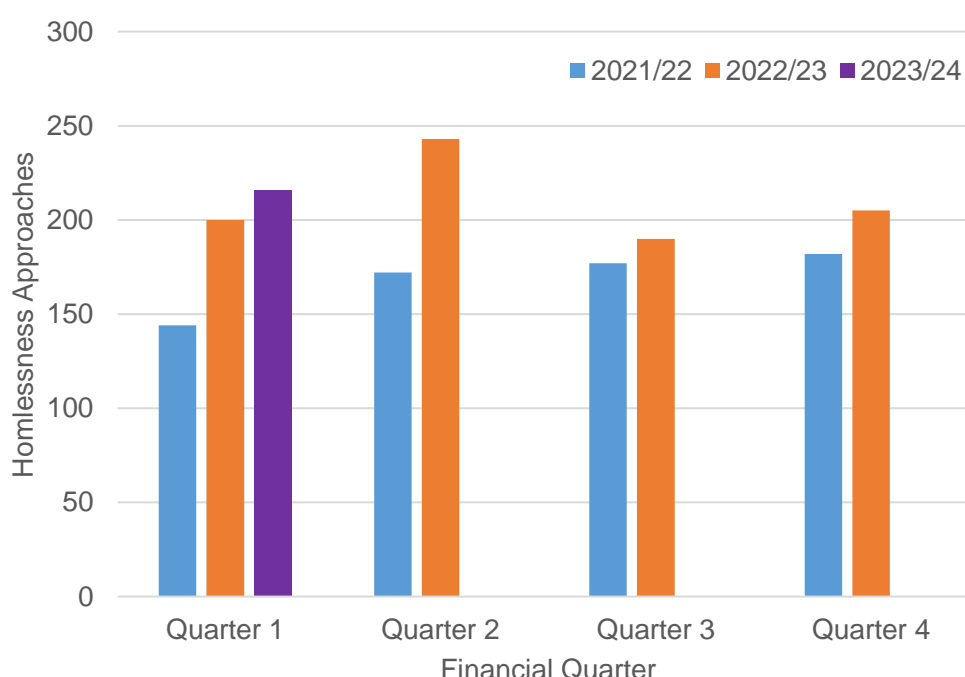


Figure 3: Homelessness approaches per quarter, 2021/22 to present.

- 2.11 The performance data for Council Housing for Quarter 1, 2023/24 (April to June), is shown in Table 1.



Table 1: Council housing performance indicators, April to June 2023.

Indicator	April	May	June
Emergency repairs completed on time	94.0%	98.1%	96.4%
Urgent repairs completed on time	100.0%	98.7%	91.7%
Routine repairs completed on time	98.9%	99.2%	98.0%
Properties with a valid gas safety certificate	99.9%	99.9%	99.9%
Housing complaints responded to on time	88.9%	72.2%	95.4%

- 2.12 Housing complaints responded to within the target timescale was 87.9% in Quarter 1 2023/24. There were 58 complaints in total.

### Economy Portfolio - Appendix 3

- 2.13 The number of empty business properties is measured by the number of national non-domestic rates (NNDR) accounts receiving empty property relief. There were 265 empty business properties in June 2023, Figure 4.

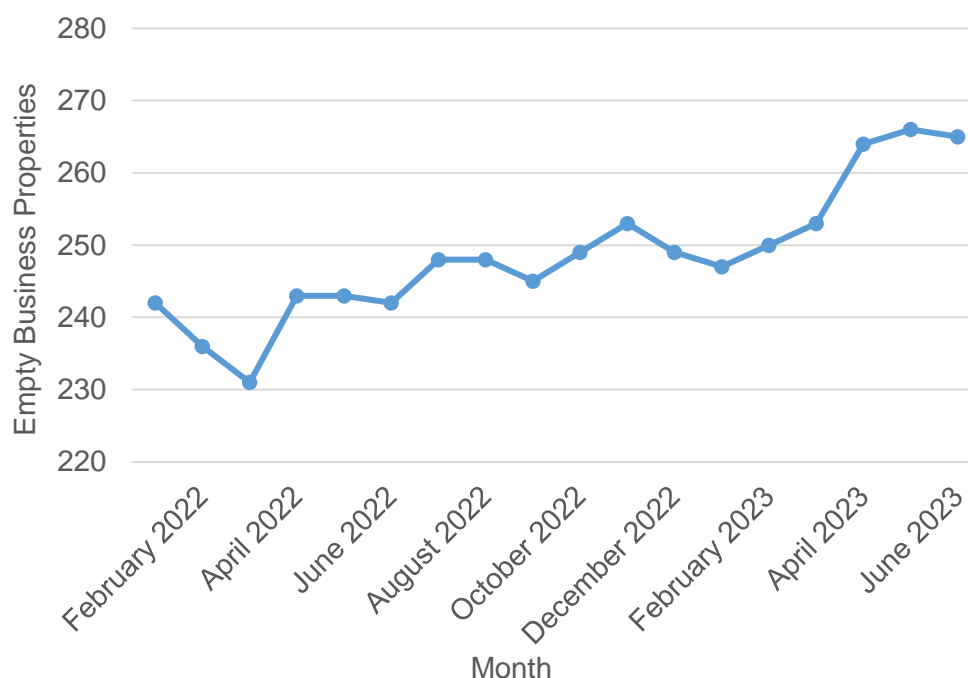


Figure 4: Number of empty business properties, last 18 months.

- 2.14 The number of regular traders at the Pannier market is 89% for Quarter 1, ahead of a target of 85%, Table 2.

Table 2: Regular Traders at the Tiverton Pannier market, 2022/23 to present

Financial Year	Quarter	Regular Traders
2022/23	1	85%
	2	87%
	3	87%
	4	81%
2023/24	1	89 %

#### Community Portfolio - Appendix 4

- 2.15 There have been 152 complaints this financial year (April 2023 to June 2023), 80% have been responded to within the target timescales. Performance for 2023/24 is detailed at Figure 5.

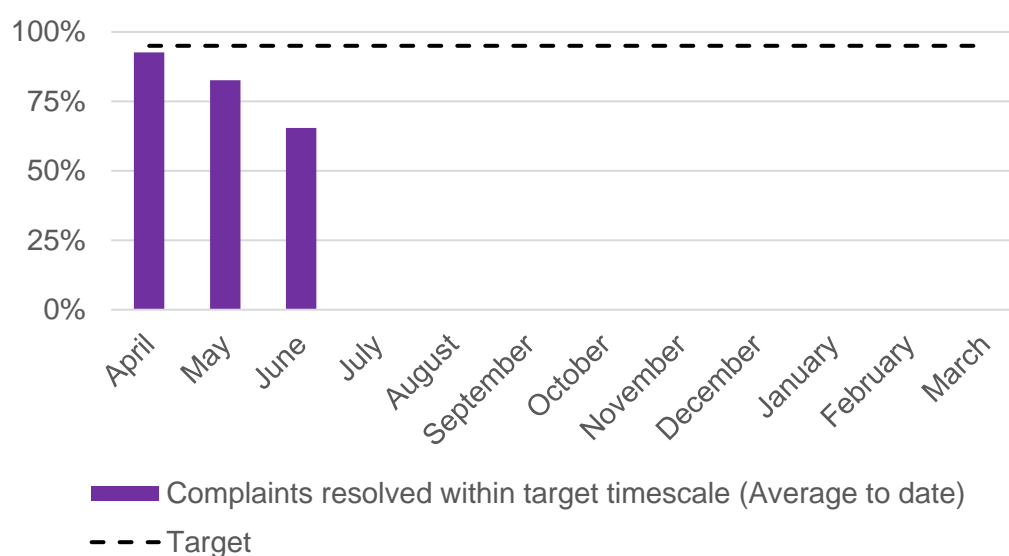


Figure 5: Complaints resolved within the target timescale (10 days – 12 weeks), 2023/24.

- 2.16 Health Referral Initiative starters is 23 for the year to date (April 2023 to June 2023). The number of Health Referral Initiative Completers is currently 19 (June 2023) and the number of Health Referral Initiative Conversions is 19. All performance indicators are performing ahead of target.

## Corporate - Appendix 5

- 2.17 Council Tax collected for the financial year is 28.57% (June 2023), slightly lower than last year (28.75%; June 2022).
- 2.18 National Non Domestic Rate (NNDR) collected thus far is 32.69% (June 2023), compared to 41.11% in June 2022.
- 2.19 The number of working days/ shifts lost due to staff sickness absence per full time equivalent employee is 3.63% for the financial year to date (June 2023). This is higher than at the same point last year, 2.73% (June 2022).
- 2.20 Staff turnover at the Council for the year to date is 2.99% (June 2023), Figure 6. Staff turnover is now performing better than the target set.

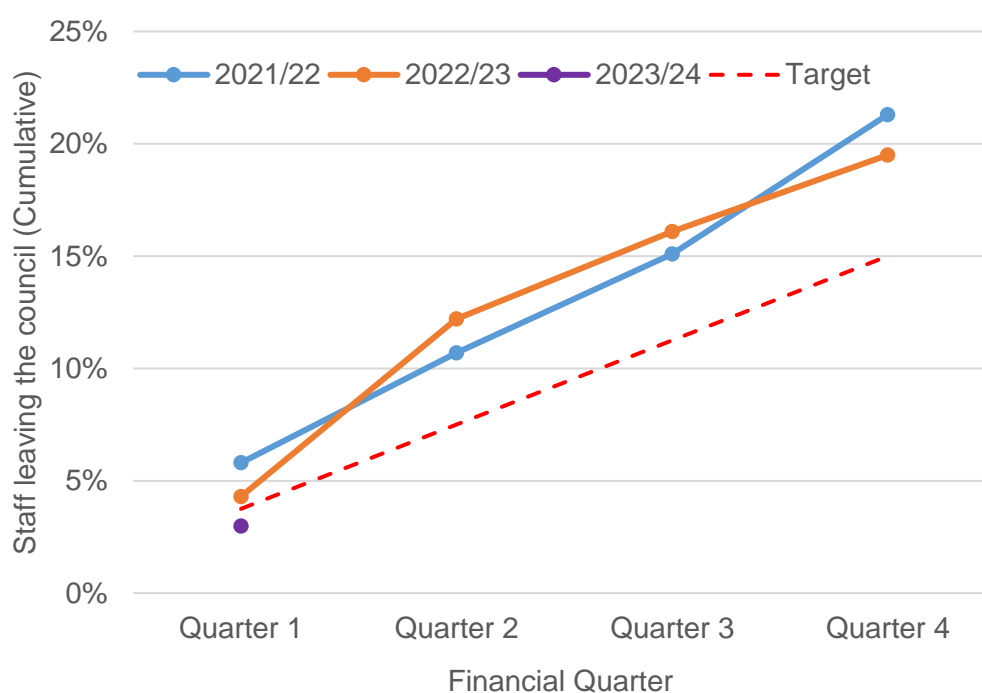


Figure 6: Staff Turnover per financial quarter (Cumulative year to date), 2021/22 to present.

### **Financial Implications**

There are no direct financial implications arising from this report. However, if performance is not at the expected or desired level then resources may need to be reviewed or redirected to improve performance.

### **Legal Implications**

There are no direct legal implications arising from this report. However, if the performance of some indicators is not at required levels, there is a risk of legal

challenge. Performance management helps the council meet its duties in relation to Value for Money.

### **Risk Assessment**

If performance is not managed we may not meet our corporate and local service plan targets or take appropriate corrective action.

### **Impact on Climate Change**

Several performance indicators are related to our corporate ambition to reduce carbon emissions. Managing the performance of these can help evaluate the impact of Council interventions as well as guide future decisions on spend and investment.

### **Equalities Impact Assessment**

Customer feedback can help the council identify any groups of people who may potentially be experiencing a less satisfactory level of service. When reviewing performance and making recommendations on priorities, the Council should be mindful to consider how services might impact on different sections of the community.

### **Relationship to Corporate Plan**

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

## **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 08/08/2023

**Statutory Officer:** Maria De Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 08/08/2023

**Chief Officer:** Stephen Walford

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

**Date:** 08/08/2023

**Performance and risk:** Dr Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 28/07/2023

**Cabinet member notified:** Yes

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Dr Steve Carr, Corporate Performance & Improvement Manager

Email: [scarr@middevon.gov.uk](mailto:scarr@middevon.gov.uk)

Telephone: 3CX Extension: 4217

**Background papers:**

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Page 27

**Monthly report for 2023-2024**  
**Arranged by Aims**  
**Filtered by Aim: Priorities Environment**  
**For MDPC - Services**

### Performance Indicators:

**Well below target**

## On target

**Well above target**

Corporate Plan PI Report Environment 2023_24																	
Priorities: Environment																	
Aims: Increase recycling and reduce the amount of waste																	
Performance Indicators																	
Title	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	Corporate Team Manager	Officer Notes	
<u>Household waste collected per household (kg)</u>	327.3	330.0	26.3	53.1	78.7										Darren Beer	(April - June) A reduction of 3.34Kg per household compared to June 2022. (LD)	
<u>Fixed Penalty Notices Issued (Environment)</u>	37		5	11	16										Matthew Page		
<u>Household recycling rate (%)</u>	55.4%	56.50%	56.46%	59.35%	59.42%										Darren Beer	(June) An increase of 4.98% points compared to June 2022. (LD)	
Printed by: Stephen Carr						SPAR.net						Print Date: 31 July 2023 10:40					

# Corporate Plan PI Report Environment 2023\_24

## Priorities: Environment

**Aims: Increase recycling and reduce the amount of waste**

### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Households on Chargeable Garden Waste</u>	12,009	11,800	12,229	12,213	12,141										Darren Beer	(June) An increase of 180 customers compared to June 2022 (LD)
<u>Missed refuse/food/garden collections - collection crew error (%)</u>	0.04%	0.03%	0.04%	0.04%	0.03%										Darren Beer	(June) Missed collections are levelling out and continue to be closely monitored (LD)
<u>Missed Recycling/Food Collections - collection crew error (%)</u>	0.05%	0.03%	0.06%	0.05%	0.05%										Darren Beer	(June) Missed collections are levelling out and continue to be closely monitored. (LD)



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## Corporate Plan PI Report Climate Change 2023\_24

Monthly report for 2023-2024  
Arranged by Aims  
Filtered by Aim: Priorities Climate Change  
For MDDC - Services

### Key to Performance Status:

Performance Indicators:

No Data

Well below target

Below target

On target

Above target

Well above target

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

## Corporate Plan PI Report Climate Change 2023\_24

### Priorities: Climate Change

### Aims: Green Sources of Energy

### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Electric Car Charger usage (Number of uses)</u>	4,716	4,000	n/a	n/a	922	n/a	n/a		n/a	n/a		n/a	n/a		Paul Deal	
<u>Electric Car Charger Units</u>	6	8	n/a	n/a	6	n/a	n/a		n/a	n/a		n/a	n/a		Paul Deal	(Quarter 1) Six charger units at the leisure centres. Lease agreements being finalised for 3 new sites (1 charger unit each). (JB)

### Aims: Biodiversity

## Corporate Plan PI Report Climate Change 2023\_24

### Priorities: Climate Change

#### Aims: Biodiversity

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Corporate Tree Planting Scheme</u>	1,192	500	n/a	n/a	10	n/a	n/a		n/a	n/a		n/a	n/a		Paul Deal	(Quarter 1) Ten replacements planted April. Further tree planting would not now be expected until November 2023. (JB)
<u>Community climate and biodiversity grants</u>	No	Yes	n/a	n/a	No	n/a	n/a		n/a	n/a		n/a	n/a		Paul Deal	(Quarter 1) Submitted to Cabinet November 2022 as a priority for budget spend. (JB)

### Aims: Retro-fitting measures

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Corporate Renewable Energy Projects</u>	5	2	n/a	n/a	2	n/a	n/a		n/a	n/a		n/a	n/a		Paul Deal	(Quarter 1) 2023 - 2024: - Two projects to decarbonise heating at Exe Valley and Lords Meadow leisure centres moved to completion for the heating and cooling installation works. These projects used combined arrays of ground-source and air-source heat pumps to capture renewable heat from the ground and air. At Lords Meadow the wood biomass heating system was also upgraded. Extra renewable power generated by new solar photovoltaic panel arrays. Efficiency gains with new building management systems (BMS). New systems being commissioned and tested to

## Corporate Plan PI Report Climate Change 2023\_24

### Priorities: Climate Change

#### Aims: Retro-fitting measures

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
																the required standards. - We will prioritise low-risk short-payback renewable energy projects at MDDC assets e.g. roof-mounted solar power arrays. - New EV chargers will be hosted at MDDC car parks, run on renewable power tariffs, to be installed 2023-2024. (JB)
<u>Housing Assistance Policy (Retro-fit Schemes supported)</u>	11		0	0	0										Simon Newcombe	(May) This scheme is no longer operating (TW)
<u>Home Improvement Loans sanctioned</u>	14	10	4	4	5										Simon Newcombe	(May) Loans drawn down (TW)

#### Aims: Other

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Community Schemes (Environmental)</u>	14	4	n/a	n/a	8	n/a	n/a		n/a	n/a		n/a	n/a		Paul Deal	(Quarter 1) Actively engaging with community projects / networks / groups / individuals - also local farmers and other enterprises with a green agenda / project / exemplar. Proactively promoting the sustainability projects and activities of community schemes on the Sustainable

# Corporate Plan PI Report Climate Change 2023\_24

Priorities: Climate Change

Aims: Other

## Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
																<p>Mid Devon website (resource map, events and news, etc.).</p> <p>Community liaison a variety of groups.</p> <p>Devon County Show 2023: worked with Devon Climate Emergency and liaised with Recycle Devon and CAG Devon. Topical theme: net zero visions.</p> <p>Devon Local Nature Partnership 2023 Spring Conference: liaised with Mid Devon Parish Wildlife Warden Scheme; Connecting the Culm; Creedy Catchment Crayfish Project; Sustainable Bradninch; Uffculme Green Team. (JB)</p>
<b>Council Carbon Footprint (tCO2e)</b>	17,730	17,187	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Paul Deal	

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## Corporate Plan PI Report Homes 2023\_24

Monthly report for 2023-2024  
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

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

## Corporate Plan PI Report Homes 2023\_24

### Priorities: Homes

### Aims: Deliver Housing

### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Additional homes completed (net)</u>		393	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Simon Newcombe, Tristan Peat	
<u>Custom and Self Build Plots</u>		5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	
<u>Gypsy &amp; Traveller Pitches completed</u>	0		n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	
<u>Number of affordable homes completed (gross)</u>		94	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	
<u>Number of Homelessness Approaches</u>	838		n/a	n/a	216	n/a	n/a		n/a	n/a		n/a	n/a		Simon Newcombe	

## Corporate Plan PI Report Homes 2023\_24

### Priorities: Homes

#### Aims: Deliver Housing

#### Aims: Community Land Trusts

##### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Community Led Housing Projects Assisted</u>	1	1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	

#### Aims: Private Sector Housing

##### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Deliver homes by bringing Empty Houses into use</u>	14		0	5	7										Simon Newcombe	
<u>Houses in Multiple Occupation (HMOs) investigations</u>	96%	95%	100%	100%	100%										Simon Newcombe	
<u>Landlord Engagement and Support</u>	9	9	n/a	n/a	1	n/a	n/a		n/a	n/a		n/a	n/a		Simon Newcombe	(Quarter 1) 1x pin point release in April (TW)

#### Aims: Council Housing

##### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Emergency Repairs Completed on Time (%)</u>	99.7%	100.0%	98.7%	98.1%	97.8%										Simon Newcombe	

# Corporate Plan PI Report Homes 2023\_24

Priorities: Homes

Aims: Council Housing

## Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Urgent Repairs Completed on Time (%)</u>	99.0%	95.0%	100.0%	99.4%	97.3%										Simon Newcombe	
<u>Routine Repairs Completed on Time (%)</u>	98.4%	95.0%	98.5%	98.4%	97.8%										Simon Newcombe	
<u>Properties With a Valid Gas Safety Certificate (%)</u>	99.8%	100.0%	99.9%	99.9%	99.9%										Simon Newcombe	
<u>Housing Complaints Responded to On Time (%)</u>	100.0%	100.0%	88.9%	80.6%	87.9%										Simon Newcombe	

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## Corporate Plan PI Report Economy 2023\_24

Monthly report for 2023-2024  
Arranged by Aims  
Filtered by Aim: Priorities Economy  
For MDDC - Services

### Key to Performance Status:

Performance Indicators:

No Data

Well below target

Below target

On target

Above target

Well above target

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

## Corporate Plan PI Report Economy 2023\_24

### Priorities: Economy

### Aims: Incubator and start-up space

### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Incubator and Start-up space</u>	0	1	n/a	n/a	1	n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 1) Grants awarded to two businesses at end of Q4 of 2022/23 through Shared Prosperity Fund to improve and extend their work hub provision. In Q1 of 2023/24, one of those units has delivered completed improvements and the second is in progress. (ZL)
<u>Sites for Commercial Development</u>	0	2	n/a	n/a	0	n/a	n/a		n/a	n/a		n/a	n/a		Paul Deal	(Quarter 1) Should an opportunity present itself it would be reported through the applicable committee. (SC)

### Aims: Improve and regenerate our town centres

# Corporate Plan PI Report Economy 2023\_24

## Priorities: Economy

Aims: Improve and regenerate our town centres

### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Business rate accounts (Number)</u>	3,556	3,150	3,556	3,546	3,548										Dean Emery	
<u>Business Rates (Rateable Value)</u>	£47,090,464		£53,525,842	£53,493,042	£53,441,567										Dean Emery	
<u>Empty Business Properties</u>	253		264	266	265										Dean Emery	
<u>Coventon Town Centre Masterplan</u>		Adopt by March 2024	n/a	n/a	Yes	n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 1) Additional resource being secured within existing budgets to progress this project. (AW)
<u>Cullompton Town Centre Masterplan</u>			n/a	n/a	Yes	n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 1) Masterplan adopted at Full Council on 26th April 2023. (AW)
<u>Crediton Town Centre Masterplan</u>			n/a	n/a	Yes	n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 1) Consultants appointed. Project initiated - first stakeholder workshop held. Meetings ongoing with DCC

## Corporate Plan PI Report Economy 2023\_24

### Priorities: Economy

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

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
																and Crediton Town Council. (AW)
<b><u>Pannier Market Occupancy Rate (%)</u></b>	85%	85%	n/a	n/a	89%	n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	

### Aims: Community Land Trusts

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<b><u>Community Led Housing Projects Assisted</u></b>	1	1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		Tristan Peat	

### Aims: Digital Connectivity

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<b><u>Digital connectivity</u></b>	0		n/a	n/a		n/a	n/a		n/a	n/a		n/a	n/a		Adrian Welsh	(Quarter 1) CDS programme continues through Devon County Council. (AW)

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## Corporate Plan PI Report Community 2023\_24

Monthly report for 2023-2024

Arranged by Aims

Filtered by Aim: Priorities Community

Filtered by Flag: Exclude: Corporate Plan Aims 2016 to 2020

For MDDC - Services

**Key to Performance Status:**

Performance Indicators:

No Data

Well below target

Below target

On target

Above target

Well above target

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

## Corporate Plan PI Report Community 2023\_24

### Priorities: Community

### Aims: Health and Wellbeing

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Annual Community Safety Partnership (CSP) Action Plan</u>	12	5	0	0	0										Simon Newcombe	(June) The role of Specialist Lead - Community Safety and Safeguarding has been advertised again, resulting in a successful recruitment. The new officer will start in August 2023 (TW)

### Aims: Community Involvement

# Corporate Plan PI Report Community 2023\_24

Priorities: Community

Aims: Community Involvement

## Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Complaints resolved within timescales (%; 10 days - 12 weeks)</u>	93%	95%	93%	88%	80%										Lisa Lewis	(June) 34 closed at 1st check (RT)
<u>Complaints (Number)</u>	465		54	100	152										Lisa Lewis	

2023-24  
Aims: Leisure Centres

## Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Health Referral Initiative starters</u>	149	85	11	19	23										Lee Chester	
<u>Health Referral Initiative completers</u>	69	43	8	12	19										Lee Chester	
<u>Health Referral Initiative conversions</u>	38	26	10	12	19										Lee Chester	

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## Corporate Plan PI Report Corporate 2023\_24

Monthly report for 2023-2024

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

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

## Corporate Plan PI Report Corporate 2023\_24

### Priorities: Delivering a Well-Managed Council

### Aims: Commercial Opportunities

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Industrial Units Cullompton- Kings Mill Industrial Estate (Unit Occupancy)</u>	14	15	n/a	n/a	14	n/a	n/a		n/a	n/a		n/a	n/a		Paul Deal	

### Aims: Other

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Sickness Absence (%)</u>	3.67%	2.38%	n/a	n/a	3.63%	n/a	n/a		n/a	n/a		n/a	n/a		Matthew Page	

# Corporate Plan PI Report Corporate 2023\_24

## Priorities: Delivering a Well-Managed Council

### Aims: Other

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>Appraisals Completed (%)</u>	94%	100%	n/a	n/a	n/a	n/a	n/a		n/a	n/a	n/a	n/a	n/a		Matthew Page	
<u>Total Council Tax Collected - monthly (%)</u>	97.08%	96.50%	10.82%	19.68%	28.57%										Dean Emery	
<u>Total NNDR collected - monthly (%)</u>	96.75%	97.00%	13.66%	23.29%	32.69%										Dean Emery	
<u>New Performance Planning Guarantee determine within 26 weeks</u>	99%	100%	n/a	n/a	98%	n/a	n/a		n/a	n/a		n/a	n/a		Dean Emery	(Quarter 1) Undetermined applications would be subject to Extensions Of Time (EOT) as such there is no issue with being outside of target (SC)
<u>Major applications overturned at appeal (over last 2 years)</u>	2.9%	10.0%	n/a	n/a	1.1%	n/a	n/a		n/a	n/a		n/a	n/a		Dean Emery	
<u>Major Applications Overturned at Appeal (% of Appeals)</u>	3.0%	10.0%	n/a	n/a	1.1%	n/a	n/a		n/a	n/a		n/a	n/a		Dean Emery	
<u>Minor applications overturned at</u>	0.8%	10.0%	n/a	n/a	0.5%	n/a	n/a		n/a	n/a		n/a	n/a		Dean Emery	



# Corporate Plan PI Report Corporate 2023\_24

## Priorities: Delivering a Well-Managed Council

### Aims: Other

#### Performance Indicators

Title	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	Corporate Team Manager	Officer Notes
<u>appeal (over last 2 years)</u>																
<u>Minor Applications Overturned at Appeal (% of Appeals)</u>	0.9%	10.0%	n/a	n/a	0.5%	n/a	n/a		n/a	n/a		n/a	n/a		Dean Emery	
<u>Response to FOI/EIR Requests (within 20 Working days)</u>	99%	97%	98%	99%	99%										Lisa Lewis	
<u>Sickness Absence (Days)</u>	10.09days	6.00days	0.73days	1.49days	2.26days										Matthew Page	
<u>Staff Turnover (%)</u>	19.5%	15.00%	n/a	n/a	2.99%	n/a	n/a		n/a	n/a		n/a	n/a		Matthew Page	

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**Report for:****Cabinet**

Previously seen by  
Audit Committee (22 August 2023)

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Date of Meeting:	29 August 2023
Subject:	Corporate Risk Report
Cabinet Member:	Cllr Luke Taylor, Council Leader
Responsible Officer:	Dr Stephen Carr, Corporate Performance and Improvement Manager. Matthew Page, Corporate Manager for People, Performance & Waste.
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix 1: Corporate Risk Matrix Appendix 2: Corporate Risk Register

**Section 1 – Summary and Recommendation(s)**

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

**Recommendation(s):**

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

**Section 2 – Report****1.0 Introduction**

- 1.1 The Corporate Risk Register contains the strategic risks which are most likely to impact the corporate priorities of Mid Devon District Council. It is reviewed at least quarterly by Corporate Managers and the Leadership Team and updated as required. It is then presented to the Audit committee and to Cabinet. Risks are managed on the council's corporate performance and risk management system, SPAR.

- 1.2 The corporate risks are presented on a risk matrix (heat map), Appendix 1. Information on each risk is presented in a standard template, Appendix 2. These risks have been determined by the council's Leadership Team in consultation with Corporate Managers and other council officers.

## 2.0 Summary of Corporate Risk

- 2.1 There are currently 13 Risks on the Corporate Risk Register (CRR).

Risk Name		Risk Owner	Risk Rating
CR1	Culm Garden Village	Adrian Welsh	16
CR2	Cyber Security	Brian Trebilcock	20
CR3	Failure to meet Climate Change Commitments by 2030	Paul Deal	15
CR4	Homes for Ukraine Scheme	Simon Newcombe	9
CR5	Information Security	Giovanni Wallace	12
CR7	Financial Sustainability	Paul Deal	16
CR8	Quality of Planning Committee Decisions	Angharad Williams	16
CR9	SPV – 3 Rivers – Failure of the Company	Paul Deal	25
CR10	Cullompton Town Centre Relief Road	Adrian Welsh	25
CR11	Cost of Living Crisis	Dean Emery	16
CR12	Housing Crisis	Simon Newcombe	12
CR13	Operation of a Waste Management Service	Matthew Page	12
CR14	Workforce Shortage	Matthew Page	6

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

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

- 2.3 Since this report was last presented to committee in June 2023, the following significant changes have been made to the corporate risks being managed:
- Corporate Risk 14: Workforce Shortage has been added to the CRR.
  - The risk rating of CR13: Operation of a Waste Management Service has been increased from 8 to 12.
  - New mitigating actions have been added to CR2, CR5 and CR10.

## **Financial Implications**

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

## **Legal Implications**

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

## **Risk Assessment**

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

## **Impact on Climate Change**

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

## **Equalities Impact Assessment**

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

## **Relationship to Corporate Plan**

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

### **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 08/082023

**Statutory Officer:** Maria De Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 08/08/2023

**Chief Officer:** Stephen Walford

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

**Date:** 08/08/2023

**Performance and risk:** Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 03/08/2023

**Cabinet member notified:** Yes

### **Section 4 - Contact Details and Background Papers**

**Contact:** Dr Steve Carr, Corporate Performance and Improvement Manager

Email: [scarr@middevon.gov.uk](mailto:scarr@middevon.gov.uk)

Telephone: 3CX: 4217

**Background papers:**

Appendix 1: Corporate Risk Matrix

Appendix 2: Corporate Risk Register

## Appendix 1: Corporate Risk Matrix

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	4	4	8	12	16	20
	3	3	6	9	12	15
	2	2	4	6	8	10
	1	1	2	3	4	5
		1	2	3	4	5
		Risk Likelihood				

## Appendix 2: Corporate Risk Register

CR1	Culm Garden Village	Current Severity	Current Likelihood	Current Risk Rating
		4	4	16
Risk Description: Possible discontinuance of Government funding support.				
Risk Owner: Adrian Welsh		Risk Type: Economic/ Financial		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR1.1	Funding opportunities : Lobby for the creation of further funding opportunities and for further rounds of the garden communities capacity funding	Adrian Welsh	Action Required	28/07/2023
CR1.2	Further bids for capacity funding: To continue to secure external funding to support the project	Tristan Peat	Action Required	28/07/2023
Notes: This risk relates to the funding sources in place for the Culm Garden Village, rather than the delivery of the project.				

CR2	Cyber Security	Current Severity	Current Likelihood	Current Risk Rating
		5	4	20
Risk Description: Inadequate Cyber Security could lead to breaches of confidential information, damaged or corrupted data and ultimately Denial of Service. If the Council fails to have an effective ICT security strategy in place. Risk of monetary penalties and fines, and legal action by affected parties.				
Risk Owner: Brian Trebilcock		Risk Type: Data Protection/Information Security		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR2.2	Awareness training and desktop cyber event testing: National Cyber Security Centre (NCSC) staff/ Member training now mandatory. Cyber SharePoint site created. A cyber desktop exercise planned summer to test Disaster Recovery/Cyber planning/response with Local Government Association/Emergency Planning College will include participation at Director/Member level - schedule tbc.	Lisa Lewis	Satisfactory	14/07/2023



	An ICT/InfoGovernance board to commence after the May local elections which will meet quarterly to monitor cyber/data related activities and manage/monitor risk at senior levels.			
CR2.3	Firewall Replacement: Replaced unsupported firewall and old hardware. Improved response and logging of connections/ authentications, web filtering, anti-virus scanning etc.	Lisa Lewis	Fully Effective	14/07/2023
CR2.4	Multi Factor Authentication on VPN: Reduce risk of unauthenticated/ unauthorised access to network - testing being planned	Lisa Lewis	Action Required	14/07/2023
<p><b>Notes:</b> LGA Technical Incident exercise is scheduled was delayed from early June 2023, to be completed 20th July on-site at Phoenix House. LGA/ EPC Organisational Incident response exercise is scheduled for 30 June 2023, this has been delayed and awaiting rescheduling after the first ICT Security Board meeting. Review of mandatory Cyber Awareness training ongoing, on last check 78% annual completion rate.</p> <p>The introduction of email 'Phishing' simulations will commence as soon as the ICT security board has been convened and approval has been sought. ICT Security Board (IMIGB) will be convened as soon as the new elected members are settled - 28th July 2023.</p> <p>CR2.3 and CR2.4 Added in July 2023. Actions CR2.2 and CR2.3 are now complete.</p>				

CR3	Failure to meet Climate Change Commitments by 2030	Current Severity	Current Likelihood	Current Risk Rating
		3	5	15
Risk Description: Due to a variety of factors, there is a risk that the Council will not meet its goal of becoming carbon neutral by 2030. There is also a risk that the Council will not achieve district-wide progress to meet obligations under the Climate Act 2008 for climate adaptation (resilience) and mitigation (emission reductions).				
Risk Owner: Andrew Busby		Risk Type: Environmental		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR3.1	Policy and Strategy: Policy and strategy relevant to the climate emergency includes: <ul style="list-style-type: none"><li>• Corporate Plan 2020-2024 sets a number of relevant aims;</li><li>• Climate Strategy and Handbook 2020-2024;</li><li>• Housing Strategy 2021-2025;</li><li>• Procurement Strategy (March 2023);</li></ul>	Jason Ball	Satisfactory	17/07/2023

	<ul style="list-style-type: none"> <li>• Cabinet adopted a new Climate Emergency planning policy statement (March 2023);</li> <li>• Local Plan 2013-2033 review; Plan Mid Devon sets the Climate Emergency as the top overarching priority for the next Local Plan.</li> </ul>			
CR3.2	Oversight and decision-making: To embed a consistent approach to committee reports, project reports and decision-making, considering the potential climate impacts and opportunities and adaptation needs linked to the climate crisis.	Jason Ball	Action Required	17/07/2023

**Notes:**

Good progress has been made in many aspects such as electricity usage and the delivery of our first electric vehicles, however the overall carbon footprint has increased. This is in part due to the additional capital investment undertaken including the Salix decarbonisation works, building and retrofit projects which have an “Emissions Factor” assessment based on spend. This investment will make a difference in the future. Plans are also being developed for the next major projects which will also contribute to carbon reduction in the future.

CR4	Homes for Ukraine Scheme	Current Severity	Current Likelihood	Current Risk Rating
		3	3	9
<b>Risk Description:</b> There is a risk of the ‘Homes for Ukraine scheme’ failing should the host relationship breakdown and re-matching is not an option. Where refugees cannot afford to pay for private accommodation the Council has a Homelessness Duty.				
<b>Risk Owner:</b> Simon Newcombe		<b>Risk Type:</b> Social		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR4.1	Collaboration: Continue to engage with DLUHC, LGA and DCN on scheme roll out, pressures and risks/updated national guidance etc. Reviewing a Devon-wide exit strategy around pending housing/accommodation pressures once hostings end – joint solutions (work in progress).	Simon Newcombe	Satisfactory	17/07/2023
CR4.3	Re-matching demand: Re-matching demand is relatively low (host/guest arrangements ending early) and single figures but starting to see increase due to rurality of some hosts and requirement to be closer to employment, services and schools.	Simon Newcombe	Satisfactory	17/07/2023
CR4.4	Team Devon: Petroc offer a myriad of informal network events will help support transition to sustainable residency (employment,	Simon Newcombe	Fully Effective	17/07/2023

	language, skills, accommodation, schools, etc.) and help during summer holiday period – likely to be testing for some host/guest relationships. Negotiated strong Petroc offer for summer holidays and longer-term programme inc. Tiverton campus. Summer programme (get to know – family cookery, arts and crafts, physical activity, trips to local attractions).			
<b>Notes:</b> Local Authority Housing Fund Round 1 funding secured and two properties acquired and now occupied as temporary accommodation for Homes for Ukraine families. Private Sector transition support continues to be effective and overall number of families in hosted arrangements continues to fall. CR4.4 marked as complete July 2023.				

CR5	Information Security	Current Severity	Current Likelihood	Current Risk Rating
		4	3	12
Risk Description: Inadequate data protection could lead to breaches of confidential information and ultimately enforcement action by the ICO.				
Risk Owner: Giovanni Wallace		Risk Type: Data Protection/Information Security		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR5.1	Completion of ROPA/RACI: Audit of our Records of Processing Activities (ROPA) and data ownership comprised of identified Responsible, Accountable, Consulted, Informed (RACI model) being compiled.	Lisa Lewis	Action Required	18/07/2023
CR5.2	Convening of IT/IG Board: Requirement for Cyber and Information governance and corporate oversight. Board has been convened 28 Jul 2023.	Lisa Lewis	Fully Effective	18/07/2023
Notes: Work is continuing on the completion of the ROPA/RACI. A quarterly meeting for a newly convened ICT/Info Governance board took place on 28 July, this will support the council highlight/better manage compliance and risk. A recent audit has provided limited assurance due to lack of governance arrangements and therefore the risk score is not in a position to be improved at this point until further work is completed. CR5.1 and CR5.2 added in July 2023. CR5.2 is now complete				

CR7	Financial Sustainability	Current Severity	Current Likelihood	Current Risk Rating
		4	4	16
<b>Risk Description:</b> The council faces a range of financial challenges. We are subject to ongoing budget reductions whilst the cost of providing services continues to increase due to a range of inflationary pressures. We are also subject to single year budget settlements which impacts on the ability for medium term financial planning. We need to be able to plan and meet these challenges so that we can continue to deliver effective services and achieve the priorities we wish to.				
<b>Risk Owner:</b> Paul Deal		<b>Risk Type:</b> Economic/Financial		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR7.1	Business Plans: Service Business Plans are reviewed each financial year with suggestions for revised performance targets based on budget to be agreed by Cabinet Member and PDG.	Paul Deal	Satisfactory	17/07/2023
CR7.2	Identify Efficiencies: Taking proactive steps to increase income and reduce expenditure through efficiencies, vacancies that arise and delivering services in a different way.	Paul Deal	Satisfactory	17/07/2023
CR7.3	Reserves: Cabinet have taken the decision to recommend a minimum general reserve balance of £2m.	Paul Deal	Action Required	17/07/2023
CR7.4	Set Budget: Each year as part of the budget setting process, members are consulted via PDGs in time to evaluate savings proposals.	Paul Deal	Satisfactory	17/07/2023
CR7.5	Medium term planning: Work to close the budget gap is on-going. A range of options are being considered but Covid, business rates and uncertainty over fair funding review make the situation extremely challenging. To close the budget gap and maintain services: We continue to work with managers to reduce costs and explore new income streams.	Paul Deal	Action Required	17/07/2023
<b>Notes:</b> Work continues to identify the in-year savings required to offset the draw from reserves with good progress being made. Medium Term Financial Plan discussions also are in progress with a strategy being developed that will deliver a balanced budget for 2024/25 and mitigate longer term shortfalls.				

CR8	Quality of Planning Committee Decisions	Current Severity	Current Likelihood	Current Risk Rating
		4	4	16
<b>Risk Description:</b> Planning decisions are monitored at Government level nationally – the risk is to stay significantly below 10%. Over 10% could put a Local Planning Authority into special measures. Links to Performance Indicator measures 11a, 11b, 12a and 12b.				
<b>Risk Owner:</b> Angharad Williams		<b>Risk Type:</b> Reputation		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR8.1	Planning Advisory Service Committee Review being undertaken: To minimise risk associated with decision making and Government targets	Angharad Williams	Satisfactory	26/07/2023
CR8.2	Planning Advisory Service Training being undertaken: To minimise risk associated with Government targets and decision making	Angharad Williams	Satisfactory	26/07/2023
CR8.3	Regular informal planning committee meetings: Keeping planning committee informed of all appeals and upcoming planning policy, and any actions the Council is making.	Angharad Williams	Satisfactory	26/07/2023
<b>Notes:</b> Committee are making sound decisions and this will reduce the risk.				

CR9	SPV – 3 Rivers – Failure of the Company	Current Severity	Current Likelihood	Current Risk Rating
		5	5	25
<b>Risk Description:</b> This will depend on Economic factors and the Company's success in the marketplace commercially. For MDDC the impacts will be: <ul style="list-style-type: none"><li>• 3 Rivers are unable to service and repay the loan from MDDC</li><li>• Not receiving the forecast additional income</li><li>• Not supporting corporate objectives.</li></ul>				
Risk Owner: Paul Deal		Risk Type: Economic/Financial		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR9.1	Cabinet: Regular meetings with Shareholder Representatives and updates to Cabinet on progress with the recommendations action plan and projects.	Andrew Jarrett	Satisfactory	17/07/2023

CR9.2	Regular monitoring: The Board of 3 Rivers deliver a half yearly report to the Cabinet which provides an update on their delivery against their business plan. We charge interest to them at a commercial rate in order to maintain an “arms-length” relationship and the interest provides some mitigation to the outstanding principal.	Andrew Jarrett	Satisfactory	17/07/2023
<b>Notes:</b> The independent options appraisal of the company is currently being progressed with a report to cabinet due at the end of August 2023. Works at St George’s is due to complete within the next month and the Bampton site is also due to complete around September/October. Sales are positive on the Bampton site. All other works have ceased mitigating any further costs.				

CR10	Cullompton Town Centre Relief Road	Current Severity	Current Likelihood	Current Risk Rating
		5	5	25
Risk Description: Inability to deliver the Cullompton Town Centre Relief Road				
Risk Owner: Adrian Welsh		Risk Type: Economic/Financial		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR10.1	Alternative Funding: Alternative funding opportunities continually being explored.	Adrian Welsh	Action Required	20/07/2023
CR10.2	Ongoing Homes England Discussions: Officers discussing ongoing Housing Infrastructure Fund support and potential for other funding possibilities	Adrian Welsh	Action Required	20/07/2023
CR10.3	Ongoing discussions with land promoters: Ongoing discussions to maximise private funding potential.	Adrian Welsh	Action Required	20/07/2023
CR10.4	Land Assembly: As part of the next steps Officers also propose to continue land assembly discussions so as to seek opportunities to de-risk the project and assist in unlocking the scheme’s delivery.	Richard Marsh	Action Required	20/07/2023
CR10.5	Continue to develop and deliver complementary projects: Continued delivery of related schemes (such as the Railway Station and the Heritage Action Zone public realm scheme) help to demonstrate the case for investment in the town and that Cullompton is geared up for delivery.	Adrian Welsh	Action Required	20/07/2023

CR10.6	Government Lobbying: Working with local MPs, Devon County Council and senior Members to lobby for investment.	Richard Marsh	Action Required	20/07/2023
<b>Notes:</b> Mitigating Actions CR10.2 to CR10.6 were added in July 2023.				

CR11	Cost of Living Crisis	Current Severity	Current Likelihood	Current Risk Rating
		4	4	16
<b>Risk Description:</b> The high rates of inflation experienced in 2022 and 2023 have the potential to impact on council employees, residents, communities and businesses in Mid Devon. In turn this may affect the council in terms of increased costs, reduced council income, and put additional pressure on council services.				
Risk Owner: Dean Emery		Risk Type: Financial, Social		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR11.1	Benefit administration: The council delivers a range of benefits which support the financial position of our residents. This includes the Housing Support Fund, Discretionary Housing Fund, and the Exceptional Hardship Fund.	Fiona Keyes	Fully Effective	16/06/2023
CR11.2	Council Tax Reduction Scheme: The council has introduced a new scheme (from 1 April 2023) which provides a more generous level of support.	Fiona Keyes	Fully Effective	16/06/2023
CR11.3	Shared Prosperity Fund (SPF): The SPF and Rural England Prosperity Fund Investment Plans have a number of projects designed to support businesses and community organisations over Jan 2023 – March 2025. This includes grant schemes to support innovation and decarbonisation projects including those that reduce energy costs and increase productivity.	Zoë Lentell	Fully Effective	16/06/2023
<b>Notes:</b> Housing Support Fund: Payments are made with funding issued to Devon County Council (DCC) from the Department for Work and Pensions (DWP). Support is made available by issuing vouchers for food and energy costs. Funding is spent within timescales outlined by the DWP. Discretionary Housing Fund: Funding received from DWP and there are legal rules as to how this is distributed, rather than allowing for local policy. Exceptional Hardship Fund: Money from DCC				

CR12	Housing Crisis	Current Severity	Current Likelihood	Current Risk Rating
		4	3	12
<b>Risk Description:</b> Failure to supply sufficient housing to meet Mid Devon’s needs leading to increased homelessness and increased temporary accommodation (TA). There may be insufficient TA to meet demand and financial pressure is placed on the Council through increasing volume of and dispersed provision of TA. Co-linked failure to prevent homelessness occurring through increasing demand on resources, poor existing housing and failure to meet prevention duty/deliver mitigating actions including support to vulnerable residents.  It is a statutory duty on the Council to prevent and provide relief/assistance to people threatened with or actually presenting as homeless. There is a local, regional and national shortage of affordable housing including social housing at the most affordable social rent level with a significant, growing waiting list of those registered on Devon Home Choice. Together with the current, ongoing cost of living crisis and other pressures this is leading to a growing housing crisis.				
Risk Owner: Simon Newcombe		Risk Type: Financial, Social		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR12.1	MDDC Housing Strategy 2021-2025: Coherent, corporate approach to providing affordable homes and maintaining housing quality	Simon Newcombe	Action Required	16/06/2023
CR12.2	MDDC Homeless Prevention & Rough Sleeping Strategy 2020-2025: Focus on rough sleeping, prevention, accommodation options and client support	Simon Newcombe	Satisfactory	16/06/2023
CR12.3	Strategic lobbying on social housing funding, flexibilities and homelessness pressures: Continued membership of DLUHC LA Strategic Housing Advisory Group	Simon Newcombe	Satisfactory	16/06/2023
CR12.4	Devon Housing Forum: Regional engagement and collaboration on affordable housing delivery and supported housing – continued engagement	Simon Newcombe	Satisfactory	16/06/2023
CR12.5	Local Plan housing delivery: Market provision of affordable homes	Tristan Peat	Action Required	16/06/2023
CR12.6	Mid Devon HRA Development Programme: 500 new homes 2022/23 – 2026/27	Simon Newcombe	Satisfactory	16/06/2023
CR12.7	Temporary Accommodation: Opportunities to purchase HMO or similar shared market accommodation to meet TA	Simon Newcombe	Satisfactory	16/06/2023



	needs/successful business cases made into capital programme. Two HMOs recently purchased, available 2023/24			
CR12.8	Empty Homes: Bringing empty homes back in to use/local leasing scheme for TA (link to CR12.7) or to alleviate wider	Simon Newcombe	Action Required	16/06/2023
CR12.9	Long-term development voids: Effective use of long-term development voids in Mid Devon Housing stock as TA where safe	Simon Newcombe	Fully effective	16/06/2023
CR12.10	Ivor Macey House: Ongoing provision of Ivor Macey House supported TA accommodation (MDH HRA lease to G/F)	Simon Newcombe	Fully effective	16/06/2023
CR12.11	Housing Options team staff case load resourcing: Rolling review and successful vacancy approvals	Simon Newcombe	Satisfactory	16/06/2023
CR12.12	Homelessness Prevention Grant: Full utilisation of Homelessness Prevention Grant	Simon Newcombe	Satisfactory	16/06/2023
CR12.13	Funding applications: Successful bids into DLUHC Rough Sleeper Initiative (RSI). £300k+ RSI secured over 3-year programme from 2022/23	Simon Newcombe	Satisfactory	16/06/2023
CR12.14	Successful drawdown of Local Authority Housing Funding (2023/24): Homes for Ukraine/Afghan Schemes, two properties purchased under Phase 1, Phase 2 under review	Simon Newcombe	Satisfactory	16/06/2023
CR12.15	Private Sector Homes for Ukraine: Team Devon Homes for Ukraine scheme Private Sector Housing transition support	Simon Newcombe	Satisfactory	16/06/2023
CR12.16	Residents Financial Support: Cost of living pressure, grants and signposted support, help with/access to benefits ( <a href="https://www.middevon.gov.uk/residents/residents-financial-support/">https://www.middevon.gov.uk/residents/residents-financial-support/</a> )	Dean Emery	Satisfactory	16/06/2023
CR12.17	Housing Assistance Policy (Better Care Funding): living well at home/homeless prevention and Home Start grants/loans	Simon Newcombe	Satisfactory	16/06/2023
<p><b>Notes:</b></p> <p>There has been an increase in those seeking assistance from the Council due to homelessness of 52% since 2020/21 (550 presentations vs 837 in 2022/23). The level of case complexity is also increasing, impacting on caseload capacity and ability to seek accommodation and support clients appropriately to develop effective Personal Housing Plans.</p> <p>Increased regulation and pressures on private sector landlords are resulting in a fall in available private rented accommodation through sale of homes and/or increased switch to short-term holiday let accommodation or other uses. Resultant supply/demand pressures are driving rents</p>				

upwards beyond inflationary levels in the remaining stock. This impacts financially vulnerable residents further and reduces options for effective homelessness interventions.

Providing the relevant type and volume of TA to meet our statutory responsibilities continues to become more challenging. Beyond increasing demand there is a reduction in available 'spot purchased' accommodation due to changing accommodation market with fewer hotel/B&B bed spaces available for TA with several major national or regional providers withdrawing availability in recent years. More family group presentations, increased complexity of cases and more vulnerable needs means less accommodation is suitable and/or fewer providers are willing to provide accommodation due to actual or perceived level of risk.

Growing refugee support schemes (e.g. Afghan and Homes for Ukraine) increases risk of homelessness presentations further, notably as schemes end and national support is reduced with a legal duty for housing continuing to be held locally.

Other statutory housing standards work (notably damp & mould/Awaab's law and fire safety) will continue to divert potential resource away from some mitigating actions to proactively reduce this risk.

This risk also has interdependencies with Corporate Risk 11: Cost of Living Crisis.

CR13	Operation of a Waste Management Service	Current Severity	Current Likelihood	Current Risk Rating
		4	3	12
<b>Risk Description:</b> Operating and maintaining a continuous waste management service across Mid Devon within budget faces a range of risks. These include staff recruitment and retention, workforce sickness and the maintenance and operation of fleet vehicles.				
Risk Owner: Matthew Page		Risk Type: Financial, Technical, Reputational		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR13.1	Workforce management: Regularly reviewing (Morning Managers' catch-up calls, monthly budget monitoring and quarterly performance reviews) the state of the workforce and how it is performing in terms of vacancies, recruitment, sickness and the impact it is having on collections and rounds. This also includes reviewing our Business Continuity Plan and whether we need to widen the flexible provision of the workforce.	Darren Beer	Satisfactory	21/07/2023

CR13.2	Employment Trends: Review trends in the wider employment market regarding key workers including HGV drivers and what the Council needs to do to ensure we are industry competitive regarding recruitment.	Darren Beer	Satisfactory	21/07/2023
CR13.3	Fleet Vehicles: Vehicle provision including maintenance and operation is reviewed on a daily basis by the Fleet Manager. Two weekly meetings are set up with SFS (maintenance and lease provider) backed up by quarterly meetings with MDDC and SFS management. Regular meetings are set up with other MDDC services that use the fleet to ensure current contractual guidelines and compliance are adhered to.	Darren Beer	Satisfactory	21/07/2023

**Notes:**

Risk Likelihood has increased from 2 to 3, increasing overall risk rating from 8 to 12. Change in risk due to increased levels of sickness which includes several cases of long term sickness.

CR14	Workforce Shortage	Current Severity	Current Likelihood	Current Risk Rating
		3	2	6
Risk Description: If the Council fails to manage sickness absence, recruit and/or retain sufficient suitable staff it may not be able to maintain essential and/or statutory services.				
Risk Owner: Matthew Page		Risk Type: Legal, Financial, Reputational		
Mitigating Actions		Responsible Officer	Current Effectiveness	Review Date
CR14.1	Sickness Absence: Review and monitor sickness absence data to identify trends and patterns behind sickness absence	James Hamblin	Satisfactory	01/08/2023
CR14.2	Monitor and Manage Staff Turnover: Review data from the exit interview process to identify trends and patterns behind why staff leave.	James Hamblin	Satisfactory	01/08/2023
CR14.3	Retention: Consideration of employee benefits at the Council.	James Hamblin	Satisfactory	01/08/2023
Notes: CR14 Added to the Corporate Risk Register in August 2023. There are relatively high sickness absence levels which reflect national trends.				

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## **Report for: Cabinet**

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Date of Meeting:	29 August 2023
Subject:	<b>2023/24 QUARTER 1 MONITORING</b>
Cabinet Member:	Cllr James Buczkowski, Cabinet Member for Finance
Responsible Officer:	Andrew Jarrett, Deputy Chief Executive (S151)
Exempt:	N/A
Wards Affected:	All
Enclosures:	Appendix A – General Fund Summary Appendix B – General Fund Service Variances Appendix C – Employee Cost Summary Analysis Appendix D – Income Summary Analysis Appendix E – HRA Summary and detail variances Appendix F – Capital Programme Summary

### **Section 1 – Summary and Recommendation(s)**

To present the forecast Outturn position for the General Fund, Housing Revenue Account and Capital Programme for the financial year 2023/24.

#### **Recommendation(s):**

##### **1. The Cabinet are asked to:**

- a) **Note the financial monitoring information for the income and expenditure for the three months to 30 June 2023 and the projected outturn position;**
- b) **Agree the amendment to the Capital Programme of £3,733k reflecting the inclusion of Leasing costs in line with amended regulations and other additions since the budget was set;**
- c) **Note the updated Treasury Management reporting as required by regulation, and recommend that Council approves the changes to the treasury and prudential indicators in tables 6.3.1 and 6.3.2;**
- d) **Note the use of Waivers for the Procurement of goods and services as included in Section 9.**

## Section 2 – Report

### 1.0 Introduction

- 1.1 This report contains information relating to the Council's overall financial performance for the 2023/24 financial year. Monitoring the Budget is an important part of the Council's performance management framework. The aim is to keep a tight control on spending on services within a flexible budget management framework.
- 1.2 The purpose of this report is to highlight to Cabinet our current financial status and the likely reserve balances at 31 March 2024. It encompasses both revenue, in respect of the General Fund, the Housing Revenue Account (HRA), and Capital Programme. The detail underpinning these projections is included within the body of report in the following sections / appendices:
- The projected General Fund outturn position for 2023/24 (**Section 3 + Appendices A to D**);
  - The projected HRA Outturn position for 2023/24 (**Section 4 + Appendix E**);
  - The projected Capital Outturn position for 2023/24 (**Section 5 + Appendix F**);
  - Summary Treasury Management position (**Section 6**);
  - Collection Fund Update (**Section 7**);
  - The projected Reserves Outturn position for 2023/24 (**Section 8**);
  - The Procurement Waivers utilised during the quarter (**Section 9**).
- 1.3 Favourable variances generating either increased income or cost savings are expressed as credits (negative numbers), whilst unfavourable overspends or incomes below budget are debits (positive numbers). Any variance against the agreed budget will impact on the Council's reserves. This monitoring focuses on significant budget variances (+/- £20k), including any remedial action where necessary leading to an estimated overall Outturn position.
- 1.4 The Council's financial position will be constantly reviewed to ensure its continued financial health and delivery of excellent Value for Money.
- 1.5 This report also includes Section 9 which updates Members on the use of Procurement Waivers during the first quarter of 2023/24. A procurement waiver is where contract procedure regulations have not been applied due to exceptional circumstances, such as urgency of the goods/services being required, or the specialist nature of the goods/services where there is no effective competition to provide it.
- 1.6 Members should note that officers have also identified areas where some unbudgeted expenditure can be mitigated through the use of earmarked reserves. Therefore this is shown in Appendix A within the individual service areas enabling clarity on the overall forecast outturn variance that will affect General Reserves.

- 1.7 A summary of the Council's Treasury Management year end position is shown in Section 8. This now includes further detail as required by new regulations.

## **2.0 Executive Summary of 2023/24**

- 2.1. The report indicates a projected General Fund outturn variance of £527k over spend and a HRA outturn variance of £346k under spend. In respect of the Capital Programme, there is a variance of £26,241k against the 2023/24 Deliverable Budget, this is explained through a forecast £59k underspend, £1,229k overspend and slippage of £27,411k across various projects. These forecasts will continue to be refined during the year, which should result in more accurate year end forecasts.
- 2.2. The General Fund position must be considered against the position agreed by Full Council in March to draw £625k from General Reserves to balance the budget and the £400k vacancy saving target to be identified in-year. Therefore, to have reduced this £1,025k challenge to £527k is actually disciplined budgetary control and a reduction to the planned draw from reserves of £98k. Therefore, the reported position should be considered positively at this point in the year.
- 2.3. Although overall targeted staffing savings are on track, the Council continues to struggle with recruitment and retention particularly within Waste requiring higher usage of agency staff than planned. Some service areas that were dependent upon agency support have reduced or removed this requirement through successfully filling roles. Therefore forecast outturn agency costs are significantly lower than last year.
- 2.4. In respect of income, there are significant reductions in Planning and Building Control income due to the increasingly depressed housing market leading to fewer planning applications and build sign offs.
- 2.5. If the forecast level of overspend is required to be covered from General Reserves, this will reduce the balance to £1,497k rather than the planned £1,400k, thereby reducing the requirement by £98k. However, this is below the agreed minimum £2m balance and therefore action needs to be taken to address the matter, through the wider MTFP strategy.

## **3.0 The General Fund**

- 3.1. The forecast General Fund over spend for the current year is £527k after transfers to and from Earmarked Reserves. A summary explanation of these key variances is shown in **Appendix A**, service by service. **Appendix B** also provides the detail of the key variances and those above £20k (+ or -) at individual service level to enable full transparency of the position.

- 3.2. The table below shows the overall Budget, Forecast and Variance, summarised for 2023/24.

*Table 1 – General Fund Summary*

<b>Financial Summary for 2023/24</b>	<b>2023/24 Budget £</b>	<b>2023/24 Forecast £</b>	<b>2023/24 Variance £</b>
Total Net Cost of Services	15,664,819	15,834,270	169,451
Other Income and Expenditure	(3,201,584)	(2,862,678)	338,905
<b>Total Net Budgeted Expenditure</b>	<b>12,463,235</b>	<b>12,971,593</b>	<b>508,356</b>
<b>Total Funding</b>	<b>(12,463,235)</b>	<b>(12,444,489)</b>	<b>18,746</b>
<b>Net Income and Expenditure</b>	<b>0</b>	<b>527,102</b>	<b>527,102</b>

- 3.3. The current incomes from our major fee income streams are shown in **Appendix C**. It shows that the full year forecast Income variance is £131k above budget. However, this excludes the impact of £68k reduced recycle income. The lower than forecast income in Planning and Building Control reflect the economic/market conditions. Car Parking income is slightly down on budget due to the delay in implementing the tariff increases. Within Waste, Garden and Trade waste is healthy and above forecasts, however recycle prices, which are excluded from Appendix C, have dropped and therefore this income stream is lower than expected. Similarly, waste disposal charges have increased by £20 per tonne. Other Service income streams remain relatively close to expectations.
- 3.4. The current employee costs are shown at Appendix D. It shows a full year forecast under spend of £273k, after taking into account the £400k vacancy target included within Corporate Management (with the actual savings shown against the respective service areas). This is due to continued vacancies and in some cases increased sickness absence. Notable savings are being made in Property, Economic Development, Planning and IT due to vacancies not being filled. All vacancies are fully reviewed to consider if the position can be removed permanently. Within Public Health, the use of Homes for Ukraine funding is offsetting the administrative cost of operating the scheme on behalf of the government. No service is showing an over spend on staff costs.
- 3.5. The forecast impact on the outstanding local government pay award has been amended from the assumed 5.5% budgeted uplift, to reflect the current (rejected) offer of the higher of £1,925k or 3.88%. This creates a relatively minor variance (+ or -) in each service area depending on the average pay in that area.
- 3.6. Agency Spend to date continues to be high following on from 2022/23. This is particularly applicable to Waste which has high levels of sickness in the year so far and is required to maintain the service. This is partially offset by underspends on the staffing establishment, leading to a net additional cost of



£226k. However, some vacancies have been filled, in planning for example, meaning that the forecast for the remainder of the year is markedly lower than in the prior year. This reduction is also driven in part by the need to offset the vacancy target and the agreed draw from general reserves. Some agency is funded by grant to undertake specific project work, such as economic development.

- 3.7. The Other Income and Expenditure variance shown in the table within para 3.2 above, includes the budgeted £625k draw from General Reserves, whereas the final outturn variance will be the actual transfer to or from General Reserves. Therefore the £625k is not shown to be drawn at this time.
- 3.8. Interest received on temporary treasury investments were higher (£94k) than budget due to continued increase in interest rates following setting the budget.
- 3.9. Following the rejection of business plans submitted by the Council's subsidiary company, 3 Rivers Developments Ltd, and the decision to only allow the company to complete their live developments, further impairments were processed at 2022/23. Depending on the future of the company, additional impairments will likely be required. Both live developments are entering their final stages with completion on St George's expected imminently and by the end of the year at Bampton.

#### **4.0 Housing Revenue Account (HRA)**

- 4.1. This is a ring-fenced reserve in respect of the Council's housing landlord function. It is increased or decreased by the surplus or deficit generated on the HRA in the year. At Quarter 1 2023/24 the forecast year end budget position is a net surplus of £346k. An explanation of the key variances and those above £20k + or -) are highlighted within **Appendix E**.
- 4.2. A snapshot of a number of the more significant variances identified giving rise to the forecast surplus:
  - £251k salary savings due to vacant posts and delays in filling vacancies, net of pay award;
  - £200k overspend on external contractors this largely as a consequence of staff shortages;
  - £50k additional spend requirement on materials;
  - £94k additional investment income on cash balances;
  - £211k underspend forecast on capital financing costs due to slippage to the 2023/24 projected capital spend;
  - £55k surplus between housing and garage rents
- 4.3. It is anticipated that the forecast variance will increase the budgeted transfer to the Housing Maintenance Fund and so the HRA reserve balance will remain at £2m.

## **5.0 Capital Programme**

5.1. The Capital Quarter 1 summary is attached as Appendix F to this report. The total Capital Programme Approval is £139,277k, although much of this is planned to be spent in future years. Therefore a Deliverable Programme for 2023/24 of £66,296k has been set. These schemes will continue to be funded as before through a mix of unspent Capital Grants, Capital Earmarked Reserves or Prudential Borrowing. The Deliverable Programme detailed above has been adjusted by £3,733k for the following additional projects that have been identified since setting the budget:

- Forecast Lease additions are now included in the Capital Programme as they contribute to our Capital Financing Requirement, these are all related to Vehicles £347k in the General Fund and £180k in the HRA;
- Two additional properties have been purchased to help with the Private Sector Housing need by utilising government grants; these amount to £371k, this includes the initial purchase price and required works in order to bring them into use. It is anticipated that there will be two more acquisitions during 23/24;
- £347k Capital Grant Funding has been received for The Shared Prosperity Fund and Rural England Prosperity Fund. It is anticipated that this will be spent during 2023/24 to help improve the vibrancy of Town Centres;
- £2,488k to be made available to 3 Rivers in order to complete those developments currently under construction in line with the Full Council decision.

5.2. At Quarter 1 the actual, committed and forecast spend for 2023/24 amount to £17,486k; leaving a variance of £48,810k against the 2023/24 Deliverable Budget. Of which, £59k is an under spend; £1,229k is an over spend, £27,411k will slip into future years and £22,568k is no longer required. This can be explained by the following key variances.

### **£59k Under spend**

- £42k relating to Spin Bike replacement in our three Leisure sites (just to note this is partially offset by additional spend of £31k on other Leisure equipment projects at EVLC and LMLC).

### **£1,229k Over spend**

- £432k on various Housing schemes (Projects 8, 33 & 37) where we are ahead of anticipated profile in terms progress on feasibility work;
- £743k in relation to modular schemes in Tiverton and Cullompton, additional funding has been achieved for these projects and is referred to on Appendix F.

**£27,411k Slippage into future years**

- £13,138k Cullompton Town Centre Relief Road (HIF project) – project currently on hold following the second rejection of a bid for Levelling-up Funding – alternative funding options continue to be explored;
- £1,000k Land Acquisition – Continuation of search for suitable site;
- £13,273k various HRA development projects to be completed largely in 2024/25 and 2025/26.

**£22,568 Budget no longer required**

- £22,061k relating to 3 Rivers schemes of which delivery is being further considered;
- £396k relating to CVSC potential energy savings works – as funding bid was unsuccessful;
- £111k relating to HRA development Project 41 as this was spent in 2022/23.

5.3. The expenditure will be funded by the use of £1,491k of Capital Receipts (including 1-4-1 receipts), £1,733k grant funding, £5,470k Revenue Contributions such as S106 or utilisation of reserves and £8,792k through internal borrowing. No further external borrowing has been required during the year.

5.4. The movement on the Capital Receipts Reserve for the year is given below:

*Table 3 – Capital Receipts Reserve Summary*

<b>Capital Receipts Reserve Summary</b>	<b>£k</b>
<b>Balance at 1 April 2023</b>	<b>(7,309)</b>
Sale of Council Houses (nil to date – forecast 10)	(909)
General Fund Sales	(49)
Pooling of Housing Capital Receipts to Government	0
Forecast Capital Receipts to be applied in year	1,491
<b>Balance at 31 March 2023</b>	<b>(6,776)</b>

Note – the remaining balance of £6,776k is committed in order to fund any slippage, specific projects in ICT and Private Sector Housing and to balance the Capital Medium Term Financial Plan.

5.5. Only £72k is expected to be required from the Capital Earmarked Reserve to fund capital projects; therefore, the forecast balance on this reserve is £143k at 31<sup>st</sup> March 2024. This remaining balance is committed to fund any slippage and to balance the Capital Medium Term Financial Plan.

5.6. The Council also holds New Homes Bonus which can be used for either Revenue or to support future Capital Programmes, the balance held at 31 March 2023 is £2,883k again, of which £401k is committed to support the 2023/24 Revenue Budget and £472k is expected to fund the forecast Capital spend for 2023/24 and a further £650k of this remaining balance to fund future

Capital Spend. The remainder is expected to be used to support future Revenue spending.

## 6.0 Treasury Management

6.1. The CIPFA (Chartered Institute of Public Finance and Accountancy) Code of Practice for Treasury Management 2021 introduced a new requirement for 2023/24 that members be updated on treasury management activities and indicators at least quarterly. This section, therefore, ensures this Council is implementing best practice in accordance with the Code.

### 6.2. Prudential and Treasury Indicators for 2023/24 as of 30 June 2023

6.3. It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits. During the quarter ended 30 June 2023, the Council has operated within the treasury and prudential indicators set out in the Council's Treasury Management Strategy Statement for 2023/24 (approved at Full Council 08/03/2023). The Deputy Chief Executive (S151) reports that no difficulties are envisaged for the current or future years in complying with these indicators.

6.3.1. The Council's updated treasury indicators for 2023/24 are as follows:

Treasury Indicators	2023/24 Original Forecast £000	2023/24 Q1 Updated Forecast £000
Authorised Limit for External Debt	107,000	64,000
Operational Boundary for External Debt	98,000	55,000
Gross External Debt	45,910	33,450
Short-Term Investments	10,000	20,000
Net Borrowing	35,910	13,450

6.3.2. The Council's updated prudential indicators for 2023/24 are as follows:

Prudential Indicators	2023/24 Original Forecast £000	2023/24 Q1 Updated Forecast £000
<b>Capital Expenditure</b>	<b>64,826</b>	<b>17,486</b>
<i>Of which General Fund</i>	17,084	4,005
<i>Of which HRA</i>	21,634	9,745
<i>Of which Loans to Subsidiary Company</i>	26,108	3,736
<b>Capital Financing Requirement (CFR)*</b>	<b>96,793</b>	<b>53,623</b>
<i>Of which General Fund</i>	14,223	9,832
<i>Of which HRA</i>	51,934	43,791
<i>Of which Loans to Subsidiary Company</i>	30,636	0
<b>Annual Change in CFR</b>	<b>25,814</b>	<b>(10,969)</b>
<b>In-Year Borrowing Requirement</b>	<b>12,500</b>	<b>0</b>

*\*see 6.4 for more information*

## **6.4. Investment Portfolio**

6.4.1. In accordance with the Code, it is the Council's priority to ensure security of capital and liquidity, and to obtain an appropriate level of return which is consistent with the Council's risk appetite. Continued increases to Bank Rate throughout the first quarter of the year, and anticipated future increases, have led to steady increases in rates offered by banks and building societies, with current rates far exceeding levels seen over recent years. These increases appear to be levelling off, but due to the timing of deposits, the full benefit of the higher interest rates will not be seen until late 2023/24.

6.4.2. The Council's investment portfolio as at 30 June 2023 was made up of short term investments/deposits to the value of £22.92m, comprising of £21.50m in fixed term investments and £1.42m in NatWest call accounts. In addition to this, the Council also holds £5.00m in the CCLA commercial property fund.

6.4.3. The following table shows short term investments/deposits held as at 30 June 2023.

<b>Institution</b>	<b>Principal £000</b>	<b>Interest Rate</b>	<b>Start Date</b>	<b>Maturity Date</b>
Thurrock Council	2,000	3.550%	25/10/2022	24/10/2023
West Dunbartonshire Council	2,000	3.900%	25/10/2022	25/07/2023
NBK International PLC	2,000	5.020%	02/05/2023	02/11/2023
NBK International PLC	2,000	4.700%	02/05/2023	02/08/2023
NBK International PLC	1,000	4.970%	15/05/2023	15/11/2023
Santander	2,000	4.600%	15/05/2023	15/08/2023
Goldman Sachs International Bank	2,500	4.835%	26/05/2023	29/08/2023
Goldman Sachs International Bank	2,500	4.840%	01/06/2023	01/09/2023
Santander	2,000	4.930%	16/06/2023	18/09/2023
DMO	3,500	4.880%	26/06/2023	03/07/2023

6.4.4. The Council received an average return of 4.21% on investments during the first three months of 2023/24, up from 0.57% at the same point in the previous year. Returns during the early part of 2023/24 were weakened slightly by maturing investments made before the full extent of Bank Rate increases was known, and so this rate is slightly below the interest rates on offer during that time. Performance is expected to improve marginally through the rest of 2023/24 following further increases to interest rates.

6.4.5. The Council currently has £5m deposited with the CCLA (Churches, Charities and Local Authorities) Local Authorities' Property Fund, which pays dividends quarterly. For the first quarter of 2023/24, dividends of £55k (4.39%) were

received, up from £47k (3.73%) for the same period in 2022/23. There has been a small decrease in fund value of £6k during the first quarter of 2023/24. The Council's share in the fund is now valued at £4.632m.

- 6.4.6. Officers can confirm that the approved limits within the Annual Investment Strategy were not breached during the quarter ended 30 June 2023.

## 6.5. Borrowing

- 6.5.1. The Council has no short-term borrowing but has existing PWLB loans of £33.310m as at 30 June 2023, in addition to £2.037m in finance leases.

- 6.5.2. The Council's revised Capital Financing Requirement (CFR) for 2023/24 is £53.623m, a reduction against the original forecast due to slippage and underspends in the Capital Programme (see 5.2 for more detail). The CFR denotes the Council's underlying need to borrow for capital purposes. If the CFR is positive the Council may borrow from the PWLB or the market (external borrowing) or from internal balances on a temporary basis (internal borrowing). The balance of external and internal borrowing is generally driven by market conditions. Table 6.3.1 shows the Council has forecast borrowings at 31 March 2024 of £33.450m, and so will have utilised £20.173m of cash flow funds in lieu of borrowing to finance the CFR of £53.623m shown in table 6.3.2.

- 6.5.3. There has so far been no new borrowing in 2023/24, and it is expected that there will not be a need for new borrowing before the end of the financial year. This is a reduction in the level of borrowing forecast at the start of the year, which originally stood at £12.500m, and is mainly due to slippage in the Capital Programme.

## 6.6. Economic Update

- 6.6.1. The Council's treasury advisor, Link Group, provided the following forecasts on 26 June 2023 (PWLB rates are certainty rates, gilt yields plus 80bps):

Link Group Interest Rate View	26.06.23													
	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24	Mar-25	Jun-25	Sep-25	Dec-25	Mar-26	Jun-26	
BANK RATE	5.00	5.50	5.50	5.50	5.25	4.75	4.25	3.75	3.25	2.75	2.75	2.50	2.50	
3 month ave earnings	5.30	5.60	5.50	5.30	5.00	4.50	4.00	3.50	3.00	2.70	2.60	2.50	2.50	
6 month ave earnings	5.80	5.90	5.70	5.50	5.10	4.60	4.00	3.50	3.00	2.70	2.60	2.60	2.60	
12 month ave earnings	6.30	6.20	6.00	5.70	5.30	4.80	4.10	3.60	3.10	2.80	2.70	2.70	2.70	
5 yr PWLB	5.50	5.60	5.30	5.10	4.80	4.50	4.20	3.90	3.60	3.40	3.30	3.30	3.20	
10 yr PWLB	5.10	5.20	5.00	4.90	4.70	4.40	4.20	3.90	3.70	3.50	3.50	3.50	3.40	
25 yr PWLB	5.30	5.40	5.20	5.10	4.90	4.70	4.50	4.20	4.00	3.90	3.80	3.80	3.70	
50 yr PWLB	5.00	5.10	5.00	4.90	4.70	4.50	4.30	4.00	3.80	3.60	3.60	3.50	3.50	

- 6.6.2. It is now expected that the MPC will continue to increase Bank Rate to at least 5.5%, and that it will remain elevated for a short period before it starts to gradually decline over the medium term.

6.6.3. The first quarter of 2023/24 saw:

- A 0.2% m/m rise in real GDP in April, partly due to fewer strikes;
- CPI inflation falling from 10.1% to 8.7% in April, before remaining at 8.7% in May. This was the highest reading in the G7;
- Core CPI inflation rise in both April and May, reaching a new 31-year high of 7.1%;
- A tighter labour market in April, as the 3myy growth of average earnings rose from 6.1% to 6.5%;
- Interest rates rise by a further 75bps over the quarter, taking Bank Rate from 4.25% to 5.00%;
- 10-year gilt yields nearing the “mini-Budget” peaks, as inflation surprised to the upside.

**6.7. Other**

6.7.1. During the quarter ended 30 June 2023, a further £977k was loaned to 3 Rivers Developments Limited, a wholly owned subsidiary company of the Council. The total outstanding loan value at this date was £21,052k. Interest of £289k was charged by the Authority in respect of these loans for the period 1 April 2023 to 30 June 2023.

**7.0 The Collection Fund**

7.1. Mid Devon is a Collection Authority for Council Tax and Non-Domestic Rates, and as such, is required to produce a Collection Fund Account for the Mid Devon area.

7.2. The Council collects Council Tax on behalf of Devon County Council, Devon Fire and Rescue Service, Devon & Cornwall Police and the Town/Parish Councils. The forecast Council Tax collection rate for 2023/24 is 96.38% (97.1% in 2022/23). The budget was based upon a collection rate of 96.5% and therefore this resulted in a forecast collection deficit of £12k for the year, with Mid Devon’s share of this amounting to £2k. In addition, there was a significant movement between the January collection forecast to the 2022/23 outturn position resulting in an additional deficit of £744k, with Mid Devon’s share being £98k. Therefore the overall deficit is £756k with £100k specifically applicable to Mid Devon District Council.

7.3. The Non-Domestic Rates collection rate is forecast to be 96.75% for 2023/24 (96.8% in 2022/23). This leads to a forecast collection deficit of £354k for the year, with Mid Devon’s 40% share of this amounting to £154k. In addition to this, the Devon Business Rates Pool is forecast to collectively make a surplus and Mid Devon’s share is forecast as £150k.

7.4. This demonstrates how our Revenues section has consistently been effective in collecting the annual charge in extremely challenging economic times.

## 8.0 Reserves

- 8.1. The General Fund Reserve is the major Revenue Reserve of the Council. It is increased or decreased by the surplus or deficit generated on the General Fund in the year. This reserve held a balance of £2,025k at the start of the year.
- 8.2. During the 2023/24 budget setting process a number of late changes were required in order to agree the budget. Given the timing of these changes, it required funding to be taken from the General Fund Reserve, which will reduce the balance below the minimum £2,000k requirement.
- 8.3. However, the actual reserve will be increased or decreased by the surplus or deficit generated on the General Fund in the year. As outline above, this is currently forecast to be £527k.
- 8.4. The table below shows the opening position of key operational balances of the Council, the forecast in year movements and final predicted position at 31 March 2024:

*Table 4 – Summary of Key Reserves*

<b>Usable Reserves</b>	<b>31/03/2023</b>	<b>Forecast In Year Movement</b>	<b>31/03/2023</b>
<b>REVENUE</b>	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>
General Fund (See Section 3)	(2,025)	527	(1,497)
Earmarked Reserves	(18,160)	192	(17,968)
<b>HOUSING REVENUE ACCOUNT</b> (See Section 4)	(2,000)	(346)	(2,346)
<b>CAPITAL</b> Receipts Reserve	(7,309)	533	(6,776)

- 8.5. The General Reserve held a balance of £2,025k as at 31/03/23 and as shown above is currently forecast to decrease to £1,497 due to the forecast £527k over spend. This falls below the agreed minimum of £2,000k. Cabinet, in consultation with the Deputy Chief Exec (S151), will need to consider whether the minimum level remains appropriate and assuming so, have a plan as to how and over what period it will be replenished back to the £2,000k minimum.

## 9.0 Procurement Waivers

- 9.1. In exceptional circumstances, there are sometimes justifiable reasons to act outside the contract procedure regulations. These include the following reasons:
- I. The work, goods or materials are urgently required, and loss would be entailed by delay arising from advertising;



- II. The work, goods or materials required are of such special nature that no advantage would accrue by inviting competitive tenders;
- III. There is no effective competition for the goods or materials required by reason of the fixing of prices under statutory authority or that such goods or materials are patented or proprietary articles or materials;
- IV. Transactions, which, because of special circumstances, may (either individually or as a class) be excepted from time to time by the Cabinet of the Council.

9.2. In such circumstances, prior written approval of the Deputy Chief Executive (S151) is required and Cabinet will be informed. Below is a list of the Procurement Waivers utilised during the first quarter of this financial year:

*Table 5 – Summary of Procurement Waivers applied*

Ref	Subject of the Waiver	Approximate Value £	Reason Code
1	Award of a contract for the supply only of windows, doors and shower wall panels and accessories 2023 - 2026	Up to £50k per annum	III
2	Renewal of Fire Alarm System at Lords Meadow	£22k	II
3	Housing Benefit Subsidy Audit	£20k	II
4	Opentext MetaStorm CRM Software maintenance renewal	£8k	I, II and III
5	Use of The Oyster Partnership to provide specialist agency workers to cover externally funded projects	£180k	I and II
6	Supply of First Aid & Lifeguard training/qualifications	£10k	II and III
7	Ongoing maintenance and repair of Godswill Baler	£170k	I, II and III
8	Completion of electrical works by MAT Electrical after Robert Heath Ltd left unfinished works	£25k	I

## 10.0 Conclusion

- 10.1. Members are asked to note the Revenue and Capital Outturn figures for the financial year 2023/24 and the use of procurement waivers during the quarter.
- 10.2. In addition, Members are requested to approve the addition of the Leasing budgets to the 2023/24 Capital Programme in line with updated regulations. Similarly, Members are asked to note the expanded Treasury Management information provided – again in line with updated regulations.
- 10.3. We continue to closely monitor the financial position and amend our expectations accordingly. The budget process for 2024/25 is now underway and Managers are working hard to develop proposals to mitigate the future year's forecast shortfalls.

### **Financial Implications**

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

### **Legal Implications**

None.

### **Risk Assessment**

Regular financial monitoring information mitigates the risk of over or underspends at year-end and allows the Council to direct its resources to key corporate priorities. Members will be aware that the Council continues to face a financially difficult and uncertain future. As such, the Strategic Risk Register (monitored by Audit Committee) includes a specific risk relating to this issue (CR7).

### **Impact on Climate Change**

The General Fund, Capital Programme and the Housing Revenue Account all contain significant investment in order to work towards the Council's Carbon Reduction Pledge.

### **Equalities Impact Assessment**

No equality issues identified for this report.

### **Relationship to Corporate Plan**

The financial resources of the Council impact directly on its ability to deliver the Corporate Plan prioritising the use of available resources in 2023/24. The Monitoring Report indicates how the Council's resources have been used to support the delivery of budgetary decisions.

## **Section 3 – Statutory Officer sign-off/mandatory checks**

### **Statutory Officer: Andrew Jarrett**

Agreed by or on behalf of the Section 151

**Date: 03/08/2023 via Leadership Team meeting**

### **Statutory Officer: Maria De Leburne**

Agreed on behalf of the Monitoring Officer

**Date: 08/08/2023 via Leadership Team meeting**

### **Chief Officer: Stephen Walford**

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

**Date: 08/08/2023 via Leadership Team meeting**

### **Performance and risk: Dr Stephen Carr**

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date: 23/05/2023**

**Cabinet member notified: Yes**

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Paul Deal, Corporate Manager for Finance, Property and Climate Change

Email: [pdeal@middevon.gov.uk](mailto:pdeal@middevon.gov.uk)

Telephone: 01884 23(4254)

**Background papers:** 2023/24 Budget Report to Cabinet / Full Council

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**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2023**

		2023/24 Annual Budget	2023/24 P3 Actuals	2023/24 Full Year Forecast	2023/24 Full Year Variance (0 = On budget)	2023/24 Variance Funded To/(From) Earmarked Reserves	2023/24 Variance after EMRs	2023/24 Full Year Variance (0 = On budget)
General Fund Summary	Appendix B Note Ref	£	£	£	£	£	£	%
<b>Cllr Luke Taylor (Leader)</b>								
Corporate Management	1a	1,337,539	3,096,682	1,552,539	215,000	0	215,000	16.1%
Performance & Improvement	1b	96,659	22,838	96,659	0	0	0	0.0%
<b>Cllr Simon Clist</b>								
Bereavement Services	2a	(32,239)	5,991	(32,239)	0	0	0	0.0%
Parks & Open Spaces	2b	340,379	43,725	360,379	20,000	(20,000)	0	0.0%
Commercial Estate	2c	(215,379)	(133,473)	(215,379)	0	0	0	0.0%
Property Services	2d	1,766,356	377,107	1,750,354	(16,002)	(8,998)	(25,000)	-1.4%
Community Alarms	2f	(95,482)	(40,711)	(95,482)	0	0	0	0.0%
Homelessness & Rough Sleeping	2g	22,923	(239,882)	(9,077)	(32,000)	0	(32,000)	-139.6%
Housing Options	2h	411,804	112,757	374,804	(37,000)	69,000	32,000	7.8%
<b>Cllr James Buczkowski</b>								
Financial Services	3a	843,489	140,216	843,489	0	0	0	0.0%
Revenues & Benefits	3b	849,153	940,651	811,003	(38,150)	0	(38,150)	-4.5%
<b>Cllr Jane Lock</b>								
Human Resources	4a	582,915	155,020	561,415	(21,500)	0	(21,500)	-3.7%
Customer Services	4b	680,491	166,701	680,491	0	0	0	0.0%
Communications	4c	109,152	23,689	109,152	0	0	0	0.0%
Legal & Democratic Services	4d	1,327,690	376,276	1,346,690	19,000	0	19,000	1.4%
<b>Cllr Josh Wright</b>								
Car Parks	5a	(545,510)	(44,316)	(535,510)	10,000	0	10,000	1.8%
Street Scene	5b	1,237,767	295,974	1,251,807	14,040	(15,340)	(1,300)	-0.1%
Waste Services	5c	2,225,484	786,230	2,418,484	193,000	0	193,000	8.7%
Fleet Management	5d	54,112	15,313	54,112	0	0	0	0.0%
<b>Cllr Steve Keable</b>								
Economic Development	6a	973,502	252,740	1,374,860	401,358	(390,857)	10,501	1.1%
Planning	6b	1,023,604	249,004	1,205,798	182,194	(38,294)	143,900	14.1%
<b>Cllr David Wulff</b>								
Recreation & Sport	7a	1,401,716	712,072	1,123,716	(278,000)	0	(278,000)	-19.8%
IT Services & Digital Transformation	7b	1,378,629	485,239	1,370,629	(8,000)	0	(8,000)	-0.6%
Pannier Market	7c	79,261	28,963	79,261	0	0	0	0.0%
Community Grants	7d	138,500	78,000	138,500	0	0	0	0.0%
Licensing	7e	24,378	(14,674)	24,378	0	0	0	0.0%
Public Health	7f	709,739	169,366	601,459	(108,280)	58,280	(50,000)	-7.0%
<b>Cllr Natasha Bradshaw</b>								
Climate change	8a	118,733	14,228	118,733	0	0	0	0.0%
<b>All General Fund Services</b>		<b>16,845,365</b>	<b>8,075,724</b>	<b>17,361,025</b>	<b>515,660</b>	<b>(346,209)</b>	<b>169,451</b>	<b>1.0%</b>
Net recharge to HRA		(1,883,810)	0	(1,883,810)	0	0	0	0.0%
Statutory Adjustments (Capital charges)		703,264	0	703,264	0	0	0	0.0%
<b>Net Cost of Services</b>		<b>15,664,819</b>	<b>8,075,724</b>	<b>16,180,479</b>	<b>515,660</b>	<b>(346,209)</b>	<b>169,451</b>	<b>1.1%</b>
Net Interest Payable / (Receiveable)		(851,487)	(33,900)	(945,486)	(94,000)	0	(94,000)	-11.0%
Transfers from General Reserves		(625,000)	0	0	625,000	0	625,000	100.0%
Transfers into / (from) Earmarked Reserves		(1,725,097)	(1,623,810)	(1,917,192)	(192,095)	0	(192,095)	-11.1%
<b>Total Budgeted Expenditure</b>		<b>12,463,235</b>	<b>6,418,015</b>	<b>13,317,802</b>	<b>854,566</b>	<b>(346,209)</b>	<b>508,356</b>	<b>4.1%</b>
<b>FUNDED BY:</b>								
<b>Business Rates</b>								
Retained Business Rates		(1,403,600)	1,140,631	(1,369,851)	33,749	0	33,749	2.4%
S31 Grant associated with Reliefs		(2,915,360)	(728,811)	(2,930,921)	(15,561)	0	(15,561)	-0.5%
Business Rates (Surplus)/Deficit		143,085	0	141,772	(1,313)	154,114	152,801	106.8%
Business Rates Benefit from Devon Pool		0	0	(150,000)	(150,000)	0	(150,000)	0.0%
<b>Council Tax</b>								
Council Tax		(6,724,350)	(6,724,354)	(6,724,350)	0	0	0	0.0%
Council Tax (Surplus)/Deficit (2022-23)		(24,680)	(48,807)	(24,680)	0	0	0	0.0%
<b>Un-Ringfenced Grants</b>								
New Homes Bonus Grant		(394,666)	(79,971)	(319,882)	74,784	0	74,784	18.9%
Rural Services Delivery Grant		(489,742)	(273,680)	(547,359)	(57,617)	0	(57,617)	-11.8%
2023/24 Services Grant		(85,970)	(22,376)	(89,506)	(3,536)	0	(3,536)	-4.1%
Revenue Support Grant		(98,468)	(26,586)	(98,468)	0	0	0	0.0%
Funding Guarantee Grant		(469,484)	(273,680)	(485,358)	(15,874)	0	(15,874)	-3.4%
<b>Total Budgeted Funding</b>		<b>(12,463,235)</b>	<b>(7,122,076)</b>	<b>(12,598,603)</b>	<b>(135,368)</b>	<b>154,114</b>	<b>18,746</b>	<b>0.2%</b>
<b>Forecast in year (Surplus) / Deficit</b>		<b>0</b>	<b>(704,061)</b>	<b>719,199</b>	<b>719,198</b>	<b>(192,095)</b>	<b>527,102</b>	
General Fund Reserve 31/03/23							(2,024,580)	
<b>Forecast General Fund Balance 31/03/2024</b>							<b>(1,497,478)</b>	

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**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2023**

Note	Description of Major Movements or those above £20k	2023/24 Full year variance (net of transfer to EMR) £	PDG
<b>1a</b>	<b>Corporate Management</b>		
	Vacant Director Post and other salary variances	(85,000)	Cabinet
	Vacancy target - salary savings included within specific service lines	300,000	Cabinet
		<b>215,000</b>	
<b>2b</b>	<b>Parks &amp; Open Spaces</b>		
	Tree works maintenance overspend across the District, funded by EMR release	10,000	Environment
	Play Area maintenance overspend, funded by EMR release	10,000	Environment
		<b>20,000</b>	
<b>2d</b>	<b>Property Services</b>		
	CCTV overspend on corporate buildings camera updates	10,000	Environment
	Asset Management valuations overspend due to rateable valuations appeals & identification of in-fill sites	35,000	Environment
	Roof repairs to Old Rd depot, funded from EMR	8,998	Environment
	Salary underspend due to vacant posts with Property Services (CMT lead & Facilities Supervisor)	(70,000)	Environment
		<b>(16,002)</b>	
<b>2g</b>	<b>Homelessness &amp; Rough Sleeping</b>		
	Homes for Ukraine income to help with Temp B&B accommodation increased budget	(32,000)	Homes
		<b>(32,000)</b>	
<b>2h</b>	<b>Housing Options</b>		
	Homes for Ukraine income to off-set budgeted staffing costs	(37,000)	Homes
		<b>(37,000)</b>	
<b>3b</b>	<b>Revenues &amp; Benefits</b>		
	Unbudgeted grant receipts and contributions from DWP	(38,150)	Cabinet
		<b>(38,150)</b>	
<b>4a</b>	<b>Human Resources</b>		
	Salary saving due to vacancy and opting out of pension scheme	(21,500)	Cabinet
		<b>(21,500)</b>	
<b>4d</b>	<b>Legal &amp; Democratic Services</b>		
	Legal Services - Salary underspend due to 2 vacancies, offset by agency costs	(14,000)	Cabinet
	Legal Services - Additional income on fees and charges	(10,000)	Cabinet
	Legal Services - slight overspend on supplies and services	3,000	Cabinet
	Elections - Overspend on District Election	40,000	Cabinet
		<b>19,000</b>	
<b>5a</b>	<b>Car Parks</b>		
	Pay & Display income down against budget in Q1 due to new tariff charges implementation delay	20,000	Economy
	Additional income received from Off-street fines	(10,000)	Economy
		<b>10,000</b>	
<b>5b</b>	<b>Street Scene</b>		
	Purchase of small plant equipment (EMR funded)	26,800	Environment
	Salary costs related to pay award	17,200	Environment
	Income from the sale of old small plant equipment (contribution to EMR)	(20,960)	Environment
	Fuel savings due to price per litre reducing	(13,500)	Environment
	Purchase of MaxWind street sweeper - EMR funded	9,500	Environment
	Agency cost to cover vacancies	24,000	Environment
	Salary saving due to vacancies	(29,000)	Environment
		<b>14,040</b>	
<b>5c</b>	<b>Waste Services</b>		
	Driver pay - market supplements to recruit and retain drivers	45,000	Environment
	Estimated pay award pressure	64,500	Environment
	Vacancy savings due to difficulty recruiting and retaining staff	(76,500)	Environment
	Additional agency to cover vacancies and sickness	192,800	Environment
	Additional hire vans to deliver bins and recycling boxes	10,000	Environment
	Increased costs for recycling baler wire	30,000	Environment
	Fuel savings due to price per litre reducing	(41,300)	Environment
	Reduced recycling income due to price per tonne dropping despite tonnages increasing	68,500	Environment
	Increased garden waste income due to price increase and slight increase in permits	(90,000)	Environment
	Reduced sales of garden waste sacks	5,000	Environment
	Increased income from bulky waste collections due to price increase	(15,000)	Environment
	Trade waste income increase	(60,000)	Environment
	Waste disposal charges increased by £20 per tonne and increased tonnage	60,000	Environment
		<b>193,000</b>	

**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2023**

Note	Description of Major Movements or those above £20k	2023/24 Full year variance (net of transfer to EMR) £	PDG
<b>6a</b>	<b>Economic Development</b>		
	J28 Feasibility spend, funded by EMR release	194,000	Economy
	Growth & Economic Recovery savings from staff vacancies	(49,500)	Economy
	Growth & Economic Recovery projects funded by EMR release	10,603	Economy
	Crediton Masterplan spend, funded by EMR release	50,054	Economy
	Shared Prosperity match spend, funded by EMR release	85,923	Economy
	Shared Prosperity delayed Yr 1 spend, funded by EMR release	50,278	Economy
	Shared Prosperity Yr 2 spend, funded by DHLUC grant	182,772	Economy
	Shared Prosperity Yr 2 DHLUC grant	(182,772)	Economy
	Cullompton HAZ Project difference in forecast costs to forecast funding available	60,000	Economy
		<b>401,358</b>	
<b>6b</b>	<b>Planning</b>		
	Building Control savings from staff vacancies	(34,000)	Cabinet
	Building Control underachievement of income	49,000	Cabinet
	Development Control savings from staff vacancies	(108,000)	Community
	Development Control agency spend (partially offset by £10,400 EMR release)	23,800	Community
	Development Control underachievement of income	223,500	Community
	S106 - net Public Open Space receipts and expenditure	113,894	Community
	Local Plan reprofiled spend, based on new timetable and when technical evidence is needed (funds will be put back into EMR for spend in future years)	(86,000)	Cabinet
		<b>182,194</b>	
<b>7a</b>	<b>Recreation &amp; Sport</b>		
	Fitness income above budget mainly due to change in VAT treatment	(225,000)	Community
	Wetside income above budget due to overperformance of the swimming lesson programme and change in VAT treatment	(53,000)	Community
		<b>(278,000)</b>	
<b>7b</b>	<b>IT Services &amp; Digital Transformation</b>		
	Salary underspend due to vacant posts not being filled	(78,000)	Cabinet
	Consultancy to support projects due to vacant posts	54,000	Cabinet
	Additional BT termination costs	16,000	Cabinet
		<b>(8,000)</b>	
<b>7f</b>	<b>Public Health</b>		
	Homes for Ukraine income to off-set budgeted staffing costs	(113,280)	Community
	Public Health agency overspend will be off-set by salary savings that are funded from COMF	55,000	Community
	Public Health salary savings due to vacant posts	(50,000)	Community
		<b>(108,280)</b>	
	<b>FORECAST (SURPLUS)/DEFICIT AS AT 31/03/2024</b>	<b>515,660</b>	

Note the sum of the explanations above do not equal the full variance - they are only those key variances or above £20k

Cabinet	95,350
Community	(133,086)
Homes	(69,000)
Environment	211,038
Economy	411,358
	<b>515,660</b>



**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2023**

<b>Fees and Charges</b>	<b>2023/24 Annual Budget £</b>	<b>2023/24 P3 Profiled Budget £</b>	<b>2023/24 P3 Actual £</b>	<b>2023/24 P3 Variance £</b>	<b>2023/24 Full Year Forecast Variation £</b>	<b>%</b>
Building Control Fees	(266,328)	(66,582)	(49,516)	17,066	48,800	-18%
Planning Fees	(896,000)	(224,000)	(188,119)	35,881	223,500	-25%
Land Search Fees	(120,000)	(30,000)	(27,024)	2,976	0	0%
Car Parking Fees - See Below	(966,870)	(204,256)	(184,144)	20,112	20,000	-2%
Leisure Fees & Charges	(2,931,266)	(629,505)	(516,723)	112,782	(278,000)	9%
Trade Waste Income	(894,660)	(493,852)	(526,722)	(32,870)	(60,000)	7%
Garden Waste	(630,000)	(148,140)	(193,619)	(45,479)	(85,000)	13%
Licensing	(165,875)	(32,880)	(30,339)	2,541	0	0%
Market Income	(98,180)	(24,403)	(23,380)	1,023	0	0%
	<b>(6,969,179)</b>	<b>(1,853,618)</b>	<b>(1,739,587)</b>	<b>114,031</b>	<b>(130,700)</b>	<b>1.9%</b>

<b>Car Parking Fees</b>	<b>2023/24 Annual Budget £</b>	<b>2023/24 P3 Profiled Budget £</b>	<b>2023/24 P3 Actual £</b>	<b>2023/24 P3 Variance £</b>	<b>Spaces</b>	<b>2023/24 Budgeted Income pa per space £</b>
Beck Square, Tiverton	(65,070)	(16,268)	(17,228)	(961)	40	(1,627)
William Street, Tiverton	(34,510)	(8,973)	(7,722)	1,250	45	(767)
Westex South, Tiverton	(61,960)	(16,110)	(13,783)	2,326	51	(1,215)
Wellbrook Street, Tiverton	(22,660)	(5,665)	(3,233)	2,432	27	(839)
Market Street, Crediton	(38,410)	(9,987)	(9,561)	426	39	(985)
High Street, Crediton	(116,410)	(27,938)	(19,694)	8,245	190	(613)
Station Road, Cullompton	(71,050)	(17,052)	(11,940)	5,112	112	(634)
Multistorey, Tiverton	(179,590)	(37,714)	(34,498)	3,216	631	(285)
Market Car Park, Tiverton	(187,330)	(44,959)	(45,473)	(514)	122	(1,535)
Phoenix House, Tiverton	(5,700)	(1,197)	(1,183)	14	15	(380)
P&D Shorts & Overs	0	0	6	6	-	0
<b>Total Pay and Display</b>	<b>(782,690)</b>	<b>(185,862)</b>	<b>(164,309)</b>	<b>21,553</b>	<b>1,272</b>	<b>(8,880)</b>
Day Permits	(50,590)	(6,997)	(6,997)	0		
Allocated Space Permits	(90,670)	(3,135)	(3,135)	0		
Overnight Permits	(1,470)	(252)	(58)	194		
Day & Night Permits	(33,820)	(1,903)	(4,003)	(2,101)		
Other Income	(7,630)	(6,108)	(5,642)	466		
<b>Total Permits</b>	<b>(184,180)</b>	<b>(18,394)</b>	<b>(19,835)</b>	<b>(1,441)</b>		
<b>Total Car Parking</b>	<b>(966,870)</b>	<b>(204,256)</b>	<b>(184,144)</b>	<b>20,112</b>		
<b>Standard Charge Notices (Off Street)</b>	<b>(50,000)</b>	<b>(12,000)</b>	<b>(16,715)</b>	<b>(4,715)</b>	<b>(10,000)</b>	<b>20%</b>

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**GENERAL FUND FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM 01 APRIL TO 30 JUNE 2023**

	2023/24	2023/24	2023/24	2023/24	2023/24	
Employee Costs	Annual Budget £	P1 - P3 Profiled Budget £	P1 - P3 Actual £	P1 - P3 Variance £	Full Year Forecast Variance £	%
<b>General Fund</b>						
Corporate Management	898,284	224,571	148,787	(75,784)	215,000	23.9%
Performance & Improvement	95,190	23,798	22,526	(1,272)	0	0.0%
Bereavement Services	29,230	7,308	5,949	(1,359)	0	0.0%
Parks & Open Spaces	15,880	3,970	3,521	(449)	0	0.0%
Commercial Estate	0	0	0	0	0	0.0%
Property Services	715,080	178,770	148,192	(30,578)	(70,000)	-9.8%
Community Alarms	32,445	8,111	7,672	(439)	0	0.0%
Homelessness & Rough Sleeping	114,890	28,723	27,446	(1,277)	0	0.0%
Housing Options	387,790	96,948	85,751	(11,197)	0	0.0%
Financial Services	621,560	155,390	147,745	(7,645)	0	0.0%
Revenues & Benefits	956,200	239,050	223,960	(15,090)	(5,000)	-0.5%
Human Resources	473,250	118,313	106,421	(11,892)	(21,500)	-4.5%
Customer Services	646,360	161,590	148,195	(13,395)	0	0.0%
Communications	96,520	24,130	22,866	(1,264)	0	0.0%
Legal & Democratic Services	688,610	172,153	132,245	(39,908)	(35,000)	-5.1%
Car Parks	0	0	0	0	0	0.0%
Street Scene	1,017,120	254,280	214,822	(39,458)	(11,800)	-1.2%
Waste Services	2,952,170	738,043	644,957	(93,086)	33,000	1.1%
Fleet Management	48,360	12,090	11,737	(353)	0	0.0%
Economic Development	434,230	108,558	83,677	(24,881)	(81,000)	-18.7%
Planning	1,785,845	446,461	358,606	(87,855)	(168,500)	-9.4%
Recreation & Sport	2,453,225	613,306	601,041	(12,265)	0	0.0%
IT Services & Digital Transformation	767,860	191,965	170,401	(21,564)	(78,000)	-10.2%
Pannier Market	95,850	23,963	22,324	(1,639)	0	0.0%
Community Grants	0	0	0	0	0	0.0%
Licensing	160,610	40,153	18,063	(22,090)	0	0.0%
Public Health	648,090	162,023	145,548	(16,475)	(50,000)	-7.7%
Climate change	56,890	14,223	13,463	(760)	0	0.0%
<b>Total General Fund</b>	<b>16,191,539</b>	<b>4,047,890</b>	<b>3,515,917</b>	<b>(531,973)</b>	<b>(272,800)</b>	<b>-3.3%</b>
<b>Housing Revenue Account</b>						
BHO09 Repairs & Maintenance	1,999,700	499,925	432,892	(67,033)	(63,000)	-3.2%
BHO10 Supervision & Management	2,338,830	584,708	483,429	(101,279)	(188,000)	-8.0%
BHO11 Special Services	0	0	0	0	0	0.0%
<b>Total Housing Revenue Account</b>	<b>4,338,530</b>	<b>1,084,633</b>	<b>916,321</b>	<b>(168,312)</b>	<b>(251,000)</b>	<b>-5.8%</b>
<b>Total Employee Costs</b>	<b>20,530,069</b>	<b>5,132,523</b>	<b>4,432,239</b>	<b>(700,284)</b>	<b>(523,800)</b>	<b>-2.6%</b>

-882750

	2023/24	2023/24	2023/24	2023/24	2023/24	
Agency Staff (within Employee costs)	Annual Budget £	P1 - P3 Profiled Budget £	P1 - P3 Actual £	P1 - P3 Variance £	Full Year Forecast Variance £	%
<b>General Fund</b>						
Corporate Management	0	0	0	0	0	0.0%
Performance & Improvement	0	0	0	0	0	0.0%
Bereavement Services	0	0	0	0	0	0.0%
Parks & Open Spaces	0	0	0	0	0	0.0%
Commercial Estate	0	0	0	0	0	0.0%
Property Services	0	0	0	0	0	0.0%
Community Alarms	0	0	0	0	0	0.0%
Homelessness & Rough Sleeping	0	0	0	0	0	0.0%
Housing Options	0	0	0	0	0	0.0%
Financial Services	0	0	0	0	0	0.0%
Revenues & Benefits	0	0	0	0	0	0.0%
Human Resources	0	0	0	0	0	0.0%
Customer Services	0	0	0	0	0	0.0%
Communications	0	0	0	0	0	0.0%
Legal & Democratic Services	0	0	11,236	11,236	20,000	0.0%
Car Parks	0	0	0	0	0	0.0%
Street Scene	40,660	10,165	14,854	4,689	24,000	59.0%
Waste Services	89,000	22,250	114,438	92,188	192,800	216.6%
Fleet Management	0	0	0	0	0	0.0%
Economic Development	0	0	0	0	20,000	0.0%
Planning	0	0	31,348	31,348	36,000	0.0%
Recreation & Sport	0	0	0	0	0	0.0%
IT Services & Digital Transformation	0	0	0	0	0	0.0%
Pannier Market	0	0	0	0	0	0.0%
Community Grants	0	0	0	0	0	0.0%
Licensing	0	0	11,439	11,439	0	0.0%
Public Health	0	0	13,163	13,163	55,000	0.0%
Climate change	0	0	0	0	0	0.0%
<b>Total General Fund</b>	<b>129,660</b>	<b>32,415</b>	<b>196,478</b>	<b>164,063</b>	<b>347,800</b>	<b>126.5%</b>
<b>Housing Revenue Account</b>						
BHO09 Repairs & Maintenance	0	0	0	0	0	0.0%
BHO10 Supervision & Management	0	0	0	0	0	0.0%
BHO11 Special Services	0	0	0	0	0	0.0%
<b>Total Housing Revenue Account</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>
<b>Total Agency Costs</b>	<b>129,660</b>	<b>32,415</b>	<b>196,478</b>	<b>164,063</b>	<b>347,800</b>	<b>268.2%</b>

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**HOUSING REVENUE ACCOUNT FINANCIAL MONITORING INFORMATION FOR THE PERIOD FROM  
01 APRIL TO 30 JUNE 2023**

Appendix F Note	Housing Revenue Account (HRA)	2023/24 Annual Budget £	2023/24 Full Year Forecast Variance £	%
	<b>Income</b>			
A	SHO01 Dwelling Rents Income	(13,556,440)	(40,000)	0%
B	SHO04 Non Dwelling Rents Income	(487,570)	(15,000)	3%
D	SHO07 Leaseholders' Service Charges	(29,000)	0	0%
E	SHO08 Contributions Towards Expenditure	(190,500)	(26,000)	14%
G	SHO10 H.R.A. Investment Income	(400,000)	(94,000)	24%
H	SHO11 Miscellaneous Income	(6,000)	0	0%
	<b>Services</b>			
I	SHO13A Repairs & Maintenance	4,190,330	168,000	4%
J	SHO17A Housing & Tenancy Services	2,089,960	(128,000)	-6%
	<b>Accounting entries 'below the line'</b>			
L	SHO29 Bad Debt Provision Movement	300,000	0	0%
M	SHO30 Share Of Corporate And Democratic	161,170	0	0%
N	SHO32 H.R.A. Interest Payable	1,232,280	(211,000)	-17%
O	SHO34 H.R.A. Transfers between earmarked reserves	1,447,630	0	0%
Q	SHO37 Capital Receipts Reserve Adjustment	(20,800)	0	0%
R	SHO38 Major Repairs Allowance	2,535,000	0	0%
S	SHO45 Renewable Energy Transactions	(160,000)	0	0%
		<b>(2,893,940)</b>	<b>(346,000)</b>	<b>(0)</b>

Note	Description of Major Movements	2023/24 Full Year Forecast Variance £
A	<b>Dwelling Rent Income:</b> Based on quarter 1 there is forecast to be a slight surplus 0.3% or £40,000. This is due to Right To Buy Sales being lower than projected and Void levels being marginally lower than budgeted.	(40,000)
B	<b>Garage and Garage Ground Rents:</b> Based on projections there could be a £15k surplus at year end. This is due to a greater number of units being made available for rent.	(15,000)
E	<b>Contributions towards Expenditure:</b> this is ancillary works conducted by Building Services. On the basis of current demand the service estimate a surplus of circa £26k.	(26,000)
G	<b>Investment Income:</b> As per the forecast surplus reported on the General Fund.	(94,000)
I	<b>Repairs and Maintenance:</b> The last financial year proved a struggle for the service to fill vacancies, this has continued to 2023. The estimated underspend for Building Services, due to vacancies, is £116k. External Contractors as a consequence is forecast to overspend by £200k (this includes Voids, Adaptations and Responsive Maintenance). Similarly the service are expecting cost pressures for materials of circa £50k. Estimated overspend on Planned Maintenance of £29k for the year. Various other minor overspends £5k.	168,000
J	<b>Housing &amp; Tenancy:</b> Vacant posts and delays in filling roles has generated a forecast underspend of £135k. This is reduced by a £7k overspend on a number of small overheads.	(128,000)
N	<b>Interest Payable:</b> This is likely to be below budget due to slippage on the 2023/24 Capital Programme. (more details can be found on the capital appendices).	(211,000)
	<b>FORECAST (SURPLUS)/DEFICIT AS AT 31/03/2024</b>	<b>(394,000)</b>

Note that some of the budgets will not be utilised until year-end therefore will not be able to provide any commentary at this point

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Cost Centre	Project Title	Prior Year Project Costs £000's	Approved Capital Programme £000's	Total Slippage £000's	Adjustment to Approved Capital programme £000's	Total Budgeted Capital Programme £000's	Total Deliverable Programme £000's	Actual Expenditure £000's	Committed Spend £000's	Forecast for remainder of yr £000's	Total Actual, Committed & Forecast ExpenditureExp £000's	Variance (Underspend) To Deliverable Programme £000's	Variance (Overspend) To Deliverable Programme £000's	Slippage against Deliverable programme £000's	Budget no longer required £000's	Notes	
CA645	EVLC - Fitness Studio renewal of equipment	143,817	-	9,000	-	9,000	9,000	297	13,581	-	13,878	-	4,878	-	-	Additional costs offset by forecast underspends on CA657, CA658 & CA659	
CA650	EVLC - ASHP - Salix Round 3 Funding	516,853	-	12,000	-	12,000	12,000	175,578	27,989	159,589	12,000	-	0	-	-	Project due to complete in Q2	
CA651	EVLC - GSHP - Salix Round 3 Funding	1,078,216	-	12,000	-	12,000	12,000	113,450	-	101,450	12,000	-	-	-	-	Project due to complete in Q2	
CA653	EVLC - Solar - Salix Round 3 Funding	240,311	-	60,000	-	60,000	60,000	157,207	277,951	60,744	60,000	-	0	-	-	Project due to complete in Q3	
CA658	Spin bikes	-	32,000	-	-	32,000	32,000	-	20,550	-	20,550	-	11,450	-	-	Underspend helps offset additional costs on CA645 & CA656	
CA661	Leisure - Improved Disabled Toilet facilities	-	51,000	-	-	51,000	51,000	-	-	51,000	51,000	-	-	-	-	Funding obtained, design being developed	
CA642	Reception infrastructure	-	40,000	120,000	-	160,000	160,000	-	-	160,000	160,000	-	-	-	-	This project is linked with CA655 - the majority of this spend is anticipated in Q4	
CA652	LMLC - ASHP - Salix Round 3 Funding	863,002	-	42,000	-	42,000	42,000	22,462	-	34,113	56,575	-	14,575	-	-	Project due to complete in Q3	
CA654	LMLC - Solar - Salix Round 3 Funding	78,065	-	11,000	-	11,000	11,000	4,095	8,541	6,554	11,000	-	-	-	-	Project due to complete in Q2	
CA656	Fitness Studio renewal of equipment	-	125,000	-	-	125,000	125,000	-	135,644	16,356	152,000	-	27,000	-	-	Additional costs offset by forecast underspends on CA657, CA658 & CA659	
CA657	Spin bikes including environment improvements	-	32,000	-	-	32,000	32,000	-	20,550	-	20,550	-	11,450	-	-	Underspend helps offset additional costs on CA645 & CA656	
CA662	Leisure - Improved Disabled Toilet facilities	-	46,000	-	-	46,000	46,000	-	-	46,000	46,000	-	-	-	-	Funding obtained, design being developed	
CA646	CVSC - Remodelling of Ground Floor	-	-	204,000	-	204,000	30,000	-	-	30,000	30,000	-	-	-	-	Initial feasibility works are anticipated to start in Q4	
CA649	CVSC - Sports Hall Ceiling asset review	-	-	260,000	-	260,000	30,000	-	-	30,000	30,000	-	-	-	-	Feasibility works to be undertaken during Q4 2023/24	
CA659	Spin Bikes	-	40,000	-	-	40,000	40,000	-	20,550	-	20,550	-	19,450	-	-	Underspend helps offset additional costs on CA645 & CA656	
CA663	Leisure - Improved Disabled Toilet facilities	-	56,000	-	-	56,000	56,000	-	-	56,000	56,000	-	-	-	-	Funding obtained, design being developed	
CA655	All leisure sites replacement management/site access system (Hardware Element)	-	200,000	-	-	200,000	200,000	-	-	200,000	200,000	-	-	-	-	This project is linked with CA642 - the majority of this spend is anticipated in Q4	
CA660	CVSC-Phase 3B Salix funding energy saving	-	396,000	-	-	396,000	396,000	-	-	-	-	-	-	-	396,000	Bid unsuccessful	
CA582	Hydromills Electricity generation Project - Tiverton Weir	-	-	1,220,000	-	1,220,000	20,000	-	-	20,000	20,000	-	-	-	-	Feasibility works to be undertaken on alternative sustainable options	
CA487	Etarmis - Security Swipe - (linked to security project)	-	30,000	50,000	-	80,000	80,000	-	-	80,000	80,000	-	-	-	-	It is forecast that this project will be completed during Q2	
CA907	Building Mgmt System for Heating Control	-	103,000	-	-	103,000	103,000	-	-	103,000	103,000	-	-	-	-	It is forecast that this project will be completed during Q4	
CA832	Land acquisition for operational needs	-	-	1,000,000	-	1,000,000	1,000,000	-	-	-	-	-	-	1,000,000	-	Continuation of the search for a suitable site.	
CA835	Depot Design & Build - Waste & Recycling	-	-	250,000	-	250,000	-	-	-	-	-	-	-	-	-	This project would commence following a land acquisition & not expected to be undertaken until at least 24/25	
CA584	Market Walk Unit 17 - remodelling options	-	-	510,000	-	510,000	80,000	-	-	80,000	80,000	-	-	-	-	Options currently being assessed	
CA574	36 & 38 Fore Street including Flat above structure & cosmetic works	13,530	-	197,000	-	197,000	197,000	-	-	197,000	197,000	-	-	-	-	Options currently being assessed	
CA490	West Exe South - Remodelling - additional parking spaces	-	-	90,000	-	90,000	90,000	-	-	90,000	90,000	-	-	-	-	Project due to complete in Q4	
CA472	Open Space Infrastructure (incl Play Areas)	-	-	35,000	-	35,000	35,000	-	-	35,000	35,000	-	-	-	-	Project due to complete in Q4	
CA491	Fire Dampeners - Corporate sites	-	-	80,000	-	80,000	80,000	-	-	80,000	80,000	-	-	-	-	It is forecast that this project will be completed during Q4	
CA473	Land drainage flood defence schemes - St Marys Hemyock	-	-	50,000	-	50,000	-	-	-	-	-	-	-	-	-	The Environment Agency are the lead organisation on this project. Not expected until at least 24/25	
CA420	Land drainage flood defence schemes - Ashleigh Park	-	-	87,000	-	87,000	87,000	-	-	87,000	87,000	-	-	-	-	Project due to complete in Q4	
CA491	Cemetery Lodge - Structural solution for damp	-	-	62,000	-	62,000	-	-	-	-	-	-	-	-	-	This project is not expected to be undertaken until 24/25	
CA719	CA719 Cullampton Town Centre Relief Road (HIF)	1,569,466	18,030,000	11,650,000	-	29,680,000	13,139,000	-	1,000	-	1,000	-	-	13,138,000	-	Project on Hold. This project is subject to securing additional funding - LUF3 Bid	
CA587	Shared Prosperity Fund	-	-	-	143,267	143,267	143,267	57,179	22,000	64,088	143,267	-	-	-	-	Capital grant funding forecast to be spend in 23/24	
CA588	Rural England Prosperity Fund	-	-	-	204,168	204,168	204,168	-	50,000	154,168	204,168	-	-	-	-	Capital grant funding forecast to be spend in 23/24	
CA462	3 Rivers Scheme - Riverside Development (rear of Town H	10,727,871	-	-	1,911,130	1,911,130	1,911,130	252,131	-	1,658,999	1,911,130	-	0	-	-	Forecast Project completion Q2 23/24	
CA486	3 Rivers Scheme - Knowle lane, Cullampton	3,087,755	-	7,819,000	-	7,819,000	7,819,000	7,954	-	715	8,669	-	0	-	-	No further spend assumed on this project	
CA494	3 Rivers Scheme - Park Road Tiverton	85,085	-	2,055,000	-	2,055,000	2,055,000	-	-	-	-	-	-	-	-	No further spend assumed on this project	
CA493	3 Rivers Scheme - Bampton	2,895,372	-	1,240,000	576,630	1,816,630	1,816,630	348,697	-	1,467,933	1,816,630	-	0	-	-	Forecast Project completion Q3 23/24	
CA906	3 Rivers Schemes - Funding envelope	-	12,196,000	-	-	12,196,000	12,196,000	-	-	-	-	-	-	-	12,196,000	No further spend assumed on this project	
CG201	DFG and other private sector grants	-	525,000	-	-	525,000	525,000	45,024	-	479,976	525,000	-	-	-	-	Project delivery assumed on budget at this point in the year but will be monitored carefully	
CA303	HMO Scheme 1	326,653	-	26,000	-	26,000	26,000	-	-	10,000	10,000	-	16,000	-	-	Waiting for Listed Building consent	
CA304	HMO Scheme 2	299,836	-	36,000	-	36,000	36,000	-	-	43,000	43,000	-	7,000	-	-	Additional cost to be funded from Homelessness EMR & Delegated decision 27/07/23	
CA305	HFU Scheme 1	-	-	-	202,000	202,000	202,000	190,727	-	11,273	202,000	-	-	-	-	Per Cabinet Report 07/03/23	
CA306	HFU Scheme 2	-	-	-	169,000	169,000	169,000	164,977	-	4,023	169,000	-	-	-	-	Per Cabinet Report 07/03/23	
CA463	Secure WiFi Replacement	-	-	60,000	-	60,000	60,000	-	-	60,000	60,000	-	-	-	-	It is anticipated this project will be completed during Q4	
CA901	Server hardware/software Citrix Replacement	-	50,000	-	-	50,000	50,000	-	-	50,000	50,000	-	-	-	-	It is anticipated this project will be completed during Q4	
CA902	VM/Storage Area Network	-	120,000	-	-	120,000	120,000	-	-	120,000	120,000	-	-	-	-	It is anticipated this project will be completed during Q4	
CA903	UPS Replacements	-	20,000	-	-	20,000	20,000	-	-	20,000	20,000	-	-	-	-	It is anticipated this project will be completed during Q4	
CA904	Laptop/Desktop Refresh	-	150,000	-	-	150,000	150,000	44,056	-	105,944	150,000	-	-	-	-	It is anticipated this project will be completed during Q4	
CA905	Audio/Video replacement for Phoenix House	-	120,000	-	-	120,000	120,000	-	-	120,000	120,000	-	-	-	-	It is anticipated this project will be completed during Q3	
CA425	Server farm expansion/upgrades	6,545	-	67,000	-	67,000	67,000	-	-	67,000	67,000	-	-	-	-	It is anticipated this project will be completed during Q4	
CA499	Network Switch/Firewall Refresh (all sites except P/House)	-	-	50,000	-	50,000	50,000	-	-	50,000	50,000	-	-	-	-	It is anticipated this project will be completed during Q4	
OA800	Leasing - Vehicles - Environmental Enforcement	-	-	-	78,000	78,000	78,000	78,063	-	-	78,063	-	63	-	-	Projected GF Vehicle Leasing added to Capital Programme	
OA800	Leasing - Vehicles - Grounds Maintenance	-	-	-	109,000	109,000	109,000	75,627	-	33,148	108,775	-	225	-	-	Projected GF Vehicle Leasing added to Capital Programme	
OA800	Leasing - Vehicles - Caretaking Services	-	-	-	53,000	53,000	53,000	-	-	53,177	53,177	-	-	177	-	Projected GF Vehicle Leasing added to Capital Programme	
OA800	Leasing - Vehicles - Property Services	-	-	-	81,000	81,000	81,000	-	-	80,689	80,689	-	311	-	-	Projected GF Vehicle Leasing added to Capital Programme	
OA800	Leasing - Vehicles - Collection of Council Tax	-	-	-	26,000	26,000	26,000	-	-	26,021	26,021	-	21	-	-	Projected GF Vehicle Leasing added to Capital Programme	
		21,932,377	32,362,000	27,364,000	3,553,195	63,279,195	44,342,195	1,063,763	598,357	6,079,572	7,741,692	-	58,887	53,714	-	14,138,000	22,457,331

Cost Centre	Project Title	Prior Year Project Costs £000's	Approved Capital Programme £000's	Total Slippage £000's	Adjustment to Approved Capital programme £000's	Total Budgeted Capital Programme £000's	Total Deliverable Programme £000's	Actual Expenditure £000's	Committed Spend £000's	Forecast for remainder of yr £000's	Total Actual, Committed & Forecast ExpenditureExp £000's	Variance (Underspend) To Deliverable Programme £000's	Variance (Overspend) To Deliverable Programme £000's	Slippage against Deliverable programme £000's	Budget no longer required £000's	Notes
CA100	Decent Homes	-	2,435,000	54,000	-	2,489,000	2,489,000	602,233	1,340,052	546,715	2,489,000	-	0	-	-	Project delivery assumed on budget at this point in the year but will be monitored carefully
CA111	Renewables	-	250,000	-	-	250,000	250,000	96,387	41,650	111,963	250,000	-	-	-	-	Project delivery assumed on budget at this point in the year but will be monitored carefully
CG200	Adaptations	-	305,000	-	-	305,000	305,000	81,152	-	223,848	305,000	-	-	-	-	Project delivery assumed on budget at this point in the year but will be monitored carefully
CA160	Project 4	-	189,000	21,000	-	210,000	210,000	-	-	20,000	20,000	-	-	-	190,000	-
CA158	Project 1	-	10,000	35,000	-	45,000	45,000	2,000	4,885	15,115	22,000	-	-	-	23,000	-
CA160	Project 3	-	1,387,000	113,000	-	1,500,000	1,500,000	-	-	24,000	24,000	-	-	-	1,476,000	-
CA174	Project 29	-	950,000	150,000	-	1,100,000	110,000	62,100	-	10,000	72,100	-	-	-	37,900	-
Forecast project completion Q4 24/25																
Project due for completion in Q3 23/24 - Total Approved budget £1m to deliver 6 x Net Zero homes. Additional costs associated with Planning Permission including mature planting, additional parking & contract inflation. However £576k of funding obtained for project (£120k BRLF Fund & 40% from 1:4:1 Receipts) - HRA. Net cost of project is estimated to be circa £436k under budget.																
CA155	Modular Housing - St Andrews, Cullompton	920,316	-	80,000	-	80,000	80,000	128,009	-	92,000	220,009	-	140,009	-	-	-
CA181	Project 7	-	220,000	-	-	220,000	220,000	2,655	1,711	215,634	220,000	-	0	-	-	-
CA181	Project 41	110,544	140,000	-	-	140,000	140,000	-	-	29,000	29,000	-	-	-	111,000	-
CA182	Project 28	-	1,100,000	-	-	1,100,000	110,000	-	-	-	-	-	-	-	-	-
CA183	Project 51	-	400,000	-	-	400,000	40,000	-	-	40,000	40,000	-	-	-	110,000	-
CA184	Project 52	-	220,000	-	-	220,000	22,000	-	-	16,000	16,000	-	-	-	6,000	-
CA185	Project 53	-	230,000	-	-	230,000	23,000	-	-	10,000	10,000	-	-	-	13,000	-
CA186	Project 5	-	220,000	-	-	220,000	22,000	-	-	10,000	10,000	-	-	-	12,000	-
CA171	Project 15	187,527	4,210,000	502,000	-	4,712,000	4,712,000	1,563	1,187	97,250	100,000	-	0	-	4,612,000	-
CA166	Project 18	52,742	200,000	847,000	-	1,047,000	1,047,000	-	-	47,000	47,000	-	-	-	1,000,000	-
CA170	Project 10	88,781	1,505,000	106,000	-	1,611,000	1,611,000	-	-	51,000	51,000	-	-	-	1,560,000	-
CA164	Project 14	49,428	200,000	751,000	-	951,000	951,000	-	-	150,000	150,000	-	-	-	801,000	-
CA169	Project 9	82,526	1,105,000	112,000	-	1,217,000	1,217,000	-	-	67,000	67,000	-	-	-	1,150,000	-
CA163	Project 11	79,326	400,000	1,421,000	-	1,821,000	1,821,000	-	-	21,000	21,000	-	-	-	1,800,000	-
Forecast project completion Q4 24/25																
CA162	Project 8	-	2,240,000	360,000	-	2,600,000	60,000	370,500	-	-	370,500	-	310,500	-	-	-
Forecast project completion Q4 24/25. Note originally this project was planned to be delivered in 25/26 but has been brought forward for delivery in 24/25																
Project due for completion Q4 23/24 - Total approved budget £1.5m to deliver 8 x Net Zero homes. Additional costs associated with Planning Permission - including additional EV charging points & communal glazing & contract inflation. However £852k of funding obtained for project (£160k BRLF T2 Fund & £692k contribution agreed from Homes England of which 75% due on Project commencement (£519k) & the remainder (£173k) will be applied in 23/24 on project completion) – Net cost of project is estimated to be circa £249k under budget.																
CA154	Modular Housing - Shapland Place, Tiverton	854,534	-	645,000	-	645,000	645,000	-	-	1,248,000	1,248,000	-	603,000	-	-	-
CA187	Project 25	-	2,600,000	-	-	2,600,000	260,000	160,000	-	40,000	200,000	-	-	-	60,000	-
CA188	Project 37	-	1,800,000	-	-	1,800,000	180,000	270,000	-	-	270,000	-	90,000	-	-	-
CA189	Project 33	-	1,300,000	-	-	1,300,000	130,000	161,500	-	-	161,500	-	31,500	-	-	-
CA190	Project 36	-	1,700,000	-	-	1,700,000	170,000	-	-	25,000	25,000	-	-	-	145,000	-
CA191	Project 20	-	24,940,000	-	-	24,940,000	700,000	362,800	-	60,000	422,800	-	-	-	277,200	-
CA152	Post Hill, Tiverton	2,204,353	15,757,000	4,297,000	-	20,054,000	2,393,000	737,285	17,662	3,112,623	2,393,000	-	0	-	-	-
Old Road Depot remodelling options - forecast expenditure to maintain operations																
CA177	Queensway (Beech Road) Tiverton (3 units)	330,179	-	236,000	-	236,000	236,000	119,218	85,414	31,369	236,000	-	-	-	-	-
CA126	Sewerage Treatment Works - Washfield	-	-	25,000	-	25,000	25,000	-	-	25,000	25,000	-	-	-	-	-
OA800	Leasing - Vehicles - HRA	-	-	-	180,000	180,000	180,000	-	-	179,793	179,793	-	207	-	-	-
Projected HRA Vehicle Leasing added to Capital Programme																
		4,960,256	66,013,000	9,805,000	180,000	75,998,000	21,954,000	1,682,831	1,492,561	6,569,310	9,744,702	-	207	1,175,010	-	13,273,100
		26,892,633	98,375,000	37,169,000	3,733,195	139,277,195	66,296,195	2,746,595	2,090,918	12,648,882	17,486,394	-	59,094	1,228,724	-	27,411,100



Capital Funding Summary		Approved Capital Programme £000's	Total Slippage £000's	Adjustment to Approved Capital programme £000's	Total Budgeted Capital Programme £000's	Total Deliverable Programme £000's	Total Actual, Committed & Forecast Expenditure Exp £000's
Funding Type	Funding Description						
<b>General Fund</b>							
Revenue	RCCO - From Revenue EMR's - Other	-	129,000	-	129,000	129,000	120,000
Revenue	RCCO - From Revenue EMR's - Leisure	-	137,000	-	137,000	137,000	151,575
Revenue	RCCO - From Revenue EMR's - Econ Development	-	80,000	-	80,000	20,000	20,000
Revenue	RCCO - From Revenue EMR's - ICT	435,000	110,000	-	545,000	545,000	545,000
Revenue	RCCO - From Revenue EMR's - Capital	30,000	90,000	-	120,000	72,000	72,000
Revenue	RCCO - From Revenue EMR's - Waste Infrastructure EMR	-	250,000	-	250,000	-	-
Revenue	New Homes Bonus	-	1,122,000	-	1,122,000	467,000	471,878
Capital Grants	Capital Grants Unapplied - DCC	-	20,000	-	20,000	20,000	20,000
Capital Grants	Govt Grant (DCLG passported from DCC)	525,000	-	-	525,000	525,000	525,000
Capital Grants	DCC Funding - HIF Project	1,347,000	153,000	-	1,500,000	153,000	-
Capital Grants	Salix Round 3b Funding	265,000	-	-	265,000	265,000	-
Capital Grants	HIF Funding	5,144,000	1,746,000	-	6,890,000	3,235,000	1,000
Capital Grants	Govt Grants - Levelling - up Funding	11,539,000	6,436,000	-	17,975,000	6,436,000	-
Capital Grants	Salix Funding or Equivalent - to be identified	-	-	-	-	-	-
Capital Grants	DLUHC - Changing Places Fund bid	153,000	-	-	153,000	153,000	153,000
Capital Receipts	Usable Capital Receipts	229,000	184,000	-	413,000	400,000	384,650
Borrowing	Borrowing 3 Yrs	12,221,000	11,114,000	2,487,760	25,822,760	25,822,760	3,761,429
Borrowing	Borrowing 5 Yrs	103,000	-	-	103,000	103,000	103,000
Borrowing	Borrowing 10 Yrs	371,000	3,315,000	-	3,686,000	3,686,000	240,000
Borrowing	Borrowing 25 Yrs	-	1,478,000	-	1,478,000	108,000	108,000
Borrowing	Borrowing 50 Yrs	-	1,000,000	-	1,000,000	1,000,000	-
Capital Grants	LAHF (Homeless Properties)	-	-	188,400	188,400	188,400	188,400
Capital Grants	Homes for Ukraine	-	-	182,600	182,600	182,600	182,600
Borrowing	GF - Lease Finance	-	-	347,000	347,000	347,000	346,725
Capital Grants	SPF Funding (DLUHC)	-	-	143,267	143,267	143,267	143,267
Capital Grants	REPF Funding (DLUHC)	-	-	204,168	204,168	204,168	204,168
<b>General Fund Subtotals</b>		<b>32,362,000</b>	<b>27,364,000</b>	<b>3,553,195</b>	<b>63,279,195</b>	<b>44,342,195</b>	<b>7,741,692</b>
Area	Sub Area	Approved Capital Programme £000's	Total Slippage £000's	Adjustment to Approved Capital programme £000's	Total Budgeted Capital Programme £000's	Total Deliverable Programme £000's	Total Actual, Committed & Forecast Expenditure Exp £000's
<b>HRA</b>							
Revenue	S106 (Revenue) Contributions	1,000,000	-	-	1,000,000	200,000	110,660
Revenue	MRA Reserve	2,435,000	54,000	-	2,489,000	2,489,000	2,489,000
Revenue	RCCO - From HRA Revenue EMR's - Other	-	25,000	-	25,000	25,000	25,000
Revenue	RCCO - From HRA Revenue EMR's - Renewable Energy	250,000	-	-	250,000	250,000	250,000
Revenue	RCCO - From HRA Revenue EMR's - Afford Rents Surplus	225,000	117,000	-	342,000	342,000	248,000
Revenue	RCCO - From HRA Revenue EMR's - HMF	-	310,000	-	310,000	310,000	966,605
Capital Grants	Capital Grants Unapplied - S106 Afford Housing	-	-	-	-	-	-
Capital Grants	Government Grants - Homes England Funding	22,720,000	2,244,000	-	24,964,000	4,404,000	173,000
Capital Receipts	Usable Capital Receipts	1,004,000	234,000	-	1,238,000	741,000	739,000
Capital Receipts	UCR 1:4:1 Replacement Homes	1,619,000	254,000	-	1,873,000	704,000	367,644
Capital Grants	One Public Estate Funding	3,285,000	-	-	3,285,000	240,000	143,000
Borrowing	Borrowing 25 Yrs	-	50,000	-	50,000	50,000	50,000
Borrowing	Borrowing 50 Yrs	33,475,000	6,517,000	-	39,992,000	12,019,000	4,003,000
Borrowing	HRA - Lease Finance	-	-	180,000	180,000	180,000	179,793
<b>HRA Subtotals</b>		<b>66,013,000</b>	<b>9,805,000</b>	<b>180,000</b>	<b>75,998,000</b>	<b>21,954,000</b>	<b>9,744,702</b>
<b>Grand Totals</b>		<b>98,375,000</b>	<b>37,169,000</b>	<b>3,733,195</b>	<b>139,277,195</b>	<b>66,296,195</b>	<b>17,486,394</b>

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**Report for:****Cabinet**

Previously seen by Environment PDG

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Date of Meeting:	29 August 2023
Subject:	Environment and Enforcement End of Year report 2022/23
Cabinet Member:	Cllr Josh Wright, Cabinet member for Environment and Services
Responsible Officer:	Luke Howard, Environment and Enforcement Manager Matthew Page, Corporate Manager for People, Governance and Waste
Exempt:	N/A
Wards Affected:	N/A
Enclosures:	None

**Section 1 – Summary and Recommendation(s)**

This report provides members with an overview of the Environment and Enforcement service for the financial year 2022/23.

**Recommendation(s): Report for note only****Section 2 – Report**

- 1.0 The aim of this report is to provide a transparent overview and review of the work carried out by the Environment and Enforcement service during the financial year 2022/23. It also identifies improvements the service has made during that time.
- 2.0 **Car Parking**
- 2.1 During the financial year of 2022/23, the car parking service has undergone varying changes. This has included a new rota system, evening patrols, clear standard operating procedures, uniform rebranding and the introduction of body

worn video cameras for District Officers. The team have embraced these changes and the service has produced its best statistics since 2017.

- 2.2 The introduction of standard operating procedures provided the service with clear ways of working and created uniformity in the application of enforcement action. This has meant officers have dealt with enforcement issues in the same manner, removing ambiguity and differing practices, which reduces conflict and provides better understanding for our customers.
- 2.3 Body worn video has been introduced to provide an added layer of health and safety for District Officers. During the spring of 2022, a project to procure body worn video was undertaken within the Environment and Enforcement service. This exercise led to Reveal D5 cameras being procured and rolled out to the team. The introduction of this technology has enabled the team to capture situations where their health and safety may be compromised. The technology has the ability to capture both sound and video even in low light, urban areas.
- 2.4 During the summer of 2022, the service underwent a rebrand of uniform. This provided officers with varying options of uniform items for different weather conditions as well as their personal needs and comfort. Utility vests were also procured to provide the District Officer team with additional storage options and a professional image when on patrol.
- 2.5 The new rota and evening patrols allow the service to better respond to the requirements of car park users. It has been identified that out of hours parking in some areas impacts on permit holders and other paying users. Through the introduction of evening and early morning patrols, the service is able to tackle this issue and provide reassurance to users that enforcement action is taken against those contravening the guidance.
- 2.6 The team have undertaken a variety of training courses over the year including Level 3 Notice Processing, Conflict Management and a wide variety of in-house training. This training ensures the service is considered a leader in its field when compared to statistics of neighbouring authorities.

### **3.0 Penalty Charge Notices**

- 3.1 The service has focused on ensuring a uniform approach to enforcement, thus helping to remove ambiguity for our users. The addition of evening patrols and focused car parking patrols has seen a significant increase in the service tackling vehicles in contravention during the night-time economy. This approach has helped to amend user behaviours to ensure payment via pay and display.
- 3.2 PCNs Issued 2017-2023

Year	PCN issuance
2017/18	1452
2018/19	2260
2019/20	2124
2020/21	897

Year	PCN issuance
2021/22	1745
2022/23	2540

### 3.3 PCNs Issued 2022-2023

Month (2022/23)	PCN's	Successful Appeals	Financial (recovered)
April	115	16	81 (£ 2749.00)
May	167	26	126 (£4172.00)
June	195	23	142 (£5010.00)
July	233	40	156 (£5416.00)
August	205	37	146 (£4905.00)
September	226	46	154 (£4679.00)
October	264	32	191 (£6173.00)
November	264	38	197 (£6531.00)
December	210	23	160 (£5110.00)
January 23	232	48	148 (£4400.00)
February 23	209	33	134 (£3805.00)
March 23	220	26	134 (£3630.00)

### 4.0 Pay and Display

- 4.1 Recovery from COVID-19 saw a slow start for users returning to car parks, this was fuelled in part through public apprehension regarding mixing with others as well as COVID-19 restrictions. However, the summer months saw a strong recovery and this continued into quarter 3 and 4 during the autumn and winter months. Vends were higher than predicted which can be largely attributed to the team providing a more visual presence and therefore, users less likely to risk not purchasing a pay and display.

### 4.2 Parking Outturn 2016-2023

Year	Expenditure	Income Type	Income	Variance
<b>2016/17</b>	<b>579,763.36</b>		<b>- 843,875.82</b>	<b>- 264,112.46</b>
		Pay & Display	- 684,982.60	
		Permits	- 78,443.16	
		PCN	- 43,635.00	
		Other	- 36,815.06	
<b>2017/18</b>	<b>651,828.97</b>		<b>- 796,489.91</b>	<b>- 144,660.94</b>
		Pay & Display	- 643,972.01	
		Permits	- 69,108.89	
		PCN	- 47,731.00	
		Other	- 35,678.01	
<b>2018/19</b>	<b>639,831.29</b>		<b>- 760,062.26</b>	<b>- 120,230.97</b>
		Pay & Display	- 636,219.84	
		Permits	- 57,480.28	
		PCN	- 44,338.00	
		Other	- 22,024.14	

Year	Expenditure	Income Type	Income	Variance
<b>2019/20</b>	<b>708,218.42</b>		<b>- 797,055.23</b>	<b>- 88,836.81</b>
		Pay & Display	- 648,134.10	
		Permits	- 90,775.03	
		PCN	- 46,397.70	
		Other	- 11,748.40	
<b>2020/21</b>	<b>690,204.33</b>		<b>- 382,173.84</b>	<b>308,030.49</b>
		Pay & Display	- 271,958.28	
		Permits	- 72,057.36	
		PCN	- 30,522.24	
		Other	- 7,635.96	
<b>2021/22</b>	<b>781,191.37</b>		<b>- 737,621.61</b>	<b>43,569.76</b>
		Pay & Display	- 583,634.89	
		Permits	- 96,411.33	
		PCN	- 49,939.43	
		Other	- 7,635.96	
<b>2022/23</b>	<b>801,068.98</b>		<b>- 844,541.55</b>	<b>- 43,472.57</b>
		Pay & Display	- 659,695.28	
		Permits	- 113,839.47	
		PCN	- 62,450.83	
		Other	- 8,555.97	

## 5.0 Environmental Enforcement

- 5.1 There has been a strong emphasis on creating robust procedures along with building confidence and knowledge within the team over the last financial year. The team attended a 2-day course on Legislation and Application of Fixed Penalty Notices, which greatly improved understanding across the officer team. The team has gradually built a sound and solid understanding surrounding environmental enforcement, backed by clear and descriptive procedures. This has led to effective enforcement in all areas within the environment and enforcement remit. The service has also been working with local primary schools to highlight the impacts of environmental crime. The idea behind this is to provide knowledge and understanding at a young age in order to shift public behaviour.
- 5.2 A significant backlog of 38 abandoned vehicles were cleared during May 2022. These consisted of reports dating back to June 2021. A consistent approach to managing these has seen the team taking proactive enforcement action to remove such vehicles. A clearer and more defined procedure and application was also introduced, removing any previous ambiguity regarding our approach.
- 5.3 Fly tipping is a significant issue for many local authorities and continues to present issues for MDDC. However, there has been a significant improvement in the team's confidence to tackle these issues. There is now a clear procedure for interviewing under caution and a refined investigation approach. There has been an emphasis on better statement writing, with the team adopting the 5-part statement approach used by Police. The service is also leading on a task

group of several local authorities to share best practice and ways of tackling fly tipping.

- 5.4 The team is challenging littering and Public Space Protection Order offences. Many residents have welcomed a significant rise in patrols relating to these offences. Littering from vehicles presents significant problems throughout the district. The service has been able to adopt, at no additional cost, the Patrol portal for generation of PCNs for this offence. This has provided the team with the means of tackling such offences. The service is continually exploring ways of how we can better interact with communities to identify problematic areas.
- 5.5 District Officer Patrols – comparison 2021/22 with 2022/23

	2021/2022	2022/2023	Improvement
<b>Patrols Conducted</b>	67	224	100%
<b>FPN's Issued</b>	0	28	100%
<b>Dog Fouling/PSPO</b>	0	8	100%
<b>Littering</b>	0	12	100%
<b>Fly Tipping</b>	0	8	100%

- 5.6 Abandoned vehicles 2022/23

Abandoned Vehicles Reported	Number
<b>Not Abandoned/Gone</b>	162
<b>Action Required</b>	70
<b>Moved by owner after notice</b>	52
<b>Removed by MDDC</b>	18
<b>Fixed Penalty Notices issued</b>	9
<b>Action not Taken</b>	0

## 6.0 Looking forward to 2023/24

- 6.1 The service is looking to build on the solid foundations made in the financial year 2022/23. Just a few of the things we are looking to deliver in 2023/24 include:
- Procurement of new handheld devices
  - New electric vehicle fleet
  - Patrol short report submission for shortlisting
  - Work towards the Park Mark Scheme
  - Attendance at Parking forum in Birmingham
  - PACE training
  - Task Group Lead on Fly Tipping
  - Back Office User Flowcharts
  - Multi service working with housing and waste teams
  - Yearly Team event
- 6.2 2023/24 promises to be an exciting year for the service with some exciting opportunities as above, to further develop our service and deliver an even better service to the public.



## **Financial Implications**

There are no financial implications as a direct result of this report.

## **Legal Implications**

The Authority has a statutory responsibility to fulfil investigation and enforcement into environmental crimes such as abandoned vehicles, littering, fly tipping and public space protection orders.

## **Risk Assessment**

Risk assessments in relation to the role of District Officer are in place. No further risk assessment required.

## **Impact on Climate Change**

The report is focussed on advising how the service is actively working to reduce environmental crime. This will have a positive impact on climate and the corporate strategy relating to this.

## **Equalities Impact Assessment**

There are no equality issues identified in this report.

## **Relationship to Corporate Plan**

The service development is designed to align with the corporate plan on reducing environmental crime issues within the district.

## **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 01 Aug 2023

**Statutory Officer:** Maria de Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 01 Aug 2023

**Chief Officer:** Andrew Jarrett

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

**Date:** 01 Aug 2023

**Performance and risk:** Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 28/07/2023

**Cabinet member notified:** Yes

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Luke Howard, Environment Enforcement Manager

Email: lhoward@middevon.gov.uk

Telephone: 01884 255255

**Background papers:** N/A



## **Report for: Environment PDG**

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Date of Meeting:	15 August 2023
Subject:	Waste Service Provision
Cabinet Member:	Cllr Josh Wright, Cabinet Member for Environment and Services
Responsible Officers:	Darren Beer, Operations Manager – Street Scene and Open Spaces Matthew Page, Corporate Manager for People, Governance and Waste
Exempt:	NA
Wards Affected:	All – District wide
Enclosures:	None

### **Section 1 – Summary and Recommendation(s)**

This report considers the following:

- The effectiveness of the council's waste and recycling scheme, known as the Bin-it 123 scheme, as implemented in October 2022
- Improving operational efficiency of collection crews, increasing recycling rates and limiting CO2 emissions
- A review of recycling frequency following the Cabinet decision on 29 Nov 2022 to complete a weekly recycling trial in the District during the financial year 2023-2024

#### **Recommendation(s):**

1. **To cease collecting side waste from 1 October 2023 and deliver a comprehensive communications programme in advance of this to minimise the need for enforcement.**
2. **To postpone the trial scheduled for 2023-2024 to allow for an evaluation of the effectiveness of the current scheme against the metrics of recycling % achieved, residual tonnage reduction, and overall cost to the authority.**

## **Section 2 – Report**

### **1.0 Introduction**

- 1.1 Mid Devon District Council commenced three weekly residual waste collections through the implementation of the Bin-it 123 scheme on 10 October 2022. The purpose of this scheme was to increase the level of recycling and reduce the level of residual black bin collections, which in turn reduces the waste to be collected. A combination of these two factors enables the District to reduce its carbon footprint and puts it in a stronger position to meet both its carbon net zero commitment and the national recycling targets as set out in the national Environmental Improvement Plan (2023), which aims for a municipal recycling rate of at least 65% by 2035.
- 1.2 During the first eight months of the scheme's implementation, Street Scene Operatives have carried out multiple extra activities to ensure the new Bin-it 123 scheme would have a successful transition into practice. This included the collection of additional side waste put out by residents, the delivery of extra bins and containers to households, regular patrolling of town centres and other key areas of the District by our Environment and Enforcement team, visits to households from our Recycling Officers and the sending of letters and communication to the residents of Mid Devon.
- 1.3 The purpose of this paper is to review the performance of the Bin-it 123 scheme to date and outline a way forward in terms of raising further awareness of good recycling practice to maximise the reduction in our carbon footprint.
- 1.4 It also includes a request for policy clarity in light of the existing arrangements with respect to side waste and the recommended postponement of any further trialled changes to the waste and recycling scheme until such time as the effectiveness of the current scheme can be fully evaluated.

### **2.0 Bin-it 123 Performance**

- 2.1 Chart 1 below shows that the recycling rate for the months of April and May compared to the same months in 2022 (pre 3 weekly roll out) has gone up between 4 and 5 percentage points. This represented an increase or improvement in recycling figures of approximately 8% to 9%. While this reflects positively on the scheme's trial, design and implementation, it should be remembered that these performance figures represent the actions and behaviour of Mid Devon's residents. This improvement represents a real and significant shift in behaviour, and correlates well to informal assessment of feedback both before and during the early period of implementation, when much of the negativity on social media was challenged by other residents who were positive advocates of the need for change and the environmental imperative for doing so.
- 2.2 Chart 2 below shows that in the year to May 22, 13429 tonnes of residual waste was collected whereas for the same period in 22-23, 11938 tonnes were collected. This is a reduction of 1491 tonnes; again a significant positive change.

Chart 1: Recycling Rates 21-22 and 22-23

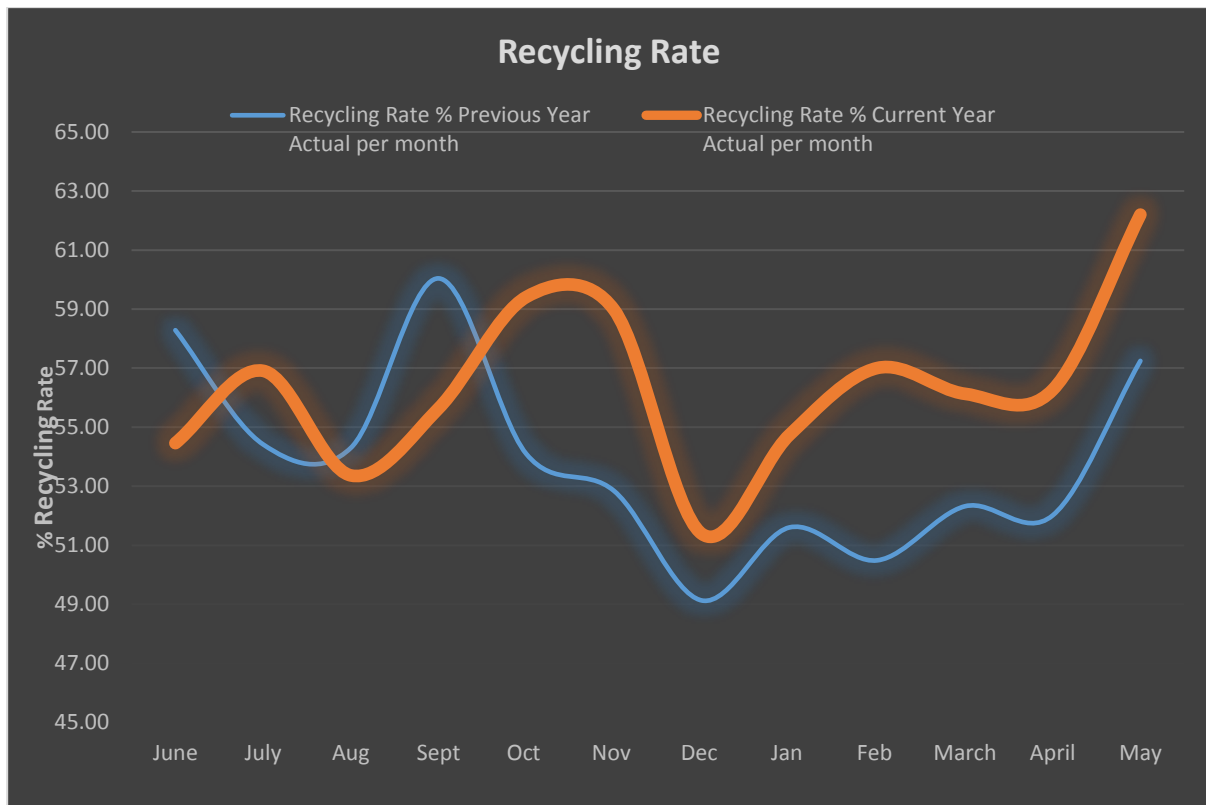
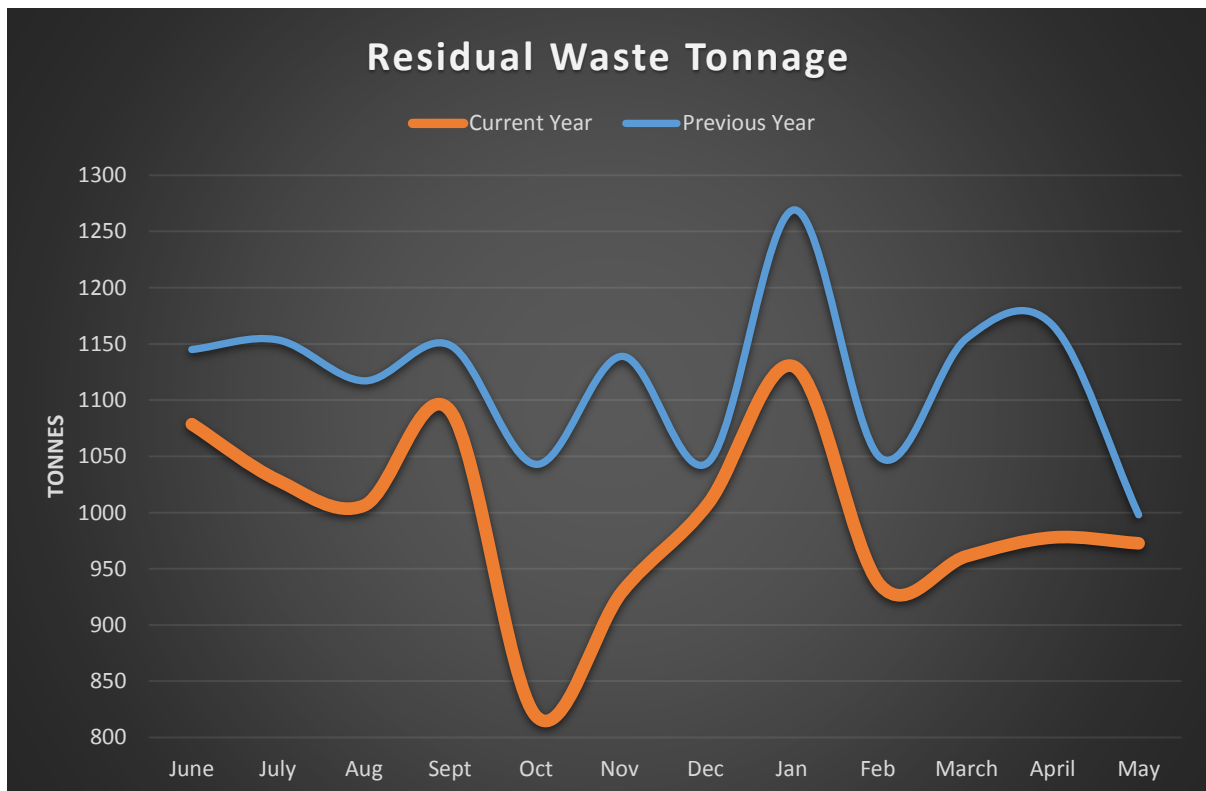


Chart 2: Residual Waste Collected (Tonnes)



### 3.0 Side waste

- 3.1 The waste and recycling crews have collected side waste from households for the past nine months to help embed Bin-it 123 and to start the implementation period from the perspective of helping residents with this significant change and utilising tools at the education end of the spectrum.
- 3.2 The proactive performance and pre-empting of issues by both the crews and the environment enforcement team have helped keep the District clean and tidy during the first nine-month implementation period.
- 3.3 This practice, while well-intentioned, has also had negative consequences for both the perceived and actual effectiveness of the Bin-it 123 scheme, but also the Council. In addition to the issues associated with persistent non-recyclers, many households are still putting recycling out for collection in black bin liners and bins instead of using the appropriate recycling containers, which is slowing down rounds. Where no kerbside sorting is done by the resident, it is limiting our recycling collection rate, and ultimately the scheme is not reaching its full effectiveness.
- 3.4 The practice of continuing to pick up extraneous residual waste (black bags) outside of the approved container is also taking up unnecessary resource and additional expenditure to ensure side waste collections take place. In looking at other local authorities bin collection schemes, very few (if any), collect side waste as the practice directly contradicts the policy of increasing recycling. This is shown in Table 1 below.

Table 1: The top performing authorities (by recycling rate 21-22); not one commits to collecting side waste.

Authority	Unitary/ District-	Recycling Rate	Side Waste collected	Collection Frequency (weeks)		
				Waste	Re- cycling	Food
Three Rivers District Council	District	63.5%	No	2	1	1
South Oxfordshire District Council	District	62.7%	No	2	2	1
St Albans City and District Council	District	62.4%	No	2	2	1
Vale of White Horse District Council	District	61.9%	No	2	2	1
East Devon District Council	District	61.0%	No	3	1	1
Stockport MBC	District	60.3%	No	2	2 & 4	1
Rochford District Council	District	59.9%	No	2	2	1
Tandridge District Council	District	59.9%	No	2	2	1
Guildford Borough Council	District	59.3%	No	2	2	1
Cotswold District Council	District	59.2%	No	2	2	1
Surrey Heath Borough Council	District	59.2%	No	2	2	Yes
Waverley Borough Council	District	58.9%	No	2	2	1
Trafford MBC	District	58.8%	No	2	4	1
Maldon District Council	District	58.3%	No	2	2	1
Stroud District Council	District	58.2%	No	2	2	1

Authority	Unitary/ District-	Recycling Rate	Side Waste collected	Collection Frequency (weeks)		
				Waste	Re- cycling	Food
East Riding of Yorkshire Council	Unitary	60.1%	No	2	2	2
South Gloucestershire Council	Unitary	59.9%	No	2	1	1
Dorset Council	Unitary	59.8%	No	2	2	1

- 3.5 The waste and recycling team have carried out side collections for the past nine months, however it is proposed to now stop collecting side waste so that the policy can complete its full implementation and the council can then accurately evaluate its effectiveness in achieving the necessary improvement in our recycling rates achieved and residual tonnages collected.

#### **4.0 Weekly recycling options**

- 4.1 Mid Devon is currently awaiting details of the Government's future funding plans for waste and recycling, how these will affect the authority and how it will legislate for future recycling practice to be carried out across the country.
- 4.2 It is possible that Government will mandate how recycling collections are completed in the future including garden and food waste collections along with the types of materials required to be recycled and how the public can recycle some of these items under Defra legislation (Consistency in Household and Business Recycling, Extended Producer Responsibility and Deposit Return Scheme).
- 4.3 The previous administration voted for a trial of weekly recycling to take place during the 23-24 financial year once the implementation of the three weekly bin collection scheme had been achieved.
- 4.4 Many of the top recycling authorities do not have weekly recycling schemes in place (see Table 1 above), which shows that excellence in recycling performance is not dependent on having weekly recycling (3 of the top 4 best in the country have not required a weekly recycling collection to achieve this). This would suggest that people's willingness to recycle is not being limited by a fortnightly collection. Mid Devon's recycling performance has significantly improved since introducing three weekly bin collections through raising education and awareness of the scheme with the public.
- 4.5 Given the government is potentially about to announce national changes to how waste and recycling is carried out, with recycling practice bound to be a central feature of this announcement, it makes sense to postpone any pilot of the weekly recycling scheme until two conditions are met; firstly that we have the detail of how future collections as mandated by central government will be made and funded; and secondly, that the council has had the opportunity to fully evaluate the implementation of the Bin-it 123 scheme, including the ceasing of side waste collection, in order to establish the upper limits of what can be achieved by the current scheme. Without such a baseline, it is unclear how the potential gain from any further trial could be robustly proven.

## **5.0 Future waste provision**

- 5.1 Mid Devon District Council will continue to raise education and awareness of the Bin-it 123 scheme with residents to further increase our recycling rate and reduce the residual waste put out for collection.
- 5.2 This is happening through a number of different measures including regular press announcements and communication, household visits from Recycling Officers and visits to schools and other institutions to help raise awareness of good collection practice.
- 5.3 It should be noted publicly and via council communications, that the residents of Mid Devon have done an excellent job in responding to the need to increase recycling rates. The council's current performance is a reflection of their significant efforts and the measures outlined above are seeking to address the issues related to the behaviour of a persistent minority, which is holding our collective environmental performance back from where it could be if the current scheme was fully complied with.

## **Financial Implications**

None in relation to the report. If a trial was to be conducted at some point in the future, the costs of a three-month trial are likely to be around £30K. However, if the service was asked to proceed with the roll out of weekly recycling on a permanent basis there would be substantial costs of circa £1.4m. Provisional estimates suggest that the delivery of weekly recycling collections would require the relocation of the Waste and Recycling service to a larger site with additional capacity to accommodate the extra vehicles and the potential extra recycling.

## **Legal Implications**

Under Section 46 of the Environmental Protection Act Waste Collection Authorities may by means of notice specify how householders present their waste for collection.

## **Risk Assessment**

The risks associated with the recommendations in this report relate mainly to the handling of appropriate education and enforcement activity – both areas where the current team have significant experience. This report recommends a tightening up of the policy in this space, and as such the risk of not addressing these issues are that the policy does not achieve its full effectiveness. In the event that any future changes are trialled (or mandated by government) a register of risks would need to be compiled in advance of those proposed service changes. There are potential risks, including impacts on; carbon emissions, the carbon footprint, operational costs and other resources required (from containers to personnel).

## **Impact on Climate Change**

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



operational implementation. Being a large rural district, our waste and recycling vehicles cover a lot of mileage annually, and there are opportunities to potentially reduce fuel usage with the future types of vehicles Mid Devon would be looking to procure.

### **Equalities Impact Assessment**

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

### **Relationship to Corporate Plan**

This report identifies with the 'Environment' priority area of the Corporate Plan for 2020-2024 *'increase recycling rates and reduce the amount of residual waste generated'*. Supporting and enabling customers to recycle and reduce residual waste contributes to Mid Devon District Councils' commitment to the Devon Climate Emergency.

### **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 01 Aug 2023

**Statutory Officer:** Maria de Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 01 Aug 2023

**Chief Officer:** Andrew Jarrett

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

**Date:** 01 Aug 2023

**Performance and risk:** Dr Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 28/07/2023

**Cabinet member notified:** Yes

### **Section 4 - Contact Details and Background Papers**

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

Email: [dbeer@middevon.gov.uk](mailto:dbeer@middevon.gov.uk)

Telephone: 01884 255255

**Background papers:**

<https://democracy.middevon.gov.uk/documents/s26160/Cabinet%20Report%20-%20Recycling%20Options%20Nov%202022.pdf>

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## **Report for: Homes Policy Development Group**

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Date of Meeting:	8 <sup>th</sup> August 2023
Subject:	UPDATE TO MID DEVON HOUSING (MDH) NEIGHBOURHOOD MANAGEMENT POLICY
Cabinet Member:	Cllr Simon Clist Cabinet Member for Housing and Property
Responsible Officer:	Simon Newcombe - Corporate Manager for Public Health, Regulation and Housing
Exempt:	None
Wards Affected:	All
Enclosures:	Annex A – Neighbourhood Management Policy Annex B – Neighbourhood Management Equality Impact Assessment

### **Section 1 – Summary and Recommendation**

Under the Neighbourhood and Community Standard, the Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhood's associated with their homes. This has been developed following an in-depth review of the policy in consultation with tenants and partner organisations.

#### **Recommendation:**

**That the PDG recommends that Cabinet adopt the updated Neighbourhood Management Policy and Equality Impact Assessment contained in Annexes A and B respectively.**

## **Section 2 – Report**

### **1 Introduction and historic performance**

- 1.1 Under the Neighbourhood and Community Standard, the Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out how, in consultation with their tenants, they will maintain and improve the neighbourhoods associated with their homes.
- 1.2 The Social Housing (Regulation) Act 2023 has received Royal Assent. This will impact the regulatory framework for social housing and introduces a new proactive, consumer-led regulation regime focussed on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 1.3 These new standards are there to ensure people feel safe and secure in their homes, can get problems fixed before they spiral out of control, and see exactly how well their landlord is performing giving tenants a stronger voice. Of the seven chapters within the White Paper, several are particularly relevant to the aims of this policy:
  - To be safe in your home (Chapter 1)
  - To know how your landlord is performing (Chapter 2)
  - To have your complaints dealt with promptly and fairly (Chapter 3)
  - To have a good quality home and neighbourhood to live in (Chapter 6)
- 1.4 As part of the new consumer regulation regime, from April 2023, the RSH has already introduced a series of 22 new, mandatory Tenant Satisfaction Measures (TSMs) through the creation of a new TSM consumer standard. This has enabled a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measures include those applicable directly to building safety as well as those based on tenant perception surveys, for example setting out tenants views on our performance on responsible neighbourhood management.
- 1.5 The TSM measures directly relevant to neighbourhood management include:
  - TP10: Satisfaction that the landlord keeps communal areas clean and well maintained
  - TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods
- 1.6 A pilot TSM survey was completed by MDH in late 2022 ahead of the TSMs being formally adopted and the results for TP10 and 11 are set out below. These results provide some context on historic performance under the previous policy and are a benchmark for future consideration.

- TP10: Satisfaction that the landlord keeps communal areas clean and well maintained – 53%
- TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods – 47%

## **2 The updated Neighbourhood Management Policy**

- 2.1 The Housing Ombudsman has issued guidance to all housing providers that some everyday noise complaints should not be treated as ASB as this was unfair to the complainant and the complained about. It sets out that relevant noise complaints should be handled under the Neighbourhood Management function.
- 2.2 MDH have taken on board this Housing Ombudsman guidance and have removed specific noise complaints in relation to discounting domestic noise complaints (e.g. children, washing machine noise etc.) from the ASB Policy and included them within this update of the Neighbourhood Management Policy.
- 2.3 Overall, in order to meet the aims of this policy, the policy objectives are:
  - We conduct regular neighbourhood inspections of communal areas and ensure that they are well maintained, tidy and free from graffiti
  - We will work in partnership with the Police and other services to help keep our estates free from anti-social behaviour (ASB), harassment and hate crime
  - We will conduct fire risk assessments in blocks of flats to identify and address fire risks
  - We will ensure communal areas are well maintained
  - Grounds maintenance work is carried out to the required standard
  - Residents are aware of their responsibilities, both in relation to their property and neighbourhood
  - We will consult with our tenants to identify improvements and work together to address local priorities
  - We will identify areas that need improvements and undertake measures to resolve them
  - We will promote tenant involvement opportunities, activities and events to help develop and support vibrant communities

## **3 Key changes to Policy**

- 3.1 The revised Neighbourhood Management Policy details the actions that will be taken in relation to neighbour disputes and everyday living noise complaints that are not classed as ASB. The time frames for these are the same as any other complaint or enquiry raised by a tenant.

- 3.2 The revision of the existing policy also includes further definition of responsibilities to ensure that all stakeholders are clear about accountabilities.
- 3.3 There are no other materially relevant changes to the policy.
- 3.4 The MDH ASB policy has already been revised to account for the change set out in 3.1 above and was adopted at Cabinet on 4 July 2023.

#### **4 Consultation and follow-up**

- 4.1 The draft policy was sent to the following partner charity organisations for comment between 9<sup>th</sup> May and 16<sup>th</sup> June 2023:
- Citizens Advice (Torridge, North, Mid and West Devon)
  - Navigate (Somerset/Devon community social isolation and financial hardship)
  - CHAT (Churches Housing Action Team Mid Devon)
- 4.2 Tenants were invited to comment on the draft policy between 9<sup>th</sup> May and 16<sup>th</sup> June 2023.
- 4.3 No comments or concerns were received from either tenants or partners.
- 4.4 Despite a lack of response to consultation, it is important that tenants are fully aware of the updated policy. To this end, should the policy be adopted, MDH will proactively signpost the policy on our webpages/Facebook pages and in the next tenant newsletter. Where relevant, particularly in relation to queries, service requests or complaints we will also ensure specific tenants or other stakeholders are also aware of the updated policy as required.

#### **5 Recommendation**

- 5.1 The following recommendation is made:
1. That the PDG recommends that Cabinet adopt the updated Neighbourhood Management Policy and Equality Impact Assessment contained in Annexes A and B respectively.

#### **Financial Implications**

There are budgets in the Housing Revenue Account to support effective neighbourhood management. This includes budgets for repairs and maintenance, improvements, the management of anti-social behaviour and adequate staffing to ensure that our statutory and regulatory obligations are met. This resourcing is kept under regular review to ensure MDH continue to meet its statutory obligations as a minimum.

## **Legal Implications**

The Council has a duty of care and statutory obligations relating to health and safety; in addition, the Neighbourhood & Community Standard within the regulatory framework for social housing (enforced by the Regulator for Social Housing), requires registered providers (RPs) such as the Council, to keep the neighbourhood and communal areas associated with the homes that they own clean and safe. It also contains a specific requirement that RPs have a policy for maintaining and improving the neighbourhoods associated with their homes.

## **Risk Assessment**

Failure to have an adequate neighbourhood management policy in place would put the Council in breach of the regulatory framework. Failure to have adequate management arrangements and resource in place to deliver the policy objectives could result in the Council failing to meet its statutory and contractual obligations.

The RSH also have specific new powers (as set out in paragraph 1.0 above) to take formal action against RPs that are failing to meet standards. Those judged to be performing poorly will be expected to put things right quickly.

Some aspects of neighbourhood management including the management of communal areas have a direct relationship with effective building safety and fire risk in particular. Therefore, inadequate policy, management or resource regarding neighbourhood management could put our tenants, their visitors or wider communities at risk of serious harm.

## **Impact on Climate Change**

None directly relevant to this report or policy.

## **Equalities Impact Assessment**

Mid Devon Housing collects data on the diversity of tenants and endeavours to tailor services to meet the needs of all tenants. Our housing estates must be accessible to those with disabilities and we have in place a regular schedule of inspections to ensure that all defects are identified and rectified as soon as possible. Information provided by MDH is available in alternative formats, upon request, in order to ensure that all those living on our estates understand the rights and responsibilities of the Council as a landlord, and tenants and other residents, individually. Older tenants may find it difficult to maintain their gardens and the Neighbourhood team will endeavour to signpost those affected to voluntary organisations which may be able to provide help and will manage issues accordingly.

The full Equalities Impact Assessment is attached to this report in Annex B.

## **Relationship to Corporate Plan**

A stated aim of the Council is to deliver sustainable communities.

### **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 25 Jul 2023

**Statutory Officer:** Maria de Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 25 Jul 2023

**Chief Officer:** Simon Newcombe

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

**Date:** 21 July 2023

**Performance and risk:** Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 31 July 2023

**Cabinet member notified:** Yes

### **Section 4 - Contact Details and Background Papers**

**Contact:** Carole Oliphant, Policy Officer or Simon Newcombe Corporate Manager for Public Health, Regulation and Housing

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#### **Background papers:**

Current Mid Devon Housing Neighbourhood Management Policy:

<https://www.middevon.gov.uk/media/85031/neighbourhood-management-policy-v3-september-2018.pdf>

The Charter for Social Housing Residents – Social Housing White Paper:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/936098/The\\_charter\\_for\\_social\\_housing\\_residents\\_-\\_social\\_housing\\_white\\_paper.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/936098/The_charter_for_social_housing_residents_-_social_housing_white_paper.pdf)





# NEIGHBOURHOOD MANAGEMENT POLICY

MAY 2023

## 1 Introduction

- 1.1 Mid Devon Housing (MDH) is part of Mid Devon District Council (the Council). It is responsible for the Council's housing stock including the maintenance, management and letting of its properties and estates.
- 1.2 This policy sets out MDH's approach to managing our estates with the help of our tenants and residents to keep our neighbourhoods clean, safe and secure and where people want to live.
- 1.3 MDH will work in partnership with our tenants and other stakeholders and public bodies where it is effective to do so.
- 1.4 This is an update to the Neighbourhood Management Policy V3 which was adopted in 2018.

## 2 Legal Framework and Context

- 2.1 Under the Neighbourhood and Community Standard, The Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhoods associated with their homes.
- 2.2 The Social Housing (Regulation) Act 2023 has received Royal Assent. This will impact the regulatory framework for social housing and introduces a new proactive, consumer regulation regime focussed on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 2.3 These new standards are there to ensure people feel safe and secure in their homes, can get problems fixed before they spiral out of control, and see exactly how well their landlord is performing, giving tenants a stronger voice. Of the seven chapters within the Act, several are particularly relevant to the aims of this policy:
  - To be safe in your home (Chapter 1)
  - To know how your landlord is performing (Chapter 2)
  - To have your complaints dealt with promptly and fairly (Chapter 3)
  - To have a good quality home and neighbourhood to live in (Chapter 6)

2.4 As part of the new consumer regulation regime, from April 2023, the RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measures include those applicable directly to building safety as well as those based on tenant perception surveys; setting out tenants views on our performance which will include responsible neighbourhood management.

2.5 The TSM measures under responsible neighbourhood management include:

- TP10: Satisfaction that the landlord keeps communal areas clean and well maintained
- TP11: Satisfaction that the landlord makes a positive contribution to neighbourhoods
- TP12: Satisfaction with the landlord's approach to handling anti-social behaviour
- NM01: Anti-social behaviour cases relative to the size of the landlord

### 3 Policy Aims and Objectives

#### Aims

3.1 Within the legal framework and context set out in Section 2, this policy aims to ensure that tenants have quiet enjoyment of their homes, which are in a safe, clean and secure environment, and that they can take pride in.

#### Objectives

3.2 Overall, in order to meet the aims of this policy, the policy objectives are:

- We conduct regular neighbourhood inspections of communal areas and ensure that they are well maintained, tidy and free from graffiti
- We will work in partnership with the Police and other services to help keep our estates free from anti-social behaviour (ASB), harassment and hate crime
- We will conduct fire risk assessments in blocks of flats to identify and address fire risks
- We will ensure communal areas are well maintained
- Grounds maintenance work is carried out to the required standard
- Residents are aware of their responsibilities, both in relation to their property and neighbourhood
- We will consult with our tenants to identify improvements and work together to address local priorities

- We will identify areas that need improvements and undertake measures to resolve them
- We will promote tenant involvement opportunities, activities and events to help develop and support vibrant communities

## 4 Permissions

- 4.1 Tenants must seek permission if they wish to install hanging structures such as hanging baskets or bird feeders in communal areas, especially those in blocks of flats. These must be positioned in such a way as to avoid damage to the structure of the building and so not to cause a nuisance or annoyance to others. An example would be hanging baskets when watered causing a slip hazard or the possibility of people walking beneath them getting wet.

## 5 Keys

- 5.1 Additional keys for main entry doors in blocks of flats will not be provided to tenants; although replacement keys may be available in appropriate circumstances. If replacement keys are required, any costs relating to this will be recharged to the tenant. At your request we can provide a key safe on the exterior of the building for those whose carers require access, a key can be stored here to allow them to access the block. This is to ensure that security is maintained. For the same reason, communal key codes in blocks where there is a door entry system will only be given to employees and contractors to enable them to carry out their duties.

## 6 Neighbourhood Walkabouts

- 6.1 Tenants, councillors (both District and Parish) and other agencies such as the Police are welcome to join neighbourhood officers when an estate in their area is inspected to raise any concerns and share ideas for improvement. A schedule of neighbourhood walkabouts is available on our website.

- 6.2 Neighbourhood walkabouts enable neighbourhood officers to identify issues surrounding the following (this is not an exhaustive list):

- Breaches of tenancy
- Grounds maintenance issues, including hedges, trees and boundaries, and grassed/planted areas
- Repairs
- A build-up of domestic waste that has not been appropriately disposed of
- Items in your garden which are not in line with your tenancy agreement
- Items in your garden that impact the look of an estate
- Any health and safety issues; for example, any deterioration to pathways that could be trip hazards, gas canisters, tyres, vehicle parts, anything that should not be in a garden whereby the garden looks untidy or unkempt
- Communal areas – internal and external

- Car parks and garages
- Security issues, including fencing/ boundaries, security doors
- Tenancy issues, including property condition, property improvements, untidy gardens, pets
- ASB, including graffiti/vandalism, drugs, abandoned cars, fly-tipping

## 7 Communal Inspections

- 7.1 MDH are committed to undertaking regular communal inspections and will proactively address any concerns raised during these inspections.
- 7.2 The frequency of these inspections will be locally determined and will be undertaken more frequently in neighbourhoods where there have been more reported issues, for example ASB.
- 7.3 Communal inspections have one aim, to ensure the safety of all residents living within a block who share a communal space. Inspections and walkabouts will be done in partnership with tenants, internal colleagues, such as our maintenance team, Councillors and other external agencies such as the Police.

## 8 Vandalism and Graffiti

- 8.1 Acts of vandalism to MDH property or land will be repaired as quickly as possible. Offensive/racist graffiti will be removed within 24 hours, all other graffiti will be removed within a reasonable timescale.
- 8.2 Any vandalism on MDH property will be reported and dealt with within our repair priorities. Any vandalism which is a Health and Safety risk will be dealt as an emergency as per our repair priorities.
- 8.3 MDH will investigate all acts of vandalism and graffiti and appropriate action will be taken against all known perpetrators of vandalism.

## 9 Litter and Fly Tipping

- 9.1 MDH will take reports of fly tipping seriously and ensure that it is dealt with quickly and efficiently.
- 9.2 MDH will investigate all instances of fly tipping on MDH property. MDH will request that the responsible person remove the items within a reasonable timescale. If these items are not removed, MDH will arrange for the removal of these items and a recharge will be raised to the responsible person to cover the cost of this service.

- 9.3 Reports of fly-tipping that is not on MDH property will be reported to and dealt by the Street Scene Service.
- 9.4 MDH will investigate fly tipping incidents and appropriate action will be taken against all known perpetrators.

## 10 Anti-Social Behaviour and Neighbour Disputes

- 10.1 ASB can have a significant impact and MDH is committed to delivering a non-judgemental, balanced service. For more information on how MDH tackles ASB, please view the ASB Policy and Procedures.
- 10.2 Where the behaviour does not constitute ASB, you will be told why your complaint does not classify as an ASB complaint and advice will be given to enable self-resolution.
- 10.3 We expect a reasonable level of tolerance between neighbours and will make fair evaluations on whether a complaint of ASB is reasonable. An important part of creating sustainable communities is the recognition and acceptance by MDH tenants that the initial responsibility to resolve concerns with others lies with them. Therefore, we may be able to provide advice, but we will not investigate the following concerns:
- A tenant going about their daily activities in their home – for example, playing with children, loud footfall, moving of furniture, babies/children crying, television noise, occasional loud music, toilets being flushed (this is not an exhaustive list)
  - Noise occurring at different times due to different working patterns or one off parties
  - Concerns which do not breach the tenancy agreement, for example, people staring, smoking or cooking odours, or clashes due to lifestyle or cultural differences
  - Concerns which involve residents not being pleasant to each other, but are not serious enough to justify our involvement
  - Boundary disputes
  - Inconsiderate parking
- 10.4 It is important to be tolerant of other people's lifestyles and to be understanding of these possible differences. Behaviour that results from different lifestyles, or which would not be considered unreasonable by most people is not ASB. Examples of this might include (this is not an exhaustive list):

- Lifestyle clashes
- Children playing or youths innocently congregating
- Ball games
- Parking disputes
- One off party
- Reasonable living noise such as lawn mowing, household DIY, hoovering, toilets flushing, doors banging, noise from household appliances or moving around in top floor apartments

10.5 Ways in which residents may be able to prevent low level complaints being made against them may include:

- Informing your neighbours if you are going to be having a one off event
- Not to remove carpets from upper floor flats so that noise transfers to lower down properties
- Consider the use of appliance mats if you are running washing machines etc. overnight
- Telling your neighbours if your shift patterns have changed so they can be understanding of your needs
- Be considerate of your neighbours
- Do not carry out repairs or other works late at night or at other unsociable hours
- Do not play music, TV or instruments too loudly
- Keep dogs and other pets under control
- Be aware of where your children are playing, who is supervising them and what they are doing

10.6 If residents are not able to resolve their differences themselves they should contact MDH where a neighbourhood officer may be able to offer mediation or other solutions in order to resolve the dispute. In this instance you will be kept informed of the progress of your dispute and what actions have been agreed to mitigate a repeat of the incident.

## 11 VEHICLES AND PARKING

11.1 You must not park any vehicle which is untaxed, un-roadworthy or not insured at your property or on any other Council-owned land.

- 11.2 Any vehicle parked on a drive or on a garden where there is no dropped kerb, and without evidence of a request to Devon County Council to drop the kerb, will be expected to be removed immediately until a dropped kerb is in place. We will also need to ensure that you have appropriate permission from the Council for the installation of a drive. You are prohibited from parking a car on a garden that has not had a hard standing installed without consent from MDH.
- 11.3 MDH will work with our tenants and residents to reduce irresponsible parking and parking-disputes.

## 12 TREE MANAGEMENT

- 12.1 MDH have a rolling maintenance plan to reduce avoidable risks relating to trees on land owned by the Council. Works to trees outside the works programme will only be undertaken when there has been an identified risk or hazard, such as it is:
- a) Unsafe
  - b) Obstructing public footpaths or roads
  - c) Proven to be damaging property
- 12.2 Where any trees or shrubs, which are in tenants' gardens are causing a nuisance/annoyance or are dangerous, we may give tenants written notice asking that they remove or cut back the trees within certain timescales. If this is not done MDH may enter the property to carry out the works and the tenant may be liable for reasonable costs in carrying out any such works.



- 12.3 If tenants want to plant a tree on their property they must obtain written consent from MDH before undertaking the planting (in fact it may be wise to get written consent before purchasing the tree).

## 13 CCTV AND CAMERA DOORBELLS

- 13.1 MDH will consider proposals to install CCTV or camera doorbells where appropriate to do so. Please refer to MDH's CCTV Policy for more information on this.

## 14 INFESTATIONS OF PESTS AND VERMIN

- 14.1 Pests or vermin that pose an immediate danger to a person or property will be investigated and dealt with appropriately via the responsive repairs team.

## 15 CLEANING

- 15.1 MDH will ensure that communal areas are clean and safe. There is an expectation that tenants, leaseholders and other residents play their part in keeping their neighbourhoods clean and tidy.

## 16 GARDENS

- 16.1 The responsibility of garden maintenance lies with the tenant. Where a tenant fails to maintain their garden, MDH will take appropriate action (which may result in a recharge to the tenant).
- 16.2 MDH will work with our tenants to encourage them to keep their gardens tidy and well-maintained.
- 16.3 You are responsible for notifying us if there is a good reason you are unable to look after your garden or arranging for someone to look after it on your behalf.
- 16.4 You must obtain written consent from us before you or members of your Household do any of the following:

- Place, build or erect any greenhouse, garage, shed, patio, decking, aviary, fencing, conservatory, pigeon-loft, fishpond, pool or similar structure in your garden or a communal area or anywhere in/or on Council property;
- Place, build or erect any gate or barrier across a communal path;
- Replace or erect fencing. Any fencing, with written consent, should be no higher than one metre at the front or two metres at the back of your property;
- Make changes to boundary walls, outbuildings or hard surfaces.

## 17 GARDEN FENCES

17.1 Garden fences are mostly the responsibility of the tenant to maintain. Where there is a dispute between two neighbours regarding the responsibility for a fence or hedge, MDH will provide a boundary plan to confirm responsibility.

17.2 Where a garden fence is the responsibility of MDH it will be maintained by us.

## 18 FIRES AND BBQ'S

18.1 Bonfires and/ or mini fires on communal land, owned and managed by MDH will not be permitted. Disposable BBQ's are not permitted to be used in communal areas.

## 19 GRASSED AREAS AND COMMUNAL LAND

19.1 Grassed areas located on communal land on an estate are provided as an amenity for the benefit of all tenants. Therefore, tenants should seek permission regarding the use of external communal areas if there is a proposal to establish a gardening club, or to create a wildlife garden, or to run a community social event, for example.

19.2 It should be noted that public liability insurance may be required in relation to a community social event if it is organised by private individuals and not MDH. MDH cannot be held liable for any damage or injuries which may occur at such an event which has been organised by private individuals. Anyone planning such an event is advised to seek advice from their neighbourhood officer before requesting permission.

19.3 MDH may consider allowing a charity to hold an event on communal land but a written agreement will be required indemnifying the Council in the event of any claims for damage or injury. Decisions made regarding such events will take account of all relevant factors and MDH will require sight of all relevant insurance and other documents in these circumstances before permission is granted.

19.4 Individual tenants will not be permitted to erect their own sheds in communal areas. Should storage be an issue, tenants should seek advice from the neighbourhood team.

19.5 MDH is required to consult all residents affected regarding a major change in the use of the communal area. We will make the final decision if there is any dispute regarding the use of communal space where agreement cannot be reached locally. Any such decisions will take into account legal obligations, policy, local feedback and any other considerations which may be relevant.

## 20 COMPLAINTS AND FEEDBACK

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

20.2 If things do go wrong the Council is committed to:

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

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

20.4 The Housing Ombudsman Service advises that a complaint is defined as:

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

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

20.6 If a tenant does not want to do this or is unhappy with the response, they may make a formal complaint (stage 1), which can be escalated to stage 2 if they are still not satisfied with the response. If having been through stages 1 and 2 they are still not satisfied, the tenant may contact the Housing Ombudsman Service.

20.7 MDH's complaints procedure is detailed on the Council website: [Feedback and Complaints](#)

## 21 EQUALITY IMPACT ASSESSMENT

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

## 22 REVIEW AND VERSION CONTROL

22.1 MDH will review this policy every 4 years and as required to address legislative or regulatory changes, best practice or operational issues.

22.2 This policy was produced in 2023 and is version 4

22.3 This policy was adopted by Cabinet on xxxx



## Neighbourhood Management Policy - Equality Impact Assessment (EIA)

The Equality Act 2010 replaces the previous anti-discrimination laws with a single Act. It simplifies the law, removing inconsistencies and making it easier for people to understand and comply with it. It also strengthens the law in important ways, to help tackle discrimination and equality. The majority of the Act came into force on 1 October 2010.

The Public Sector Equality Duty came into force on 5 April 2011. The duty ensures that all public bodies play their part in making society fairer by tackling discrimination and providing equality of opportunity for all. It ensures that public bodies consider the needs of all individuals in their day to day work – in shaping policy, delivering services and in relation to their own employees.

The Equality Duty encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs. By understanding the effect of their activities on different people, and how inclusive public services can support and open up people's opportunities, public bodies are better placed to deliver policies and services that are efficient and effective.

MDH is required by law to have due regard to the need to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited under the Act,
- Advance equality of opportunity between people who share a protected characteristic and people who do not share it, and
- Foster good relations between people who share a protected characteristic and people who do not share it.

An EIA will be carried out by MDH in respect of new or revised policies and a copy of the assessment will be made available. Where it is clear from initial consideration that a policy will not have any effect on equality or any of the protected characteristics, no further analysis or action will be necessary.

<b>Service:</b>	Mid Devon Housing
<b>Name of policy being assessed:</b>	Neighbourhood Management Policy
<b>Lead officer responsible for EIA:</b>	Operations Manager for Housing Management Services
<b>Is this a new or existing policy:</b>	Existing to be revised

**1. What are the aims and objectives of the policy?**

This policy sets out Mid Devon Housing's (MDH) approach to managing our estates with the help of our tenants and residents to keep our neighbourhoods clean, safe and secure and where people want to live.

MDH will work in partnership with our tenants and other stakeholders and public bodies where it is effective to do so.

**2. What outcome do MDH want to achieve from this policy?**

Under the Neighbourhood and Community Standard, The Regulator of Social Housing (RSH) requires all registered providers to publish a policy setting out, how in consultation with their tenants, they will maintain and improve the neighbourhoods associated with their homes.

It will ensure that MDH is compliant with its responsibilities under relevant legislation.

**3. Who is intended to benefit from the policy?**

The Neighbourhood Management Policy will apply to all tenants living in MDH homes.

**4. Who are the main stakeholders in relation to the policy?**

- All tenants
- Household members
- Family members of tenants

**5. Do you have baseline quantitative data for this policy?**

MDH has around 3000 homes and they are all included within the Neighbourhood Management Policy.

**6. Do you have baseline qualitative data for this policy relating to different equality strands?**

All tenants of MDH will be covered by the Neighbourhood Management Policy. This policy will ensure that a consistent, fair approach is taken when managing our estates

**7. What has stakeholder consultation, if carried out, revealed about the nature of the impact?**

The contents of the Neighbourhood Management Policy provides guidance as to how MDH will manage our estates with the help of our tenants and residents to keep our neighbourhoods clean, safe and secure and where people want to live.

Stakeholder consultation has taken place including residents' feedback on what best practice is considered by them.

Internal consultation with the relevant officers has taken place to ensure the document covers all aspects required of us and meets the needs of MDH and our tenants.

The consultation with residents and stakeholders did not result in any comments or concerns.

**8. From the evidence you have, does the policy affect or have the potential to affect different equality groups in different ways?**

All MDH tenants have a **responsibility** both in relation to their property and neighbourhood. The policy sets out how MDH will respond to issues that arise. No communities or groups are affected in an adverse way.

**9. Is this policy likely to be equally accessed by all equality groups or communities?**

The policy applies to all MDH tenants living on our estates as all tenants have rights.

**10. Are there barriers that might make access to the policy difficult for equality groups or communities?**

MDH will maximise access for all groups. Where requested, MDH will have this (or any other MDH policy) translated if English is not the tenant's first language.

**11. Could the policy promote or contribute to equality and good relations between different groups?**







The policy may raise awareness between officers and tenants regarding the rights of tenants and their responsibilities both in relation to their property and neighbourhood. The policy encourages tolerance between neighbours to foster an understanding of different lifestyles.

The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework.

**12. What further evidence is needed to understand the impact on equality?**

MDH will use existing performance monitoring data to establish whether there has been any negative or positive impact on tenants and their ability to access services.

13. On the basis of the analysis above, what actions, if any, will MDH need to take in respect of each of the equality strands?

Characteristic:	Impact: Please  the relevant box		Comments/Action:
<b>Age:</b>	Positive		No action needed. The rights of existing tenants remain unaffected.
	Neutral		
	Negative		
<b>Disability:</b> You're disabled under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.	Positive		No further action needed
	Neutral		
	Negative		
<b>Gender:</b>	Positive		No further action needed
	Neutral		
	Negative		
<b>Gender reassignment:</b>	Positive		No further action needed
	Neutral		
	Negative		
<b>Marriage and civil partnership:</b>	Positive		No further action needed
	Neutral		
	Negative		
<b>Pregnancy and Maternity:</b>	Positive		No further action needed
	Neutral		
	Negative		
<b>Race:</b>	Positive		No further action needed. Regular monitoring may identify reasons not initially identified. Action will be taken to mitigate any barriers identified.
	Neutral		
	Negative		
<b>Religion and Belief:</b>	Positive		No further action needed. Regular monitoring may identify reasons not initially identified. Action will be taken to mitigate any barriers identified.
	Neutral		
	Negative		
<b>Sexual Orientation:</b>	Positive		No further action needed. Regular monitoring may identify reasons not initially identified. Action will be taken to mitigate any barriers identified
	Neutral		
	Negative		



**Monitoring and Review:**

MDH will regularly review the EIA, in line with legislative changes or good practice, or if the policy impacts any group directly.

Operations Manager for Housing Management Services.

Signed:

Dated: June 2023

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## **Report for: Cabinet**

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Date of Meeting: 16 August 2023

**Subject: 3 Rivers Development Limited**

Cabinet Member: Cllr James Buczkowski

Responsible Officer: Andrew Jarrett Deputy CEO (S151)

Exempt Appendices 1 and 2 which are Exempt from publication under paragraph 3, Part 1 of Schedule 12A to the Local Government Act 1972 (as amended) as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information)

Enclosures: Appendix 1 - Report from Francis Clark (exempt)

Appendix 2 - Briefing Paper from Deputy Chief Executive (S151) (exempt)

### **Executive Summary**

This report has considered the current trading position of the Council's wholly owned property development company and its potential for medium to longer term financial viability. Based on its own analysis and supported by external opinion from Francis Clark, the Cabinet is recommending to Full Council that the only viable decision is one of "soft closure" of the company.

### **Recommendation(s):**

**1 - Cabinet recommend to Full Council a "soft closure" of 3 Rivers Development Ltd. over a sensible short term period in order to minimise any potential financial exposure and maximise returns from company assets.**

**2 - Delegated authority is given to the Deputy Chief Executive in conjunction with the Cabinet Member for Finance to deliver/instruct all necessary activities in order to deliver a "soft closure" and maintain timely decision making in order to protect the Council's position during this process.**

**3 - That the Deputy Chief Executive, in discussion with the Cabinet Member for Finance procure any additional professional advice required to protect the Council's position and maximise the return to the Shareholder and minimise any potential further losses.**

## **1.0 Background**

- 1.1 At a meeting of Full Council on the 7/3/23, after rejecting the 3<sup>rd</sup> iteration of a company Business Plan and associated development business cases, the Council decided to allow the company to continue to completion the 2 live projects (St. Georges Court, Tiverton and Haddon Heights, Bampton) and asked officers to commission a viability report in to the future of the company. This decision effectively put all other company activity on stop/pause.
- 1.2 This commission was agreed by the Cabinet and was subsequently tendered and awarded to Francis Clark. This commercially sensitive part 2 document is included as Appendix 1 to this report.
- 1.3 Back in 2017 the Council made the commercial decision to set up a property development company, in order to see higher levels of property numbers, enhanced quality of build, more affordable housing numbers and to see a financial return to the Council to mitigate some of the difficulties of the national public sector austerity programme, as the alternative would have meant significant reductions in service delivery and standards.
- 1.4 It is evident, after nearly 6 years of delivery, set against a challenging national economic background, that the financial rationale behind setting the company up hasn't been achieved. Therefore, in light of the Council's decision not to agree any further business activity for the company a fundamental and urgent decision is required as to what the Council needs to do now.

## **2.0 Current position**

- 2.1 The Council's wholly owned property development company 3 Rivers Development Ltd. have a total loan book from the Council of circa £21.3m, it currently has only 2 live projects, both nearing completion, no future development pipeline and is facing a very challenging economic future, with rising interest rates and significant uncertainty in the housing market.
- 2.2 Also with an annual operational overhead of circa £0.3m the company needs to generate annual sales turnover of around £3-3.5m just to cover these costs.
- 2.3 This report includes two important documents which attempt to summarise the company's current position, based on a number of fairly challenging and inter-related market estimates and then provide some strategic direction on what the options are for the Council moving forwards.
- 2.4 The aforementioned documents, are firstly, the detailed financial options appraisal produced by Francis Clark and is included as Appendix 1 to this report. In addition there is a briefing paper provided by the Deputy Chief Executive (S151) which highlights an overview of where we are now, options

that are available and the decisions that are urgently required. Both of these reports/papers contain financial and commercially confidential information and are therefore included as part 2 documents to assist the decision making recommended in this report.

### **3.0 The Financial Impact**

- 3.1 The company's trading position has deteriorated over the past 3 years. This position is predominantly associated with the St. Georges Court project and down to insufficient business activity to contribute/offset the company's working capital/overheads. In addition, the company has also been heavily impacted by Covid19 and then the cost of living (COL) crisis, with the direct impact of rising material and contractor costs and the associated reduced availability of resources. The company is now facing the double threat of rising interest rates, impacting both current operational costs and future sales and the direct linkage associated with a challenging and uncertain housing market.
- 3.2 In addition to this, changes to Government/Treasury guidance on investing outside of the District during the life of the company, has also further restricted the company's development options, narrowing any commercial potential even further.
- 3.3 Reflecting on these financial company challenges, the Council in completing the 2021/22 and 2022/23 accounts, has made provision for potential company losses of circa £5.3m. Depending on what the Council decides to do with its company after assessing this report, further write offs will likely need to be made and how they could be funded, once further decisions/outcomes are crystallised.
- 3.4 If a decision is made to "soft close" 3 Rivers Development Ltd. it is likely that the Council will need to commission further professional advice in order to ensure that the closure is undertaken correctly in order to reduce any further financial exposure.

### **4.0 Conclusion**

- 4.1 Based on the summary findings made by Francis Clark and assessing the overarching commentary supplied in the additional briefing paper provided by the Council's Deputy Chief Executive (S151), it is recommended that the Council decides to "soft close" its development company in an orderly, but relatively time-effective manner, in order to maximise all potential asset/development returns and minimise any potential liabilities/cost exposures.

**Financial Implications:** These are detailed within the main report and the 2 attached documents.

**Legal Implications:** The Council will ensure all necessary decisions emanating from this decision are conducted in full compliance with relevant legislation and external advice will be secured where necessary.

**Risk Assessment:** Detailed papers were provided by the CE and DCE to a meeting of Full Council in March 2023. The main issue here is continuing to support a business, set against a very uncertain and challenging market, or making a strategic decision now to “soft close” the business and thereby crystallising current estimated losses.

**Impact on Climate Change:** None associated with this report.

**Equalities Impact Assessment:** None associated with this report.

**Relationship to Corporate Plan:** The company, at its inception, was set up to help partially fund and link to a number of key strategic objectives in the Corporate Plan. However, 6 years later the Council now needs to make a fundamental decision which will enable it to concentrate on the delivery of a new Corporate Plan.

#### **Statutory Officer sign-off**

**Statutory Officer:** Andrew Jarrett  
Agreed by or on behalf of the Section 151  
**Date:** 2/8/23

**Chief Officer:** Stephen Walford  
Agreed by or on behalf of the Chief Executive/Corporate Director  
**Date:** 2/8/23

**Statutory Officer:** Maria De Leburne  
Agreed by or on behalf of the Monitoring Officer  
**Date:** 2/8/23

**Cabinet member notified:** Yes

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Andrew Jarrett  
Email: [ajarrett@middevon.gov.uk](mailto:ajarrett@middevon.gov.uk)  
Telephone: 01884 - 234242

**Background papers:** Report from Francis Clark and briefing paper provided by DCE (S151) and Briefing Paper by Deputy Chief Executive (S151)

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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**Report for: CABINET**

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Date of Meeting:	29 August 2023
Subject:	<b>HOUSING REVENUE ACCOUNT (MID DEVON HOUSING) LARGE SITES OPTIONS</b>
Cabinet Member:	Councillor Simon Clist, Cabinet Member for Housing and Property Services
Responsible Officer:	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing
Exempt:	None
Wards Affected:	Directly – Tiverton Castle and Lowman, Cullompton Padbrook. Other wards indirectly through the provision of new social housing
Enclosures:	Annex A shows options analysis for each large site. Annex B shows development programme option profiles

## **Section 1 – Summary and Recommendations**

The reports sets out options for potential large sites within the Housing Revenue Account (HRA) development programme. The sites considered are Post Hill, Tiverton, St Georges Court, Tiverton and Knowle Lane, Cullompton. These sites are presently within the control of the Council with Post Hill held within the HRA

The purpose is to agree the 5-year HRA development programme (2023/24 to 2027/28) in respect of these large potential sites for new social housing within Mid Devon Housing (MDH) stock taking into account the options analysis presented.

## **Recommendations:**

- 1. That Cabinet approve the acquisition of St Georges Court, Tiverton by the HRA subject to an agreed valuation.**
- 2. Delegated authority be granted to the S151 Officer and the Corporate Manager for Public Health, Regulation and Housing (in consultation with the Cabinet Members for Finance and Housing & Property Services) to complete the purchase of St Georges Court, Tiverton.**
- 3. Subject to Recommendations 1 and 2, that Cabinet approve a local lettings approach for the allocation of social housing at St Georges Court as primarily over-60 years accommodation with a mix of 28 social rent and 11 affordable rent units.**
- 4. That Cabinet approve the HRA undertaking a feasibility study into the acquisition and development of Knowle Lane, Cullompton as social housing for potential inclusion later in the HRA 5-year development programme.**
- 5. That Cabinet agree the HRA will not progress its proposed development and relevant tender for Post Hill, Tiverton.**
- 6. Subject to Recommendation 5, that Cabinet grant delegated authority to the S151 Officer and the Corporate Manager for Public Health, Regulation and Housing to explore alternative options for the delivery of affordable housing at Post Hill, Tiverton including potential sale or transfer of the site. This is to be brought back to Cabinet for consideration in due course.**

## **Section 2 – Report**

### **1 Introduction**

- 1.1** Mid Devon is facing the challenges of a local housing crisis with circa 1k residents registered on Devon Home Choice locally waiting for affordable, social housing.
- 1.2** As part of a wider Housing Strategy response, MDH have a 5-year social housing development programme with a target of 500 social housing units. This programme is included within the Housing Revenue Account (HRA) Medium Term Financial Plan (MTFP) 2023-2028 approved March 2023. The MTFP is currently fully budgeted for Years 1-3 but has a projected budget deficit for Years 4-5.

- 1.3 A deficit occurs where the revenue costs of capital borrowing and asset depreciation exceed rental revenue and costs to deliver the wider housing service. This includes rising cost pressures generally alongside essential stock maintenance, safety requirements/improvements and modernisation in order to sustain a compliant stock overall.
- 1.4 The HRA development programme is currently projected to cost £92.2m gross and is currently scheduled to achieve 496 units at the end of Year 5. Profiled as:
- Over 30 infill, regeneration projects with a combined estimate of 404 units. Mostly modular, modern methods of construction (MMC) with some traditional build (Years 1- 5)
  - 12no. buy-back acquisitions (Years 1 – 5)
  - 70no. units Post Hill, Tiverton (Years 2 – 3)
- 1.5 Modular units are currently provided via direct award under the SWPA (South West Procurement Alliance) procurement framework. A new modular housing framework is due later in 2023 and suppliers/available solutions will be kept under review. Ad-hoc traditional build is undertaken by individual tender. Post Hill has recently undergone a separate JCT (Joint Contracts Tribunal) tender exercise with a decision required by November 2023 (see Section 2).
- 1.6 £20m has been included in the current HRA capital programme for Post Hill. With this allocation in place, the MTFP has a present budget deficit of £2.0m at end of Year 5 (£92.2m expenditure against £90.2m available) with a high capital borrowing profile accounting for c£49m within the programme.
- 1.7 The Post Hill tender submissions are relatively closely matched with an average cost for final delivery of £21m. Including c£0.5m spend to date on design, planning and the tender process plus outstanding s106 contributions/indexation the final potential project cost to the HRA is now estimated at c£22.5m which will widen the MTFP deficit further. This excludes the initial, reduced land purchase cost and preliminary S106 payment made from the general fund in 2018 and 2019 (see Section 2).
- 1.8 The preferred tender (under a technical tender evaluation) has a price of £20m however all tenderers were only able to hold prices for 30-days against a requested 6-months due to current inflationary pressures and material/labour cost rises. Consequently, before any award of contract the price will require renegotiation. A relatively modest 5% rise would equate to £21m and this figure has been modelled in the options analysis below. However, an increase beyond 5% i.e. greater than £21m would not be unfeasible based on current interest rate trend. Construction price inflation has in recent months been running at levels in excess of 10%.
- 1.9 Grant funding is available for all units in the programme and built into the MTFP as set out below.

- 1:4:1 receipts @ 40% per scheme (fixed; from Right to Buy (RTB) sales of existing stock)
- Homes England Affordable Homes Programme (AHP) @45% (prudent average)
- One Public Estate Brownfield Release Fund (OPE BRLF) @15k per unit (prudent average)

The exception is Post Hill which has no eligibility for either 1:4:1 or AHP due to planning gain and the S106 in place. As a greenfield site, it is also ineligible for OPE (Brownfield Release Fund) funding.

- 1.10 Recent flexibilities in the use of 1:4:1 RTB receipts (two-year 100% retention) and an improved Public Works Loans Board (PWLB) borrowing rate (from June 2023) introduced by the Department of Levelling Up, Housing and Communities (DLUHC) have enhanced the MTFP position but not enough to close the Year 4–5 gap based on the current programme/projects. Changes to the AHP announced in July 2023 (regeneration and ability to claim for all units not just additional ones) have not been fully modelled however an initial estimate is built into an improved pipeline of sites in Years 4-5.

## **2 Post Hill, Tiverton acquisition and implications**

- 2.1 How the Council entered in contract to purchase this site for the purpose of providing affordable homes and the delivery restrictions imposed as a result is relatively complex. A summary of this process and the current position in respect of restrictions to grant funding and planning obligations under the site S106 agreement (section 106 Town and Country Planning Act 1990) is set out below.
- 2.2 In 2014, an original outline planning application (13/01616/MOUT) was submitted by Barratt Homes (which became Barratt David Wilson / BDW) and was subsequently approved. This encompassed the whole Post Hill site for 330 dwellings. Determination of the application included consideration of affordable housing matters and other contributions to education etc.
- 2.3 Following Planning Committee, a S106 legal agreement was signed in September 2015, securing relevant contributions.
- 2.4 A further report went to Planning Committee in July 2016 agreeing amendments to the S106. This set out the delivery of 21.5% affordable housing i.e. 70 units together with a financial contribution towards the affordable housing of £120k which would be delivered overall through a reduction in the cost of the land to the Council.
- 2.5 In essence, the Council agreed to enter into a contract with the wider developer and landowner for the provision of the overall affordable housing allocation at Post Hill on the basis of securing an appropriate single parcel of land within the wider Post Hill development at a reduced price. The S106 therefore requires affordable housing to be delivered on the basis of this planning gain which makes the site ineligible for utilising any 1:4:1 or AHP funding.

- 2.6 Following the Committee Decision of July 2016, a Deed of Variation was agreed in 2017 finalising the current S106 agreement for the site.
- 2.7 Consequently, in December 2017 a contract for the sale of freehold land at Post Hill was signed between BDW Trading Ltd, Waddeton Park Ltd (land owners) and MDDC. As a result, the Council purchased the site for £410k under the contract terms and became legal owners of the land.
- 2.8 Under these terms, in addition the purchase price, an initial S106 payment of £509k for relevant contributions was made in 2018 and a further £661k (excluding a disputed £21k) is now due, based on a trigger point of no. units built by developers on the wider Post Hill site. This outstanding payment has an indexation clause and the amount is currently increasing by circa £5k per month.
- 2.9 A restrictive covenant within the contract of sale sets out that the land shall not be developed with more than 70 dwellings. This commercial contractual transaction does not limit delivery to affordable dwellings, however there are planning policy considerations given that no affordable housing has been provided elsewhere at Post Hill with this site allocated for 100% affordable delivery. Nonetheless, if the Council wanted to erect more dwellings and/or non-affordable dwellings on the land it would need to renegotiate the S106 with the sellers to reflect the increased land value and remove current restrictions in both the current contract and S106 agreement.
- 2.10 The site was held in the Council General Fund for several years and then transferred more recently into the HRA. This transfer occurred on the basis that MDH would take forward a design and feasibility study leading to securing full planning permission and evaluation of a subsequent tender. The intention being that the HRA may deliver the 70 affordable homes for retention in MDH stock.
- 2.11 Following a subsequent Cabinet procurement decision, a RIBA (Royal Institute of British Architects) Stage 1-4 contract was entered into with an external engineering construction consultancy in 2021. This provided for concept and feasibility studies through to detailed technical design and submission of a full planning application. Internal project management was undertaken by the corporate lead for property and assets supported by MDH (as the prospective client).
- 2.12 Planning permission 22/01255/MFUL was granted by Planning Committee in June 2022 conditional on delivery of 70 affordable homes. Due to queries regarding education and NHS Devon contributions (under the S106) which are now resolved, the decision notice was not issued until June 2023.
- 2.13 Following grant of planning permission in 2022, following a further Cabinet decision, a JCT tender exercise was completed from September 2022 - June 2023. The tender evaluation has been completed which provided the

modelled delivery cost of £21m, subject to inflationary renegotiation/confirmation as set out in Section 1.

- 2.14 A Cabinet decision is now required on whether or not to award a contract to the preferred tenderer. This must be made by November 2023 at the latest under the formal tender process.
- 2.15 Following tender evaluation and with detailed delivery costs known, an in-depth financial assessment has been carried on the viability and value for money (VFM) position for the HRA to deliver this site which has informed this analysis.
- 2.16 In essence, viability considerations set out to establish whether the HRA *can* afford to develop the site taking into account legal obligations to have a sound long-term position as a registered housing provider (5 year MTFP and 30 year financial plan). This covers matters such as the pay-back period/asset depreciation and revenue implications arising from capital borrowing alongside the wider revenue budget and capital programme for required overall stock safety compliance, maintenance and modernisation versus projected rental income. VFM considerations determine whether the HRA *should* develop a site where it is technically viable to do so; a determination set against overarching legal obligations to spend tenant money responsibly i.e. make effective financial decisions that represent value for money.
- 2.17 Given the above, a decision on the whether to proceed with the Post Hill tender needs to be made in isolation (i.e. scheme viability and VFM in its own right) but where it is nevertheless helpful to consider this in the context of the respective merits of other large site options available to the HRA. This will ensure the HRA retains long-term sustainability whilst seeking to deliver meaningful growth in its stock where possible under a rolling development programme. In doing so, that the Council safeguards MDH for the benefit our tenants, at present and in the future.

### **3 Other large sites – opportunities outside of the current programme**

- 3.1 Post Hill is presently the only large single site (>35 units) within the current 5-year HRA development programme. However, there are two further available sites with potential to deliver additional or alternative MDH stock for consideration as potential options. These sites are with MDDC control;
- St Georges Court, Tiverton (39 units) – full planning, nearing completion
  - Knowle Lane, Cullompton (estimate 74-90 units) – land acquisition only
- 3.2 Currently, no other large market sites (or smaller sites in combination) outside of current MDDC ownership capable of accommodating 35+ units have been identified as viable additional options from initial screening.

### **4 Options analysis – Post Hill, St Georges Court and Knowle Lane**

- 4.1 Annex A sets out the potential pros and cons of MDH (HRA) taking forward each of these larger option sites. The approximate location and site boundary for the respective sites is also set out in Annex A.



- 4.2 Overall, the analysis presented in Annex A is underpinned by the following considerations and assumptions:
- Any delivery interdependencies across the development programme
  - Impact on wider, main development programme – any net reduction or uplift on overall 500 unit target
  - Viability – affordability to the HRA (site specific basis)
  - VFM to the HRA (site specific basis)
  - Overall HRA MTFP considerations
  - Enable maximum use of present funding flexibilities and grant opportunities
  - Housing Strategy delivery – meeting current objectives in response to the housing crisis together with a priority that we deliver maximum social housing
- 4.3 Conclusions on the overall viability of each site are further set out on a site-specific basis. Within the scope of these conclusions, current and several option profiles are shown in Annex B setting out the varying impact on the programme numbers, social/affordable rent mix and costs (including mix of funding and borrowing level).
- 4.4 The potential options in Annex B are summarised below. These are designed to be informative, estimated projections that show how key elements of the current MTFP and HRA capital programme may be impacted overall if they are taken forward.
- Current Programme with Post Hill – 496 units by 2027/28, £92.2m gross cost, 53% borrowing (£48.8m) with a projected MTFP deficit of £2.0m minimum
  - Option 1 – Current Programme without Post Hill – 426 units by 2027/28, £72.2m gross cost, 48.2% borrowing (£34.8m) with a projected MTFP surplus of £2.4m
  - Option 2 – Current Programme without Post Hill with St Georges Court (with some adjustment) - 446 units by 2027/28, £62.9m gross cost, 50.6% borrowing (£31.8m) with a projected MTFP surplus of £2.1m
  - Option 3 – Current Programme without Post Hill with St Georges Court (no further adjustment) - 465 units by 2027/28, £80.9m gross cost, 49.6% borrowing (£40.1m) with a projected MTFP surplus of £1.8m
  - Option 4 – Current Programme without Post Hill with St Georges Court and Knowle Lane at 74 units (with some adjustment) - 499 units by 2027/28, £78.9m gross cost, 51.5% borrowing (£40.6m) with a projected MTFP surplus of £1.49m
- 4.5 As with any forward development programme and related MTFP/capital programme, these contain a number of (reasonable) assumptions such as; site valuations, unit numbers deliverable by site, design assumptions/net carbon-

zero specification and estimated unit costs, borrowing costs against rental revenue, grant levels/availability and other funding opportunities or flexibilities etc. Consequently, the development programme and HRA will continue to be refined on a rolling basis with greatest certainty at the front of the plan and least towards the end of the 5-year period. Nevertheless, depending what recommendations are agreed, a full update to the overall HRA MTFP will be provided in Q3 of 2023/24 to ensure the most current projections and assumptions are available in-year and go forward into the detailed 2024/25 budget setting process.

- 4.6 This paper including Annexes A and B is therefore presented to enable Cabinet to provide a clear steer on the outcomes for these large sites and set the way forward in terms of delivering the overall MDH development programme within an affordable, balanced budget position for the HRA.

## **5 Recommendations**

- 5.1 In the context of above and the conclusions set out in Annexes A and B, six recommendations are made as set out in full in Section 1. These recommendations align with Option 4 described above and in greater detail within Annex B.

- 5.2 Option 4 is preferred for the following reasons:

- Provides clarity on the outcomes or next steps regarding the utilisation of each site against local housing needs and the specific opportunity to bring forward designated over-60s affordable accommodation in a preferential location
- Meets the HRA viability requirements and represents best overall VFM, therefore is compliant with the broader legal considerations of the Council as a Registered Provider of social housing
- Maximises the projected number of units delivered within the 5-year HRA development programme within a balanced (surplus) MTFP position
- Enables early, maximum use of present funding flexibilities regarding 1:4:1 receipts with c£8m less borrowing across the programme compared to current programme
- Meets the overarching priority of the Housing Strategy 2021-25 to increase delivery of quality designed, well-built affordable homes. Specifically aligns with Strategy Objectives 3 and 5 (secure more affordable housing and retain a viable Council Housing Stock)
- Represents the most balanced, lowest overall risk position in the context of the long-term viability of the HRA and the ambitions of the development programme

- 5.3 Recommendations 1, 2 and 3 cover the potential acquisition of St Georges Court by the HRA for specific use as over-60 years accommodation under a local lettings approach. Recommendation 4 sets out the provision for further feasibility studies for the development of Knowle Lane by the HRA and recommendations 5 – 6 set out that the HRA do not proceed with the Post Hill tender and explore alternative options for the provision of affordable housing on this site for future Cabinet consideration.

## **Financial Implications**

The activity of MDH including its development programme is funded through the HRA. The HRA is ring fenced and subject to specific financial controls. There are direct MTFP and longer-term financial implications arising from this report as set out.

## **Legal Implications**

The Council is (and must be) a registered provider of social housing and therefore is required to comply with the regulatory framework operated by the Regulator for Social Housing (RSH). As such, in general terms, all of its decisions must be made with the tenant at the heart of its decision-making and with assurance that tenants money (i.e. rental income and investment across the HRA) is being spent responsibly in a way that benefits tenants both in the short and long-term, therefore must demonstrate VFM and protect the overall viability of the HRA.

Under the regulatory framework, the RSH sets out economic and consumer standards that registered providers of social housing must comply with. In terms of economic standards, these cover:

- Governance and Financial Viability Standard – how well the organisation is run and is it financially viable
- Value for Money Standard – does the provider make the best use of its resources to meet its overall objectives
- Rent Standard – are rents set on accordance with Government policy for social rents

As a local authority, we are expected to maintain wider financial viability and set balanced budgets against prudent financial decisions at all times. As such, the RSH does not have specific powers to intervene with the Council under the economic standards (except rents). Nonetheless, it has full powers to intervene with all providers including the Council with regard to the consumer standards set out below. As such it will undertake considerations in respect of any major decisions which represent poor VFM and viability likely to result in an avoidable, therefore unacceptable, impact on wider compliance.

The framework has recently been updated in respect of the consumer standards with the inclusion of a new Tenant Satisfaction Measures (TSM) standard, bringing the total number of consumer standards to five:

- Home Standard – quality of accommodation/safety, repairs and maintenance
- Tenancy Standard – how properties are allocated/exchanged and terms around tenure

- Neighbourhood and Community Standard – issues around neighbourhood and communal areas and anti-social behaviour
- Tenant Involvement and Empowerment Standard – customer service and complaints, tenant rights and involvement
- Tenant Satisfaction Measures Standard – reporting against the TSMs, which cover information on areas such as repairs, safety checks and complaints (from 1 April 2023).

This overarching framework consequently sets the legal standards for the compliance and performance required of MDH. Under legal changes introduced by the landmark Social Housing (Regulation) Act 2023, the RSH also now holds substantial new powers to intervene where failures to meet standards have caused, or could have caused, serious harm to tenants and/or where we have failed to put tenants at the heart of the service we provide. Overall, this significant change in the regulation of social housing brings forward the following changes which the Council must be mindful of when making key decisions that impact MDH and therefore the HRA:

- Strengthening of the RSH to carry out regular inspections of the largest social housing providers and the power to issue unlimited fines to rogue social landlords
- Additional Housing Ombudsman powers to publish best practice guidance to landlords following investigations into tenant complaints
- Powers to set strict time limits for social landlords to address hazards such as damp and mould
- New qualification requirements for social housing managers
- Introducing stronger economic powers to follow inappropriate money transactions outside of the sector

## **Risk Assessment**

The Council has approximately 3,000 homes in management and the performance of MDH impacts upon the lives of many thousands of tenants and their families. This represents a huge responsibility and investment, consequently a major area of risk.

Not providing an effective housing management service has the potential to result in failure to meet legal and statutory obligations including those relating to health and safety issues, repairs obligations, tenancy fraud and reputational issues which could result in our tenants feeling stigmatised.

Failure to collect rental income could impact the ability to fund necessary management and maintenance activities and/or the delivery of new housing into the MDH stock.

Furthermore, a failure to provide adequate information on service performance and effective service delivery for the purposes of governance and scrutiny is a specific area of non-compliance with the requirements of the RSH. Under new powers set out above, the RSH will be able to impose performance improvements and potentially fine registered providers where performance is poor and/or adequate assurance is not provided.

Given the requirements of the new regulatory regime with the enhanced enforcement powers available to the RSH, it is critical that the HRA is in a stable position to both address the housing crisis (through the provision of new social housing) but also ensure we are able to invest in and maintain our existing stock of housing effectively in order to meet these enhanced legal requirements and ensure the well-being of our tenants.

Overall, the delivery of an effective MDH housing service including the provision of new social housing is a key mitigation in respect of Corporate Risk 12: Housing Crisis which is currently judged at Risk Severity 4 / Risk Likelihood 3 (Status 12 / amber). As such it is important the Council continues to mitigate this risk which making balanced, reasonable and informed decisions on how it invests in the housing service going forward.

### **Impact on Climate Change**

None directly arising from this report.

### **Equalities Impact Assessment**

MDH has a collection of housing related policies. The use of these helps to ensure that service delivery is consistent and fair. These are currently being reviewed with the aim of aligning them more closely with the Regulatory Standards. There is a regulatory requirement for registered providers of social housing to tailor their services to meet the needs of tenants. MDH requests diversity data from tenants to enable compliance to be monitored.

MDH is required to work with people from all sections of society and having an agreed policy ensures that all tenants and other stakeholders are treated in the same way with adjustments being made to meet their needs, as necessary. The Housing Ombudsman Service Complaints Handling Code which MDH adhere to also requires landlords to have an awareness of accessibility so residents are easily be able to access the complaints procedure via several routes.

### **Relationship to Corporate Plan**

Homes and the Environment are a priority for the Council and this includes increasing the supply of affordable homes in the District.

### **Section 3 – Statutory Officer sign-off/mandatory checks**

**Statutory Officer:** Andrew Jarrett

Agreed by or on behalf of the Section 151

**Date:** 15 August 2023

**Statutory Officer:** Maria De Leburne

Agreed on behalf of the Monitoring Officer

**Date:** 15 August 2023

**Chief Officer:** Simon Newcombe

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

**Date:** 10 August 2023

**Performance and risk:** Steve Carr

Agreed on behalf of the Corporate Performance & Improvement Manager

**Date:** 11 August 2023

**Cabinet member notified:** Yes

#### **Section 4 - Contact Details and Background Papers**

**Contact:** Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing

Email: [snewcombe@middevon.gov.uk](mailto:snewcombe@middevon.gov.uk).

Telephone: 01884 255255

#### **Background papers:**

Mid Devon Housing Strategy 2021-25:

<https://www.middevon.gov.uk/media/353400/housing-strategy-2021-25.pdf>

## Annex A – Options Analysis

Post Hill, Tiverton	Pros	Cons
<p><b>70 units</b></p> <p>8no. 1-bed apartments 12no. 1-bed terrace houses 22no. 2-bed terrace houses 20no. 3-bed semi-detached houses 8no. 4-bed detached houses</p> <p>62 Affordable rent 8 Social rent (1-bed apartments)</p> <p>Market valuation (independent) £18.5m in Feb 2023</p>	<ul style="list-style-type: none"> <li>• MDDC ownership and full planning permission secured</li> <li>• Tender process undertaken, technically deliverable</li> <li>• High quality scheme</li> <li>• Zero-carbon, Passivhaus standard</li> <li>• High visibility and level of delivery</li> <li>• Meets local demand/helps to address existing limited provision of larger 4-bed homes (however see Cons - RTB)</li> <li>• Would complete the wider Post Hill development</li> </ul>	<ul style="list-style-type: none"> <li>• Challenging topography/expensive infrastructure</li> <li>• Not suited to modular build – traditional delivery with higher unit and overall project costs</li> <li>• Ineligible for grant funding or use of 1:4:1 receipts due to s106 agreement/contract/planning gain restrictions</li> <li>• Very poor Value For Money (VFM) <ul style="list-style-type: none"> <li>○ £21m tender outcome with price renegotiation required</li> <li>○ Design, planning, tender and S106 costs increase overall project cost to £22.5m</li> <li>○ £321k per unit price (compared to average 2-bed costs of £185k modular/MMC, £205k traditional, £250k podium/flood zone modular new builds and £208k market buy-backs)</li> <li>○ Unit price is therefore 74% higher than lowest cost alternatives</li> <li>○ 80+ yrs cost-recovery (Link Report June 2023)</li> <li>○ Delivery cost is greater than market valuation</li> </ul> </li> </ul>

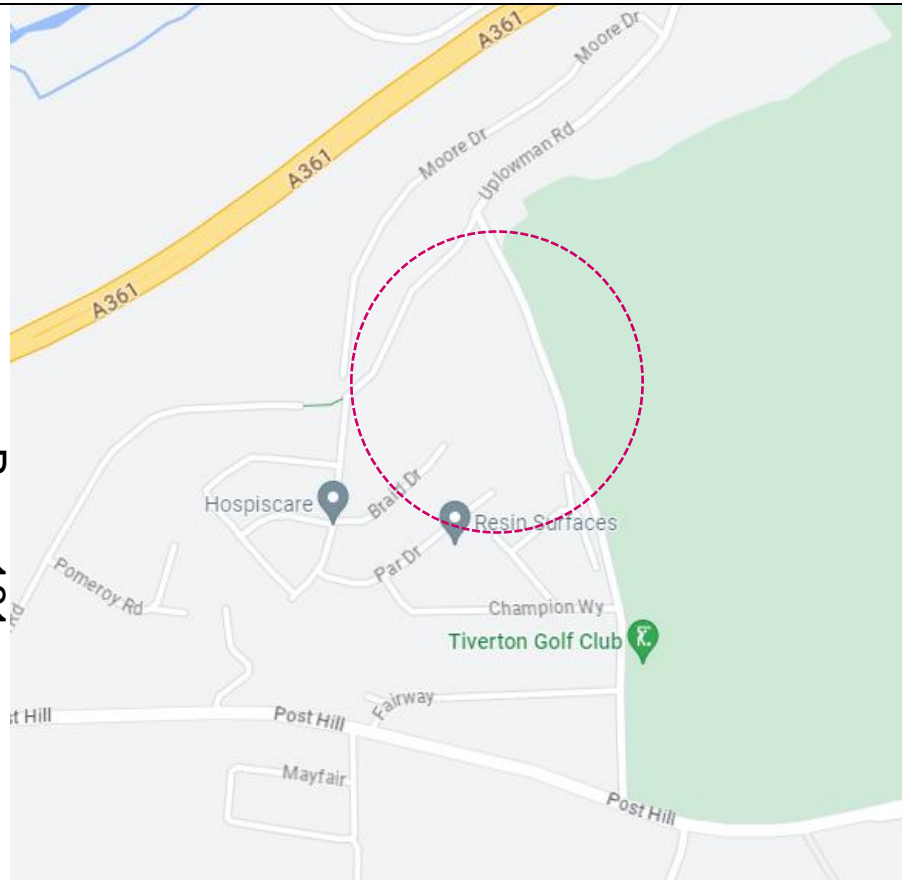
		<ul style="list-style-type: none"> <li>○ RSH scrutiny/legal issues arising from poor VFM</li> <li>• Not presently £ viable: <ul style="list-style-type: none"> <li>○ Gap in MTFP/5-year HRA development plan budget - £20m currently allocated with existing £2.01m budget gap Years 4-5</li> <li>○ Overall project costs will increase the MTFP budget deficit further</li> <li>○ Adverse impact on wider HRA development programme (with better VFM/viability)</li> <li>○ Lack of grant funding - HRA has to meet 100% build cost (compared to other schemes where 40-50% funding is possible, higher on some sites)</li> <li>○ Already high affordable rent base – very limited provision to substantially increase rent return</li> <li>○ Viability gap unlikely to be bridged in short to medium term (Year 5+/next development programme)</li> </ul> </li> <li>• Value-engineering of site (non-essential Passivhaus) reduces delivery cost by c£1-1.5m – of which £0.5m cannot be realised due to new design, planning and tender costs. Due to the requirement for new planning permission then the permitted design outcome and final cost saving from this option is uncertain</li> </ul>
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		<ul style="list-style-type: none"> <li>• Cannot increase site unit volume to reduce overall unit costs (70 unit restrictive covenant/contract/S106). Doing so would also incur additional costs in any case as above</li> <li>• Attractive to RTB – high / potentially early level of future loss, especially larger units. Difficult to preclude RTB given site design restrictions and location</li> <li>• S106/Homes England considerations: <ul style="list-style-type: none"> <li>○ Negotiation with former owners with legal and planning committee process to change s106 agreement (removal of restrictions/red-line to HE AHP funding)</li> <li>○ Timeline – unlikely to be compatible with tender decision by November 2023</li> <li>○ Uncertain outcome</li> <li>○ Reputational impacts of varying an affordable housing S106 agreement – difficult messaging</li> <li>○ If successful, overall costs and eligibility issues likely to limit grant to Mid Devon of 30% at best. HE have local project concerns re. AHP programme with better options in our pipeline they would set preference to fund, so this is not sufficiently certain to be a viable assumption in the MTFP in the future</li> </ul> </li> </ul>
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		<ul style="list-style-type: none"> <li>• Remains ineligible for OPE BRLF grant (greenfield land)</li> <li>• Outstanding S106 contribution liabilities also need further determination (£660k with indexation)</li> </ul>
<b>Conclusions</b>		
<p>A. The site and development proposal is not £ viable and represents very poor VFM for the HRA. RTB losses may also be disproportionate</p> <p>B. Given the above, there is a requirement to explore alternative delivery of affordable housing at this site outside of the HRA. This will require appropriate legal resource in order to address the legal framework challenges around alternative development:</p> <ul style="list-style-type: none"> <li>○ Removal of specific S106 barrier to affordable housing grants – see Cons above/not without challenge and reputational impact but potentially essential in order to unlock barrier to affordable housing grant funding for other registered providers</li> <li>○ Renegotiation of the S106 agreement around any uplift to the volume of units delivered on the site or amendment to level of affordable housing delivery</li> </ul> <p>C. The site can be held with minimal ongoing revenue cost (excluding S106 payment) whilst potential alternative options are explored:</p> <ul style="list-style-type: none"> <li>○ Sell/transfer to a regional or national RP (Housing Association) with strategic HE funding who can utilise without restriction (better VFM without RTB risks), affordable housing is still provided / broader development completed. Affordable housing could come forward at alternative to rent tenure, for example shared ownership or Rentplus model (rent to buy).</li> <li>○ Retention of the site freehold and explore options to deliver part or all of the site for affordable custom and self-build dwellings or other mix of use</li> </ul> <p>Overall, a specific business case will be required setting out alternative options for the site most likely to secure alternative housing delivery within the relevant legal framework constraints.</p>		

## Location



St Georges Court, Tiverton	Pros	Cons
<p><b>39 units</b></p> <p>15no. 1-bed apartments 13no. 2-bed apartments 9no. 2-bed terrace houses 1no. 2-bed semi-detached house 1no. 3-bed semi-detached house</p> <p>Mix of affordable or social rent tbc – options broadly are:</p> <ul style="list-style-type: none"> <li>○ All affordable rent (£224k rent pa based on comparison with Turner Rise)</li> <li>○ All social rent (£184k rent pa nationally capped, 23/24 base)</li> <li>○ Mix of 28 social rent (all apartments) and 11 affordable (all houses) (£209k rent pa) - preferred</li> </ul> <p>VFM and viability analysis undertaken on £8.65m impairment loan value estimate for the site.</p>	<ul style="list-style-type: none"> <li>• Within MDDC control</li> <li>• Near complete site – in-year delivery with high quality build and positive messaging as affordable housing</li> <li>• Early delivery of 39 units/64 beds in programme. Accelerated occupation and increased town-centre footfall</li> <li>• Unique opportunity to gain town-centre, level and adapted access site</li> <li>• Highly suited to local lettings approach to create new over-60s social housing community with Lifeline alarms built-in (rare opportunity)</li> <li>• Meets specific, high local demand</li> <li>• Downsizing potential of existing over-60 MDH tenancies/increase availability of larger, family properties across stock</li> <li>• Preclude RTB min 70% units; adapted, low mobility or full wheelchair access properties in place – 28 of 39 units (all apartments/will require min £100k investment in level access showers)</li> <li>• Potential cost/benefit of adapted conversions to houses and preclude RTB on remaining 11 units</li> </ul>	<ul style="list-style-type: none"> <li>• Independent market valuation not currently available</li> <li>• Not eligible for OPE BRLF or HE AHP grant funding as scheme has commenced – mitigation through use of available 1:4:1 receipts (noting wider benefits of this – see Pros)</li> <li>• Delivery timeline uncertainty – extent of remaining external works, snagging and intrusive BC sign-off required</li> <li>• Minimum £100k additional adaption works (level access showers all units/other works) required if RTB to be precluded on 70% of units – greater for 100% (see Pros). Long-term cost-benefit but this specific element may not be eligible for 1:4:1 spend (tbc) so full additional cost needs to be factored into overall project cost and purchase as worse-case</li> <li>• Some potential local resistance to switch of site to social housing – mitigation through political</li> </ul>

<p>Valuation for potential HRA acquisition to be confirmed. District Valuer Services valuation of the site will be required to determine final rent basis and overall value</p>	<ul style="list-style-type: none"> <li>• Eligible for 1:4:1 @40% with earlier utilisation of 1:4:1 within wider development programme. Maximises current flexibilities and de-risks any DLUHC returns (residual remaining 1:4:1 can be aligned to a single project within timescale rather current, widely spread allocations / numerous projects)</li> <li>• Wider benefit of earlier utilisation of 1:4:1 receipts through switch of allocated funding on later projects to 45% HE AHP grant/reduced borrowing</li> <li>• Good potential VFM <ul style="list-style-type: none"> <li>○ £8.75m overall project estimate (£8.65m acquisition plus £100k additional bathroom adaption works)</li> <li>○ £224k unit price (compares well to both modular other market traditional @ £205k for average 2-bed with cost certainty in a market which is currently volatile)</li> <li>○ Final unit and overall project cost reduced by 40% (1:4:1 contribution - see viability).</li> </ul> </li> <li>• Good potential £ viability <ul style="list-style-type: none"> <li>○ Deliverable within current 5-year MTFP with relatively minor adjustments</li> <li>○ 40% 1:4:1 eligible/immediate available funding, applied retrospectively to final project cost</li> <li>○ Enables use of time limited flexibilities and priority enhanced 1:4:1 receipts. On this basis £4.1m of receipts are available</li> <li>○ An acquisition price of £8.65m enables eligible utilisation of £3.46m of 1:4:1 receipts with the following end unit costs:</li> </ul> </li> </ul>	<p>support, engagement with town council/local residents and local lettings/over-60s approach</p>
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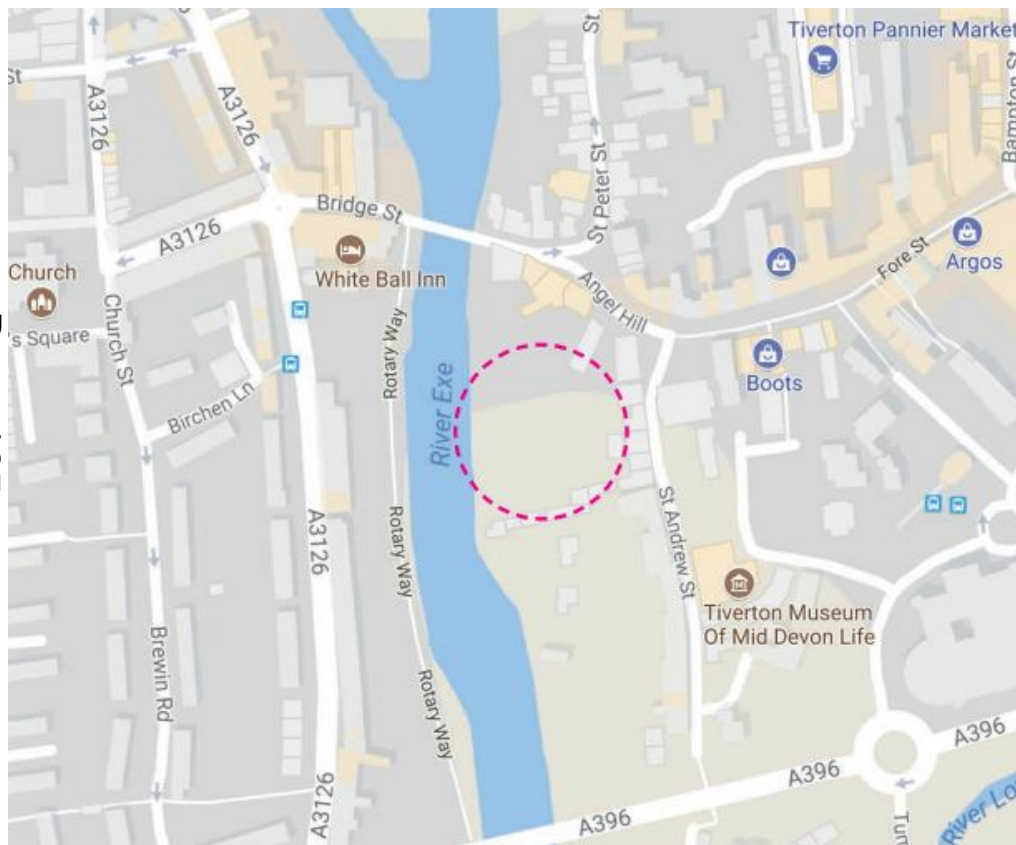
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	<table><tr><td>Projected acquisition spend</td><td>Eligible 1:4:1 receipts</td><td>Additional adaption works</td><td>Remaining funding required</td><td>Average end unit cost</td></tr><tr><td>£8,650,000</td><td>£3,460,000</td><td>£100,000</td><td>£5,290,000</td><td>£136k</td></tr></table> <ul style="list-style-type: none"><li>○ Remaining funding requirement can be met by reallocation of buy-back budget (£2.5m across programme) and Phase 1 reduction of Knightswood site (Cullompton) later in programme (remainder)</li><li>○ If the above option is chosen then there is a loss of c19 units in wider programme but still an overall c20 unit net gain</li><li>● HE AHP team supportive of increased pipeline due to early spend of 1:4:1 receipts</li><li>● Beneficial overall impact on wider HRA development programme with no major skew</li></ul>	Projected acquisition spend	Eligible 1:4:1 receipts	Additional adaption works	Remaining funding required	Average end unit cost	£8,650,000	£3,460,000	£100,000	£5,290,000	£136k	
Projected acquisition spend	Eligible 1:4:1 receipts	Additional adaption works	Remaining funding required	Average end unit cost								
£8,650,000	£3,460,000	£100,000	£5,290,000	£136k								
<b>Conclusions</b>												
<p>A. Subject to an independent market valuation, the site has strong VFM and viability for the HRA with a unique opportunity to create over-60s accommodation under a local lettings approach. Focus on downsizing of existing tenants in locality, freeing up more family homes in the wider MDH stock</p> <p>B. Site is suitable to proceed, subject to site completion / BC sign-off and handover in-year – ideally before end Q3 so wider programme stays on track and use of 1:4:1 funds remains timely</p> <p>C. Undertake additional adaption works and inclusion of lifeline alarms alongside local lettings approach to strengthen designated over-60 (non-general needs) accommodation approach with exemption of all adapted properties from RTB</p>												

D. 28/11 split of social rent and affordable rent mix offers best option to facilitate desired lettings approach as a mid-point on maximum rental return to the HRA

### Location

(note: additional parking area on northern boundary permitted by Planning Application 22/00672/FULL included within site but not shown)



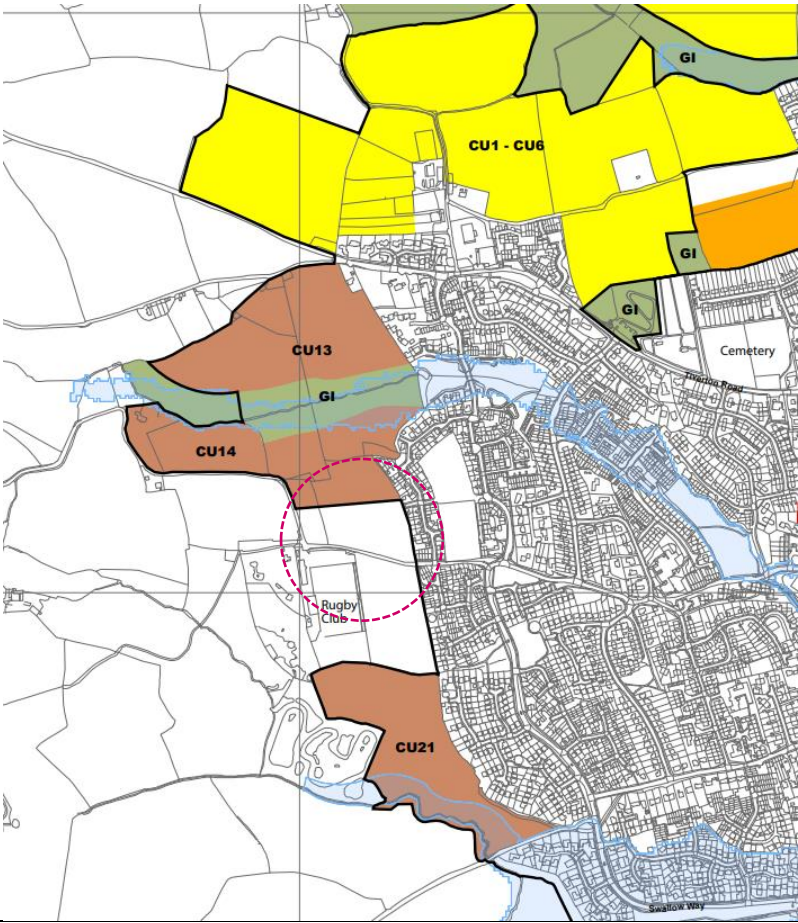
Knowle Lane, Cullompton	Pros	Cons
<p><b>Possible 74 – 90 units (full site)</b></p> <p>Mix to be determined but emphasis on 1-2 bed units with some 3-beds based on heat-map/DHC demand</p> <p>Emphasis on social rent but flexible, some affordable units (dependent on other adjustments in wider programme). Prospective split 50 social rent/24 affordable rent based on minimum 74 units</p> <p>Estimate current land valuation c£2.4m but new valuation required</p>	<ul style="list-style-type: none"> <li>• Within MDDC control</li> <li>• Previous planning permission for 74 larger units (mainly 3-bed)</li> <li>• Potential to provide up to 90 MDH units with greater emphasis on 1-3 bed units within same build footprint</li> <li>• Level site with good access (two points, one in place off Martin Way)</li> <li>• Below average infrastructure requirements</li> <li>• Part in Local Plan allocation for residential use (CU-13) – however see Cons / Planning uncertainty</li> <li>• Ability to meet high local demand with flexibility around rent approach</li> <li>• Suited to MMC with traditional appearance – reduced delivery cost</li> <li>• Above average RTB preclusion (50%+) which will meet current DHC adapted property requirements in locality</li> </ul>	<ul style="list-style-type: none"> <li>• Greenfield development – no regeneration benefit, albeit part of the site is allocated within Local Plan</li> <li>• Not eligible for OPE BRLF grant (max £15k per unit, only available on brownfield sites)</li> <li>• Some planning uncertainty - only 50% site within current Local Plan allocation CU-13. Previous application overcame this and traffic objections on appeal however the full requirements of CU-13 will need to be addressed alongside 'exception' policy (DM6) for affordable housing outside of settlement boundary</li> <li>• Progression may be delayed until greater certainty on relief road delivery</li> <li>• 50% site within CU-13 allocation less desirable option with higher unit cost and lower delivery. Access also less certain.</li> <li>• No detailed feasibility study in place to strain-test and refine assumptions/potential benefits or risks on full or part-site</li> </ul>



	<ul style="list-style-type: none"> <li>• Eligible for HE AHP grant funding @45% or 1:4:1 @40% - preference on AHP given other 1:4:1 opportunities in programme and slightly enhanced grant contribution rate</li> <li>• Good potential VFM <ul style="list-style-type: none"> <li>○ £14/16m overall project est. including est. land purchase valuation for 74 or 90 units</li> <li>○ £189k/£177k unit price (before grant) for MMC with traditional appearance (compares well to both modular and just below full traditional @ £205k for average 2-bed)</li> </ul> </li> <li>• Good potential £ viability <ul style="list-style-type: none"> <li>○ Deliverable within current 5-year MTFP through replacement and reduction of allocation in place for Post Hill or other adjustments</li> <li>○ 45% AHP grant assumption reduces overall project cost to est. £7.7m</li> <li>○ Grant funding opportunity enables removal of £2.01m gap in Years 4-5 through a significantly reduced allocation requirement for a large site (vs Post Hill)</li> </ul> </li> </ul>	
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	<ul style="list-style-type: none"> <li>○ May provide surplus to roll-forward into next programme</li> <li>○ Alternatively, MTFP can be retained as is through delaying later phases of Knightswood (Cullompton)</li> <li>○ Phase 2/3 of Knightswood currently allocated to Years 4-5 would be delayed for delivery in next 5-year programme. Phase 1 Knightswood/40 units Year 3 retained.</li> <li>○ Knightswood Phases 2/3 are more complex compared to delivery at Knowle Lane - would therefore reduce level of risk within current programme overall</li> <li>○ All Knightswood land is HRA owned so future options remain for wider delivery at that location</li> <li>○ Either option for programme adjustment above retains overall 500 unit programme with budget benefits as set out (assuming lower 74 unit delivery @ Knowle Lane)</li> <li>○ Potential for 90 units @ Knowle Lane would increase projected 5-year supply by c15-20 units (net gain)</li> </ul> <ul style="list-style-type: none"> <li>● Overall, potential beneficial impact on wider HRA development programme through reduced risk and potential</li> </ul>	
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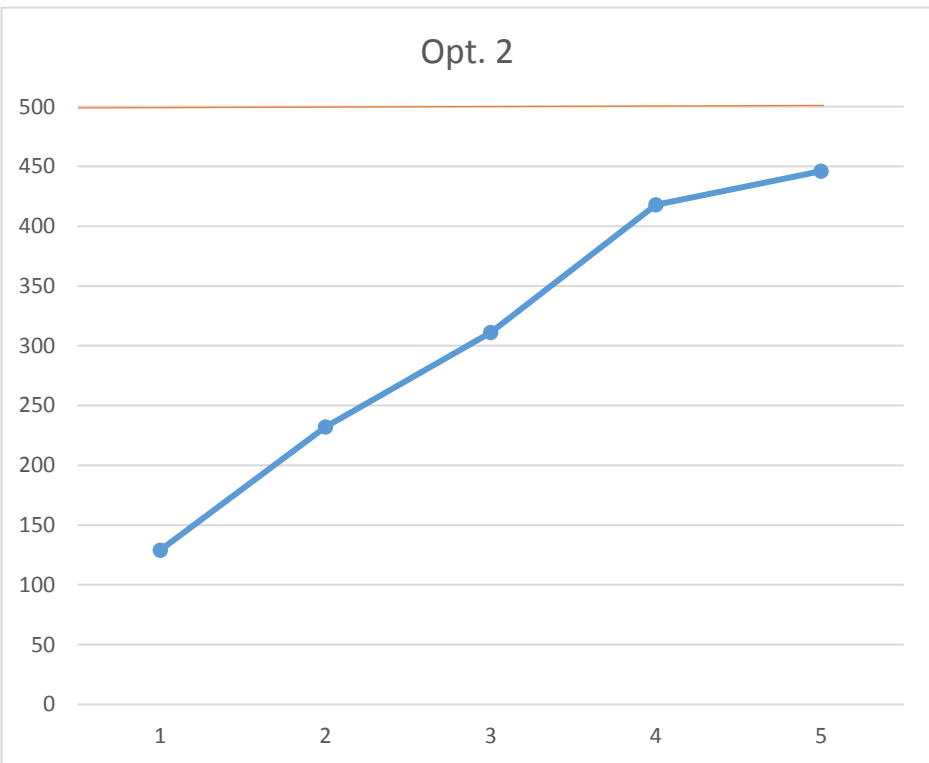
	closure of current MTFP Year 4-5 budget gap based on adjustment options described	
<b>Conclusions</b>		
<p>A. Site has strong potential £ viability and VFM to HRA therefore suitable to proceed with more detailed RIBA Stage 1-4 feasibility study. If delivered alongside St Georges Court there would be a net uplift in the overall programme within a net budget reduction (in comparison to current pipeline and MTFP)</p> <p>B. Feasibility study to review of assumptions around funding (HE AHP pipeline/discussion) and Knightswood/other sites within current programme plus detailed pre-application planning advice on compliance with Local Plan policies CU-13 and DM6. Affordable housing provision would need to be assessed against actual housing need and the layout; scale density; would have to reflect the need</p> <p>C. Subject to feasibility study, seek potential decision to include within MDH HRA programme for estimated delivery Years 4-5 on assumption of minimum 74 units (programme parity or uplift). Delivery may be delayed due to Relief Road considerations</p>		
<b>Location</b>		

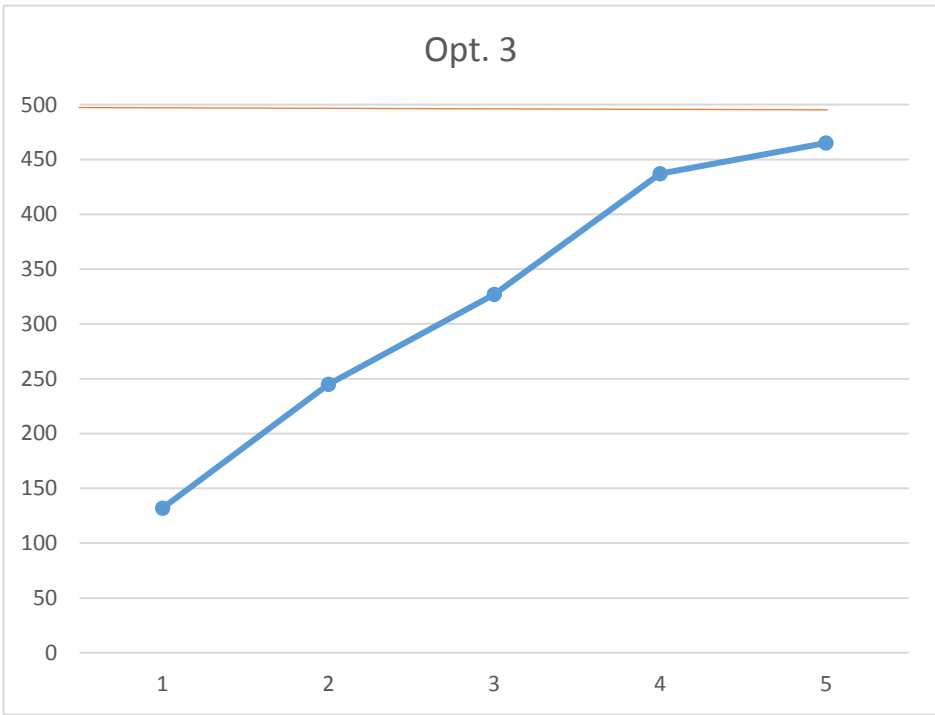


Annex B – Current and Options Profiles

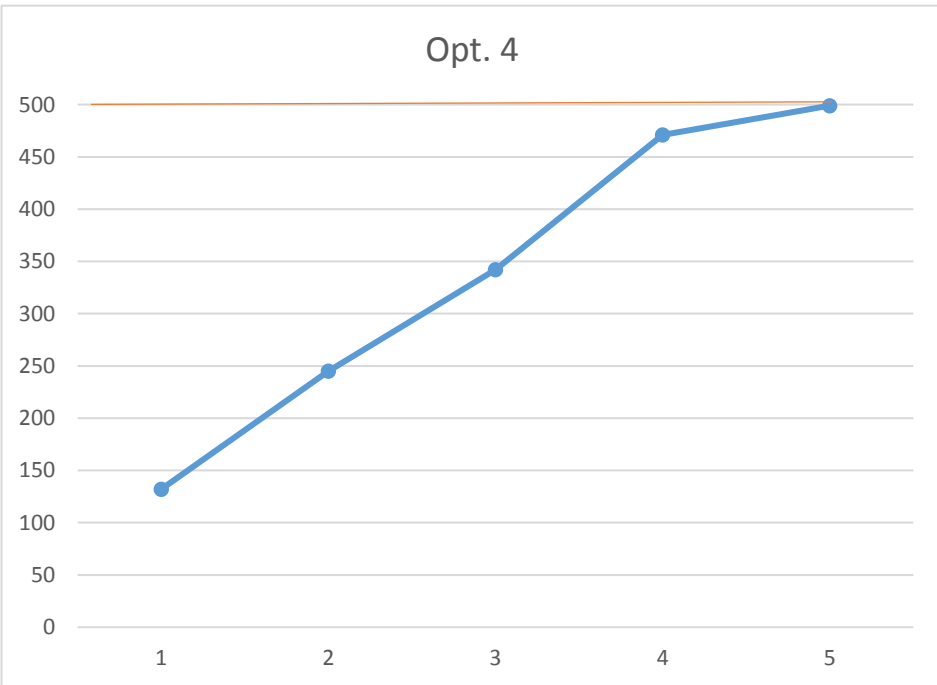
CURRENT programme including Post Hill (excluding additional Post Hill project costs and outstanding S106 payment)																	
Projected Profile	Est. No. units at Year 5	Social rent (SR) Affordable rent (AR) mix	Est. Gross programme cost	Est. Funding mix	Est. Deficit / Surplus over 5-years (approx. versus current MTFP)												
<div><div>Current</div><table><tr><th>Year</th><th>Units</th></tr><tr><td>1</td><td>93</td></tr><tr><td>2</td><td>241</td></tr><tr><td>3</td><td>358</td></tr><tr><td>4</td><td>468</td></tr><tr><td>5</td><td>496</td></tr></table></div>	Year	Units	1	93	2	241	3	358	4	468	5	496	496	SR – 434 AR – 62	£92.2m	Borrowing £48.8m (53%)  HE AHP £30.5m (33.1%)  OPE £4.6m (5%)  1:4:1 £3.6m (3.9%)  Reserves £3.7m (4%)  S106 £1m (1.1%)	Deficit  -£2m
Year	Units																
1	93																
2	241																
3	358																
4	468																
5	496																
<div><div>93241358468496</div><div>2023/242024/252025/262026/272027/28</div></div>																	

OPTION 1Current programme minus Post Hill																	
Projected Profile	Est. No. units at Year 5	Social rent (SR) Affordable rent (AR) mix	Est. Gross programme cost	Est. Funding mix	Est. Deficit / Surplus over 5-years (approx. versus current MTFP)												
<div><div>Opt. 1</div><table><caption>Projected Profile Data</caption><thead><tr><th>Year</th><th>Units</th></tr></thead><tbody><tr><td>1</td><td>93</td></tr><tr><td>2</td><td>206</td></tr><tr><td>3</td><td>288</td></tr><tr><td>4</td><td>398</td></tr><tr><td>5</td><td>426</td></tr></tbody></table></div>	Year	Units	1	93	2	206	3	288	4	398	5	426	426	SR – 426 AR – 0	£72.2m	Borrowing £34.8m (48.2%)  HE AHP £24.5m (33.9%)  OPE £4.6m (5%)  1:4:1 £3.6m (6.4%)  Reserves £3.9m (5.4%)  S106 £1m (1.4%)	Surplus +£2.4m
Year	Units																
1	93																
2	206																
3	288																
4	398																
5	426																
<div><div>93206288398426</div><div>2023/242024/252025/262026/272027/28</div></div>																	

OPTION 2      Current programme minus Post Hill, with St Georges Court (adjusted for buy-backs/Knightswood P1)																	
Projected Profile	Est. No. units at Year 5	Social rent (SR) Affordable rent (AR) mix	Est. Gross programme cost	Est. Funding mix	Est. Deficit / Surplus over 5-years (approx. versus current MTFP)												
<div><div>Opt. 2</div><table><tr><th>Year</th><th>Units</th></tr><tr><td>1</td><td>129</td></tr><tr><td>2</td><td>232</td></tr><tr><td>3</td><td>311</td></tr><tr><td>4</td><td>418</td></tr><tr><td>5</td><td>446</td></tr></table></div>	Year	Units	1	129	2	232	3	311	4	418	5	446	446	SR – 435 AR – 11	£62.9m	Borrowing £31.8m (50.6%)  HE AHP £16.4m (26.1%)  OPE £3.0m (4.8%)  1:4:1 £7.1m (11.3%)  Reserves £2.1m (3.3%)  S106 £1m (1.6%)	Surplus +£2.1m
Year	Units																
1	129																
2	232																
3	311																
4	418																
5	446																
<div><div>129      232      311      418      446</div><div>2023/24   2024/25   2025/26   2026/27   2027/28</div></div>																	

OPTION 3      Current programme minus Post Hill, with St Georges Court (no other adjustment)																	
Projected Profile	Est. No. units at Year 5	Social rent (SR) Affordable rent (AR) mix	Est. Gross programme cost	Est. Funding mix	Est. Deficit / Surplus over 5-years (approx. versus current MTFP)												
<div><div>Opt. 3</div><table><tr><th>Year</th><th>Units</th></tr><tr><td>1</td><td>132</td></tr><tr><td>2</td><td>235</td></tr><tr><td>3</td><td>327</td></tr><tr><td>4</td><td>437</td></tr><tr><td>5</td><td>465</td></tr></table></div>	Year	Units	1	132	2	235	3	327	4	437	5	465	465	SR – 454 AR – 11	£80.9m	Borrowing £40.1m (49.6%)  HE AHP £24.5m (30.3%)  OPE £4.6m (5.7%)  1:4:1 £7.1m (8.8%)  Reserves £2.1m (2.6%)  S106 £1m (1.2%)	Surplus +£1.8m
Year	Units																
1	132																
2	235																
3	327																
4	437																
5	465																
<div><div>132      235      327      437      465</div><div>2023/24    2024/25    2025/26    2026/27    2027/28</div></div>																	



OPTION 4      Current programme minus Post Hill, with St Georges Court/with Knowle Lane (74units) (adjusted for Knightswood phases 2/3)																	
Projected Profile	Est. No. units at Year 5	Social rent (SR) Affordable rent (AR) mix	Est. Gross programme cost	Est. Funding mix	Est. Deficit / Surplus over 5-years (approx. versus current MTFP)												
<div><div>Opt. 4</div><table><tr><th>Year</th><th>Units</th></tr><tr><td>1</td><td>132</td></tr><tr><td>2</td><td>245</td></tr><tr><td>3</td><td>342</td></tr><tr><td>4</td><td>471</td></tr><tr><td>5</td><td>499</td></tr></table></div>	Year	Units	1	132	2	245	3	342	4	471	5	499	499	SR – 464 AR – 35	£78.9m	Borrowing £40.6m (51.5%)  HE AHP £23.6m (29.9%)  OPE £3.0m (3.8%)  1:4:1 £7.1m (9%)  Reserves £2.1m (2.7%)  S106 £1m (1.3%)	Surplus £1.49m
Year	Units																
1	132																
2	245																
3	342																
4	471																
5	499																
<div><div>132      245      342      471      499</div><div>2023/24   2024/25   2025/26   2026/27   2027/28</div></div> <p>499 of 500 unit/5-yr target met. c£3.5m less than current plan within MTFP (deficit current v surplus). c£8m less borrowing– much stronger VFM/£ viability HE AHP likely to be more supportive of this as a pipeline / opposite is true of options including Post Hill</p>																	

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## Forward Plan

In line with the public's general rights of access to information and the promotion of transparency in the way which decisions are taken by or on behalf of the Council, Mid Devon District Council produces a Forward Plan of any Key Decisions to be taken by the Cabinet and any to be made by the District Council. The Plan normally covers a period of a minimum of four months from the date of publication and is updated every month.

The District Council has defined key decisions as those which by reason of their strategic, political or financial significance or which will have a significant effect on communities in more than one Ward are to be made by the Cabinet or Council, in line with Article 15 of the Council's Constitution must be made by the District Council.

In line with legislation, any item may exceptionally be considered in the absence of the press and public. Where possible the Council will attempt to keep to the dates shown in the Plan. It is possible that on occasion these may need to be rescheduled.

Please ensure therefore that you refer to the most up to date Plan.

Click to see an up to date version of the [Forward Plan](#) on the Council's web site at any time. Also see the website for Copies of [Agenda and Reports](#) of the Cabinet or other Committees of the District Council referred to in this Plan. All items listed in this Forward Plan will be discussed in public at the relevant meeting, unless otherwise indicated for the reasons shown.

Any person who wishes to make representations to the Council/Cabinet about (a) any of the matters proposed for consideration in respect of which a decision is to be made or (b) whether or not they are to be discussed in public or private, as outlined below, may do so in writing, before the designated Date for Decision shown, to the Member Services Manager, Phoenix House, Phoenix Lane, EX16 6SA or by email to: [committee@middevon.gov.uk](mailto:committee@middevon.gov.uk)

## Forward Plan - September 2023

Decision & Summary	Decision Maker	Date of Decision	Lead Officer	Consultees	Means of Consultation	Cabinet Member	Public or Private Decision	Documents to be considered
<b>3 Rivers Options Appraisal Report</b>  	Cabinet  Council	16 Aug 2023  6 Sep 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Leader of the Council	Part exempt	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>Neighbourhood Management Policy</b> To receive the updated Neighbourhood Management Policy	Homes Policy Development Group  Cabinet	8 Aug 2023  29 Aug 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615			Cabinet Member for Housing and Property Services	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary

Page 1 of 3	<b>Environment Enforcement Yearly Review Report</b>	Environment Policy Development Group  Cabinet	15 Aug 2023  29 Aug 2023	Matthew Page, Corporate Manager for People, Governance and Waste			Cabinet Member for Environment & Services	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
	<b>Review of 3 weekly bin collections</b>	Environment Policy Development Group  Cabinet	15 Aug 2023  29 Aug 2023	Matthew Page, Corporate Manager for People, Governance and Waste			Cabinet Member for Environment & Services	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
	<b>Housing Revenue Accounts - large sites options appraisal</b>	Cabinet	29 Aug 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615			Cabinet Member for Housing and Property Services		Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary

<b>3 Rivers Options Appraisal Report</b>	Cabinet	29 Aug 2023				Leader of the Council	Part exempt	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
	Council	6 Sep 2023						
<b>Qtr. 1 Budget Monitoring</b> To receive a report from the Deputy Chief Executive (S151) on the Council's Financial position as at 30 June 2023	Cabinet	29 Aug 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>S106 Governance</b>	Cabinet	19 Sep 2023	Joanna Williams, Planning Obligations Monitoring Officer			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary

<b>Damp and Mould Policy</b> To receive the new Damp and Mould Policy	Homes Policy Development Group	26 Sep 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615			Cabinet Member for Housing and Property Services	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
	Cabinet	17 Oct 2023						
	Council	1 Nov 2023						
<b>Tenant Involvement update and Action Plan</b> To receive the MDH Tenant Involvement update and Action Plan	Homes Policy Development Group	26 Sep 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615			Cabinet Member for Housing and Property Services	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
	Cabinet	17 Oct 2023						
<b>Recharges Policy</b> To receive a review of the MDH Recahrges Policy	Homes Policy Development Group	26 Sep 2023	Simon Newcombe, Corporate Manager for Public Health, Regulation and Housing Tel: 01884 244615			Cabinet Member for Housing and Property Services	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
	Cabinet	17 Oct 2023						

<b>Makeup of the senior officer structure in light of posts held vacant</b> To consider a report from the Chief Executive on the makeup of the senior officer structure in light of posts held vacant	Cabinet	17 Oct 2023	Stephen Walford, Chief Executive Tel: 01884 234201			Leader of the Council	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>2024/25 – 2028/29 Medium Term Financial Plan Update</b> To receive a report from the Deputy Chief Executive on the updated Medium Term Financial Plan (MTFP) covering the period 2024/25 to 2028/29	Cabinet	17 Oct 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>Meeting Housing Needs SPD</b> To adopt the SPD	Cabinet	14 Nov 2023	Richard Marsh, Director of Place			Cabinet Member for Housing and Property Services	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary



<b>Silverton Neighbourhood Plan</b>	Cabinet	14 Nov 2023	Richard Marsh, Director of Place			Cabinet Member for Planning and Economic Regeneration	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>Infrastructure Funding Statement: Infrastructure List</b>	Cabinet	14 Nov 2023	Richard Marsh, Director of Place			Cabinet Member for Planning and Economic Regeneration	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>Str. 2 Budget Monitoring</b> To receive a report from the Deputy Chief Executive (S151) on the Council's Financial position as at 30 September 2023	Cabinet	14 Nov 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary

<b>2023/24 Mid-Year Treasury Management Report</b> To receive a report from the Deputy Chief Executive (S151) on the treasury performance during the first six months of 2023/24	Cabinet	14 Nov 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>2024/25 Budget Update</b> To consider a report from the Deputy Chief Executive (S151) on the updated 2024/25 Budget position and consider options to reduce the remaining shortfall	Cabinet	12 Dec 2023	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>Destination Management Plan for Mid Devon</b>	Economy Policy Development Group  Cabinet	4 Jan 2024  6 Feb 2024	Richard Marsh, Director of Place			Cabinet Member for Planning and Economic Regeneration	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary

Page 205	<b>2024/25 Budget Update</b> To consider a report from the Deputy Chief Executive (S151) on the updated 2024/25 Budget position and consider options to reduce the remaining shortfall	Cabinet	9 Jan 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
	<b>Business Rates Tax Base</b>	Cabinet	6 Feb 2024	Dean Emery, Corporate Manager for Revenues, Benefits and Recovery			Cabinet Member for Finance		Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
	<b>Establishment</b>	Cabinet	6 Feb 2024	Matthew Page, Corporate Manager for People, Governance and Waste			Cabinet Member for Working Environment		Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary

<b>Pay Policy</b>	Cabinet	6 Feb 2024	Matthew Page, Corporate Manager for People, Governance and Waste			Cabinet Member for Working Environment		Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>Qtr. 3 Budget Monitoring</b> To consider a report from the Deputy Chief Executive (S151) on the Council's financial position as at 31 December 2023	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>2024/25 Capital Strategy and Capital Programme</b> To consider a report from the Deputy Chief Executive (S151) proposing the 2024/25 Capital Strategy and recommends the 2024/25 Capital Programme	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary

<b>2024/25 Treasury Management Strategy</b> To consider a report from the Deputy Chief Executive (S151) proposing the 2024/25 Treasury Management Strategy and Annual Investment Strategy	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>2024/25 Budget Update</b> To consider a report from the Deputy Chief Executive (S151) proposing the 2024/25 Budget and recommends the Band D Council Tax charge for 2024/25	Cabinet	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary
<b>2024/25 Council Tax Resolution</b> To consider a report from the Deputy Chief Executive (S151) proposing the 2024/25 Band D Council Tax charge for 2024/25	Council	6 Feb 2024	Andrew Jarrett, Deputy Chief Executive (S151) Tel: 01884 234242			Cabinet Member for Finance	Open	Report outlining all relevant considerations, information and material including any equality and / or impact assessments, as necessary

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