



IN ACCORDANCE WITH THE STATUTORY REQUIREMENTS OF THE LOCAL GOVERNMENT ACT 1972 SCHEDULE 12  
PARAGRAPH 26(2) [A] (ADMISSIONS TO MEETINGS) SECTION 1(4)

NOTICE IS GIVEN THAT AN ORDINARY MEETING OF CULLOMPTON TOWN COUNCIL  
WILL BE HELD AT TOWN HALL, CULLOMPTON  
ON THURSDAY, 27<sup>th</sup> APRIL 2023 AT 7:00PM

MEMBERS OF THE PUBLIC HAVE THE RIGHT TO ATTEND UNLESS A SPECIFIC DECISION HAS BEEN  
TAKEN TO PROHIBIT THEM

**TO THE CHAIR AND COUNCILLORS OF CULLOMPTON TOWN COUNCIL**

**YOU ARE HEREBY SUMMONED TO ATTEND AN ORDINARY MEETING OF CULLOMPTON TOWN  
COUNCIL**

**APRIL 2023**

Prior to the meeting commencing:

**Outside Reports**

Reports will be received by representatives from the Police, County and District Councillors as well as outside bodies, if present, on items relating to Cullompton Town and the wider area.

## **AGENDA**

**1. Apologies for Absences**

Council to receive apologies for absence and consider the reasons given. ([LGA 1972 s85\(1\)](#))

**2. Declaration of Interest & Dispensations**

Members to declare any interests, including Disclosable Pecuniary Interests, they may have in agenda items that accord with the requirements of the Parish Council's Code of Conduct and to consider any prior requests from members for Dispensations that accord with [Localism Act 2011 s33\(b-e\)](#) (NB this does not preclude any later declarations).

**3. Public Question Time**

Members of the public are invited to question the Council on local issues etc. Questions will be answered by The Chair, The Chairs of the Standing Committees or Clerk. These persons will reserve the right to postpone making an answer until the following meeting in order to take advice or undertake research.

During this time, outstanding answers from previous meetings will be delivered.

**4. Minutes**

To approve the minutes of the Ordinary Meeting of the Council held on Thursday, 23<sup>rd</sup> March 2023.

To approve the minutes of Services, Property and Open Spaces Committee on 6<sup>th</sup> October 2022 and 3<sup>rd</sup> November 2022.

To approve the minutes of Planning, Licensing and Strategic Growth Committee on 1<sup>st</sup> November 2022

To approve the minutes of Community, Economy and Tourism Committee on 27<sup>th</sup> October 2022

## **5. Street Cleansing**

To discuss matters surrounding street cleansing and litter picking.

## **6. Chairman's Report**

To receive a report and any announcements from the Chair of the Council and note the content.

## **7. Town Clerk's Report**

To receive an update from the Clerk with items to note.

## **8. Finance**

To consider and note the payments, receipts & invoices. To consider other financial matters including the bank reconciliation. It is **RECOMMENDED** that members:

- a. Approve the Bank Reconciliations up until 31<sup>st</sup> March 2023.
- b. Note the payments, receipts & invoices paid under delegation approve the Council payment list.
- c. Note the budget to date and approve any virements between budgets and/or reserves.

## **9. Planning Matters**

*Consider and make comment:*

Planning applications received by the Planning Authority and available to view on the [Planning Portal](#):

- a. [23/00473/FULL](#). Conversion of part of maisonette and part of retail premises to create 2 additional dwellings at 29 Fore Street, Cullompton.
- b. [23/00539/TPO](#). Application to remove 4 lowest limbs, crown reduce south aspect by 2-3m and remove any major deadwood of 1 Monterey Cypress protected by Tree Preservation Order 15/00008/TPO.
- c. [23/00483/LBC](#). Listed Building Consent for change of window colour at Old Bridge Farm, Mutterton, Cullompton.
- d. [23/00533/FULL](#). Installation of a community ceramic artwork at Cullompton Baptist Church, High Street, Cullompton.
- e. [23/00534/FULL](#). Installation of a community ceramic artwork at 7 Fore Street, Cullompton.
- f. [23/00609/OUT](#). Outline for the erection of 3 dwellings and formation of access at Land at NGR 301131 107520 (Milkmoor), Tiverton Road, Cullompton.

## **10. Banking Signatories**

To agree signatories for all bank accounts

## **11. Asset Register**

To receive a report of the Council's asset register

## **12. Grant Awarding Policy**

To approve the Council's grant awarding policy

## **13. CCTV Code of Practice**

To approve the CCTV Code of Practice for the Council

**14. MDDC ASB Housing Policy Consultation**

To decide whether the Council wishes to respond to the consultation

**15. Storage of Trailer**

To review storage options for the new mower and trailer

**Exclusion of the Press and Public**

To exclude press and public in accordance with [Section 1\(2\) of the Public Bodies \(Admission to Meetings\) Act, 1960](#)

**Public Bodies (Admission to Meetings) Act 1960**

In accordance with [Local Government Act 1972, Schedule 12A, parts 1.1 and 4.14](#) and [Section 1\(2\) of the Public Bodies \(Admission to Meetings\) Act, 1960](#) public and press are therefore excluded from this part of the meeting.

**15. Finance System & Apps**

To agree a Council Finance system and apps required for Council administration operations.



Dan Ledger  
Town Clerk / RFO

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**Town Hall**  
**1 High Street**  
**Cullompton**  
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**01884 38249**

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**MINUTES OF AN ORDINARY MEETING OF CULLOMPTON TOWN COUNCIL**  
**DATED THURSDAY, 23<sup>RD</sup> MARCH 2023 AT 7:00PM**  
**AT CULLOMPTON TOWN HALL**

**PRESENT:**

**Councillors:** J Buczkowski (Chair), M Dale, R Dietrich, G Guest, K Haslett, S Holvey, J Johns, L Knight, M Thompson.

**Officers:** The Town Clerk, the Deputy Town Clerk.

**Others:** Sergeant Andrews (Devon and Cornwall Police), Dan Angell (representing tfa Limited and Danescroft) together with Johnathan Coombes (Pegasus Limited Planning Consultancy) and Claire Danks (Origin3 Limited Project Design Consultant).

Cllr C Snow (by remote attendance).

Sgt Andrews made a report on the Police Service in Mid Devon and, in particular, Cullompton and the approach to tackling Anti-Social Behaviour. This includes that a report is automatically generated when a call reporting Anti-Social Behaviour is received; there should be no reason that an officer should not respond to such a report.

Dan Angell presented on the proposed developments East of Cullompton in the broadest sense. There were a number of questions from members (*responses in italics*):

- Does the developer support the need for the Eastern Relief Road to be delivered before work commences on the Garden Village? *There is a series of ongoing assessment work around J28 and the delivery of the Relief Road and results of this will be reported in April 2023. Developers support this delivery of the Relief Road and it is very much the expectation that this will be the case.*
- Regular updates were requested as the plans for East Cullompton develop noting that, in the past, a moratorium on major developments had been imposed until such time as the local infrastructure could support it. *There is a commitment to provide regular updates.*
- It was noted that MDDC had twice been unsuccessful in their bid for Levelling-Up Funding in order to progress the proposed Eastern Relief Road; what happens should the next funding bid be unsuccessful? *Cannot go into detail on the Relief Road as negotiations are commercially sensitive but options are being considered regarding funding the project.*
- It was noted that there is a site for a new Primary School; is there provision for a Secondary School and a new medical centre? *No Secondary School is required although there is a contribution required to DCC for secondary provision including expansion of the existing secondary school. Discussions are taking place with the NHS to determine its healthcare requirements.*

- What provision has been made for new business and retail? *There is a certain amount of employment land in the whole allocation. Fordmore Farm is developing and expanding although this proposal is largely residential in nature and there are limits on the quantity of employment and retail provision in order that it does not compete directly with the Town Centre.*
- What provision is being made with regard to the mix of housing types to accommodate an ageing population? *Working with MDDC on accommodating an ageing population although the provision will be not just related to this particular proposal but the Garden Village as a whole and will include a proportion of accessible and adaptable housing and greater care provision.* It was noted that elderly accommodation provision is, generally, poor. Housing for an ageing population should be on level ground, include charging and storage facilities for mobility scooters, be on a bus route and be close to shopping amenities.
- It was noted that accessibility and adaptable housing is not just for an ageing population; there are lots of others in younger age demographics that have additional needs and require additional support. *It was responded that MDDC do have a policy on the quantity of accessible and adaptable housing that is required in major developments.*

The Chair requested that an item is placed on a future Agenda to request from the Education Authority their plans for the long-term plans for provision of secondary education in Cullompton considering the significant expected housing expansion planned.

Ref 730      **APOLOGIES FOR ABSENCES**

23.03.2023      Apologies for absence were received and approved from Councillor E Andrews.

Ref 731      **DECLARATION OF INTEREST & DISPENSATIONS**

23.03.2023      There were no declarations of Disclosable Pecuniary Interests made.

Ref 732      **PUBLIC QUESTION TIME**

23.03.2023      There were no members of the public present.

Ref 733      **MINUTES**

23.03.2023      **RESOLVED** to approve the minutes of the Ordinary meeting of the Council held on 23 February 2023 as a true and correct record of the meeting.

Ref 734      **ANTI-SOCIAL BEHAVIOUR**

23.03.2023      **RESOLVED** to establish a Cullompton Community Safety Partnership with representation from the Police, MDDC, DCC, Primary and Secondary Schools, Youth Workers, Neighbourhood Watch representatives to tackle problems with Anti-Social Behaviour and to consider allocation some funding towards the project with a view that it would attract further funding from other partner agencies.

Ref 735      **CHAIRMAN'S REPORT**

23.03.2023      The Chair had received an email requesting that an update is provided on legal matters currently ongoing. He reported that the dispute with SparkX is ongoing but that there had been no further complaint from a resident in the vicinity of Headweir Road play area.

The Chair also encouraged support for Springfest which is happening on 9 April 2023.

Ref 736  
23.03.2023

### **Town Clerk's Report**

The Town Clerk reported that:

- That the dog waste bin installed at Headweir Road play area had significantly improved instances of dog waste in the vicinity of the play area.
- Staff appraisals are underway.
- Pollarding of the High Street Common Lime trees is almost complete.
- The Town Centre WiFi project has run into difficulties as a result of Greenbeam Orion Limited entering liquidation. As the Council contracted with Greenbeam Orion Limited for its internet provision, this situation may prove problematic for it as well; there is a Part II item later in the Agenda to resolve a way forward.
- The public toilets continue to be subject to vandalism and are taking up a significant proportion of staff time to manage.
- First Aid training has now been completed for most staff.

Ref 737  
23.03.2023

### **FINANCE**

To consider and note the payments, receipts & invoices. To consider other financial matters including the bank reconciliation. It is **RECOMMENDED** that members:

- a. **RESOLVED** that the Bank Reconciliations up until 28<sup>th</sup> February 2023 are approved.
- b. **RESOLVED** to note the budget to date and approve any virements between budgets and/or reserves.
- c. **RESOLVED** to purchase of a new ride on electric mower and accessories, proposed by Councillor M Dale and seconded by Councillor R Dietrich. A recorded vote was requested by Councillor M Thompson:  
Those in favour of the motion: Councillors J Johns, K Haslett, M Dale, R Dietrich, G Guest, S Holvey, L Knight, J Buczkowski.  
Those against the motion: Councillor M Thompson.
- d. **RESOLVED** to establish the signatories of the Gift of A Burrow and Upcott Field bank accounts by role rather than by name and that they are to be the Chair and Vice Chair of the Council and the Chair of the Gift of A Burrow for Allotments Committee.

Ref 738  
23.03.2023

### **CEMETERY CCTV SYSTEM**

**RESOLVED** that a CCTV system with 3 fixed cameras is installed at Cullompton Cemetery to deter and detect instances of crime and Anti-Social Behaviour with 3 fixed cameras.

Ref 739  
23.03.2023

### **DIGNITY AND RESPECT POLICY**

**RESOLVED** to defer the adoption of the Dignity and Respect Policy until the Annual Meeting of the Town Council.

Ref 740

### **PLANNING MATTERS**

23.03.2023

Planning applications received by the Planning Authority and available to view on the [Planning Portal](#):

- a. [23/00103/FULL](#). Change of use from Use Class B8 to mixed use of B8 and E(a) to include retail goods at Supercars Southwest Limited, Mercury Business Park, Bradninch. *Note: Although this application is addressed at Bradninch, it is at the business park built at Quad World and falls just within the Cullompton Parish boundary.*

**RESOLVED** to have no objection to 23/00103/FULL but with some concerns regarding increase traffic to the unit whilst supporting the increased economic activity that the change of use will generate.

- b. [23/00271/FULL](#). Construction of a new glazed mono-pitched canopy roof to front elevation, change of use of garage to games room and addition of 2 roof lanterns and new pedestrian access from Bellevue Terrace.

**RESOLVED** that 23/00271/FULL is **NOT SUPPORTED** on the basis that the access to the development is a private one for the residents of Bellevue Terrace and it is likely to cause problems for those that live there.

- c. [23/00364/ARM](#). Variation of Condition 2 of planning permission 21/02554/ARM (Reserved matters for the erection of 2 dwellings with associated access and garages following outline approval 19/00883/OUT) to allow for substitute plans relating to installation of solar panels, removal of chimneys, reduction in footprint of each dwelling and external finishes.

There was **NO COMMENT** on this application.

- d. To note planning decisions made by the Planning Authority in February and March 2023.

**RESOLVED** to note the decisions made by the Planning Authority in February and March 2023.

*Councillor G Guest requested that he be permitted to make a personal statement before the meeting proceeded into Part II and informed the meeting that, for a variety of reasons, would not be standing for re-election in the upcoming Parish and District Elections. The Chair thanked him for his long service to the Council and wished him well for the future.*

### **EXCLUSION OF THE PRESS AND PUBLIC**

Ref 741

23.03.2023

**RESOLVED** that, in accordance with Local Government Act 1972, Schedule 12A, parts 1.1 and 4.14 and the Public Bodies (Admission to Meetings) Act Section 1(2), 1960, the public and press are excluded from this part of the meeting.

Ref 742

23.03.2023

### **TOWN HALL INTERNET PROVISION**

**RESOLVED** that the fibre lease line is adopted until the lease expires in December 2024.

- Ref 743      **STAFFING MATTERS**  
23.03.2023    **RESOLVED** that the outstanding holiday for staff is paid for and that, going forward, all Annual Holiday entitlement is taken in the holiday year in which it is due and any remaining holiday entitlement will be lost.
- Ref 744      **RESOLVED** that the Town Clerk is delegated authority to arrange benchmarking for all job roles at Cullompton Town Council.
- Ref 745      **FINANCE SYSTEM AND APPS**  
23.03.2023    **RESOLVED** the matter of the Finance System and other apps provided by CloudyIT is deferred until further information is provided.

Meeting closed at 21:15.

DRAFT





Locum Town Clerk: Francesca Pridding

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**MINUTES OF A MEETING OF THE SERVICES PROPERTY & OUTDOOR SPACES COMMITTEE**

**DATED THURSDAY 6<sup>TH</sup> OCTOBER 2022**

**IN CULLOMPTON TOWN HALL AT 8.00PM**

**PRESENT:**

Councillor Thompson (Chair)

Councillors: Shaun Holvey, Mike Thompson, Christopher Snow, Gordon Guest, Martin Smith, Janet Johns, Lloyd Knight, Ian Findlay, Robert Dietrich

**OFFICERS PRESENT:**

Francesca Pridding (Locum Clerk)

Carmel Wilkinson (Locum Deputy Town Clerk)

Paul Gummer (Outdoor Team Supervisor) for SPOS cttee

Ref. 01

06.10.22

**APOLOGIES:**

Matthew Dale

Kathryn Haslett

Ref. 02

06.10.22

**DECLARATION OF FINANCIAL INTEREST OR PERSONAL CONNECTION:**

None

Ref. 03

06.10.22

**MINUTES**

None

Ref. 04

06.10.22

**FINANCE REPORT**

Motion not to accept/to defer the finance report because not provided to councillors 3-days before this meeting.

**Proposed:** Cllr Thompson

**Seconded:** Cllr Snow

Unanimous

Ref. 05

### **OFFICER REPORT**

06.10.22

The Outdoor Team Supervisor gave a comprehensive update to the committee, see report attached to the agenda for this meeting.

Waterproofing the Chapel roof was also discussed and PG explained to councillors the scope and process of repairs he is overseeing.

Also discussed under this item was:

The possible impact of the NW extension.

Specification for cemetery paths.

Benches.

PG priorities: war memorial for Remembrance Sunday and Alms-houses prep for memorial stone.

PG thanked the team, currently just Perry and Norm, for their hard work and dedication.

Cllr Thompson offered congratulations to PG and the team for their hard work.

Ref. 06

### **HEADWEIR ROAD PLAY AREA**

06.10.22

The play area is leased to CTC by MDDC.

Discussed: Whether to retain the lease, and under what terms, or to surrender it to MDDC.

Headweir is one of the most popular play areas.

Working group to consider options? Not on the agenda, the lease is a CTC asset therefore decisions must be reported to full council.

Who owns the fence?

Cllr Buczkowski:

CTC has not spent a lot of money on Headweir.

Rent is peppercorn.

No impact on precept.

Positive impact on community.

Well maintained but could do with more equipment.

Beware fear mongering.

Motion to produce a report on running costs , legal fees and ownership of land/property. Defer decision until report is available and return to this committee.

**Proposed:** Cllr Thompson

**Seconded:** Cllr Holvey

8 for, 1 abstain

Ref. 07  
06.10.22

**CHAPEL ROOF CONDITION REPORT**

Motion to commission a condition report of the Chapel roof.

**Proposed:** Cllr Thompson

**Amended proposal:** (Cllr Dietrich) to include the Mortuary

**Seconded:** Cllr Johns

Unanimous

Ref. 08  
06.10.22

**TOWN HALL CLEANING**

Proposal to delegate to the clerk procurement of a contract to maintain the town hall in clean and safe condition.

Discussed: In-house capacity (staff to undertake cleaning).

Advertise locally. Decision for Resources? Delegate to clerk too open ended.

**Proposal:** Cllr Buczkowski

**Seconded:** Cllr Findlay

8 for, 1 abstain

Ref. 09  
06.10.22

**REVIEW OF FEES**

Chair: Item deferred because no figures available to review/compare.

Ref. 10  
06.10.22

**BUDGET 2023/24**

Discussion ranged from: Do not understand the brief to a widely accepted method for setting a budget.

Motion to defer this item.

**Proposed:** Cllr Thompson

**Seconded:** Cllr Snow

**Amendment proposed:** Cllr Findlay – Special meeting to discuss when councillors have had time to consider the documents, make notes and ask questions.

6 for, 3 abstain

Ref. 11  
06.10.22

**STRATEGIC PLAN 1, 3 & 5 years**

Q Cllr Findlay – in remit of this committee to include consideration of a new town hall? Ans – Y

Discussed: Short-term objectives e.g. cemetery paths, floral arrangements, weeds/grass in/out of town, town cleanliness eg war memorial.  
Cllrs to make lists re maintenance and suggestions re WC cleaning/maintenance.

Long-term – Cemetery projects, pagoda, mortuary, car park maintenance, town hall relocation, replacement of play equipment inc. build up reserves to fund.

See previous lists. Overall plan/vision for town is needed.  
Garden Village - £. Strategic partnerships. Cycle paths/healthy living.  
Boundary changes.

Cllr Guest: Retail in Garden Village. JB signposted to Supplementary Planning document, framework for the future. Clerk advised that CTC has resolved to set up a working group.

No resolutions.

Meeting closed at 20:55



**MINUTES OF A MEETING OF THE PLANNING, LICENSING  
AND STRATEGIC GROWTH COMMITTEE  
HELD AT TOWN HALL, CULLOMPTON ON TUESDAY, 1 NOVEMBER 2022 AT 7:00PM**

**Present:**

**Chair:** Councillor G Guest

**Membership:** Councillors J Johns, I Findlay, R Dietrich, J Buczkowski, G Guest,

**Officers:** The Assistant Town Clerk

**PL05. Apologies for Absence**

To receive apologies for absence.

Apologies for absence were received and accepted from Councillors E Andrews and S Holvey.

**PL06. Declarations of Interests**

To receive declarations of financial interests and personal connections.

Councillor G Guest declared a personal connection to planning application 22/01671/MFUL as he is known to the applicants.

**PL07. Minutes**

*Resolve:*

To adopt the Minutes of the meeting of the Planning, Licensing and Strategic Growth Committee held on 11 October 2022.

The Minutes of the meeting of the Planning, Licensing and Strategic Growth Committee held on 11 October 2022 were adopted as a true and correct record of the meeting and signed as such.

**PL08. East Cullompton Urban Extension Supplementary Planning Document response.**

*Resolve:*

To approve the draft response to the consultation on the East Cullompton Urban Extension Supplementary Planning Document.

**Resolved** that the council's formal response to the East Cullompton Urban Extension Supplementary Planning Document consultation is as follows:

- The proposal allocated in the latest revision of the Local Plan, although less than half the aspiration, is broadly supported.
- Detailed observations include:
  - The need, whilst encouraging the use of low carbon transport, not to alienate car users. In addition, bus stops without buses to stop at them are largely useless particularly in light of the recent reduction of services by

Stagecoach. Subsidising these services in the short term is acceptable whilst the number of occupied dwellings increases but there needs to be a strategic plan in place to make services in and around this proposal sustainable in the long term.

- That, whilst there are many thousands of new dwellings in progress or proposed, not just in Mid Devon but across the County and South West region, there is little or no provision made to supply water to these new dwellings in the form of new reservoir capacity.
- That the lessons of Swallow Way (though Kingfisher Reach) must be learned and not repeated.
- That, whilst the Garden Village Initiative will create a very significant mixed-use development, it should be seen as part of Cullompton with a Parish Boundary review if necessary.
- That schools, surgeries and community facilities (including road infrastructure) should be delivered in the early phases.
- Consideration should be given to providing the provision of convalescent care beds in the vicinity of the proposed care home/GP surgery in order to go some way to alleviating “bed blocking” in the NHS.
- That modifications to Honiton Road may be necessary to increase capacity along the extent of the East Cullompton Urban Extension/Garden Village Initiative.
- That significant improvements and additions to the M5 J27/J28/J29 corridor infrastructure will be required as the current J28 is at capacity now without several thousands of additional vehicles attempting to access it.
- That it makes the reopening of the railway stations a more urgent requirement.
- The size of industrial units and the type of industry, whilst understanding that there will be some market forces, needs to be carefully considered as there is a shortfall of micro and small units in the district making start-up business difficult. Retail also needs to be considered both in the commercial allocation and within the development as a whole.
- The Cullompton Neighbourhood Plan should be fully complied with in the design of any development proposals.
- The Town Council will actively oppose any proposal for dwellings at East Cullompton before the Eastern Relief Road is delivered and that the issues surrounding the capacity of Junction 28 of the M5 are resolved.
- The absence of waste water treatment facilities is a concern as the existing is at capacity.
- There is concern that there is little or no retail; at the start of the East Cullompton vision process, there was a proposal for a retail park at the south west of the allocated site that appears to be absent from the Masterplan Supplementary Planning Document.

- Small retail units (convenience store type) will be required to provide necessities and to avoid unnecessary car journeys to purchase, for example, milk or bread.

## PL09 Planning Matters

*Consider and make comment:*

Planning applications received by the Planning Authority and available to view on the [Planning Portal](#):

- a. [22/01671/MFUL](#). Erection of extension to create new entrance facilities; erection of office building; erection of business units (Use Classes E and B8); formation of car park, new vehicular access and associated landscaping works at Bear Town, Wescott.

**RESOLVED** that the council, whilst it can see the benefit of a development that supports the economic growth of the region, is very concerned that the level of traffic generated by the new business units will significantly increase traffic through Cullompton town centre which is beyond capacity without an Eastern Relief Road. Proposed Councillor J Buczkowski, seconded Councillor R Dietrich. All.

- b. [22/01814/HOUSE](#). Erection of 3 bay garage at Yarlington Mill, Bradninch.

**RESOLVED** that planning application 22/01814/HOUSE is SUPPORTED.

- c. [22/01878/FULL](#). Erection of 5 dwellings and associated infrastructure following demolition of existing agricultural buildings at Land and Buildings at NGR 302642 106361, Old Hill, Cullompton.

**RESOLVED** that planning application 22/01878/FULL is SUPPORTED subject to the following conditions:

- That there is turning space for vehicles provided at the development. There also needs to be parking provision for deliveries and visitors.
- That off-road parking provided meets NHP Policy HS04.
- That the visibility splay at the junction with Old Hill is improved to the satisfaction of the Highway Authority.

- d. [22/01948/HOUSE](#). Erection of a single storey glass canopy on rear elevation at 2 Court Drive, Cullompton.

**RESOLVED** that planning application 22/01948/HOUSE is SUPPORTED.

- e. [22/01954/HOUSE](#). Erection of replacement roof and frames to conservatory at 3 Lawrence Court, Rull Lane, Cullompton.

**RESOLVED** that planning application 22/01954/HOUSE is SUPPORTED.

- f. [22/00735/MFUL](#). Reserved matters for the erection of 200 dwellings following outline approval [17/01346/MOUT](#) at Land at NGR 301738 107814 Tiverton Road/ Goblin Lane Cullompton Devon.

**RESOLVED** that planning application 22/00735/MFUL is NOT SUPPORTED for the following reasons

- There is housing that appears to open directly onto the spine road which is not acceptable.
- How are SWW going to deal with the provision of fresh water and the removal of waste water from another 200 houses particularly considering that the water treatment plant is at capacity? Grey water recycling should be considered.
- Access to the allotments and cemetery was requested at the outline stage but there is none in the plans.
- There should be no further development at this site until the spine road is open for traffic and/or the Eastern Relief Road is delivered.
- The car parking provided does not meet with the Neighbourhood Plan Policy HS04.
- There is concern that there is a significant lack of additional sporting facilities in this development.





**MINUTES OF A COMMUNITY, ECONOMY AND TOURISM COMMITTEE MEETING OF  
CULLOMPTON TOWN COUNCIL HELD AT THE TOWN HALL, CULLOMPTON ON THURSDAY, 27  
OCTOBER 2022 AT 7:00PM**

**Present:**

**Chair:** In the absence of Councillor M Dale, Councillor J Buczkowski was elected Chair for this meeting.

**Membership:** Councillors J Johns, L Knight, S Holvey

**Officers:** The Assistant Town Clerk (Meeting Administrator)

**Others:** The Town Clerk Designate and 1 member of the public

**Public Participation**

A representative of the Farmers' Market presented a request to the council for assistance in the storage of their gazebos and the erection of the gazebos on Farmers' Market days. The matter will be added to the next Agenda for the Community, Economy and Tourism Committee for debate and resolution.

**CET01 Apologies for absence**

Apologies for absence were received and accepted from Councillors M Dale, G Guest and K Haslett.

**CET02 Declaration of financial interest or personal connection**

The following declarations of interests were made:

Councillor J Buczkowski declared a personal connection in relation to Minute CET08 as he is an elected member of Mid Devon District Council.

**CET03 Officer Reports**

*Receive:*

A progress report on ongoing projects.

The Officer Report was noted.

**CET04 Minutes**

There are no Minutes to adopt.

**CET05 Financial Matters**

*Note and recommend:*

- a. Finance Report. The Financial Report was noted.
- b. Budgets for the Financial Year 2023-24 for the Committee budget lines.

**RECOMMENDED** that the Officer's recommendations are adopted with a possible requirement to review the Outdoor Market Expenses to allow for some support for the Farmers' Market.

#### **CET06 Hanging Baskets**

*Resolve:*

To purchase an additional 28 hanging baskets to take the total to 40 at a cost of £20-£30 each (total £560-840).

**RESOLVED** that 28 additional self-watering hanging baskets are purchased.

#### **CET07 Emergency Plan**

*Discuss:*

Provision and storage of equipment in relation to Cullompton Town Council's Emergency Plan.

**RESOLVED** that the Emergency Plan is reviewed with a view to assessing the actual risks faced by the Community and the assistance that the council would likely be requested to provide.

#### **CET08 3-Weekly Bin Collection**

*Note and Respond:*

Respond to the email response from MDDC with regard to 3-weekly non-recyclable refuse collections in Cullompton.

**RESOLVED** to respond that the position of MDDC is noted and that issues regarding waste left in public places will be forwarded to MDDC as they occur.

#### **CET09 Youth Services**

*Debate and Resolve:*

Cullompton Youth Community Development Proposal – [Draft] Partnership Agreement.

**RECOMMENDED** that the partnership arrangement for the provision of Youth Services is supported.

#### **CET10 Coronation Strategy**

*Discuss:*

To discuss a strategy for the celebration of the Coronation of King Charles III.

**RESOLVED** that a Working Group is established to report back to the Community, Economy and Tourism Committee in January.

#### **CET11 S106 Working Group Update**

*Note:*

An update from the s106 Working Group.

There was nothing to report as the s106 Working Group had yet to meet; it was noted that a meeting of the s106 Working Group should take place as soon as possible.

#### **CET12 Bench Consultation**

*Debate and Resolve:*

**Motion** that the community is consulted on the placement of benches within the Parish.

**RESOLVED** that the Town Council consults with the residents of the Parish as to where the tables and benches provisioned for in the Town Councils agreed budget should be placed, this should be done by way of online survey (such as Survey Monkey) and paper survey with a number of suggested sites, including Skate Park, Upcott Field, Tufty Park, Town Centre, CCA Fields along with other suggestions members may have and that the results are brought back to the January meeting for a decision to be made.

## Town Clerk's Report

Item	Comment	Agenda Item in next 3 months?
Public Questions	None received at last meeting	No
Outdoor Team	The outdoor team are working at capacity. They have had a large increase in the number of burials/interments over the passed few weeks coupled with entering into grass cutting season.	No
Co-options	There are 6 members returned unopposed to the Town Council for the next term. Co-options will be available and advertised once we have left the pre-election period.	Yes
Benchmarking	Quotes have been received from one provider we await further quotes to be able to proceed.	No
Sewage in High Street	Sewage was reported present in the high street on a market day this month. Council advised South West Water of this and they attended site clearing the blockage. A section of pipe requires replacing near to the war memorial and this has been requested by the engineer who attended.	No
ZedPod Update	The proposed development adjacent to St Andrew's Car Park has been delayed due to the need to move a gas main. Once this has an agreed date Council will be informed so that signage can be put out to inform residents and car park users of dates that will affect the Car Park.	No
Play Park Repairs	Further enhancements are required as per the ROSPA report. The outdoor team will be providing wet pour repairs to most parks where shrinkage has occurred but there is a need to look at the wider aims and objectives of the Council with regards to a play strategy. This will be brought to Council in the new Council term and will dictate how funds will be best utilised.	Yes
NALC	Council were featured for their work on the Council's emergency plan at a pay to attend NALC event. The Deputy Clerk was a member of the expert panel answering questions on the importance of having a robust emergency plan	No
Hanging Baskets	12 baskets have so far been purchased by local businesses	No

**Bank Reconciliation Statement as at 31/03/2023  
for Cashbook 10 - 32 Day Notice**

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
32 Day Notice	31/03/2023		101,126.41
			<u>101,126.41</u>
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
		0.00	
			<u>0.00</u>
			101,126.41
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<u>0.00</u>
			101,126.41
		<b>Balance per Cash Book is :-</b>	<b>101,126.41</b>
		<b>Difference is :-</b>	<b>0.00</b>

Bank Reconciliation Statement as at 31/03/2023  
for Cashbook 13 - Unity T2 Current

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<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
	31/03/2023		497.75
			<hr/> 497.75
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
		0.00	
			<hr/> 0.00
			497.75
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<hr/> 0.00
			497.75
		Balance per Cash Book is :-	497.75
		Difference is :-	0.00

Bank Reconciliation Statement as at 31/03/2023  
for Cashbook 9 - Unity Instant Access

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
Unity Trust Bank	31/03/2023		51,292.01
			<u>51,292.01</u>
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
		0.00	
			<u>0.00</u>
			51,292.01
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<u>0.00</u>
			51,292.01
		Balance per Cash Book is :-	51,292.01
		Difference is :-	0.00

Bank Reconciliation Statement as at 31/03/2023  
for Cashbook 12 - Square

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
	31/03/2023		327.36
			<u>327.36</u>
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
31/03/2023 Mar'23 Current Bank Account		327.36	
			<u>327.36</u>
			0.00
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<u>0.00</u>
			0.00
		Balance per Cash Book is :-	0.00
		Difference is :-	0.00

Bank Reconciliation Statement as at 31/03/2023  
for Cashbook 11 - Soldo

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<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
Soldo	31/03/2023		825.03
			<hr/> 825.03
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
		0.00	
			<hr/> 0.00
			825.03
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<hr/> 0.00
			825.03
		Balance per Cash Book is :-	825.03
		Difference is :-	0.00



Bank Reconciliation Statement as at 31/03/2023  
for Cashbook 1 - Current Bank Account

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<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
Current Account	31/03/2023		229,367.53
			<hr/> 229,367.53
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
		0.00	
			<hr/> 0.00
			229,367.53
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<hr/> 0.00
			229,367.53
		Balance per Cash Book is :-	229,367.53
		Difference is :-	0.00

Bank Reconciliation Statement as at 31/03/2023  
for Cashbook 2 - Credit Card

<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
Credit Card	31/03/2023		-5.16
			<u>-5.16</u>
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
		0.00	
			<u>0.00</u>
			-5.16
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<u>0.00</u>
			-5.16
		Balance per Cash Book is :-	-5.16
		Difference is :-	0.00

Bank Reconciliation Statement as at 31/03/2023  
for Cashbook 7 - Cambridge & Counties Bank

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<u>Bank Statement Account Name (s)</u>	<u>Statement Date</u>	<u>Page No</u>	<u>Balances</u>
Cambridge & Counties Bank	31/03/2023		81,275.47
			<u>81,275.47</u>
<u>Unpresented Cheques (Minus)</u>		<u>Amount</u>	
		0.00	
			<u>0.00</u>
			81,275.47
<u>Receipts not Banked/Cleared (Plus)</u>			
		0.00	
			<u>0.00</u>
			81,275.47
		Balance per Cash Book is :-	81,275.47
		Difference is :-	0.00

Time: 14:51

## Bank Reconciliation up to 31/03/2023 for Cashbook No 13 - Unity T2 Current

<u>Date</u>	<u>Cheque/Ref</u>	<u>Amnt Paid</u>	<u>Amnt Banked</u>	<u>Stat Amnt</u>	<u>Difference</u>	<u>Cleared</u>	<u>Payee Name or Description</u>
14/10/2022	Chq 008776		500.00	500.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
31/01/2023	Chq 008776	500.00		500.00		R <input checked="" type="checkbox"/>	Current Bank Account
17/03/2023	FPO		500.00	500.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
31/03/2023	FEE	0.30		0.30		R <input checked="" type="checkbox"/>	Unity Bank Trust
31/03/2023	FEE	1.95		1.95		R <input checked="" type="checkbox"/>	Unity Bank Trust
		<u>502.25</u>	<u>1,000.00</u>				

Time: 14:54

## Bank Reconciliation up to 31/03/2023 for Cashbook No 9 - Unity Instant Access

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<u>Date</u>	<u>Cheque/Ref</u>	<u>Amnt Paid</u>	<u>Amnt Banked</u>	<u>Stat Amnt</u>	<u>Difference</u>	<u>Cleared</u>	<u>Payee Name or Description</u>
31/03/2023	Interest		239.60	239.60		R <input checked="" type="checkbox"/>	Receipt(s) Banked
		<u>0.00</u>	<u>239.60</u>				

Time: 14:40

## Bank Reconciliation up to 31/03/2023 for Cashbook No 12 - Square

<u>Date</u>	<u>Cheque/Ref</u>	<u>Amnt Paid</u>	<u>Amnt Banked</u>	<u>Stat Amnt</u>	<u>Difference</u>	<u>Cleared</u>	<u>Payee Name or Description</u>
27/02/2023	Transfer	28.09		28.09		R <input checked="" type="checkbox"/>	Current Bank Account
08/03/2023	MI10784		100.00	100.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
21/03/2023	MI10786		198.00	198.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
31/03/2023	Mar'23	327.36			327.36	<input type="checkbox"/>	Current Bank Account
31/03/2023	SQ	12.00		12.00		R <input checked="" type="checkbox"/>	Admin Fee
31/03/2023	SQ	7.34		7.34		R <input checked="" type="checkbox"/>	Squareup
31/03/2023	SQ		12.00	12.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
31/03/2023	Mar'23		36.70	36.70		R <input checked="" type="checkbox"/>	Receipt(s) Banked
		<u>374.79</u>	<u>346.70</u>				

Time: 14:42

## Bank Reconciliation up to 31/03/2023 for Cashbook No 11 - Soldo

<u>Date</u>	<u>Cheque/Ref</u>	<u>Amnt Paid</u>	<u>Amnt Banked</u>	<u>Stat Amnt</u>	<u>Difference</u>	<u>Cleared</u>	<u>Payee Name or Description</u>
01/03/2023	SOL5042	19.88		19.88		R <input type="checkbox"/>	Amazon
01/03/2023	SOL5035	6.00		6.00		R <input type="checkbox"/>	Soldo Ltd
10/03/2023	Transfer		1,000.00	1,000.00		R <input type="checkbox"/>	Receipt(s) Banked
16/03/2023	SOL5136	24.30		24.30		R <input type="checkbox"/>	Amazon
27/03/2023	SOL5114	40.80		40.80		R <input type="checkbox"/>	SAGE Global - HR
29/03/2023	SOL5139	29.99		29.99		R <input type="checkbox"/>	Amazon
29/03/2023	SOL5138	23.09		23.09		R <input type="checkbox"/>	Amazon
29/03/2023	SOL5137	80.81		80.81		R <input type="checkbox"/>	Amazon
31/03/2023	SOL5140	19.48		19.48		R <input type="checkbox"/>	Amazon
		<u>244.35</u>	<u>1,000.00</u>				

Time: 09:45

## Bank Reconciliation up to 31/03/2023 for Cashbook No 1 - Current Bank Account

<u>Date</u>	<u>Cheque/Ref</u>	<u>Amnt Paid</u>	<u>Amnt Banked</u>	<u>Stat Amnt</u>	<u>Difference</u>	<u>Cleared</u>	<u>Payee Name or Description</u>
23/11/2022	7/3		12.00	12.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
01/03/2023	FPO 4977	9,374.40		9,374.40		R <input checked="" type="checkbox"/>	Dare Utilities Reinstatement S
01/03/2023	FPO 5024	27.00		27.00		R <input checked="" type="checkbox"/>	Nathan Lewis
01/03/2023	FPO 4956	257.04		257.04		R <input checked="" type="checkbox"/>	ABA Groundcare LLP
01/03/2023	FPO 4978	24.00		24.00		R <input checked="" type="checkbox"/>	Wasteology Ltd
01/03/2023	FPO 4999	36.00		36.00		R <input checked="" type="checkbox"/>	Vision ICT Ltd
01/03/2023	FPO-1	289.86		289.86		R <input checked="" type="checkbox"/>	Tudor Environmental
01/03/2023	FPO 5012	144.00		144.00		R <input checked="" type="checkbox"/>	SLCC
01/03/2023	FPO 4998	65.00		65.00		R <input checked="" type="checkbox"/>	Scrace, Tim
01/03/2023	FPO 4955	856.00		856.00		R <input checked="" type="checkbox"/>	RoSPA Play Safety Ltd
01/03/2023	FPO 4975	29.99		29.99		R <input checked="" type="checkbox"/>	Mole Valley Farmers
01/03/2023	FPO 4976	510.00		510.00		R <input checked="" type="checkbox"/>	Metcalfe Allen Ltd
01/03/2023	FPO 5007	200.00		200.00		R <input checked="" type="checkbox"/>	Mid Devon District Council
01/03/2023	FPO 4971	744.00		744.00		R <input checked="" type="checkbox"/>	Marbles Cleaning Ltd
01/03/2023	FPO-2	1,750.44		1,750.44		R <input checked="" type="checkbox"/>	Labdon Building Supplies
01/03/2023	FPO 5006	206.94		206.94		R <input checked="" type="checkbox"/>	Halcyon Landscapes Ltd
01/03/2023	FPO 5004	78.00		78.00		R <input checked="" type="checkbox"/>	GreenBeam Orion Ltd
01/03/2023	FPO 4995	955.72		955.72		R <input checked="" type="checkbox"/>	D & H Plant Ltd
01/03/2023	FPO 4957	35.00		35.00		R <input checked="" type="checkbox"/>	Culm Florist
01/03/2023	FPO-3	1,057.25		1,057.25		R <input checked="" type="checkbox"/>	CoudyIT
01/03/2023	FPO 4992	3,339.60		3,339.60		R <input checked="" type="checkbox"/>	Adecco UK Ltd
01/03/2023	FPO 4991	141.29		141.29		R <input checked="" type="checkbox"/>	Rialtas Business Solutions Ltd
01/03/2023	FPO 4973	3,536.40		3,536.40		R <input checked="" type="checkbox"/>	Onsite Fire Safety Training Co
01/03/2023	DD 5075	55.68		55.68		R <input checked="" type="checkbox"/>	Mid Devon District Council
01/03/2023	DD 5069	67.78		67.78		R <input checked="" type="checkbox"/>	Allstar
01/03/2023	DD 5076	237.71		237.71		R <input checked="" type="checkbox"/>	Shire Leasing PLC
01/03/2023	DD 5029	20.40		20.40		R <input checked="" type="checkbox"/>	SAGE Global Payroll
02/03/2023	DD 5039	289.42		289.42		R <input checked="" type="checkbox"/>	British Telecom
06/03/2023	DD	5.16		5.16		R <input checked="" type="checkbox"/>	Credit Card
06/03/2023	4948154		7,250.91	7,250.91		R <input checked="" type="checkbox"/>	Receipt(s) Banked
06/03/2023	20230306		6,187.00	6,187.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
08/03/2023	CE10375		645.00	645.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
10/03/2023	Transfer	1,000.00		1,000.00		R <input checked="" type="checkbox"/>	Soldo
10/03/2023	Refund	-4,518.01		-4,518.01		R <input checked="" type="checkbox"/>	Scottish Power
10/03/2023	MI10785		66.00	66.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
13/03/2023	DD 5040	57.05		57.05		R <input checked="" type="checkbox"/>	British Gas - A/C BGL282253 -
13/03/2023	DD 5041	796.00		796.00		R <input checked="" type="checkbox"/>	British Gas - A/C BGL282249 -
15/03/2023	DD 5092	16.42		16.42		R <input checked="" type="checkbox"/>	Allstar
15/03/2023	DD 5127	29.13		29.13		R <input checked="" type="checkbox"/>	British Gas - A/C BGL282257 -
17/03/2023	FPO	500.00		500.00		R <input checked="" type="checkbox"/>	Unity T2 Current
17/03/2023	FPO	2,000.00		2,000.00		R <input checked="" type="checkbox"/>	Unite - Carers in Mid Devon
17/03/2023	FPO 5090	438.00		438.00		R <input checked="" type="checkbox"/>	CIX - ICUK Computing Services
17/03/2023	500538		143.00	143.00		R <input checked="" type="checkbox"/>	Receipt(s) Banked
17/03/2023	500537		22.40	22.40		R <input checked="" type="checkbox"/>	Receipt(s) Banked
17/03/2023	500537		0.58	0.58		R <input checked="" type="checkbox"/>	Receipt(s) Banked



Time: 09:45

## Bank Reconciliation up to 31/03/2023 for Cashbook No 1 - Current Bank Account

<u>Date</u>	<u>Cheque/Ref</u>	<u>Amnt Paid</u>	<u>Amnt Banked</u>	<u>Stat Amnt</u>	<u>Difference</u>	<u>Cleared</u>	<u>Payee Name or Description</u>
20/03/2023	DD 5085	101.87		101.87		R <input type="checkbox"/>	O2
21/03/2023	DD 5117	129.73		129.73		R <input type="checkbox"/>	NPower
22/03/2023	DD 5083	25.00		25.00		R <input type="checkbox"/>	Airband Community Internet Ltd
22/03/2023	DD 5131	51.52		51.52		R <input type="checkbox"/>	Allstar
23/03/2023	DD 5126	60.72		60.72		R <input type="checkbox"/>	EE & T Mobile
27/03/2023	DD 5132	396.36		396.36		R <input type="checkbox"/>	ALD FORD LEASE
29/03/2023	DD 5130	51.52		51.52		R <input type="checkbox"/>	Allstar
30/03/2023	DD 5113	20.40		20.40		R <input type="checkbox"/>	SAGE Global Payroll
31/03/2023	FPO 5101	1,201.20		1,201.20		R <input type="checkbox"/>	G Burley & Sons Ltd
31/03/2023	FPO-6	855.23		855.23		R <input type="checkbox"/>	D & H Plant Ltd
31/03/2023	FPO 5100	27.00		27.00		R <input type="checkbox"/>	Cornwall Lifeskills
31/03/2023	FPO 5088	379.70		379.70		R <input type="checkbox"/>	CoudyIT
31/03/2023	FPO 5091	702.00		702.00		R <input type="checkbox"/>	APSE
31/03/2023	FPO-7	1,142.78		1,142.78		R <input type="checkbox"/>	Alarmtect Ltd
31/03/2023	FPO 5044	60.56		60.56		R <input type="checkbox"/>	ABA Groundcare LLP
31/03/2023	FPO	15,766.26		15,766.26		R <input type="checkbox"/>	Salaries
31/03/2023	FPO	3,473.13		3,473.13		R <input type="checkbox"/>	Pensions
31/03/2023	FPO	5,780.84		5,780.84		R <input type="checkbox"/>	HMRC
31/03/2023	FPO	14.00		14.00		R <input type="checkbox"/>	Unison
31/03/2023	DD-1	35.00		35.00		R <input type="checkbox"/>	Information Commissioner's Off
31/03/2023	FPO 5134	48.00		48.00		R <input type="checkbox"/>	AS Signs & Graphics
31/03/2023	FPO-1	143.29		143.29		R <input type="checkbox"/>	Labdon Building Supplies
31/03/2023	FPO 5118	27.00		27.00		R <input type="checkbox"/>	Mole End Plants
31/03/2023	FPO 5116	160.44		160.44		R <input type="checkbox"/>	One Stop Promotions
31/03/2023	FPO 5110	104.31		104.31		R <input type="checkbox"/>	Source for Business - A/C 1696
31/03/2023	FPO-2	555.69		555.69		R <input type="checkbox"/>	Tudor Environmental
31/03/2023	FPO-3	756.00		756.00		R <input type="checkbox"/>	Wasteology Ltd
31/03/2023	FPO 5026	336.62		336.62		R <input type="checkbox"/>	Viking
31/03/2023	FPO-4	1,362.74		1,362.74		R <input type="checkbox"/>	Tudor Environmental
31/03/2023	FPO 5093	781.44		781.44		R <input type="checkbox"/>	Tozers
31/03/2023	FPO 5079	25.25		25.25		R <input type="checkbox"/>	Solopress
31/03/2023	FPO 5070	97.00		97.00		R <input type="checkbox"/>	Scrace, Tim
31/03/2023	FPO 5084	189.47		189.47		R <input type="checkbox"/>	Ricoh UK Ltd
31/03/2023	FPO 5030	26.99		26.99		R <input type="checkbox"/>	Mole Valley Farmers
31/03/2023	FPO 5086	750.00		750.00		R <input type="checkbox"/>	Mole End Plants
31/03/2023	FPO-5	1,469.87		1,469.87		R <input type="checkbox"/>	Labdon Building Supplies
31/03/2023	FPO 5036	162.00		162.00		R <input type="checkbox"/>	Institute of Cemetery & Cremat
31/03/2023	FPO 5089	206.92		206.92		R <input type="checkbox"/>	Halcyon Landscapes Ltd
31/03/2023	Mar'23		327.36	327.36		R <input type="checkbox"/>	Receipt(s) Banked
31/03/2023	FPI		370.00	370.00		R <input type="checkbox"/>	Receipt(s) Banked
		<u>62,130.52</u>	<u>15,024.25</u>				

Time: 13:04

## Bank Reconciliation up to 31/03/2023 for Cashbook No 2 - Credit Card

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<u>Date</u>	<u>Cheque/Ref</u>	<u>Amnt Paid</u>	<u>Amnt Banked</u>	<u>Stat Amnt</u>	<u>Difference</u>	<u>Cleared</u>	<u>Payee Name or Description</u>
06/03/2023	DD		5.16	5.16		R <input checked="" type="checkbox"/>	Receipt(s) Banked
19/03/2023	CC 5112	5.16		5.16		R <input checked="" type="checkbox"/>	Skype
		<u>5.16</u>	<u>5.16</u>				

Time: 15:07

## Bank Reconciliation up to 31/03/2023 for Cashbook No 7 - Cambridge &amp; Counties Bank

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<u>Date</u>	<u>Cheque/Ref</u>	<u>Amnt Paid</u>	<u>Amnt Banked</u>	<u>Stat Amnt</u>	<u>Difference</u>	<u>Cleared</u>	<u>Payee Name or Description</u>
30/09/2022	Interest		327.69	327.69		R <input type="checkbox"/>	Receipt(s) Banked
31/12/2022	Interest		273.56	273.56		R <input type="checkbox"/>	Receipt(s) Banked
31/03/2023	Interest		473.67	473.67		R <input type="checkbox"/>	Receipt(s) Banked
		<u>0.00</u>	<u>1,074.92</u>				

Time: 15:00

## Bank Reconciliation up to 31/03/2023 for Cashbook No 10 - 32 Day Notice

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<u>Date</u>	<u>Cheque/Ref</u>	<u>Amnt Paid</u>	<u>Amnt Banked</u>	<u>Stat Amnt</u>	<u>Difference</u>	<u>Cleared</u>	<u>Payee Name or Description</u>
27/03/2023	INT REC'D		128.31	128.31		R <input checked="" type="checkbox"/>	Receipt(s) Banked
31/03/2023	Interest		20.50	20.50		R <input checked="" type="checkbox"/>	Receipt(s) Banked
		<u>0.00</u>	<u>148.81</u>				

Payment by Bank Transfer								
Date	Invoice Number	Ref No	Supplier A/c Name	Net Value	VAT	Invoice Total	Description	Authorised by
03/03/2023		8350	5082 ALARMTEC	£632.98	£126.60	£759.58	Emergency Lighting	
03/03/2023		8356	5081 ALARMTEC	£319.33	£63.87	£383.20	External Sounder Beacon	
01/03/2023	2223/2556		5091 APSE	£585.00	£117.00	£702.00	Managing Allotments Course	
01/03/2023		4639	5134 AS SIGNS	£40.00	£8.00	£48.00	Parking Suspended Signs x2	
16/02/2023		14013694	5101 BURLEYS	£1,001.00	£200.20	£1,201.20	Hanging Baskets x28	
01/03/2023	INV-3904		5088 CLOUDYIT	£316.42	£63.28	£379.70	Microsoft 365 - Mar'23	
22/03/2023	CLS699		5100 CLS TRAINING	£27.00	£0.00	£27.00	First Aid Supplies	
05/03/2023		3694	5089 HALCYON	£172.43	£34.49	£206.92	Grounds Maintenance - Mar'23	
10/03/2023		239634	5087 LABDON	£4.16	£0.83	£4.99	Key Cutting	
13/03/2023		239859	5099 LABDON	£5.78	£1.16	£6.94	50mm 201 TPL White Duct Tape	
13/03/2023		239876	5098 LABDON	£1.09	£0.22	£1.31	Nuts, Bolts & Washers	
14/03/2023		240008	5123 LABDON	£54.99	£11.00	£65.99	Concrete, Activgrip & Gloves	
15/03/2023		240194	5096 LABDON	£22.35	£4.47	£26.82	Fast Set Concrete & Pavings	
15/03/2023		240243	5097 LABDON	£9.74	£1.95	£11.69	Hand Rivet Gun + Rivets	
16/03/2023		240307	5095 LABDON	£5.60	£1.12	£6.72	10 x 1x115mm Thin Cutting Disc	
16/03/2023		240348	5094 LABDON	£4.00	£0.80	£4.80	1.5v AAA Batteries	
21/03/2023		240844	5124 LABDON	£47.17	£9.43	£56.60	Ankerbolts, Washers & Drill Bit	
22/03/2023		240952	5122 LABDON	£9.03	£1.81	£10.84	Ankerbolts, Washers and Concrete	
23/03/2023		241066	5125 LABDON	£1.33	£0.27	£1.60	Stretcher Plate 4Pk	
23/03/2023		241079	5121 LABDON	£2.18	£0.44	£2.62	Ankerbolts	
23/03/2023		241166	5120 LABDON	£1.34	£0.27	£1.61	Bolts, Washer & Nuts	
24/03/2023		241249	5119 LABDON	£3.36	£0.67	£4.03	Rubble Sacks x12	
28/03/2023		241560	5142 LABDON	£6.64	£1.33	£7.97	Padlock and Plugs	
01/03/2023		20230301	5075 MDDC	£55.68	£0.00	£55.68	Garage Rent - Mar'23	
15/03/2023	2023-003		5086 MOLE END	£750.00	£0.00	£750.00	Beech Hedging Plants	
28/03/2023	2023-005		5118 MOLE END	£27.00	£0.00	£27.00	Lavender x3	
21/03/2023	IN204140797		5143 MOLE VALLEY	£316.61	£63.32	£379.93	Hanging Baskets Compost & PPE	
28/03/2023		44102	5116 ONE STOP	£133.70	£26.74	£160.44	Union Budget Flag x35	
22/03/2022	T7303		5115 RICHARD GRANT	£1,122.00	£224.40	£1,346.40	Jubilee Memorial - Codner's	
10/03/2023		102222731	5084 RICOH	£157.89	£31.58	£189.47	Photocopier 31/03 - 31/05/23	
07/03/2023		3324977	5079 SOLOPRESS	£21.04	£4.21	£25.25	A1 Posters - New Boundaries	
20/03/2023	3081 4285 63		5109 SOURCE 4 BUSINESS	£32.67	£6.52	£39.19	Water - 16/12/22 - 20/03/23	
20/03/2023	3081 4259 23		5111 SOURCE 4 BUSINESS	£24.28	£0.00	£24.28	Water - 01/01/23 - 20/03/23	
20/03/2023	3081 4259 14		5110 SOURCE 4 BUSINESS	£104.31	£0.00	£104.31	Water - 01/01/23 - 20/03/23	
30/09/2022		71916	5093 TOZERS	£651.20	£130.24	£781.44	Professional Charges - Defence	
09/03/2023	IN0140827		5102 TUDOR	£298.25	£59.65	£357.90	Dog Waste Bin & Pole	
02/03/2023	IN0239530		5077 TUDOR	£91.80	£18.36	£110.16	PPE	
02/03/2023	IN0239531		5080 TUDOR	£79.37	£15.88	£95.25	PPE	
07/03/2023	IN0240300		5078 TUDOR	£15.61	£3.12	£18.73	PPE	
14/03/2023	IN0241582		5103 TUDOR	£188.81	£37.76	£226.57	PPE & Knife	

21/03/2023	IN0242903	5108	TUDOR	£250.00	£50.00	£300.00	Wild Flower Mix 1 kg x10	
21/03/2023	IN0242904	5107	TUDOR	£22.80	£4.56	£27.36	No Dogs Sign x2	
23/03/2023	IN02143492	5106	TUDOR	£206.15	£22.18	£228.33	Landscape Rake, PPE etc	
31/03/2023	OUT-10197	5145	WASTEOLGY	£1.29	£0.26	£1.55	Skip Hire - 2 Days	
<b>Total</b>				<b>£7,823.38</b>	<b>£1,347.99</b>	<b>£9,171.37</b>		

#### Direct Debits - Authorised at Annual Town Council Meeting - Minute 565

Date	Invoice Number	Ref No	Supplier A/c Name	Net Value	VAT	Invoice Total	Description	
10/03/2023	400684	5083	AIRBAND	£20.83	£4.17	£25.00	Airband Connect - Cemetery	
01/03/2023	17681681	5132	ALD FORD LEASE	£330.30	£66.06	£396.36	Van Lease - Mar'23	
08/03/2023	E2016754431	5092	ALLSTAR	£13.68	£2.74	£16.42	Fuel Card - Mar'23	
15/03/2023	E2016772598	5131	ALLSTAR	£42.93	£8.59	£51.52	Diesel - 29.62L - 08/03/2023	
22/03/2023	E2016801624	5130	ALLSTAR	£42.93	£8.59	£51.52	Diesel - 29.96L - 20/03/2023	
27/03/2023	4424600	5129	BRITIS GAS BGL282249	£504.72	£25.24	£529.96	Gas - 25/02/23 - 24/03/23	
28/03/2023	4436072	5128	BRITIS GAS BGL282253	£57.40	£2.87	£60.27	Electric - Mar'23	
01/03/2023	4257508	5127	BRITIS GAS BGL282257	£27.74	£1.39	£29.13	Electricity - Feb'23	
14/03/2023	875681	5090	CIX	£365.00	£73.00	£438.00	1GB Leased Line - Town Hall	
15/03/2023	V02087659219	5126	EE & T MOBILE	£50.60	£10.12	£60.72	Mobiles	
07/03/2023	IN06433586	5117	NPOWER	£123.55	£6.18	£129.73	Electricity - Feb'23	
04/03/2023	19363514	5085	O2	£84.89	£16.98	£101.87	Mobile Phones - Mar'23	
25/03/2023	UK-03073629	5113	SAGE	£17.00	£3.40	£20.40	Payroll - Apr'23	
01/03/2023	20230301	5076	SHIRE LEASING	£198.09	£39.62	£237.71	Avaya Tel Sys - 01/03 - 31/05	
<b>Total</b>				<b>£1,879.66</b>	<b>£268.95</b>	<b>£2,148.61</b>		

#### Paid by Cheque

Date	Invoice Number	Ref No	Supplier A/c Name	Net Value	VAT	Invoice Total	Description		
24/08/2022		47	5146	ALFIES	£121.98	£23.20	£145.18	Black Bags, Kitchen Roll etc	
<b>Total</b>				<b>£121.98</b>	<b>£23.20</b>	<b>£145.18</b>			

#### Paid by SOLD card - Authorised at Annual Town Council Meeting - Minute 565

Date	Invoice Number	Ref No	Supplier A/c Name	Net Value	VAT	Invoice Total	Description	
28/03/2023	130927881-2023-	5139	AMAZON	£24.99	£5.00	£29.99	Wooden Poles 25Pk	
28/03/2023	990785275-2023-	5137	AMAZON	£67.37	£13.44	£80.81	Bunting - 100m x7	
28/03/2023	990785275-2023-	5138	AMAZON	£19.25	£3.84	£23.09	Bunting - 100m x2	
20/03/2023	1.20232E+13	5136	AMAZON	£20.25	£4.05	£24.30	Barrel Wrench	
30/03/2023	GB3202R15AEUI	5140	AMAZON	£16.23	£3.25	£19.48	Drayton Thermomostat	
27/03/2023	72889	5114	SAGE HR	£34.00	£6.80	£40.80	SAGE HR - Apr'23	
31/03/2023	202329798	5144	SOLDO	£18.00	£3.60	£21.60	Soldo Subscription - Mar'23	
<b>Total</b>				<b>£200.09</b>	<b>£39.98</b>	<b>£240.07</b>		

Paid by Credit Card - Authorised at Annual Town Council Meeting - Minute 565							
Date	Invoice Number	Ref No	Supplier A/c Name	Net Value	VAT	Invoice Total	Description
20/03/2023	804900000477856	5112	SKYPE	£5.16	£0.00	£5.16	Skype - Mar'23
<b>Total</b>				<b>£5.16</b>	<b>£0.00</b>	<b>£5.16</b>	

Salaries and Statutory Payments - Authorised at Annual Town Council Meeting - Minute 565		
Type	Method	Amount
Salaries	FPO	£15,766.26
HMRC	FPO	£5,780.84
Pension Fund	FPO	£3,473.13
Unison	FPO	£14.00
<b>Total</b>		<b>£25,034.23</b>

Verified Finance Officer

Maz Findlay

Verified Responsible Finance Officer



Daniel Ledger

## Detailed Income &amp; Expenditure by Account 31/03/2023

Month No: 12

## Account Code Report

	Actual Last Year	Actual Year to Date	Current Annual Bud	Budget Variance	Committed Expenditure	Funds Available	% Spent
<u>Income Detail</u>							
Hanging Baskets	225	25	320	295			7.8%
Interest Received	740	2,507	0	(2,507)			0.0%
Miscellaneous Income	304	220	0	(220)			0.0%
Photocopying Income	0	182	0	(182)			0.0%
Precept	461,481	482,000	482,000	0			100.0%
Recycling Bags Income	657	520	0	(520)			0.0%
Staff Charge Back	0	668	0	(668)			0.0%
Christmas Event	1,125	0	0	0			0.0%
Town Maintenance Income	12,335	0	2,000	2,000			0.0%
Allotment Rents - Top Field	506	628	0	(628)			0.0%
Allotment Rents - Haymans	119	183	0	(183)			0.0%
Burial Fees	38,929	24,875	25,000	125			99.5%
Cemetery Income, other	411	932	0	(932)			0.0%
Town Hall Hire	240	385	0	(385)			0.0%
Street Market Income	0	35	500	465			7.0%
Public Rights of Way	0	400	0	(400)			0.0%
St Andrews car park income	5,599	8,531	5,500	(3,031)			155.1%
<b>Total Income</b>	<b>522,673</b>	<b>522,090</b>	<b>515,320</b>	<b>(6,770)</b>			<b>101.3%</b>
<u>Expenditure Detail</u>							
<b>Total Direct</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>		<b>0.0%</b>
<u>Expenditure Detail</u>							
Advertising	(75)	0	400	400		400	0.0%
CCTV	621	550	600	50		50	91.7%
Community Engagement	0	0	100	100		100	0.0%
Councillor Allowances	480	0	0	0		0	0.0%
General Administration/Other	222	447	447	0		0	99.9%
Recruitment	0	6,450	6,450	0		0	100.0%
Miscellaneous Expenditure	0	210	210	0		0	100.0%
Card Processing charges	937	664	655	(9)		(9)	101.3%
Bank Charges	0	2	0	(2)		(2)	0.0%
Room Hire	119	96	96	(0)		(0)	100.4%
Audit Costs	1,760	1,960	2,620	660		660	74.8%
Photocopier	1,220	632	1,300	668		668	48.6%
Postage	247	109	400	291		291	27.2%
Stationery	670	995	1,250	255		255	79.6%
Professional Membership Subs	2,432	1,709	2,000	291		291	85.4%
Telephone & Broadband	2,340	3,050	3,050	(0)		(0)	100.0%
Mobile phones	1,224	1,170	1,599	429	422	7	99.6%



## Detailed Income &amp; Expenditure by Account 31/03/2023

Month No: 12

## Account Code Report

	Actual Last Year	Actual Year to Date	Current Annual Bud	Budget Variance	Committed Expenditure	Funds Available	% Spent
Insurance	1,482	5,690	5,690	0		0	100.0%
Health & Safety Support	58	1,837	1,810	(27)		(27)	101.5%
Fire Safety	2,410	1,488	2,000	512		512	74.4%
Professional Fees	1,500	5,650	4,998	(652)		(652)	113.0%
Locum Support	0	38,120	38,120	(0)		(0)	100.0%
Tech Fund EMR 334	0	327	0	(327)		(327)	0.0%
IT Support	8,064	12,396	11,972	(424)		(424)	103.5%
Office Equipment	3,641	3,614	3,865	251		251	93.5%
Recycling Bags Expenditure	241	276	276	0		0	99.9%
Grants	1,100	5,360	4,900	(460)		(460)	109.4%
Mayoralty Fund	159	0	0	0		0	0.0%
Employers NI	0	15,035	14,820	(215)		(215)	101.4%
Employers Pension Contribution	0	27,770	27,489	(281)		(281)	101.0%
Basic Wages	245,005	188,508	191,676	3,168		3,168	98.3%
Overtime	3,334	8,112	8,000	(112)		(112)	101.4%
Homeworking Allowance	455	0	0	0		0	0.0%
Personal Protective Equipment	1,368	2,854	2,800	(54)		(54)	101.9%
Christmas Lights	11,618	20,943	21,129	186		186	99.1%
Christmas Event	3,782	850	850	0		0	100.0%
Public Works Loan Repayment	17,647	17,647	17,650	3		3	100.0%
St Andrew's Car Park	6,263	4,327	5,050	723		723	85.7%
Staff & Councillor Training	4,742	7,280	7,000	(280)		(280)	104.0%
Public Rights of Way	99	0	0	0		0	0.0%
Town Maintenance	3,352	12,597	10,912	(1,685)	437	(2,122)	119.5%
Town Planting	0	212	0	(212)		(212)	0.0%
Grass/Verge Cutting	582	2,912	4,000	1,088		1,088	72.8%
Play Area Running Expenses	7,756	4,765	6,000	1,235		1,235	79.4%
Play Equipment Fund EMR329	(200)	640	0	(640)		(640)	0.0%
Van Lease	3,964	3,964	4,000	36	0	36	99.1%
Van Running Expenses	1,927	1,031	1,100	69		69	93.7%
Public Convenience Running Exp	10,929	4,471	4,471	(0)		(0)	100.0%
Community Wellbeing Committee	800	174	200	26		26	87.1%
Community Events	0	3,362	3,120	(242)	448	(689)	122.1%
COVID-19 Expenditure	67	0	0	0		0	0.0%
Allotment Expenses	4,018	2,773	2,756	(17)		(17)	100.6%
Equipment Mtce & New	753	7,814	7,175	(639)		(639)	108.9%
Cemetery Extension	(20)	0	0	0		0	0.0%
Cemetery Running Expenses	19,110	19,508	17,400	(2,108)		(2,108)	112.1%
Cemetery Projects	0	10,240	28,700	18,460		18,460	35.7%
Town Hall Running Expenses	8,464	5,390	6,500	1,110		1,110	82.9%
Utilities	0	186	0	(186)		(186)	0.0%

## Detailed Income &amp; Expenditure by Account 31/03/2023

Month No: 12

## Account Code Report

	Actual Last Year	Actual Year to Date	Current Annual Bud	Budget Variance	Committed Expenditure	Funds Available	% Spent
Outdoor Market expenses	0	1,445	1,400	(45)		(45)	103.2%
Archive Project Expenditure	0	70	0	(70)		(70)	0.0%
Youth Services	18,353	19,650	19,000	(650)		(650)	103.4%
Tourism & Economic Development	10,254	0	0	0		0	0.0%
Cemetery Project	12,606	0	0	0		0	0.0%
Market (link to EMR 320)	2,060	70	0	(70)		(70)	0.0%
Neighbourhood Plan	1,160	0	0	0		0	0.0%
<b>Total Overhead</b>	<b>431,098</b>	<b>487,399</b>	<b>508,006</b>	<b>20,607</b>	<b>1,307</b>	<b>19,300</b>	<b>96.2%</b>
<u>Expenditure Detail</u>							
<b>Total Overhead</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>
<u>Expenditure Detail</u>							
<b>Total Overhead</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>
<u>Expenditure Detail</u>							
<b>Total Overhead</b>	<b>0</b>	<b>0</b>	<b>(9,162)</b>	<b>(9,162)</b>	<b>0</b>	<b>(9,162)</b>	<b>0.0%</b>
<u>Expenditure Detail</u>							
<b>Total Overhead</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.0%</b>
<b>Total Income</b>	<b>522,673</b>	<b>522,090</b>	<b>515,320</b>	<b>(6,770)</b>			<b>101.3%</b>
<b>Total Expenditure</b>	<b>431,098</b>	<b>487,399</b>	<b>498,844</b>	<b>11,445</b>	<b>1,307</b>	<b>10,138</b>	<b>98.0%</b>
<b>Net Income over Expenditure</b>	<b>91,574</b>	<b>34,691</b>	<b>16,476</b>	<b>(18,215)</b>			
plus Transfer from EMR	1,160	667					
less Transfer to EMR	0	0					
<b>Movement to/(from) Gen Reserve</b>	<b>92,735</b>	<b>35,358</b>					

## 2022-2023 Additions to Asset Register

Month	Date	Reference	Source	Transaction	Debit	Credit
6	16/09/2022	DEF001	Purchase Ledger	First Responder Kit	104.95	
		DefibWarehouse				
7	30/09/2022	DEF001	Purchase Ledger	Defib Replacement Pads	104.95	
		DefibWarehouse				
12	03/03/2023	ALA01	Purchase Ledger	External Sounder Beacon	319.33	
		Alarmtect Ltd				
12	03/03/2023	ALA01	Purchase Ledger	Emergency Lighting	632.98	
		Alarmtect Ltd				
1	07/04/2022	SOLDO 83	Cashbook	Meeting streaming kit	24.98	
5	31/08/2022	CLO02	Purchase Ledger	Lenovo Tab P11 4G - P Gummer	267	
		CoudyIT				
5	31/08/2022	CLO02	Purchase Ledger	Keyboard Case - Paul Gummer	35	
		CoudyIT				
3	23/05/2022	CC09	Cashbook	Video Conference Camera	398	
3	23/05/2022	CC10	Cashbook	Square Terminal	149	
3	15/07/2022		331	Journal	computer to broadcast meetings	547.46
3	15/07/2022		331	Journal	monitor to broadcast meetings	119.99
4	06/07/2022	VIK	Purchase Ledger	Keyboard, mouse and footrest.	162.93	
		Viking				
4	15/07/2022	DEV01	Purchase Ledger	Service Trolley Cartridge	231.52	
		Devon Commercial Stationers				
9	29/11/2022	VIK	Purchase Ledger	Crockery and Cutlery	64.32	
		Viking				
9	02/12/2022	CLO02	Purchase Ledger	Rugged Outdoor Case	70	
		CoudyIT				
9	02/12/2022	CLO02	Purchase Ledger	Lenovo Tab P11 4G 64GB	265	
		CoudyIT				
9	02/12/2022	CLO02	Purchase Ledger	Lenovo Tab Labour and Delivery	111	
		CoudyIT				
9	14/12/2022	VIK	Purchase Ledger	Footrest	43.99	
		Viking				
9	14/12/2022	VIK	Purchase Ledger	Laptop Riser x2	152.94	
		Viking				
10	03/01/2023	BOX02	Purchase Ledger	All-in-One Computer - Acer	466.66	

## 2022-2023 Additions to Asset Register

10	08/01/2023	Box Ltd AMA01	Purchase Ledger	Office Chair	242.49
10	19/01/2023	Amazon BOX02	Purchase Ledger	Canon Printer - Cemetery	66.2
10	25/01/2023	Box Ltd AMA01	Purchase Ledger	Wall Mounted Key Lock x2	26.58
11	15/02/2023	Amazon VIK	Purchase Ledger	HP All in One Printer	244
11	15/02/2023	Viking AMA01	Purchase Ledger	ASUS Wi-Fi Router	122.78
11	22/02/2023	Amazon Millenium Quest Limited LAB01	Purchase Ledger	25x1.8m green chainlink fence	145.6
11	22/02/2023	Labdon Building Supplies LAB01	Purchase Ledger	Coir Mats	56.22
2	17/05/2022	ABA01 ABA Groundcare LLP	Purchase Ledger	Brushcutter & Vacuum	528.75
4	11/07/2022	LAB01 Labdon Building Supplies	Purchase Ledger	Cemetery Gate	62.73
4		LAB01 Labdon Building Supplies	Purchase Ledger	Haymans Close Fence	
4		LAB01 Labdon Building Supplies	Purchase Ledger	Allotment Fence	
	22/06/2022	LAB01 Labdon Building Supplies	Purchase Ledger	Heavy Duty Sack Truck	81.96
5		LAB01 Labdon Building Supplies	Purchase Ledger	Cemetery Fence	
	19/08/2022	ASO1 AS Signs & Graphics	Purchase Ledger	1830x305mm Chevron Panels	201
	19/08/2022	ASO1 AS Signs & Graphics	Purchase Ledger	1525x915mm Chevron Panels	264
	09/11/2022	MIL01 Millenium Quest Limited	Purchase Ledger	Electrical Infrastructure Work	5,625.00
	22/03/2022	GRA01 Richard Grant	Purchase Ledger	Jubilee Memorial - Codner's	1,122.00

## 2022-2023 Additions to Asset Register

16/02/2023	BUR001 G Burley & Sons Ltd	Purchase Ledger	Hanging Baskets x28	1,001.00
25/05/2022	PLA02 Plantscape Limited	Purchase Ledger	Hanging Baskets	501.4
29/07/2022	CLE01 Cleveland Containers Ltd	Purchase Ledger	20ft Container	3,600.00
02/08/2022	LAB01 Labdon Building Supplies	Purchase Ledger	Oak Sleeper x2 - Container	69.01
01/09/2022	TUD01 Tudor Environmental	Purchase Ledger	STIHL KM94RC-E KombiEngine	308.45
01/09/2022	TUD01 Tudor Environmental	Purchase Ledger	STIHL RG-KM Rotary Cut Tool	253.46
08/09/2022	LAB01 Labdon Building Supplies	Purchase Ledger	18V-4.0 AH Fast Charger x1	32.73
08/09/2022	LAB01 Labdon Building Supplies	Purchase Ledger	4.0 Amp Battery x2	91.06
08/09/2022	LAB01 Labdon Building Supplies	Purchase Ledger	18V Reciprocating Saw Body onl	60.22
17/11/2022	TUD01 Tudor Environmental	Purchase Ledger	Litter Bins - Upcott Field	640.26
07/07/2022	SOL01 Solopress	Purchase Ledger	Signage Boards	21.98
07/07/2022	SOL01 Solopress	Purchase Ledger	Signage Boards	21.98
07/07/2022	SOL01 Solopress	Purchase Ledger	Signage Board	21.98
07/07/2022	SOL01 Solopress	Purchase Ledger	Signage Board	24.35
07/07/2022	SOL01 Solopress	Purchase Ledger	Signage Board	21.98
08/07/2022	SOL01 Solopress	Purchase Ledger	Signage Board	21.98
03/05/2022	21CC01 21CC Group Limited	Purchase Ledger	Platinum Jubilee Beacon	490
28/03/2023	ONE01	Purchase Ledger	Union Budget Flag x35	133.7

## 2022-2023 Additions to Asset Register

		One Stop Promotions				
	28/03/2023	AMA01		Purchase Ledger	Bunting - 100m x7	67.37
		Amazon				
		AMA01		Purchase Ledger	Bunting - 100m x2	19.25
		Amazon				
11	15/02/2023	LAB01		Purchase Ledger	Floodlight x2	157.36
		Labdon Building Supplies				
12	09/03/2023	TUD01		Purchase Ledger	Steel Pole c/w base plate	110.5
		Tudor Environmental				
12	09/03/2023	TUD01		Purchase Ledger	Dog Waste Bin c/w lid	151.85
		Tudor Environmental				
12	15/03/2023	MOL01		Purchase Ledger	Beech Hedging Plant	375
		Mole End Plants				
	01/10/2022		338	Journal	20ft Container	3,600.00
	31/01/2023	DAR03		Purchase Ledger	Tarmac for Cemetery Paths	7,812.00
		Dare Utilities Reinstatement Services				
	23/02/2023	LAB01		Purchase Ledger	Hikoki Rotary Hammer	199.99
		Labdon Building Supplies				
	11/07/2022	LAB01		Purchase Ledger	Sensor Light - Ladies Toilet	50.89
		Labdon Building Supplies				



<b>POLICY TITLE</b>	<b>Grant Awarding Policy</b>
<b>POLICY NO</b>	<b>009</b>
<b>ADOPTION DATE</b>	June 2021
<b>LAST REVISION DATE</b>	February 2023
<b>REVIEW DATE</b>	February 2026
<b>POLICY AIM</b>	The purpose of this Policy is to regulate the way that personal information about living individuals is obtained, stored, used and disclosed

## **1. What sort of grants does the Council offer?**

- 1.1. Cullompton Town Council has a small budget each year to provide financial support groups, projects and events based in the Parish. The Town Council will look at each application on its merits but will expect applicants to show how the money will benefit the community; it should also show be demonstrated that reasonable efforts are being made to fundraise for the group, project or event.
- 1.2. The Town Council will need to be satisfied that the applicant will use the money effectively and that it is well managed. If the application is successful, the Town Council will expect its contribution to be acknowledged in any publicity about the project. Town Councillors may wish to visit the project/scheme and the Town Council will require written feedback on how the grant was spent and how it benefited the community within six months. Failure to comply may result in future applications being rejected. Grants are not usually awarded for money making or sales ventures but this may be relaxed in exceptional circumstances.
- 1.3. The Town Council may decline grant applications from groups or organisations that have made a successful grant application previously.

## **2. Who can apply?**

- 2.1. Any organisation based in Cullompton and/or providing direct benefit to residents of Cullompton Parish can apply to the Town Council for a grant. Grants to national organisations will only be made to local branches where the grant can be seen to directly benefit Cullompton residents.
- 2.2. The law does not permit the Town Council to give grants to individuals.

### 3. How is an application made?

- 3.1. There will be two grant rounds in each financial year, the timing of which will be determined by the Town Clerk, but there will be an advertising period of at least 2 months for each tranche.
- 3.2. Application forms are available from the Town Council office and the Town Council's website.
- 3.3. Read these notes and the application form carefully to ensure that all the information is provided.
- 3.4. If you are in any doubt, contact the Town Council office and ask for help or guidance.
- 3.5. Complete the form and return to the Town Council office, at the address above, *together with a financial statement* for your organisation (preferably the most recent audited or certified accounts).
- 3.6. The Council will also consider making grants towards the cost of community events. As these grants will be considered by the Community, Economy and Tourism Committee and paid from a different budget line then the Council will accept applications for a grant towards the cost of staging a community event at any time.

### 4. What happens next?

- 4.1. All grants are considered on their merits by the Governance, Resources and Finance Committee (notwithstanding Paragraph 3.6). If you wish, you may attend the meeting to listen, but not take part, in the discussion. However public questions are permitted at the beginning of all Town Council meetings.
- 4.2. Your application will be acknowledged and we will tell you the date of the Governance, Resources and Finance Committee or Community, Economy and Tourism Committee meeting at which it will be considered. We will contact you as soon after the meeting as possible, to let you know what has been decided. Successful applicants will then either be paid straight away or proof of expenditure may be requested before paying the grant.
- 4.3. If a group or organisation decides that they would like to use the grant for any purpose other than that specified on the application form then it must first obtain the consent of the Town Council.

**Commented [SR1]:** Prior to the COVID19 restrictions, there were two tranches of grants; one in April and another in October. During the restrictions, grants were awarded on an ad hoc basis (starting with support for the volunteer support group) and, as society opened up again, the two tranche system wasn't implemented again.

Is there a need for two tranches or can we continue on a "first come, first served" grant awarding policy. I'd be tempted to recommend that we do on the basis that, if a group needs a grant now, it means making an exception or making them wait for up to 6 months.





<b>POLICY TITLE</b>	<b>CCTV Code of Practice</b>
<b>POLICY NO</b>	<b>012</b>
<b>ADOPTION DATE</b>	February 2015
<b>LAST REVISION DATE</b>	March 2023 (Home Office model CCTV Code of Practice)
<b>REVIEW DATE</b>	March 2026
<b>POLICY AIM</b>	The operation of the Town Centre and Cemetery CCTV systems within the statutory framework.

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Any enquiries regarding this publication should be sent to us at:

Data and Identity Directorate,  
Home Office,  
2 Marsham Street,  
London, SW1P 4DF

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## Definitions

1. In this code:
  - 1.1. “HRA 1998” means the [Human Rights Act 1998](#).
  - 1.2. “RIPA 2000” means the [Regulation of Investigatory Powers Act 2000](#).
  - 1.3. “EA 2010” means the [Equality Act 2010](#).
  - 1.4. “PoFA 2012” means the [Protection of Freedoms Act 2012](#).
  - 1.5. “IPA 2016” means the [Investigatory Powers Act 2016](#).
  - 1.6. “DPA 2018” means the [Data Protection Act 2018](#).
  - 1.7. “Data protection legislation” means DPA 2018 and the UK General Data Protection Regulation.
  - 1.8. “ECHR” means the European Convention on Human Rights.
  - 1.9. “Overt surveillance” means any use of surveillance for which authority does not fall under RIPA 2000.
  - 1.10. “Public place” has the meaning given by Section 16(b) of the [Public Order Act 1986](#) and is taken to include any highway and any place to which at the material time the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
  - 1.11. “Relevant authority” has the meaning given by Section 33(5) of PoFA 2012.
  - 1.12. “Surveillance camera systems” has the meaning given by Section 29(6) of PoFA 2012 and is taken to include: (a) closed circuit television (CCTV) or automatic number plate recognition (ANPR) systems; (b) any other systems for recording or viewing visual images for surveillance purposes; (c) any systems for storing, receiving, transmitting, processing or checking the images or information obtained by (a) or (b); (d) any other systems associated with, or otherwise connected with (a), (b) or (c)<sup>1</sup>.
  - 1.13. “System Operator” – person or persons that take a decision to deploy a surveillance camera system, and/or are responsible for defining its purpose, and/or are responsible for the control of the use or processing of images or other information obtained by virtue of such system.
  - 1.14. “System User” – person or persons who may be employed or contracted by the system operator who have access to live or recorded images or other information obtained by virtue of such system.

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<sup>1</sup> Excludes any camera system with relevant type approval of a prescribed device under Section 20 of the Road Traffic Offenders Act 1988 used exclusively for enforcement purposes, which captures and retains an image only when the relevant offence is detected and with no capability to be used for any surveillance purpose. For example, for the enforcement of speeding offences.

- 1.15. “Commissioner” is the role undertaken by the Surveillance Camera Commissioner, as set out in PoFA 2012. To encourage compliance with this code, it is the function of the Commissioner to provide information and advice on all matters within this code relevant to surveillance camera systems<sup>2</sup>.

## **2. Background**

This code of practice is issued by the Secretary of State under Sections 29 to 31 of PoFA 2012. It provides guidance on the appropriate and effective use of surveillance camera systems by relevant authorities (as defined by Section 33(5) of PoFA 2012) in England and Wales who must, under Section 33(1) of PoFA 2012, have regard to the code when exercising any functions to which the code relates. Other operators and users of surveillance camera systems in England and Wales are encouraged to adopt the code voluntarily. It is a significant step in the ongoing process of delivering the government’s commitment to the ‘further regulation of CCTV’ which it believes is a task that is best managed in gradual and incremental stages. As understanding and application of the code increases the government may consider including other bodies as relevant authorities who will have to have regard to the code.

## **3. Purpose of the code**

- 3.1. This code covers technology systems that are associated with, or otherwise connected with, surveillance cameras. Modern and ever-advancing surveillance camera technology provides increasing potential for the gathering and use of images and associated information. These advances vastly increase the ability and capacity to capture, store, share and analyse images, information and data. Advancements in sensor technology and artificial intelligence are developing at an ever-increasing pace, as is the ability to integrate these technologies with surveillance cameras. The overarching purpose of this code is to enable operators of surveillance camera systems to make legitimate use of available technology in a way that the public would rightly expect and to a standard that maintains public trust and confidence.
- 3.2. Surveillance camera systems are deployed extensively within England and Wales, and these systems form part of a complex landscape of ownership, operation and accountability. Where used appropriately, these systems are valuable tools which contribute to public safety and security, and in protecting both people and property.
- 3.3. The government is fully supportive of the use of overt surveillance camera systems in a public place whenever that use is: in pursuit of a legitimate aim; necessary to meet a pressing need; proportionate; effective, and compliant with any relevant legal obligations. It is the way in which technology is used that is potentially intrusive rather than the technology itself and therefore a decision to use any surveillance camera technology must be articulated

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<sup>2</sup> The Commissioner’s functions are set out in Section 34(2) of the 2012 Act: a) Encouraging compliance with the surveillance camera code; b) Reviewing operation of the code, and c) Providing advice about the code.

clearly, documented as to the stated purpose for any deployment and be transparent, with the community being informed as to the nature of the surveillance activity being conducted and the justification for it taking place. The technical design solution for such a deployment should be proportionate to the stated purpose rather than driven by the availability of funding or technological innovation. Decisions as to the most appropriate technology should always consider the potential to meet the stated purpose without unnecessary interference with human rights; and any deployment should not continue for longer than necessary.

- 3.4. This code identifies clear standards and good practice without being prescriptive about the detail of how the guiding principles must be followed, or about any specific operational, technical or competency measures which a system operator should follow. This is to ensure it does not stifle innovation or fail to retain currency in an arena where technology and professional practice is expected to continue evolving.

#### **4. Scope of surveillance activity to which this code applies**

The code applies to the use of surveillance camera systems as defined by Section 29(6) of PoFA 2012 that operate in public places in England and Wales, regardless of whether there is any live viewing or recording of images or information or associated data. Covert surveillance by public authorities (as defined in Part II of RIPA 2000) is not covered by this code but is regulated by RIPA 2000.

#### **5. Effect of the Code**

- 5.1. By virtue of Section 33(1) of PoFA 2012, a relevant authority is under a duty to have regard to this code when, in exercising any of its functions, it considers that the future deployment or continued deployment of overt surveillance camera systems to observe public places may be appropriate. This can include the operation or use of any surveillance camera systems, or the use or processing of images or other information obtained by virtue of such systems. "Having regard" to statutory guidance means that relevant authorities should take statutory guidance into account and if they decided to depart from it, they would have to have and give clear reasons for doing so<sup>3</sup>.
- 5.2. The duty to have regard to this code also applies when a relevant authority uses a third party to discharge relevant functions covered by this code and where it enters into partnership arrangements.
- 5.3. The duty to have regard does not extend to such third-party service providers or partners unless they themselves are a relevant authority. Contractual provisions or memoranda of understanding agreed after this code comes into effect with such third party service providers or partners must ensure that contractors are obliged by the terms of the contract to have regard to the code when exercising functions to which the code relates.

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<sup>3</sup> R. (on the application of London Oratory School Governors) v Schools Adjudicator [2015]. See also R (Munjaz) v Mersey Care NHS Trust [2006]. It is a legitimate public expectation of relevant authorities that they are able to demonstrate how they have had regard to this code.

- 5.4. When used as part of civil traffic enforcement arrangements, the primary purpose of any surveillance camera system must be the safe and efficient operation of the road network by deterring motorists from contravening parking or road traffic restrictions. Any proposal to impose surveillance camera requirements as part of the conditions attached to a licence or certificate is likely to give rise to concerns about the proportionality of such an approach and will require an appropriately strong justification and must be kept under regular review. Applications in relation to licensed premises and vehicles must consider the circumstances surrounding that application and whether a requirement to have a surveillance camera system is appropriate in that case. Where there is any conflict between this code and the legislation relevant to civil enforcement functions (including any secondary legislation made or statutory guidance issued) that legislation shall apply.
- 5.5. A failure on the part of any person to act in accordance with any provision of this code does not of itself make that person liable to criminal or civil proceedings. This code is, however, admissible in evidence in criminal or civil proceedings, and a court or tribunal may take into account a failure by a relevant authority to have regard to the code in determining a question in any such proceedings.
- 5.6. Other operators of surveillance camera systems who are not defined as relevant authorities are encouraged to adopt this code and its guiding principles voluntarily and make a public commitment to doing so. Such system operators do not have to have regard to this code but it is still considered best practice.

## **6. Overview**

- 6.1. The starting point for a system operator in achieving the most appropriate balance between public protection and individual human rights is to adopt a single set of guiding principles that are applicable to all surveillance camera systems in public places. Following these guiding principles allows a system operator to establish a clear rationale for any overt surveillance camera deployment in public places and to run any such system effectively, which helps ensure compliance with other legal duties.
- 6.2. To achieve this, the code sets out 12 guiding principles that should apply to all surveillance camera systems in public places. These guiding principles draw together good practice and existing legal obligations to create a regulatory framework which can be understood by system operators and the public alike. The Commissioner can provide information and advice in how the principles can be applied in various situations.

- 6.3. The guiding principles can be applied to numerous variations in circumstances, including changes in technology and should enable a system operator to reach informed and appropriate decisions when considering either the development or use of surveillance camera systems or the use or processing of images, information or data obtained by virtue of such systems. However, relevant authorities are encouraged to seek advice from the Commissioner and other regulators<sup>4</sup>

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<sup>4</sup> Where this is a forensic science activity over which the Forensic Science Regulator has oversight, the Forensic Science Code of Practice applies., before any trial or pilot of new technology is undertaken in a public place.

**APPENDIX A TO  
CULLOMPTON TOWN COUNCIL'S  
CCTV CODE OF PRACTICE**

**GUIDING PRINCIPLES**

System operators should adopt the following 12 guiding principles:

1. Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.
2. The user of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.
3. There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.
4. There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.
5. Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.
6. No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.
7. Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.
8. Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.
9. Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.
10. There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.
11. When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.
12. Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.

**1. Principle 1 – Use of a surveillance camera system must always be for a specified purpose which is in pursuit of a legitimate aim and necessary to meet an identified pressing need.**

- 1.1. Surveillance camera systems operating in public places must always have a clearly defined purpose or purposes in pursuit of a legitimate aim and be necessary to address a pressing need (or needs). Such a legitimate aim and pressing need include national security, public safety, the economic well-being of the country, the prevention of disorder or crime, the protection of health or morals, or the protection of the rights and freedoms of others. That purpose (or purposes) should be capable of translation into clearly articulated objectives against which the ongoing requirement for operation or use of the systems and any images or other information obtained can be assessed.
- 1.2. In assessing whether a system will meet its objectives, and in designing the appropriate technological solution to do so, a system operator should always consider the requirements of the end user of the images, particularly where the objective can be characterised as the prevention, detection and investigation of crime and the end user is likely to be the police and the criminal justice system.
- 1.3. A surveillance camera system should only be used in a public place for the specific purpose or purposes it was established to address. It should not be used for other purposes that would not have justified its establishment in the first place. Any proposed extension to the purposes for which a system was established and images and information are collected should be subject to consultation before any decision is taken. When using surveillance systems, you can only use the personal data for a new purpose if either this is compatible with your original purpose, you get consent from individuals, or you have a clear obligation or function set out in law

**2. Principle 2 – The user of a surveillance camera system must take into account its effect on individuals and their privacy, with regular reviews to ensure its use remains justified.**

- 2.1. HRA 1998 gave further effect in UK law to the rights set out in the ECHR. Some of these rights are absolute, while others are qualified or limited, meaning that it is permissible for the state to interfere with those rights if certain conditions are satisfied and the interference is proportionate. The use of surveillance cameras in public spaces places and selected sites could have the potential to impact on human rights including:
  - 2.1.1. the right to respect for private and family life (Article 8);
  - 2.1.2. freedom of thought, conscience and religion (Article 9);
  - 2.1.3. freedom of expression (Article 10);
  - 2.1.4. freedom of assembly and association (Article 11); and
  - 2.1.5. protection from discrimination (Article 14).



- 2.2. The right to respect for private and family life set out in Article 8 of the ECHR enshrines in law a long held freedom enjoyed in England and Wales. People do, however, have varying and subjective expectations of privacy with one of the variables being situational. Deploying surveillance camera systems in public places where there is a particularly high expectation of privacy should only be done to address a particularly serious problem that cannot be addressed by less intrusive means. Such deployment should be subject to regular review, at least annually, to ensure it remains necessary.
- 2.3. Any proposed deployment that also includes audio recording in a public place is likely to require a strong justification of necessity to establish its proportionality. There is a strong presumption that a surveillance camera system must not be used to record conversations as this is highly intrusive and unlikely to be justified.
- 2.4. Any use of facial recognition or other biometric characteristic recognition systems needs to be clearly justified and proportionate in meeting the stated purpose, and be suitably validated. It should always involve human intervention before decisions are taken that affect an individual adversely.
- 2.5. This principle points to the need for a data protection impact assessment (DPIA) to be undertaken whenever the development or review of a surveillance camera system is being considered to ensure that the purpose of the system is and remains justifiable, there is consultation with those most likely to be affected, and the impact on their privacy is assessed and any appropriate safeguards can be put in place. Where such an assessment follows a formal and documented process, such processes help to ensure that sound decisions are reached on implementation and on any necessary measures to safeguard against disproportionate interference with privacy.
- 2.6. A DPIA also helps assure compliance with obligations as data controller under the data protection legislation<sup>5</sup>.

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<sup>5</sup> Article 35 of the GDPR and Section 64 of DPA 2018.. Comprehensive guidance on undertaking a DPIA is available from the ICO. In the case of a public authority, this also demonstrates that both the necessity and extent of any interference with Article 8 and other individual rights has been considered. Relevant authorities should satisfy themselves that a surveillance camera system does not produce unacceptable bias on any relevant ground or characteristic of the individuals whose images might reasonably be expected to be captured by it and operators should take particular account of the Public Sector Equality Duty (s149 of EA 2010).

**3. Principle 3 – There must be as much transparency in the use of a surveillance camera system as possible, including a published contact point for access to information and complaints.**

- 3.1. People in public places should normally be made aware whenever they are being monitored by a surveillance camera system, who is undertaking the activity and the purpose for which the associated information is to be used. This is an integral part of overt surveillance and is already a legal obligation under DPA 2018. Furthermore, such transparency supports and informs the public and forms part of the wider democratic accountability of surveillance by relevant authorities.
- 3.2. Responsible and legitimate surveillance is dependent upon transparency and accountability on the part of a system operator. The provision of information is the first step in transparency and is also a key mechanism of accountability. In the development or review of any surveillance camera system, proportionate consultation and engagement with the public and partners (including the police) will be an important part of assessing whether there is a legitimate aim and a pressing need, and whether the system itself is a proportionate response. Such consultation and engagement also provide an opportunity to identify any concerns and modify the proposition to strike the most appropriate balance between public protection and individual privacy.
- 3.3. This means ensuring effective engagement with representatives of those affected and in particular where the measure may have a disproportionate impact on a particular community. It is important that consultation is meaningful and undertaken at a stage when there is a realistic prospect of influencing developments.
- 3.4. System operators should be proactive in the provision of regularly published information about the purpose, operation and effect of a system. This is consistent with the government's commitment to greater transparency on the part of public bodies.
- 3.5. In addition to the proactive publication of information about the stated purpose of a surveillance camera system, good practice includes considering the publication of information on the procedures and safeguards in place, impact assessments undertaken, performance statistics and other management information and any reviews or audits undertaken. Public authorities should consider including this information as part of their publication schemes under the Freedom of Information Act 2000.
- 3.6. This is not to imply that the exact location of surveillance cameras should always be disclosed if to do so would defeat the justified purpose identified under Principle 1.
- 3.7. A system operator should have an effective procedure for handling concerns and complaints from individuals and organisations about the use of surveillance camera systems. Information about complaints procedures should be made readily available to the public. Where a complaint is made and the complainant not satisfied with the response, there should be an internal review mechanism in place using a person not involved in handling the initial complaint. Complaints must be handled in a timely fashion and

complainants given an indication of how long a complaint may take to handle at the outset.

- 3.8. Information should be provided to the complainant about any regulatory bodies who may have jurisdiction in that case such as the Information Commissioner or the Investigatory Powers Tribunal.
- 3.9. Where a complaint or other information comes to the attention of a relevant authority or other system operator that indicates criminal offences may have been committed in relation to a surveillance camera system, then these matters should be referred to the appropriate body, such as the police, the Independent Office for Police Conduct or the ICO for any offences under data protection legislation.
- 3.10. In line with government commitment towards greater transparency on the part of public authorities, a system operator should publish statistical information about the number and nature of complaints received and how these have been resolved on an annual basis at least.
- 3.11. The government's further commitment to 'open data' means that public authorities should consider making information available in reusable form so others can develop services based on this data. This would extend to information about surveillance camera systems.
- 3.12. The Commissioner has no statutory role in relation to the investigation and resolution of complaints. System operators should, however, be prepared to share information about the nature of complaints with the Commissioner on an ad hoc, and where appropriate, anonymised basis to assist in any review of the operation of this code.

**4. Principle 4 – There must be clear responsibility and accountability for all surveillance camera system activities including images and information collected, held and used.**

- 4.1. People considering the need to develop a surveillance camera system should give due consideration to the establishment of proper governance arrangements. There must be clear responsibility and accountability for such a system. It is good practice to have a designated individual responsible for the development and operation of a surveillance camera system, for ensuring there is appropriate consultation and transparency over its purpose, deployment and for reviewing how effectively it meets its purpose.
- 4.2. Where a system is jointly owned or jointly operated, the governance and accountability arrangements should be agreed between the partners and documented so that each of the partner organisations has clear responsibilities, with clarity over obligations and expectations and procedures for the resolution of any differences between the parties or changes of circumstance. Further guidance on this is available from the ICO.
- 4.3. A surveillance camera system may be used for more than one legitimate purpose. For example, one purpose might be crime prevention and detection, and another traffic management. Responsibility for each purpose may rest within different elements of a system operator's management structure but overall accountability for ensuring effective governance arrangements and

facilitating effective joint working, review and audit, decision making and public engagement sits with the operator.

**5. Principle 5 – Clear rules, policies and procedures must be in place before a surveillance camera system is used, and these must be communicated to all who need to comply with them.**

- 5.1. There are significant benefits in having clear policies and procedures for the operation of any surveillance camera system. Where the operator is a relevant authority, their published policies will form part of the body of law under which they operate. Publishing and reviewing their policies and procedures will aid the effective management and use of a surveillance camera system and ensure that any legal obligations affecting the use of such a system are addressed.
- 5.2. A surveillance camera system operator is encouraged to follow a quality management system as a major step forward in controlling and improving their key processes. Where this is done through certification against a quality management standard, it can provide a robust operating environment with the additional benefit of reassurance for the public that the system is operated responsibly and effectively, and the likelihood of any breach of individual privacy is greatly reduced.
- 5.3. It is good practice that the communication of rules, policies and procedures should be done as part of the induction and ongoing professional training and development of all system users. This should maximise the likelihood of compliance by ensuring system users are competent, have relevant skills and training on the operational, technical and privacy considerations and fully understand the policies and procedures. It is a requirement of the data protection legislation that organisations ensure the reliability of staff having access to personal data, including images and information obtained by surveillance camera systems.
- 5.4. Wherever there are occupational standards available which are relevant to the roles and responsibilities of their system users, a systems operator should consider the benefits and any statutory requirements associated with such occupational standards.
- 5.5. The Commissioner will provide advice and guidance on relevant quality management and occupational competency standards.
- 5.6. Wherever a surveillance camera system covers public space, a system operator should be aware of the statutory licensing requirements of the Private Security Industry Act 2001. Under these requirements, the Security Industry Authority (SIA) is charged with licensing individuals working in specific sectors of the private security industry. A public space surveillance (CCTV) licence is required when operatives are supplied under a contract for services even where that service is provided by a relevant authority. The SIA can provide more information about licencing requirements.
- 5.7. SIA licensing is dependent upon evidence that an individual is fit and proper to fulfil the role, and evidence of their ability to fulfil a role effectively and safely with the right skills and knowledge. There are various relevant

qualifications available, and training to attain these is delivered by a range of different accredited providers.

- 5.8. Even where there is no statutory licensing requirement, it is good practice for a system operator to ensure that all staff who either manage or use a surveillance camera system, or use or process the images and information obtained by virtue of such systems have the necessary skills and knowledge.

**6. Principle 6 – No more images and information should be stored than that which is strictly required for the stated purpose of a surveillance camera system, and such images and information should be deleted once their purposes have been discharged.**

- 6.1. Images and information obtained from a surveillance camera system should not be retained for longer than necessary to fulfil the purpose for which they were obtained in the first place. This is also a requirement of data protection legislation and further guidance on this is available from the ICO.

- 6.2. The retention period for different surveillance camera systems will vary due to the purpose for the system and how long images and other information need to be retained so as to serve its intended purpose. It is not, therefore, possible to be prescriptive about maximum or minimum periods. Initial retention periods should be reviewed by a system operator and reset in the light of experience. A proportionate approach should always be used to inform retention periods, and these should not be based upon infrequent exceptional cases.

- 6.3. Although images and other information should not be kept for longer than necessary to meet the purposes for recording them, on occasions, a system operator may need to retain images for a longer period, for example where a law enforcement body is investigating a crime, to give them the opportunity to view the images as part of an active investigation.

**7. Principle 7 – Access to retained images and information should be restricted and there must be clearly defined rules on who can gain access and for what purpose such access is granted; the disclosure of images and information should only take place when it is necessary for such a purpose or for law enforcement purposes.**

- 7.1. The sharing of images and other information obtained from a surveillance camera system must be controlled and consistent with the stated purpose for which the system was established. Disclosure of images or information may be appropriate where data protection legislation makes exemptions which allow it, provided that the applicable requirements of the data protection legislation are met, or where permitted by other legislation such as the Counter Terrorism Act 2008. These exemptions include where non-disclosure would be likely to prejudice the prevention and detection of crime, and for national security purposes. Where a system operator declines a request for disclosure from a law enforcement agency, there is provision under Section 9 of and Schedule 1 to the Police and Criminal Evidence Act 1984 to seek a production order from a magistrate.

- 7.2. There may be other limited occasions when disclosure of images to another third party, such as a person whose property has been damaged, may be appropriate. Such requests for images or information should be approached with care and in accordance with the data protection legislation, as a wide disclosure may be an unfair intrusion into the privacy of the individuals concerned.
- 7.3. A system operator should have clear policies and guidelines in place to deal with any requests that are received. In particular:
  - 7.3.1. Arrangements should be in place to restrict disclosure of images in a way consistent with the purpose for establishing the system.
  - 7.3.2. Where images are disclosed, consideration should be given to whether images that may identify individuals need to be obscured to prevent unwarranted identification.
  - 7.3.3. Those that may handle requests for disclosure should have clear guidance on the circumstances in which disclosure is appropriate.
  - 7.3.4. The method of disclosing images should be secure to ensure they are only seen by the intended recipient.
  - 7.3.5. Appropriate records should be maintained.
- 7.4. Judgements about disclosure should be made by a system operator. They have discretion to refuse any request for information unless there is an overriding legal obligation such as a court order or information access rights. Once they have disclosed an image to another body, such as the police, then the recipient becomes responsible for their copy of that image. If the recipient is a relevant authority, it is then the recipient's responsibility to have regard to this code of practice and to comply with any other legal obligations such as data protection legislation and HRA 1998 in relation to any further disclosures.
- 7.5. Individuals can request images and information about themselves through a subject access request under the relevant part of the data protection legislation. Detailed guidance on this and matters such as when to withhold or obscure images of third parties caught in images is included in guidance issued by the ICO.
- 7.6. Requests for information from public bodies may be made under the Freedom of Information Act 2000. The ICO also produces detailed guidance on these obligations.

**8. Principle 8 – Surveillance camera system operators should consider any approved operational, technical and competency standards relevant to a system and its purpose and work to meet and maintain those standards.**

- 8.1. Approved standards may apply to the system functionality, the installation and the operation and maintenance of a surveillance camera system. These are usually focused on typical CCTV installations, however there may be additional standards applicable where the system has specific advanced capability such as ANPR, video analytics or facial recognition systems, or where there is a specific deployment scenario, for example the use of

body-worn video recorders.

- 8.2. Approved standards are available to inform good practice for the operation of surveillance camera systems, including those developed domestically by the British Standards Institute, at a European level by the Comité Européen de Normalisation Électrotechnique or at a global level by the International Electrotechnical Commission.
- 8.3. A system operator should consider any approved standards which appear relevant to the effective application of technology to meet the purpose of their system and take steps to secure certification against those standards. Such certification is likely to involve assessment by an independent certification body<sup>6</sup>

**9. Principle 9 – Surveillance camera system images and information should be subject to appropriate security measures to safeguard against unauthorised access and use.**

- 9.1. Putting effective security safeguards in place helps ensure the integrity of images and information should they be necessary for use as evidence in legal proceedings. This also helps to foster public confidence in system operators and how they approach the handling of images and information.
- 9.2. Under the data protection legislation, those operating surveillance camera systems or who use or process images and information obtained by such systems must have a clearly defined policy to control how images and information are stored and who has access to them. The use or processing of images and information should be consistent with the purpose for deployment, and images should only be used for the stated purpose for which collected.
- 9.3. Security extends to technical and organisational security, including cyber and physical security. There need to be measures in place to ensure appropriate security of the data and guard against unauthorised use, access or disclosure. The ICO publishes helpful guidance on achieving this in practice.

**10. Principle 10 – There should be effective review and audit mechanisms to ensure legal requirements, policies and standards are complied with in practice, and regular reports should be published.**

- 10.1. A system operator should, as a matter of good governance, review and audit the continued use of a surveillance camera system on a regular basis, at least annually, together with relevant policies to ensure their system remains necessary, proportionate and effective in meeting its stated purpose(s).

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<sup>6</sup> For instance, the Commissioner's third-party certification scheme. A current list of recommended standards for consideration by a system owner and operator is maintained and made available by the Commissioner. Such a list will provide detailed guidance on suitable standards and the bodies that can accredit performance against such standards.. This has benefits for a system operator in that the effectiveness of a system is likely to be assured and in demonstrating to the public that suitable standards are in place and being followed.

- 10.2. As part of the regular review of the necessity, proportionality and effectiveness of a surveillance camera system, a system operator should assess whether the location of cameras remains justified in meeting the stated purpose and whether there is a case for removal or relocation.
- 10.3. In reviewing the continued use of a surveillance camera system, a system operator should consider undertaking an evaluation to enable comparison with alternative interventions with less risk of invading individual privacy, and different models of operation (to establish for example any requirement for 24 hour monitoring). In doing so, there should be consideration of an assessment of the future resource requirements for meeting running costs, including staffing, maintenance, and repair.
- 10.4. A system operator should make a summary of such a review available publicly as part of the transparency and accountability for the use and consequences of its operation.

**11. Principle 11 – When the use of a surveillance camera system is in pursuit of a legitimate aim, and there is a pressing need for its use, it should then be used in the most effective way to support public safety and law enforcement with the aim of processing images and information of evidential value.**

- 11.1. The effectiveness of a surveillance camera system will be dependent upon its capability to capture, process, analyse and store images and information at a quality which is suitable for its intended purpose. Wherever the system is used for a law enforcement purpose, it must be capable through processes, procedures and training of system users, of delivering images and information that is of evidential value to the criminal justice system. Otherwise, the end user of the images, who are likely to be the police or a law enforcement agency, will not be able to play their part effectively in meeting the intended purpose of the system – it may be difficult for an operator to argue that their purpose is to detect crime if the quality of the images produced is inadequate to support that purpose.
- 11.2. It is important that there are effective safeguards in place to ensure the forensic integrity of recorded images and information and its usefulness for the purpose for which it is intended to be used. Recorded material should be stored in a way that maintains the integrity of the image and information, with particular importance attached to ensuring that meta data (e.g. time, date and location) is recorded reliably, and compression of data does not reduce its quality to an extent that it is no longer suitable for its intended purpose. This is to ensure that the rights of individuals recorded by a surveillance camera system are protected and that the material can be used as evidence in court. To do this, the medium on which the images and information are stored will be important, and access must be restricted. A record should be kept as an audit trail of how images and information are handled if they are likely to be used as exhibits for the purpose of criminal proceedings in court. Once there is no longer a clearly justifiable reason to retain the recorded images and information, they should be deleted.



- 11.3. It is important that digital images and other related information can similarly be shared with ease with appropriate agencies if this is envisaged when establishing a system. If this interoperability cannot be readily achieved, it may undermine the purpose for deploying the system
- 11.4. It is therefore essential that any digital images and information likely to be shared lawfully with other agencies and the criminal justice system are in a data format that is interoperable and can be readily exported, and then stored and analysed without any loss of forensic integrity. In particular:
  - 11.4.1. A system user should be able to export images and information from a surveillance camera system when requested.
  - 11.4.2. The export of images and information should be possible without interrupting the operation of the system.
  - 11.4.3. The exported images and information should be in a format which is interoperable and can be readily accessed and replayed.

**12. Principle 12 – Any information used to support a surveillance camera system which compares against a reference database for matching purposes should be accurate and kept up to date.**

- 12.1. Any use of technologies such as ANPR or facial recognition systems which may rely on the accuracy of information generated elsewhere, such as databases provided by others, should not be introduced without regular assessment to ensure the underlying data is fit for purpose.
- 12.2. A system operator should have a clear policy to determine the inclusion of a vehicle registration number or a known individual's details on the reference database associated with such technology. A system operator should ensure that reference data is not retained for longer than necessary to fulfil the purpose for which it was originally added to a database.
- 12.3. When using a surveillance camera system for live facial recognition (LFR) purposes to find people on a watchlist, chief police officers should:
  - 12.3.1. set out and publish (a) the categories of people to be included on a watchlist and (b) the criteria that will be used in determining when and where to deploy LFR, having regard to the need only to do so for a lawful policing purpose;
  - 12.3.2. ensure that any biometric data that does not produce an alert against someone on the watchlist by the LFR system is deleted instantaneously or near-instantaneously;
  - 12.3.3. have regard to the Public Sector Equality Duty, in particular taking account of any potential adverse impact that the LFR algorithm may have on members of protected groups;
  - 12.3.4. establish an authorisation process for LFR deployments and identify the criteria by which officers are empowered to issue LFR deployment authorisations.



# ANTI-SOCIAL BEHAVIOUR STATEMENT OF POLICY AND PROCEDURE

APRIL 2023

## 1 Introduction

- 1.1 The Anti-Social Behaviour Act 2003 inserted a new section into the Housing Act 1996 – s218A. Subsection (2) requires a social landlord to publish policies and procedures relating to Anti-social behaviour (ASB). Subsection (7) requires social landlords to have regard to relevant guidance issued by the Secretary of State when preparing or reviewing their ASB policies and procedures.
- 1.2 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. Registered providers are required to publish a policy on how they work with relevant partners to prevent and tackle ASB.

## 2 Scope and Purpose of the Statement

- 2.1 This Statement sets out our policies and procedures on ASB in relation to our role as landlord of Council homes and mainly applies to Council tenants and leaseholders.
- 2.2 We share the importance that the Government places on dealing with ASB. Publication of our policies and procedures will enable residents and staff alike to understand what is meant by ASB and the commitments we are making to deal with it.
- 2.3 The Policy Statement outlines our general approach to ASB and the specific policies we have for dealing with it.
- 2.4 The Procedure Statement outlines what we do when ASB occurs. It enables everyone to understand how we will deal with a complaint of ASB and what is expected of residents.

## 3 Policy Statement

- 3.1 We believe that residents have the right to live in their home in peace and free from fear, disturbance, distress or harm. No one should be expected simply to 'put up' with ASB. So we are committed to taking or supporting the full range of effective action to deal with ASB, whether this is by mediation, enforcement, prevention, diversion or rehabilitation.
- 3.2 There are many forms of ASB and MDH have a number of policies which detail the approach to these.

Type of ASB	Description	Relevant Policy
Domestic Violence	Abuse of a partner or household member	MDH ASB Policy
Verbal abuse, intimidation, threatening behaviour and harassment	Threats to cause harm to an individual(s), persistent* behaviours which cause harm or upset	MDH ASB Policy
Neighbour Disputes	Two neighbours have a disagreement – for example over noise, boundaries, the communal area	MDH Neighbourhood Management Policy
Noise nuisance	Where there is a noise from persistent dog barking, loud music, DIY or loud music during unsociable hours	MDH Neighbourhood Management Policy
Hate Crimes	Hate crime incidents based on race, sexual orientation, belief, gender, disability	MDH ASB Policy
Communal nuisance	Where people are congregating near and around our properties and are causing rowdy/threatening behaviour or vandalism to MDH property	MDH ASB Policy
Animal related problems	Animals fouling in communal areas and animals not under proper control	MDH Neighbourhood Management Policy
Environmental abuse	Fly-tipping in communal areas, bonfires, graffiti etc.	MDH Neighbourhood Management Policy
Vehicle related nuisance	Abandoned cars, unnecessary noise pollution from cars and car repairs on communal land	MDH Neighbourhood Management Policy
Drugs, substance or alcohol abuse	Use and supply of illegal drugs. Alcohol related ASB. Cuckooing, prostitution and related behaviours	MDH ASB Policy
Other criminal behaviour	Violence against people and property. Arson, prostitution and other sex related offences, gang related activities, gun and knife crime, social media abuse.	MDH ASB Policy

\* Persistent for MDH means occurring 3 or more times over a period of 6 months

## 4 Procedure Statement

4.1 The ASB procedures have been written and developed to support Mid Devon Housing's Anti-social behaviour policy.

- 4.2 It aims to provide clarity and consistency on the reporting, recording, monitoring and reviewing of ASB cases received by MDH
  
- 4.3 After reviewing the ASB service and collating information from our tenants, we have been able to tailor the ASB service and ensure that tenants feel safe in their homes and communities.



# ANTI-SOCIAL BEHAVIOUR POLICY

APRIL 2023

## 1 Introduction

- 1.1 Our policy sets out how Mid Devon Housing (MDH) manages anti-social behaviour (ASB). This policy applies to anyone living in, or visiting a property that is owned by us.
- 1.2 This policy does not apply to anyone living in, or visiting a property that is not owned by us.
- 1.3 MDH believes that everyone has the right to live in the way they want as long as it does not unlawfully spoil the quality of life of others, or breach the terms of their tenancy agreement.
- 1.4 We recognise that ASB can have a disruptive effect on neighbourhoods and communities, we are therefore committed to tackling ASB through early intervention and enforcement action.
- 1.5 MDH is committed to delivering an excellent service, working with and alongside our tenants to help prevent ASB.
- 1.6 This is an update to the ASB Policy 1.40 which was approved in 2015

## 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. Registered providers are required to publish a policy on how they work with relevant partners to prevent and tackle ASB. In addition, registered providers shall demonstrate:

- Tenants are made aware of their responsibilities and rights in relation to ASB
- Strong leadership, commitment and accountability on preventing and tackling ASB that reflects a shared understanding of responsibilities with other local agencies
- A strong focus on preventative measures tailored towards the needs of the tenants and their families
- Prompt and appropriate action to deal with ASB before it escalates, with focus on resolving the problem and having regard to the full range of tools and legal powers available

- All tenants can easily report ASB, are kept informed of the status of their case where responsibility rests with the Council and are appropriately signposted where it does not

2.2 The ASB Act 2003 inserted a new section into the Housing Act 1996 – s218A. Subsection (2) requires a social landlord to publish policies and procedures relating to ASB. Subsection (7) requires social landlords to have regard to relevant guidance issued by the Secretary of State when preparing or reviewing their ASB policies and procedures.

2.3 Following publication of the Social Housing White Paper in late 2020, the Social Housing Regulation Bill is on its way through Parliament at the point of review and update to this policy and has been taken into account. It is expected to become law in 2023 and once implemented 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.

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 good 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)

2.4 As part of the new consumer regulation regime, from April 2023, the RSH is introducing a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social landlords in England are doing at providing good quality homes and services. The TSMs 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 including ASB.

2.5 The TSMs under responsible neighbourhood management, particularly ASB, include:

- TP12: Satisfaction with the landlord's approach to handling ASB
- NM01: ASB 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 everyone has the right to live in the way they want as long as it does not unlawfully spoil the quality of life of others, or breach the terms of their tenancy agreement.
- 3.2 MDH aims to provide the right level of support to empower our tenants to tackle issues themselves, wherever possible.

#### Objectives

- 3.3 Our relationship with our tenants is a two way process with responsibility on both sides. We ask that our tenants take responsibility, with our support if needed, for looking after their home and respecting their neighbours, their community and our staff.

### 4 What is Anti-social Behaviour?

- 4.1 The ASB Crime and Policing Act 2014 Section 2 (1) defines ASB as:

*“conduct that has caused, or is likely to cause, harassment, alarm or distress to any person; conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or conduct capable of causing housing related nuisance or annoyance to any person”*

<b>Types of ASB</b>	<b>Examples of ASB incidents</b>
Verbal abuse, intimidation, threatening behaviour and harassment	Threats to cause harm to an individual(s), persistent behaviours which cause harm or upset
Hate Crimes	Hate crime incidents based on race, sexual orientation, belief, gender, disability
Domestic Violence	Abuse of a partner or household member
Noise nuisance	Where there is a noise from persistent dog barking, loud music, DIY or loud music during unsociable hours

Communal nuisance	Where people are congregating near and around our properties and are causing rowdy/threatening behaviour or vandalism to MDH property
Animal related problems	Animals fouling in communal areas and animals not under proper control
Neighbour disputes	Two neighbours have a disagreement – for example over noise, boundaries, the communal area
Environmental abuse	Fly-tipping in communal areas, bonfires, graffiti, tagging etc.
Drugs, substance or alcohol abuse	Use and supply of illegal drugs. Alcohol related ASB. Cuckooing, prostitution and related behaviours
Vehicle related nuisance	Abandoned cars, unnecessary noise pollution from cars and car repairs on communal land
Other criminal behaviour	Violence against people and property. Arson, prostitution and other sex related offences, gang-related activities, gun and knife crime, social media abuse.

## 5 What is not ASB?

5.1 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, cooking smells

- 5.2 Where MDH believe the behaviour does not constitute ASB, advice will be given to enable self-resolution.
- 5.3 Tenants should refer to the MDH Neighbourhood Management Policy to establish ways to reduce complaints from your neighbours and prevent low level situations escalating into ASB complaints

## 6 Avoiding ASB and Neighbour Complaints

The recommended action would be to consider what might cause a nuisance to others and act accordingly. For example:

- Be considerate of your neighbours
- Do not carry out repairs or other works late at night
- Talk to your neighbours if you intend to have a party
- 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

## 7 Tenant responsibilities

- 7.1 Our tenancy agreement contains a section relating to the community obligations of tenants. This makes it clear that tenants must respect other people who live in their neighbourhoods. It clearly states: "Your home will be at risk if you cause anti-social behaviour, nuisance/ annoyance or carry out any illegal activities". The tenancy conditions also prohibit tenants from inflicting violence or abuse or threatening behaviours against family members or other people. In addition, tenants are not allowed to abuse, assault, threaten, harass or obstruct our employees or agents, or Councillors whether in person, by telephone, in writing or in any other way (e.g. on social media), and whether at the property or elsewhere such as at our offices, in public or in the locality.
- 7.2 As a Tenant, you are also responsible for the actions of members of your Household (i.e. all persons living at the property) and Visitors (including children and pets) to your property and the locality. This means they too have to respect the terms and conditions of your tenancy agreement and if any of these are breached, this may impact on your tenancy.

## 8 Reporting ASB

- 8.1 Where it is possible, and safe to do so, it is always best to try and resolve situations yourself. Before reporting ASB, we ask that tenants review our ASB toolkit on our website, which is available at [Anti-social Behaviour Toolkit - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/anti-social-behaviour-toolkit). This will enable you to determine what is classified as ASB and what steps you may need to take before reporting incidents to us.

The toolkit provides some useful self-help tools, advice and guidance on how you as tenants can manage low level issues, typically those that would not be classed as ASB and dealt with by MDH.

- 8.2 When further action is needed, the Officer dealing with the case will look at all the evidence and, taking this into account, will work out what action is needed to ensure that there is a reasonable and proportionate response to the issues reported. The aim will be to resolve the case. We will always offer mediation as a first step to resolve the issue unless the case is High risk.
- 8.3 MDH requires full cooperation from those reporting ASB to enable a full investigation to be completed. This will include providing information regarding incidents, dates and times and could include completing diary sheets if necessary. MDH would expect you to fully cooperate in order to resolve any issues or dispute, this could be by attending mediation, providing witness statements or attending court as requested. Where the situation is more serious and may involve criminal activity, or where there is a requirement for MDH's involvement, then reports can be made in a number of ways including in person, by email, on the telephone or via direct message on social media.
- 8.4 We expect a reasonable level of tolerance between neighbours and will make fair evaluations on whether a complaint of ASB is reasonable. Please refer to the MDH Neighbourhood Management Policy for instances of neighbour disputes which are not determined as ASB and therefore do not form part of this policy.
- 8.5 There are some examples of what MDH would not generally consider to be ASB, as detailed in the Neighbourhood Management Policy. However, repeated low level incidents, that in isolation would not appear to be serious, may have a detrimental impact on a complainant. If repeated incidents are having a harmful impact, or causing a risk, we may investigate in accordance with this policy.
- 8.6 MDH tenants who, with MDH's permission, have installed CCTV or camera doorbells, should ensure that they respect people's privacy rights and take steps to minimise intrusion to neighbours. Further information can be found in the MDH CCTV policy.

## 9 Response Times and Risk assessments

Category	Definition (examples are not exhaustive)	Response Time
High	<ul style="list-style-type: none"> <li>• Reports involving serious risk to individuals or the neighbourhood. This may include a serious threat of violence</li> <li>• Reports of offensive graffiti</li> <li>• Reports of domestic abuse</li> </ul> <p><b>Incidents that are of a serious nature and involve threats of violence or abuse, assault, criminal activity or drug dealing must be reported to the Police by phoning 101 or 999 (in an emergency) or reporting online</b></p>	1 working day
Medium	<ul style="list-style-type: none"> <li>• Reports of behaviour that is persistent* and unreasonable and where mediation would not be an option</li> </ul>	3 working days
Low	<ul style="list-style-type: none"> <li>• Initial reports of neighbour disputes or nuisance</li> </ul> <p><b>MDH will not get involved with incidents such as:</b></p> <ul style="list-style-type: none"> <li>• Parking issues outside your home</li> <li>• Civil disputes between neighbours. Day to day noise – e.g. washing machine, vacuum cleaners, babies crying</li> <li>• DIY</li> <li>• Ball games or children playing (unless they are causing a nuisance)</li> </ul> <p><b>Boundary Disputes:</b></p> <ul style="list-style-type: none"> <li>• Home owners whose properties share a boundary with one of our homes are advised that they should seek their own independent legal advice in the event of any queries on boundaries</li> <li>• We will try to clarify any queries by provision of a boundary plan and owner occupiers are advised</li> </ul>	5 working days

	to take their own legal advice if they have any concerns	
Anonymous Complaints	<ul style="list-style-type: none"> <li>Generally, these complaints will be recorded as information only. In the event of serious allegations, MDH will involve other agencies in order to take appropriate action</li> </ul>	Recorded only – no further action

\* Persistent for MDH means occurring 3 or more times over a period of 6 months

- 9.1 Once an incident has been reported to MDH, the Neighbourhood Officer for that area will be the point of contact throughout the case. A risk assessment will be completed to identify any vulnerabilities and an action plan created for the case.
- 9.2 Referrals will be made to appropriate support agencies, where necessary after completion of the risk assessment.
- 9.3 The Neighbourhood Officer will advise of the next steps and provide regular progress updates.

## 10 MDH’s approach to tackling ASB

10.1 When we receive a report of ASB, we will consider if the behaviour complained of amounts to ASB and what action, if any, we can take. If we do not consider the report to be ASB, we will explain why and give appropriate advice on what action the customer may wish to take.

10.2 MDH has a commitment to try to prevent ASB and we do so in the following ways:

- At the point of signing up a new tenant, we will refer you to the terms and conditions of the tenancy agreement, including terms relating to ASB. Our tenant expectations and the consequences of adhering to the terms and conditions are made clear within the standard document. There is a video available which summarises the rights and responsibilities of our tenants and this can be found online at: [Moving in - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/moving-in) (see MDDC tenancy guide).
- MDH works closely with partner agencies to refer or signpost where appropriate.
- MDH actively publicises our commitment to tackling ASB through our social media posts, website and newsletters.

- MDH are signed up to Devon Home Choice (DHC), which is the choice-based lettings system that we use to allocate our properties. In line with the DHC policy, we refuse applicants to apply who have a history of serious ASB within the last 2 years.
- MDH ensures that comprehensive training is given to new Officers, and refresher training is provided regularly to ensure our staff are equipped with the necessary skills and knowledge to manage a variety of ASB issues.
- MDH will take a customer focused approach to tackling ASB, working together with the complainant we aim to agree actions, manage expectations and ultimately close the case within an appropriate timescale.
- MDH will investigate complaints of ASB, evaluate the evidence and work with complainants to agree an appropriate action plan.
- We will also work with the perpetrator to resolve matters.
- We will use the tools and powers available to us under the ASB, Crime and Policing Act 2014.
- We consider the Public Sector Equality Duty when taking legal action.

10.3 MDH recognises the importance of early intervention. There are several approaches that we may use, such as:

- Signposting to support agencies/services
- Written and verbal warnings
- Acceptable Behaviour Contract (ABC)
- Mediation
- Warning letters
- Community Protection Warning (CPW)

10.4 There are occasions where early interventions fail and therefore, more serious action is required. MDH work closely with other statutory agencies to take legal action. Some examples include:

- Community Protection Notice (CPN)
- Notice Seeking Possession (NOSP)
- Injunctions
- Closure Orders
- Forfeiture of lease action
- Seeking mandatory possession (ground 7a of the ASB, Crime and Policing Act 2014)
- Eviction

10.5 MDH will take all reasonable steps before taking legal action and any court action will be a last resort. Tenants should refer to the [Corporate Enforcement Policy](#) which details the factors which will impact the decision to take court action.

10.6 Legal action will take into account an alleged perpetrator's capacity as well as any issues raised under the Equality Act 2010 and will only be taken once a proportionality assessment has been conducted.

## 11 Supporting Tenants

11.1 MDH understands that ASB can have a detrimental impact on people's lives. We also understand that people are reluctant to report ASB for many reasons and therefore we aim to support complainants throughout the process.

11.2 MDH can:

- Arrange interpreters, if required
- Make referrals to support services
- Access noise monitoring equipment to gather evidence of noise nuisance
- Accompany those attending Court to give evidence on our behalf, and arrange transport to and from any hearings, as required

11.3 We aim to make the process of reporting incidents and gathering information as straightforward as possible.

## 12 Working with alleged perpetrators

12.1 MDH will interview alleged perpetrators to make them aware of issues being reported. MDH will aim to arrange a meeting with the alleged perpetrator to give them an opportunity to respond to the reported allegations.

12.2 After interviews with the complainant and the alleged perpetrator, the Neighbourhood Officer will make an informed judgement and decide on the most appropriate course of action for the case.

12.3 Where it is apparent through observations, direct reporting or third-party reporting that someone is in immediate danger or risk of harm, MDH will take appropriate action which may include the following:

- Informing emergency services



- Visiting/phoning the complainant to carry out a risk assessment and agreeing an action plan
- Making social services aware if there are any safeguarding issues
- Securing the address with additional security if needed. For example, panic alarms, additional locks.

12.4 Whilst conducting interviews, the Neighbourhood Officer will ensure that early detection of vulnerabilities are assessed through a risk assessment. Any additional support needs will be met and referrals to support agencies completed where appropriate.

12.5 MDH work in conjunction with the East and Mid Devon Community Safety Partnership (CSP) and the tiered process adopted across the whole of Devon by all key partner organisations. In cases of a serious nature, we may ask the CSP to arrange a multi-agency meeting.

## 13 Partnership working

13.1 ASB cannot be dealt with by any one organisation or agency working in isolation. As stated above MDH works in conjunction with the CSP and other agencies and residents to tackle ASB together. This may include the Police, and formal groups convened to respond to issues associated with serious domestic abuse.

13.2 MDH uses formal information sharing protocols and partnership agreements which allows us to respond quickly to ASB.

## 14 Community Trigger

14.1 The ASB, Crime and Policing Act 2014 introduced the “Community Trigger”. This gives members of the public the right to request a case review, where the threshold for a review has been met. For more information on the community trigger process, please visit [Community Trigger \(Anti-social behaviour case review\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/community-trigger-anti-social-behaviour-case-review)

## 15 Domestic abuse

15.1 MDH believes that all our tenants should live without fear of abuse from a spouse, former spouse or partner, or another member of the Household. The government’s definition of domestic abuse is, “any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality”. The abuse can encompass, but is not limited to:

- Psychological
- Physical

- Sexual
- Financial
- Emotional
- Coercive control
- Harassment and stalking
- Online or digital abuse

15.2 MDH is committed to offering victim-centred accessible support to any of our tenants suffering from domestic abuse.

15.3 We will aim to contact any tenant who is a victim/survivor of domestic abuse within 24 working hours of the abuse being reported.

15.4 Where our property has been damaged and the safety of the occupant(s) is at risk we will carry out emergency repairs within 24 hours.

15.5 All domestic abuse cases will be recorded on our systems and victims/survivors will be flagged as vulnerable, and perpetrators flagged for any potential risk.

15.6 Where it is apparent through observations, direct reporting or third-party reporting that someone is in immediate danger or risk of harm, MDH will take appropriate action which may include the following:

- Informing emergency services
- Visiting/phoning the complainant to carry out a risk assessment and agreeing an action plan
- Making social services aware if there are any safeguarding issues
- Securing the address with additional security if needed. For example, panic alarms, additional locks.

15.7 As detailed in your tenancy agreement, you must not inflict violence or abuse, threaten violence or abuse against your Partner or former Partner, your children, your Partner's children or any other person living in your property or in another MDH property, such that the person can no longer live peacefully in the property. This includes all forms of abuse as set out above.

15.8 All staff receive mandatory training and will be expected to support our commitment to managing domestic abuse.

15.9 All information that we gather when managing cases of domestic abuse will be stored on our systems securely. We may have to share information with agencies including the Police or social services when a child or adult is at potential risk of harm.

15.10 For cases which meet the multi-agency risk assessment conference (MARAC) risk rating threshold or if we have child protection concerns, we have a legal duty to share this with other agencies. In cases where the threshold is not met, with the agreement of the victim/survivor, we will make referrals to other support services.

## 16 Harassment

16.1 As detailed in your tenancy agreement, you must not harass or threaten to harass on the grounds of race, age, gender reassignment, marriage or civil partnership, pregnancy and maternity, religion and belief, sex, sexual orientation, disability, or any other reason that may interfere with the peace and comfort of, or cause offence to other persons residing, visiting, working or otherwise engaging in lawful activity in the neighbourhood or to any tenant, our employees or agents whether in the neighbourhood or elsewhere (for example at our offices). Nor must you allow, fail to prevent or incite anyone living with you (including children) or your Visitors to do any of these things.

16.2 Harassment can take many forms and can occur in a variety of settings. Some examples include:

- Verbal abuse
- Bullying or intimidation
- Hoax calls, abusive phone calls or texts messages
- Online abuse on social media platforms
- Malicious complaints
- Threats of violence

16.3 Where it is apparent through observations, direct reporting or third-party reporting that someone is in immediate danger or risk of harm, MDH will take appropriate action which may include the following:

- Informing emergency services
- Visiting/phoning the complainant to carry out a risk assessment and agreeing an action plan
- Making social services aware if there are any safeguarding issues
- Securing the address with additional security if needed. For example, panic alarms, additional locks.

16.4 Secondary actions that may follow an immediate response could be:

- Working with the complainant to compile evidence of harassment to support an application for rehousing through the Devon Home Choice scheme
- Providing advice and support for rehousing options
- Referrals to supporting agencies
- Enforcement action against alleged perpetrators where they are tenants of MDH

## 17 Confidentiality and data protection

17.1 MDH will explain to complainants that it may be necessary to disclose information to other statutory agencies such as the Police. Information will be shared with other agencies where there is a duty to do so, and/or whether information sharing protocols are in place.

## 18 Publicity

18.1 When appropriate, MDH may publicise successful ASB action to:

- Increase community confidence
- Inform stakeholders of our commitment to tackling ASB
- Deter offenders from committing acts of ASB

## 19 Complaints

19.1 If you are not satisfied with the way we have managed your ASB case, you are able to submit a complaint using our Complaints and Feedback process: [Feedback and Complaints](#)

19.2 This will result in a review of issues by an Officer who has not been involved in the management of your case. They will provide feedback to you and make recommendations about any further action which may be taken in an effort to resolve the ASB.

## 20 Equality Impact Assessment

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

## 21 Review and version control

- 21.1 MDH will review this policy every 5 years and as required to address legislative, regulatory, best practice or operational issues.
- 21.2 This policy was produced in 2023 and is version 1.5
- 21.3 This policy was adopted by Cabinet on xxxx



# ANTI-SOCIAL BEHAVIOUR PROCEDURES 2023

## 1. Introduction

- 1.1 The Anti-Social Behaviour (ASB) procedures have been written and developed to support Mid Devon Housing's (MDH) Anti-social behaviour policy.
- 1.2 It aims to provide clarity and consistency on the reporting, recording, monitoring and reviewing of ASB cases received by MDH.
- 1.3 After reviewing the ASB service and collating information from our tenants, we have been able to tailor the ASB service and ensure that tenants feel safe in their homes and communities.

## 2. ASB Definition

- 2.1 MDH uses the ASB, Crime and Policing Act 2014, section 2 (1) to define ASB as:

*“conduct that has caused, or is likely to cause, harassment, alarm or distress to any person; conduct capable of causing nuisance or annoyance to a person in relation to that person’s occupation of residential premises, or conduct capable of causing housing related nuisance or annoyance to any person”*

- 2.2 MDH’s procedures aim to provide a framework for tenants and other users to:

- **Understand what is, and what isn’t classed as ASB**  
MDH’s ASB toolkit is a useful tool to determine what is, and what isn’t classed as ASB. The toolkit is available to view [Anti-social Behaviour Toolkit - MIDDEVON.GOV.UK](https://www.middevon.gov.uk/anti-social-behaviour-toolkit)  
If a complainant is still unsure as to whether their issue is ASB, they should ring in and speak to their Neighbourhood Officer.
- **Support and empower tenants to deal with issues affecting them**  
MDH provides support and information in order to empower tenants to deal effectively with issues around ASB, such as the ‘Dear Neighbour’ cards or the Noise App.
- **Ensure tenants are listened to**  
MDH will take time to understand the effect and impact an issue is having on our tenants. Officers will triage calls appropriately and manage the expectations of the tenant and deliver successful outcomes.
- **Support tenants to get the correct help**  
MDH will signpost tenants to appropriate support services, when appropriate. Tenants will be advised of additional support available, if MDH are not able to proceed with a case.
- **Ensure tenants feel safe in their homes and communities**

MDH works with tenants and partner agencies to prevent and tackle ASB in the community. ASB cannot be tackled in isolation and therefore, a combined approach with other agencies is necessary.

- **Keep tenants informed**

From the initial report of ASB, the complainant will be informed how and when they will be updated on the case, through an action plan. The action plan will be personal to the complainant and will determine how a complainant will be contacted and the frequency of contact.

### 3. MDH Response times

Category	Definition (examples are not exhaustive)	Response Time
High	<ul style="list-style-type: none"> <li>• Reports involving serious risk to individuals or the neighbourhood. This may include a serious threat of violence</li> <li>• Reports of offensive graffiti</li> <li>• Reports of domestic abuse</li> </ul> <p><b>Incidents that are of a serious nature and involve threats of violence or abuse, assault, criminal activity or drug dealing must be reported to the Police by phoning 101 or 999 (in an emergency) or reporting online</b></p>	1 working day
Medium	<ul style="list-style-type: none"> <li>• Reports of behaviour that is persistent* and unreasonable and where mediation would not be an option</li> </ul>	3 working days
Low	<ul style="list-style-type: none"> <li>• Initial reports of neighbour disputes or nuisance</li> </ul> <p><b>MDH will not get involved with incidents such as:</b></p> <ul style="list-style-type: none"> <li>• Parking issues outside your home</li> <li>• Civil disputes between neighbours – e.g. boundaries / fences</li> <li>• Day to day noise – e.g. washing machine, vacuum cleaners, babies crying</li> <li>• DIY</li> <li>• Ball games or children playing (unless they are causing a nuisance)</li> </ul>	5 working days
Anonymous Complaints	<ul style="list-style-type: none"> <li>• Generally, these complaints will be recorded as information only. In the event of serious allegations, MDH will involve other agencies in order to take appropriate action.</li> </ul>	Recorded only – no further action

\* Persistent for MDH means occurring 3 or more times over a period of 6 months



3.1 MDH recognises that there will be behaviour and/or activities in the community, which may be considered as anti-social as defined above, and may also be a breach of tenancy conditions, but does not meet the threshold for formal, legal action if pursued. For this reason, complaints may be considered as 'low level' or 'low risk' which do not have the same impact on the complainant and/or the wider community. The Neighbourhood Officer will assess the level of ASB and this will inform the response and actions available to resolve the issue.

3.2 MDH recognises the importance of pre-tenancy work as an important element of setting up successful and sustainable tenancies. This may include but is not limited to:

- Ensuring that a house is suitable for the applicant
- Checking they are able to access necessary services
- Investigating whether there are any previous issues relating to tenancy management that need to be addressed

## 4. Reasonable Adjustments

4.1 MDH aims to adapt our service to provide additional support to tenants or customers with a physical, developmental or mental health condition; with learning or communication difficulties; or with sensory impairments such as sight or hearing difficulties.

4.2 MDH Officers are trained to routinely ask if a person requires any reasonable adjustments.

4.3 A risk assessment will be completed for every opened case. This enables Officers to score the vulnerability of the complainant.

4.4 MDH Officers ensure that information is recorded on our Housing Management System and shared appropriately and will:

- Use a preferred method of contact where possible.
- Not require information in writing where this could create a barrier or difficulties for the tenant.
- Offer translation services where English is not the first language.

## 5. Contacting alleged perpetrators

5.1 MDH will contact the alleged perpetrator initially by phone, letter, email or visit detailing the allegations that have been made. If evidence exists that the allegations are proven, MDH will make it clear to the perpetrator what they need to do to prevent further action being taken. For example, this could include, stopping loud music playing past a certain time in the evening. In most cases, bringing the complaint to the attention of the alleged perpetrator will be enough to stop the behaviour. For this reason, we will, where appropriate, encourage our tenants to address the issue directly, before reporting it to MDH, as often, this may resolve the situation.

## 6. Gathering Evidence

6.1 MDH encourages the reporting of ASB incidents in a variety of ways and the most convenient way for the complainant. Reports can be made:

- Verbally (either face to face or over the telephone)
- Via email
- Via the online reporting form
- Via a third party on behalf of the person affected

When reports are received, they should contain as much relevant and factual information as possible to ensure that Officers can gather as much evidence at the initial point of contact as possible.

The initial contact provides an opportunity for the person contacting and the Officer collecting the information, to understand the impact the issues are having and for the Officer to provide initial advice and assistance.

Reports should include information such as (this is not an exhaustive list):

- What is happening
- Where and when it is happening
- How regularly it is happening or is it a one off incident
- Who is the person(s) involved
- What, if any steps have they taken to address the matter?
- Have they reported it to any other agencies, such as the Police or Environmental Health

When receiving a report, it will be triaged, categorised and recorded onto the Housing Management System.

It is important to note that case categories may change. An initial report may appear to have been resolved with advice only, or was a low level complaint, which escalates, and then can be re-categorised. Also, the reverse may happen where a case appears to be high-risk, de-escalates and then can be re-categorised on the Housing Management System.

## 7. Ways MDH will tackle ASB

<b>Non-legal Remedies</b>	
Mediation	Mediation is a voluntary process in which trained and experienced mediators act as a neutral third party to help people who are in dispute, work together to solve their problem
Environmental Health	If the ASB is viewed as a statutory nuisance by Environmental Health e.g noise, an abatement notice may be issued
Acceptable Behaviour Contract (ABC)	An ABC can be an effective way to deal with ASB. ABC's are written in agreement with the perpetrator and set out terms which must be adhered to.
<b>Legal Remedies</b>	
<p>It is imperative to consider before going down the legal route:</p> <ol style="list-style-type: none"> <li>1. if the action is proportionate to the scale of behaviour, and</li> <li>2. whether all non-legal remedies been considered where appropriate.</li> </ol>	
Notice Seeking Possession (NOSP)	MDH can serve a NOSP if no other remedy is appropriate or has not worked. All details of the types of nuisance being caused should be included in the NOSP. If the tenancy is joint, a NOSP must be served on both tenants
Notice before Proceedings for a Demotion Order	Section 83 Housing Act 1985 requires the giving of at least 28 days' notice of MDH's intention to seek a demotion order.
Injunctions	An injunction is a court order which requires a person to either do a specific act or acts, or to refrain from doing a specific act or acts.
Demoted Tenancies	Demotion is an alternative option to requests for possession orders and may be considered appropriate for more low-level forms of ASB
Possession	MDH can request possession of a property through the Courts (see Grounds for Possession – Supplement 1)

## 8. Monitoring and Reviewing

8.1 The cases recorded should be reviewed and monitored on a regular basis to determine if the appropriate actions and interventions have been applied to actively manage the case. When cases are reviewed if recent activity or action has occurred, they will be considered 'Active', if there is no current activity in relation to the case, then it may be considered 'Inactive'.

When reviewing the case, MDH may consider the guidelines below:

**Case Reviews:**

1. How long has it been active	Has the case been continually active or have there been patterns of activity?
2. What is being reported	Is it the same issue as at the beginning or has it changed?
3. What actions have been undertaken	What were the outcomes; what were the barriers, how were barriers overcome, or not?
4. Have actions, which have been previously agreed, been undertaken on both sides	Is the action plan working?
5. What advice has been provided	How successful was this advice; did it help the situation?
6. Is the information complete	Have actions, which have been previously agreed, been undertaken on both sides?
7. Quality of the information held	If the case is to be progressed to formal/legal action, is everything available to ensure there is sufficient evidence and a trail of steps undertaken?
8. Satisfaction	Has a satisfaction survey been completed; what was the feedback; how could we have delivered the service differently; what did we do well; what could we have done better?
9. Other Support	Have all other avenues of support been explored, both internally and externally?
10. Does the situation reach the threshold for a wider Community Trigger response?	Is all the relevant information collected and easily accessible?

## Supplement 1 – Grounds for Possession

### Section 84A of the Housing Act 1985 - Absolute ground for possession for anti-social behaviour

If the court is satisfied that any of the following conditions is met, it must make an order for the possession of a dwelling-house let under a secure tenancy:

Condition 1 is that:

(a) the tenant, or a person residing in or visiting the dwelling-house, has been convicted of a serious offence, and

(b) the serious offence—

(i) was committed (wholly or partly) in, or in the locality of, the dwelling-house,

(ii) was committed elsewhere against a person with a right (of whatever description) to reside in, or occupy housing accommodation in the locality of, the dwelling-house, or

(iii) was committed elsewhere against the landlord of the dwelling-house, or a person employed (whether or not by the landlord) in connection with the exercise of the landlord's housing management functions, and directly or indirectly related to or affected those functions.

Condition 2 is that a court has found in relevant proceedings that the tenant, or a person residing in or visiting the dwelling-house, has breached a provision of an injunction under section 1 of the Anti-social Behaviour, Crime and Policing Act 2014, other than a provision requiring a person to participate in a particular activity, and—

(a) the breach occurred in, or in the locality of, the dwelling-house, or

(b) the breach occurred elsewhere and the provision breached was a provision intended to prevent—

(i) conduct that is capable of causing nuisance or annoyance to a person with a right (of whatever description) to reside in, or occupy housing accommodation in the locality of, the dwelling-house, or

(ii) conduct that is capable of causing nuisance or annoyance to the landlord of the dwelling-house, or a person employed (whether or not by the landlord) in connection with the exercise of the landlord's housing management functions, and that is directly or indirectly related to or affects those functions.

Condition 3 is that the tenant, or a person residing in or visiting the dwelling-house, has been convicted of an offence under section 30 of the Anti-social Behaviour, Crime and Policing Act 2014 consisting of a breach of a provision of a criminal behaviour order prohibiting a person from doing anything described in the order, and the offence involved—

(a) a breach that occurred in, or in the locality of, the dwelling-house, or

(b) a breach that occurred elsewhere of a provision intended to prevent—

(i) behaviour that causes or is likely to cause harassment, alarm or distress to a person with a right (of whatever description) to reside in, or occupy housing accommodation in the locality of, the dwelling-house, or

(ii) behaviour that causes or is likely to cause harassment, alarm or distress to the landlord of the dwelling-house, or a person employed (whether or not by the landlord) in connection with the exercise of the landlord's housing management functions, and that is directly or indirectly related to or affects those functions.

Condition 4 is that—

(a) the dwelling-house is or has been subject to a closure order under section 80 of the Anti-social Behaviour, Crime and Policing Act 2014, and

(b) access to the dwelling-house has been prohibited (under the closure order or under a closure notice issued under section 76 of that Act) for a continuous period of more than 48 hours.

Condition 5 is that—

(a) the tenant, or a person residing in or visiting the dwelling-house, has been convicted of an offence under—

(i) section 80(4) of the Environmental Protection Act 1990 (breach of abatement notice in relation to statutory nuisance), or

(ii) section 82(8) of that Act (breach of court order to abate statutory nuisance etc.), and

(b) the nuisance concerned was noise emitted from the dwelling-house which was a statutory nuisance for the purposes of Part 3 of that Act by virtue of section 79(1)(g) of that Act (noise emitted from premises so as to be prejudicial to health or a nuisance).

Condition 1, 2, 3, 4 or 5 is not met if—

(a) there is an appeal against the conviction, finding or order concerned which has not been finally determined, abandoned or withdrawn, or

(b) the final determination of the appeal results in the conviction, finding or order being overturned.

### **Discretionary grounds: antisocial behaviour**

For secure tenancies, the grounds for possession are set out in Schedule 2 of the Housing Act 1985. Ground 2 is a discretionary ground, which applies to nuisance or annoyance to neighbours or the landlord, or using the premises for illegal or immoral purposes. Ground 1 for breach of the tenancy agreement may also be used.

For assured tenancies, the grounds for possession are set out in Schedule 2 of the Housing Act 1985. Ground 14 is a discretionary ground, which applies to nuisance or annoyance to

neighbours or the landlord, or using the premises for illegal or immoral purposes. Ground 12 for breach of the tenancy agreement may also be used.



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01884 38249

Town Clerk: Dan Ledger

<b>CULLOMPTON TOWN COUNCIL</b> (‘the Council’)	
<b>Date of report</b>	<b>27 April 2023</b>
<b>Item of business</b>	<b>Storage of Trailer</b>
<b>Details</b>	<b>Options for the storage of the Council’s new trailer</b>
<b>Recommendations</b>	It is <b>RECOMMENDED</b> that Members resolve: <ul style="list-style-type: none"><li>• To take forward option C for the immediate future as a review of Council operations and strategy is due in the new Council term.</li></ul>

## 1. Purpose of report

As the matter was raised at the previous meeting, options are being brought to Council on proposed ways to house the new trailer that the Council is purchasing.

## 2. Options

### Option A

House the trailer at cemetery site with an array of tow hitch and wheel locks as well as further locks on the back of the unit. Place the trailer in front of the container to stop possible theft.

### Option B

Remove items from the St Andrew’s Car Park container into the loft at the town hall. The container would need to be moved, hiring a forklift with long forks and turning the container 180 degrees. Purchase a removable ramp (approx. £500-800) to load and unload the trailer to.





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### Option C

Hire a MDDC garage in the short term (approx £12 per week) whilst exploring options for enhanced storage space for equipment.

### **3. RECOMMENDATIONS**

It is **RECOMMENDED** that Members resolve:

- To take forward option C for the immediate future as a review of Council operations and strategy is due in the new Council term.