

EXECUTIVE

Date: Tuesday 23 September 2025

Time: 5.30 pm

Venue: Rennes Room, Civic Centre, Paris Street, Exeter

Members are invited to attend the above meeting to consider the items of business.

If you have an enquiry regarding any items on this agenda, please contact Mark Devin, Democratic Services Manager on 01392 265477.

Entry to the Civic Centre can be gained through the Customer Service Centre, Paris Street.

Membership -

Councillors Bialyk (Chair), Wright (Deputy Chair), Asvachin, Foale, Patrick, Vizard, Williams, R and Wood

Agenda

Part I: Items suggested for discussion with the press and public present

1 **Apologies**

To receive apologies for absence from Committee members.

2 **Minutes**

To approve and sign the minutes of the meeting held on 12 August 2025.

(Pages 5 -
8)

3 **Declarations of Interest**

Councillors are reminded of the need to declare any disclosable pecuniary interests that relate to business on the agenda and which have not already been included in the register of interests, before any discussion takes place on the item. Unless the interest is sensitive, you must also disclose the nature of the interest. In accordance with the Council's Code of Conduct, you must then leave the room and must not participate in any further discussion of the item.

Councillors requiring clarification should seek the advice of the Monitoring Officer prior to the day of the meeting.

4 **Local Government Act 1972 - Exclusion of Press and Public**

It is considered that the Committee would be unlikely to exclude the press and public during consideration of any of the items on the agenda, but if it should wish to do so, the following resolution should be passed:-

RECOMMENDED that, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the consideration of the particular item(s) on the grounds that it (they) involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1, Schedule

12A of the Act.

5 Questions from the Public Under Standing order No. 19

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

Details of questions should be notified to the Democratic Services Manager by 10.00am at least three working days prior to the meeting. Further information about speaking at a committee can be found here: [Speaking at a Committee](#)

6 Matters referred by Scrutiny Committees

To consider recommendations made to the Executive from Scrutiny Committees.

7 Annual Scrutiny Report 2024-25

To consider the report of the Chair of Scrutiny Programme Board. (Pages 9 - 26)

8 Air Quality Annual Status Report and revision of the Air Quality Management Area (AQMA)

To consider the report of the Strategic Director of Operations. (Pages 27 - 156)

9 Food Law and Health and Safety Enforcement Service Plan 2025-26

To consider the report of the Strategic Director of Operations. (Pages 157 - 204)

10 Housing Damp & Condensation Policy 2025-2030

To consider the report of the Strategic Director of Operations. (Pages 205 - 222)

11 Housing Recharges Policy 2025-2030

To consider the report of the Strategic Director of Operations. (Pages 223 - 240)

12 Home Adaptations for Council Housing Policy 2025-2030

To consider the report of the Strategic Director of Operations. (Pages 241 - 268)

13 Housing Compensation Policy 2025-2030

To consider the report of the Strategic Director for People and Communities. (Pages 269 - 286)

14 Exeter City Council Housing Services Hate Crime Policy

To consider the report of the Strategic Director for People and Communities. (Pages 287 - 300)

15 Housing Allocations Policy 2025-2030

To consider the report of the Strategic Director for People and Communities. (Pages 301 - 408)

16 Housing Complaints Policy 2025-2030

To consider the report of the Strategic Director for People and Communities. (Pages 409 - 432)

Date of Next Meeting

The next scheduled meeting of the Executive will be held on **Tuesday 4 November 2025** at 5.30 pm in the Civic Centre.

A statement of the executive decisions taken at this meeting will be produced and published on the Council website as soon as reasonably practicable.

Find out more about Exeter City Council services by looking at our web site <http://www.exeter.gov.uk>. This will give you the dates of all future Committee meetings and tell you how you can ask a question at a Scrutiny Committee meeting. Alternatively, contact Democratic Services at committee.services@exeter.gov.uk

Individual reports on this agenda can be produced in large print on request to Democratic Services committee.services@exeter.gov.uk

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EXECUTIVE

Tuesday 12 August 2025

Present:

Councillor Bialyk (Chair)

Councillors Wright, Asvachin, Foale, Patrick, Williams, R and Wood

Also present:

Councillor Hughes (as an opposition group Leader)

Councillor Moore (as an opposition group Leader)

Apologies:

Councillors Vizard and Councillor M. Mitchell (as an opposition group Leader)

Also present:

Chief Executive, Strategic Director for Place, Strategic Director for Corporate Resources and Democratic Services Manager.

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MINUTES

The minutes of the special meetings held on 19 June 2025 and 24 June 2025, were taken as read, approved and signed by the Chair as a correct record.

The minutes of the meeting held on 8 July 2025, were taken as read, approved and signed by the Chair as correct, subject to the following amendment:-

- Minute No. 54 – “carbon neutral city” should be replaced with ‘**net neutral city**’ to read as: “carbon neutral city” should be replaced with ‘**net zero city**’.

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DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

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QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions from members of the public were received.

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MATTERS REFERRED BY SCRUTINY COMMITTEES

There were no matters referred from the Scrutiny Committees for this meeting.

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REVIEW OF CORPORATE RISK REGISTER

The Executive received the quarterly corporate risk register report which advised on the management progress of the Council’s risk management and presented the revised corporate risk register, which was linked to the Council’s Strategic Priorities.

Members were advised that:-

- following the approval of the new corporate plan by Council in July 2025, a review of the corporate risk register would be undertaken before it was presented the Executive in December 2025; and

- risk 4, which related to financial sustainability had increased due to the early stage of budgeting at the start of the new financial year and work was being undertaken to ensure there was a balanced budget.

The Deputy Leader & Portfolio Holder for Corporate Services, Community Safety and City Centre advised that Executive Members were actively addressing items on the risk register through their portfolio work and regular meetings with directors. A lot of background work was already being undertaken outside of meetings.

An opposition group leader in speaking to the item made the following points:-

- there appeared to be a drafting error between the report and heat map and appendix 2 of the report, with differences in the scores and ratings;
- the Net Zero risk seemed disproportionately low in the risk register, especially given projects like car parks were intended to mitigate such issues; and
- expressed concern about the low score for culture and heritage risks, notably in regard to the city wall. The city wall had at vulnerabilities at 16 sites around the wall and was not convinced that it had been sufficiently looked into and sought a written response in relation to the matter.

The Leader noted that some of the issues raised were being dealt with.

The Strategic Director for Corporate Resources advised in regard to the risk scores that he would work with the team who produced the report to ensure that when a risk was amended, that it would be reflected in the report appendices.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RESOLVED that the Council's Corporate Risk Register be approved and that any necessary actions to help mitigate the risks for which it is responsible for be proposed to Council.

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MEMBERS' ALLOWANCES AND EXPENSES PAID 2024/25

The Executive received the report which presented the allowances paid to Elected Members in 2024/25, in which the Council had a statutory obligation to publish each financial year. Particular reference was made to the Member expenses had come in under budget for 2024/25

During the discussion, Executive Members raised the following points and questions:-

- Councillors did not receive a salary and the report showed the allowances and expenses received for Members in undertaking their role as a Councillor, which had come in under budget;
- There had been savings in recent years, following COVID, where Member training and development could be done online. In previous years, there had been higher costs due to travelling and in person sessions, though some specific events remained in person; and
- despite the reduced costs from travel and accommodation, Members continued to attend and engage in professional development training opportunities throughout the year, to support them in their role as a Councillor.

The Leader requested an extra column be added to future reports to separate the total allowances received from expenses incurred to prevent public misinterpretation of total amounts as personal income.

The Strategic Director for Corporate Resources confirmed that the current report was the same format as the officer note in the statement of accounts but agreed to check the legal basis for adding a total column for allowances.

An opposition group leader in speaking to report noted that despite being under budget, Councillors worked extended hours and had to cover costs for food ahead of late meetings. The Council no longer provided food and drinks at meetings and suggested using the under-budget funds to address this matter.

The Leader acknowledged the concerns raised and advised that he would discuss the matter with the Portfolio Holder and Chief Executive, noting the need to balance public perception with the practicalities of performing duties properly, especially for Councillors with medical conditions during long meetings.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RESOLVED that the allowances paid and expenses claimed by Members in 2024/25 be noted.

(The meeting commenced at 5.30 pm and closed at 5.49 pm)

Chair

The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 2 September 2025.

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REPORT TO EXECUTIVE

Date of Meeting: 23 September 2025

REPORT TO COUNCIL

Date of Meeting: 14 October 2025

Report of: The Scrutiny Programme Board

Title: Annual Scrutiny Report 2024-25

Is this a Key Decision?

Scrutiny is a non decision-making committee.

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 To provide an annual update in respect of the Scrutiny work achieved during the municipal year 2024-25.

2. Recommendations:

2.1 That the Executive note and recommend to Council to approve the Annual Scrutiny Report 2024/25.

3. Reasons for the recommendation:

3.1 The Annual Scrutiny Report provides the Scrutiny Committees with an opportunity to:

- a. monitor the progress of the scrutiny function at Exeter City Council;
- b. comment upon the progress and direction of scrutiny over the past year and into the future;
- c. ensure that the Scrutiny Committees are kept fully up to date as to any Task and Finish Group work and what they have achieved;
- d. illustrate how effective scrutiny can contribute towards an accountable, transparent and democratic process.

4. What are the resource implications including non-financial resources

4.1 Resources are limited to capacity within the Democratic Services Team. There is no dedicated Scrutiny Officer.

5. Section 151 Officer comments:

5.1 There are no financial implications contained in this report.

6. What are the legal aspects?

6.1 The statutory provisions concerning local government scrutiny committees is set out in Chapter 2 of the Local Government Act 2000 (sections 9F to 9FI). Although there is no legal obligation to publish an annual scrutiny report, it is regarded as good practice.

7. Monitoring Officer's comments:

7.1 Members will note the attached report. The Monitoring Officer has no additional comments.

8. Report details:

8.1 This update provides Members with an overview of the work and achievements of scrutiny during 2024-25 and is set out in detail at Appendix A attached to this report.

8.2 The report brings annual reporting into line with the municipal year.

8.3 The report has been considered by the Strategic Scrutiny Committee on 5 June 2025 and Customer Focus Scrutiny Committee on 3 July 2025. Minute extracts from both meetings are attached as Appendix C.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 Good governance contributes to the Council's purpose of "Leading a well-run Council".

10. What risks are there and how can they be reduced?

None identified

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 No potential impact has been identified on people with protected characteristics as determined by the Act because the report is for noting only.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

None identified.

Strategic Director for Corporate Resources and Chair of the Scrutiny Programme Board, Cllr Matthew Williams

Report Author: Scrutiny Programme Board

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275

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SCRUTINY ANNUAL REPORT 2024/25

EXETER CITY COUNCIL

(May 2024 – April 2025)

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Foreword from the Chair of the Scrutiny Programme Board

The role of Scrutiny is to provide support, challenge and to maximise the effectiveness of Exeter City Council and its working relationships with its partners across the local and wider communities it serves.

The two Scrutiny Committees have continued to take a proactive approach to matters concerning the Council and its residents, to support the Council in making a positive contribution to work in the city. The Scrutiny Programme Board supported by the Democratic Services Team have overseen much change during this year including new scrutiny committee Chairs, new Democratic Officers, a senior leadership restructure all of which have seen improved efficiency and smooth running of scrutiny.

The Scrutiny Programme Board was set up to meet on a bi-annual basis but have continued to meet quarterly to provide oversight and direction on the work of scrutiny. The meetings are attended by the Chairs and Deputy Chairs with the aim of developing a future programme of work, reviewing any Scrutiny Proposals submitted by Members on our pro-forma and support best practice for both of the scrutiny committees.

I would like to take this opportunity to thank all Scrutiny Committee Members, and our partners for their continued support in contributing to the scrutiny process as well as officers and the Democratic Services team in facilitating the operation of the Board and the Committees. Grateful thanks also to the external trainer for sharing her expertise which set both committees up with skills to achieve their responsibilities as laid out in our constitution.

I hope you can see a difference in this report as we have aimed to demonstrate the impact of scrutiny over the last year and I look forward to seeing this develop further over the coming year.

**Councillor Matthew Williams,
Chair of the Scrutiny Programme Board (2024/25)**

April 2025

Introduction

The Annual Scrutiny Report for Exeter City Council provides an overview of the work undertaken by the Strategic Scrutiny Committee and Customer Focus Scrutiny Committee during the 2022/23 year, July 2023 to April 2024.

Scrutiny is a key tool for promoting the best interests and wellbeing of the area and seeks to ensure that local people receive high quality services that meet their needs. The two Scrutiny Committees act as a critical friend to the Executive, hold it to account and provide challenge where deemed necessary. Scrutiny has a vital role in reviewing policy development and advising the Executive of areas for potential improvements. The work of the two Scrutiny Committees supports the Council in the work undertaken to achieve the aims of the Council's corporate objectives.

The aims of the Scrutiny process are to:-

- add value to Council business and decision-making;
- hold the Executive to account;
- to monitor the budget and performance of services;
- assist the Council in the development of policy and review the effectiveness of the implementation of Council policy; and
- to review relevant Government policy development and legislation to assess the impact on the City and make recommendations to Executive.

The two Scrutiny Committees of Strategic Scrutiny and Customer Focus discharge the functions conferred by Section 21 of the Local Government Act 2000 or regulations under section 32 of the Local Government Act 2000.

Continuing to highlight the role of scrutiny:

- A page on the Councillor Hub devoted to scrutiny providing Members with supporting information and guidance to assist them in good scrutiny practice;
- Committee Members who are not Members of the largest political group of the Council are encouraged to submit requests for consideration of scrutiny to the Scrutiny Programme Board using the Scrutiny Proposal Form as it is important that Scrutiny Committees are led by Members and are responsible for setting their own work programme and taking into account the views of all Members;
- Appointing Deputy Chairs of Scrutiny Committees to Chair any Task and Finish Groups or Spotlight Reviews, as and when established;
- A template for Portfolio Holder Reports to update Members on activities within their portfolio; and
- Face to face training with an external provider took place on 16 May 2024.

The Council's Scrutiny Committees continue to have an important role in relation to the development of the Council's budget and policy framework, as well as to make recommendations to the Executive on matters within their terms of reference. Members have access to the [Council's Forward Plan](#) and where there is a need for Scrutiny consideration following an Executive decision to bring the matter to Committee first via the Call-In process.

This report serves as a reminder to Members of their responsibilities and powers re-iterates the importance of Scrutiny being Member-led. The Terms of Reference for the Scrutiny Programme Board can be found on Page 257 of the [Constitution](#).

Scrutiny Programme Board

The Scrutiny Programme Board is formed of the Chairs and Deputy Chairs of the two Scrutiny Committees:



Chair – Councillor Matthew Williams

Strategic Scrutiny Committee



Chair – Councillor Liz Pole



Deputy Chair – Councillor Michael Mitchell

Customer Focus Scrutiny Committee



Chair – Councillor Josie Parkhouse



Deputy Chair – Councillor Catherine Rees

Year in Review: Strategic Scrutiny Committee 2024-2025

The Strategic Scrutiny Committee has met on six occasions during the municipal year 2024/25.

There were no call-in requests during this period.

Year in Review: Customer Focus Scrutiny Committee 2024-2025

The Customer Focus Scrutiny Committee has met on five occasions during the municipal year 2024/25.

No call-in requests were received during this period.

Year in Review: Combined Scrutiny Committee 2024-2025

The Combined Scrutiny Committee meets to discuss joint issues and also met to discuss the Council budget. The Chair rotates between the Chairs of the respective Scrutiny Committees.

The Combined Scrutiny Committee met twice in the municipal year 2024/25.

Looking Ahead to 2025/26

The Scrutiny Programme Board agrees the format and content of the work programme held Scrutiny Work Schedule, a working document which is reported on at each Board meeting.

A copy of the Scrutiny Work Schedule is attached to each Scrutiny Committee agenda.

The coming year brings the following items already scheduled to be heard before scrutiny committees:

Customer Focus Scrutiny Committee – regular Budget scrutiny, ASB in the city centre and Key People Activity Across the Council and a petition.

Strategic Scrutiny Committee – regular Live & Move programme updates, Markets & Street Trading, Citywide Net Zero alongside Working Towards Net Zero.

The Forward Plan is circulated to Members and is available on the [Council Website](#)

Scrutiny Annual Report 2024/25

Exeter City Council
(May 2024 - April 2025)



What Scrutiny has meant to us over the last year



Strategic Scrutiny

Responsibility for:

- Relevant policies in the Exeter Plan
- Corporate Health & Safety
- Response to Central Government's Policy Making
- Climate change and sustainability
- Council wide/strategic matters
- Hear call-ins relevant to the role of the committee

TOPIC	IMPACT
LEISURE SERVICE UPDATE	Family Membership suggestion given to officers
LIVE AND MOVE UPDATE	Councillors were better informed has helped with bids for additional funding in partnership with community groups
COMMERCIAL PROPERTY	Recommendation made to the Executive: <i>that the Executive Committee consider a review of the current Asset Management Policy in relation to commercial property.</i>
NET ZERO	Active travel for those with a disability referred to Exeter Transport Working Group for further information and investigation
SHARED PROSPERITY FUND	Feasibility study outcomes will be subject to further scrutiny
EXETER PLAN PUBLICATION PROCESS	There was scrutiny consensus that the plan timings would be beneficial to Exeter and its residents
AIR QUALITY PERFORMANCE	Informed Members of the scope and work being undertaken, partnership working and Government-set timeline for
PORTFOLIO HOLDER UPDATES	Suggestion made to Deputy Leader regarding positive publicity of the CCTV scheme as a reflection from interactions with residents. Members able to reassure residents that the city centre is a safe place to be with understanding

Customer Focus

Responsibility for:

- Corporate Performance Monitoring
- Financial Performance Monitoring
- Annual Budget Setting Process
- Service specific/operational matters
- Hear call-ins relevant to the role of the committee

TOPIC

VIOLENCE AGAINST WOMEN & GIRLS

IMPACT

Improved Councillor understanding

RELOCATION OF SERVICES

Councillors agreed with the steps set out

BOX-SHIFTING

Further report requested by the committee in order to scrutinise

CITIZENS ADVICE EXETER

Recommendation made to the Executive: *that the Executive Committee revisit options for Citizens Advice Exeter to reduce their premises expenses with Exeter City Council.*

BUDGET

Scrutiny of the quarterly budget introduced by this committee.

COMMUNITY LOTTERY

Suggestion made to officers of services as prizes which will be considered to celebrate two years of the lottery

STREET CLEANSING

Councillors more confident advising residents about littering/fly-tipping and will now encourage to use the online reporting tool

HOMELESSNESS STRATEGY

Embedded scrutiny of this area into regular practice to ensure councillors are aware of current situation

Case Study

**30 Sept
2024**

Proposal submitted for scrutiny.

**3 Oct
2024**

CFSC unanimously voted to add CA Exeter to the Agenda for November meeting and to delegate scoping of the item to SPB.

**16 Oct
2024**

SPB scoped the item.

**28 Nov
2024**

Item scrutinised at CFSC.
Recommendation to Executive created.

**14 Jan
2025**

Recommendation heard by Executive.

Outcome

Minute No. 24 Commercial Property Review

The Executive considered the recommendations of the Strategic Scrutiny Committee meeting held on 6 June 2024.

The Leader advised that officers had been asked to review of the current asset management policy in relation to the commercial property, which would be presented to Executive Committee in due course.

The Leader moved the recommendations, which were seconded by Councillor Wright, voted upon, and CARRIED unanimously.

RESOLVED that the Executive Committee agreed to a review of the current Asset Management Policy in relation to commercial property.

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Appendix C

Minute Extracts from the Strategic Scrutiny Committee and Customer Focus Scrutiny Committee.

STRATEGIC SCRUTINY COMMITTEE - 5 June 2025

Minute No. 7 - Scrutiny Annual Report

Councillor Matthew Williams presented the report of the Scrutiny Programme Board making the following points:

- the report was now in line with the municipal year which explained why two had been presented close together;
- there was a new format for which he thanked officers for improvements which meant that the report went beyond a list of issues which had been considered and began to look at the impact of scrutiny; and
- the Scrutiny Programme Board would look to make further improvements.

During discussion Members asked questions and made the following points:

- had the suggestion to offer family membership been progressed?
- it appeared that nothing had happened with regard to active travel for those with a disability; and
- Transport Member Working Group minutes had not been received and were requested.

Councillor Williams moved the recommendations as set out in the report, seconded by Councillor K Mitchell which following a vote were CARRIED.

CUSTOMER FOCUS SCRUTINY COMMITTEE - 3 July 2025

Minute No.73 - Scrutiny Annual Report

The Chair thanked Councillor Matthew Williams for attending and invited him, as Chair of the Scrutiny Programme Board to present the Annual Scrutiny Report.

Councillor Matthew Williams presented the report making the following points:

- he thanked the Democratic Services Officer for positive changes to the report and stated that this would continue to develop;
- the report had been brought in line with the municipal year; and
- he thanked members of the Scrutiny Programme Board, Councillors Parkhouse, Rees, Mitchell, M., and Pole for their work on the report.

During discussion Members made the following points:

- a reduction in property costs for Citizens Advice Exeter had been realised and could be listed as an impact;
- information presented to the public changed as a result of scrutiny of the community lottery could also be seen as an impact;
- outputs or outcomes might better represent what was currently listed under Impact;
- impact may not be seen within the timescale for an annual report;
- an updated Asset Management Policy had not yet been seen;
- there was a need to avoid acronyms.

The Chair moved and Councillor Cookson seconded the recommendation as set out in the report and following a vote was CARRIED unanimously.

REPORT TO EXECUTIVE

Date of Meeting: 23 September 2025

REPORT TO COUNCIL

Date of Meeting: 14 October 2025

Report of: Strategic Director of Operations

Title: Air Quality Annual Status Report and revision of the Air Quality Management Area (AQMA)

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 To present the statutory Annual Status report that has been submitted to the Department of Environment, Food and Rural Affairs (DEFRA). This contains the monitoring data from 2024, a summary of the actions taken in that year to improve local air quality and future plans.

1.2 To seek approval to consult on a revision of the Air Quality Management Area in line with statutory requirements.

2. Recommendations:

2.1 That Executive Committee notes the statutory annual status report.

2.2 That Executive Committee approves the consultation on revising the Air Quality Management Area.

2.3 That Council notes the statutory annual status report.

2.4 That an update be provided to Executive if necessary (should the Department for Food and Rural Affairs (DEFRA) later provide clarification of their expectations regarding the timetable for future actions by the City Council).

3. Reasons for the recommendation:

3.1 Action on local air quality is a legal duty placed upon the Council (and all district and county councils) by Part IV of the Environment Act 1995. Safeguarding air quality will help reduce any detrimental effects from air pollution on the health and wellbeing of Exeter's population. We are required under this legislation to submit an Annual Status Report to DEFRA using their template and to present the report to members at a local level.

3.2 The current Air Quality Management Area (AQMA) is substantially larger than it needs to be, because of improvements in air quality. It does not focus on the small area

where pollution levels exceed the air quality objectives, as set out in the Air Quality (England) Regulations 2000. The planned consultation seeks to meet the legal duties in this regard of focussing attention where it is most required.

4. What are the resource implications including non financial resources?

4.1 The City Council will continue to monitor air pollution and report on levels. This will take place within existing resources. In the coming years, the Air Quality Management Area (AQMA) boundary will need to be reviewed in line with government statutory guidance and a new Air Quality Action Plan (AQAP) produced.

5. Section 151 Officer comments:

5.1 There are no financial implications contained in this report.

6. What are the legal aspects?

6.1 Part IV of the Environment Act 1995 (as amended by the Environment Act 2021) sets out statutory provisions on air quality. Section 82 provides that local authorities shall review the air quality within their area. Section 83 requires local authorities to designate Air Quality Management Areas (AQMAs) where air quality objectives are not being achieved or are not likely to be achieved (i.e. where pollution levels exceed the air quality objectives) as set out in the Air Quality (England) Regulations 2000. Where an area has been designated as an AQMA, Section 84 requires local authorities to develop an Air Quality Action Plan (AQAP) setting out the remedial measures required to achieve the air quality standards for the area covered within the AQMA.

6.2 The Department for Environment, Food and Rural Affairs (DEFRA) has provided statutory guidance in the form of the Local Air Quality Management Policy Guidance (PG22). The guidance gives particular focus to so-called 'priority pollutants' such as Nitrogen Dioxide (NO₂) and so-called 'Particulate Matter' (PM10 and PM2.5) which are relevant to both district and county councils. Local Authorities are required to submit an Annual Status Report (ASR) to the Department for Environment, Food and Rural Affairs in order to report the progress being made in achieving reductions in concentrations of emissions relating to relevant pollutants below air quality objective levels. The completed report is submitted to the Secretary of State (DEFRA) for consideration. DEFRA provide comments back to the Local Authority which the Authority must 'have regard to'.

7. Monitoring Officer's comments:

7.1 The purpose of this report is to provide members with an update on the air quality of its area. Members will note the content of the report together with the attached 2025 Air Quality Annual Status Report and DEFRA appraisal.

8. Report details:

8.1 There are two national objectives for levels of nitrogen dioxide. These are for the average level over a whole year, which should be below 40 µg/m³, and the average level for one hour, which should not exceed 200 µg/m³ on more than 18 occasions during a year. Local authorities are told that this one-hour standard is unlikely to be exceeded where the average level over a whole year is below 60 µg/m³ so this measurement is a commonly used proxy. The annual average objective applies to residential, hospital and

education sites. The hourly average objective applies to these sites and to busy streets and workplaces as well.

8.2 Exeter City Council has a monitoring network that is designed to identify the areas with the highest levels of nitrogen dioxide, at the locations where the objectives apply. Most of the monitoring sites are therefore on residential properties in close proximity to the busiest roads and junctions in the city. The results of the monitoring conducted by the City Council are not representative of typical or average conditions across the city. Instead most of the monitoring sites are indicative of the worst-case locations.

8.3 The number of sites which exceed the objective has reduced significantly since the AQMA was declared (a reduction from 32 exceedances in 2009 to none in 2024). The highest levels are measured on the Heavitree corridor, at East Wonford Hill. Here levels have previously been close to or above the levels which indicates an exceedance of the hourly objective but in since 2019 have been significantly lower (at 38.2 $\mu\text{g}/\text{m}^3$ in 2020, 42.2 in 2021, 40.4 in 2022, 40.5 in 2023 and 38.1 in 2024).

8.4 The measured results can be found in table A.3 of the Annual Status Report (appendix 1). Trends in annual nitrogen dioxide concentrations can also be seen in Figure A.1. These show that nitrogen dioxide at every site, including East Wonford Hill were below the objective levels in 2024.

8.5 This pattern is partially explained by traffic flows, which remain below 2015 levels, except for Heavitree Road, where traffic flows were 4% above 2015 levels in 2024.

8.6 The report covers part of the period during which Devon County Council introduced temporary changes to prohibit through traffic in the Heavitree area. This is discussed in section 3.2.1 of the report. The 2023 ASR found that no impact of the highway changes could be seen in the 2023 data set for the monitoring sites that would be expected to have been impacted. The same was true in 2024. There does not appear to be a different trend between the two sets of data which correspond to monitoring locations close to and distant from the Heavitree area. We believe other factors also influence pollution levels on a year-to-year basis, making it challenging to isolate the impact of the highway changes.

8.7 Only one site (East Wonford Hill) had levels in 2024 between 35 and 40 $\mu\text{g}/\text{m}^3$ (i.e. close to but not above the objective level of 40). Most locations along the busy routes into and around the city had concentrations of nitrogen dioxide in the range between 25 and 35 $\mu\text{g}/\text{m}^3$ during last year.

8.8 As you move away from busy roads, levels in previous years have fallen below 25 $\mu\text{g}/\text{m}^3$. In 2024, levels in these areas were typically between 10 and 15 $\mu\text{g}/\text{m}^3$ for purely suburban streets and between 15 and 20 $\mu\text{g}/\text{m}^3$ for local through routes. The majority of the population of Exeter therefore live in locations with concentrations of nitrogen dioxide well below the objective, but a small number are exposed at home to levels close to the objective. No schools in Exeter experience levels above the objective.

8.9 The Annual Status Report also summarises the results of particulate pollution measurements (PM_{10} and $\text{PM}_{2.5}$). No areas in the city are thought to exceed the objectives for this type of air pollution. It should also be noted that local authorities do not have legal duties to achieve the objectives for $\text{PM}_{2.5}$. This responsibility sits with national

government in recognition of the fact that the sources of this type of pollution are much less local and may therefore be mainly beyond the local control.

8.10 The annual average EU limit value for PM_{2.5} is 25 µg/m³ and there is no suggestion that this level is being exceeded in Exeter. The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 introduce a target for national government of 10 µg/m³ as an annual mean, to be achieved by 2040. Currently it seems likely that large parts of Exeter meet this level (based on national modelling) but areas close to specific sources may not. The Regulations also introduce a population exposure reduction target for national government; that there is at least a 35% reduction in population exposure by the end of 31st December 2040, as compared with the average population exposure in the three-year period from 1st January 2016 to 31st December 2018.

8.11 The annual status report also summarises the measures that the City Council has taken in the last year to reduce pollution levels, and the actions that will be implemented in the coming year (table 2.2 of the Annual Status Report). A revision of the Air Quality Action Plan will be presented to committee for consultation in 2026 once the consultation and adoption of a new Air Quality Management Area has been concluded. This is in line with the legislation and statutory guidance that the Council must follow.

8.12 DEFRA grant funding was obtained for a project to develop a virtual monitoring network to model pollution concentrations in the Heavitree corridor. It aims to provide better spatial and temporal resolution than the current monitoring. This will be overlaid with health information, enabling more informed choices by the travelling public. Work on the project progressed according to the project plan during 2024. 17 Internet-of-Thing air quality sensors were installed during 2023. Since then, virtual sensing algorithms have been developed and trained using diffusion tube monthly data and live AURN data. An offline rapid prototype model was developed. The most recent information on the project is available at [this link](#)

8.13 The Annual Status report concludes that previous exceedences of the nitrogen dioxide (NO₂) objective at the Blackboy Road / Pinhoe Road junction have been permanently resolved given that they had fallen below 40 µg/m³ in 2018 and therefore have been below the objective for more than 5 years. Other sites (Alphington Street, Livery Dole, Satutory Mount, Fore Street Heavitree inbound and Honiton Road) were above the objective in 2019 but have not been since. This means that there have now been five years of results at these sites which are below the objective level (although two of these were affected by Covid and lockdowns).

8.14 In the 2023 Annual Status Report, the Council suggested that it would be appropriate to amend the AQMA to reflect the current areas of exceedence and to do this to coincide with the natural end of the AQAP. However in DEFRA's appraisal of the Annual Status report last year it advised 'ECC to wait until compliance has been achieved in 2022, 2023 and 2024 in the areas where ECC are proposing to remove the AQMA, before proceeding with plans to amend the AQMA.'

8.15 The data for 2024 does show continued compliance so this latest Annual Status Report proposes that the Council follow the approach in the statutory guidance to amend the AQMA order and reduce the boundary to just the area of exceedence on East Wonford Hill. The proposed timetable for this process is as follows.

Date	Actions
June 2025	Submit ASR, announcing need for amendment of AQMA (with proposed new boundary) as well as timetable for consultation and publication of new AQAP
From June 2025	Start of process to consider AQAP measures and draw up draft AQAP with statutory partners.
September Executive committee (date TBC)	ASR presented to committee for approval and start of consultation period on new AQMA order.
By end of December 2025	Consideration of consultation responses for AQMA order. Draft AQAP submitted to DEFRA.
By end of January 2026	Final draft AQMA order submitted to DEFRA for approval
By end of March 2026	New AQMA order signed.
March / April 2026	Pre-Election period
June 2026	Provisional start of public consultation on draft AQAP following comments back from DEFRA. Consultation to last 10 weeks.
June 2026	Submit ASR with update on progress and timetable
September 2026 Executive committee (date TBC)	ASR presented to committee with consultation results of AQAP.

8.16 The Annual Status Report describes the proposed, smaller AQMA boundary, as well as including a consultation plan and equalities impact assessment for making the necessary changes to the AQMA order (Appendix F of the Annual Status Report)..

9. How does the decision contribute to the Council's Corporate Plan?

9.1 Successful implementation of measures to improve local air quality will contribute towards all of the Council's Strategic programmes (promoting active and healthy lifestyles, building great neighbourhoods and net zero). The collection of reliable air quality data is a vital part of this process, so that the Council and others can understand the scale, location and trends in pollution objective exceedences.

10. What risks are there and how can they be reduced?

10.1 This report is for the information of the Committee only and there are no risks associated with the recommendation to note the contents of the Annual Status Report. There would be risks in continuing with the previously proposed timetable, given the DEFRA appraisal report, which is why it has been decided to wait until further monitoring data has been collected before amending the AQMA boundary or replacing the AQAP.

10.2 There are also risks in the implementation of measures to improve air quality, such as funding. This is acknowledged within the Annual Status Report. Any necessary alterations to Action Plans can be made by means of future Annual Status Reports.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and

- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 An equalities assessment is included within the Annual Status Report at Appendix F.

12. Carbon Footprint (Environmental) Implications:

12.1 Measures to improve local air quality will also reduce carbon emissions from transport (although the opposite is not always true). The recommendations of this report therefore align with and support the Council's carbon reduction target (carbon neutral by 2030).

13. Are there any other options?

13.1 Completing an Annual Status Report and submitting it to DEFRA is a legal duty.

Strategic Director of Operations, Adrian Pengelly

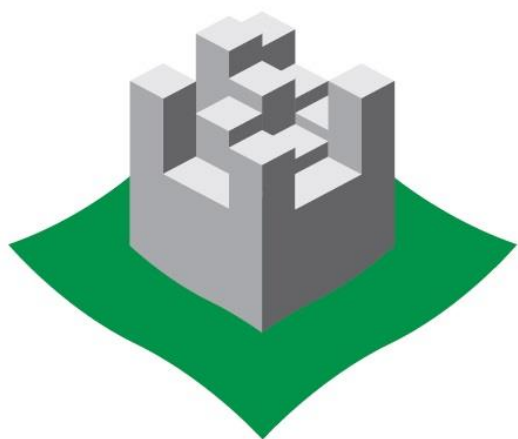
Author: Simon Lane, Head of Environment and Waste

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

None

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275



Exeter
City Council

2025 Air Quality Annual Status Report (ASR)

In fulfilment of Part IV of the Environment Act 1995
Local Air Quality Management, as amended by the
Environment Act 2021

Date: June 2025

Information	Exeter City Council Details
Local Authority Officer	Martin Chan
Department	Environmental Health Services
Address	Civic Centre, Paris Street, Exeter, EX1 1 RQ
Telephone	01392 265147
E-mail	environmental.health@exeter.gov.uk
Report Reference Number	ASR 2024
Date	June 2025

Local Responsibilities and Commitment

This annual status report was prepared by the Environmental Health Services of Exeter City Council with the support and agreement of the following officers and departments:

Exeter City Council - City Development

Exeter City Council – Active and Healthy People Programme

Devon County Council - Highways

This ASR has been approved by:

Head of Environment and Waste. Once the report has been checked by DEFRA it will be presented to members at committee.

This ASR has been signed off by Devon County Council's Director of Public Health.

If you have any comments on this annual status report please send them to Head of Environment and Waste at:

Exeter City Council, Environmental Health Services, Civic Centre, Paris Street, Exeter EX1 1RQ

01392 265147

Email: environmental.health@exeter.gov.uk

Executive Summary: Air Quality in Our Area

Air Quality in Exeter

Breathing in polluted air affects our health and costs the NHS and our society billions of pounds each year. Air pollution is recognised as a contributing factor in the onset of heart disease and cancer and can cause a range of health impacts, including effects on lung function, exacerbation of asthma, increases in hospital admissions and mortality.

Air pollution particularly affects the most vulnerable in society, children, the elderly, and those with existing heart and lung conditions. Low-income communities are also disproportionately impacted by poor air quality, exacerbating health and social inequalities.

Table ES 1 provides a brief explanation of the key pollutants relevant to Local Air Quality Management and the kind of activities they might arise from.

Table ES 1 - Description of Key Pollutants

Pollutant	Description
Nitrogen Dioxide (NO ₂)	Nitrogen dioxide is a gas which is generally emitted from high-temperature combustion processes such as road transport or energy generation.
Sulphur Dioxide (SO ₂)	Sulphur dioxide (SO ₂) is a corrosive gas which is predominantly produced from the combustion of coal or crude oil.
Particulate Matter (PM ₁₀ and PM _{2.5})	<p>Particulate matter is everything in the air that is not a gas.</p> <p>Particles can come from natural sources such as pollen, as well as human made sources such as smoke from fires, emissions from industry and dust from tyres and brakes.</p> <p>PM₁₀ refers to particles under 10 micrometres. Fine particulate matter or PM_{2.5} are particles under 2.5 micrometres.</p>

Exeter City Council has a monitoring network that is designed to identify the areas with the highest levels of nitrogen dioxide, at the locations where the objectives apply. Most of the monitoring sites are therefore on residential properties in close proximity to the busiest roads and junctions in the city. The results of the monitoring conducted by the City Council

is not generally representative of typical or average conditions across the city. Instead, it is indicative of the worst-case locations.

Exeter City Council declared an Air Quality Management Area (AQMA) in 2011 because levels of nitrogen dioxide (NO₂) exceeded both the annual average and the short-term objectives for that pollutant. A map of the area can be found in Appendix D. The Air Quality Action Plan (AQAP) contains measures to reduce pollution levels in the AQMA. The current AQAP covers the period 2019-2024. It was published following a significant consultation and engagement process which reached nearly 3000 people. The plan is available online at [this link](#). The Council recognises that this Action Plan has expired and proposed a timetable for review of the AQMA boundary and revision of the AQAP in the last Annual Status Report (in 2024). However, DEFRA's appraisal of that report stated 'we advise ECC to wait until compliance has been achieved in 2022, 2023 and 2024 in the areas where ECC are proposing to remove the AQMA, before proceeding with plans to amend the AQMA.' The current Air Quality Action Plan (AQAP) expired at the end of 2024, but we do plan on publishing a new AQAP which focuses on the amended AQMA. 'We have repeatedly sought clarification from DEFRA on how to proceed with the action plan, but at the time of submitting this ASR have received no response.

Review of the AQMA boundary is required because concentrations of NO₂ have fallen significantly since the AQMA was declared. The diffusion tube data show that no locations measured an exceedance of the proxy for the hourly objective in 2024 (an annual average of 60 µg/m³). 2024 was also the first year in which no sites in the city exceeded the annual average objective either. In 2023, just one site at East Wonford Hill (DT57) had exceeded this objective. In 2024, it was 1.9 µg/m³ below the objective of 40µg/m³. This marks a significant improvement in air quality over the lifetime of the AQMA.

Prior to 2020, the annual average objective was regularly exceeded at a number of places in the city. A significant fall in concentrations was seen in 2020 as a result of a reduction in traffic flows during COVID-19. This rebounded in 2021 but not back to pre-pandemic levels. There was then a further fall in concentrations seen at most sites in 2022, with concentrations roughly stable since then. The improvement since 2019 is likely to have been caused by a combination of traffic flows generally still being slightly below those seen before COVID, the ongoing improvement in vehicle emissions technologies and measures taken by the City Council and partners to implement the Air Quality Action Plan.

It seems certain that previous exceedences at the Blackboy Road / Pinhoe Road junction (DT42 and DT43) have been permanently resolved given that they had fallen below 40 $\mu\text{g}/\text{m}^3$ in 2018 and therefore have been below the objective for more than six years. Other sites (Alphington Street DT19, Livery Dole DT52, Salutory Mount DT54, Fore Street Heavitree inbound DT56 and Honiton Road DT58) were above the objective in 2019 but have not been since. This means that there have now been five years of results that are below the objective level, three of which were unaffected by COVID and its lockdowns. The only site where levels over the annual average objective have been measured in any of the last three years is East Wonford Hill (DT57), but results from this location exhibit a consistent downward trend.

The Council therefore intends to follow the approach in the statutory guidance and the last DEFRA Annual Status Report Appraisal Report (published in 2024); that is to amend the AQMA to reflect areas of compliance in 2022, 2023 and 2024. The proposal is to reduce the AQMA to just the area which was above the objective level in 2023 at East Wonford Hill. Following the subsequent consultation and agreement of a new AQMA, a new AQAP will be produced focussing on the new AQMA area. The proposed timetable for this process is as follows:

Date	Actions
June 2025	Submit ASR, announcing need for amendment of AQMA (with proposed new boundary) as well as timetable for consultation and publication of new AQAP
September Executive committee (date TBC)	ASR presented to committee for approval and start of consultation period on new AQMA order.
By end of December 2025	Consideration of consultation responses for AQMA order.
By end of January 2026	Final draft AQMA order submitted to DEFRA for approval
By end of March 2026	New AQMA order signed.
March / April 2026	Pre-Election period
June 2026	Provisional start of public consultation on draft AQAP following comments back from DEFRA. Consultation to last 10 weeks.
June 2026	Submit ASR with update on progress and timetable
September 2026 Executive committee (date TBC)	ASR presented to committee with consultation results of AQAP.

Following advice from DEFRA, the AQMA boundary can be reviewed this year because we now have at least three years of compliance post COVID. Ordinarily the drafting, consultation and adoption of a new AQAP has to take place within 18 months of the adoption of a new AQMA. The revised AQAP will be based upon the revised AQMA. Full

public consultation will be undertaken as part of the production of the plan, so those affected will have the opportunity to comment on it.

The proposed new AQMA boundary and an explanation of how this has been derived is included in Appendix F.

In September 2023 temporary changes were made to prohibit through traffic in the Heavitree residential area. In June 2024 the HaTOC committee voted to end the trial. This only affected parts of the 2023 (September to December) and 2024 (January to July) monitoring years reported so any changes in traffic flows or nitrogen dioxide levels as a result would not be as significant as if the change had co-incided with the calendar year.

The 2024 Annual Status Report reported that no impact from these temporary changes could be seen in the 2023 data. This report considers the period of the trial that occurred during 2024. It shows again that no difference can be seen between the data for monitoring locations close to the Heavitree area and those distant from it.

Actions to Improve Air Quality

Whilst air quality has improved significantly in recent decades, there are some areas where local action is needed to protect people and the environment from the effects of air pollution. The Council and its partners have taken the following actions in the past year:

1. Devon County Council (DCC) continues to implement the 2020 Transport Strategy. This has three themes: Greater Connectivity, Greater Places for People and Greater Innovation. Key targets within the strategy include:
 - a) 50% of trips by foot or cycle within the city;
 - b) Removal of air quality exceedances in the city.
2. DCC adopted the Exeter Local Cycling and Walking Infrastructure Plan (LCWIP) in January 2024.
3. Work has taken place to deliver the E12 ('north-south') cycle route. This includes:
 - a. construction of a segregated cycle route on Rifford Road, with options to connect into the E9 route or beyond towards the Valley Park / River Exe Estuary,
 - b. completion of designs for the Polsloe Bridge Toucan Crossing and the Honiton Road Sparrow Crossing, and
 - c. early design of the "Heart of Wonford" scheme.

4. A new station opened at Marsh Barton in July 2023, providing easy rail access to Marsh Barton (Exeter's largest industrial estate) as well as Exeter Canal/ Riverside Valley Park and it is the closest station to the new developments in South West Exeter. It is located on the line between Paignton and Exmouth, with half-hourly services at peak times.
5. The Okehampton railway line has reopened to hourly services daily. This provides a valuable alternative to car travel for people coming into the city from the area north of Dartmoor and increased service frequency from Crediton. Design work is underway to deliver the Okehampton Interchange, which is a 'Parkway style' station, funded through DfT Levelling Up Funds. It will serve the wider rural catchment areas of west Devon, Torridge and north Cornwall.
6. Bus patronage has recovered to some extent from the effect of COVID-19 lockdowns. DCC have obtained £14m funding (over 3 years) for its Bus Service Improvement Plan (BSIP). This includes plans for improving bus priority on four key Exeter corridors (the Eastern, Central, Western and Northern corridors). Proposals include improving bus priority using technology, bus lane operation time changes, and physical infrastructure improvements. DCC also have been successful in a joint bid with Stagecoach to provide electric ('Zebra') buses on routes 4, A, and C. These buses will be entering service in 2025/26. Work has also commenced at Matford bus depot for charging infrastructure.
7. The Exeter Plan will be the new Local Plan for Exeter. It will shape the future of Exeter for the next 20 years, to 2041, and will be the basis for how the city continues to evolve and meet the needs of the community. It will be the main planning document for the Exeter City, setting out where development should take place and providing the policies which will be used in making decisions on planning applications. During 2024, work progressed on further evidence and the draft plan such that the Publication Draft was published on 12 December 2024 for formal representations prior to submission to the Secretary of State in summer 2025.
8. Scrutiny of planning applications for air quality impacts has continued, including making objections to developments on air quality grounds where this is justified and the negotiation of mitigation in accordance with Council and national planning policies.
9. DEFRA grant funding was obtained for a project to develop a virtual monitoring network to model pollution concentrations in the Heavitree corridor. It aims to provide better spatial and temporal resolution than the current monitoring. This will

- be overlaid with health information, enabling more informed choices by the travelling public. Work on the project progressed according to the project plan during 2024. 17 Internet-of-Thing air quality sensors were installed during 2023. Since then, virtual sensing algorithms have been developed and trained using diffusion tube monthly data and live AURN data. An offline rapid prototype model was developed. The most recent information on the project is available at [this link](#).
10. Further refinement of the net zero plan for Exeter. Executive & Council have agreed for the City Council to take on the leadership role for city wide net zero. A programme manager was recruited and started in August 2024, since then has been working with organisations, businesses and communities across Exeter for reducing their carbon emissions. A new Climate and Nature Group (including organisations, business and community groups) has been set up as part of The Exeter Partnership.
 11. The large solar array with battery storage at Water Lane installed by Exeter City Council is operational. During 2024 it successfully powered the first three of an intended fleet of electric refuse collection vehicles along with a number of other electric vehicles that the Council has added to its fleet.
 12. From 1st January 2020 adopted policy required the Hackney carriage fleet to be 50% Euro 6 wheelchair accessible vehicles and 50% ULEV saloon cars with a stated emission level of 75g km CO₂ or below. This policy continues to be implemented.
 13. The Council has achieved a reduction in NO_x emissions from buildings as a result of a variety of measures intended primarily to address fuel poverty and carbon emissions. These include:
 - a. building PassivHaus standard homes, an Extra Care facility and leisure centre,
 - b. continued implementation of district heating schemes to provide heating and hot water to 2800 homes at Monkerton, Tithebarn, Mosshayne, Pinn Court, Park Farm, and Exeter Science Park
 - c. working with a number of other city public sector partners to create a new District Heat Network across the city centre, and
 - d. receiving a grant to replace gas boilers with heat pumps at the RAMM and the Riverside leisure centre in a two-year project, to be completed by April 2025. This will reduce NO_x emissions from the old boilers.

14. Plans were developed for the roll out of EV charging infrastructure across City Car Parks to commence in 2025/26, to support the transition to electric vehicles.
15. Car park charges were increased by 5% in October 2024 as planned. Mary Arches surface and MSCP is expected to be sold in late 2025. Harlequins Car park is expected to close late 2024 / early 2025, as part of the wider redevelopment of the Harlequins Shopping Centre, so total car park provision will reduce as a measure to encourage travels by public transport.
16. Devon and Torbay Local Transport Plan 4, which sets out a vision for improving transport across Devon and Torbay in the period 2025 – 2040, has been endorsed by DCC's Cabinet and is planned to be submitted to the Devon and Torbay Combined County Authority for adoption.

Exeter City Council worked to implement these measures in partnership with the following stakeholders during 2024:

- Neighbouring local authorities
- Devon County Council

The principal challenges and barriers to implementation that Exeter City Council anticipates facing, are further funding constraints within Local Government and available officer time.

Conclusions and Priorities

No areas in the city are thought to exceed the objectives for nitrogen dioxide, PM_{2.5} and PM₁₀ concentrations in 2024. NO₂ levels in Exeter in 2024 are below those measured in 2023 and well below pre-pandemic concentrations. There is now sufficient data to confirm that only one location (East Wonford Hill) has been above the annual mean objective in any of the last three years, prior to 2024. It is proposed to reduce the AQMA boundary as described in Appendix F so that it only includes East Wonford Hill and allows a new, focussed Action Plan to be produced. A timetable for these changes is shown above.

Exeter City Council's priorities for the coming year shall be the implementation of the process for the amendments to the AQMA order and AQMA boundary and starting the process of developing a new AQAP.

How to get Involved

Local air pollution currently has a high profile within the city. For example, nearly 3000 people were involved in the consultation on the current AQAP and Devon County Council have committed in their Transportation Strategy to resolve exceedances of the objective.

The Wellbeing Exeter Community Builders are actively engaging with local communities to increase active travel, social inclusion, improve the public realm for walking and cycling and to benefit air quality.

Further enquiries about pollution levels and actions to improve air quality should be made to environmental.health@exeter.gov.uk.

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1 Local Air Quality Management

This report provides an overview of air quality in Exeter during 2024. It fulfils the requirements of Local Air Quality Management (LAQM) as set out in Part IV of the Environment Act (1995), as amended by the Environment Act (2021), and the relevant Policy and Technical Guidance documents.

The LAQM process places an obligation on all local authorities to regularly review and assess air quality in their areas, and to determine whether or not the air quality objectives are likely to be achieved. Where an exceedance is considered likely the local authority must declare an Air Quality Management Area (AQMA) and prepare an Air Quality Action Plan (AQAP) setting out the measures it intends to put in place in order to achieve and maintain the objectives and the dates by which each measure will be carried out. This Annual Status Report (ASR) is an annual requirement showing the strategies employed by Exeter City Council to improve air quality and any progress that has been made.

The statutory air quality objectives applicable to LAQM in England are presented in table E1.

2 Actions to Improve Air Quality

2.1 Air Quality Management Areas

Air Quality Management Areas (AQMA) are declared when there is an exceedance or likely exceedance of an air quality objective. After declaration, the authority should prepare an Air Quality Action Plan (AQAP) within 18 months. The AQAP should specify how air quality targets will be achieved and maintained and provide dates by which measures will be carried out.

A summary of the Exeter City Council AQMA can be found in Table 2.1. This is the only AQMA that is currently designated within Exeter. [Appendix D: Map\(s\) of Monitoring Locations and AQMAs](#) provides maps of the area and the air quality monitoring locations in relation to it. The air quality objectives pertinent to the current AQMA designation are:

- NO₂ annual mean;
- NO₂ hourly mean.

We propose to amend the current Exeter AQMA by reducing its extent significantly, such that the amended AQMA only covers East Wonford Hill in the Heavitree area. We also propose to remove the NO₂ hourly objective from the AQMA order.

These amendments were initially proposed in ASR 2024, however DEFRA in its Appraisal Report stated 'we advise ECC to wait until compliance has been achieved in 2022, 2023 and 2024 in the areas where ECC are proposing to remove the AQMA, before proceeding with plans to amend the AQMA.'

The 2024 data supports the previous proposal to significantly reduce the area of the AQMA. Our previous justifications for these amendments remain valid and are summarised below:

- East Wonford Hill is the only monitoring site with exceedances above the NO₂ annual mean objective in any of the last three years prior to 2024.
- The air quality monitoring data across the city as a whole exhibits a consistent downward trend.
- The NO₂ hourly objective has not been exceeded within Exeter in any of the past five years.

The Council is confident that compliance in the areas that will be removed from the AQMA is representative of typical conditions and will be maintained after the revocation as required by the Environmental Acts 1995 and 2021.

The proposed new AQMA boundary and an explanation of how this has been derived is included in Appendix F. An Equality Impact Assessment for the proposed change is also included.

Table 2.1 – Declared Air Quality Management Areas

AQMA Name	Date of Declaration	Pollutants and Air Quality Objectives	One Line Description	Is air quality in the AQMA influenced by roads controlled by Highways England?	Level of Exceedance: Declaration	Level of Exceedance: Current Year	Number of Years Compliant with Air Quality Objective	Name and Date of AQAP Publication	Web Link to AQAP
Exeter AQMA 1	Declared 2007, Amended 2011	NO ₂ Annual Mean	An area encompassing the radial routes into the city and other major routes	No	70 µg/m ³	N/A	1 year	Exeter AQAP 2019-2024	www.exeter.gov.uk/airpollution
Exeter AQMA 1	Declared 2007, Amended 2011	NO ₂ Hourly Mean	An area encompassing the radial routes into the city and other major routes	No	65 µg/m ³	N/A	6 years	Exeter AQAP 2019-2024	www.exeter.gov.uk/airpollution

☒ Exeter City Council confirm the information on UK-Air regarding their AQMA(s) is up to date.

☒ Exeter City Council confirm that all current AQAPs have been submitted to Defra.

2.2 Progress and Impact of Measures to address Air Quality in Exeter

DEFRA's appraisal of last year's ASR concluded "the report is well structured, detailed, and provides the information specified in the Guidance".

Exeter City Council has taken forward several direct measures during the current reporting year of 2024 in pursuit of improving local air quality. Details of all measures completed, in progress or planned are set out in Table 2.2. Seventeen measures are included within Table 2.2, with the type of measure and the progress Exeter City Council have made during the reporting year of 2024 presented. Where there have been, or continue to be, barriers restricting the implementation of the measure, these are also presented within Table 2.2.

More detail on these measures can be found in the AQAP, the Physical Activity Strategy, the Local Walking and Cycling Infrastructure Plan, the Bus Service Improvement Plan and Transport Strategy. Key completed measures are:

1. Devon County Council (DCC) continues to implement the 2020 Transport Strategy. This has three themes: Greater Connectivity, Greater Places for People and Greater Innovation. Key targets within the strategy include:
 - 50% of trips by foot or cycle within the city;
 - Removal of air quality exceedances in the city.
2. DCC adopted the Exeter Local Cycling and Walking Infrastructure Plan (LCWIP) in January 2024.
3. Work has taken place to deliver the E12 ('north-south') cycle route. This includes:
 - construction of a segregated cycle route on Rifford Road, with options to connect into the E9 route or beyond towards the Valley Park / River Exe Estuary,
 - completion of designs for the Polsloe Bridge Toucan Crossing and the Honiton Road Sparrow Crossing, and
 - early design of the "Heart of Wonford" scheme.
4. A new station opened at Marsh Barton in July 2023, providing easy rail access to Marsh Barton (Exeter's largest industrial estate) as well as Exeter Canal/ Riverside Valley Park and it is the closest station to the new developments in South West

Exeter. It is located on the line between Paignton and Exmouth, with half-hourly services at peak times.

5. The Okehampton railway line has reopened to hourly services daily. This provides a valuable alternative to car travel for people coming into the city from the area north of Dartmoor and increased service frequency from Crediton. Design work is underway to deliver the Okehampton Interchange, which is a 'Parkway style' station, funded through DfT Levelling Up Funds. It will serve the wider rural catchment areas of west Devon, Torridge and north Cornwall.
6. Bus patronage has recovered to some extent from the effect of COVID-19 lockdowns. DCC have obtained £14m funding (over 3 years) for its Bus Service Improvement Plan (BSIP). This includes plans for improving bus priority on four key Exeter corridors (the Eastern, Central, Western and Northern corridors). Proposals include improving bus priority using technology, bus lane operation time changes, and physical infrastructure improvements. DCC also have been successful in a joint bid with Stagecoach to provide electric ('Zebra') buses on routes 4, A, and C. These buses will be entering service in 2025/26. Work has also commenced at Matford bus depot for charging infrastructure.
7. The Exeter Plan will be the new Local Plan for Exeter. It will shape the future of Exeter for the next 20 years, to 2041, and will be the basis for how the city continues to evolve and meet the needs of the community. It will be the main planning document for the Exeter City, setting out where development should take place and providing the policies which will be used in making decisions on planning applications. During 2024 work progressed on further evidence and the draft plan such that the Publication Draft was published on 12 December 2024 for formal representations prior to submission to the Secretary of State in summer 2025.
8. Scrutiny of planning applications for air quality impacts has continued, including making objections to developments on air quality grounds where this is justified and the negotiation of mitigation in accordance with Council and national planning policy.
9. DEFRA grant funding was obtained for a project to develop a virtual monitoring network to model pollution concentrations in the Heavitree corridor. It aims to provide better spatial and temporal resolution than the current monitoring. This will be overlaid with health information, enabling more informed choices by the travelling public. Work on the project progressed according to the project plan during 2024. Seventeen Internet-of-Thing air quality sensors were installed during

2023. Since then, virtual sensing algorithms have been developed and trained using diffusion tube monthly data and AURN data. An offline rapid prototype model was also developed. The information of the project is available at [this link](#).
10. Further refinement of the net zero plan for Exeter. Executive & Council have agreed for the City Council to take on the leadership role for city wide net zero. A programme manager was recruited and started in August 2024, since then, has been working with organisations, businesses and communities across Exeter for reducing their carbon emissions. A new Climate and Nature Group (including organisations, business and community groups) has been set up as part of The Exeter Partnership.
 11. The large solar array with battery storage at Water Lane installed by Exeter City Council is operational. During 2024 it successfully powered the first three of an intended fleet of electric refuse collection vehicles along with a number of other electric vehicles that the Council has added to its fleet.
 12. From 1st Jan 2020 adopted policy required the Hackney carriage fleet to be 50% Euro 6 wheelchair accessible vehicles and 50% ULEV saloon cars with a stated emission level of 75g km CO₂ or below. This policy continues to be implemented.
 13. The Council has achieved a reduction in NO_x emissions from buildings as a result of a variety of measures intended primarily to address fuel poverty and carbon emissions. These include:
 - a. building PassivHaus standard homes, an Extra Care facility and leisure centre,
 - b. continued implementation of district heating schemes to provide heating and hot water to 2800 homes at Monkerton, Tithebarn, Mosshayne, Pinn Court, Park Farm, and Exeter Science Park
 - c. working with a number of other city public sector partners to create a new District Heat Network across the city centre, and
 - d. receiving a grant to replace gas boilers with heat pumps at the RAMM and the Riverside leisure centre in a two-year project to be completed by April 2025. This will reduce NO_x emissions from the old boilers.
 14. Plans were developed for the roll out of EV charging infrastructure across City Car Parks to commence in 2025/26, to support the transition to electric vehicles.
 15. Car park charges were increased by 5% in October 2024 as planned. Mary Arches surface and MSCP is expected to be sold in late 2025. Harlequins Car park is expected to close late 2024 / early 2025, as part of the wider redevelopment of the

Harlequins Shopping Centre, so total car park provision will reduce as a measure to encourage travel by public transport.

16. Devon and Torbay Local Transport Plan 4, which sets out a vision for improving transport across Devon and Torbay in the period 2025 – 2040, has been endorsed by DCC's Cabinet and is planned to be submitted to the Devon and Torbay Combined County Authority for adoption.

Exeter City Council worked to implement these measures in partnership with the following stakeholders during 2024:

- Neighbouring local authorities
- Devon County Council

Exeter City Council expects the following key measures to be completed over the course of the next reporting year:

- Amendment of the AQMA and the commencement of work on a new AQAP, with key partners such as Devon County Council and the Devon and Torbay Combined Authority.
- Continued implementation of the Transport Strategy, Local Cycling and Walking Implementation plan and Bus Service Improvement Plan. The intent of these measures is to further improve the air quality of Exeter (from the Transport Strategy).
- Development of the E12 cycle route
- Introduction of electric buses to the Stagecoach fleet
- Provision of electric vehicle chargers in Council car parks

The principal challenges and barriers to implementation that Exeter City Council anticipates facing are further funding constraints within Local Government and available officer time.

Exeter City Council's priority for the coming year shall be the implementation of the process for the amendments to the AQMA order and AQMA boundary and starting the process of developing a new AQAP.

Whilst the measures stated above and in Table 2.2 already help to contribute towards compliance, Exeter City Council anticipates that further additional measures not yet prescribed may be required in subsequent years to achieve continuous compliance of the nitrogen dioxide annual means with the objective for two more consecutive years, thus enabling the revocation of the amended Exeter AQMA. This will be discussed further in the revised AQAP.

Table 2.2 – Progress on Measures to Improve Air Quality

Measure No.	Measure Title	Category	Classification	Year Measure Introduced in AQAP	Estimated / Actual Completion Date	Organisations Involved	Funding Source	Funding Status	Estimated Cost of Measure	Measure Status	Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Barriers to Implementation
1 (green measure)	Filtered permeability projects to be considered for the city with an initial focus on the Heavitree corridor area and including a feasibility study for corridor improvements	Policy Guidance and Development Control	Other policy	2019	Ongoing Programme	DCC via Transport Strategy and Exeter City Futures, Sport England Local Delivery Pilot	SELDP, DCC, Developer Contributions, Grant Funding where available and ECC	Partially Funded	£50k - £100k	Implementation	The target for design of permanent changes to the Heavitree corridor area will be to eliminate exceedances. Details will be finalised as the design emerges, but it is currently expected that a reduction in emissions of between 39 and 78% will be required	Implementation of scheme(s)	Pop up measures introduced in 2020, including a new 5km cross city route (E9 Newcourt/Pynes Hill to City centre) have been made permanent with road closures and modal filters on Ludwell Lane, Dryden Road, Wonford Road and Magdalen Road. School streets introduced at Whipton Barton School and Ladysmith School. A wider package of measures, including play streets is being developed by the Sport England team.	Plans need community ownership to be successful
2 (amber measure)	Access Fund and cycle/walking network, Local Walking and Cycling Infrastructure Plan (LCWIP)	Transport Planning and Infrastructure	Other	2019	Ongoing Programme	DCC via Transport Strategy	Access Fund	Partially Funded	£1 million - £10 million	Planning	4% reduction in emissions at East Wonford Hill (shared across all measures which will in combination achieve the targeted reduction in private car commutes)	Adoption of LCWIP	Modal filters introduced under emergency active travel fund made permanent to deliver sections of the E9 route between Pynes Hill and City centre via the RD&E. E12 route on Rifford Road under construction. Bi-directional route on Sweetbrier Lane delivered. The LCWIP was adopted in January 2024	Consultation and obtaining relevant permissions, consents and traffic orders as well as bringing together necessary funding
3 (amber measure)	New transport links and Park & Change facilities to make it easier for those living outside the city to choose active and sustainable travel modes	Transport Planning and Infrastructure	Other	2019	Ongoing Programme	DCC via Transport Strategy	DCC, grant funding as available and developer contributions	Partially Funded	£100k - £500k	Implementation	4% reduction in emissions at East Wonford Hill (shared across all measures which will in combination achieve the targeted reduction in private car commutes)	Implementation of schemes	Pinhoe and Science Park Park and Change sites delivered. Okehampton line reopened for hourly, daily travel and new station delivered at Marsh Barton. Improved walking and cycling infrastructure delivered on Rydon Lane connecting Woodbury to the Exe Estuary Trail. Further consultation held to close the lane to motorised traffic. Modal filter on Langaton Lane constructed, delivering quiet lane link between Pinhoe area, Exeter Science Park and wider East Devon	Consultation and obtaining relevant permissions, consents and traffic orders as well as bringing together necessary funding

Measure No.	Measure Title	Category	Classification	Year Measure Introduced in AQAP	Estimated / Actual Completion Date	Organisations Involved	Funding Source	Funding Status	Estimated Cost of Measure	Measure Status	Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Barriers to Implementation
													strategic employment sites. Balls Farm Road modal filter near Alphington constructed to improve quiet lane linkages between Ide and Exeter. Plans being developed for improving bus priority to reduce journey times and improve reliability. Funding obtained for electric buses on routes 4, A and Green P&R.	
4 (yellow measure)	Changes to parking charges to discourage car travel in peak times, encourage longer stays in the city centre and support other measures in this plan, such as active travel	Traffic Management	Other	2019	Ongoing Programme	ECC via Local Plan	ECC	Not Funded	£100k - £500k	Planning	<1% reduction in emissions. This measure is expected to have an indirect effect on emissions, such that it is not possible to reliably quantify the impact of this measure alone.	Implementation of changes	Parking charges across Exeter are designed to balance the need for parking against the harm that private car travel into the city centre can cause, especially at peak times.	The need to balance action against any real or perceived impact on local businesses.
5	Maximise efficiency of existing highway network	Transport Planning and Infrastructure	Other	2019	Ongoing Programme	DCC via Transport Strategy and Exeter City Futures	DCC, ECC, grant funding as available and developer contributions	Partially Funded	£500k - £1 million	Planning	TBC, based on predicted changes to traffic parameters provided by DCC as plans for specific locations emerge and are consulted upon	Implementation of scheme(s)	In planning phase	Consultation and obtaining relevant permissions, consents and traffic orders as well as bringing together necessary funding
6 (amber measure)	Consider access restrictions which will reduce the dominance of private cars, including in the city centre	Policy Guidance and Development Control	Other policy	2019	Ongoing Programme	DCC via Transport Strategy and Exeter City Futures	DCC, grant funding as available and developer contributions	Partially Funded	£100k - £500k	Planning	4% reduction in emissions at East Wonford Hill (shared across all measures which will in combination achieve the targeted reduction in private car commutes)	Implementation of scheme(s)	Traffic reduction scheme for Bartholomew Street West, one way system for Queen Street (allowing for the footway to be widened). Liveable Exeter vision for the city published, which includes development on car parks, and a reduction in road space for cars. Quay to City route improvements made (Quay Hill two-way cycling allowed, a plant box introduced at Commercial Road to prevent cars blocking walking and cycling access and a contra-flow cycle lane provided at West Street). Local Walking and Cycling Implementation Plan adopted January 2024.	Consultation and obtaining relevant permissions, consents and traffic orders as well as bringing together necessary funding.
7 (amber measure)	Expand school and community projects, car free events and events	Promoting Travel Alternatives	Other	2019	Ongoing Programme	ECC via Sport England Local	Sport England funding	Partially Funded	£50k - £100k	Implementation	4% reduction in emissions at East Wonford Hill	School Streets introduced	Trials at three primary schools in 2020, two made	Plans will be developed in

Measure No.	Measure Title	Category	Classification	Year Measure Introduced in AQAP	Estimated / Actual Completion Date	Organisations Involved	Funding Source	Funding Status	Estimated Cost of Measure	Measure Status	Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Barriers to Implementation
	promoting active travel, building on the success of the Heavitree pilot					Delivery Pilot & Exeter City Futures					(shared across all measures which will in combination achieve the targeted reduction in private car commutes)		permanent (Whipton Barton and Ladysmith). Community Builders and new SELDP local Physical Activity Organisers delivered play street 'non car events'	individual areas with local communities.
8 (amber measure)	Use social prescribing and community building to help individuals get and stay active	Public Information	Other	2019	Ongoing Programme	ECC via Sport England Local Delivery Pilot and local Health Service providers	Sport England funding	Partially Funded	£100k - £500k	Implementation	4% reduction in emissions at East Wonford Hill (shared across all measures which will in combination achieve the targeted reduction in private car commutes)	Implementation of scheme	Behaviour change training delivered for all Community Builders and Community Connectors to provide support to people to lead active lifestyles. New social prescribing posts recruited to support health & wellbeing of Children and Young Families.	
9 (amber measure)	High quality parks, play areas, sport and leisure facilities	Promoting Travel Alternatives	Other	2019	Ongoing Programme	ECC via Physical Activity Strategy, Sport England Local Delivery Pilot & Local Plan	Sport England funding	Partially Funded	£50k - £100k	Planning	4% reduction in emissions at East Wonford Hill (shared across all measures which will in combination achieve the targeted reduction in private car commutes)	Implementation of scheme(s)	Physical Activity Strategy published and flagship programmes in development - Wonford Health & Wellbeing Centre to be delivered first. Focus on sites becoming more accessible for sustainable transport and increased active travel infrastructure	Obtaining necessary permissions and consents, and funding
10 (yellow measure)	Communications plan, to support measures that will achieve modal shift	Public Information	Other	2019	Ongoing Programme	ECC via Sport England Local Delivery Pilot & Exeter City Futures	ECC via existing internal budgets, Sport England Local Delivery Pilot & Exeter City Futures	Partially Funded	£10k - 50k	Implementation	<1% reduction in emissions. The purpose of this measure is to enable the Council to explain why it is taking action. The measure itself is unlikely to have significant impact on its own.	Completion of DEFRA grant project for Heavitree area	DEFRA grant funding obtained for project to develop air quality information and communications specific to the Heavitree area. Communications strategy developed through SELDP - 'Let's Move'. Focus on small steps for 'least active' residents and communities to move more in their local neighbourhoods. Walking & Cycling central to this communications strategy	
11 (yellow measure)	Promote and expand Co-Bikes network, and support the roll out of electric car club vehicles to more locations	Promoting Travel Alternatives	Other	2019	Ongoing Programme	DCC, ECC via Transport Strategy, Sport England Local Delivery Pilot & Exeter City Futures	Ongoing programme, dependent on funding availability	Partially Funded	£100k - £500k	Implementation	<1% reduction in emissions. This measure will have indirect benefits for air quality by facilitating active travel and supporting a change in car ownership patterns. It is not possible to	Implementation of expansions to schemes, as funding is obtained	A substantial network of bikes and cars was created	Devon County Council considering the procurement of a new provider

Measure No.	Measure Title	Category	Classification	Year Measure Introduced in AQAP	Estimated / Actual Completion Date	Organisations Involved	Funding Source	Funding Status	Estimated Cost of Measure	Measure Status	Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Barriers to Implementation
											reliably model the impact of this measure alone on emissions			
12 (amber measure)	An improved multi-modal public transport network, incorporating cleaner bus technologies	Transport Planning and Infrastructure	Other	2019	Ongoing Programme	DCC via GESP, Transport Strategy and Exeter City Futures	TBC	Partially Funded	> £10 million	Planning	4% reduction in emissions at East Wonford Hill (shared across all measures which will in combination achieve the targeted reduction in private car commutes). As an example, 33% bus electrification would achieve 5% fall in emissions at East Wonford Hill and 66% electrification would achieve 10% reduction.	Implementation of agreed plans	14 Euro 6 busses have entered the fleet and significant new additions to the city's bus network. Devon County Council's Bus Service Improvement Plan will deliver improved services and access across the County. Funding obtained for electric buses on routes 4, A and C	Dependent on funding availability and future demand for public transport.
13	Developers to mitigate the effects of their development on air quality	Policy Guidance and Development Control	Other policy	2019	Ongoing Programme	ECC via the Exeter Plan	Within existing ECC resources	Funded	£50k - £100k	Planning	The purpose of this measure is to limit the impact of new development. It is not intended to reduce emissions on the current baseline (although some reduction may be achieved as a result in practice)	Developments delivered	The Exeter Plan will replace the GESP, as the new Local Plan for Exeter. The Publication draft was released in December 2024 for representations. It will be submitted to the Secretary of State in summer 2025 for examination.	The AQAP originally envisaged that this would be delivered by the GESP. The Exeter Plan will shape the future of Exeter for the next 20 years to 2041. It will be the main planning document for Exeter, setting out where development should take place and providing the policies which will be used in making decisions on planning applications. In fact, the Exeter Plan has already brought forward the Water Lane redevelopment.
14	Policies deliver development where private car use is not the only realistic travel choice	Policy Guidance and Development Control	Other policy	2019	Ongoing Programme	ECC via the Exeter Plan	Within existing ECC resources	Funded	£50k - £100k	Planning	The purpose of this measure is to limit the impact of new development. It is not intended to reduce emissions on the current baseline (although some reduction may be achieved as a result in practice)	Developments delivered	Liveable Exeter vision for development in the city which is not reliant on car travel. Until the Exeter Plan is published, officers will be implementing current policy in a robust manner e.g. when considering retail park applications and new housing.	Work on the Liveable Exeter project continues alongside the Exeter Plan. The Liveable Water Lane Supplementary Planning Document, including a design code, was adopted by ECC in 2024. Liveable Exeter held the 'This Is Our City' community engagement event at the RAMM.
15 (yellow measure)	More things to see/do in the City Centre, encouraging longer stays and supporting events which promote sustainable travel, active and healthy lifestyles.	Policy Guidance and Development Control	Other policy	2019	Ongoing Programme	ECC, BID, DCC and developers	TBC once strategy adopted	Partially Funded		Planning	<1% reduction in emissions. This measure will not have a significant direct impact on emissions but will support the step change in behaviour which will be required to meet the City	Completion of Strategy and then implementation	St Sidwells Point leisure centre open. South Street plan completed and awaiting funding to deliver. Consultants are reviewing City Centre Strategy	

Measure No.	Measure Title	Category	Classification	Year Measure Introduced in AQAP	Estimated / Actual Completion Date	Organisations Involved	Funding Source	Funding Status	Estimated Cost of Measure	Measure Status	Reduction in Pollutant / Emission from Measure	Key Performance Indicator	Progress to Date	Comments / Barriers to Implementation
											Council's aspirations for active and healthy travel.			
16	Better information to raise awareness and improve the level of understanding of air pollution and transport issues within communities	Public Information	Other	2019	Ongoing Programme	ECC	Internal ECC budgets	Partially Funded	£10k - 50k	Planning	Enable the Council to explain why it is taking action. Measure itself is unlikely to have significant impact on its own.	Completion of DEFRA grant funded project	DEFRA grant funding obtained for project to develop air quality information and communications specific to the Heavitree area. Baseline evidence report completed subject to annual review following publication of each year's measurement data and any new research, national guidance etc.	ECC and EGP have decided to use a webpage as the basis of the dissemination tool.
17	An air pollution monitoring network that supports the measures in this action plan	Public Information	Other	2019	Ongoing Programme	ECC	Internal ECC budgets or grant funding if available	Funded	< £10k	Implementation	This measure would not in itself deliver reductions in emissions, but would support the other measures in this plan	monitoring equipment operational	Diffusion tube monitoring network remains under review. DEFRA grant funding obtained for project to develop air quality information and communications specific to the Heavitree area which includes use of new sensor technologies.	Seventeen IoT air quality sensors were installed. Virtual sensing algorithms were developed, using monthly DT data and RAMM AURN data as training data. An offline rapid prototype model was then created.

2.3 PM_{2.5} – Local Authority Approach to Reducing Emissions and/or Concentrations

As detailed in Policy Guidance LAQM.PG22 (Chapter 8) and the Air Quality Strategy¹, local authorities are expected to work towards reducing emissions and/or concentrations of fine particulate matter (PM_{2.5}). There is clear evidence that PM_{2.5} (particulate matter smaller 2.5 micrometres) has a significant impact on human health, including premature mortality, allergic reactions, and cardiovascular diseases.

Department of Health & Social Care's [Public Health Outcomes Framework](#) tool shows that the fraction of mortality attributable to particulate air pollution in Exeter for 2023 was 4.2% (no more recent data is available). This is below the regional figure for the south west (4.3%) and the national level of 5.2%. Exeter therefore has levels of particulate matter which are causing harm, but this problem is less severe than in the majority of the country. The data is available at [this link](#). These mortality fractions are based on PM_{2.5} annual mean concentrations of 5.6 µg/m³ (for Exeter as a whole), 5.7 µg/m³ (for the south west) and 7.0 µg/m³ (England). These indicate that concentrations of fine particulate matter in Exeter are slightly lower the south west regional figure, and much lower than the national figure.

Since August 2018, Exeter City Council has been directly monitoring roadside PM_{2.5} concentrations in Exeter at two sites, i.e. CM1 at RAMM and CM2 at Alphington Street. However, faults with the equipment at CM1 mean that data from this site is not available for this reporting period. In 2024, the PM_{2.5} annual mean concentration at the CM2 roadside measurement location was 8.5 µg/m³.

The annual average EU limit value for PM_{2.5} is 25 µg/m³ so there is no suggestion that this level is being exceeded in Exeter. The Environmental Targets (Fine Particulate Matter) (England) Regulations 2023 introduce a target for national government of 10 µg/m³ as an annual mean, to be achieved by 2040. The Regulations also introduce a population exposure reduction target for national government; that there is at least a 35% reduction in population exposure by the end of 31st December 2040, as compared with the average

¹ Defra. Air Quality Strategy – Framework for Local Authority Delivery, August 2023

population exposure in the three-year period from 1st January 2016 to 31st December 2018.

DEFRA has brought forward the Environmental Improvement Plan 2023 for England, in order to achieve these targets. The Plan set interim targets that by January 2028: an annual average of 12 $\mu\text{g}/\text{m}^3$ for $\text{PM}_{2.5}$ is not exceeded at any monitoring station; and population exposure to $\text{PM}_{2.5}$ is at least 22 per cent less than in 2018. The $\text{PM}_{2.5}$ annual mean at CM2 in 2024, is already below the interim target.

Despite these being targets for central government, Exeter City Council still has a duty to reduce emissions of and exposure to this pollutant. The measures discussed above to reduce NO_2 emissions will also be effective in reducing many local $\text{PM}_{2.5}$ sources.

Approximately 60% of Exeter is designated as Smoke Control Areas. Controls on solid fuel combustion appliances and fuels are likely to have restricted $\text{PM}_{2.5}$ emissions in these areas to some extent.

3 Air Quality Monitoring Data and Comparison with Air Quality Objectives and National Compliance

This section sets out the monitoring undertaken within 2024 by Exeter City Council and how it compares with the relevant air quality objectives. In addition, monitoring results are presented for a five-year period between 2020 and 2024 to allow monitoring trends to be identified and discussed.

3.1 Summary of Monitoring Undertaken

3.1.1 Automatic Monitoring Sites

Exeter City Council undertook automatic (continuous) monitoring at two sites during 2024. Table A.1 in Appendix A shows the details of the automatic monitoring sites. NB. Local authorities do not have to report annually on the following pollutants: 1,3 butadiene, benzene, carbon monoxide and lead, unless local circumstances indicate there is a problem. The [Council website](#) page presents automatic monitoring results for Exeter, with automatic monitoring results also available through the UK-Air website.

Maps showing the location of the monitoring sites are provided in Appendix D. Further details on how the monitors are calibrated and how the data has been adjusted are included in Appendix C.

3.1.2 Non-Automatic Monitoring Sites

Exeter City Council undertook non- automatic (i.e. passive) monitoring of NO₂ at eighty-four sites during 2024, including one site with two co-located diffusion tubes alongside the continuous monitor at the RAMM museum (for determining the local bias adjustment factor).

Table A.2 in Appendix A presents the details of the non-automatic sites.

Maps showing the location of the monitoring sites are provided in Appendix D or via the [Council website](#). Further details on Quality Assurance/Quality Control (QA/QC) for the diffusion tubes, including bias adjustments and any other adjustments applied (e.g. annualisation and/or distance correction), are included in Appendix C.

3.2 Individual Pollutants

The air quality monitoring results presented in this section are, where relevant, adjusted for bias, annualisation (where the annual mean data capture is below 75% and greater than 25%), and distance correction. Further details on adjustments are provided in Appendix C.

3.2.1 Nitrogen Dioxide (NO₂)

Table A.3 and Table A.4 in Appendix A present the ratified and adjusted monitored NO₂ annual mean concentrations for the past five years. Note that the concentration data presented represents the concentration at the location of the monitoring site, following the application of bias adjustment and annualisation, as required (i.e. the values are exclusive of any consideration to fall-off with distance adjustment).

For diffusion tubes, the full 2024 dataset of monthly mean values is provided in Appendix B. Note that the concentration data presented in Table B.1 includes distance corrected values, only where relevant.

The following changes were made to the monitoring network in 2024:

- Removal of the diffusion tube on Pinn Lane. The existing site at Pinhoe Station was considered more representative of worst case conditions along this road, making the Pinn Lane site redundant.
- Removal of the Northernhay Gardens diffusion tube. Data capture was historically very low here and as this was located in a city centre park some distance from relevant receptors it has not been replaced.
- Addition of two diffusion tubes close to the road junctions of Magdalen Street, Holloway Street, South Street and Western Way. Significant development, including changes to the road layout have been proposed in this area so additional monitoring would be beneficial (although not anticipating any exceedences of the objective would occur).

The national bias adjustment figure (0.84, from the April 2025 spreadsheet) has been used to adjust the diffusion tube data in this Annual Status Report because the data capture by the Exeter Roadside (CM1) continuous analyser was below 90%. Further information is available in Appendix C.

No sites measured an exceedence of the annual average objective in 2024. This is the first year when all measurements have been below the objective and marks a significant milestone in the continued improvement of the city's air quality.

East Wonford Hill (DT57) was the only site which was above the objective in 2023. In 2024 it was 1.9 µg/m³ below the objective of 40µg/m³. The general trend in the data for all monitoring sites is a significant fall between 2019 and 2020 with a partial rebound in 2021, and levels since then being roughly stable (see Figure A.1, and also refer to Table A.4 of this and the last year reports). This can be attributed to changes in traffic flows (see Table 3.1) as a result of COVID-19, its subsequent new travel & working behaviours, as well as ongoing improvements in vehicle emission technologies and the impact of measures in the Air Quality Action Plan. Some inter-annual variability is also expected as a result of road works, weather patterns etc.

Table 3.1 shows that work-day traffic flow data for 2020 and 2024 remain below 2015 levels, except for Heavitree Road, where traffic flows were 4% above 2015 levels in 2024. In 2020, reductions at all locations were significant, ranging from -15% to -26%.

Table 3. 1 - Traffic Flow Data (24-hr average)

Site Name	2015	2020	2024	% change from 2015 to 2020	% change from 2015 to 2024
Pinhoe Road (Whipton)	20830	16538	18678	-21%	-10%
Heavitree Road	17507	14832	18248	-15%	4%
Honiton Road	26832	22789	26519	-15%	-1%
Topsham Road (King George)	26057	20702	24774	-21%	-5%
Alphington St	28799	22012	25558	-24%	-11%
Cowick St	14840	10913	11850	-26%	-20%
Total	134865	107786	125627	-20%	-7%

In September 2023 temporary changes were made to prohibit through traffic in the Heavitree residential area. In June 2024 the HaTOC committee voted to end the trial. This only affected part of the 2023 (September to December) and 2024 (January to July)

monitoring years so any changes in annual average traffic flows or nitrogen dioxide levels as a result would not be as significant as if the change had co-incided with the calendar year. The 2023 ASR found that no impact of the highway changes could be seen in the 2023 data set for the monitoring sites that would be expected to have been impacted (see Appendix H), and the same in 2024. There does not appear to be a different trend between the two sets of data which correspond to monitoring locations close to and distant from the Heavitree area. We believe other factors also influence pollution levels on a year-to-year basis, making it challenging to isolate the impact of the highway changes. This has been further detailed in Appendix H.

Table A.5 in Appendix A compares the ratified continuous monitored NO₂ hourly mean concentrations for the past five years with the air quality objective of 200µg/m³, not to be exceeded more than 18 times per year. Data capture from the continuous analyser CM1 is low, because the operation of the equipment was affected for a proportion of the year by essential repairs to the roof of the building housing it (the RAMM museum). This means that the measured concentrations cannot be compared directly to the hourly objective. Instead the 99.8th percentile of hourly results is compared to the limit of 200 µg/m³. In 2024 the 99.8th percentile was 69.4 µg/m³ which indicates that concentrations are well below the objective. They were also similar to the previous year (a 99.8th percentile of 63.3 µg/m³).

The diffusion tube data show no locations measured an exceedance of the proxy for the hourly objective in 2024 (an annual average of 60 µg/m³).

It seems certain that previous exceedences of the objective at the Blackboy Road / Pinhoe Road junction (DT42 and DT43) have been permanently resolved given that they had fallen below 40 µg/m³ in 2018 and therefore have been below the objective for more than six years. Other sites (Alphington Street DT19, Livery Dole DT52, Satutory Mount DT54, Fore Street Heavitree inbound DT56 and Honiton Road DT58) were above the annual average objective in 2019 but have not been since then. This means that there have now been five years of results that are below the objective level, three of which were unaffected by COVID-19 and lockdowns. The only site where levels over the annual average objective have been measured in any of the last three years, prior to 2024, is East Wonford Hill (DT57) and results from this location exhibit a consistent downward trend.

The Council therefore intends to follow the approach in the statutory guidance and the last DEFRA Annual Status Report Appraisal Report (published in 2024); that is to amend the AQMA to reflect areas of compliance in 2022, 2023 and 2024. The proposal is to reduce the AQMA to just the East Wonford Hill area. Following the subsequent consultation and agreement of a new AQMA, a new AQAP will be produced focussing on the new AQMA

Date	Actions
June 2025	Submit ASR, announcing need for amendment of AQMA (with proposed new boundary) as well as timetable for consultation and publication of new AQAP
From June 2025	Start of process to consider AQAP measures and draw up draft AQAP with statutory partners.
September Executive committee (date TBC)	ASR presented to committee for approval and start of consultation period on new AQMA order.
By end of December 2025	Consideration of consultation responses for AQMA order. Draft AQAP submitted to DEFRA.
By end of January 2026	Final draft AQMA order submitted to DEFRA for approval
By end of March 2026	New AQMA order signed.
March / April 2026	Pre-Election period
June 2026	Provisional start of public consultation on draft AQAP following comments back from DEFRA. Consultation to last 10 weeks.
June 2026	Submit ASR with update on progress and timetable
September 2026 Executive committee (date TBC)	ASR presented to committee with consultation results of AQAP.

Following advice from DEFRA, the AQMA boundary can be reviewed this year because we now have at least three years of compliance post COVID. Ordinarily the drafting, consultation and adoption of a new AQAP has to take place within 18 months of the adoption of a new AQMA. However, following consultation with DEFRA, it has been requested that we draft a new AQAP at the same time that we are consulting on a new AQMA. The revised AQAP will be based upon the revised AQMA. Full public consultation will be undertaken as part of the production of the plan, so those affected will have the opportunity to comment on it.

The proposed new AQMA boundary and an explanation of how this has been derived is included in Appendix F.

Exeter City Council considers that the monitoring network in 2024 had a good coverage of all areas where exceedences might occur at a relevant location, as well as any areas which might be expected to see significant traffic growth (as a result of new developments,

etc). Monitoring was focused at expected hotspots and relevant worst-case locations. No amendments to the existing network have taken place for 2024.

3.2.2 Particulate Matter (PM₁₀)

Table A.6 in Appendix A: Monitoring Results compares the ratified and adjusted monitored PM₁₀ annual mean concentrations for the past five years with the air quality objective of 40µg/m³.

Table A.7 in Appendix A compares the ratified continuous monitored PM₁₀ daily mean concentrations for the past five years with the air quality objective of 50µg/m³, not to be exceeded more than 35 times per year.

Since August 2018, Exeter City Council has operated two continuous PM₁₀ analysers. However, faults with the equipment at CM1 (RAMM) mean that data from this site is not available for this reporting period. In 2024, the PM₁₀ annual mean concentration at the CM2 roadside measurement location was 14.1 µg/m³.

The annual average concentrations rose in 2022 and 2023 compared to the previous three years. The longer-term trend in annual concentrations as shown in Figure A.2 is a decline since 2005 or 2006. The data will be monitored over the coming years to identify whether this recent increase is part of an emerging trend or caused by expected inter-annual variability because of weather patterns etc.

There were no exceedances of an hourly mean of 50µg/m³ in 2024 for CM2 monitoring site.

3.2.3 Particulate Matter (PM_{2.5})

Table A.8 in Appendix A presents the ratified and adjusted monitored PM_{2.5} annual mean concentrations for the past five years.

Since August 2018, Exeter City Council has operated two continuous PM_{2.5} analysers. However, the same faults with the equipment at CM1 as mentioned above mean that data from this site is not available for this reporting period. The measured annual mean in 2024 for CM2 was 8.5 µg/m³, which is well below the limit and the 2040 interim target. Trends in PM_{2.5} concentrations will continue to be monitored in coming years.

3.2.4 Ozone (O₃)

Table A.9 in Appendix A compares the ratified continuous monitored ozone concentrations for the past 5 years, with the air quality objective of 100µg/m³, not to be exceeded more than 10 times per year.

Ozone is not a local air pollutant, so Exeter City Council is not legally responsible for reporting or mitigating any exceedances of the above objective. This is the responsibility of DEFRA.

However, Exeter City Council has the facility to measure ozone levels. Figure A.4 presents the long-term ozone trends we measured. In 2020, the number of occasions when there was an 8-hour running mean of >100 micrograms per cubic meter increased significantly. This could have been caused by the interaction between NO_x and ozone in the atmosphere. With lower concentrations of NO being emitted during lockdowns, less ozone would be converted to oxygen (O₂).

Because of the essential roof repairs at the RAMM museum, data capture at this site was low in 2024. We therefore have calculated the 95th percentile of the 8-hour running mean which is 69.6 µg/m³ and this is well below the objective of 100µg/m³.

Appendix A: Monitoring Results

Table A.1 – Details of Automatic Monitoring Sites

Site ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA?	Which AQMA? ⁽¹⁾	Monitoring Technique	Distance to Relevant Exposure (m) ⁽²⁾	Distance to kerb of nearest road (m) ⁽¹⁾	Inlet Height (m)
CM1	Exeter Roadside	Kerbside	291939	92830	NO ₂ PM ₁₀ PM _{2.5} O ₃	YES	AQMA 1	Chemiluminescent; Optical Light Scattering; UVA	0	1	1.7
CM2	Alphington Street	Roadside	291670	91773	PM ₁₀ PM _{2.5}	YES	AQMA 1	Optical Light Scattering	12	3	1.7

Notes:

(1) N/A if not applicable

(2) 0m if the monitoring site is at a location of exposure (e.g. installed on the façade of a residential property).

Table A.2 – Details of Non-Automatic Monitoring Sites

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) ⁽¹⁾	Distance to kerb of nearest road (m) ⁽²⁾	Tube Co-located with a Continuous Analyser?	Tube Height (m)
DT1	High Street /Castle Street	Kerbside	292199	92814	NO ₂	YES, Exeter AQMA	50.0	0.5	No	2.0
DT2	Longbrook Street	Kerbside	292315	93016	NO ₂	NO	0.0	1.0	No	1.7
DT3	New North Road	Kerbside	292185	93049	NO ₂	YES, Exeter AQMA	0.0	1.0	No	2.0
DT4	Queen Street	Roadside	291779	93011	NO ₂	YES, Exeter AQMA	0.0	1.5	No	2.0
DT5, DT6	RAMM 2	Kerbside	291944	92826	NO ₂	YES, Exeter AQMA	0.0	1.0	Yes	1.7
DT7	High Street Guildhall	Roadside	291984	92626	NO ₂	YES, Exeter AQMA	0.0	2.0	No	2.0
DT8	North Street	Kerbside	291895	92569	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT9	South Street	Roadside	291943	92511	NO ₂	YES, Exeter AQMA	4.0	2.5	No	2.0
DT10	Market Street	Kerbside	291833	92433	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT11	Magdalen Street	Roadside	292291	92292	NO ₂	YES, Exeter AQMA	6.0	2.0	No	1.7
DT12	Magdalen Street façade	Kerbside	292422	92320	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT13	Archibald Road	Roadside	292590	92743	NO ₂	NO	0.0	1.5	No	1.7

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) ⁽¹⁾	Distance to kerb of nearest road (m) ⁽²⁾	Tube Co-located with a Continuous Analyser?	Tube Height (m)
DT14	Heavitree Road inbound	Roadside	292832	92731	NO ₂	YES, Exeter AQMA	0.0	10.0	No	2.0
DT15	Heavitree Road outbound	Kerbside	292703	92807	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT16	Holloway Street	Kerbside	292378	92039	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT17	Carder's Court, Shilhay	Roadside	291699	92091	NO ₂	NO	0.0	15.0	No	1.7
DT18	Rear of Gervase Avenue	Roadside	291657	91973	NO ₂	YES, Exeter AQMA	5.0	18.0	No	2.0
DT19	Alphington Street	Kerbside	291669	91812	NO ₂	YES, Exeter AQMA	0.0	1.0	No	2.0
DT20	Alphington Road inbound	Roadside	291532	91349	NO ₂	YES, Exeter AQMA	0.0	2.0	No	1.7
DT21	Queen's Road	Urban Background	291460	91390	NO ₂	NO	8.0	2.0	No	1.7
DT22	Alphington Road outbound	Roadside	291509	91151	NO ₂	YES, Exeter AQMA	0.0	8.0	No	1.7
DT23	Alphington Road outer	Roadside	291518	90813	NO ₂	YES, Exeter AQMA	15.0	2.0	No	1.7
DT24	Church Road Alphington	Roadside	291691	90425	NO ₂	YES, Exeter AQMA	0.0	1.5	No	1.7
DT25	Church Road II	Kerbside	291767	90160	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT26	Alphington Cross	Roadside	291520	90531	NO ₂	YES, Exeter AQMA	0.0	1.8	No	1.7

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) ⁽¹⁾	Distance to kerb of nearest road (m) ⁽²⁾	Tube Co-located with a Continuous Analyser?	Tube Height (m)
DT27	Cowick Street (Cowick Lane)	Kerbside	290864	91725	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT28	Cowick Street (inbound)	Roadside	291249	91874	NO ₂	YES, Exeter AQMA	0.0	4.0	No	1.7
DT29	Cowick Street (outbound)	Roadside	291376	91944	NO ₂	YES, Exeter AQMA	0.0	1.5	No	1.7
DT30	Cowick Street (Exe Bridges)	Roadside	291500	92055	NO ₂	YES, Exeter AQMA	0.0	2.0	No	1.7
DT31	Okehampton Street	Roadside	291351	92169	NO ₂	YES, Exeter AQMA	0.0	4.0	No	1.7
DT32	Station Road	Roadside	290826	93598	NO ₂	NO	0.0	2.1	No	1.7
DT33	Bonhay Road (St Clements Lane)	Roadside	291253	93299	NO ₂	YES, Exeter AQMA	0.0	2.0	No	2.0
DT34	Red Cow Village	Kerbside	291242	93483	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT35	Red Cow II	Kerbside	291272	93468	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT36	Cowley Bridge Road	Roadside	291054	94399	NO ₂	YES, Exeter AQMA	0.0	4.0	No	1.7
DT37	Pennsylvania Road	Kerbside	292391	93291	NO ₂	NO	0.0	1.0	No	1.7
DT38	York Road School	Roadside	292469	93245	NO ₂	NO	3.5	2.5	No	1.7
DT39	York Road	Kerbside	292579	93146	NO ₂	NO	1.5	0.1	No	1.7

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) ⁽¹⁾	Distance to kerb of nearest road (m) ⁽²⁾	Tube Co-located with a Continuous Analyser?	Tube Height (m)
DT40	Union Road	Roadside	293047	93877	NO ₂	NO	0.0	1.0	No	1.7
DT41	Pinhoe Road inbound	Roadside	293405	93395	NO ₂	YES, Exeter AQMA	0.0	3.0	No	1.7
DT42	Pinhoe Road (Polsloe Road)	Kerbside	293251	93375	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT43	Blackboy Road (Polsloe Road)	Roadside	293227	93356	NO ₂	YES, Exeter AQMA	0.0	2.0	No	1.7
DT44	Beacon Heath	Kerbside	295068	94487	NO ₂	NO	10.0	1.0	No	1.7
DT45	Venny Bridge	Kerbside	295888	94101	NO ₂	NO	8.0	1.0	No	1.7
DT46	Pinhoe	Kerbside	296418	94470	NO ₂	NO	20.0	0.1	No	1.7
DT47	Langaton Lane	Urban Background	296984	94327	NO ₂	NO	12.0	0.5	No	1.7
DT48 (Removed)	Pinn Lane	Roadside	296494	93782	NO ₂	NO	9.5	1.0	No	2.0
DT49	Pinhoe Road (Fairfield Avenue)	Roadside	295413	93689	NO ₂	YES, Exeter AQMA	0.0	5.0	No	1.7
DT50	East John Walk	Urban Background	293091	92825	NO ₂	NO	1.5	N/A	No	1.7
DT51	Magdalen Road (Barrack Road)	Kerbside	293448	92419	NO ₂	YES, Exeter AQMA	0.0	1.0	No	1.7
DT52	Livery Dole	Roadside	293418	92497	NO ₂	YES, Exeter AQMA	0.0	1.5	No	1.7

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) ⁽¹⁾	Distance to kerb of nearest road (m) ⁽²⁾	Tube Co-located with a Continuous Analyser?	Tube Height (m)
DT53	Rowancroft	Kerbside	293533	92473	NO ₂	YES, Exeter AQMA	0.0	0.2	No	2.0
DT54	Salutory Mount	Roadside	293738	92396	NO ₂	YES, Exeter AQMA	4.5	1.5	No	1.7
DT55	Fore Street Heavitree outbound	Roadside	293781	92409	NO ₂	YES, Exeter AQMA	6.0	4.0	No	1.7
DT56	Fore Street Heavitree inbound	Roadside	294043	92359	NO ₂	YES, Exeter AQMA	0.0	2.0	No	1.7
DT57	East Wonford Hill	Roadside	294410	92310	NO ₂	YES, Exeter AQMA	0.0	2.0	No	1.7
DT58	Honiton Road	Roadside	295203	92378	NO ₂	YES, Exeter AQMA	20.0	1.5	No	2.0
DT59	Honiton Road façade	Roadside	295191	92395	NO ₂	NO	0.0	15.0	No	1.7
DT60	Sidmouth Road lamp post	Roadside	295466	92365	NO ₂	YES, Exeter AQMA	7.0	2.0	No	2.0
DT61	Sidmouth Road Middlemoor	Roadside	295636	92232	NO ₂	YES, Exeter AQMA	0.0	10.0	No	1.7
DT62	Newcourt Way	Roadside	295710	90571	NO ₂	NO	17.0	2.0	No	2.0
DT63	Topsham Road (Countess Wear)	Roadside	294694	90001	NO ₂	YES, Exeter AQMA	0.0	5.0	No	2.0
DT64	Bridge Road (Countess Wear)	Roadside	294652	89974	NO ₂	NO	0.0	15.0	No	1.7

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) ⁽¹⁾	Distance to kerb of nearest road (m) ⁽²⁾	Tube Co-located with a Continuous Analyser?	Tube Height (m)
DT65	High Street Topsham	Kerbside	296415	88477	NO ₂	NO	0.0	1.0	No	1.7
DT66	Topsham Road (Tollards Road)	Roadside	294227	90435	NO ₂	YES, Exeter AQMA	0.0	1.5	No	1.7
DT67	Topsham Road (Barrack Road)	Roadside	293213	91245	NO ₂	YES, Exeter AQMA	0.0	10.0	No	1.7
DT68	Riverside Valley Park	Urban Background	292291	91678	NO ₂	NO	n/a	N/A	No	2.0
DT69	Cowick Barton Playing Fields	Urban Background	291016	91304	NO ₂	NO	n/a	N/A	No	1.7
DT70	Exwick Playing Fields	Urban Background	291298	92593	NO ₂	NO	n/a	N/A	No	2.0
DT71	Heavitree Pleasure Ground	Urban Background	294387	92611	NO ₂	NO	n/a	N/A	No	2.0
DT72	Ladysmith School/Pretoria Road	Roadside	293617	93090	NO ₂	NO	1.5	1.5	No	1.7
DT73	Pennsylvania	Urban Background	293052	94185	NO ₂	NO	6.0	2.0	No	2.0
DT74 (Removed)	Northernhay Gardens	Urban Background	292056	93043	NO ₂	NO	n/a	N/A	No	2.0
DT75	Chudleigh Road	Roadside	291721	89727	NO ₂	YES, Exeter AQMA	0.0	4.0	No	2.0
DT76	Mill Lane	Urban Background	291555	90449	NO ₂	NO	8.5	1.0	No	2.0
DT77	Sidwell Street	Kerbside	292553	93082	NO ₂	YES, Exeter AQMA	6.0	1.0	No	2.0

Diffusion Tube ID	Site Name	Site Type	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Pollutants Monitored	In AQMA? Which AQMA?	Distance to Relevant Exposure (m) ⁽¹⁾	Distance to kerb of nearest road (m) ⁽²⁾	Tube Co-located with a Continuous Analyser?	Tube Height (m)
DT78	Station Road Pinhoe	Other	296415	94165	NO ₂	NO	1.5	1.5	No	1.7
DT79	Tithebarn Link Road	Roadside	296827	93886	NO ₂	NO	2.0	2.0	No	2.0
DT80	Exeter Road	Roadside	295967	88876	NO ₂	NO	14.5	3.0	No	2.0
DT81	St. Leonards Road	Roadside	292637	91991	NO ₂	NO	0.0	2.0	No	1.7
DT82	Newtown	Urban Background	292847	92911	NO ₂	NO	0.0	3.5	No	2.0
DT83	New Bridge St	Roadside	291655	92258	NO ₂	YES, Exeter AQMA	0.0	2.0	No	2.0
DT84	Lower Coombe St	Roadside	291897	92217	NO ₂	NO	2.0	10.0	No	1.7
DT85	Bonhay Road bridge	Roadside	291375	92935	NO ₂	YES, Exeter AQMA	3.0	2.0	No	1.7
DT86 (new)	Western Way (Acorn)	Roadside	292281	92246	NO ₂	YES, Exeter AQMA	3.0	1.0	No	2.0
DT87 (new)	South Gate	Roadside	292206	92190	NO ₂	YES, Exeter AQMA	3.0	1.0	No	2.0

Notes:

(1) 0m if the monitoring site is at a location of exposure (e.g. installed on the façade of a residential property).

(2) N/A if not applicable.

Table A.3 – Annual Mean NO₂ Monitoring Results: Automatic Monitoring (µg/m³)

Site ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
CM1	291939	92830	Kerbside	N/A	37.8	18.8	19.2	17.9	16.4	17.1

☒ Annualisation has been conducted where data capture is <75% and >25% in line with LAQM.TG22.

☒ Reported concentrations are those at the location of the monitoring site (annualised, as required), i.e. prior to any fall-off with distance correction.

☒ Where exceedances of the NO₂ annual mean objective occur at locations not representative of relevant exposure, the fall-off with distance concentration has been calculated and reported concentration provided in brackets for 2024.

Notes:

The annual mean concentrations are presented as µg/m³.

Exceedances of the NO₂ annual mean objective of 40µg/m³ are shown in **bold**.

All means have been “annualised” as per LAQM.TG22 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

Concentrations are those at the location of monitoring and not those following any fall-off with distance adjustment.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

Table A.4 – Annual Mean NO₂ Monitoring Results: Non-Automatic Monitoring (µg/m³)

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
DT1	292199	92814	Kerbside	N/A	100.0	17.0	20.9	15.7	17.5	18.1
DT2	292315	93016	Kerbside	N/A	100.0	17.5	21.4	19.0	20.0	18.9
DT3	292185	93049	Kerbside	N/A	100.0	18.8	22.6	20.1	19.6	19.0
DT4	291779	93011	Roadside	N/A	92.5	16.2	19.0	16.6	17.4	16.1
DT5, DT6	291944	92826	Kerbside	N/A	100.0	18.5	21.3	17.8	17.3	17.9
DT7	291984	92626	Roadside	N/A	100.0	15.7	20.4	18.1	18.3	19.6
DT8	291895	92569	Kerbside	N/A	83.0	22.6	27.9	24.0	23.9	28.8
DT9	291943	92511	Roadside	N/A	90.6	18.7	24.2	20.6	20.2	20.5
DT10	291833	92433	Kerbside	N/A	100.0	18.6	23.4	20.7	20.1	19.7
DT11	292291	92292	Roadside	N/A	100.0	19.5	24.7	22.5	22.0	21.0
DT12	292422	92320	Kerbside	N/A	100.0	20.0	23.8	22.9	18.7	18.6

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
DT13	292590	92743	Roadside	N/A	92.5	13.2	16.8	15.2	15.7	14.3
DT14	292832	92731	Roadside	N/A	100.0	13.2	16.5	14.6	14.5	14.0
DT15	292703	92807	Kerbside	N/A	100.0	22.3	28.0	24.0	25.8	23.8
DT16	292378	92039	Kerbside	N/A	100.0	21.3	26.6	21.9	21.5	23.5
DT17	291699	92091	Roadside	N/A	90.6	15.5	18.3	15.7	15.9	16.1
DT18	291657	91973	Roadside	N/A	90.6	15.8	19.2	17.5	17.6	17.5
DT19	291669	91812	Kerbside	N/A	92.5	28.5	35.7	33.1	34.3	31.5
DT20	291532	91349	Roadside	N/A	100.0	22.4	27.4	24.3	24.5	23.6
DT21	291460	91390	Urban Background	N/A	90.6	9.1	11.7	10.1	9.9	9.7
DT22	291509	91151	Roadside	N/A	100.0	17.7	21.2	20.6	18.4	17.2
DT23	291518	90813	Roadside	N/A	100.0	15.3	20.6	18.7	18.1	16.5
DT24	291691	90425	Roadside	N/A	100.0	18.3	24.3	18.5	17.8	17.2
DT25	291767	90160	Kerbside	N/A	90.6	16.2	19.8	20.9	22.1	20.1

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
DT26	291520	90531	Roadside	N/A	90.6	20.4	25.6	22.5	23.8	22.9
DT27	290864	91725	Kerbside	N/A	100.0	26.8	31.6	30.1	31.2	29.9
DT28	291249	91874	Roadside	N/A	100.0	15.6	19.9	17.5	18.1	17.1
DT29	291376	91944	Roadside	N/A	100.0	24.3	29.8	28.7	29.2	28.1
DT30	291500	92055	Roadside	N/A	83.0	22.1	28.2	26.7	27.5	26.5
DT31	291351	92169	Roadside	N/A	100.0	17.3	20.6	18.7	19.0	18.6
DT32	290826	93598	Roadside	N/A	100.0	17.7	21.2	20.3	20.7	19.6
DT33	291253	93299	Roadside	N/A	90.6	19.2	24.7	21.8	22.6	22.8
DT34	291242	93483	Kerbside	N/A	100.0	26.5	32.1	29.7	31.7	27.1
DT35	291272	93468	Kerbside	N/A	100.0	21.5	26.0	23.1	24.2	23.1
DT36	291054	94399	Roadside	N/A	100.0	22.9	27.5	26.5	25.9	24.2
DT37	292391	93291	Kerbside	N/A	100.0	18.3	23.2	21.6	21.5	20.5
DT38	292469	93245	Roadside	N/A	100.0	18.1	23.0	20.7	20.3	19.0

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
DT39	292579	93146	Kerbside	N/A	100.0	23.3	31.2	27.8	26.9	25.2
DT40	293047	93877	Roadside	N/A	100.0	16.7	21.0	19.3	18.7	17.7
DT41	293405	93395	Roadside	N/A	100.0	20.9	24.0	22.3	23.5	22.3
DT42	293251	93375	Kerbside	N/A	100.0	25.6	30.6	28.0	29.6	28.6
DT43	293227	93356	Roadside	N/A	92.5	19.2	23.5	20.6	21.0	21.8
DT44	295068	94487	Kerbside	N/A	100.0	13.6	15.1	13.6	14.6	12.8
DT45	295888	94101	Kerbside	N/A	100.0	14.2	16.6	15.3	15.2	15.6
DT46	296418	94470	Kerbside	N/A	100.0	18.4	21.8	18.6	20.5	19.1
DT47	296984	94327	Urban Background	N/A	83.0	13.3	15.1	12.7	13.1	10.8
DT48 (Removed)	296494	93782	Roadside	N/A	0.0	12.8	15.5	14.3	16.2	-
DT49	295413	93689	Roadside	N/A	100.0	12.6	15.8	15.9	13.7	13.8
DT50	293091	92825	Urban Background	N/A	100.0	9.7	11.6	10.4	9.7	9.6
DT51	293448	92419	Kerbside	N/A	100.0	24.3	29.4	27.6	27.9	26.4

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
DT52	293418	92497	Roadside	N/A	100.0	31.1	34.9	32.3	34.7	32.0
DT53	293533	92473	Kerbside	N/A	100.0	27.4	32.1	27.2	28.6	27.1
DT54	293738	92396	Roadside	N/A	100.0	32.7	37.3	33.5	32.2	31.4
DT55	293781	92409	Roadside	N/A	100.0	19.8	23.4	20.7	20.9	19.9
DT56	294043	92359	Roadside	N/A	100.0	29.0	32.2	30.5	30.6	28.5
DT57	294410	92310	Roadside	N/A	100.0	38.2	42.2	40.4	40.5	38.1
DT58	295203	92378	Roadside	N/A	100.0	33.2	35.4	31.7	33.5	32.2
DT59	295191	92395	Roadside	N/A	100.0	14.8	16.0	14.9	14.9	13.7
DT60	295466	92365	Roadside	N/A	92.5	23.5	26.8	25.0	24.7	23.6
DT61	295636	92232	Roadside	N/A	100.0	15.5	19.2	17.5	17.5	16.6
DT62	295710	90571	Roadside	N/A	100.0	11.5	14.7	13.6	13.5	12.6
DT63	294694	90001	Roadside	N/A	100.0	18.1	20.7	17.4	19.1	17.7
DT64	294652	89974	Roadside	N/A	92.5	17.8	16.9	15.6	15.0	13.8

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
DT65	296415	88477	Kerbside	N/A	100.0	17.2	22.1	18.7	18.7	17.7
DT66	294227	90435	Roadside	N/A	100.0	25.0	30.0	27.9	28.8	27.5
DT67	293213	91245	Roadside	N/A	100.0	15.9	19.1	19.2	18.3	17.2
DT68	292291	91678	Urban Background	N/A	90.6	9.4	11.7	9.9	10.3	10.1
DT69	291016	91304	Urban Background	N/A	75.0	7.6	9.3	8.9	8.3	7.2
DT70	291298	92593	Urban Background	N/A	90.6	12.3	15.9	13.9	12.7	15.1
DT71	294387	92611	Urban Background	N/A	100.0	7.6	9.1	8.7	7.8	7.2
DT72	293617	93090	Roadside	N/A	100.0	10.6	12.2	10.5	10.9	9.7
DT73	293052	94185	Urban Background	N/A	90.6	7.5	8.3	7.8	7.6	7.2
DT74 (Removed)	292056	93043	Urban Background	N/A	0.0	8.3	10.7	8.4	9.4	-
DT75	291721	89727	Roadside	N/A	90.6	11.1	13.7	12.6	12.3	12.1
DT76	291555	90449	Urban Background	N/A	90.6	9.6	12.3	11.3	11.5	11.0
DT77	292553	93082	Kerbside	N/A	92.5	18.6	23.8	20.5	21.6	22.5

Diffusion Tube ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
DT78	296415	94165	Other	N/A	100.0	10.6	13.4	12.5	13.5	12.1
DT79	296827	93886	Roadside	N/A	100.0	14.5	17.3	15.4	15.8	15.2
DT80	295967	88876	Roadside	N/A	100.0	14.3	16.4	16.6	16.6	15.2
DT81	292637	91991	Roadside	N/A	100.0	11.2	13.9	12.2	11.9	11.1
DT82	292847	92911	Urban Background	N/A	100.0	10.8	12.6	12.0	11.9	11.3
DT83	291655	92258	Roadside	N/A	92.5	19.5	24.0	22.5	22.7	21.8
DT84	291897	92217	Roadside	N/A	100.0	15.5	18.6	15.4	16.5	17.0
DT85	291375	92935	Roadside	N/A	100.0	-	-	26.9	27.1	26.6
DT86 (new)	292281	92246	Roadside	N/A	100.0	-	-	-	-	28.0
DT87 (new)	292206	92190	Roadside	N/A	100.0	-	-	-	-	22.4

☒ Annualisation has been conducted where data capture is <75% and >25% in line with LAQM.TG22.

☒ Diffusion tube data has been bias adjusted.

☒ Reported concentrations are those at the location of the monitoring site (bias adjusted and annualised, as required), i.e. prior to any fall-off with distance correction.

Notes:

The annual mean concentrations are presented as $\mu\text{g}/\text{m}^3$.

Exceedances of the NO_2 annual mean objective of $40\mu\text{g}/\text{m}^3$ are shown in **bold**.

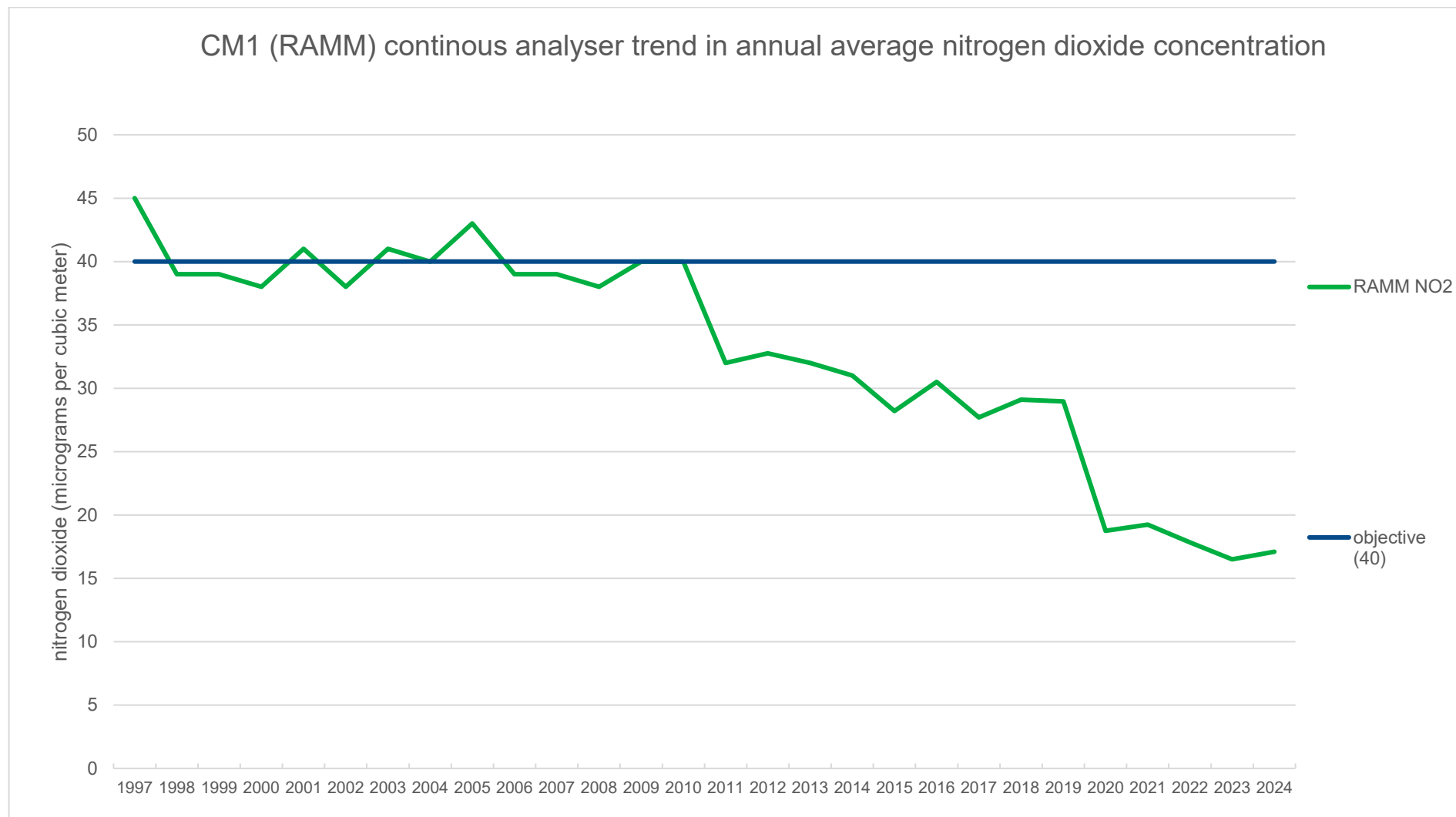
NO_2 annual means exceeding $60\mu\text{g}/\text{m}^3$, indicating a potential exceedance of the NO_2 1-hour mean objective are shown in **bold and underlined**.

Means for diffusion tubes have been corrected for bias. All means have been “annualised” as per LAQM.TG22 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

Concentrations are those at the location of monitoring and not those following any fall-off with distance adjustment.

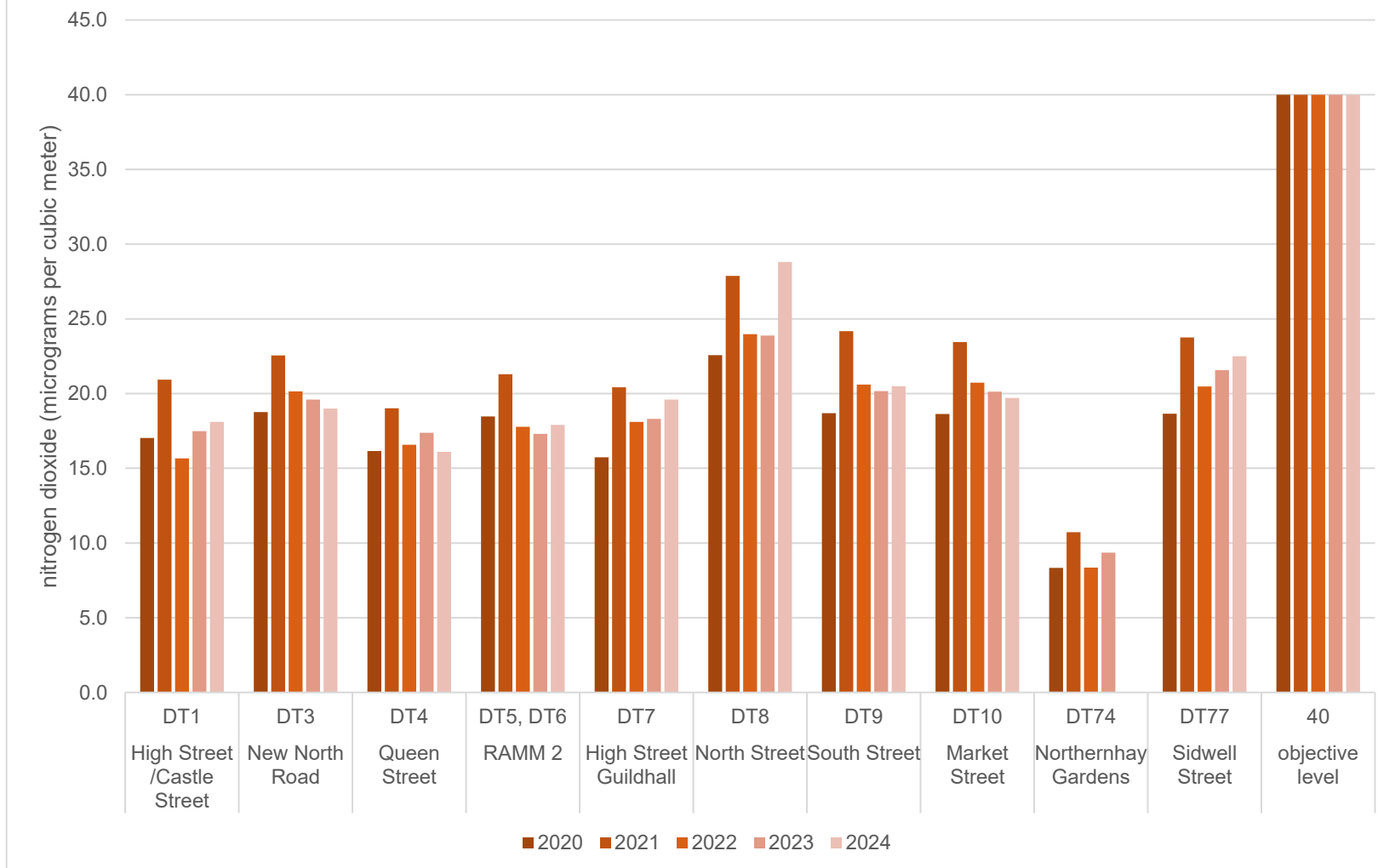
(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

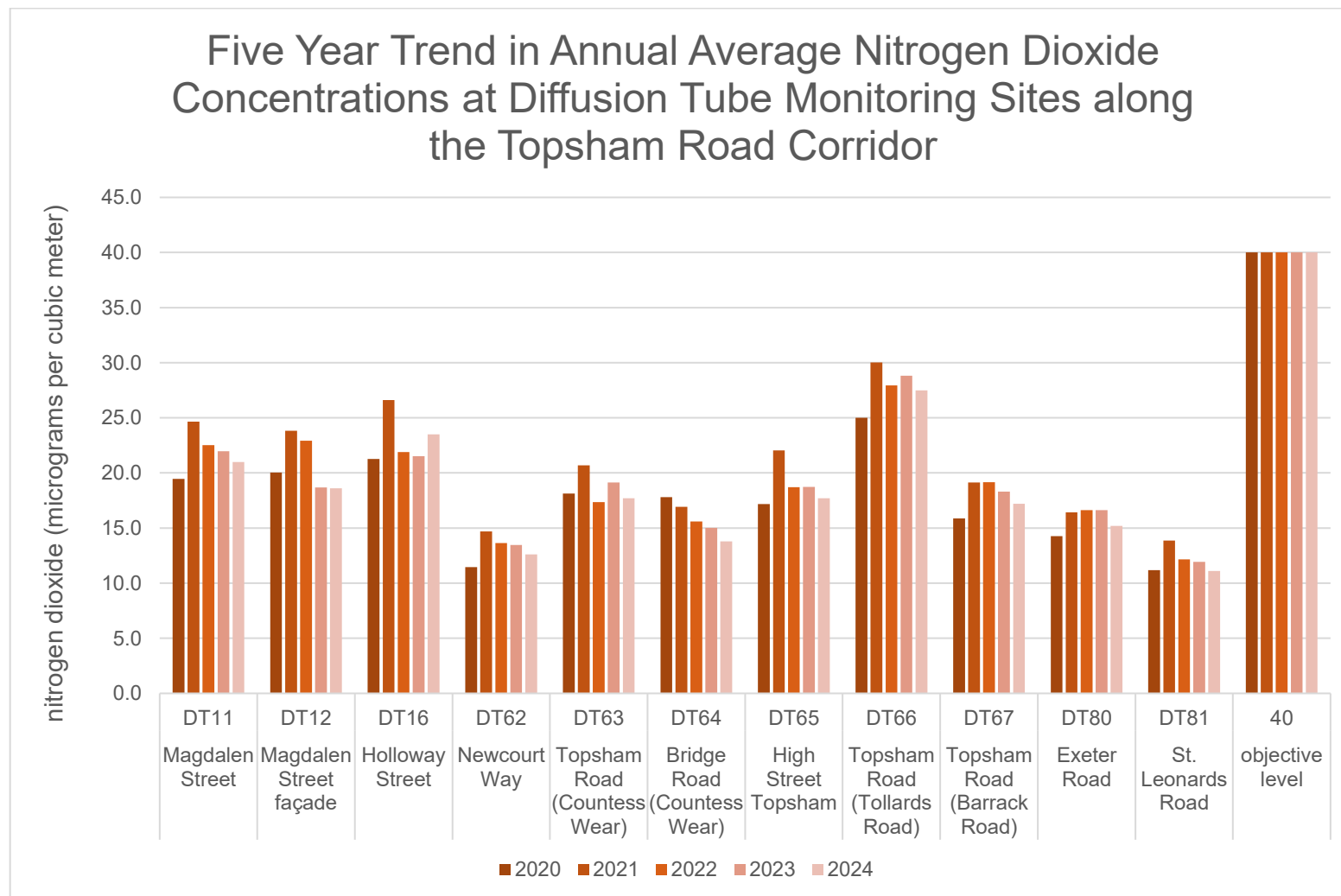
Figure A.1 – Trends in Annual Mean NO₂ Concentrations

This figure presents NO₂ annual mean concentrations at the RAMM continuous monitoring site between years 1997 and 2024. There are no exceedances of the annual mean objective in 2024. There is a general trend of reduction since 2010.

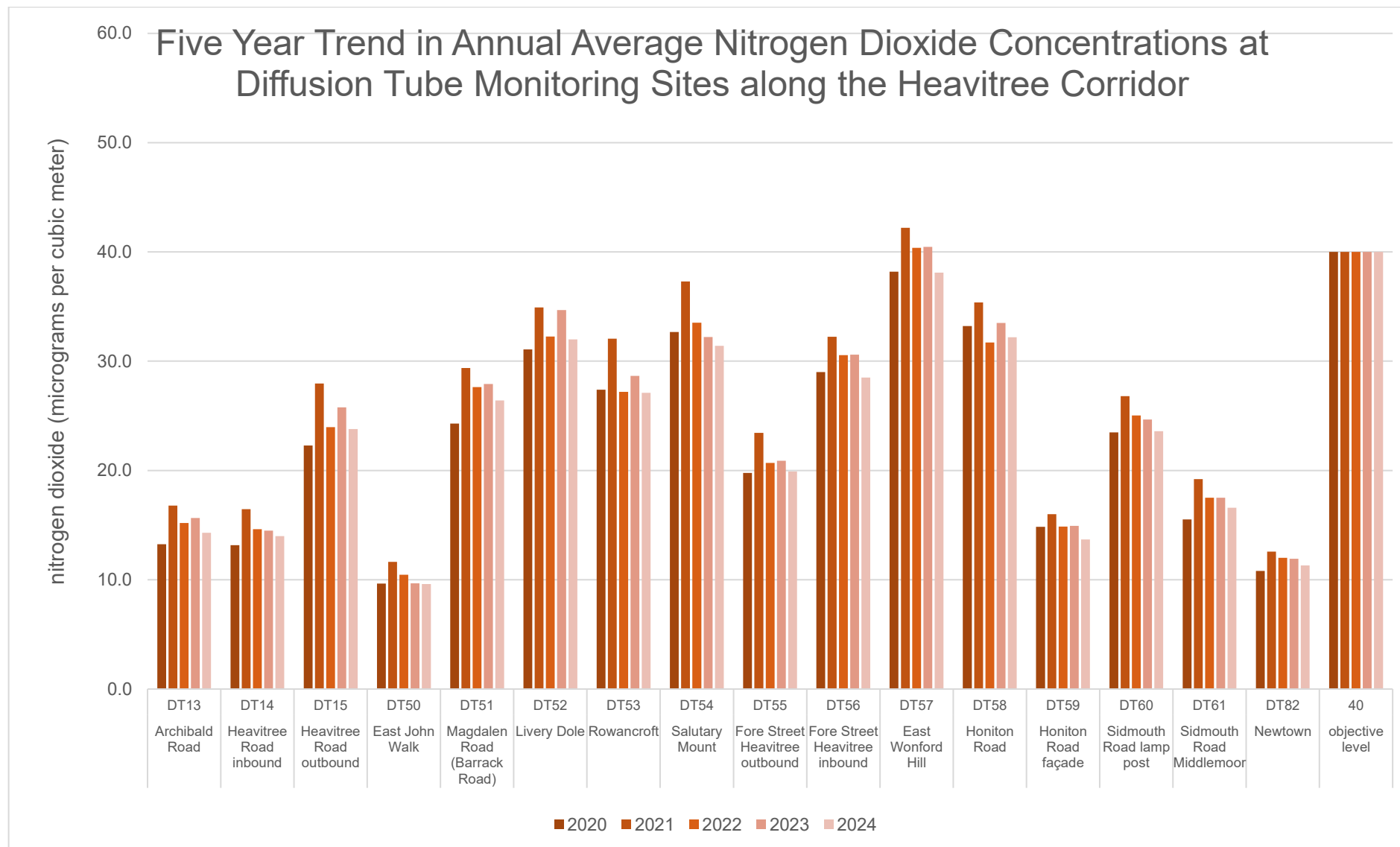
Five Year Trend in Annual Average Nitrogen Dioxide Concentrations at Diffusion Tube Monitoring Sites in City Centre Area



This figure presents NO₂ annual mean concentrations for sites in the city centre between 2020 and 2024. There are no exceedances of the annual mean objective in 2024 and there is a general trend of reduction experienced across the sites.

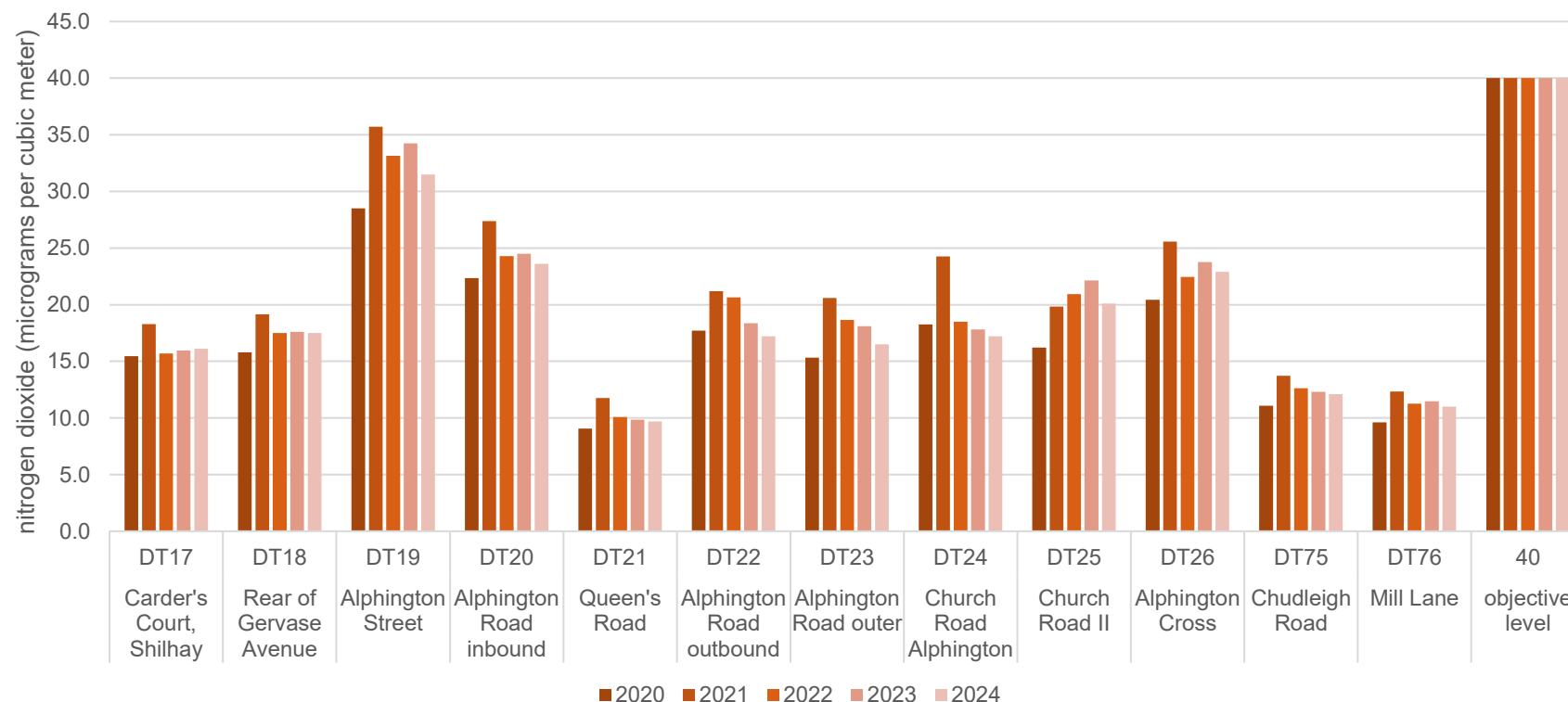


This figure presents NO₂ annual mean concentrations for sites along the Topsham Road corridor between 2020 and 2024. There are no exceedances of the annual mean objective in 2024 and there is a general trend of reduction experienced across the sites.



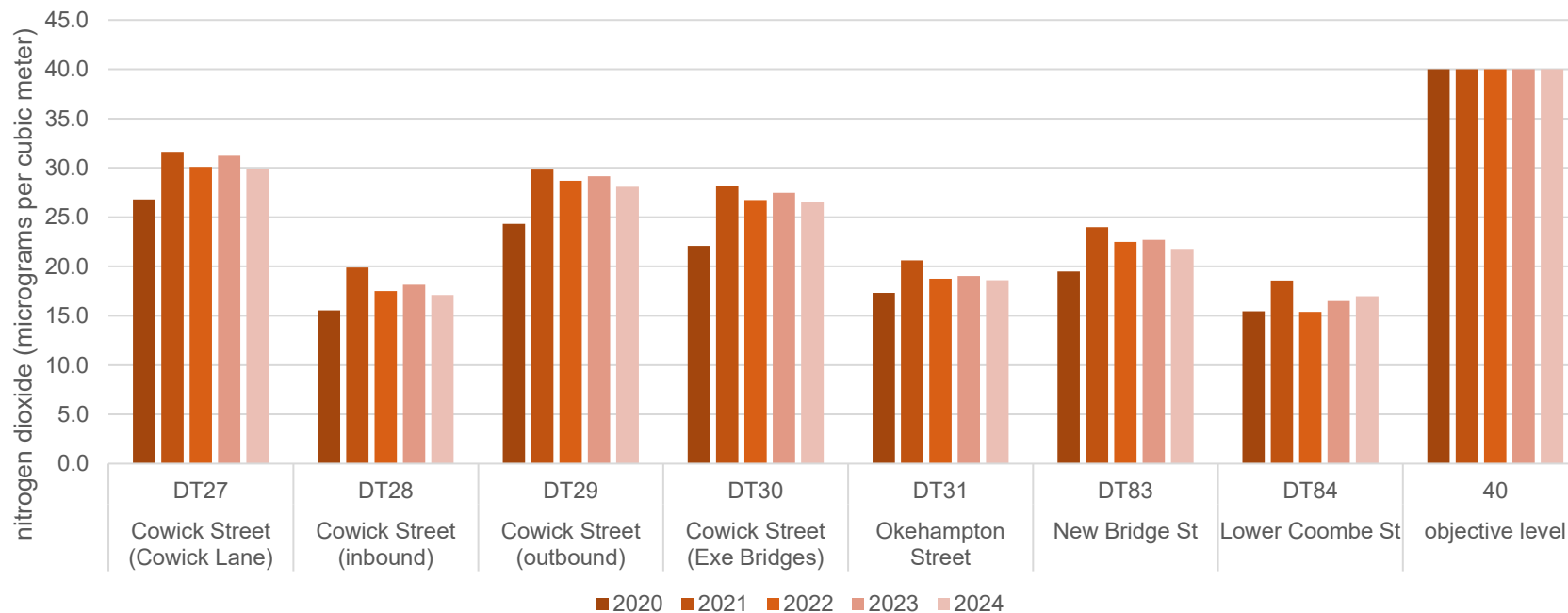
This figure presents NO₂ annual mean concentrations for sites along the Heavitree corridor between 2020 and 2024. There are no exceedances of the annual mean objective in 2024 and there is a general trend of reduction across the sites.

Five Year Trend in Annual Average Nitrogen Dioxide Concentrations at Diffusion Tube Monitoring Sites along the Alphington Corridor

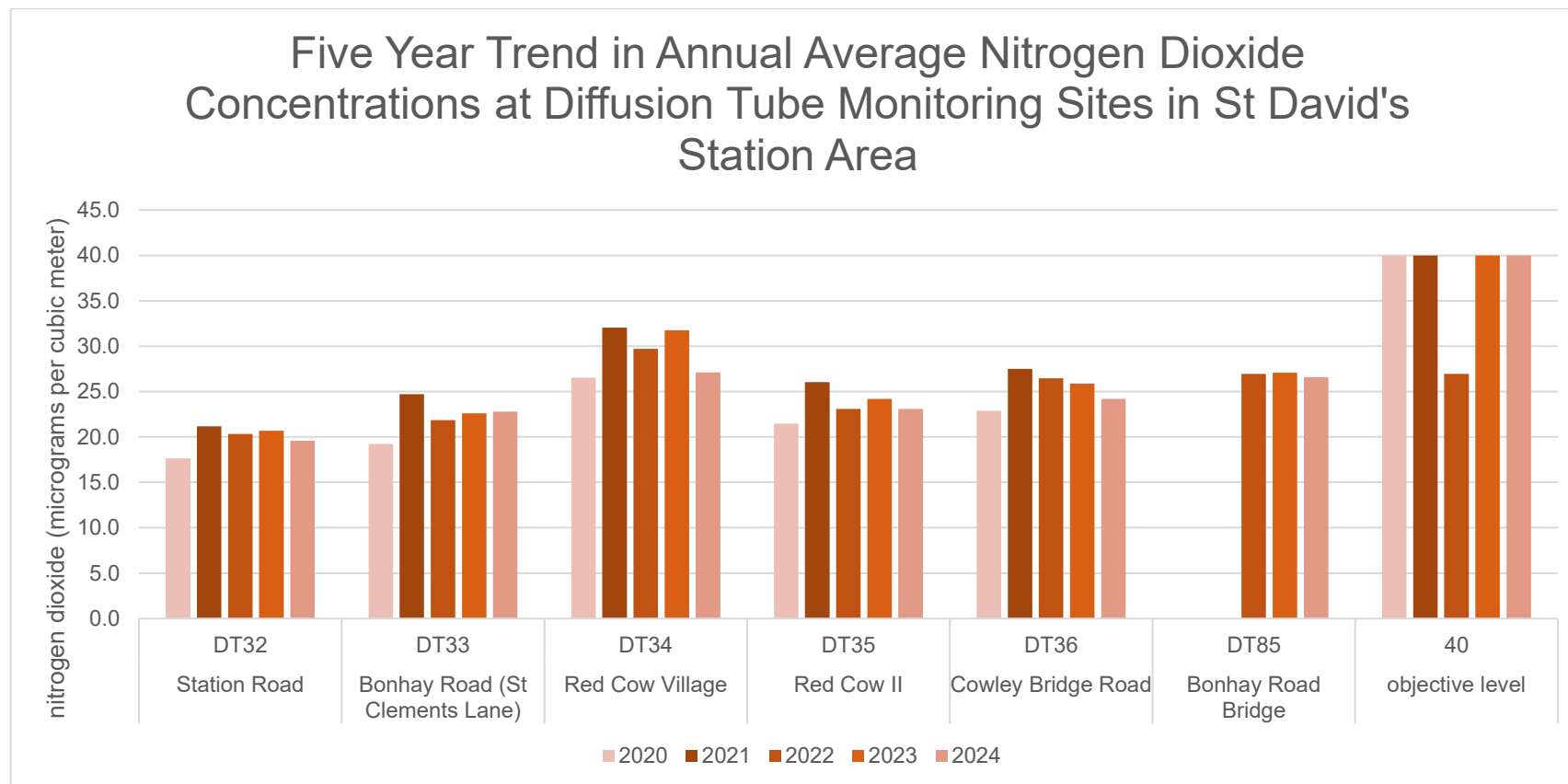


This figure presents NO₂ annual mean concentrations for sites along the Alphington corridor between 2020 and 2024. There are no exceedances of the annual mean objective in 2024 and there is a general trend of reduction experienced across the sites.

Five Year Trend in Annual Average Nitrogen Dioxide Concentrations at Diffusion Tube Monitoring Sites along the Cowick Street Corridor

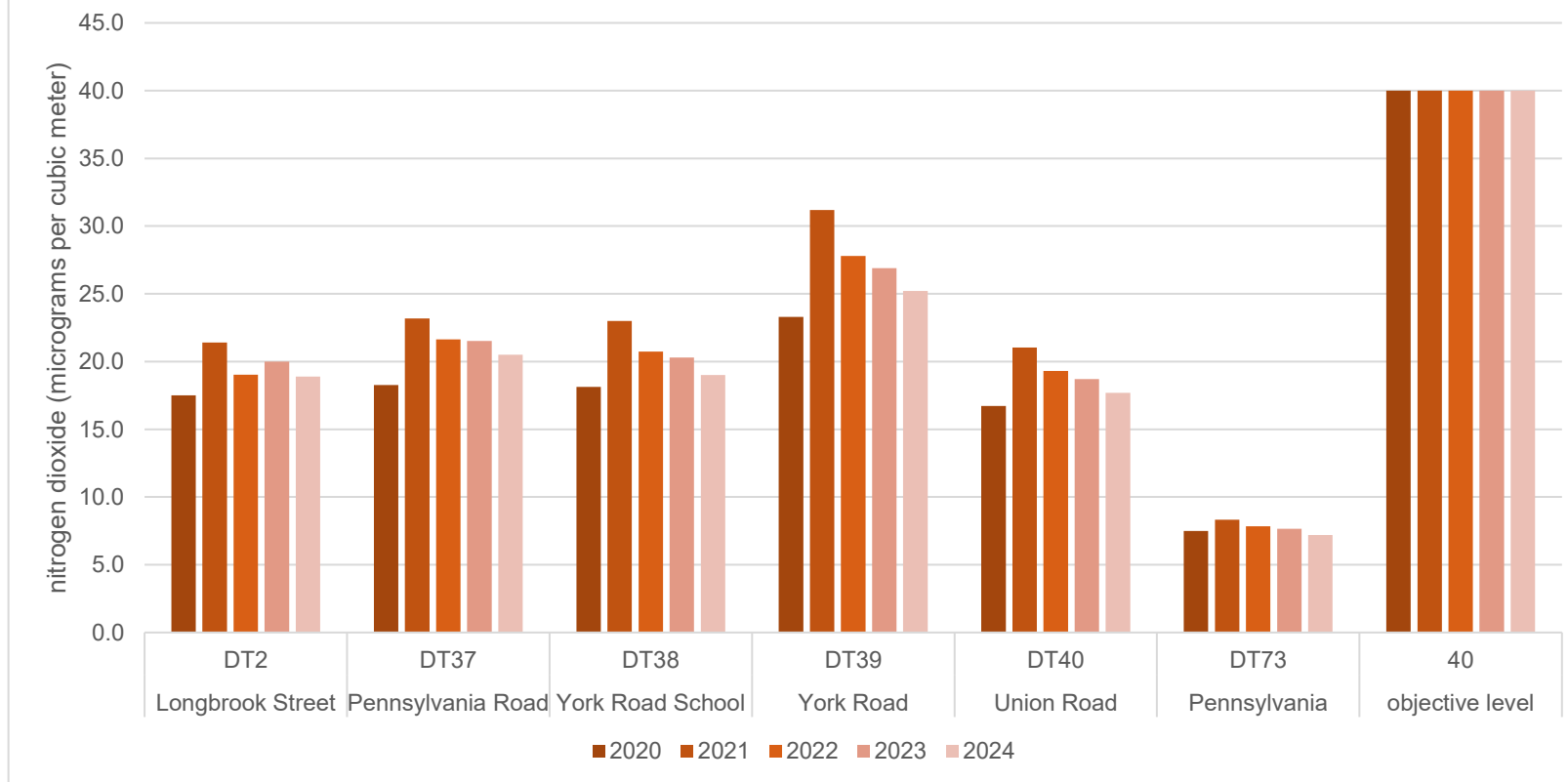


This figure presents NO₂ annual mean concentrations for sites along the Cowick Street corridor between 2020 and 2024. There are no exceedances of the annual mean objective in 2024 and there is a general trend of reduction experienced across the sites.

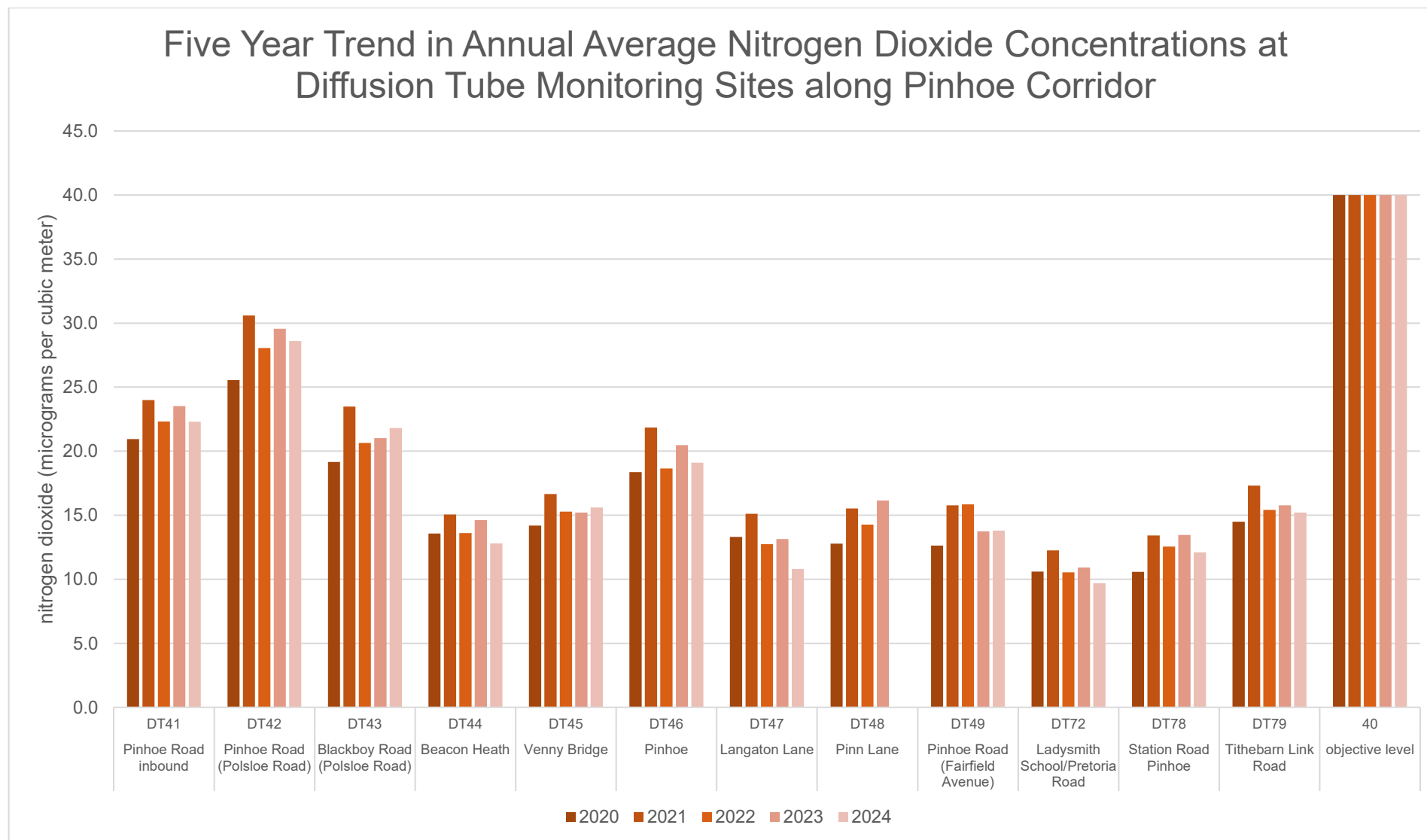


This figure presents NO₂ annual mean concentrations for sites in the St David's area between 2020 and 2024. There are no exceedances of the annual mean objective in 2024 and there is a general trend of reduction experienced across the sites.

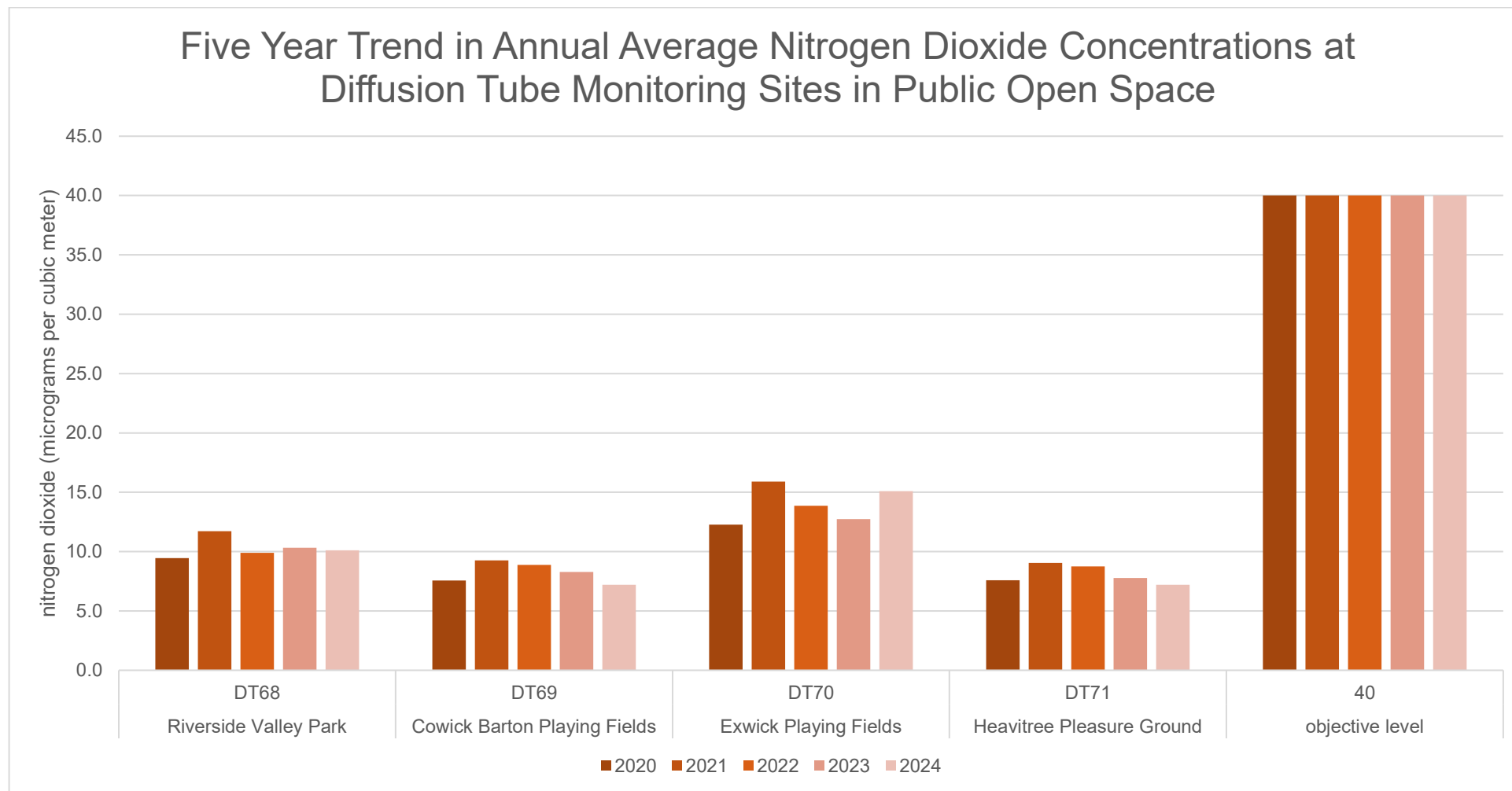
Five Year Trend in Annual Average Nitrogen Dioxide Concentrations at Diffusion Tube Monitoring Sites along Pennsylvania Corridor



This figure presents NO₂ annual mean concentrations for sites in the Pennsylvania area between 2020 and 2024. There are no exceedances of the annual mean objective in 2024 and there is a general trend of reduction experienced across the sites.



This figure presents NO₂ annual mean concentrations for sites along the Pinhoe corridor between 2020 and 2024. There are no exceedances of the annual mean objective in 2024 and there is a general trend of reduction experienced across the sites.



This figure presents NO₂ annual mean concentrations for sites in public open space between 2020 and 2024. There are no exceedances of the annual mean objective in 2024 and there is a general trend of reduction experienced across the sites.

Table A.5 – 1-Hour Mean NO₂ Monitoring Results, Number of 1-Hour Means > 200µg/m³

Site ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
CM1	291939	92830	Kerbside	N/A	38	0	0	0	0 (63.3)	0 (69.4)

Notes:

Results are presented as the number of 1-hour periods where concentrations greater than 200µg/m³ have been recorded.

Exceedances of the NO₂ 1-hour mean objective (200µg/m³ not to be exceeded more than 18 times/year) are shown in **bold**.

If the period of valid data is less than 85%, the 99.8th percentile of 1-hour means is provided in brackets.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

Table A.6 – Annual Mean PM₁₀ Monitoring Results (µg/m³)

Site ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
CM1	291939	92830	Kerbside	N/A	0	14.1	13.9	17.1 (19.2)	18.8 (20.1)	-
CM2	291670	91773	Roadside	N/A	100	11.5	12.0	14.7	15.2	14.1

☒ **Annualisation has been conducted where data capture is <75% and >25% in line with LAQM.TG22.**

Notes:

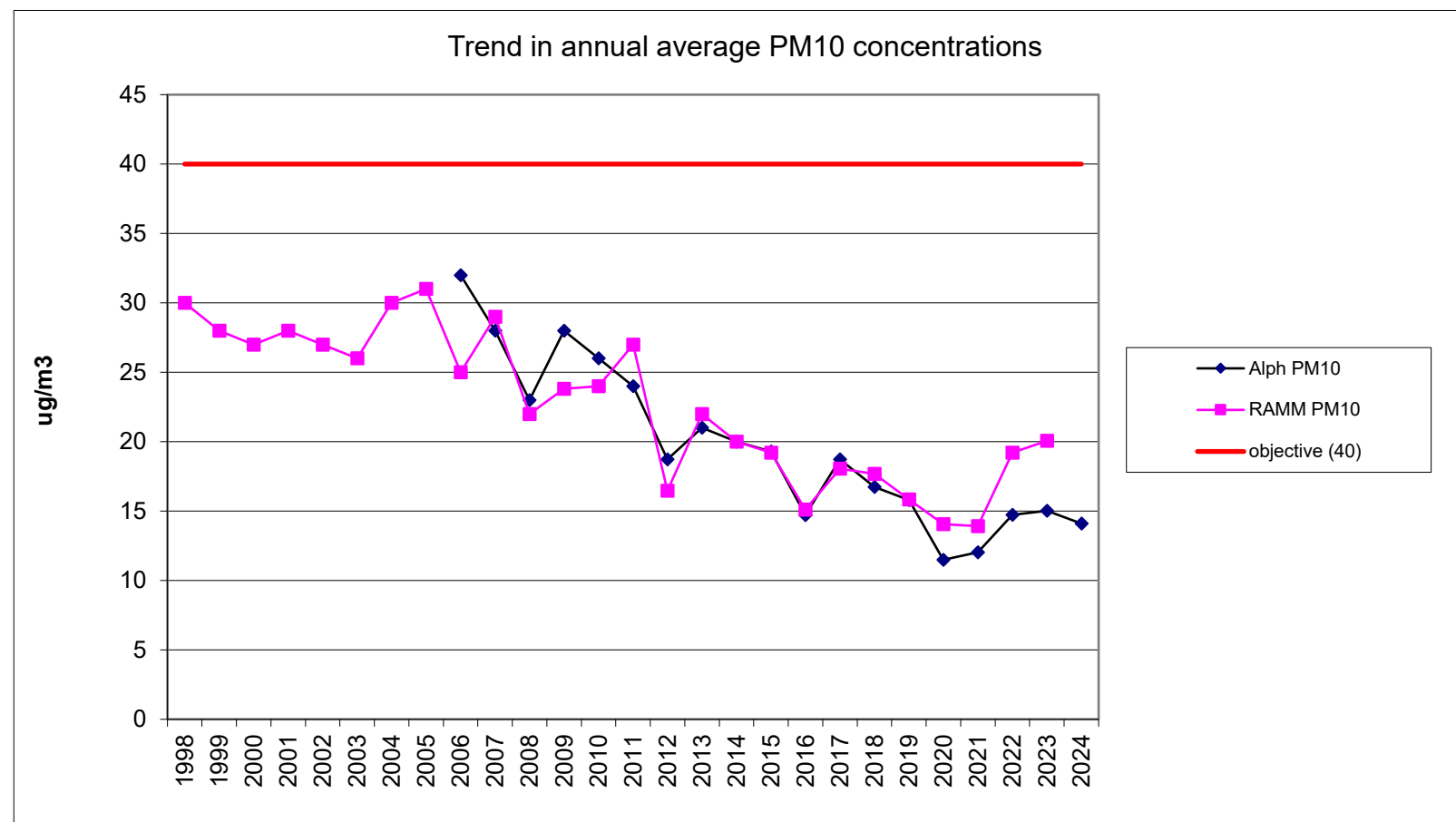
The annual mean concentrations are presented as µg/m³.

Exceedances of the PM₁₀ annual mean objective of 40µg/m³ are shown in **bold**.

All means have been “annualised” as per LAQM.TG22 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

Figure A.2 – Trends in Annual Mean PM₁₀ Concentrations

This figure presents PM₁₀ annual mean concentrations for the two monitoring sites in Exeter between 1998 and 2024. There are no exceedances of the annual mean objective in 2024 although concentrations have increased since 2021. Otherwise, there is a general trend of reduction experienced across both sites.

Table A.7 – 24-Hour Mean PM₁₀ Monitoring Results, Number of PM₁₀ 24-Hour Means > 50µg/m³

Site ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
CM1	291939	92830	Kerbside	N/A	0	1	1	2 (29.9)	0 (30.3)	-
CM2	291670	91773	Roadside	N/A	100	0 (19.2)	0	1	0	0

Notes:

Results are presented as the number of 24-hour periods where daily mean concentrations greater than 50µg/m³ have been recorded.

Exceedances of the PM₁₀ 24-hour mean objective (50µg/m³ not to be exceeded more than 35 times/year) are shown in **bold**.

If the period of valid data is less than 85%, the 90.4th percentile of 24-hour means is provided in brackets.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

Table A.8 – Annual Mean PM_{2.5} Monitoring Results (µg/m³)

Site ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
CM1	291939	92830	Kerbside	N/A	0	8.6	8.4	11.1 (12.7)	13.2	-
CM2	291670	91773	Roadside	N/A	100	6.8	7.5	9.0	8.8	8.5

☒ **Annualisation has been conducted where data capture is <75% and >25% in line with LAQM.TG22.**

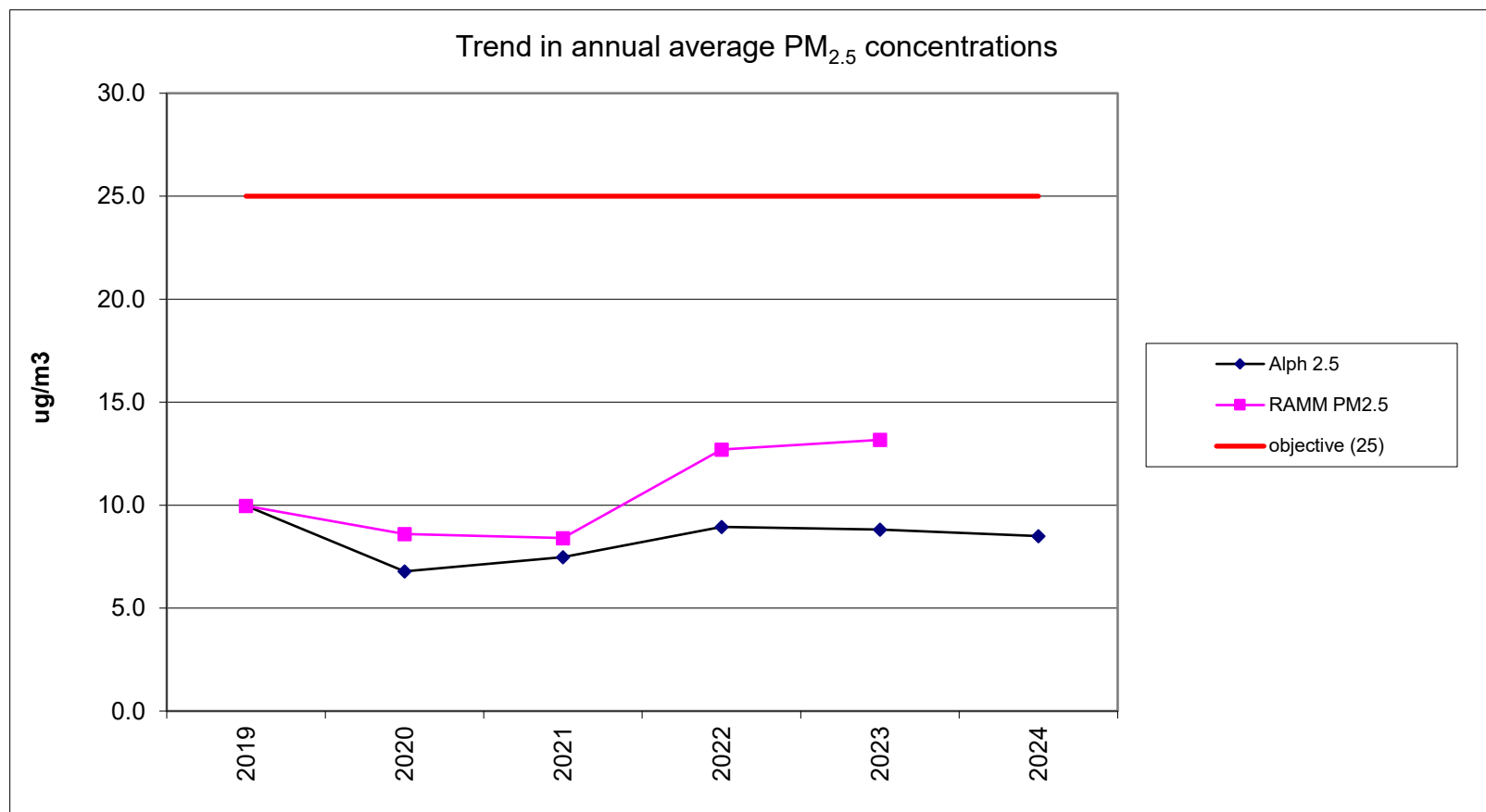
Notes:

The annual mean concentrations are presented as µg/m³.

All means have been “annualised” as per LAQM.TG22 if valid data capture for the full calendar year is less than 75%. See Appendix C for details.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

Figure A.3 – Trends in Annual Mean PM_{2.5} Concentrations

This figure presents PM_{2.5} annual mean concentrations for the two monitoring sites in Exeter between 2019 and 2023. There are no exceedances of the annual mean objective in 2024 although concentrations have increased since 2021. There is no clear trend over a five-year period.

Table A.9 – O₃ Monitoring Results, Number of 8-Hour Means > 100µg/m³

Site ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Site Type	Valid Data Capture for Monitoring Period (%) ⁽¹⁾	Valid Data Capture 2024 (%) ⁽²⁾	2020	2021	2022	2023	2024
CM1	291939	92830	Kerbside	N/A	38	87	0	0	8 (74.6)	0 (69.5)

Notes:

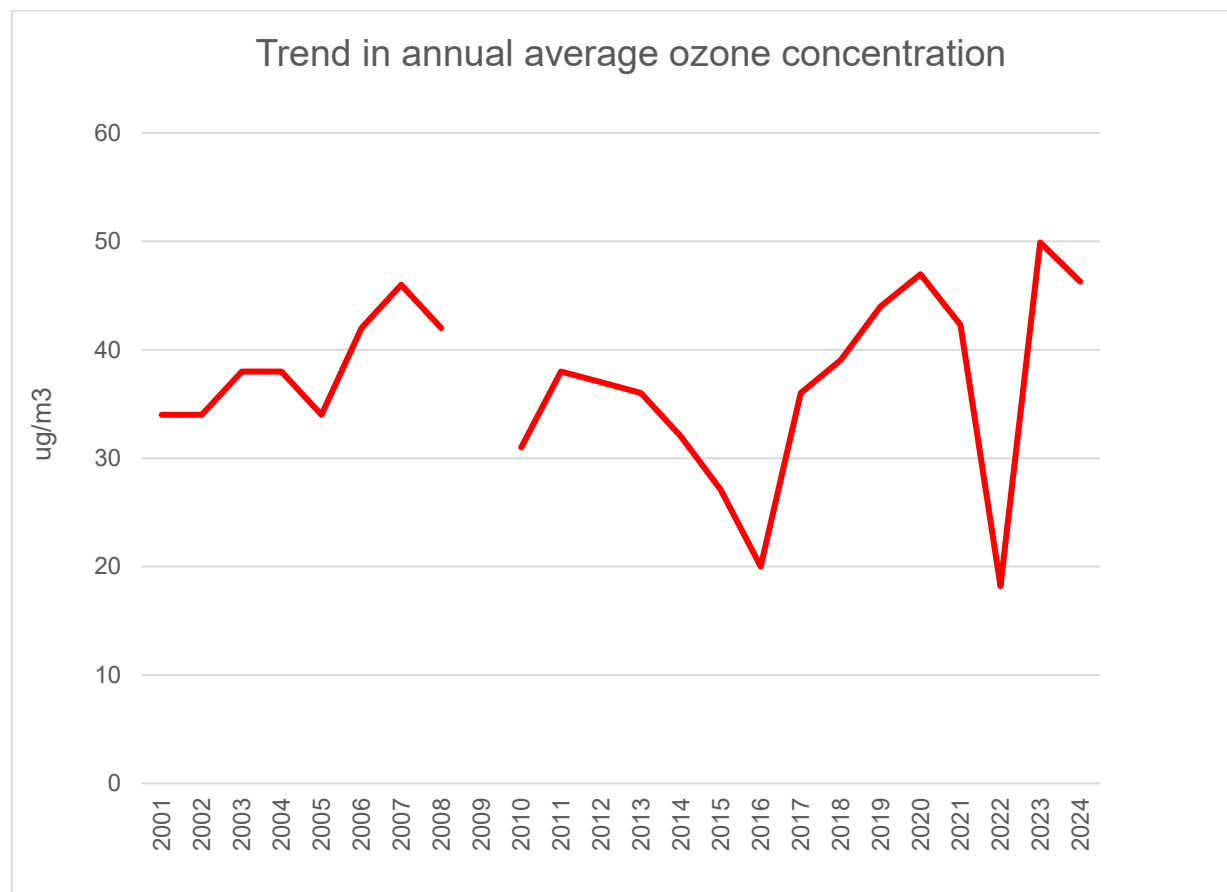
Results are presented as the number of instances where monitored concentrations are greater than the objective concentration.

Exceedances of the 8-hour mean O₃ objective (100µg/m³ not to be exceeded more than 10 times/year) are shown in **bold**.

If the period of valid data is less than 85%, the relevant percentiles are provided in brackets.

(1) Data capture for the monitoring period, in cases where monitoring was only carried out for part of the year.

(2) Data capture for the full calendar year (e.g. if monitoring was carried out for 6 months, the maximum data capture for the full calendar year is 50%).

Figure A.4 – Trends in Annual Mean O₃ Concentrations

This figure presents O₃ annual mean concentrations between years 2001 and 2024. (Note that there is no local air quality objective for annual mean O₃ concentrations so this data is presented for information only). There is no clear trend over the entire period.

Appendix B: Full Monthly Diffusion Tube Results for 2024

Table B. 1 - NO₂ 2024 Diffusion Tube Results (µg/m³)

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (0.84)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
DT1	292199	92814	26.5	24.2	23.1	19.5	20.5	17.8	18.6	17.6	21.5	24.2	24.6	21.1	21.6	18.1	-	
DT2	292315	93016	25.9	28.9	22.1	19.9	21.3	17.6	19.7	17.3	19.7	25.2	28.2	24.0	22.5	18.9	-	
DT3	292185	93049	26.2	26.8	26.6	21.9	20.2	19.2	19.3	22.1	17.9	22.6	25.8	22.6	22.6	19.0	-	
DT4	291779	93011	24.9	23.1	20.4	17.2	17.5	13.8		13.9	16.8	23.7	21.0	18.3	19.2	16.1	-	
DT5	291944	92826	27.9	23.9	19.6	19.7	19.7	17.1	15.3		24.0	24.5	27.0	23.6	-	-	-	Duplicate Site with DT5 and DT6 - Annual data provided for DT6 only
DT6	291944	92826	26.8	23.6	20.2	18.8	19.7	17.6	15.5	14.0	24.9	25.2	27.7	21.8	21.3	17.9	-	Duplicate Site with DT5 and DT6 - Annual data provided for DT6 only
DT7	291984	92626	28.5	26.7	26.8	23.1	20.9	17.8	21.1	19.3	20.4	29.6	24.0	21.6	23.3	19.6	-	
DT8	291895	92569	36.0	38.3	35.1	35.6		33.1	31.5	31.2	33.4	37.0		32.1	34.3	28.8	-	
DT9	291943	92511	27.4	28.0	23.0	23.0	21.2	20.5	22.0	20.2	27.7		29.5	26.0	24.4	20.5	-	
DT10	291833	92433	27.9	27.4	25.8	20.2	19.3	16.3	19.7	17.5	22.8	31.1	30.0	23.8	23.5	19.7	-	
DT11	292291	92292	30.3	29.7	25.1	20.9	21.9	17.4	20.8	19.7	27.4	28.9	32.0	26.2	25.0	21.0	-	
DT12	292422	92320	33.6	31.1	9.8	20.4	13.6	19.0	16.0	18.4	27.1	26.1	26.0	24.5	22.1	18.6	-	
DT13	292590	92743	24.0	21.8	17.1	14.6	13.6	10.2	11.4	11.6		21.6	23.4	17.7	17.0	14.3	-	
DT14	292832	92731	24.4	19.8	16.9	15.0	14.2	11.4	12.6	11.3	15.8	19.9	22.4	16.7	16.7	14.0	-	
DT15	292703	92807	34.3	31.7	26.7	27.9	30.1	23.6	22.3	21.6	30.9	32.7	32.3	26.7	28.4	23.8	-	
DT16	292378	92039	31.1	27.7	24.7	22.6	26.5	23.3	23.5	20.5	32.2	33.2	40.8	29.7	28.0	23.5	-	
DT17	291699	92091	25.5	23.9	16.0	16.2	15.6	16.0	15.7		19.1	20.9	23.1	18.9	19.2	16.1	-	

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (0.84)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
DT18	291657	91973	26.6	26.7	18.8	19.7	19.0	17.0	17.4		19.6	21.5	22.5	20.3	20.8	17.5	-	
DT19	291669	91812	47.0	38.7	39.5	38.5	38.2	32.1	32.8	29.8		41.7	39.3	34.4	37.5	31.5	-	
DT20	291532	91349	34.2	31.2	26.5	27.9	25.1	25.0	24.5	24.1	31.4	28.0	31.8	26.7	28.0	23.6	-	
DT21	291460	91390	18.4	12.2	9.9	9.0	8.4	6.2	7.6		10.9	14.8	17.4	12.0	11.5	9.7	-	
DT22	291509	91151	28.9	24.0	25.0	20.2	23.3	17.1	19.3	16.7	15.7	9.5	24.0	21.4	20.4	17.2	-	
DT23	291518	90813	26.9	22.3	25.0	19.8	16.7	12.2	14.9	14.5	15.7	25.5	25.6	16.6	19.6	16.5	-	
DT24	291691	90425	28.3	23.3	21.2	16.8	18.4	18.8	18.3	14.8	18.8	24.6	21.4	20.9	20.5	17.2	-	
DT25	291767	90160	29.6	30.2	26.9	22.4	21.9	19.0	22.7		20.7	19.7	25.1	24.4	23.9	20.1	-	
DT26	291520	90531	32.0	31.8	28.7	25.5	23.5	24.0	26.4		26.4	26.4	28.7	26.7	27.3	22.9	-	
DT27	290864	91725	39.1	38.4	44.8	36.7	36.1	29.7	32.7	31.1	31.6	39.3	36.5	31.2	35.6	29.9	-	
DT28	291249	91874	28.3	23.3	19.1	18.4	17.7	15.5	16.2	15.5	21.7	25.5	25.2	18.6	20.4	17.1	-	
DT29	291376	91944	38.5	35.8	38.4	34.2	32.9	27.5	30.7	29.4	32.7	41.5	32.7	27.8	33.5	28.1	-	
DT30	291500	92055	36.9	33.3	30.2	29.3			30.0	28.1	35.3	30.9	31.5	29.9	31.5	26.5	-	
DT31	291351	92169	24.7	26.5	23.2	19.5	22.3	18.7	20.1	18.7	25.9	25.1	25.2	16.3	22.2	18.6	-	
DT32	290826	93598	28.5	25.7	23.8	19.9	23.8	18.6	20.3	19.2	21.7	27.8	28.5	22.1	23.3	19.6	-	
DT33	291253	93299	34.3	31.1	23.7	24.2	23.5	23.0	23.0		30.3	28.5	31.1	26.4	27.2	22.8	-	
DT34	291242	93483	39.7	33.1	25.3	24.1	32.1	29.7	31.9	31.8	35.6	34.6	35.1	34.0	32.2	27.1	-	
DT35	291272	93468	32.9	31.5	34.3	23.3	24.0	23.9	21.8	24.4	25.6	29.1	31.6	26.9	27.4	23.1	-	
DT36	291054	94399	35.8	32.0	32.1	28.3	29.1	22.6	24.5	22.3	29.1	32.4	30.7	27.1	28.8	24.2	-	
DT37	292391	93291	29.6	28.0	27.5	20.8	24.0	18.0	21.2	17.7	25.3	31.3	26.7	22.4	24.4	20.5	-	
DT38	292469	93245	30.6	26.3	25.2	21.1	21.1	16.2	17.7	16.2	21.9	26.2	28.2	21.1	22.7	19.0	-	

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (0.84)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
DT39	292579	93146	37.1	33.3	32.7	29.7	28.4	23.2	24.3	21.5	31.0	34.5	35.5	28.5	30.0	25.2	-	
DT40	293047	93877	26.5	25.7	23.8	17.3	20.3	14.5	17.9	14.1	17.8	29.0	24.9	20.5	21.0	17.7	-	
DT41	293405	93395	28.8	31.9	32.7	21.8	24.6	19.3	24.5	22.2	22.8	32.8	31.1	25.6	26.5	22.3	-	
DT42	293251	93375	36.9	37.4	37.0	33.0	34.9	26.1	31.5	28.5	28.7	43.5	38.1	32.6	34.0	28.6	-	
DT43	293227	93356	28.9	29.4	22.9	22.8	22.1	19.5		23.6	27.6	30.0	31.8	26.3	25.9	21.8	-	
DT44	295068	94487	17.7	22.3	15.6	13.4	14.1	11.4	11.4	9.0	14.5	17.6	20.2	15.2	15.2	12.8	-	
DT45	295888	94101	23.0	23.8	18.2	16.7	16.3	15.7	15.6	15.4	16.3	21.7	21.7	18.9	18.6	15.6	-	
DT46	296418	94470	28.8	30.4	22.3	20.6	18.9	20.1	18.7	19.6	22.2	23.8	25.0	23.0	22.8	19.1	-	
DT47	296984	94327		16.6	14.5	11.8	12.0	9.3	12.1	10.2	12.3		17.0	13.0	12.9	10.8	-	
DT49	295413	93689	25.5	18.7	14.3	13.3	13.1	10.9	12.1	11.3	16.2	19.5	22.7	19.7	16.4	13.8	-	
DT50	293091	92825	17.7	15.7	11.9	9.3	9.0	7.0	8.3	7.2	10.1	14.7	14.8	11.9	11.5	9.6	-	
DT51	293448	92419	42.8	37.5	34.8	30.7	28.1	23.0	25.1	20.4	32.2	32.0	36.0	35.4	31.5	26.4	-	
DT52	293418	92497	47.0	44.7	44.8	36.3	33.4	32.0	33.5	33.3	37.7	35.9	38.8	39.0	38.0	32.0	-	
DT53	293533	92473	40.4	36.6	35.7	31.4	28.7	26.1	26.9	24.5	32.7	36.2	35.1	33.0	32.3	27.1	-	
DT54	293738	92396	41.0	44.6	45.0	37.6	35.7	32.3	35.1	33.9	32.8	35.5	39.6	35.7	37.4	31.4	-	
DT55	293781	92409	30.6	28.4	24.6	23.2	19.7	17.6	19.5	16.5	23.0	26.8	28.8	25.2	23.7	19.9	-	
DT56	294043	92359	37.1	43.3	41.5	30.5	31.2	26.4	33.9	31.4	27.6	35.8	36.4	32.5	34.0	28.5	-	
DT57	294410	92310	48.5	55.2	46.3	41.5	46.6	40.3	46.6	41.9	40.8	48.4	45.4	42.5	45.4	38.1	-	
DT58	295203	92378	48.8	43.6	38.4	36.6	36.2	33.6	34.3	33.7	39.0	38.5	43.4	34.5	38.4	32.2	-	
DT59	295191	92395	22.5	21.5	16.8	14.3	14.7	11.0	11.5	11.5	15.6	18.9	22.3	15.2	16.3	13.7	-	
DT60	295466	92365	37.8	31.4	25.0	24.0	26.0	19.5		20.1	29.5	30.5	36.1	29.2	28.1	23.6	-	

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (0.84)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
DT61	295636	92232	24.7	23.2	18.3	15.7	17.9	14.7	16.6	15.5	18.0	24.0	22.2	26.6	19.8	16.6	-	
DT62	295710	90571	23.8	17.6	12.4	11.6	12.6	10.1	11.9	10.9	15.6	16.3	21.3	15.3	15.0	12.6	-	
DT63	294694	90001	26.0	25.5	18.5	17.4	20.0	17.6	19.9	19.9	21.7	21.1	25.4	20.6	21.1	17.7	-	
DT64	294652	89974		19.9	14.5	14.6	14.8	12.7	13.6	13.3	19.8	18.6	21.7	17.2	16.4	13.8	-	
DT65	296415	88477	27.9	22.2	19.9	19.5	21.2	16.4	18.1	16.0	22.2	23.1	27.4	18.4	21.0	17.7	-	
DT66	294227	90435	38.1	37.8	35.8	31.6	31.9	25.6	30.7	29.5	31.5	35.2	35.0	30.5	32.8	27.5	-	
DT67	293213	91245	27.9	23.2	24.3	17.9	20.7	13.7	17.6	14.3	17.2	25.5	23.2	19.7	20.4	17.2	-	
DT68	292291	91678	18.2	14.7	10.7	9.5	8.8	6.9	8.2		9.9	17.5	14.9	13.2	12.1	10.1	-	
DT69	291016	91304	15.7	10.7	8.3	6.7	6.4	5.0	6.2		9.0			9.6	8.6	7.2	-	
DT70	291298	92593	25.4	19.8	15.7	15.7	15.9	12.4	13.9		18.4	22.8	22.6	14.7	17.9	15.1	-	
DT71	294387	92611	13.5	11.5	8.9	6.5	6.0	4.5	5.9	5.1	6.7	10.8	13.0	10.2	8.6	7.2	-	
DT72	293617	93090	17.7	14.9	11.4	9.0	8.0	6.8	8.1	7.0	10.9	14.5	17.5	12.8	11.5	9.7	-	
DT73	293052	94185	13.2	10.6	9.4	6.3	6.3	4.5	5.8		5.8	11.2	12.5	9.1	8.6	7.2	-	
DT75	291721	89727	21.5	15.8	13.9	11.4	11.0	7.9	10.9		13.9	16.9	20.8	13.8	14.4	12.1	-	
DT76	291555	90449	20.1	15.0	11.6	10.5	10.5	8.5	9.2		12.4	14.9	17.5	14.4	13.1	11.0	-	
DT77	292553	93082	33.2	29.4	28.3	25.8	24.8	22.4	23.2	21.8		28.3	30.3	27.1	26.8	22.5	-	
DT78	296415	94165	19.1	18.3	14.4	11.7	12.8	10.3	12.5	10.8	13.4	17.5	18.1	14.3	14.4	12.1	-	
DT79	296827	93886	26.1	20.5	17.1	14.3	14.6	10.9	14.3	13.2	20.0	22.7	24.4	18.5	18.0	15.2	-	
DT80	295967	88876	26.2	21.4	16.5	16.2	16.2	13.7	15.3	12.7	17.5	19.3	23.7	18.9	18.1	15.2	-	
DT81	292637	91991	20.5	16.2	11.5	10.6	10.2	7.1	10.0	8.9	12.6	16.7	19.5	14.5	13.2	11.1	-	
DT82	292847	92911	19.5	19.2	14.5	11.7	10.8	8.1	10.2	8.5	10.9	14.8	17.5	15.9	13.5	11.3	-	

DT ID	X OS Grid Ref (Easting)	Y OS Grid Ref (Northing)	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual Mean: Raw Data	Annual Mean: Annualised and Bias Adjusted (0.84)	Annual Mean: Distance Corrected to Nearest Exposure	Comment
DT83	291655	92258	32.6	31.4	25.1	24.1	22.6	24.4	22.7	22.4		28.1	29.4	23.3	26.0	21.8	-	
DT84	291897	92217	29.4	24.2	15.6	18.2	16.5	15.3	16.0	15.1	24.5	22.1	24.1	21.4	20.2	17.0	-	
DT85	291375	92935	40.3	37.8	26.8	28.5	31.3	27.4	27.2	26.0	32.7	35.0	33.4	33.7	31.7	26.6	-	
DT86	292281	92246	38.0	36.9	32.9	32.3	31.1	27.2	30.1	28.2	35.2	37.7	35.7	33.9	33.3	28.0	-	
DT87	292206	92190	32.5	34.1	29.6	27.0	17.0	21.9	23.5	21.9	26.3	30.2	31.2	24.2	26.6	22.4	-	

- ☒ All erroneous data has been removed from the NO₂ diffusion tube dataset presented in Table B.1.
- ☒ Annualisation has been conducted where data capture is <75% and >25% in line with LAQM.TG22.
- ☐ Local bias adjustment factor used.
- ☒ National bias adjustment factor used.
- ☐ Where applicable, data has been distance corrected for relevant exposure in the final column.
- ☒ Exeter City Council confirm that all 2024 diffusion tube data has been uploaded to the Diffusion Tube Data Entry System.

Notes:

Exceedances of the NO₂ annual mean objective of 40µg/m³ are shown in **bold**.

NO₂ annual means exceeding 60µg/m³, indicating a potential exceedance of the NO₂ 1-hour mean objective are shown in **bold and underlined**.

See Appendix C for details on bias adjustment and annualisation.

Appendix C: Supporting Technical Information / Air Quality Monitoring Data QA/QC

New or Changed Sources Identified Within Exeter During 2024

The Council has not identified any new sources relating to air quality within the reporting year of 2024.

Additional Air Quality Works Undertaken by Exeter City Council During 2024

Potential effects of the Heavitree and Whipton Active Streets trial during 2024 on the local nitrogen dioxide concentrations and traffic flows have been assessed, using the same approach as in Annual Status Report 2024. See Appendices G, H and I for further information.

Exeter City Council in partnership with Emerald Green Power (EGP) have been working on a DEFRA-funded virtual sensor project. The project has been progressing according to the approved plan. Key milestones achieved include the installation of all required IoT air quality sensors, the development of advanced virtual sensing algorithms using historic and AURN data as training data and the creation of an offline rapid prototype model. For more information about the project, please visit [this link](#).

QA/QC of Diffusion Tube Monitoring

Exeter City Council uses Gradko diffusion tubes (20% TEA in water). Gradko laboratories (GRADKO International Ltd., St. Martins House, 77 Wales Street, Winchester, Hants. SO23 0RH) hold UKAS accreditation, follow the procedures set out in the Harmonisation Practical Guidance and their performance was satisfactory in the centralised AIR NO₂ PT scheme for quality assurance and quality control.

The tube exposure period used generally follows the Diffusion Tube Monitoring Calendar provided by the Air Quality Support Helpdesk, i.e. an exposure time of 4 or 5 weeks, with

an allowed variation in exposure time of ± 2 days. During 2024, the monitoring was completed in adherence with the 2024 Diffusion Tube Monitoring Calendar.

The tubes are stored in a fridge before they are exposed. Location sites and fixings follow the recommendations in the DEFRA practical guidance on the use of diffusion tubes for NO₂ monitoring, published in 2008. Two tubes are colocated with the continuous analyser at the Royal Albert Memorial Museum (RAMM), Queen Street (Exeter Roadside).

Data from the tubes are ratified and suspect data rejected by Exeter City Council, following the procedure in the DEFRA practical guidance. Random checks of the data in the reporting spreadsheet are also undertaken to ensure that no mistakes were made when inputting the data. Analysis of the data from the two tubes that are co-located with the continuous analyser shows that these have overall good precision.

Diffusion Tube Annualisation

All diffusion tube monitoring locations within Exeter recorded data capture of 75% therefore it was not required to annualise any monitoring data. In addition, any sites with a data capture below 25% do not require annualisation.

Diffusion Tube Bias Adjustment Factors

The diffusion tube data presented within this Annual Status Report 2025 have been corrected for bias using an adjustment factor. Bias represents the overall tendency of the diffusion tubes to under or over-read relative to the reference chemiluminescence analyser. LAQM.TG22 provides guidance regarding the application of a bias adjustment factor to correct diffusion tube monitoring. Co-location studies can be used to determine a local bias factor based on the comparison of diffusion tube results with data taken from NO_x/NO₂ continuous analysers. Alternatively, the national database of diffusion tube co-location surveys provides bias factors for the relevant laboratory and preparation method.

Exeter City Council have applied a national bias adjustment factor of 0.84 to the 2024 monitoring data, from the National Diffusion Tube Bias Adjustment Factor Spreadsheet version number 04/25, based on 27 studies. A summary of bias adjustment factors used by Exeter City Council over the past five years is presented in Table C.1.

Table C. 1 - Bias Adjustment Factor

Monitoring Year	Local or National	If National, Version of National Spreadsheet	Adjustment Factor
2024	National	04/25	0.84
2023	National	03/24	0.81
2022	Local	-	0.77
2021	National	03/22	0.84
2020	Local	-	0.74

QA/QC of Automatic Monitoring

Neither of the two PM analysers are part of the national network, however recommended QA/QC procedures from the AURN Local Site Operator's manual are followed. ET also service each analyser every six months. Faults with the equipment mean that data from CM1 (RAMM) is not available for this reporting period.

Live PM₁₀ and PM_{2.5} data are available at this [page](#).

The PM data is collected, validated and ratified by Exeter City Council. Validation involves checking the data daily for instrumentation errors etc. and then visually screening the data on a weekly basis to mark any obviously spurious or unusual measurements. The Council also undertakes data ratification on an approximately three-monthly basis as well as following site services. This involves:

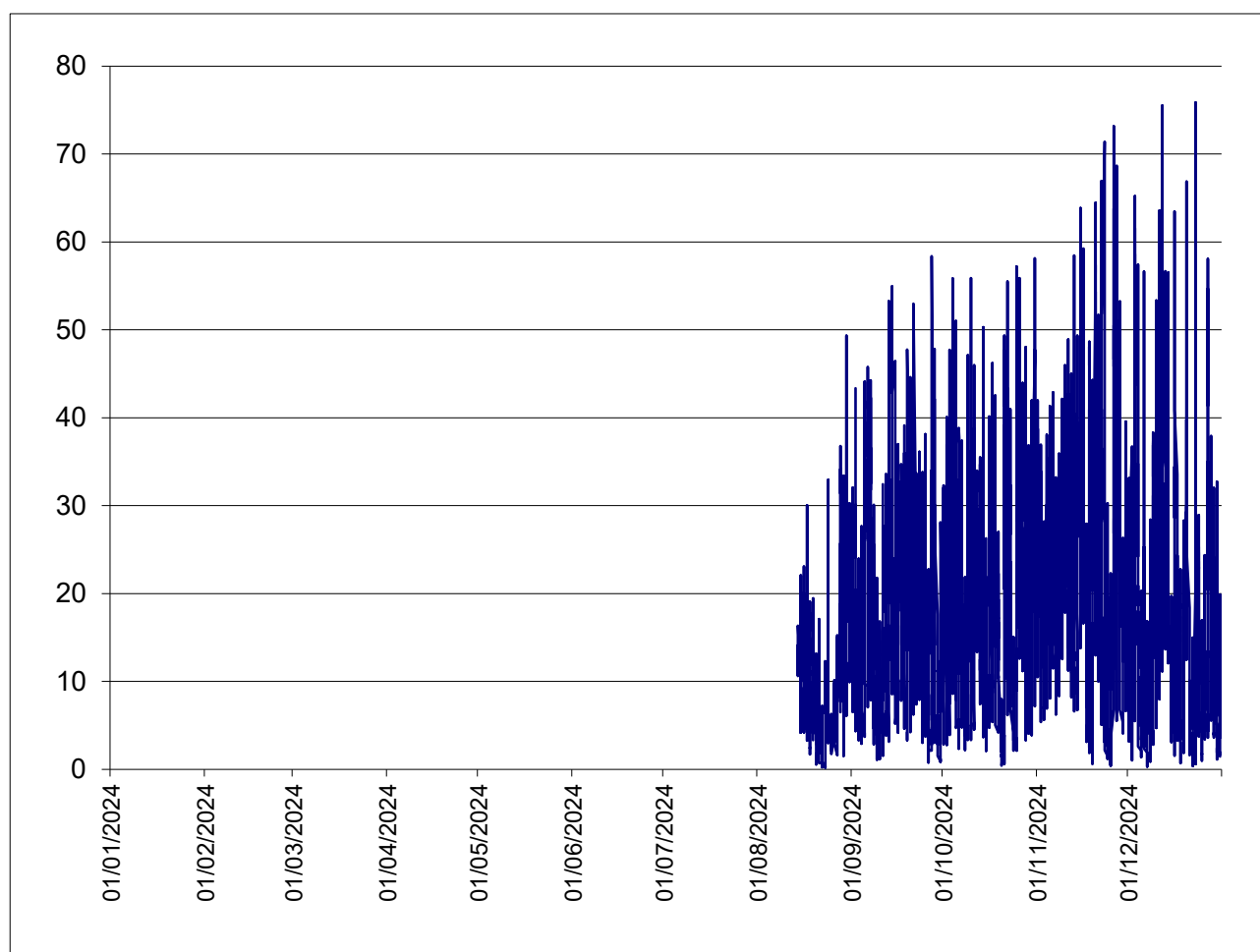
- Comparison of data with other pollutants and other appropriate AURN network sites (roadside sites and other sites in the south west),
- Final checking and deletion of data marked as possibly erroneous,
- Removal of data from unrepresentative periods of operation (e.g. road works in immediate vicinity of site etc. where data is shown or believed to have been affected),
- Adjustment for issues identified during services etc.

The NO₂ data from Exeter Roadside is collected and ratified by the AURN. Network data from the site can be found at [this link](#). It is ratified every 3 months by NETCEN, and is reported in the QA / QC Data Ratification Report for the Automatic Urban Network. Data

capture from the NO₂ analyser was 38% in 2024 because of essential repairs to the roof of the building housing the equipment (the RAMM museum).

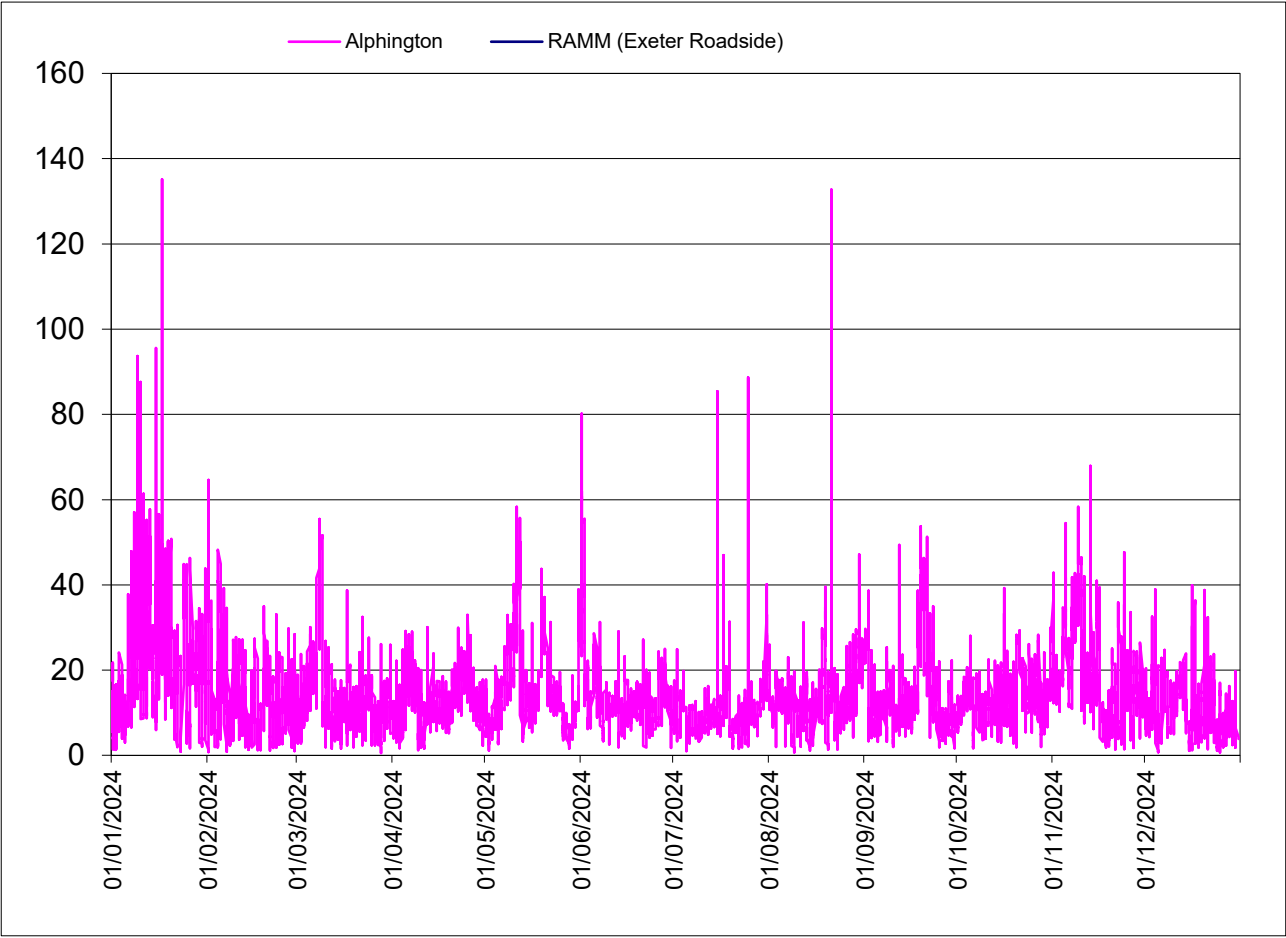
Plots of hourly average values for nitrogen dioxide, PM₁₀ and PM_{2.5} are shown below in Figures C.1, C.2 and C.3.

Figure C. 1 - Hourly NO₂ data from Exeter Roadside CM1 (RAMM) (µg/m³)

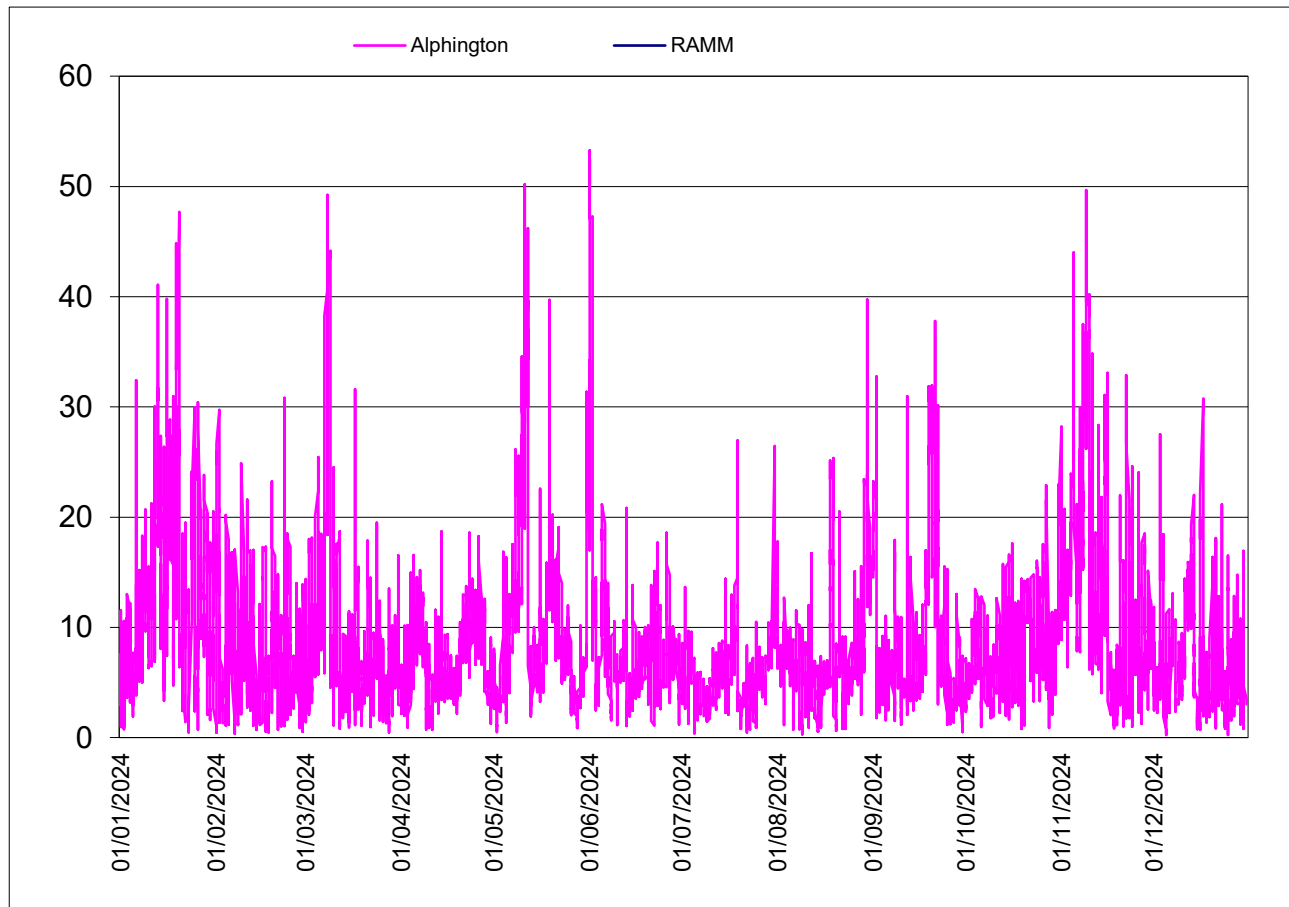


This graph shows the hourly NO₂ data from the analyser at RAMM

Figure C. 2 - Hourly PM₁₀ data from Alphington Street (CM2) (µg/m³)



This graph shows the hourly PM₁₀ data from the analyser at the Alphington Street.

Figure C. 3 - Hourly PM_{2.5} data from Alphington Street (CM2) (µg/m³)

This graph shows the hourly PM_{2.5} data from the analyser at the Alphington Street.

PM₁₀ and PM_{2.5} Monitoring Adjustment

The type of PM₁₀/PM_{2.5} monitors utilised within Exeter City Council do not require the application of a correction factor.

Automatic Monitoring Annualisation

Data capture from the NO₂, and O₃ continuous analysers at RAMM (Exeter Roadside CM1) were below 75%.

This data has been annualised using the method described in the Technical Guidance. Annualisation factors were gained using data from nearby (<50 miles) AURN urban or rural background sites which have data capture of over 75%. The annualisation factors for each pollutant are similar for all the sites used. Details of the calculated period means,

annual to period mean ratios and the annualised annual means are summarised in Tables C.2 and C.3.

Table C. 2 - Automatic NO₂ Annualisation Summary (concentrations in µg/m³)

Background Site	Annual Data Capture (%)	Annual Mean (A _m)	CM1	
			Period Mean (P _m)	Ratio (A _m / P _m)
Charlton Mackerell	97.8	3.7	4.4	0.850
Plymouth Centre	99.4	13.7	15.2	0.902
Yarner Wood	95.0	2.4	2.6	0.897
Average (R _a)			0.883	
Raw Data Annual Mean (M)			19.4	
Annualised Annual Mean (M x R _a)			17.1	

Table C. 3 - Automatic O₃ Annualisation Summary (concentrations in µg/m³)

Background Site	Annual Data Capture (%)	Annual Mean (A _m)	CM1	
			Period Mean (P _m)	Ratio (A _m / P _m)
Charlton Mackerell	98.6	58.8	51.0	1.153
Honiton	89.5	58.4	51.4	1.135
Plymouth Centre	96.8	51.7	45.4	1.139
Yarner Wood	99.0	64.0	55.2	1.159
Average (R _a)			1.146	
Raw Data Annual Mean (M)			40.4	
Annualised Annual Mean (M x R _a)			46.3	

NO₂ Fall-off with Distance from the Road

No automatic NO₂ monitoring locations within Exeter City Council required distance correction during 2024.

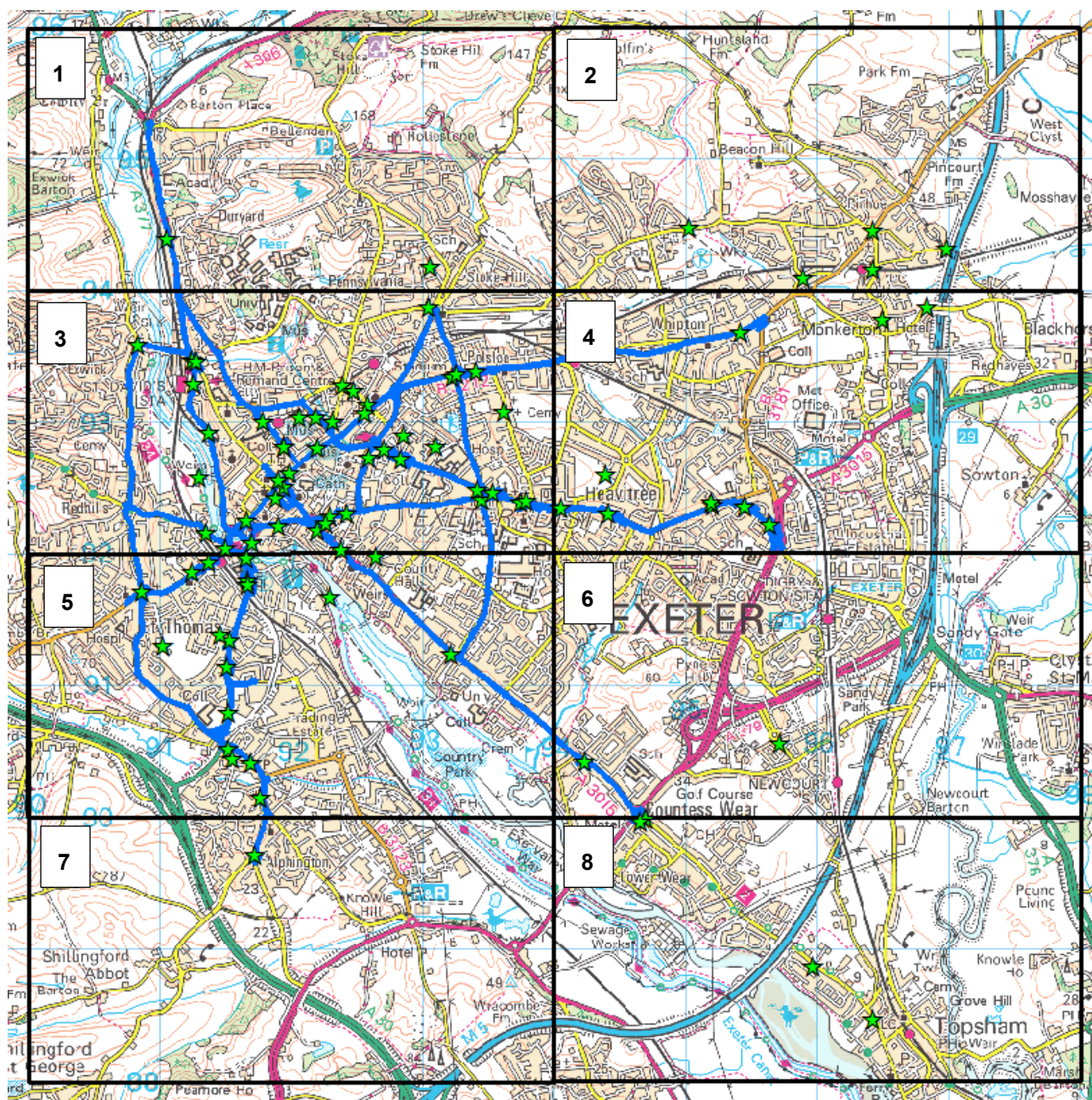
Appendix D: Map(s) of Monitoring Locations and AQMAs

Figure D. 1 - Map of Non-Automatic Monitoring Sites

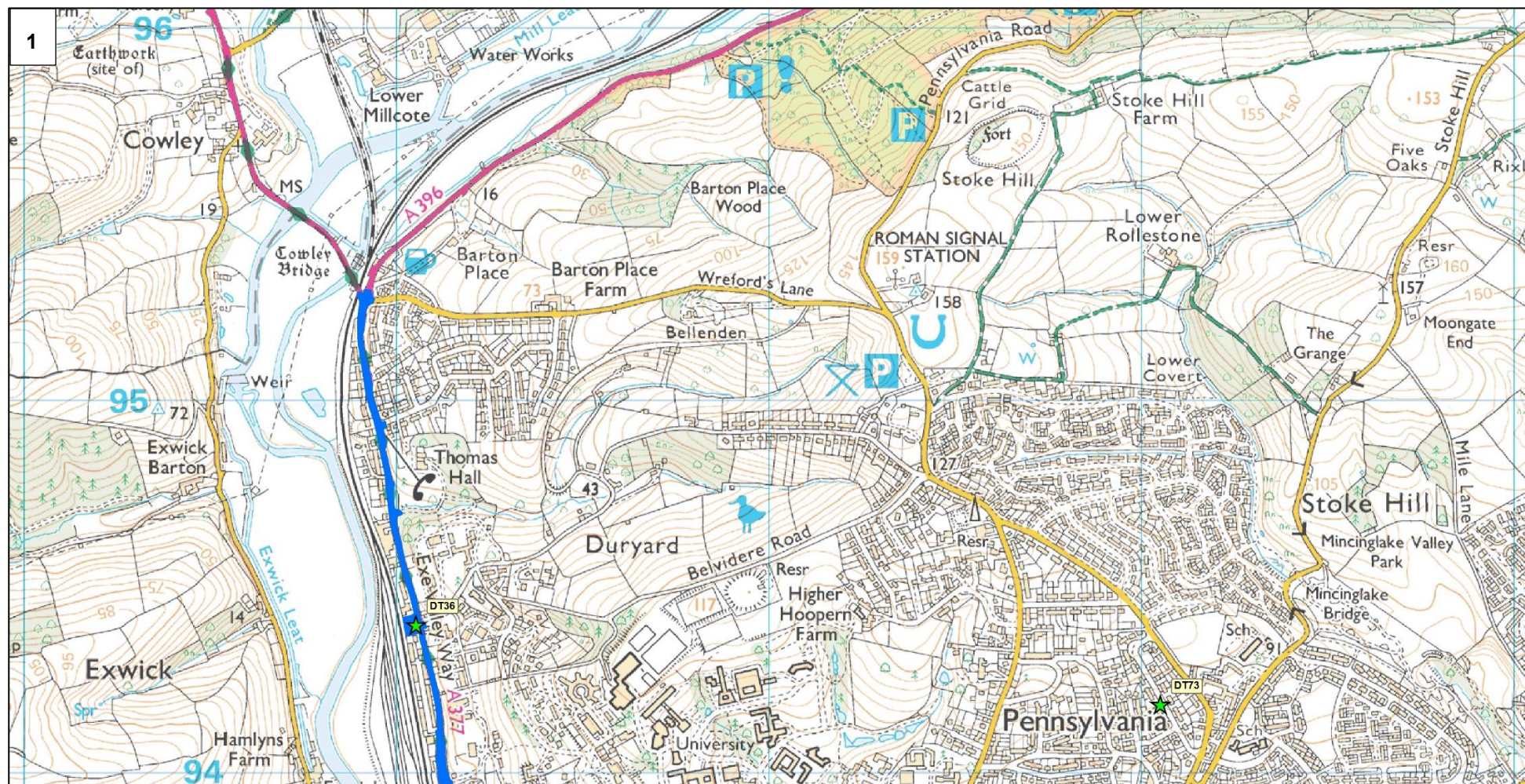
The monitoring locations and 2023 data can also be viewed using an online map [here](#).

Monitoring location = ★

AQMA =



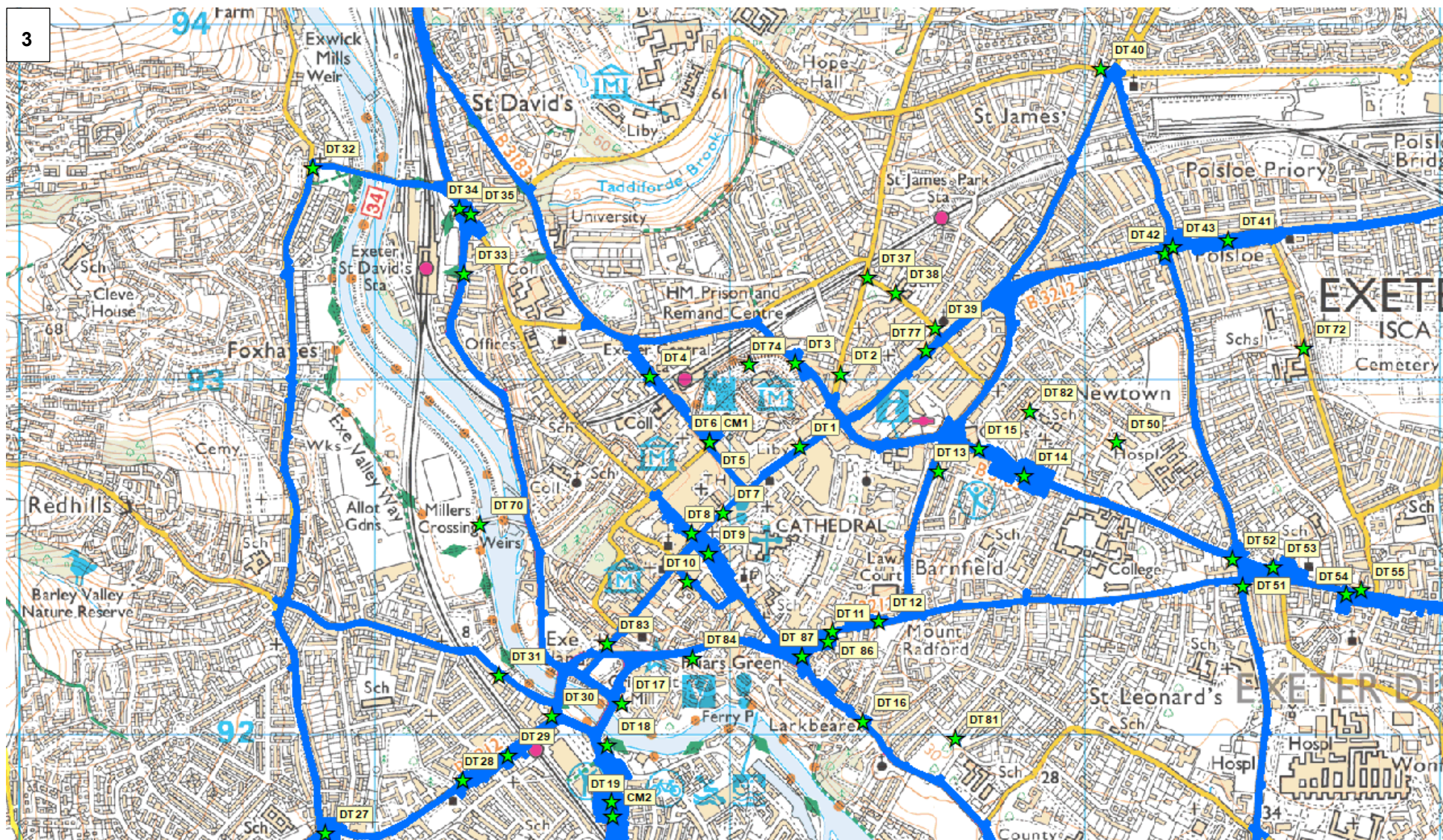
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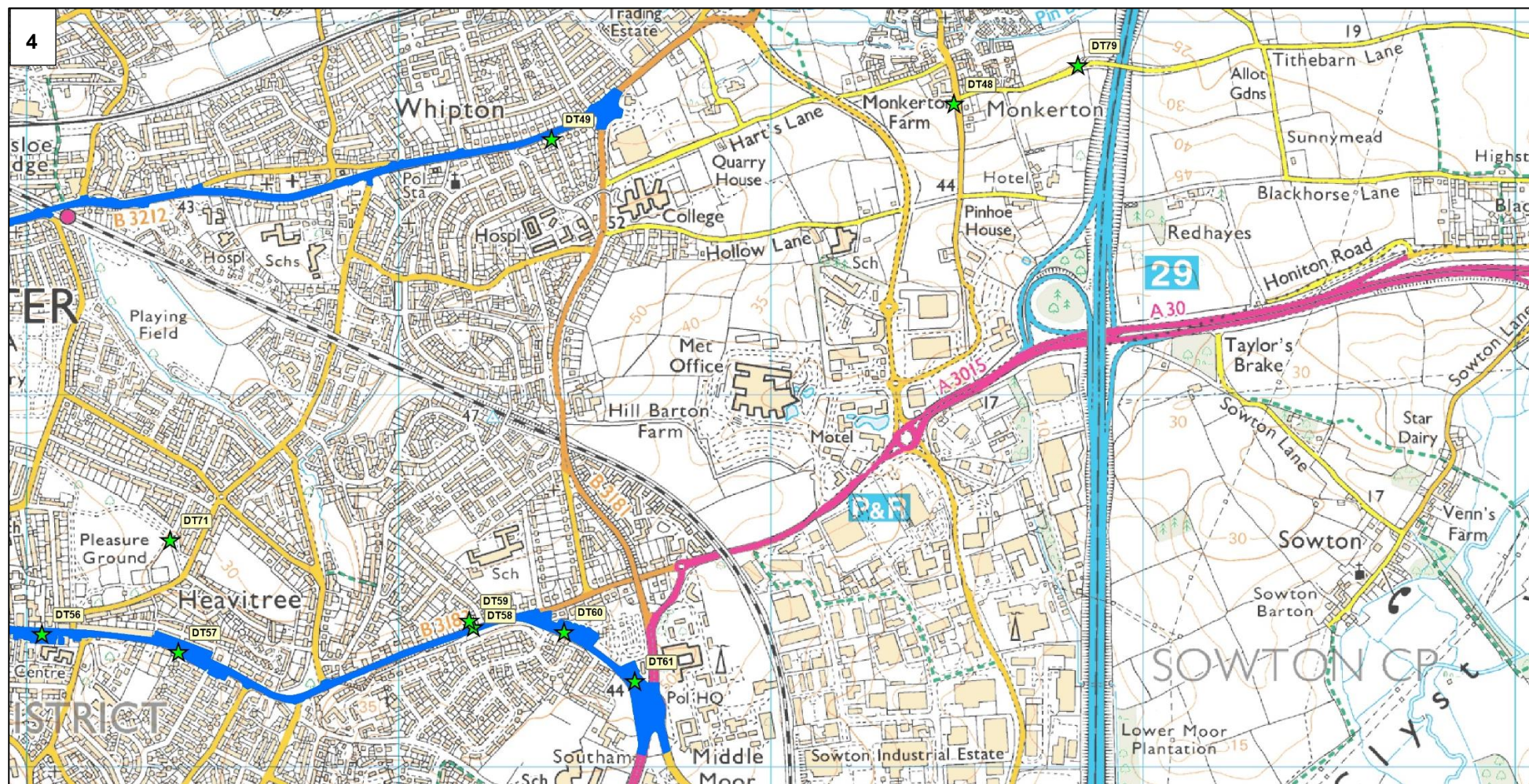
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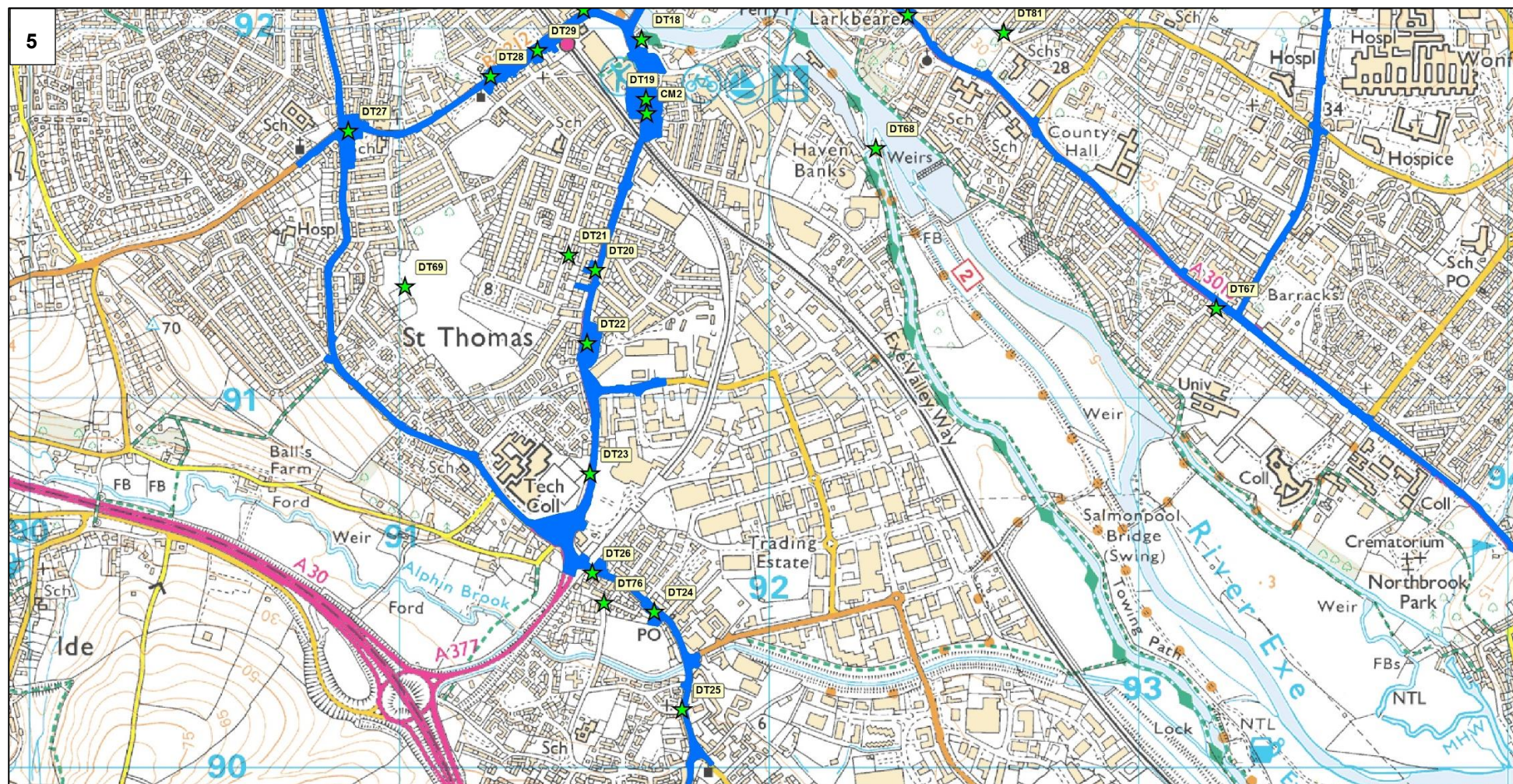
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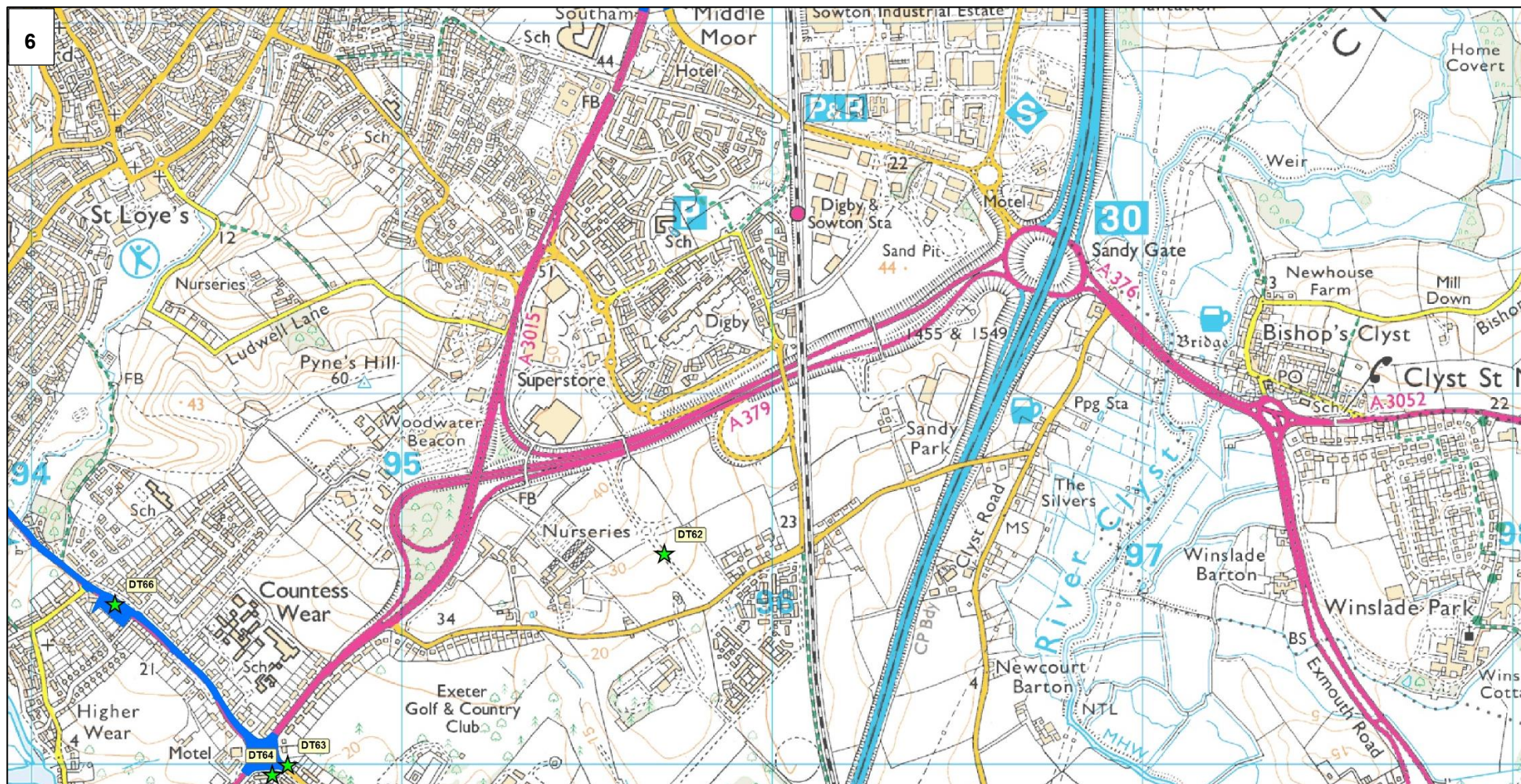
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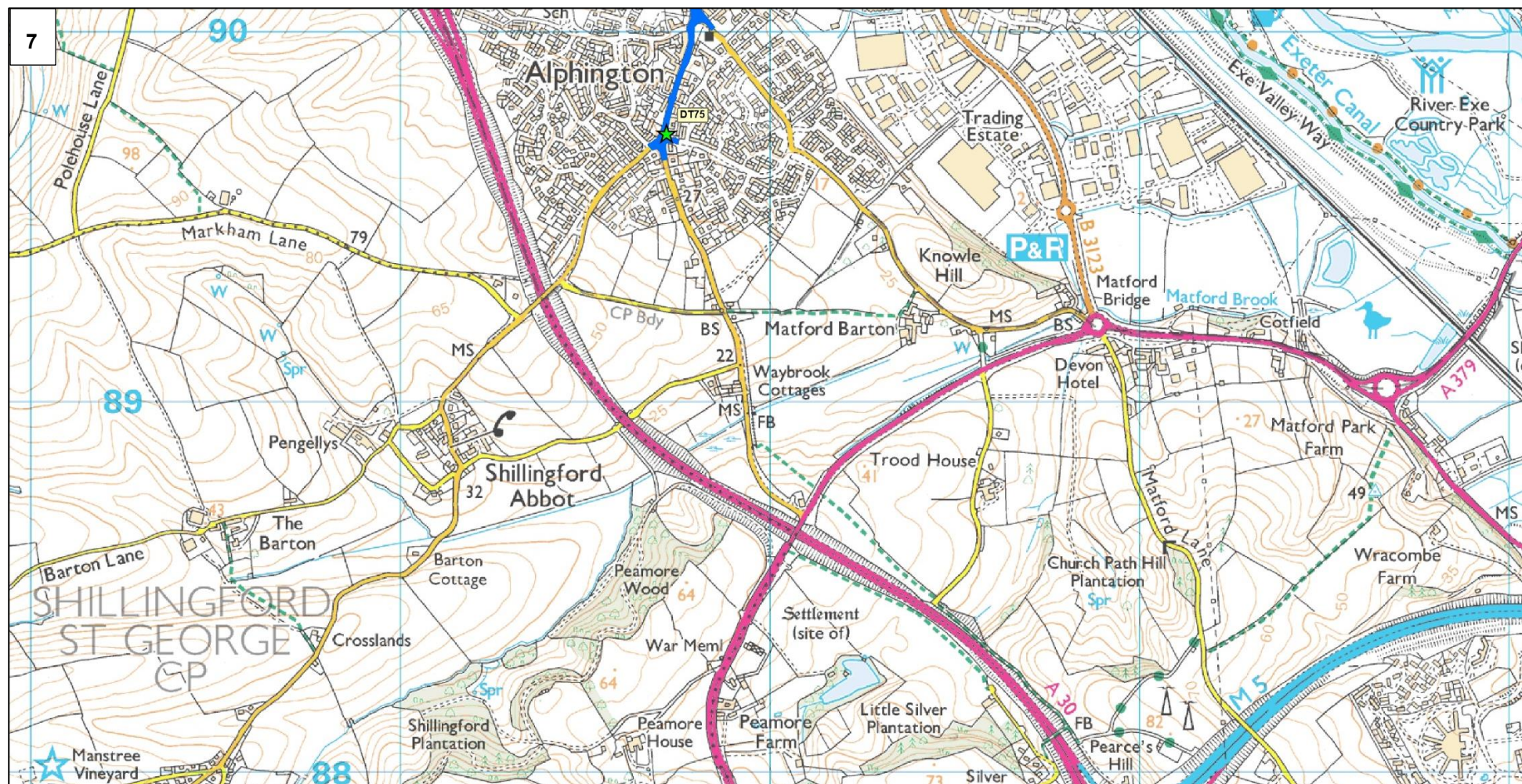
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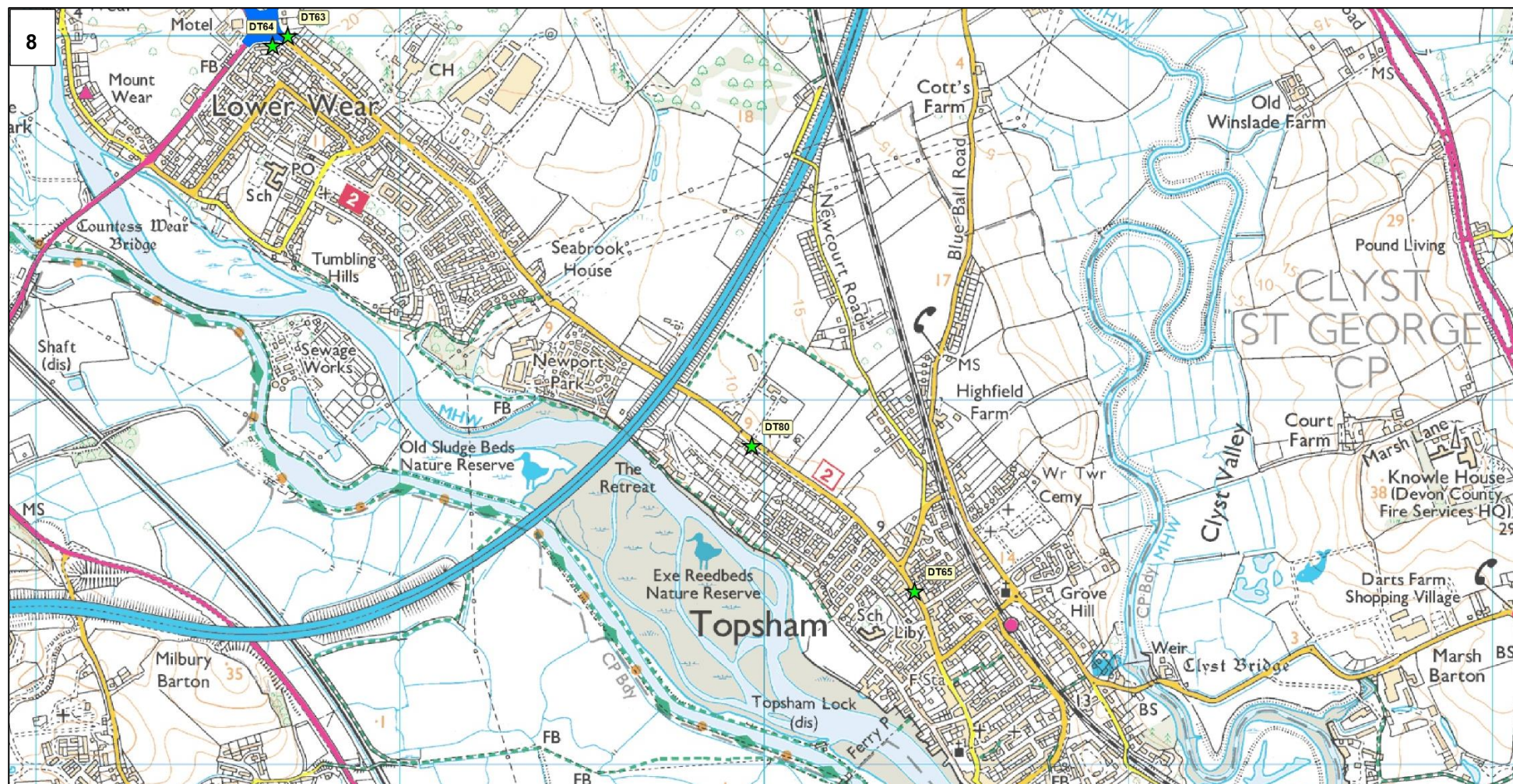
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Appendix E: Summary of Air Quality Objectives in England

Table E. 1 - Air Quality Objectives in England

Pollutant	Air Quality Objective: Concentration	Air Quality Objective: Measured as
Nitrogen Dioxide (NO ₂)	200µg/m ³ not to be exceeded more than 18 times a year	1-hour mean
Nitrogen Dioxide (NO ₂)	40µg/m ³	Annual mean
Particulate Matter (PM ₁₀)	50µg/m ³ , not to be exceeded more than 35 times a year	24-hour mean
Particulate Matter (PM ₁₀)	40µg/m ³	Annual mean
Sulphur Dioxide (SO ₂)	350µg/m ³ , not to be exceeded more than 24 times a year	1-hour mean
Sulphur Dioxide (SO ₂)	125µg/m ³ , not to be exceeded more than 3 times a year	24-hour mean
Sulphur Dioxide (SO ₂)	266µg/m ³ , not to be exceeded more than 35 times a year	15-minute mean

Appendix F: AQMA Boundary Review

There are two steps involved in the process. Firstly, the Council needs to have confidence that it has identified all locations for which the air quality objectives are exceeded. Secondly, it then needs to identify an AQMA boundary which includes these locations. The AQMA boundary can be larger than the area of exceedance although the current intent is for a smaller, more specific 'hot spot' AQMA which provides a clearer focus for AQAP measures.

The policy and technical guidance do not specify how councils should identify the limits to the areas of exceedance, only saying that the authority should have broad confidence in the monitoring data and/or modelling, be aware of the uncertainties and show in their annual report what steps they have taken to minimise these. However, the guidance goes on to warn local authorities against expending significant resources narrowing down the parameters of an AQMA to the detriment of identifying measures and taking action. DEFRA suggest that where normal annual monitoring and local intelligence shows a persistent exceedance (or risk of exceedance) the local authority consider moving immediately to declaring and establishing (or extending) an AQMA and hence to the development of AQAP measures to remediate the problem. Only local authorities who, until now, have had few air quality problems, or have sufficient doubts, should consider the necessity of obtaining further supporting information.

This paragraph above suggests that provided the uncertainties can be minimised there is no absolute requirement for modelling of the extent of an exceedance. The question is therefore whether the monitoring that is currently undertaken by the Council is sufficient to allow us to determine the extent of the exceedance.

The 2024 data presented in this report shows that only the East Wonford Hill diffusion tube (DT57) has had exceedances during the last 3 years. Furthermore, it is possible to say the following:

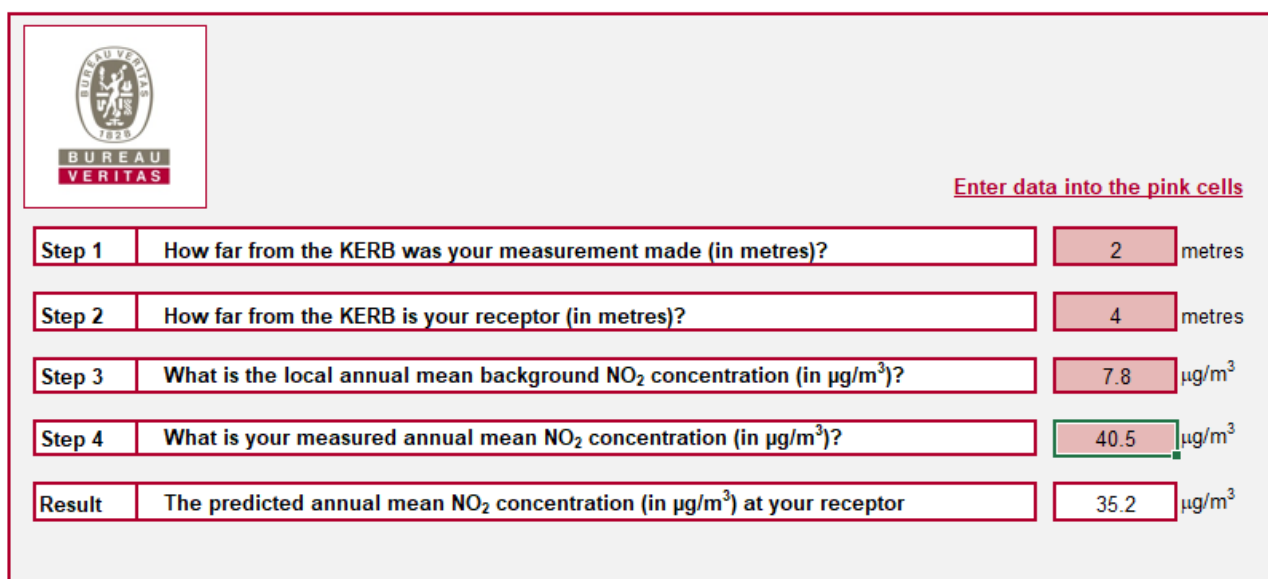
- The monitoring meets the DEFRA guidance for QA/QC, so uncertainties are reasonably well understood and controlled.
- The western (inner) extent of the exceedance is likely to be at or before the junction with Butts Road, because the diffusion tube beyond this junction (Fore Street inbound, DT56) is below the objective. This location is shown as the western red line on the map in Figure F.10 below.

- The eastern (outer) extent of the exceedance is likely to be at or before the junction with Rifford Road, because the diffusion tubes beyond this location (Honiton Road, DT58 and Honiton Road façade, DT59) are both below the objective. This location is shown as the eastern red line on the map in Figure F.10 below.
- The area of exceedance will be no larger than the existing AQMA, given that concentrations at all monitoring sites have reduced since that AQMA was declared.

The other question to be considered is whether both sides of this section of road are affected, or only the southern side (where the houses are closer to the roadside and where the diffusion tube is located). Currently the AQMA boundary includes the houses on both sides of the road, based on dispersion modelling undertaken prior to declaration, as shown in the map below. There is no suggestion that the extent of the exceedance will be greater than it was at that stage, given that monitored concentrations have fallen. There are two possible approaches:

- 1) Use the [attenuation with distance calculator](#) to predict the likely concentration at the façade of the houses on the north side. Using the 2023 data (which is higher and therefore more conservative than the 2024 data), this shows a level of 35.2 mg/m³ at the closest house to the road. This suggests that only the south side is exceeding the limit. The background concentration for this calculation has been taken from the Heavitree Pleasure Ground diffusion tube (DT71), which is shown on the map in Figure F.2 below.

Figure F. 1 - Attenuation with Distance Calculation



BUREAU VERITAS

Enter data into the pink cells

Step 1	How far from the KERB was your measurement made (in metres)?	2	metres
Step 2	How far from the KERB is your receptor (in metres)?	4	metres
Step 3	What is the local annual mean background NO ₂ concentration (in µg/m ³)?	7.8	µg/m ³
Step 4	What is your measured annual mean NO ₂ concentration (in µg/m ³)?	40.5	µg/m ³
Result	The predicted annual mean NO ₂ concentration (in µg/m ³) at your receptor	35.2	µg/m ³

- 2) Include both sides of the road even though there is no evidence that both are affected. This takes into account the uncertainty in the process described above, is

precautionary and also avoids making just a very small number of properties the subject of the AQAP. Including both sides of the road in this way would not 'dilute' the impact of the AQAP because it would still only include just a short stretch of one road.

It is proposed to adopt option 2 and the draft AQMA order, including the new boundary, is shown below. The new area includes 225m of road and 47 residential addresses.

This approach was sent to the LAQM helpdesk in May 2024 and the following response was received: We have reviewed the below and agree with your approach. Adopting option 2 seems to be this most robust approach and your reasoning is welcomed.

The Council will undertake an 10-week consultation on the proposed new boundary. The following consultees will be asked for their views:

- Residents within the new AQMA boundary (by means of a letter)
- The public, by means of information on the City Council website.
- Councillors on the Executive committee, by means of the annual report
- Neighbouring District Councils and the County Council, by letter
- Director of Public Health, by letter
- Highways England, by letter
- Environment Agency, by letter
- Natural England, by letter

The draft consultation plan is included below.

1. Title of consultation	
Consultation on the revision of the Air Quality Management Area boundary.	
2. Responsible officers	
Director	Adrian Pengelly
Head of Service	Simon Lane
Consultation lead officer	Simon Lane
3. Purpose of the consultation	
<i>Explain why the council is consulting on this issue. Where the council has a preferred option, state this and explain how and why that preference was chosen. Where specific</i>	

options have been rejected, explain why we do not consider them practical. Where options are offered, they should be realistic and deliverable.

It is necessary to amend the boundary of the current Air Quality Management Area to reflect the significantly improved levels of nitrogen dioxide in the city. There is a legal requirement to reduce the size of the current Area to reflect this change.

Exeter City Council's proposed new boundary, and the justification for this, are described in the Air Quality Annual Status Report for 2025.

4. Timing, duration and key milestones

Set out when will the consultation take place and for how long (6-8 weeks minimum)

The consultation will commence when the Annual Status Report is presented to Executive committee on the 23 September 2025. It will end on 2 December 2025. The consultation period is 10 weeks.

Set out other key milestones e.g. date of report to committee, data analysis schedule and date of publication of results and feedback

Once the consultation period has ended, the responses will be evaluated and the final order then submitted to DEFRA in January 2026 for their approval. The new order will be adopted and signed by the end of March 2025. (Anticipated Full Council 3 March 2026).

5. Equality Impact Assessment

Confirm that a EQIA has been completed and date

The EQIA is included within the Annual Status Report.

6. Consultees and how they will be consulted (survey, public meeting, exhibition, focus group)

Consultee	Method
<i>Those most affected by the proposal (Those living in the revised Area)</i>	Direct letter to households
<i>Exeter residents</i>	Consultation advertised on City Council website
<i>General public</i>	Consultation advertised on City Council website
<i>Members (ECC and DCC)</i>	Consultation starts after report is taken to Executive Committee
<i>Partners and other statutory stakeholders</i>	Statutory consultees will be written to directly (see list in Annual Status report)

Other stakeholders	
7. Public Sector Equality Duty	
<i>Set out any special provisions that are required to ensure that people with protected characteristics are able to partake in the consultation.</i>	
Characteristic	Special provision
Age	Consultees will have the opportunity to respond by electronic communication, telephone or a personal visit (in the case of residents within the Area only)
Disability(includes mobility, sensory, learning and mental health)	Consultees will have the opportunity to respond by electronic communication, telephone or a personal visit (in the case of residents within the Area)
Race/ethnicity(includes Gypsies and Travellers),	No special provisions required
Sex and gender	No special provisions required
Gender identity	No special provisions required
Religion and belief	No special provisions required
Sexual orientation	No special provisions required
Pregnant women, new and breastfeeding mothers,	No special provisions required
Marriage and civil partnership	No special provisions required
8. Supporting information	
<i>What background information will be provided for consultees and in what format?</i>	
The Annual Status Report, and a summary of it, will be available on the Council's website. A copy of the summary will be included with the letters to the households within the area.	
9. Publicity	
<i>How will consultees be made aware of the consultation and the results?</i>	
Please see section 6. The final report will be to Executive and Full Council with the decision being published on the Council's website (with minutes of the meetings).	

10. Accessibility

How will you ensure that consultation material meets accessibility and readability standards? (See intranet)

The accessibility and readability standards will be adhered to.

11. Demographics

What demographic data, if any, will be collected on consultees?

None

12. GDPR

If personal data is being collected, confirm that this has been agreed with the Data Protection Officer and that an appropriate privacy statement is included in any surveys.

None

13. Resource implications

Set out which internal resources will support this consultation or provide details of external resource requirements and means of funding.

The consultation will be undertaken within existing resources.

14. Carbon Footprint (Environmental) Implications:

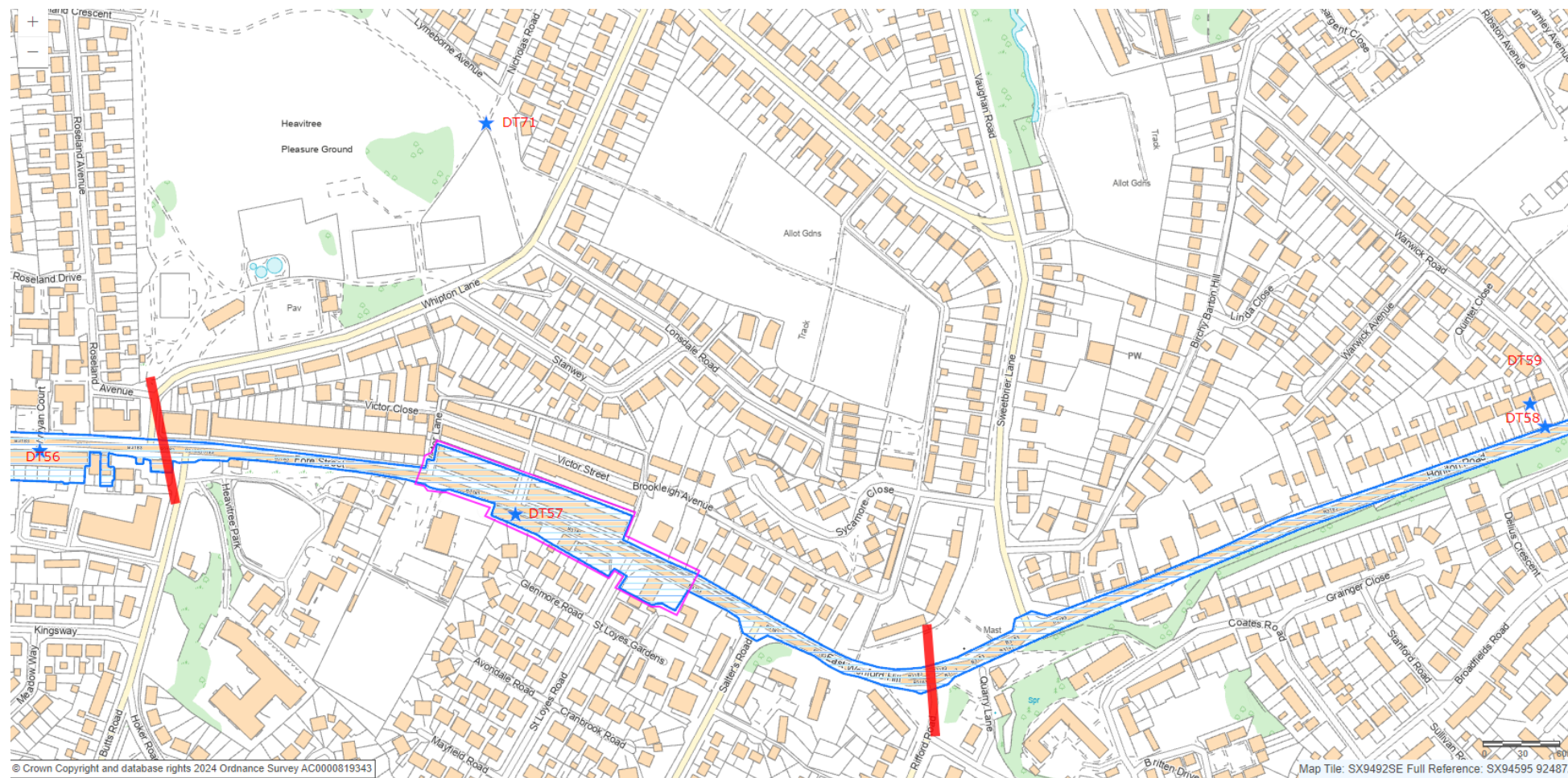
How are carbon/environmental impacts arising from the consultation being addressed?

The subject of the consultation has been brought about as a result of improving levels of traffic pollution.

15. Approval

<i>Head of Service</i>		<i>Director</i>	
Name		Name	
Signature		Signature	
Date		Date	

Figure F. 2 - Map Showing Relevant Diffusion Tube Locations



The existing AQMA boundary is shown in blue, with the proposed new boundary drafted in pink.

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Proposed New AQMA Order



Environment Act 1995 Part IV Section 83(1)

The Exeter Air Quality Management Area Order 2026

Exeter City Council, in exercise of the powers conferred upon it by Section 83(1) of the Environment Act 1995, hereby makes the following Order:

1. This Order may be cited/referred to as the Exeter Air Quality Management Area Order 2026 and shall come into effect on [date TBC].
2. The area shown on the attached map in red is to be designated as an air quality management area (the designated area), incorporating a section of East Wonford Hill. The map may be viewed at the Council Offices. This Area is designated in relation to a likely breach of the nitrogen dioxide annual mean objective as specified in the Air Quality Regulations 2000.
3. This Order shall remain in force until it is varied or revoked by a subsequent order.
4. The Exeter Air Quality Management Area 2010 shall be varied accordingly.

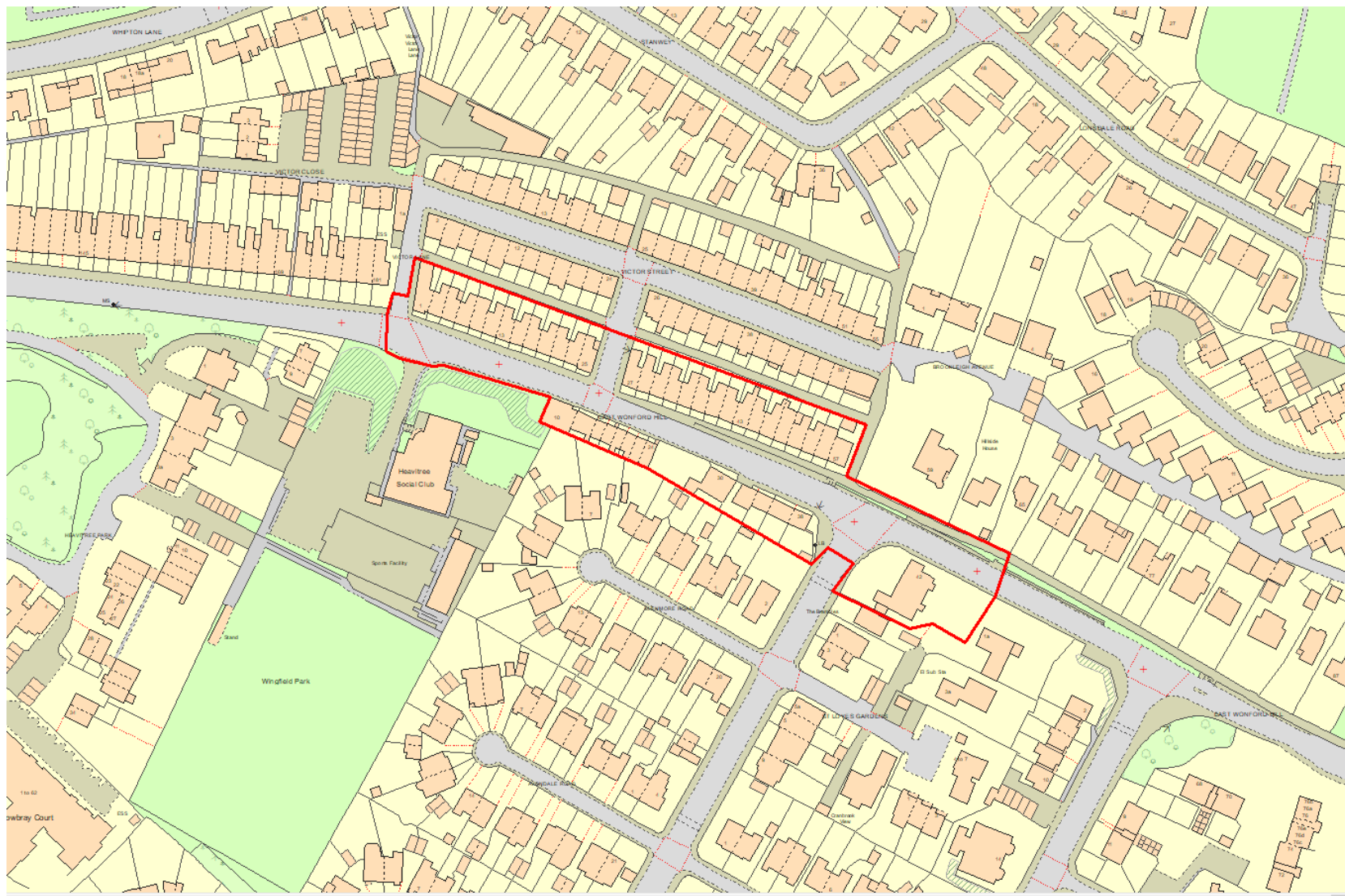
Dated the [date]

The Common Seal of Exeter City Council was hereunto affixed in the presence of:

A duly authorised signatory

Seal no.

The Exeter Air Quality Management Area



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The Annual Status Report 2024 already assessed any likely equalities impact for amending the AQMA. The assessment identified either no impact or positive impact and concluded no required actions for promoting inclusion. More detail of the assessment has been reproduced below for reference.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Positive / No Impact		This change can occur because of a reduction in nitrogen dioxide concentrations such that a far smaller area of the city is above the health-based objectives for this type of pollution. This means that the health effects of nitrogen dioxide will be reduced. It also means that a more focussed new Air Quality Action Plan (AQAP) can subsequently be produced. This will bring about further improvements in air quality and subsequently health. Any necessary restrictions or changes in the new plan can be limited to the region of the much smaller new AQMA if appropriate. (The new Action Plan will be subject to a further EQIA during its development).
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Positive		Poor air quality has a greater effect on vulnerable persons, such as the very young, the very old and those with pre-existing health conditions.
Sex/Gender	Positive / No Impact		As above
Gender reassignment	Positive / No Impact		As above

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Positive / No Impact		As above
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Positive / No Impact		As above
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Positive		Poor air quality has a greater effect on vulnerable persons, such as the very young, the very old and those with pre-existing health conditions.
Pregnancy and maternity including new and breast feeding mothers	Positive		Poor air quality has a greater effect on vulnerable persons, such as the very young, the very old and those with pre-existing health conditions.
Marriage and civil partnership status	Positive / No Impact		As above

Actions identified that will mitigate any negative impacts and/or promote inclusion

- None required

Officer: Simon Lane

Date: June 2025

Appendix G: NO₂ Trends at East Wonford Hill (DT57)

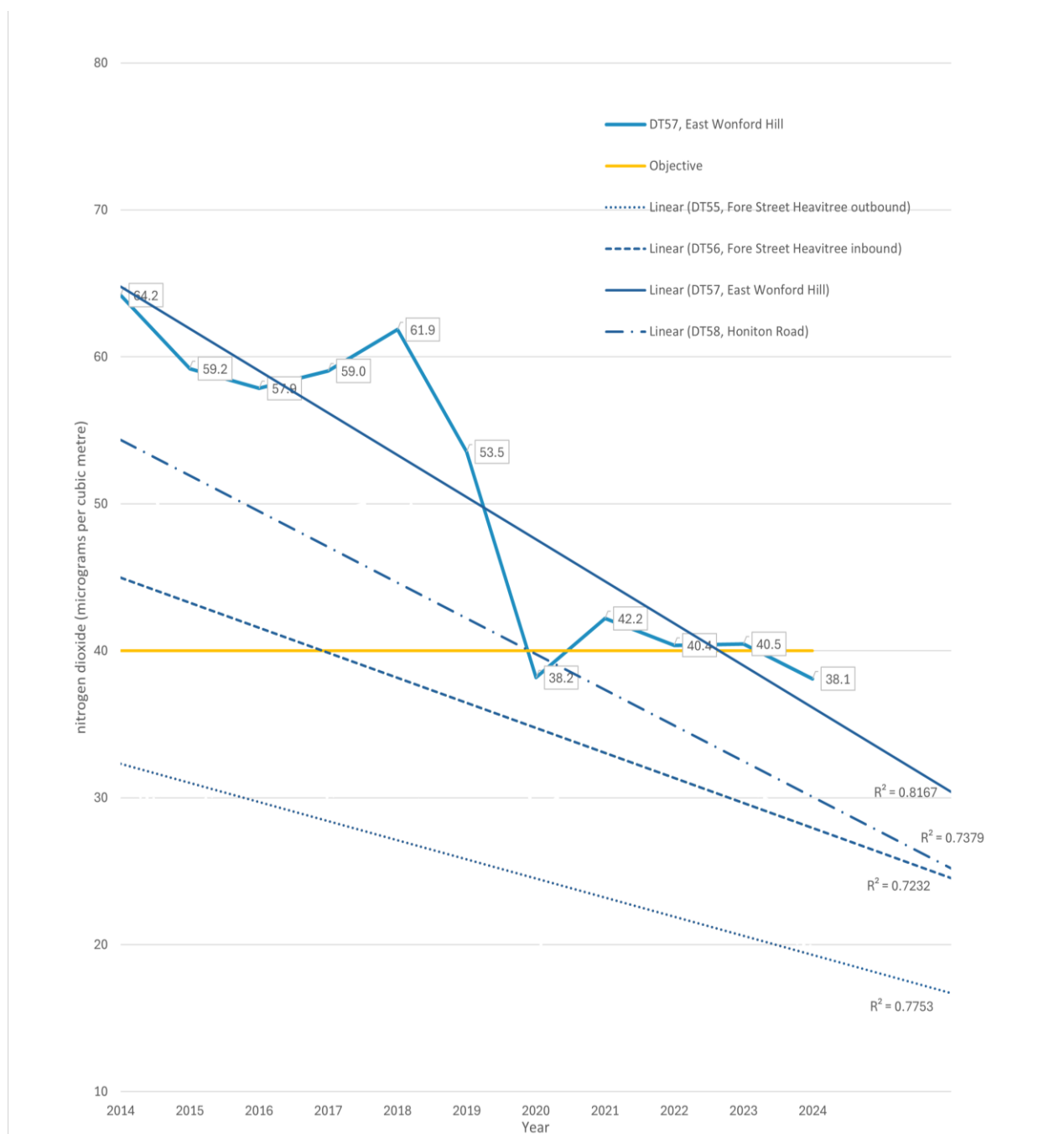
Prior to 2024, the only year when concentrations at East Wonford Hill (DT57) were below the objective was 2020 during the COVID pandemic. In 2024 levels were similar to those in 2020, i.e. 1.8 µg/m³ below the objective. The exceedances in both 2022 and 2023 were small at just 0.4 µg/m³ and 0.5 µg/m³, respectively.

Further assessment of the trends in concentrations in this area are shown in Figure G1 below, including regression lines. This suggests that the fall from 2023 to 2024 is within the expected trend of reducing pollution levels and not likely to be caused by any exceptional circumstances.

The reductions seen over this period are considered to be the cumulative effect of on-going factors, including the measures in the Air Quality Action Plan, new travel & working behaviours (fewer vehicles on roads, more home and remote working), and improvements in vehicle emission technologies.

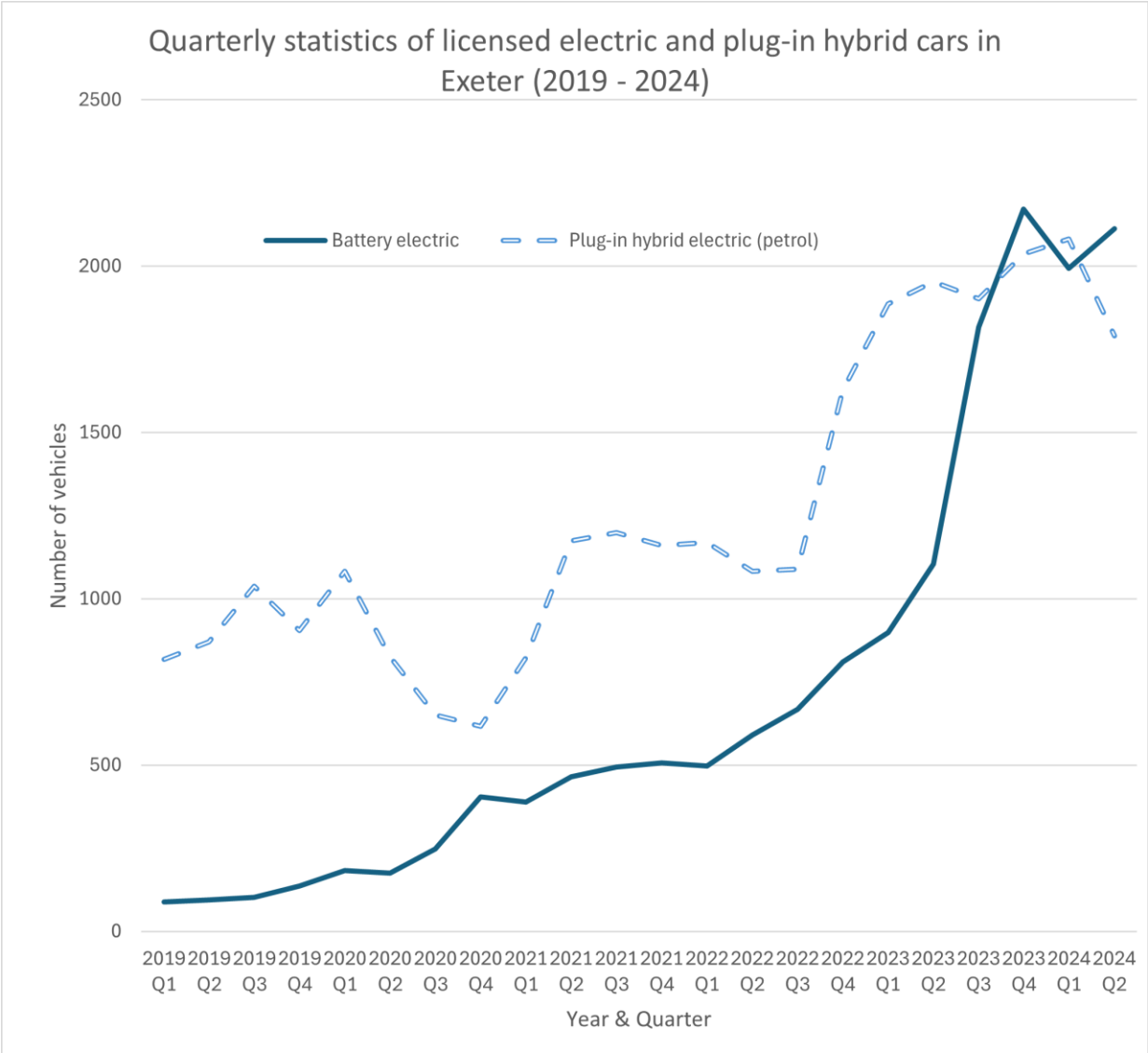
The final of these factors is likely to have been of increasing significance over the period due to accelerated phasing out of older vehicles by electric and hybrid vehicles, particularly for cars. (Cars contributed to about 83% of the total traffic on roads along Heavitree Corridor in 2024, followed by light goods vehicles at about 12% (see Appendix I)). The growth was exponential for electric cars in Exeter, during the period from 2023 Q1 to 2024 Q1, as shown in Figure G2 (data are based on quarterly statistics presented in Appendix I).

Meanwhile, the number of petrol and diesel cars licensed in Exeter decreased in 2024. The reduction from 2024 Q1 to Q2 actually outpaced the increase of licensed hybrid cars, i.e. 2462 and 829, respectively (see Appendix I). Since 2019 Q1, the number of diesel cars has been reducing year-on-year, with no exception from 2023 to 2024, except a small rise in 2020 Q4. (see Figure G3).

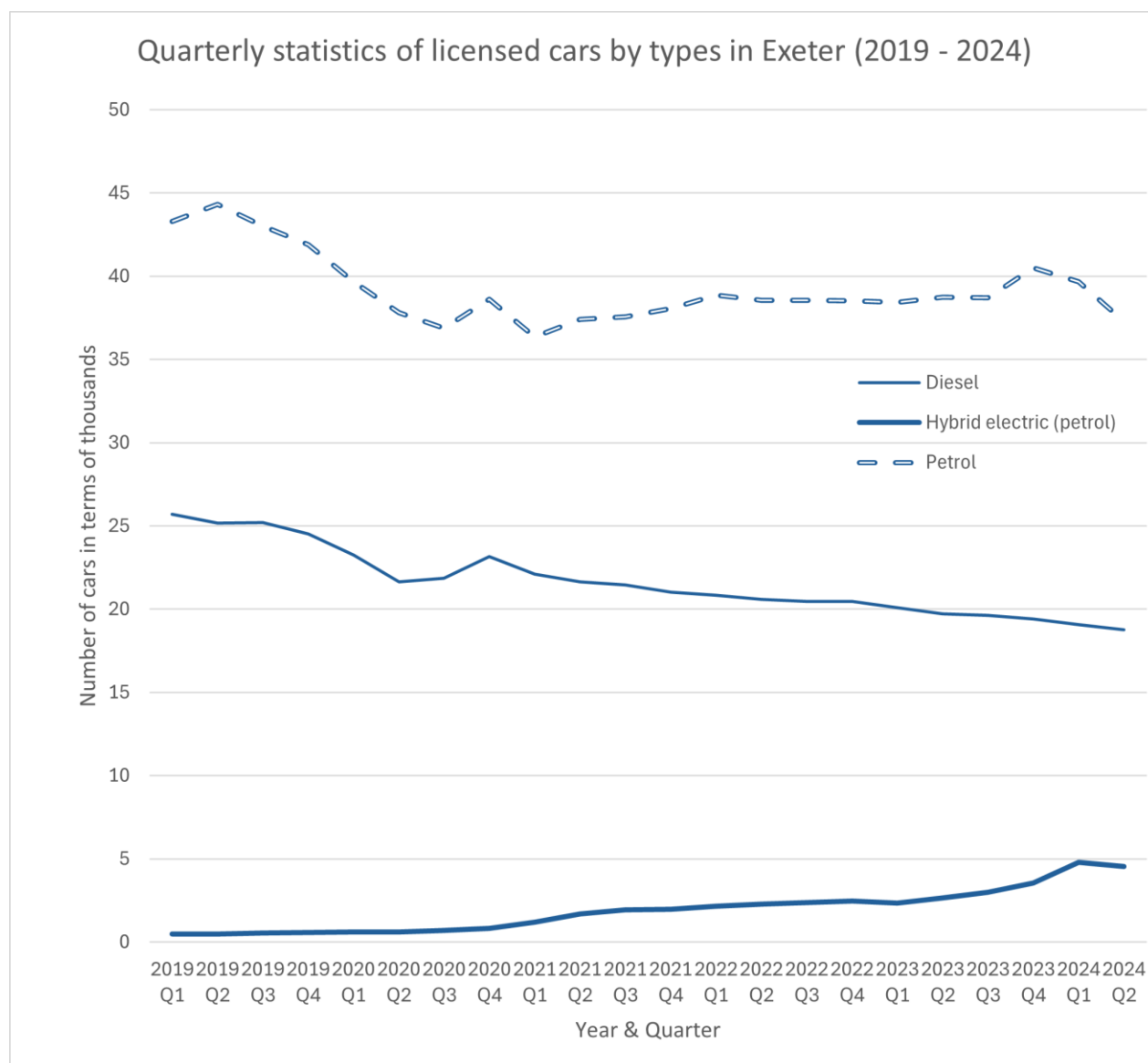
Figure G. 1 - Trends of Nitrogen Dioxide at Selected Locations within Heavitree Area

This figure presents long-term downward trends of NO₂ annual mean concentrations at East Wonford Hill site (DT57) and other nearby sites along Heavitree corridor. The trends suggest compliance at East Wonford Hill site is expected in 2024.

Figure G. 2 - Licensed electric and plug-in hybrid cars in Exeter



This figure shows that the growth was exponential for electric cars in Exeter, during the period from 2023 Q1 to 2024 Q1.

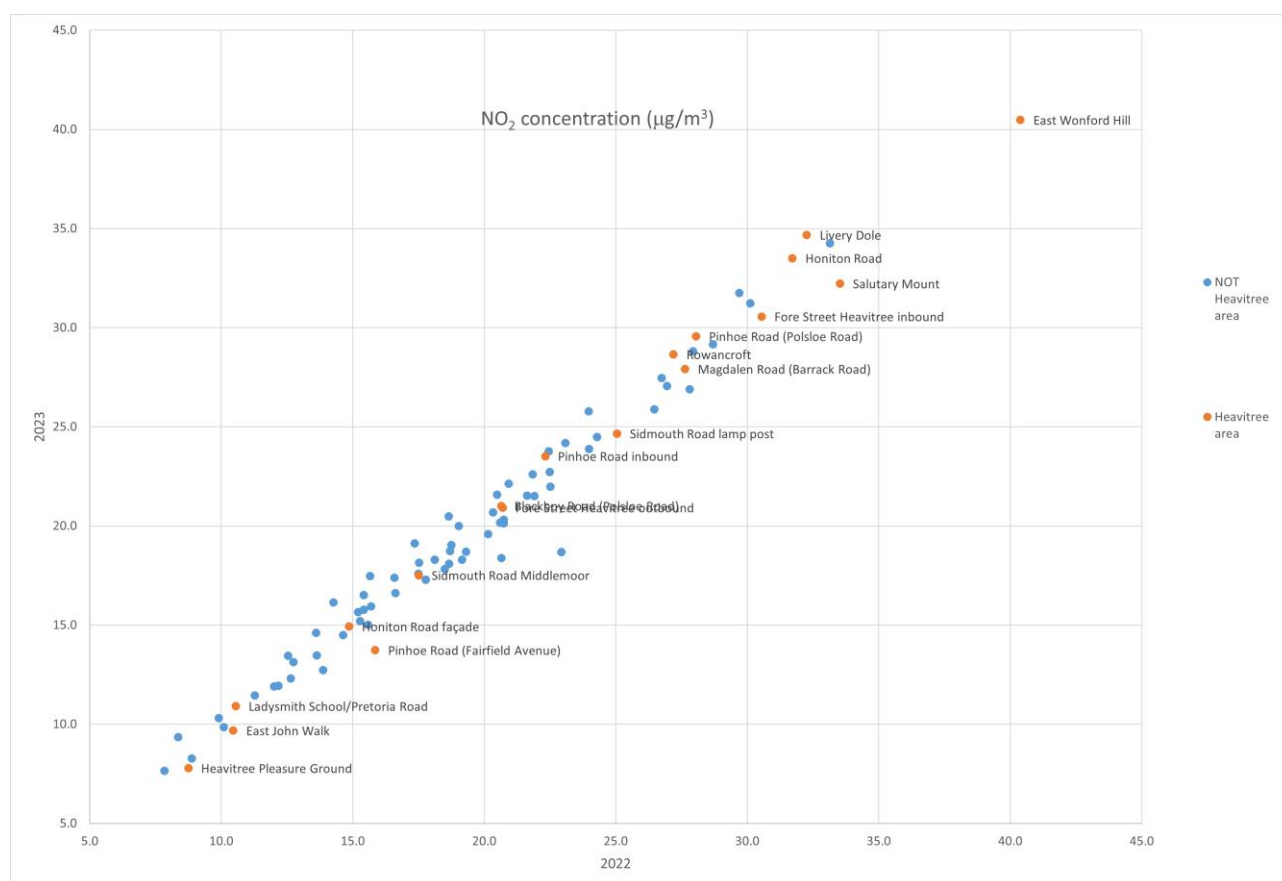
Figure G. 3 - Licensed non-plug-in cars in Exeter

The figure presents the number of diesel cars has been reducing year-on-year since 2019 Q1, with no exception from 2023 to 2024, except a small rise in 2020 Q4.

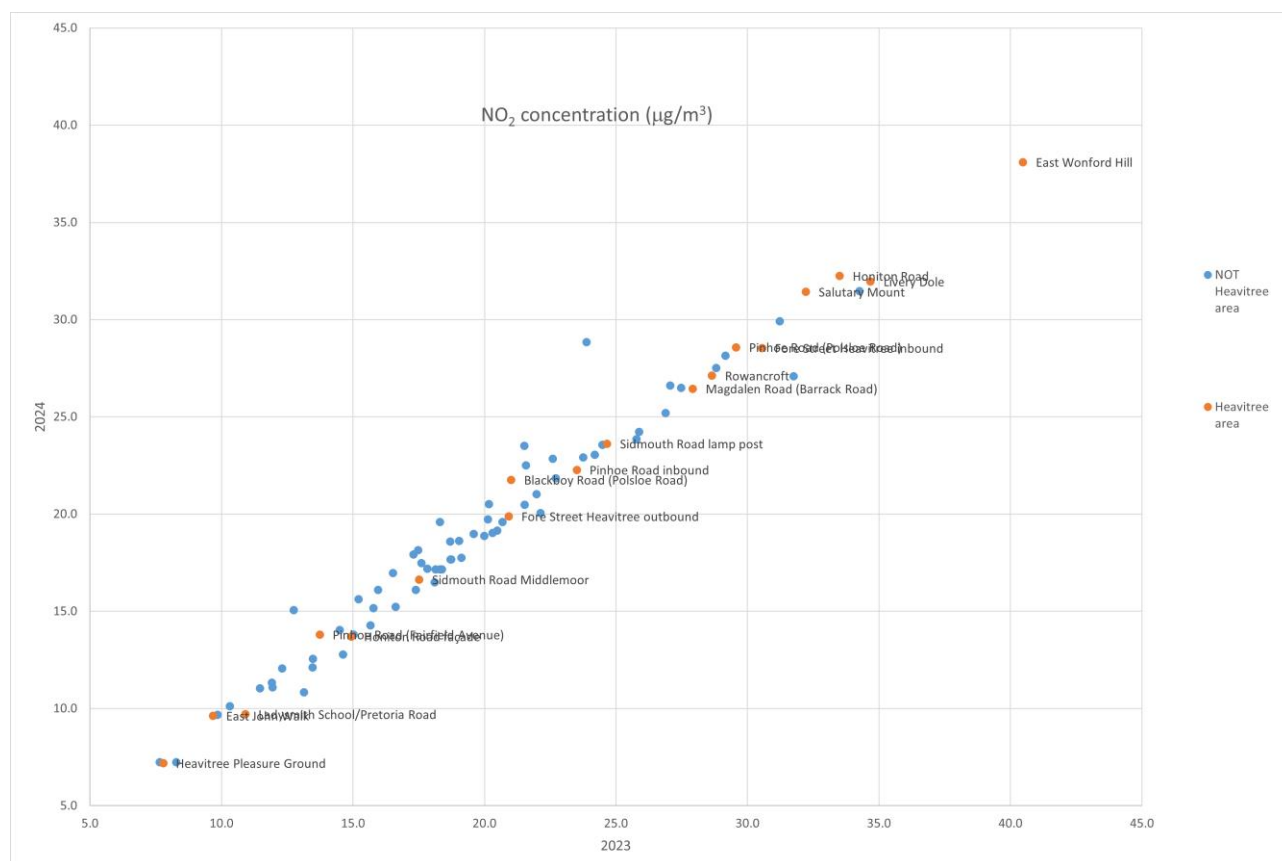
Appendix H: Active Streets Trial – 2024 Assessment

The trial of preventing through traffic in the Heavitree residential area (the scheme) commenced in September 2023 and came to an end in July 2024. The impact of these changes was discussed in the 2024 Annual Status Report. The graph from that report has been reproduced in Figure H.1 below. Figure H.2 shows the same assessment for a comparison of 2023 and 2024 data. The monitoring locations that are close to the Heavitree area are labelled and coloured orange. Those distant from the Heavitree area are coloured blue. All sites in the city have a similar relationship between the ‘with scheme’ and the ‘without scheme’ data periods. There is no suggestion that the areas expected to have been affected by the traffic scheme differ from the remainder of sites.

Figure H. 1 - Comparison of 2022 and 2023 Data



This figure presents the assessment of the trial during 2023.

Figure H. 2 - Comparison of 2023 and 2024 Data

This figure presents the assessment of the trial during 2024.

However it is recognised that a number of factors affect pollution levels on a year-to-year basis, so identifying the impact of the highway changes will never be straightforward. Further assessment was therefore conducted, considering traffic flows as well as air quality data.

The assessment focused on East Wonford Hill (DT57), with three other nearest sites within the Heavitree area for comparison..

Table H.1 presents the year-on-year traffic flows from 2020 to 2024. There was no significant change of the year-on-year work-day traffic flows from 2022 to 2023. However, there were reductions of workday traffic flows on both Heavitree Road and Pinhoe Road (Whipton) in 2024, instead of the expected increases.

Table H. 1 - Year-on-Year Changes of Traffic Flow Data (24-hr average)

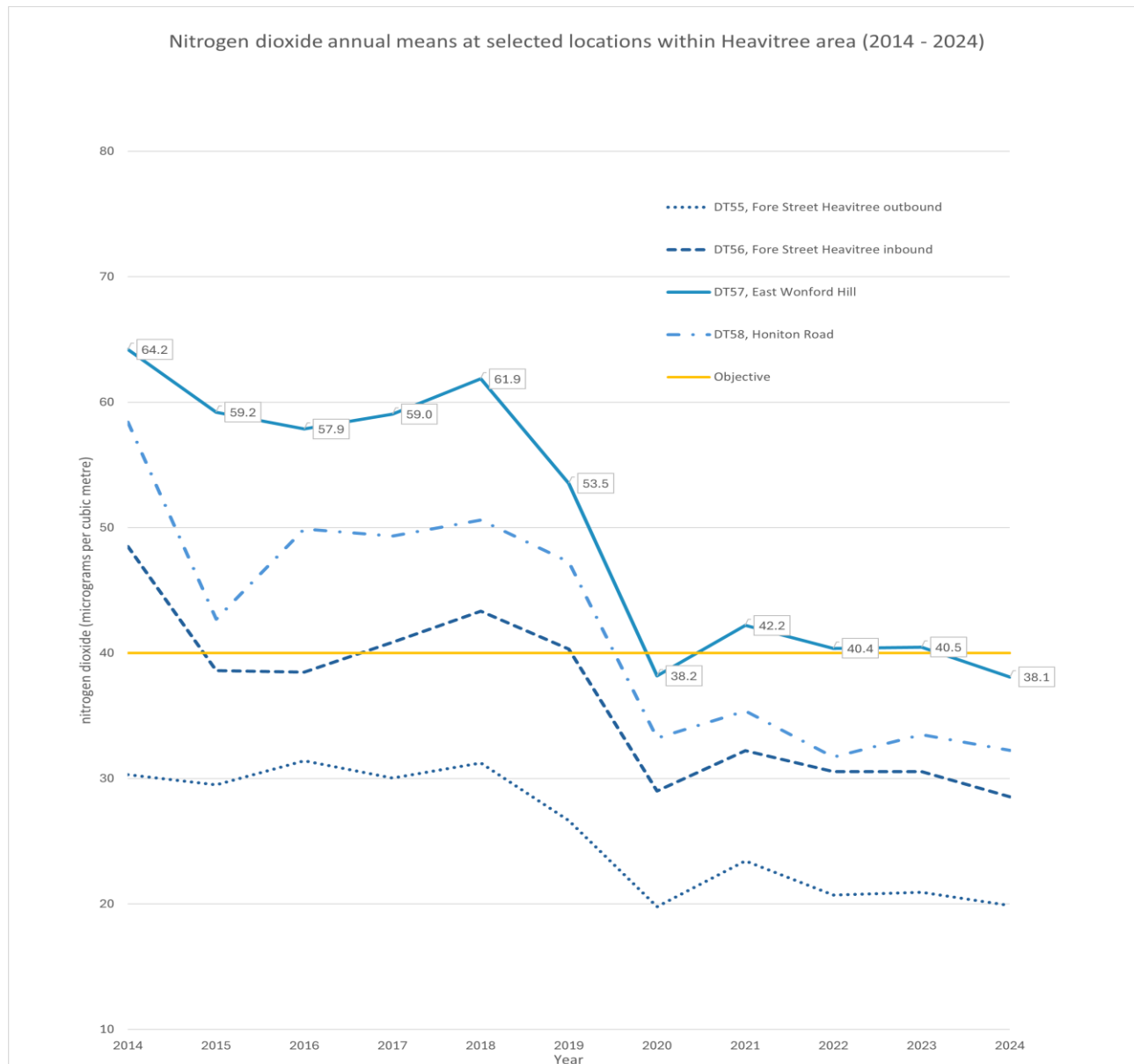
Site Name	% change from 2020 to 2021	% change from 2021 to 2022	% change from 2022 to 2023	% change from 2023 to 2024
Pinhoe Road (Whipton)	10%	12%	-5%	-3%
Heavitree Road	12%	9%	5%	-4%
Honiton Road	5%	7%	3%	1%
Topsham Road (King George)	14%	3%	1%	0%
Alphington St	6%	9%	-4%	4%
Cowick St	9%	5%	-3%	-2%
Total	9%	7%	0%	0%

Table notes:

All traffic flow data only represent average WORK-DAY flows, weekend flows have been excluded.

Therefore, they should not be compared with other published 7-day traffic flows. Similarly, this report is only assessing flows and changes at these six selected locations, if different sites were chosen, different trends could appear.

Figure H.3 presents the nitrogen dioxide annual means at the East Wondford Hill site (DT57) and other three sites along the same traffic corridor, covering a 10-year period, up to 2024. There is no obvious impact of the Heavitree scheme in this data. The long-term continuous downward trends of the annual means should be noted.

Figure H. 3 - Trends at Selected Sites along Heavitree Corridor

This figure presents the nitrogen dioxide annual means at the East Wondford Hill site (DT57) and other three sites along the same traffic corridor, covering a 10-year period, up to 2024.

The potential beneficial effect of the trial on air quality within the residential Heavitree area has been considered, by reviewing the diffusion tube data from DT71 (Heavitree Pleasure Ground). The nitrogen dioxide annual means at this site have been consistently around 8 $\mu\text{g}/\text{m}^3$ during all of the past five years, i.e. 32 $\mu\text{g}/\text{m}^3$ below the 40 $\mu\text{g}/\text{m}^3$ objective.

It is not therefore possible to identify an significant impact of the scheme on local air quality data, either positive or negative. These reductions seen over the period since COVID are considered to be the cumulative effect of on-going influencing factors, these include effects of the measures in the Air Quality Action Plan, new travel & working

behaviours (fewer vehicles on roads, more home and remote working), and ongoing improvements in vehicle emission technologies.

Appendix I: Licensed Vehicles Statistics and Traffic Mix

Year	Diesel	Hybrid electric (petrol)	Other fuels	Petrol	Total
2017 Q1	28.539	0.288	0.385	36.443	65.655
2017 Q2	28.902	0.322	0.391	35.35	64.965
2017 Q3	30.716	0.352	0.482	35.271	66.821
2017 Q4	30.162	0.371	0.684	35.87	67.087
2018 Q1	28.35	0.445	0.629	40.427	69.851
2018 Q2	29.273	0.452	0.685	41.577	71.987
2018 Q3	27.579	0.441	0.56	39.189	67.769
2018 Q4	25.997	0.441	1.018	39.492	66.948
2019 Q1	25.696	0.477	0.98	43.302	70.455
2019 Q2	25.167	0.495	1.045	44.308	71.015
2019 Q3	25.2	0.537	1.218	43.019	69.974
2019 Q4	24.516	0.568	1.126	41.913	68.123
2020 Q1	23.242	0.606	1.364	39.682	64.894
2020 Q2	21.647	0.622	1.087	37.816	61.172
2020 Q3	21.858	0.702	1.197	36.887	60.644
2020 Q4	23.149	0.827	1.456	38.611	64.043
2021 Q1	22.101	1.186	1.942	36.368	61.597
2021 Q2	21.638	1.703	2.411	37.404	63.156
2021 Q3	21.442	1.948	2.574	37.551	63.515
2021 Q4	21.008	1.977	2.552	38.057	63.594
2022 Q1	20.836	2.151	2.615	38.852	64.454
2022 Q2	20.586	2.288	2.504	38.541	63.919
2022 Q3	20.466	2.38	2.627	38.561	64.034
2022 Q4	20.462	2.469	3.344	38.53	64.805
2023 Q1	20.076	2.352	3.667	38.429	64.524
2023 Q2	19.731	2.656	4.006	38.75	65.143
2023 Q3	19.615	2.98	4.619	38.71	65.924
2023 Q4	19.424	3.535	5.253	40.501	68.713
2024 Q1	19.076	4.783	5.05	39.677	68.586

2024 Q2	18.749	4.556	4.496	37.294	65.095
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Data are sourced from Table VEH0105 of [Vehicle licensing statistics data tables - GOV.UK](#). The units of number of vehicles are in thousands. Licensed vehicles at the end of the quarter by body type, fuel type.

"The column headings in this table refer to:

Q1, meaning end of March

Q2, meaning end of June

Q3, meaning end of September

Q4, meaning end of December"

Fuel types are grouped into 4 categories: petrol, diesel, hybrid electric (petrol), and other fuels. Similar data about electric technologies are provided in table VEH0142.

Year	Battery electric cars	Plug-in hybrid electric (petrol) cars
2017 Q1	48	250
2017 Q2	50	247
2017 Q3	53	341
2017 Q4	55	548
2018 Q1	63	492
2018 Q2	70	531
2018 Q3	76	403
2018 Q4	77	867
2019 Q1	88	817
2019 Q2	95	870
2019 Q3	102	1038
2019 Q4	136	904
2020 Q1	182	1082
2020 Q2	175	825
2020 Q3	248	651
2020 Q4	404	617
2021 Q1	389	822
2021 Q2	465	1174
2021 Q3	494	1198
2021 Q4	507	1160
2022 Q1	497	1170
2022 Q2	590	1082
2022 Q3	668	1089
2022 Q4	810	1628
2023 Q1	899	1886
2023 Q2	1104	1953
2023 Q3	1816	1902
2023 Q4	2171	2036
2024 Q1	1994	2082
2024 Q2	2113	1790

Data are sourced from Table VEH0142 of [Vehicle licensing statistics data tables - GOV.UK](#).

Plug-in vehicles (PIVs) are road using vehicles that use a plug-in technology to connect to a source of electricity. Road using vehicles would reasonably be expected to make significant use of the public highway and to be used as a mode of transport. The introduction of these new PIV figures allows for a more direct comparison with electric chargepoint infrastructure and general electricity usage. Some powerful electric bikes have to be registered as mopeds and will be included in the total vehicle numbers.

The column headings in this table refer to:
 Q1, meaning end of March
 Q2, meaning end of June
 Q3, meaning end of September
 Q4, meaning end of December

Honiton Road, between Rifford Road and Sweetbrier Lane junctions					
Vehicle type	03/11/2015	08/11/2018	03/11/2020	07/11/2023	05/11/2024
Motorcycle	1%	1%	1%	1%	1%
Car	84%	84%	84%	85%	85%
LGV	12%	12%	12%	11%	11%
OGV1	1%	1%	1%	1%	1%
OGV2	0%	0%	0%	0%	0%
PSV	2%	2%	2%	2%	2%
Total	21,066	22,268	20,965	20,152	20,387
Fore Street, east of Whipton Lane junction					
Vehicle type	27/09/2018	28/09/2023	12/09/2024		
Motorcycle	1%	1%	1%		
Car	83%	84%	83%		
LGV	11%	10%	12%		
OGV1	2%	1%	1%		
OGV2	0%	1%	0%		
PSV	3%	3%	2%		
Total	17,208	17,128	17,347		
Heavitree Road, west of Polsloe Road junction					
Vehicle type	27/09/2018	28/09/2023	12/09/2024		
Motorcycle	1%	2%	1%		
Car	81%	84%	82%		
LGV	10%	9%	11%		
OGV1	2%	1%	1%		
OGV2	0%	1%	0%		
PSV	6%	4%	4%		
Total	13,408	14,808	14,467		

All data is from Manual Classified Counts, manually enumerated using video footage.

All data is for the 12-hour period 07:00-19:00 on the survey dates.

All data excludes pedestrians and pedal cycles.

LGV = Light Goods Vehicles. Includes all goods vehicles up to 3.5 tonnes gross vehicle weight, including those towing a trailer or caravan.

OGV1 = Other Goods Vehicles 1. Includes all rigid vehicles over 3.5 tonnes gross vehicle weight with two or three axles.

OGV2 = Other Goods Vehicles 2. Includes all rigid vehicles with four or more axles and all articulated vehicles. Also included in this class are OGV1 goods vehicles towing a caravan or trailer.

PSV = Public Service Vehicles (buses and coaches). Includes all public service vehicles and works buses with a gross vehicle weight of 3.5 tonnes or more.

All data is subject to minor discrepancies. Devon County Council has taken reasonable steps to ensure the accuracy of data provided, but cannot guarantee the data is free from errors.

Glossary of Terms

Abbreviation	Description
AQAP	Air Quality Action Plan - A detailed description of measures, outcomes, achievement dates and implementation methods, showing how the local authority intends to achieve air quality limit values'
AQMA	Air Quality Management Area – An area where air pollutant concentrations exceed / are likely to exceed the relevant air quality objectives. AQMAs are declared for specific pollutants and objectives
ASR	Annual Status Report
Defra	Department for Environment, Food and Rural Affairs
DMRB	Design Manual for Roads and Bridges – Air quality screening tool produced by National Highways
LAQM	Local Air Quality Management
NO ₂	Nitrogen Dioxide
NO _x	Nitrogen Oxides
PM ₁₀	Airborne particulate matter with an aerodynamic diameter of 10µm or less
PM _{2.5}	Airborne particulate matter with an aerodynamic diameter of 2.5µm or less
QA/QC	Quality Assurance and Quality Control
SO ₂	Sulphur Dioxide

References

- Local Air Quality Management Technical Guidance LAQM.TG22. August 2022. Published by Defra in partnership with the Scottish Government, Welsh Assembly Government and Department of the Environment Northern Ireland.
- Local Air Quality Management Policy Guidance LAQM.PG22. August 2022. Published by Defra in partnership with the Scottish Government, Welsh Assembly Government and Department of the Environment Northern Ireland.
- Chemical hazards and poisons report: Issue 28. June 2022. Published by UK Health Security Agency
- Air Quality Strategy – Framework for Local Authority Delivery. August 2023. Published by Defra.
- Exeter City Council 2019. Exeter Air Quality Action Plan 2019-2023.
- Exeter City Council 2024. Exeter Air Quality Annual Status Report.
- Diffusion Tubes for Ambient NO₂ Monitoring: Practical Guidance for Laboratories and Users 2008.
- National bias adjustment factor spreadsheet.
- National Bus Strategy Bus Services Improvement Plan, Devon County Council, version 3.0. June 2024.
- Liveable Water Lane Supplementary Planning Document Development Framework and Design Code July 2024.
- DVLA Vehicle Licensing Statistics Data Tables. Last updated on 24 September 2024

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Local Authority:	Exeter City Council
Reference:	ASR25-2753
Date of issue	August 2025

Annual Status Report Appraisal Report

The Annual Status Report (ASR) sets out new information on air quality obtained by Exeter City Council (ECC) as part of the Review & Assessment process required under the Environment Act 1995 (as amended by the Environment Act 2021) and subsequent Regulations.

ECC currently has one Air Quality Management Area (AQMA). 'Exeter AQMA 1' was first declared in March 2007 for exceedances of the NO₂ annual mean and NO₂ 1-hour mean Air Quality Objective (AQO). The AQMA was amended in May 2011. ECC have put forward the amendment of the boundary of the AQMA so that the area of the AQMA is reduced to just an area of exceedance on East Wonford Hill (around DT57). ECC states it is anticipated that this will be adopted by the end of March 2026. The current Air Quality Action Plan (AQAP) is due to expire at the end of 2024, but ECC do plan on publishing a new AQAP which focuses on the amended AQMA.

ECC undertook automatic monitoring at two sites, CM1 and CM2, which are both located in AQMA 1. Monitor CM1 measures NO₂, PM₁₀, PM_{2.5} and O₃, whereas CM2 only measures PM₁₀ and PM_{2.5}. The highest NO₂ annual mean concentration recorded was 17.1 µg/m³ at CM1, which did not exceed the annual mean or 1-hour NO₂ AQO. Only CM2 recorded an PM₁₀ annual mean concentration of 14.1 µg/m³ which is below the annual mean AQO. There were no exceedances of the 24-hour mean at either site during 2024. CM2 recorded an PM_{2.5} annual mean concentration of 8.5 µg/m³, which did not exceed the annual mean AQO. There were no exceedances of O₃ in 2024.

ECC undertook non-automatic NO₂ diffusion tube monitoring at 84 sites in 2024. Changes to the monitoring network were made by ECC in 2024; two sites (DT48 and DT74) from 2023 were removed and two sites (DT86 and DT87) were added at the junctions of Magdalen Street, Holloway Street, South Street and Western Way. This was due to significant works to the road layout. The highest NO₂ annual mean concentration recorded was 38.1 µg/m³ at DT57, within AQMA 1, which is within 10% of the AQO. The general trend in NO₂ annual mean concentrations is mixed with 14 monitoring sites recording an increase in concentrations between 2023 and 2024, and the rest recording a decrease in concentrations over the same time scale.

Robust QA/QC procedures have been applied to the 2024 data. ECC used the laboratory Gradko, and the preparation method, 20% TEA in water. All diffusion tube recorded data capture of 75% therefore annualisation was not required. ECC applied a national bias adjustment factor

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of 0.84 to the 2024 monitoring data, but there is a lack of justification and calculations included. Annualisation was required at monitoring site CM1 as a data capture rate of below 75% was recorded for NO₂ and O₃. Appropriate calculations have been included. No automatic NO₂ monitoring locations required distance correction during 2024.

Defra recommends that Directors of Public Health approve draft ASRs. Sign off is not a requirement, however collaboration and consultation with those who have responsibility for Public Health is expected to increase support for measures to improve air quality, with co-benefits for all. Please bear this in mind for the next annual reporting process.

ECC have not highlighted three key measures in yellow in Table 2.2. To help improve the visibility of local authority action to reduce air pollution, three key measures should be highlighted in Table 2.2 will be fed through to UK-AIR. These should be measures the local authority would like to raise awareness of amongst local communities. Please ensure each measure title is succinct and meaningful to the public and includes completion dates. Guidance on how to pitch this information is available [here](#). You should avoid using acronyms in the description of the action or when listing the organisations involved.

On the basis of the evidence provided by the local authority the conclusions reached in the report are **accepted** for all sources and pollutants. Following the completion of this report, Exeter City Council should submit an Annual Status Report in 2026.

Local Authority:	Exeter City Council
Reference:	ASR25-2753
Date of issue	August 2025

Commentary

The report is well structured, detailed, and provides the information specified in the Guidance. The following comments are designed to help inform future reports:

1. Last year's ASR appraisal comments have been included and addressed. This is commended.
2. ECC have stated that the Diffusion Tube Monitoring Calendar provided was adhered to, which is commended.
3. ECC have not stated whether the diffusion tube data needed distance correcting. This needs to be amended before final submission.
4. An appropriate appendix has been provided about the amendment of the AQMA. This is welcomed and commended.
5. Good quality trend graphs have been included with comparison with the AQO. This is commended.
6. Clear maps of monitoring locations and AQMA boundaries have been included. This is commended.
7. There are few pollutant names that haven't been subscripted e.g NO2 should be NO₂. This should be amended.

This commentary is not designed to deal with every aspect of the report. It highlights a number of issues that should help the local authority either in completing the Annual Status Report adequately (if required) or in carrying out future Review & Assessment work.

Issues specifically related to this appraisal can be followed up by returning the attached comment form to Defra, Welsh Government, Scottish Government or DOE.

For any other queries please contact the Local Air Quality Management Helpdesk:
 Telephone: 0800 0327 953
 Email: LAQMHelpdesk@bureauveritas.com

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REPORT TO EXECUTIVE

Date of Meeting: 23 September 2025

REPORT TO COUNCIL

Date of Meeting: 14 October 2025

Report of: Strategic Director of Operations

Title: Food Law and Health and Safety Enforcement Service Plan 2025-26

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 To seek approval for the adoption of the Food Law and Health and Safety Service Plan 2025-26. This statutory plan sets out the Council's regulatory function in respect of food safety and health and safety over the forthcoming year.

2. Recommendations:

2.1 That Executive supports the Food Law and Health and Safety Service Plan 2025-26.

2.2 That Council approves:

a) the Food Law and Health and Safety Service Plan 2025/26; and

b) the Head of Environment and Waste is authorised to change the plan in the light of national guidance and/or to meet operational needs.

3. Reasons for the recommendation:

3.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan). The key aim of the plan is to demonstrate how the Council will fulfil its regulatory obligations in respect of its food safety service.

3.2 Section 18 of the Health and Safety at Work, etc. Act 1974 places a duty on the Council to make adequate arrangements for enforcement of health and safety. The Health and Safety Executive (HSE), requires the Council to produce an annual Health and Safety Service Plan. Responsibility for Health and Safety at Work enforcement lies with the HSE and Local Authorities (LAs). Councils are generally responsible for enforcement at premises in which non-industrial activities are undertaken (e.g. retail premises, warehouses, offices etc.) whilst HSE is responsible for industrial activities. Local Authorities 65% of work premises nationally which equates to around 48% of workers.

3.3 The Food Law and Health and Safety Service Plan Statutory Service Plan incorporates:

- the service aims and objectives;
- the Action Plan for 2025/26; and
- the financial arrangement for providing the service.

4. What are the resource implications including non financial resources

4.1 The Action Plan will be carried out within the existing resource allocation as detailed in both the Statutory Service Plan and Revenues and Estimates for 2025/26.

4.2 There are no reductions, restructuring and/or redundancy implications as the key changes identified in this report do not give rise to any additional resource requirements as changes are to existing processes. However, in delivering to the changed requirements there may be some training implications for existing staff.

4.3 To aid succession planning of the service and to bring people into a career in local government and environmental health, the Business Regulation Team has turned an Environmental Health Officer role into a 4 year apprenticeship. This has been funded from existing budgets, with training aspects paid for by the apprenticeship levy. This positive move will allow the experienced staff within the service help develop a new Environmental Health Officer into the profession.

5. Section 151 Officer comments:

5.1 Whilst there are no financial implications arising from the report, it is positive to note that training is planned to be met from the apprenticeship levy, which will help ensure the levy is utilised.

6. What are the legal aspects?

6.1 The Food Standards Agency Framework Agreement requires the Council to produce a Food Law Enforcement Plan (referred to as the Enforcement Plan). The key aim of the plan is to demonstrate how the Council will fulfil its regulatory obligations in respect of its food safety service. In the current Framework Agreement and Code of Practice, the Food Standards Agency indicates that full compliance with all inspection frequencies will be expected

6.2 Section 18 of the Health and Safety at Work, etc. Act 1974 places a duty on the Council to make adequate arrangements for enforcement of health and safety. The Health and Safety Executive (HSE), requires the Council to produce an annual Health and Safety Service Plan. Responsibility for Health and Safety at Work enforcement lies with the HSE and Local Authorities (LAs). Councils are generally responsible for enforcement at premises in which non-industrial activities are undertaken, whilst HSE is responsible for industrial activities.

7. Monitoring Officer's comments:

7.1 Members will note that the Food Law Enforcement Plan is required as a matter of law. The proposals for provision of the plan are set out in this report.

8. Report details:

Key Achievements in 2024/25:

8.1 Programmed Interventions

The service inspected 625 food businesses during the year, prioritising those which were either considered high risk or that were new businesses that had not received a previous inspection by the service.

In addition to the inspection programme, 177 low-risk food businesses via the completion of a self-assessment questionnaire.

99% of food premises within the city were found to be broadly compliant with food hygiene law.

During the year 185 new food businesses were received by the service

77 proactive health and safety inspections were undertaken alongside 259 other visits/face to face contacts were made; this includes visits to all eleven of the city's funeral directors, as part of a national project requested by the Ministry of Justice,

8.2 Service Requests / other interventions

The service is responsible for investigating complaints relating to food safety, health and safety regulation, infectious disease control and also for providing health promotion and training activities for businesses. 367 such requests were received by the service during 2024/25.

105 other visits and interventions were made to businesses.

107 accident reports from businesses have been received and looked into

The service also responded to 451 service requests received that related to noise nuisance, light pollution, business related Anti-Social Behaviour and other public health issues that have an impact on the delivery of the service plan.

8.3 Sampling

The authority participates in national and local food-sampling initiatives to monitor the quality of food on sale in the City which is classified as satisfactory, unsatisfactory or unacceptable. Additional samples are taken in response to food complaints and where it is alleged a premises or foodstuff is implicated in a food poisoning incident.

63 food samples were conducted along with 6 monthly sampling of all swimming pools within the city.

8.4 Control and Investigation of Outbreaks and Food Related Infectious Diseases

The service is responsible for the investigation of outbreaks and food related infectious diseases in the City.

Whilst the service has adequate resources to deal with its workload on a day to day basis large scale outbreak requiring an extensive investigation put pressures on the service which can have an impact on the completion of the annual service plan.

56 infectious disease notifications were received by the service in 2024/25, Campylobacter remains the most common cause of bacterial foodborne illness in the UK.

8.5 Primary Authority

The service currently has 7 active Primary Authority Partnerships.

8.6 Proposed key activities for 2025/26

8.6.1 Maintain high standards in food safety by:

- Carrying out interventions in food businesses in line with the Food Standards Agency's Food Law Code of Practice and Practice Guidance.
- Continuing to maintain high level (99%) of broadly complaint food businesses in the city.
- Enhanced coaching/sampling/training for non-complaint businesses, with caution/prosecution as final action for those who continually flout the law.
- Continuing with an intelligence-led food sampling programme
- Building our customer base for taught Level 2 food hygiene courses whilst promoting e-learning to those who prefer to learn that way.
- Recognising food business trends such as the growth of home/mobile catering and internet sales and offering hygiene guidance and advice in an appropriately accessible format.

8.6.2 Promote safer workplaces by

- Focussing on the duty to manage asbestos, commercial gas safety and outdoor electrical safety during routine food hygiene inspections whenever appropriate.
- Continuing to conduct water quality sampling of swimming pools and private water supplies.

8.6.3 Co-ordinate multi-agency visits where migrant worker/modern slavery issues are suspected or identified.

8.6.4 Review and refresh the means of business engagement and training using innovative means to help business grow and thrive.

8.6.5 To investigate further Primary Authority Partnership opportunities for the service.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The Food Law and Health and Safety Service Plan 2025-26 contributes to all aspects of the Council's Corporate Plan.

10. What risks are there and how can they be reduced?

10.1 The Service Plan specifies targets and priorities to manage risk and establishes staffing levels to achieve the necessary outcomes. The main risk of not achieving the

areas outlined in the service plan will be that of public safety, which could lead to serious injury, ill health or death.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no carbon footprint implications identified in this report.

13. Are there any other options?

13.1 The Food Law and Health and Safety Service Plan must be reviewed on an annual basis as there is a legal duty for the food safety and health and safety elements to be reviewed annually.

Strategic Director of Operations, Adrian Pengelly

Author: Simon Lane – Head of Environment and Waste

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

- 1) Legislative and Regulatory Reform Act 2006
- 2) Food Law Code of Practice
- 3) Standard for Health and Safety Enforcing Authorities
- 4) HSC Enforcement Policy Statement
- 5) The Regulatory Enforcement and Sanctions Act 2008
- 6) Regulator's Compliance Code

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275



Environment and Waste

Food Law and Health and Safety Enforcement Service Plan

2025 – 2026

Drawn up in accordance with the

- Food Standards Agency Framework Agreement
- National Local Authority Enforcement Code
- Regulators' Code

Issued by: Simon Lane, Head of Environment and Waste

Issue date: July 2025

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1 Introduction

1.1 Introduction

- 1.1.1 This document forms the basis of the business regulation enforcement functions for the authority and ensures that statutory provision for food law and health and safety enforcement is addressed along with locally identified needs.
- 1.1.2 The Council has a duty to act as an enforcing authority for food safety and health and safety in premises for which it is responsible. The plan outlines how the Council will undertake that function.
- 1.1.3 The service plan will help to ensure that the actions of the Council are fair, consistent, open and effective.
- 1.1.4 The Council recognises the important role it plays promoting and securing the safety and health of those who live, work and visit the city of Exeter. The key aim of this plan is to demonstrate how the Council will fulfil its statutory obligations in accordance with national guidance set out by the respective regulatory agencies. It includes:
- the Council's aims and objectives;
 - information about enforcement services provided by the Council;
 - details of the Council's performance management systems;
 - information on the performance of the Council

1.2 Access to services

- 1.2.1 The Environment and Waste Service is based in the Civic Centre, Paris Street. Service users may contact officers on site or by leaving a message in the following ways:
- online via the Council website;
 - in person by appointment at the Customer Service Centre in Paris Street;
 - by telephone, 01392 265147 between 09:00am and 5.00pm Monday to Friday;
 - whilst there is no formal out of hours service, staff can be contacted in the event of an emergency through the Council's Control Room on 01392 267888 by means of a telephone service;
 - by email at environmental.health@exeter.gov.uk

2 Service aims and objectives

2.1 Aims and objectives

- 2.1.1 The Council's Corporate Plan sets out priorities that aim to meet the needs of our citizens and customers. The priorities are:
- Net Zero Carbon City
 - Healthy and Active City
 - Great Homes and Neighbourhoods
 - Thriving Local Economy
 - Leading a well-run council

The corporate plan is available by visiting www.exeter.gov.uk/corporateplan.

2.1.2 In respect of food safety and health and safety objectives the Council will:

- undertake appropriate and meaningful regulatory interventions at business and residential premises for which the Council is the enforcing authority and institute informal or formal action in accordance with the Enforcement Policy, Local Government Regulation and national government guidance produced by the Food Standards Agency, Health and Safety Executive and current good practice. Businesses will be targeted, focusing resources on those presenting a high risk to health, the environment or public safety with a view to securing an improvement in legislative compliance;
- investigate complaints about food businesses and premises for which the Council is the enforcing authority for health and safety and, at the conclusion of investigations, institute informal or legal action as appropriate;
- provide appropriate training and education to local businesses to assist them to meet legislative requirements;
- investigate cases of food-borne and some other infectious diseases and advise upon appropriate precautionary and control measures;
- issue registrations for skin-piercing premises and individuals, monitoring compliance with relevant conditions;
- sample and arrange for microbiological testing of high-risk food products and premises;
- develop Primary Authority partnerships, where relevant, with local businesses;
- provide advice and assistance to businesses to help them comply with legislation and to maintain high standards and
- work in partnership with related organisations to promote the wellbeing of persons living, working or visiting the city.

2.2 Links to corporate purposes and other local and national strategies and plans

2.2.1 The Environment and Waste Service aims to uphold the core values of how the council works, making sure that they underpin our attitudes and behaviours. Accordingly, we will:

- Meet customers' needs with high-quality services.
- Be flexible and have a can-do approach.
- Show trust and respect.
- Tell people what is going on, listen and respond to their views.
- Be proud to work for the city and the council.

2.2.2 The following represent key aims for the service. The service:

- embraces the principles of excellence in public services and better regulation and will look to make the most effective use of available resources to achieve maximum gain;

- implements the requirements of the Food Law Code of Practice (England) - actively promoting and evaluating the use of effective food safety interventions to facilitate compliance with food law;
- recognises the importance of food and its influence on the wider determinants of health, seeking to work in partnership and play an active role to reduce the inequalities in health in the local population;
- recognises the importance of the National Food Hygiene Rating Scheme which gives each premises a numerical rating based on their food hygiene, structure and confidence in management - this scheme is an important tool in maintaining high compliance of businesses with food hygiene law;
- continues to develop new ways to establish and maintain an effective health and safety culture in the city so that all employers take their responsibilities seriously, the workforce is fully involved, risks are properly managed and employees are protected;
- actively seeks to work with other areas of the Council, businesses and individuals to ensure that economic development within the city is maintained;
- targets work to manage the risk in high-risk, poor-performing and rogue trader businesses. It will be proportionate, consistent and transparent and have suitable monitoring and review systems and
- is mindful of the burdens on local businesses particularly where, for example, the economy is seasonal and subject to fluctuation. The Council will work in partnership with national regulators, local partners and with local businesses offering information, advice and assistance.

2.3 Links to Health and Wellbeing Priorities and Other Plans

2.3.1 The Devon Health and Wellbeing Board has 4 strategic priorities:

- Create opportunities for all-inclusive economic growth, education and social mobility.
- Healthy, safe, strong and sustainable communities creating conditions for good health and wellbeing where we live, work and learn.
- Focus on mental health building good emotional health and wellbeing, happiness and resilience.
- Maintain good health for all supporting people to stay as healthy as possible for as long as possible.

2.3.2 Whilst there are no specific regulatory targets set out in the above, interventions will contribute to raising business standards, improving health outcomes and reducing health inequalities through the delivery of relevant services, in partnership with other agencies.

2.3.3 In addition to this service plan, the service is also responsible for, or contributes to, the following strategies, policies and plans:

- The Council Enforcement Policy
- The Environmental Strategy

- The Carbon Management Plan
- The Air Quality Strategy
- The Air Quality Action Plan
- The Licensing Act 2003 Statement of Licensing Policy
- Exeter City Council Corporate Plan
- The Exeter Community Safety Partnership Strategy
- Gambling Act 2005 Policy
- Street Trading Policy

3 Background

3.1 Profile of Exeter City Council

- 3.1.1 The geographical enforcement area is relatively confined in local authority terms covering an area of 4,774 hectares and supporting an estimated residential population of 134,500 persons with 72.8% of working age.
- 3.1.2 There are a total of 5,067 businesses registered for business rates.
- 3.1.3 Approximately 35,000 people commute to Exeter on a daily basis, with an average footfall in the city centre of 1,364,000 people per month.
- 3.1.4 Exeter comprises of a mix of residential and commercial properties as well as industrial and trading estates. With Exeter being the regional administrative, cultural and educational centre, the city has a significant impact on the adjacent areas of East and Mid Devon and Teignbridge.
- 3.1.5 Although set in a predominantly urban area, the city offers only a limited range of industry with the main activities being catering, retail sales, office activities, warehousing and distribution. There is an increasing variety of ethnic food outlets and fast-food takeaway outlets and the food pattern is dynamic.
- 3.1.6 The city's status as a medical, university, and educational centre means that there are several large institutional catering premises located within the boundary.
- 3.1.7 There are two approved establishment in the city – the pie manufacturer supplying products to caterers nationwide and a wholesaler re-wrapping meat and dairy products for supply to caterers and retailers across the south west.
- 3.1.8 Exeter was once a thriving port but the River Exe and ship canal are now used for leisure, rather than trade – the city is no longer a port health authority. Exeter airport is situated within East Devon District Council.

3.2 Organisational Structure

- 3.2.1 Environment and Waste is within the Portfolio of Services overseen by the Strategic Director Operations. The Head of Environment and Waste is responsible for delivering this Service Plan. The Environment and Waste Service provides:
- the Food Safety Enforcement function;
 - the investigations of notifiable / infectious disease;
 - the Health and Safety Enforcement function;
 - the Private Water Supply Enforcement function;
 - the Health Act Enforcement function;

- Sunbed Regulations Enforcement function;
- Licensing duties in relation to Licensing Act 2003, Gambling Act 2005, taxis and miscellaneous legislation;
- Regulation of premises under the Environmental Permitting Regulations;
- Monitoring of the city's air quality;
- Monitoring and guidance with respect to contaminated land;
- Investigation of complaints relating to business nuisance;

3.2.2 The Head of Environment and Waste has various delegations to act on behalf of the Council, with delegated deputies appointed under the Council's constitution. All non-delegated matters are reported to the appropriate committee.

3.2.3 The officer structure in respect of the service is detailed in Appendix A and the Council's committee structure is detailed in Appendix B.

3.2.4 In consultation with the Head of Legal and Democratic Services, the Head of Environment and Waste is authorised to deal with the provisions and enforce compliance with legislative areas delegated to the post. This includes the initiation, defence and settlement of legal proceeding, issuing of formal cautions and fixed penalty fines, service of Notices and Orders, the issue, refusal and revocation of licences, certificates and registrations, carrying out works in default and payment and recovery of costs.

3.2.5 The Council's Head of Legal and Democratic Services has delegated authority for the initiation, defence, settlement and conduct of any legal proceedings that may affect the interests of the Council or the inhabitants of the City.

3.2.6 Specialist analytical and microbiological services are provided by external agencies such as the UK Health Security Agency, South West Water and Public Analyst Scientific Services.

4 Performance

4.1 Food Safety performance

4.1.1 During 2024/25, the service:

- Registered 185 new food businesses,
- Conducted 625 food hygiene inspections,
- Dealt with 177 low-risk food businesses via the completion of a self-assessment questionnaire,
- Received 164 service requests relating to food businesses, of which 98 were complaints about food and 66 concerned the hygiene of premises,
- 3 requests for food hygiene rating scheme revisits were received and the premises were subsequently revisited,
- 99% of food premises in the food hygiene rating scheme were broadly compliant with food hygiene law,
- 56 food poisoning cases and other infectious disease were investigated,
- 63 food samples were taken, 6 of which were unsatisfactory, 2 borderline,

- 57 people attended face-to-face Level 2 food hygiene training, with an additional 64 people enrolling of our e-learning Level 2 and 3 courses.

4.2 Health and Safety performance

4.2.1 During 2024/25:

- 77 proactive health and safety inspections were undertaken,
- 259 other visits/face to face contacts (e.g. health and safety training, Safety Advisory Group attendees etc.) were made; this includes visits to all eleven of the city's funeral directors, as part of a national project requested by the Ministry of Justice.
- 57 non-inspection interventions (e.g. complaints, incident investigation, pool sampling visits) were made,
- 33 health and safety service requests / complaints were dealt with,
- 107 accident/incident reports were received via the Health and Safety Executive's RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013) reporting system.

5 Food Safety

5.1 Scope of the Food Safety Service

5.1.1 The Food Safety Service:

- undertakes programmed food hygiene interventions and revisits;
- registers all food businesses in the city (or approves those businesses supplying products of animal origin to persons other than the final consumer);
- monitors the database;
- undertakes food sampling;
- investigates food complaints;
- assists UK Health Security Agency in investigation of food poisoning and infectious disease outbreak control;
- responds to Food Standards Agency food alerts, product withdrawals and recalls;
- provides export health certificates;
- inspects food;
- runs advisory and training services for businesses and
- promotes food safety.

5.1.2 The Council believes in fair regulation and the team uses a variety of means to ensure that individuals and organisations meet their responsibilities including education, negotiation, advice, guidance, warning letters, formal notices and prosecution. Overall, the service seeks to work in collaboration with businesses while avoiding unnecessary bureaucracy in the way it works.

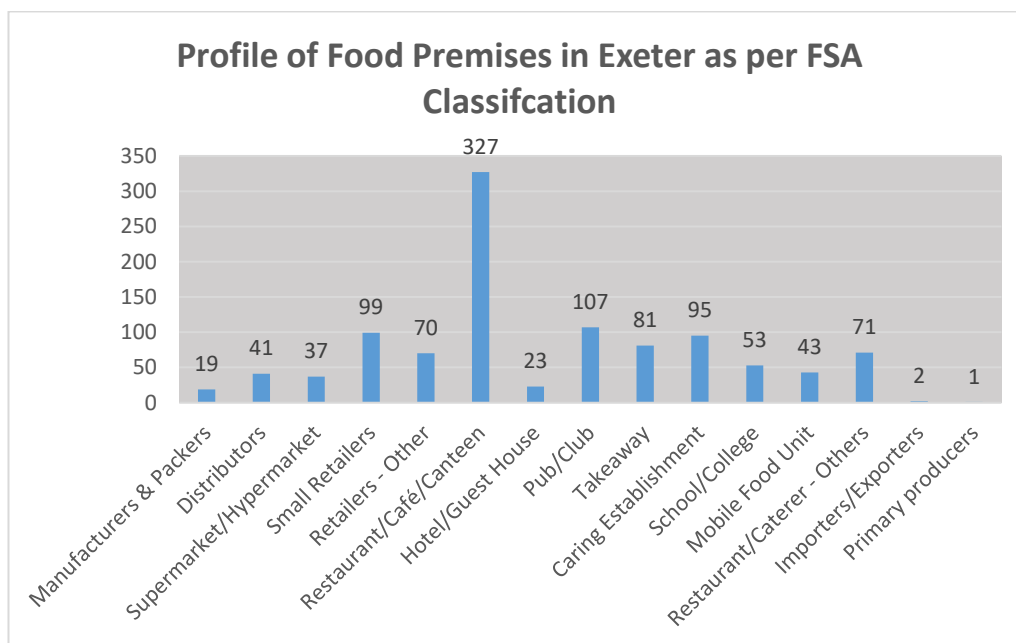
5.1.3 The Council supports the Food Standards Agency's *Food You Can Trust* strategy and its three guiding principles:

1. Food is safe.

2. Food is what it says it is.
3. Food is healthier and more sustainable.

5.2 Food Business Profile

- 5.2.1 The current profile of food premises in the city as per Food Standards Agency classification is illustrated below:



- 5.2.2 Following an inspection/audit, food premises are scored and categorised A to E in respect of the risk to food safety in accordance with the Food Law Code of Practice (England). The categories dictate the interval between inspections. For example, category A premises should be inspected at least once every 6 months, category D premises every 2 years.

- 5.2.3 The current profile of food premises in terms of risk category are shown below:

	A	B	C	D	E	U	Total
01 April 2025	1	31	163	525	320	30	1070

- 5.2.4 There are a small number of food premises in the city where business owners do not speak English as their first language. To avoid any impact on the ability to successfully inspect premises, and to effectively promote food safety, interpreters will be used whenever necessary. The Council also aims to provide food hygiene training in other languages if sufficient demand arises.
- 5.2.5 Some food business operators employ a number of migrant workers. Where appropriate, inspecting officers will look for evidence of modern slavery or inadequate accommodation/working conditions and share this intelligence with the appropriate agencies (Police, Border Force etc.).

5.3 Interventions

- 5.3.1 The Council will:

- carry out a range of official and other food controls as set out in the Food Law Code of Practice (England) and its associated Practice Guidance;

- inspect/audit and approve relevant premises in accordance with the relevant legislation, Code of Practice and centrally issued guidance;
- liaise with the Primary Authority of any company whose premises have been inspected and offences identified which are, or appear to be, associated with the company's centrally defined policies and procedures;
- assess the compliance of premises and systems to the legally prescribed standards having due regard to any relevant Industry Guides to Good Hygiene Practice and other relevant centrally issued guidance;
- take appropriate action on any non-compliance found, in accordance with the Council's Enforcement Policy and
- maintain documented intervention procedures and record legible data and information following interventions in a retrievable way.

5.3.2 Whilst the primary responsibility for identifying food hazards and controlling risks rests with food business operators, food hygiene interventions will be undertaken to:

- establish whether food is being produced hygienically;
- establish whether food is, or will be, having regard to further processing, safe to eat;
- identify foreseeable incidences of food poisoning or injury as a consequence of consumption of food;
- issue the relevant rating as laid out in the Food Hygiene Rating Scheme Brand Standard, where the premises is part of the scheme.

5.3.3 With the foregoing in mind, the main objectives of the interventions programme will be to:

- determine the scope of the business activity and the relevant food safety legislation;
- thoroughly and systematically gather and record information;
- identify potential hazards and risks to public health;
- assess the effectiveness of process controls and HACCP (Hazard Analysis and Critical Control Point) based systems;
- identify specific contraventions of food safety legislation;
- consider appropriate enforcement action (proportionate to risk), to secure compliance with food safety legal requirements;
- produce advice and information and recommend good practice where appropriate;
- promote continued improvements in food hygiene standards to meet national / local performance indicators and the relevant Food Standards Agency strategy and
- issue the relevant rating as laid out in the Food Hygiene Rating Scheme Brand Standard, where the premises is part of the scheme.

5.3.4 Coronavirus restrictions from April 2020 onwards prevented the completion of a large number of planned food interventions nationwide. Introduced in July 2021, The Food Standards Agency's Recovery Plan set out how local authorities should resume food interventions post-Covid, the emphasis being on the inspection of higher-risk (category A-C) premises, with visits to lower-risk premises carried out where resources allowed.

5.3.5 The Recovery Plan ended in March 2023, the Council successfully meeting its targets. The Food Standards Agency now expects that local authorities realign their inspection work with the requirements of the Food Law Code of Practice – for most local authorities this mean bringing lower risk (category D&E) food businesses back into an appropriate programme of controls.

- 5.3.6 To assist with getting the inspection programme back on track, two contract environmental health officers were appointed from October 2024 onwards. The contractors inspected a total of 277 food businesses, the majority of which were overdue category Ds (i.e. generally compliant food businesses handling high-risk foods – city centre restaurants, for example).
- 5.3.7 The Food Law Code of Practice allows for low risk (category E) food businesses to be subject to an alternative enforcement strategy. These businesses (greengrocers, sweet shops, chemists, off-licences etc.) were sent a self-assessment questionnaire to complete and advised that non-return of the form would result in an inspection. To help maximise the return, the questionnaire was made available as both a paper and e-form.
- 5.3.8 In 2024, 279 category E businesses were targeted in this way; it was determined that 77 had ceased trading (businesses seldom inform the Council of changes, despite being legally required to do so).
- 5.3.9 177 category E businesses returned questionnaires; those whose responses suggested that handling of open high-risk food was being carried out were subject to an unannounced inspection. 58 businesses were targeted in this way and re-rated where necessary.
- 5.3.10 On 1 April 2024, the total number of food businesses which were due or overdue an intervention by 31 March 2025 was 852. That figure does not include the 185 new food businesses which registered with the Council during 2024/25.
- 5.3.11 On 1 April 2025, the total number of overdue businesses was only 26 (6 category E businesses and 20 new, uncategorised businesses which had registered over 28 days earlier). This means that 97.5% of all the City's food businesses are up to date with their food hygiene inspections at the beginning of the new financial year, with only a handful of the lowest-risk and newly registered food businesses still awaiting an intervention
- 5.3.12 There are 352 food businesses requiring an intervention between April 2025 and March 2026. This figure does not include any new food businesses which will be registered during that period (typically, around 160-180 new food businesses register each year).
- 5.3.13 For Exeter's Business Regulation Team, in order to achieve the inspection programme not less than 3 (FTE) qualified food inspectors will be required. This figure takes no account of the burden of any extra targeted inspection activity, sampling or investigations arising from complaints or Food Alerts, product withdrawals and recalls for example.
- 5.3.14 All officers undertaking inspections, investigating complaints, giving advice and taking samples shall meet the qualifications and experience requirements in the Food Law Code of Practice (England). The Code is currently under review, with a proposal to extend the activities that officers who do not hold appropriate qualifications for food hygiene can, if competent, undertake. If agreed, the Business Regulation Team's apprentice EHO would be able to inspect some broadly compliant category D and E premises in the future.
- 5.3.15 It is not envisaged that arrangements will need to be made to ensure the Council has access to specialist expertise for the inspection of any specialised processes located in the city. Should the situation arise, specialist advice can usually be found amongst the members of the South West Food Liaison Group.

5.4 Food Complaints

- 5.4.1 Food complaints received and investigated by the service fall into one of the following broad categories:
- food contamination;
 - complaints about food businesses (poor hygiene, pests, lack of food handler training etc.) and
 - food alerts, product withdrawals and recalls.
- 5.4.2 There is an established procedure for dealing with food complaints that sets out the action to be taken regarding investigation. The procedure, together with a food complaints investigation form, is available on RIAMS (The Council's online information management system).
- 5.4.3 The number of food complaints/service requests received annually has been at a constant level over the last few years. In 2024/25, 98 complaints were received about food, 66 about the hygiene of premises.
- 5.4.4 It is estimated that 0.2 FTE qualified inspectors will be required to deal with food complaints.

5.5 Primary Authority Partnerships

- 5.5.1 The Regulatory Enforcement and Sanctions Act 2008 established a statutory scheme for businesses trading across local authority boundaries. The scheme known as the Primary Authority Scheme enables businesses and local authorities to enter into formal partnerships. The advice provided by the local authority has to be taken into account by other councils before enforcement action can be taken against the business concerned.
- 5.5.2 Primary Authority partnership agreements have been established with:
1. West Country Family Butchers Ltd.
 2. South West Norse Ltd.
 3. Andrew Brownsword Hotels
 4. HK4 Group Ltd.
 5. KM Innovations Ltd.
 6. Fresha Ltd
 7. Sacred Grounds (Exeter) Ltd.

5.6 Advice to Business

- 5.6.1 A full suite of food courses is promoted to enable local businesses to fulfil their training requirements. Taught courses and e-learning are both available. See Section 8 for more information.
- 5.6.2 Inspectors provide advice during routine interventions and respond to queries from the public and food businesses. In 2024/25, 72 food advice service requests were recorded on the Council's environmental health database.
- 5.6.3 Advice on topics of general and current food safety interest is placed on the Council web site and social media accounts as necessary; for example, practical guidance is

available for people running food businesses from home as a significant number of food registrations are at private addresses.

- 5.6.4 The Council will use local business and other forums as a means to disseminate relevant food safety information to help assess their needs and obstacles to compliance.
- 5.6.5 The service will actively seek participation in or look to co-ordinate appropriate forums to promote food safety and disseminate information.
- 5.6.6 It is estimated that 0.1 FTE qualified food inspectors will be necessary to provide information and advice to food businesses.

5.7 Food Inspection / Sampling

- 5.7.1 The Council will ensure that food is inspected in accordance with relevant legislation, The Food Law Code of Practice (England) and the Practice Guidance (England) and centrally issued guidance and ensure that food meets prescribed standards.
- 5.7.2 UK Health Security Agency's Coordinated National Sampling projects are determined following consultation on various options with stakeholders. Local sampling studies are also organised via the South West Food Liaison Group.
- 5.7.3 The Council's sampling priorities are detailed in Section 7.
- 5.7.4 Routine sampling will be undertaken by the Environmental Health Apprentice, supported by Environmental Health Officers. Activity reports will be submitted on a periodic basis. A procedure has been set up and implemented in respect of taking samples and the arrangements made for Analysis and Examination. A service level agreement is agreed annually between the Council and UKHSA's Food, Water and Environmental Laboratory Service.

5.8 Control and Investigation of Food Poisoning Outbreaks and Food Related Infectious Disease

- 5.8.1 The service's objective in respect of the control of food related disease is to:
- contain the spread of any outbreak;
 - identify the focus of infection;
 - identify the causative organism/chemical;
 - trace carriers and cases;
 - trace the source of infection;
 - determine the causal factors;
 - recommend practices to prevent recurrence of disease and
 - determine whether criminal offences have been committed.
- 5.8.2 Investigations into outbreaks of foodborne illness are carried out in consultation with, and under the direction of, UK Health Security Agency.
- 5.8.3 A Single Case Management Plan has been drawn up between UK Health Security Agency's South West Health Protection Team and Local Authorities. The plan outlines who will take the lead for investigating single cases of various notifiable diseases and the appropriate method in each case (letter, phone call, visit etc.). Case questionnaires have also been standardised across the district and are available on the Environmental Health Computer System.

- 5.8.4 The service maintains a supply of faecal sample pots which can be delivered in person or by post when investigating outbreaks of infectious diseases. Cases send the pots directly back to the UKHSA laboratory in Bristol for analysis. These pots were used extensively in early 2025 to help identify the causative organism responsible for a significant number of cases of sickness and diarrhoea linked to an Exeter business (it was, as is often the case, norovirus).
- 5.8.5 The Principal Environmental Health Officer (Business Regulation) fulfils the role as lead officer in respect of infectious disease control and it is anticipated that adequate resources exist within the full complement of the Environment and Waste Service to deal with this service demand.
- 5.8.6 It is estimated that 0.1 FTE qualified food inspectors will be required to investigate outbreaks and food related infectious disease.

5.9 Food Safety Incidents

- 5.9.1 The Council has and will maintain a computer system capable of receiving food alerts, product withdrawals and recalls and will implement the documented procedure for responding to food alerts and food safety incidents received from the FSA, in accordance with the relevant Food Law Code of Practice (England). The current informal out of hours contact arrangements will be used.
- 5.9.2 Documented responses to the outcome of appropriate food alerts will be in accordance with the adopted procedure.
- 5.9.3 In the event of any serious localised incident or a wider food safety problem, the Principal Environmental Health Officer (Business Regulation) will notify the FSA.
- 5.9.4 In 2024/25, food alerts requiring action by the service included peanut contamination of mustard and listeria found in desserts supplied to healthcare providers.
- 5.9.5 It is considered that adequate resources exist within the service to deal with this demand.
- 5.9.6 It is anticipated that 0.1 FTE will be required to deal with food hazard alerts.

5.10 Liaison with Other Organisations

- 5.10.1 The Council is committed to ensuring the enforcement approach it takes is consistent with other authorities. Regular dialogue on food enforcement matters and food related issues takes place with:
- Primary Authority business partners
 - Trading Standards
 - South West Food Liaison Group
 - South West Zoonoses Liaison Group
 - Exeter and Heart of Devon Hoteliers & other appropriate business forums
 - Chartered Institute of Environmental Health (CIEH)
 - Regional Environmental Health Practitioners and UKHSA Network
 - Exeter College – regular food hygiene/health and safety talks to Hospitality and Catering Students
 - Other services within the Council (e.g. Planning & Building Control)

5.10.2 In delivering the food service, the Council recognises the increasing importance of partnership working. Examples of this include:

- consultation with businesses and community leaders;
- participation in third party audits, joint sampling initiatives etc.;
- identify funding opportunities;
- development of food hygiene training;
- providing focused training sessions on food related subjects.

5.10.3 Numerous promotional activities also occur during the course of a typical year usually in response to need/requests from the different communities in Exeter, for example:

- presentations to schools, interested groups, professional bodies etc.
- circulation of advisory leaflets or guidance notes in response to topical issues or changes in legislation.

5.11 Food Hygiene Rating Scheme and Food Safety Promotion

5.11.1 The service utilises many methods to promote food safety and increasingly is led by the developing body of research. Since April 2011, the service has operated the National Food Hygiene Rating Scheme which has helped drive improvements in food law compliance. As of April 2025, 956 businesses fall within the scope of the scheme, with all ratings published on the national web portal at www.food.gov.uk/ratings and businesses encouraged to display stickers.

5.11.2 The service will continue to promote usage of the scheme by consumers by harnessing the power and influence of the local media, health promotion initiatives and public events. The service will also continue to encourage at the time of visits voluntary display of rating stickers at premises that fall within the scope of the scheme. Currently, the mandatory display of rating stickers only applies in Wales and Northern Ireland.

5.11.3 In April 2025, over 99% of the 956 rated food businesses in Exeter are classed as 'broadly compliant', i.e. rated 3 or above:

FHRS Rating	Aug - 24	Sep - 24	Oct - 24	Nov - 24	Dec - 24	Jan - 25	Feb - 25	Mar - 25	Apr - 25
5 - Very good	884	870	858	830	821	811	804	807	811
4 - Good	124	121	122	124	121	113	108	101	104
3 - Generally satisfactory	33	31	31	34	33	31	32	31	32
2 - Improvement required	5	5	5	6	6	6	6	6	6
1 - Major improvement required	3	5	5	3	3	3	3	3	3
0 - Urgent improvement required	0	0	0	1	0	0	0	0	0
Total rated establishments	1049	1032	1021	998	984	964	953	948	956
Establishments with rating of 3 or better	1041	1022	1011	988	975	955	944	939	947
Awaiting inspection	70	62	61	55	54	53	47	39	34
Exempt	46	44	45	43	41	41	38	38	37
Sensitive	29	29	28	28	26	22	21	20	19
Excluded	30	27	31	36	29	29	30	27	23
Total establishments	1224	1194	1186	1160	1134	1109	1089	1072	1069

A small number of establishments are not included in the food hygiene rating scheme. Businesses not supplying food to the final consumer or those that are extremely low-risk and not generally recognised as food businesses are classed as *excluded* and *exempt* respectively. Businesses with sensitivities around publishing addresses (childminders, military establishments etc.) are classed as *sensitive*.

- 5.11.4 Food businesses rated four or below can request a revisit to rescore, for which a fee of £160 is payable. Once the completed application and fee is received, officers will carry out an unannounced inspection within three months.
- 5.11.5 Online food delivery services such as Deliveroo and Just Eat will not host businesses with poor food hygiene ratings; this (and the perpetual interest shown by local media in zero- and one-rated premises) is an important factor that businesses need to consider when it comes to maintaining good standards of food hygiene.

5.12 Internal Monitoring

Internal monitoring procedures to verify conformance with this Service Plan are well established and will be exercised. These include senior officer auditing, peer review and consistency exercises. Team meetings take place weekly in person. The Food Standards Agency provides an annual national consistency exercise for all local authorities to help ensure that hygiene ratings are calculated correctly.

5.13 Audit

- 5.13.1 The Council will participate in third party and peer review processes against this Service Plan and associated procedures. Maintaining consistency in food hygiene enforcement across the South West is a key role of the South West Food Liaison Group.
- 5.13.2 The Food Standards Agency has an annual programme of local authority food service audits. Exeter's policies and procedures for dealing with approved premises were subject to FSA audit in 2020; no significant issues were reported.

5.14 Other Services

- 5.14.1 The Service has responsibility for undertaking a parallel role in respect of other Environmental Health related legislation in commercial premises.
- 5.14.2 General (non-food related) complaint work will initially be undertaken by the service in accordance with the relevant procedure. Pest control treatment may be undertaken by officers from the section in liaison with the Environmental Health Officer, but only when it will not comprise future enforcement action.
- 5.14.3 The Business Regulation Team is responsible for enforcing environmental protection legislation when it relates to commercial activities. In 2024/25, the team received a total of 649 service requests; 46% of these (295) related to environmental protection matters, with 136 complaints about noise from commercial premises making up by far the greatest proportion of this figure.

5.15 Enforcement Policy

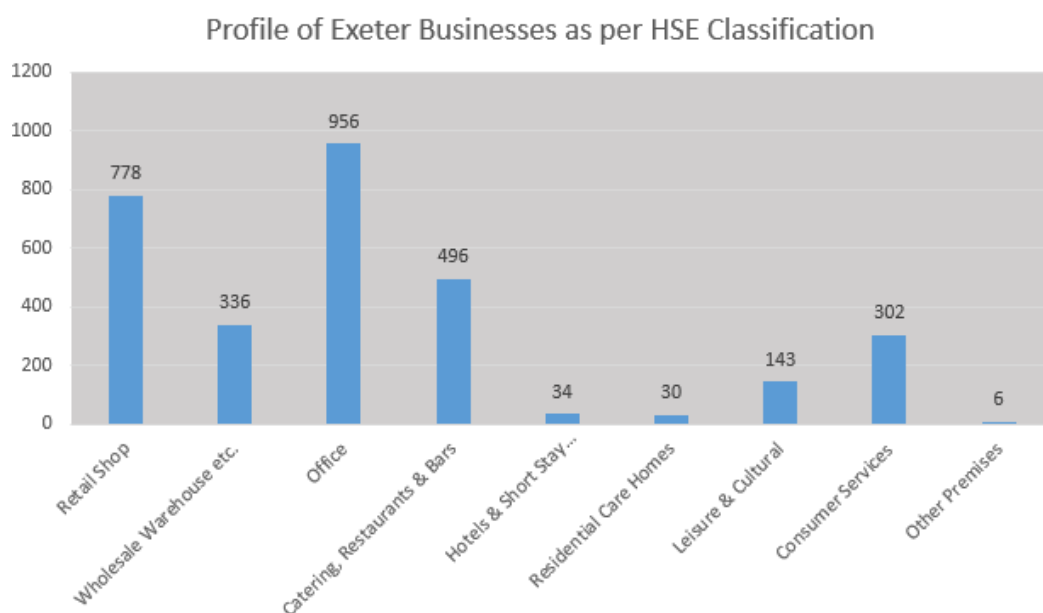
- 5.15.1 The Council's Enforcement Policy includes the principles contained in the Regulators' Code which the Council is committed to incorporating into its regulatory functions.
- 5.15.2 The Enforcement Policy will be subject to periodic review at which time amendments will be made to specifically reflect the requirements of the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement and other relevant and appropriate guidance.
- 5.15.3 The key elements of the Enforcement Policy are detailed below:

- a belief that enforcement must be firm but fair;
- the need for proportionality in the application of the law;
- showing transparency about how the service operates;
- a need for targeting of enforcement action;
- a need to deliver consistency of approach and
- the need to balance enforcement and education in the way the service works.

6 Health and Safety

6.1 Health and Safety Business Profile

- 6.1.1 Exeter is predominantly an urban area with many small businesses. Health and safety enforcement is split between the Health and Safety Executive (who enforce the legislation in higher-risk businesses such as manufacturing and construction) and the Council who enforce health and safety in mostly small and lower risk businesses.
- 6.1.2 Health and safety enforcement in 65% of all businesses across the UK falls to local authorities like Exeter City Council. Those businesses employ 48% of the total workforce.
- 6.1.3 There is no requirement for non-food businesses to register with Environmental Health but as an estimate, the Council is responsible for health and safety enforcement in around 3000 premises.



6.2 Health and Safety Intervention Programme

- 6.2.1 Health and Safety law clearly sets out that the primary responsibility for managing risk to workers and the public who might be affected by the work activity lies with the business or organisation that creates the risk in the first place.
- 6.2.2 The role of the Council is to support, encourage, advise and, where necessary, hold to account businesses to ensure that they effectively manage the occupational health and safety risks they create. The service uses the guidance given in Local Authority Circular 67/2 (LAC 67/2) to set its priorities and target its interventions.

- 6.2.3 As a result of current national and local drivers for change we aim to focus health and safety enforcement resources into areas where they are likely to have the greatest impact. In the coming year, we will continue to concentrate on specific topic areas during proactive interventions and reactive investigations, rather than complete all-encompassing inspections. The areas focussed on have been identified nationally and locally as contributing to the highest rate of accidents/incidents and ill health at work, across all health and safety enforcing authorities.
- 6.2.4 HSE's 2022 strategy *Protecting People and Places* sets out a number of strategic objectives, including reducing work-related ill health with a specific focus on mental health and stress. Forty-one percent of all work-related ill health is reported in sectors where health and safety is enforced by local authorities, with wholesale/retail and health and social care sectors reporting particularly high levels.
- 6.2.5 The Statement of Commitment between Local Authority and HSE Regulatory Services (March 2019) sets out a shared vision for co-regulatory partnership of this strategy.

6.3 Scope of Health and Safety Service

- 6.3.1 With regard to health and safety, the Council will be directed by the Health and Safety Executive's National Local Authority Enforcement Code issued under Section 18 (4)(b) of the Health and Safety at Work etc. Act 1974. The key elements of the code are:
- Ensuring that the authority takes a risk-based approach to regulation.
 - Ensuring that the authority applies proportionate decision making in accordance with the LA's Enforcement Policy Statement and Enforcement Management Model.
 - A requirement for the authority to legally appoint suitably qualified staff to carry out the necessary regulatory duties.
 - A requirement to produce an annual service plan.
- 6.3.2 The objective of the health and safety service in contributing to this aim is to ensure that risks to person's health, safety and welfare from work activities are properly controlled through advice and proportionate enforcement.
- 6.3.3 The service comprises a range of key functions, namely:
- to carry out interventions in line with LAC 67/2, the HSE's National Local Authority Enforcement Code and the Devon and Cornwall Health & Safety Subgroup's annual workplan;
 - to take the most appropriate action upon inspection of relevant workplaces including the use of advice, informal correspondence, improvement and prohibition notices and the institution of legal proceedings;
 - to educate proprietors of relevant workplaces in health, safety and welfare matters and their legal responsibilities in relation to their occupation by the distribution of leaflets and the provision of advice and information;
 - to investigate specific accident notifications;
 - to advise on the design of relevant workplace premises prior to and during alterations and construction;
 - to liaise and work in partnership with the Health and Safety Executive (HSE), UK Health Security Agency and the Fire Authority regarding the enforcement of the legislation;

- to seek to promote a simplified risk assessment procedure for low hazard workplaces such as offices and shops through the use of the Devon Local Authority devised toolkit *Safer Workplace, Better Business* and
- to focus on emerging issues such as modern slavery and migrant workers, through liaison with the police and immigration authorities.

- 6.3.4 Proactive aspects of the health and safety service are often delivered jointly with other interventions such as food hygiene inspections. For example, one of the subjects suitable for proactive inspection in the current LAC 67/2 is carbon monoxide poisoning in the catering industry – a matter discussed, where relevant, during food hygiene inspections, when the maintenance of gas appliances is raised with the food business operator.
- 6.3.5 The reactive aspects of the service, for example accident investigations, are responded to along with other complaints and requests for service.
- 6.3.6 Health and safety interventions are delivered by suitably trained and experienced officers, in accordance with a competency and development scheme. This scheme has been designed to meet the requirements of Health and Safety Executive and Local Authority Enforcement Liaison Committee (HELA) Section 18 guidance.
- 6.3.7 External consultants may be used to undertake other intervention strategies of low-risk premises. The decision to employ contractors is taken by the Head of Environment and Waste and will be subject to the following criteria:
- there is a direct need to ensure statutory performance targets are met;
 - external contractors must meet the requirements of HELA Section 18 guidance;
 - the cost of the work can be met within existing budgets and
 - previous knowledge of the competency and quality of the consultants.
- 6.3.8 The health and safety service operates from the Civic Centre between 9.00am and 5.00pm Monday to Friday. Evening and weekend inspections are carried out as determined by the risk-based inspection programme and the premises opening hours.
- 6.3.9 Emergency health and safety issues are currently directed initially to a 24-hour central control team and then onto senior officers as required. In addition, the Council's continually revised website is used to provide information about health and safety services for consumers and businesses and also provides a direct email address for service requests.

6.4 Complaints and Requests for Advice

- 6.4.1 Additional interventions will arise during the year by virtue of complaints, new business start-ups, change of use, major alterations/refurbishments and requests for inspection. A revisit will always be carried out where statutory notices have been served; in all other cases the officer will make a professional judgement as to the requirement for a revisit.
- 6.4.2 The service recognises the importance of providing advice to businesses as part of effective health and safety enforcement. As well as the provision of specific advice during interventions and with post intervention correspondence, a wide range of general health, safety and welfare advice is distributed to businesses
- 6.4.3 From 1 July 2007, all enclosed workplaces became smoke free, as a result of the Health Act 2006 and subsequent regulations. All Environmental Health Officers, Technical Officers, Licensing Officers and Environmental Protection Officers are also

authorised to enforce the smoke-free provisions. Smoke free compliance for businesses will be incorporated into the proactive inspection work undertaken by the service, in addition to responding to complaints.

- 6.4.4 The authority has a duty to investigate complaints about health and safety conditions/issues and about its health and safety service provision. Thirty-three service requests about health and safety were received in 2024/25, all of which were dealt with as appropriate or passed to other agencies where necessary. No complaints were received regarding the service provision of the Authority.

6.5 Statutory Notifications

- 6.5.1 Prescribed accidents, dangerous occurrences and occupational diseases are reportable under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013. Accidents would include fatalities and accidents involving visits to hospital or currently more than 7 days off work. Certain accidents involving employees, the self-employed and members of the public are also reportable.
- 6.5.2 107 RIDDOR reports were received by the service in 2024/25.
- 6.5.3 The Council has a duty to investigate accidents to determine whether offences have been committed and to prevent a recurrence. The authority also receives notifications of certain unsafe equipment and must respond and investigate such notifications. Decisions as to which accidents require a full investigation are made by the Principal Environmental Health Officer, based on HSE's *Incident Selection Criteria Guidance*.
- 6.5.4 As a 'responsible authority' for the purposes of the Licensing Act 2003 and the Gambling Act 2005 the section has a duty to respond to premises licence applications etc. A number of applications will require scrutiny, some of which may require amendments by negotiation.
- 6.5.5 Liaison with other organisations is essential in order to achieve consistency and effectiveness of the health and safety service. The service is represented on the Devon Health and Safety (Enforcement) Subgroup, which meets bi-monthly. This group includes a representative from the Health and Safety Executive (HSE) and maintains links with other local authority health and safety enforcement officers.

6.6 National Priorities

- 6.6.1 HSE's LAC 67/2 for 2024/25 - *Setting Local Authority Priorities and Targeting Interventions* includes a number of national priorities, including:
- Raising awareness of the HSE's work-related stress and mental health campaign *Working Minds* with businesses.
 - The control of legionella in spa pools and hot tubs in the holiday sector and in cooling towers in built up areas.
 - Improving the information provided to, and supervision of, users at trampoline parks.
 - Planned preventative maintenance of work equipment (lifting equipment, for example, requires a thorough examination every six or twelve months).
 - The provision of licensable adventure activities at premises currently without an AALA (Adventure Activities Licensing) licence.

- Occupational lung disease – specifically the duty to manage asbestos (which will continue to be discussed (where appropriate) during food hygiene interventions) and respirable silica dust.
- Violence and aggression in sales and health and social care – highlighting the need for risk assessments here.
- Inflatable amusement devices – ensuring adequate ground anchorage, measurement of wind conditions, documentation from a competent inspection body to show compliance with BS EN 14960 and annual inspection by a competent person. Where applicable, this matter is discussed with event organisers attending the Council's monthly safety advisory group meetings.
- Musculo-skeletal injuries in the retail and care home sector.
- Noise at work – checking the condition of hearing protection and the provision of health surveillance.

6.6.2 LAC 67/2 also sets out a list of activities/sectors which are suitable for proactive inspection. The current list can be found at Appendix C.

6.7 Monitoring

6.7.1 An annual return is made to the HSE's Local Authority Unit at the end of each financial year. This LAE1 return reports upon the number of proactive inspections, face-to-face contacts, non-inspection interventions and reactive visits carried out over the past year. Highlights of the 2024/25 return can be found at 4.2.1

6.8 Enforcement

6.8.1 Enforcement (or the fear of enforcement) is an important motivator for rogue employers. Evidence confirms that enforcement is an effective means of securing compliance and promoting self-compliance.

6.8.2 We will work in partnership with the HSE, other enforcement agencies, regulators and stakeholders to secure proportionate compliance with the law and to ensure that those who have duties under it may be held to account for failures to safeguard health and safety and welfare.

6.8.3 The scope of these activities will continue to be evidence-based and are clearly set out in the Council's Enforcement Policy.

6.9 Staff Resources

The national local authority enforcement code requires the Council to have sufficient capacity to undertake our statutory duties. 2 FTE health and safety warranted officer's time is spent on health and safety activity.

6.9.1 All Environmental Health Officers will undertake some health and safety duties along with their other functions that include food safety, training, health initiatives, some licensing duties and infectious disease control.

- 6.9.2 The staff resources allocated to the functions is currently deemed adequate to fulfil the Council's duties. Officers will vary their approach to the health and safety intervention programme to enable them to meet Performance Indicators by targeting resources on high-risk premises and national priorities.

6.10 Staff Skills

- 6.10.1 Only trained and competent staff will be able to undertake full health and safety duties. The authorisation, and hence action they can take, for each officer will reflect their individual skills. As part of the annual Growth and Development Review all staff who undertake health and safety duties are subject to an assessment of competency. Any training and development needs identified at the Growth and Development Review process are added to the service wide training plan that provides for the priority resourcing of both qualification-based training and continuing professional development.

6.11 Consultation with Stakeholders

- 6.11.1 The Health and Safety at Work etc. Act 1974 places general duties on all employers to protect the health and safety of their employees and those affected by their work activities. Its goal-setting approach makes clear that those who create risks are best able to manage them. We will make clear that effective health and safety management is a collective responsibility in which individuals too must play their part.
- 6.11.2 Experience shows that many organisations do not contact us. Some may be fearful of contact, which deters them from seeking advice. We will make a special effort to explore new ways to establish and maintain an effective health and safety culture, so that all employers take their responsibilities seriously, the workforce is fully involved and risks are properly managed.
- 6.11.3 We will aim to demonstrate the moral, business and economic case for health and safety. Appropriate health and safety management is an integral part of effective business management and, we will promote it as an enabler and not a hindrance.
- 6.11.4 We will explore ways to promote greater access to authoritative health and safety advice and guidance and we will continue to offer advice in the course of our other enforcement activities where appropriate. We will listen to business's health and safety concerns and assist (by the provision of appropriate guidance, advice, training etc.) as much as is practicable.

7 Sampling Programme

7.1 Purpose of Sampling

- 7.1.1 The food and water quality sampling programme is devised to ensure effective use of resources and fulfil the requirements of the Food Sampling Policy, Private Water Supply Regulations and water quality standards in respect to swimming pools.

7.2 Requirement to Sample

- 7.2.1 The sampling programme operates on a total sampling allocation of 10 samples per 10,000 population. This will require approximately 130 samples per year to be taken. The authority is required to provide a statistical return to the Food Standards Agency (FSA) and Drinking Water Inspectorate on its annual sampling activity. All local

authorities have an arrangement with the UK Health Security Agency Laboratory, which provides a credit allocation to facilitate this work.

7.2.2 The authority has a duty under the Private Water Supply Regulations to conduct periodic sampling of Private Water supplies within the City. All local authorities within Devon have an arrangement with South West Water's laboratories at Countess Wear, which provides a pay as you sample contract to facilitate this work.

7.2.3 The authority also conducts routine swimming pool sampling of all public and private swimming baths within the city. All local authorities have an arrangement with the UK Health Security Agency Laboratory, which provides a credit allocation to facilitate this work.

7.3 Sampling Methodology

7.3.1 Primary Authority Partnership role: There is a limited role for the Council to play in this respect as we are without any large national companies producing high-risk products with whom we have a primary authority partnership agreement. There are, however, a few small producers whose products are distributed locally and sampling will provide a means of surveillance of their goods and services. By carrying out sampling over a period of time, we were able to help one of our smaller primary authority partners to determine a suitable shelf life for a newly developed range of food products prior to them going into production.

7.3.2 South West Food Liaison Group: The group liaises with UKHSA to help inform the contents of a number national/regional sampling plans each year. Members choose from a list of potential sampling initiatives based on their understanding of those foods/practices likely to be of highest risk/greatest concern. In 2024/25, twenty-five samples of cheese and ten boxes of non-Lion Brand hens' eggs were sampled from retailers across the city; all were satisfactory, with the exception of one borderline cheese sample which was satisfactory on re-sampling.

7.3.3 Vulnerable Foodstuffs: High-risk foodstuffs, which give cause for concern or suspicion, may need to be sampled on an ad hoc basis. This will include sampling as a means of verifying controls at a critical step in a food operation and monitoring of imported food for example.

7.3.4 Complaints: Food samples may be taken when investigating consumer complaints, either to confirm suspected contamination or in undertaking enquiries resulting from complaints.

7.3.5 Statutory Samples: We have a statutory obligation to monitor water distributed by South West Water and, to a limited extent, premises with private water supplies.

7.3.6 Survey Work: The number of samples taken as a result of Food Alerts, locally/nationally agreed surveys and food poisoning investigations is subject to annual variation, but provision will be made for these items.

7.3.7 Environmental Swabs: The swabbing of key food contact and hand contact surfaces is seen as an effective means of contributing to the assessment of hygiene standards during routine food hygiene inspections. Officers will use a combination of swabs sent to the UK Health Security Agency laboratory and ones analysed at the time of visit using an ATP meter (a hand-held device which can produce a numerical representation of the cleanliness of a swabbed surface)

7.4 Budget Provision

- 7.4.1 In addition to the credit allocation provided by the UK Health Security Agency laboratory, sums of £260 (analyst's fees) and £300 (samples) are included within the budget. These sums are intended to cover all sampling and a proportion of this will be reserved for Health and Safety sampling (e.g. asbestos, COSHH etc.).

7.5 Resources

- 7.5.1 There is adequate provision within the present budget to undertake the proposed sampling programme. Allowing for some flexibility between the two budget entries ensures that problems in financing the purchase and analysis of samples for the Food and Health and Safety enforcement functions of the section will be minimised. The programme assumes the current staffing level as outlined in section 5 of this report will be maintained throughout the year.

7.6 Sampling Plan 2025/26

Year	2025										2026		
Months of sampling	A	M	J	J	A	S	O	N	D	J	F	M	
UK Health Security Agency Studies													
Study 83 – Dried fruit, nuts and seeds													
Study 84 – Root vegetables													
Study 85 – Reactive study (TBC by UKHSA)													
Exeter Specific Sampling Programme													
Swimming Pool Sampling													
Private Water Supply Sampling													

8 Environmental Health Training Service

8.1 Scope of the Training Service

- 8.1.1 The service has established a robust cost-effective training service for Exeter and the surrounding area.

8.2 Main Provisions of the Training Service

- 8.2.1 Food handlers must receive adequate supervision, instruction and /or training in food hygiene for the work they do. The owner of the food business is responsible for ensuring that this happens. There is an equivalent legal position under Health and Safety legislation and businesses have a legal duty to assess the risks within their operation and the take precautions to minimise that risk.
- 8.2.2 The Environmental Health training services provision has been at the forefront of training since the establishment of the first formal courses. Over the years, the Environmental Health Training Portfolio has established itself as a primary provider of

Environmental Health training courses in Exeter and the surrounding area. The authority aims to provide this service on a cost neutral or profit-making basis.

8.2.3 The training and education activities are principally directed to workplace and consumer health protection, although increasingly educational establishments and the voluntary sector are using the service. The service embraces the principles of excellence in public services and Better Regulation and looks to make the most effective use of available resources to achieve maximum gain.

8.2.4 Exeter City Council is a registered Royal Society of Public Health training centre, offering face-to-face taught RSPH Level 2 food hygiene courses. Courses are run at The Matford Centre approximately six times per year; additional off-site training can be provided where organisations are able provide appropriate facilities and a sufficient number of delegates.

8.3 Access to Training

8.3.1 The service looks to actively encourage delegates who require additional support in terms of, language difficulties, poor literacy or numeracy skills, physical or mental challenges, dyslexia or other literacy problems.

8.3.2 Where additional support is required, this can be provided through the provision of language specific course materials, extension of guided learning hours, oral examinations, extended examination period, alterations to the method of instruction or provision of specific courses. The service has, in the past, provided training in other languages to meet the diverse needs of the business community.

8.3.3 E-learning courses, which allow candidates to study at their own pace, are offered as an alternative to those unable to attend taught courses. Our e-learning Level 3 course is popular as an equivalent taught course would require 3 or 4 days in a classroom environment.

8.4 Financial Implications

8.4.1 If required, the provision of training in other languages would significantly increase the costs as the service needs to employ the services of a translator or course tutor who can deliver the course in the desired language to ensure that the courses are equally successful.

8.4.2 Six face-to-face level 2 food hygiene courses took place in 2024/25; a total of 57 delegates attended. Gross takings for face-to-face courses was £3420; profit (once the costs of room hire, exam papers and course books were removed) was £1825.

8.4.3 Fifty-three e-learning level 2 and eleven e-learning level 3 courses were sold; gross takings for e-learning courses was £2435.

9 Resources

9.1 Financial Matters

9.1.1 Detailed figures to determine the overall specific level of expenditure involved in providing individual elements of the service are not available as there are fluctuations in priority and need across the wide range of legislative areas. Likewise with changes

in the intervention pattern it is difficult to accurately determine the trend of growth, of the various functions of the service. The food safety function can occupy the significant portion of time of the Section, at the expense of the other services.

9.1.2 The training element also covers subjects across the enforcement disciplines, although it has its own budget and cost centre and aims to be cost neutral. External tutors are used to increase efficiency in delivering this service.

9.1.3 The budgets for sampling and analysis of samples are currently £560 for the year.

9.2 Budget Allocation Figures for 2024/25 – Food Safety Function

	Salary (+)	Equipment	Travel
<u>Commercial F020</u>	356,250	9,800	820
Proportion allocated to Food Safety Function (40%)			
Analysis (max)	142,500	3,920	328
Purchase of Samples		260	
		300	
Environmental Protection Sampling Technician	2,400		

NB: Based on 40% allocation to Food Safety. Analyst fees up to a maximum £260 (may also be used for water/health and safety samples) if required.

9.3 Budget Allocation Figures for 2024/25 – Health and Safety Function

	Salary (+)	Equipment	Travel
<u>Commercial F020</u>	356,250	9,800	820
Proportion allocated to Health & Safety Function (40%)			
	142,500	3,920	328

NB: Based on 40% allocation to Health and Safety. Analyst fees up to a maximum £260 (may also be used for water/health and safety samples) if required.

9.4 17.1.6 Budget Allocation Figures for 2024/25 – Training Provision

	Salary (+)	Equipment	Travel
<u>Health Education F018</u>	480	16,140	-
Proportion allocated to Health & Safety function (20%)	240	3,228	-
Proportion allocated to Food Safety function (80%)	240	12,912	-

9.5 Staffing Allocation

9.5.1 The Environment and Waste Service is managed by the Head of Environment and Waste.

Title	Qualification	Role
Head of Environment and Waste	BSc / Msc Environmental Health	Head of Service

There are currently 3 FTE staff directly working on food, enforcement and related matters and 2 FTE staff directly working on health and safety related matters. An Apprentice EHO post was created in 2023, studying for a BSc in Environmental Health at University Centre Weston, whilst gaining valuable work experience in the Business Regulation Team. Whilst unable to undertake official food controls (i.e. inspections) of food businesses, the Apprentice EHO oversees the alternative enforcement strategy, whereby low-risk category E food businesses are targeted using a self-assessment questionnaire as an alternative to inspection.

Title	Qualification	Role
Environmental Health and Manager	BSc / Msc Environmental Health	Manager
PEHO	BSc Environmental Health	Lead Professional Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
EHO	BSc Environmental Health	Food Safety / Health and Safety and Nuisance District Officer
Apprentice EHO	Working towards BSc Environmental Health	Practical experience in the Business Regulation Team whilst studying for BSc.

- 9.5.2 There are currently 2 FTE staff providing a project and support service for The Environmental Health and Community Safety service.

Title	Qualification	Role
Projects and Support Officer	Educated to A level standard	Service Support
Projects and Support Officer	Educated to A level standard	Service Support

- 9.5.3 It is currently the approach of the Council to engage the services of outside contractors to assist in programmed food hygiene interventions where necessary. This will be subject to any agency contractors meeting the requirements specified in the Code of Practice (England) and the relevant Councils procedure and the cost of the work being met within existing budgets.

- 9.5.4 Two contract EHOs were engaged between October 2024 and March 2025 to help clear a significant number of category D (and a smaller number of higher-risk category E) food premises which were due/overdue by the end of March.

9.6 Self-Development Plan

The service will ensure that staff are appropriately qualified and receive regular training to maintain and improve their level of competency. All officers will have access to training that allows them to fulfil the twenty hours continuing professional development

(CPD) requirement set out in the Food Law Code of Practice. Ten of these hours will be food-related, the other ten may relate to professional matters such as evidence gathering, legal proceedings etc. Membership of the Chartered Institute of Environmental Health also requires evidence of this number of hours of CPD per year (30 hours for chartered members).

9.6.1 The training structure comprises:

- the employment of enforcement officers capable of food law, health and safety, licensing, environmental permitting and other enforcement that they are required to undertake;
- evidence of formal qualification (sight of original qualification certificates prior to commencement of employment);
- in-house competency-based training;
- successful completion of competence-based needs assessments and
- identification of training needs during annual performance appraisal to meet current targets to assist and improve upon performance against current job requirements.

9.6.2 The following additional steps are taken to ensure staff development:

- internal training sessions will be held (anticipated 4 hours CPD in food related topics and 4 hours CPD in health and safety related topics per year);
- briefing notes on topics of current interest will continue to be regularly circulated to bring details of new legislation and technological change in the field of all enforcement areas to the attention of officers and
- programmes of instruction will be devised to accommodate the needs of new and existing staff and ensure the required level of competency.

10 Quality Assessment

10.1.1 The Environmental Health Manager and Principal Environmental Health Officer monitor the quality and consistency of work through the checking of inspection correspondence, statutory notices and audits of various aspects of work conducted on a periodic basis.

10.1.2 Any formal complaints made against the service are investigated and monitored in accordance with Council's Complaint Policy.

10.1.3 External verification of quality is actively pursued with a commitment to promote consistency of enforcement through auditing and benchmarking with the Devon Health and Safety and Food Liaison groups as well the South West Zoonoses Liaison Group organised by UK Health Security Agency.

10.1.4 Internal monitoring procedures have been set up to verify the service operates in conformance with relevant legislation, the Food Law Codes of Practice (England), Section 18 of the Health and Safety at Work etc. Act 1974 and our procedures.

10.1.5 The Council will continue to monitor and report on Customer Satisfaction with interventions and enforcement conducted by the service. All face-to-face level 2 food hygiene course candidates are invited to complete a feedback questionnaire at the completion of training.

10.1.6 The Principal Environmental Health Officer undertakes annual quality monitoring audit with each inspecting officer to ensure consistency of enforcement. These audits are

recorded and any outcomes agreed between the Principal Environmental Health Officer and inspecting officer.

- 10.1.7 Consistency matters are discussed regularly at weekly team meetings; additionally, the Principal Environmental Health Officer undertakes case review meetings with a district officer every week.

11 Review

- 11.1.1 Quarterly Performance Indicators on progress in implementing this Service Plan will be made by the Head of Environment and Waste to the Strategic Director.
- 11.1.2 An annual review against the Service Plan will be made by the Executive Committee.
- 11.1.3 The annual review report will contain information on performance against the Service Plan and Performance Indicators. It will highlight any variances from the plan, reasons for these, and the likely impact that these may have.
- 11.1.4 The Executive will support, and Council will approve, the Service Action Plan for the year. Improvements to the service identified as a result of the review, quality assessment, or benchmarking work will be incorporated in the Plan.
- 11.1.5 Information on our targets and progress towards meeting these will be published and publicised as part of the Council's Performance Plan.

11.2 Targets

- 11.2.1 Service Performance Indicators for 2025/2026:
- Percentage of food premises broadly compliant with food hygiene law (annual figure provided to FSA and APSE as part of annual return)
 - Number of food safety Interventions (six-monthly figure provided to FSA and to APSE as part of annual return)
 - Number of health and safety Interventions (annual figure provided to HSE and APSE as part of annual return)
 - Percentage of samples taken found to be satisfactory
 - Number of delegates engaging with health education initiatives (can be provided quarterly or on an annual basis)
 - Percentage staff absence (annual figure provided to APSE as part of annual return)
 - Net cost of food hygiene service per head of the population (annual figure provided to APSE as part of annual return)
 - Net cost of Health and Safety service per head of the population (annual figure provided to APSE as part of annual return)

11.3 Review of performance

- 11.3.1 Performance will be monitored by the Head of Environment and Waste and where there are significant issues, reports will be made to the Strategic Director.

12 Conclusion

- 12.1.1 This service plan demonstrates that the Council has organised its food safety and health and safety and other associated functions in such a manner that it is capable of achieving a comprehensive service capable of meeting the corporate aims of the authority, and the expectations of the Food Standards Agency, Health and Safety Executive, Drinking Water Inspectorate and other related legislation that the section has responsibility for enforcing.

13 Glossary of terms

GLOSSARY	
CCG	Clinical Commissioning Group
CIEH	Chartered Institute of Environmental Health
DEFRA	Department for Environment, Food and Rural Affairs
EHO	Environmental Health Officer
EHORB	Environmental Health Officers Registration Board
EHT	Environmental Health Technician
FSA	Food Standards Agency
HACCP	Hazard Analysis and Critical Control Points
HECA	Home Energy Conservation Act
HSE	Health and Safety Executive
HoS	Head of Service
LGR	Local Government Regulation
MHCLG	Ministry of Housing, Communities and Local Government
PEHO	Principal Environmental Health Officer
UKHSA	UK Health Security Agency (formally Public Health England)
PCT	Primary Care Trust
RIAMS	Regulatory Information and Management Systems
RSPH	Royal Society of Public Health
SWWS	South West Water Services plc

14 Action Plan 2025-26

- 14.1.1 Maintain high standards in food safety by:
- Carrying out interventions in food businesses in line with the Food Standards Agency's Food Law Code of Practice and Practice Guidance.
 - Continuing to maintain high level (99%) of broadly complaint food businesses in the city.
 - Enhanced coaching/sampling/training for non-complaint businesses, with caution/prosecution as final action for those who continually flout the law.
 - Continuing with an intelligence-led food sampling programme
 - Building our customer base for taught Level 2 food hygiene courses whilst promoting e-learning to those who prefer to learn that way.
 - Recognising food business trends such as the growth of home/mobile catering and internet sales and offering hygiene guidance and advice in an appropriately accessible format.

14.1.2 Promote safer workplaces by

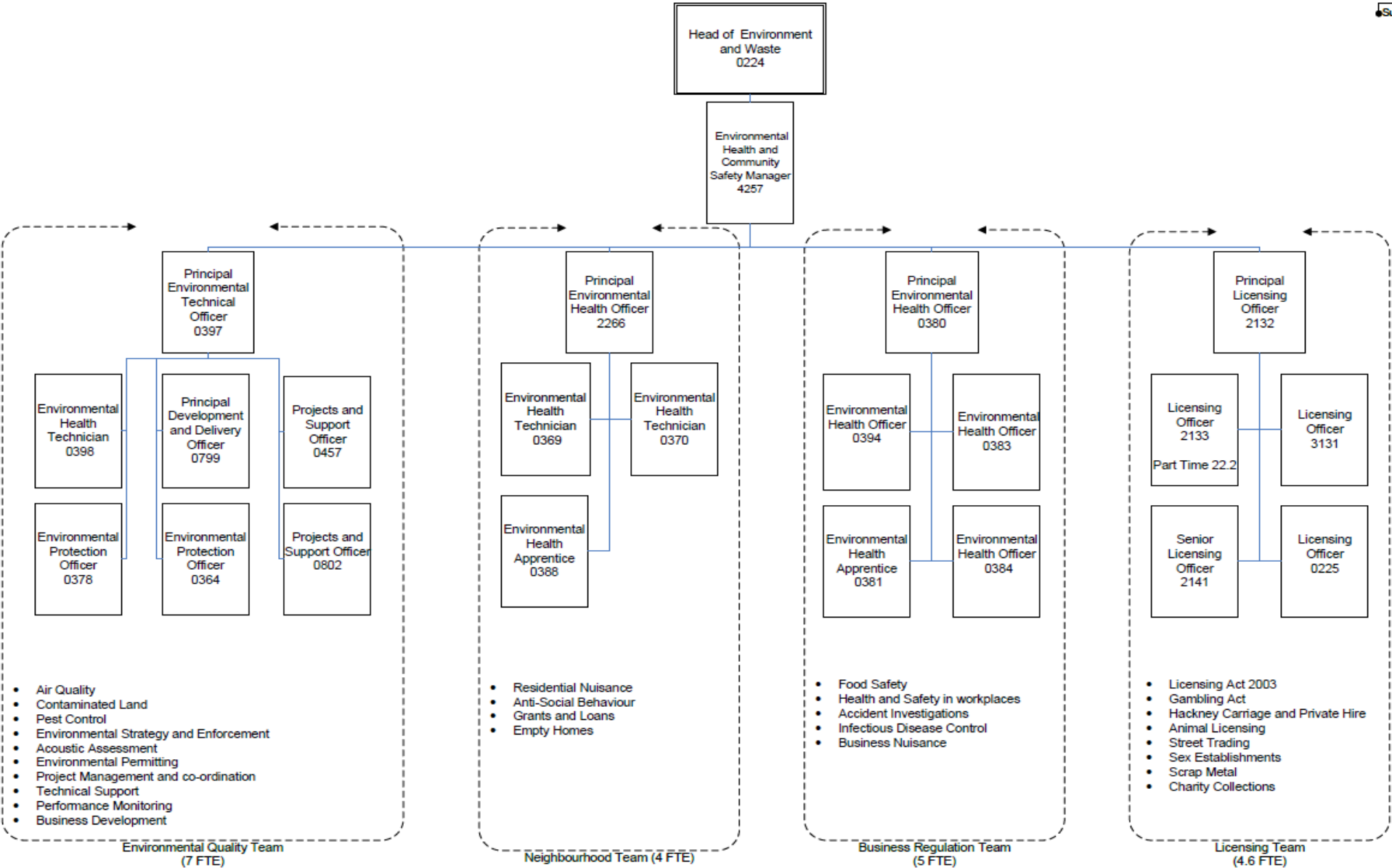
- Focussing on the duty to manage asbestos, commercial gas safety and outdoor electrical safety during routine food hygiene inspections whenever appropriate.
- Continuing to conduct water quality sampling of swimming pools and private water supplies.

14.1.3 Co-ordinate multi-agency visits where migrant worker/modern slavery issues are suspected or identified.

14.1.4 Review and refresh the means of business engagement and training using innovative means to help business grow and thrive.

14.1.5 To investigate further Primary Authority Partnership opportunities for the service.

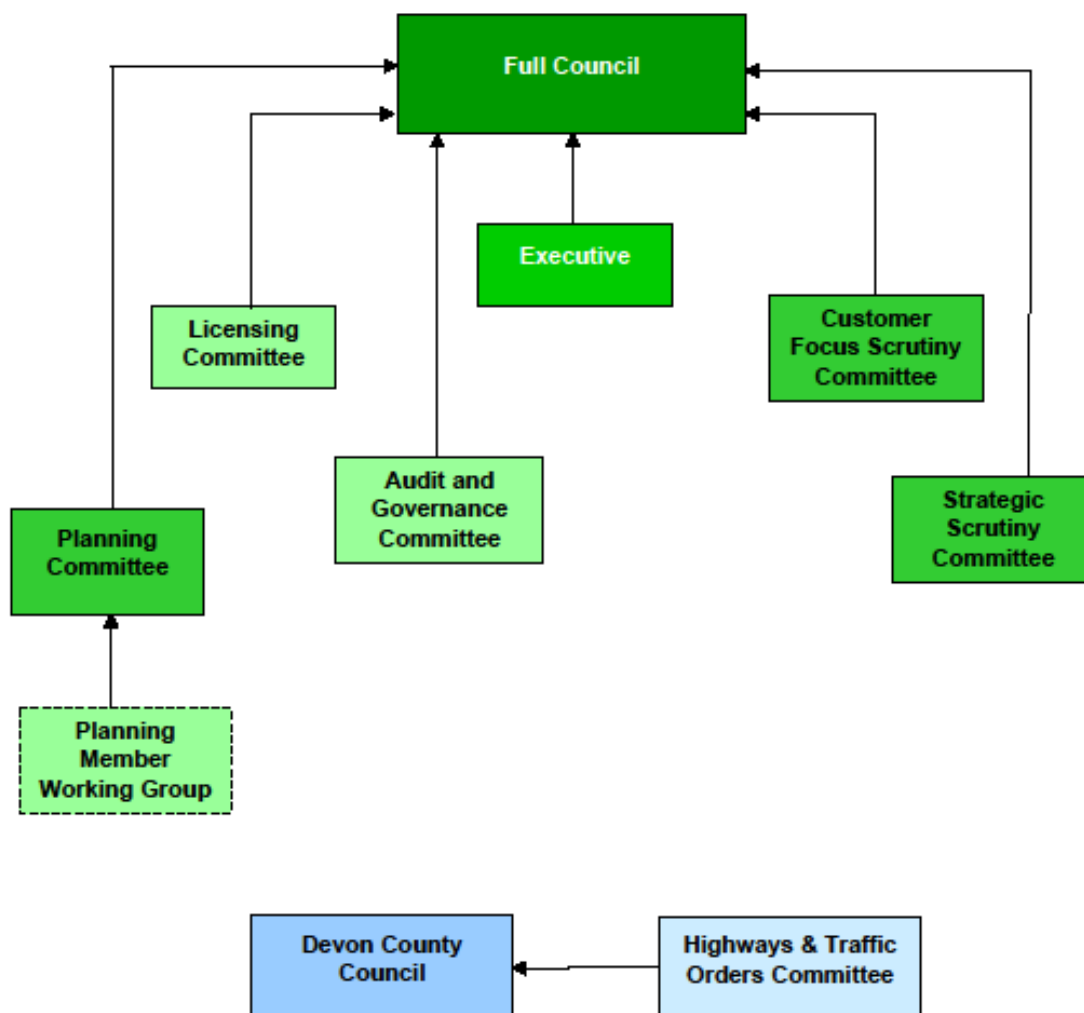
Appendix A – Service Structure



Appendix B – Committee Structure



The Council's Committee Structure



Appendix C – List of activities / sectors for proactive health and safety inspection by Local Authorities

Topic	Hazards	Potential Poor Performers within an Industry Sector	High Risk Activities
Health	Lead poisoning	Indoor firing ranges/gun clubs	Ineffective air extraction, poorly managed cleaning procedures, inadequate handwashing facilities.
Health	E.coli/ Cryptosporidium infection esp. in children	Open Farms/Animal Visitor Attractions	Lack of suitable micro-organism control measures
Health	Occupational lung disease – Asbestosis/ Mesothelioma	Premises build 1950-1980 where intelligence suggests risks are generally not being adequately managed.	Exposure to asbestos fibres through inadvertent disturbance or suspected poor management of asbestos exposure risk.
Health	Occupational deafness	Industrial retail/wholesale premises	Exposure to excessive noise (e.g. steel stockholders).
Health	Industrial diseases / occupational lung disease (silicosis)	Industrial retail/wholesale premises Retail outlets cutting/shaping their own stone or high silica content 'manufactured stone' e.g. gravestones or kitchen resin/stone worktops	Exposure to respirable crystalline silica
Health	Industrial diseases / occupational lung disease (cancer)	Industrial retail/wholesale premises e.g. Hot cutting work in steel stockholders	Exposure to all welding fume regardless of type or duration may cause cancer.
Health	Occupational lung disease (asthma)	In-store bakeries and retail craft bakeries where loose flour is used and inhalation exposure to flour dust is likely to frequently occur i.e. not baking premade products. Note: For supermarket and other chain bakeries etc. check to see if there is a Primary Authority inspection plan with more specific guidance.	Tasks where inhalation exposure to flour dust and/or associated enzymes may occur e.g. tipping ingredients into mixers, bag disposal, weighing and dispensing, mixing, dusting with flour by hand or using a sieve, using flour on dough brakes and roll machines, maintenance activities or workplace cleaning.
Health	Musculoskeletal Disorders (MSDs)	Residential care homes and provision of social care	Lack of effective management of MSD risks arising from moving and handling of persons
Health	Manual Handling	High volume Warehousing/Distribution	Lack of effective management of manual handling risks
Health	Carbon monoxide poisoning	Commercial catering premises using solid fuel cooking equipment	Lack of suitable ventilation and/or unsafe appliances
Health	Carbon monoxide poisoning	Commercial catering premises	Badly installed or faulty appliances; lack of suitable ventilation resulting in lack of make-up air to support combustion; and/or inadequate extraction systems.
Health	Electrical safety	Hospitality venues with outdoor facilities	Use of appropriate outdoor electrical equipment, installed by a competent

			person and checked regularly for damage or water ingress.
Safety	Explosion caused by leaking LPG	Catering establishments.	Unsafe gas appliance installation/maintenance and unsafe use and storage of LPG cylinders and cartridges.
Safety	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling e.g. betting shops/off-licences/hospitality) and where intelligence indicates that risks are not being effectively managed	Lack of suitable security measures/procedures. Operating where police/licensing authorities advise there are local factors increasing the risk of violence at work e.g. located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign
Safety	Fatalities/injuries resulting from: <ul style="list-style-type: none"> • Being struck by vehicles • Amputation and crushing injuries • Falls from height 	High volume warehousing/distribution	Poorly managed workplace transport, cutting machinery, lifting equipment or work at height risks

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Equality Impact Assessment: Food Law and Health and Safety Enforcement Service Plan

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name & date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive Council	Food Law and Health and Safety Service Plan	Adoption of service plan	The Service Plan forms the basis of the business regulation enforcement functions for the authority and ensures that national food safety and health and safety priorities are addressed along with locally identified needs. It demonstrates our commitment to improving public safety and health outcomes, sets out our priorities and planned interventions for the current year and targets them to maximise their impact.

			<p>Exeter City Council has a duty to act as an enforcing authority in premises for which it is responsible. The plan outlines how the Council will undertake that function.</p> <p>It has been produced to ensure that local businesses, landlords, employers and employees, members of the public, council officers and Members understand the approach to regulatory enforcement adopted by the Council. The service plan will help to ensure that the actions of the Council are fair, consistent, open and effective.</p> <p>The Council recognises the important role it plays promoting and securing the safety and health of those who live, work and visit the City. The key aim of this plan is to demonstrate how the Council will fulfil its statutory obligations in accordance with national guidance set out by the respective regulatory agencies. It includes:</p> <ul style="list-style-type: none"> • the Council's aim and objectives; • information about the enforcement services provided by the Council; • details of the Council's performance management systems; • information on performance
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Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral		<p>There is no evidence that this will impact on any specific person based on this characteristic. Any incidental impact on those within this group is very likely to be positive – for example – promotion of the Food Standard Agency’s guidance for Chinese and Indian cuisines where appropriate.</p> <p>During our routine inspections, we will look for evidence of modern slavery and share this information with partner agencies such as the police. In these situations, unsafe working conditions or inadequate accommodation will be remedied using our enforcement powers as appropriate.</p>
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Positive		<p>The Service Plan applies equally to all residents of Exeter irrespective of disability.</p> <p>Our service does seek to positively support those with disabilities through ensuring safe workplaces.</p> <p>Our food hygiene training courses are available as e-learning, which allow delegates to progress at their own pace and at any location; for our taught courses we offer an oral examination for persons unable to complete a written paper.</p> <p>Food businesses serving predominantly immuno-compromised persons (such as some care homes and hospital kitchens) are inspected at a more frequent interval.</p> <p>Some allergies can be persistent and life threatening; our inspections of food businesses include an assessment of allergen management and communication, with appropriate enforcement where necessary.</p>

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
			Safer workplaces are of particular importance to people with long-term health conditions – for example, our enforcement of smoke free legislation and the health and safety law pertaining to legionella and asbestos has a positive impact on persons with chronic lung disease.
Sex/Gender	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Gender reassignment	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Positive		<p>We work with the beauty industry to ensure that persons under the age of 18 do not use sunbeds or acquire a tattoo. We promote, when registering skin piercers, a policy of not piercing those under 16 without a parent/guardian present.</p> <p>Businesses serving food predominantly to vulnerable groups (including those under the age of 5 or over the age of 65) are inspected more frequently (typically annually) than other catering premises.</p>

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Pregnancy and maternity including new and breast feeding mothers	Neutral		There is no evidence that this will impact on any specific person based on this characteristic. We offer advice and guidance to employers on the health and safety requirements for new and expectant mothers at work.
Marriage and civil partnership status	Neutral		There is no evidence that this will impact on any specific person based on this characteristic.

Actions identified that will mitigate any negative impacts and/or promote inclusion

The Council will consider Equalities and protected characteristics at all stages of any intervention.

All Authorised Officers will ensure that all persons dealt with receive fair and equitable treatment irrespective of their background or protected characteristics, as defined by the Equality Act 2010.

Officer: Simon Lane, Head of Environment and Waste

Date: July 2025

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REPORT TO EXECUTIVE

Date of Meeting: 23rd September 2025

REPORT TO COUNCIL

Date of Meeting: 14th October 2025

Report of: Strategic Director of Operations

Title: Housing Damp & Condensation Policy 2025-2030

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The report summarises the new Housing Damp & Condensation Policy 2025-2030. It is proposed that the revised Policy be adopted and implemented. A copy of the Policy document is appended.

2. Recommendations:

2.1 That Executive recommends that Council approve the adoption of the new Housing Damp & Condensation Policy for the period 2025-2030.

3. Reasons for the recommendation:

3.1 The adoption of a new Damp & Condensation Policy is necessary to ensure Exeter City Council meets its statutory obligations under Awaab's Law & the Regulator of Social Housing's Consumer Standards.

3.2 Adoption of the Policy will provide a consistent framework for staff & contractors, ensuring accountability, transparency & effective performance monitoring.

4. What are the resource implications including non- financial resources

4.1 Implementation of the policy will require all front-line staff & contractors visiting Council Properties to have a heightened awareness of damp & condensation. There will also be a requirement for all relevant staff to have mandatory training on the Policy, including identifying damp & condensation & equality considerations.

4.2 Resource required for implementing this policy will be met from existing budgetary & staffing resources however, should there be an increase in demand or the need for change a further paper will be brought forward.

5. Section 151 Officer comments:

5.1 Whilst there are no direct financial implications arising from this report, the cost of addressing damp and mould issues in council housing has an impact on the Repairs and Maintenance programme. This is subject to close monitoring, and any budgetary issues will be reported to Members as part of the quarterly HRA budget monitoring reports or the annual budget setting cycle.

6. What are the legal aspects?

6.1 Social housing is regulated under section 59 of the Housing and Regeneration Act 2008. This includes regulation of local authority providers of social housing. Following tragedies such as the Grenfell Tower disaster and the death of Awaab Ishak among others, concerns were raised about the powers available to the Regulator of Social Housing to regulate and enforce housing standards in relation to both private and local authority providers. As a result, the Social Housing (Regulation) Act 2023 (SH(R)A 2023) was introduced by parliament and received royal assent on 20 July 2023. The general provisions of the act came into force on 20 September 2023. Section 42 of the Social Housing (Regulation) Act 2023 introduced a new section 10A into the Landlord and Tenant Act 1985 which creates the substantive 'Awaab's law'. Subsequently, secondary regulations, the Hazards in Social Housing (Prescribed Requirements) (England) Regulations 2025, were laid before parliament (known as 'Awaab's law' regulations). The regulations come into force on 27 October 2025. From the date that the regulations come into force, social landlords must investigate and address dangerous damp and mould hazards presenting a significant risk to tenants within set time periods and to repair all emergency hazards within 24 hours. The aim is to ensure safer living conditions for tenants and improve accountability among social landlords. Failure to comply with the statutory provisions places social landlords at the risk of prosecution and financial penalties.

6.2 The implementation of Awaab's Law is part of broader reforms to strengthen the regulation of social housing in England. These reforms include enhancing the powers of the Regulator of Social Housing (RSH) to enforce housing standards and hold landlords accountable for providing safe and quality housing.

7. Monitoring Officer's comments:

7.1 Members will note the legal aspects above. The Monitoring Officer has no additional comments.

8. Report details:

8.1 The policy is designed to demonstrate how we manage damp, condensation, and mould in council housing.

8.2 It incorporates recommendations from the Regulator of Social Housing and the Housing Ombudsman and aims to support the existing Repairs & Maintenance Policy.

8.3 The policy ensures fair and consistent treatment of tenants experiencing damp and mould issues. It emphasises a proactive approach to identifying and addressing these issues, moving away from attributing them to tenant lifestyle.

8.4 Our actions are detailed within the policy and there is a detailed procedure developed with staff. These include:

- Visiting homes promptly following reports of damp/mould issues within set timescales;
- Assessment of the severity and risk;
- Investigation into the causes of damp and mould and reports produced;
- Undertaking the best solution for the individual issue including the installation of energy-efficient ventilation systems;
- Provision of information on managing humidity and ventilation to tenants;
- Training for staff on recognising and handling damp and mould issues;
- Follow up with tenants to ensure issues are resolved;

8.5 The policy details our obligations to our tenants and leaseholders and sets out how we will collect and report on key performance data.

8.6 This policy has been taken to the Council Housing and Development Advisory Board (CHADAB), our Tenants' Voice group and suggestions made by these have been evaluated then incorporated into the definitive version. It has also been taken to the Senior Management Board for their review.

8.7 As it is purely departmental and follows the guidelines as set out by the Housing Ombudsman and the Regulator for Social Housing, it is not a requirement for this policy that further, public consultation is necessary.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 One of the intended outcomes under the 'Homes' section refers to

'Better quality, energy efficient and more affordable homes to buy or rent.'

Any work that improves our Council homes contributes to this outcome.

Under the 'A Well Run Council' section one of the outcomes is

'Effective investment and maintenance programmes for our assets that underpins our business'

9.2 Repairs and maintenance of our Council owned homes contributes to this.

9.3 One of the service delivery measures is 'improvements in tenant satisfaction rates'. The delivery of this policy should ensure that we receive fewer complaints about damp & condensation, which should lead to having a more satisfied tenants.

10. What risks are there and how can they be reduced?

There is a reputational risk of not having this policy

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 No direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

13.1 The law requires us to have a policy in place.

Director: Strategic Director of Operations

Author: Michelle Davidson – Head of Service – Asset Maintenance

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

1. [Understanding and addressing the health risks of damp and mould in the home - GOV.UK](#)

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275



Exeter
City Council



Council Housing
& Development
Services

Exeter City Council Housing Services

DRAFT

Damp and Condensation Policy 2025-2030

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1. Introduction & Purpose

- 1.1 The Housing Assets Team responsible for the repairs and maintenance of council housing in Exeter have taken the recommendations from the Regulator for Social Housing, the Housing Ombudsman and other national peer housing providers and created this Damp and Condensation Policy which supports the existing Repairs & Maintenance Policy.
- 1.2 This Policy outlines Exeter City Council's approach to managing damp, condensation and mould within its homes.

2. Policy Statement

- 2.1 This Policy ensures that Exeter City's Council (ECC) Council Housing tenants who experience dampness, condensation and mould issues within their homes are treated in a fair and consistent way.
- 2.2 It is recognised that there has, in the past been an over reliance on the term 'lifestyle' to explain incidences of damp and mould, this policy follows the recommendations in the Housing Ombudsman's 'Spotlight on: Damp and Mould'¹ and its 'Zero Tolerance approach' towards damp and mould'.
- 2.3 We at ECC Housing will move from a reactive to a more proactive approach to the identification and tackling of damp and mould, treating the issue as a high priority.
- 2.4 Alongside this policy there is a detailed procedure ensures that each reported instance is documented, managed and acted upon and common issues or trends are identified.
- 2.5 We understand that some homes are more difficult for our tenants to heat, either due to their age and design, hence their energy efficiency or cost of living pressures, and that this can make damp and mould more likely to occur, these households will also be supplied with information about partner organisations who can offer support.
- 2.6 Having an increased understanding of the condition of our properties through stock condition surveys and a focus on the fabric of a building will enable us to adopt a preventative approach to dealing with damp and mould, making the necessary interventions to ventilation, energy efficiency and building deficiencies before damp and mould occur.

- 2.7 We will ensure, if damp and mould is identified that the correct remedial action is taken, this can include repairs, but may also include detailed guidance, advice or support from the visiting Exeter City Council officer or contractor.
- 2.8 Where required and appropriate we will consider what support, referrals or signposting will be given to tenants to help tenants to understand what they can do to reduce damp and mould.
- 2.9 We will ensure that staff and contractors are aware of the significant health risks associated with damp and mould, the need to address the underlying causes of the issue and not just treat visible mould, are aware of any processes associated with reporting and addressing damp and mould, and understand the importance of being sensitive to tenants' circumstances and vulnerabilities building relationships with tenants, ensuring that tenants feel encouraged to report damp and mould⁴
- 2.10 There is a clear understanding running through this policy that damp and condensation are not caused by ECC tenants and together with partnership or support referrals, issues such as excessive hoarding which could reduce ventilation can be mitigated and resolved to achieve a positive outcome.
- 2.11 The Assets Team take responsibility for resolving issues reported and ensuring the improvement of access to complaints, including Housing Disrepair claims, and to learn from them.

3. What is damp & mould?

- 3.1 Damp and moisture in the home can cause wet patches, staining and peeling walls. This can lead to mould forming, which often looks like black, white, or green patches. The cause of damp can be through several factors such as a leak or condensation and if left untreated can be detrimental to health and wellbeing. ²

4. Legal Duties & Statutory Requirements

We are legally bound by various pieces of legislation including the following:

- Gas safety (installation and Use) Regulations 1998
- Equality Act 2010
- The Control of Asbestos at Work Regulations 2006
- Building Regulations 2010
- Commonhold and Leasehold reform Act 2002
- Defective premises Act 1972

- Housing Act 2004
- Public Health Act 1961
- Health and safety at work Act 1974
- Landlord and Tenant Act 1985
- Decent Homes Standard 2006
- Social Housing (Regulation) Act 2023
- Environmental Protection Act 1990
- Homes (Fitness for Human Habitation) Act 2018

5. Main Objectives

5.1 The Priorities from the Housing Strategy 2023-2027 are:

- 1: Enhancing Resident Experience
- 2: Providing the Right Homes in the Right Places
- 3: Providing Value for Money Services
- 4: Supporting our residents
- 5: Ensuring the Safety of our Homes and Residents

5.2 This Policy covers many of these priorities, but specifically priorities 1, 4 and 5. It is the aim to provide an excellent housing service whilst maximising the budget for repairs and improvements in Council owned properties by completing repairs within timescales and to a high-quality standard. It is important to maximise the energy efficiency of these properties and ensure that they are in a safe condition.

6. Actions:

6.1 We have produced a detailed damp and condensation procedure which includes a commitment to:

- Visit every home that where reports any report of damp and/or mould have been received from either the tenant or another officer or contractor visiting the home

- Assess the issue to determine the severity of the situation and the potential risk to tenants
- Photograph and document the location of any mould growth, to help identify the source
- Undertake appropriate investigations to determine the cause of damp and mould (see later in this document for examples) acting swiftly where concerns about tenants' health have been raised
- Pursue action without the need for medical evidence or opinion
- Keep tenants informed about action being taken and the timescales for this
- Treat any mould, to address the health risk to tenants
- Identify and tackle the underlying causes of damp and mould, including building deficiencies, inadequate ventilation and condensation.
- Install appropriate and energy efficient mechanical extraction systems
- Provide information to our tenants about ventilation, heating controls and humidity levels in the home.
- Undertake a heating survey if required
- Provide comfort thermometers that provide a visual representation of humidity levels and instructions about its control
- Train all staff on the causes and actions to be taken when damp and mould are reported.
- Keep detailed data (within GDPR legislation) of when officers have attended and reports of mould and condensation
- Continue to listen to tenants, and take their concerns seriously, while making sure their health and wellbeing is being maintained, treating them with respect and empathy
- Proactively make contact and visit homes that are of identified designs, overcrowded, reporting repeated mould or damp service request or have not engaged with our services for some time.
- Carry out works to void properties to deal any identified mould with and measures to prevent future occurrences
- To use paint with anti-mould properties if re-decoration works are carried out
- Arrange to undertake follow up calls or visits from the repairs team at least three months after the initial report to ensure the issue has been resolved
- If damp and mould have reappeared, further investigation and intervention will be pursued
- Arrange a decant (temporary or permanent) where the condition of the property is deemed to be unacceptable for the tenant to remain.

7. Obligations to Tenants

7.1 We at ECC Housing are responsible for maintaining our properties to minimum standards that are set out in the [Decent Home Standard](#) which is currently under review by the Government.

7.2 It is important to be able to tell the difference between damp caused by condensation and damp caused by other factors, such as penetrating damp and rising damp. The following is a simple explanation of these:

Penetrating damp (repair problems)

These issues could be caused by a leak from the roof or gutter, rainwater pipes or even leaking water pipes. Defects of this sort can be repaired once the sources have been identified. The dampness may then take some time to dry out and there could be some staining on the surface affected which can be remedied with a stain block paint and re-decoration.

Rising Damp

Rising damp is caused by the breakdown, deterioration or bridging of the damp proof course of the building at ground floor level. Moisture then rises up the walls to a maximum height of 1.00m.

As with penetrating damp it can be identified by a tide mark which can be yellowy brown or can be white and textured. This texture is caused by salts from the ground and the plaster being drawn through the wall with water.

This type of damp may take some time to resolve and be invasive and disruptive to tenants as it will involve either repair or replacement of the damp-proof membrane.

Condensation

The Government guidance 'Understanding and addressing the health risks of damp and mould in the home'⁴ states that: condensation is one of the most common causes of damp and mould in homes, moisture from normal occupant activities, such as showering, drying laundry and cooking, builds up in the air around a home if it cannot be removed. Over time, condensation can lead to damp and mould growth.

7.3 We have published a Damp and Mould leaflet as a useful guide to the effects of condensation and what can be done to prevent it. The same information is provided on the Council's website.

7.4 The guide is issued upon commencement of a new tenancy and when residents report damp issues to us in addition a free comfort thermometer can be provided to help tenants understand humidity within their home.

8. Obligations to leaseholders

8.1 Most leasehold properties exist because a flat in one of the ECC owned blocks has been purchased under the [Right to Buy Scheme](#).

8.2 Unlike tenants, repairs responsibilities to leaseholders generally rest only in the maintenance of communal structures and services, and for this maintenance a recharge is made-a proportion of the cost to leaseholders as a service charge.

8.3 Any reports of damp and mould will be investigated with the leaseholder to establish if the cause of the reported issue is the fabric of the building.

8.4 If the cause is determined to be the leaseholder responsibility, officers will signpost to appropriate specialist contractor that can carry out a survey for them free of charge.

8.5 The contractor will provide a report of recommended works to them and the leaseholder can then carry out the works at their cost if they wish to do so.

9. Performance Monitoring and Review

9.1 To ensure the maintenance of high service standards, there will be effective monitoring of the effects of this Damp and Condensation Policy by the collection of key performance data which will be reported to the Council Housing & Development Advisory Board (CHADAB) and to the Tenants' Voice group:

- Number reported cases
- Cost of remedial repairs and treatments
- Numbers of damp and mould cases in homes we proactively contact
- Trends over the past year

9.2 Information about mould and damp has been presented to the Tenants' Voice group and the CHADAB and this policy will be reviewed by this group and they will be consulted as legislation changes and when it is to be updated.

Other Documents linked to this Policy

Exeter City Council Housing Strategy 2023

Tenants' handbook

Damp and Condensation Leaflet

Responsive Repairs Strategy

Decant Procedure

References

1. [Spotlight on: Damp and mould | Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk/spotlight-on-damp-and-mould)
2. [Damp and mould - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk/damp-and-mould)
3. [Follow up: Spotlight on damp and mould | Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk/follow-up-spotlight-on-damp-and-mould)
4. [Understanding and addressing the health risks of damp and mould in the home - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/understanding-and-addressing-the-health-risks-of-damp-and-mould-in-the-home)

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Equality Impact Assessment: Housing Damp & Condensation Policy

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive 23 rd September 2025	Housing Damp & Condensation Policy	To agree the updated policy	This policy is designed to detail services for those people with a vulnerability who may be adversely affected by damp and condensation in their home,

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral	Low	This group of people are not adversely affected by this policy but where there may be language barriers if English is not the person's first language, there are mechanisms in place to provide translation services if needed.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Positive	Low	<p>Legislation governs all aspects of housing services provision in respect of protected characteristics such as those tenants with a disability.</p> <p>This policy recognises that those with a disability or long-term health condition could be affected by damp and mould in their home and this policy addresses these potential health risks.</p> <p>The policy recognises the broad nature of disability including mental health and that this can fluctuate over time.</p>
Sex/Gender	Positive	Low	<p>Legislation governs all aspects of housing services provision in respect of protected characteristics.</p> <p>We understand that whilst the policy doesn't discriminate, there is a recognition that some genders could be affected differently depending on the vulnerability.</p>

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Gender reassignment	Positive	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics. There is no evidence to suggest this will impact on any specific person based on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral	Low	As above
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Positive	Low	As above
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Positive	Low	The policy recognises that the very young, or older people Could be more susceptible to respiratory problems or weakened immune systems making them potentially more vulnerable to the health risks associated with damp and mould.
Pregnancy and maternity including new and breast-feeding mothers	Neutral	Low	This group could be affected by damp and condensation, this policy acknowledges this.
Marriage and civil partnership status	Neutral	Low	As above as this is a protected characteristic

Note:

Awaab's law which is due to come into force in October 2025 will be fundamental to the way in which damp & condensation in our Council homes is addressed.

Officer: Sarah Hemming

Date: 17.07.25

REPORT TO EXECUTIVE

Date of Meeting: 23 September 2025

REPORT TO COUNCIL

Date of Meeting: 14 October 2025

Report of: Strategic Director for People and Communities

Title: Housing Recharges Policy 2025-2030

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The report summarises the new Housing Recharges Policy 2025-2030. It is proposed that the revised Policy be adopted and implemented. A copy of the Policy document is appended.

2. Recommendations:

2.1 That Executive recommends that Council approve the adoption of the new Housing Recharges Policy for the period 2025-2030.

3. Reasons for the recommendation:

3.1 Exeter City Council Housing Services (ECC Housing) undertakes repairs and maintenance works to its properties at a cost of around £9 million every year so they remain in a safe condition; this is paid for from the rent payable through the Housing Revenue Account (HRA).

3.2 It is a requirement that the service represents value for money, and this must be demonstrated and shared with tenants so that they are able to scrutinise our spending.

3.3 Money should only be spent on legitimate repairs, so when a repair falls outside of our responsibilities because of damage or neglect, a charge needs to be made to tenants or leaseholders for the costs of undertaking this work.

3.4 To date there has not been a formal policy for undertaking these recharges.

4. What are the resource implications including non financial resources

4.1 Although we do not have an exact figure as to the amount that could be recharged in any given year; any income to off-set the amount spent out on undertaking repairs that are the tenants' responsibility would be a positive factor. Our Housing Officers and members of our Asset support team will administer these recharges as part of their day-to-day work, calling on additional specialist support where required.

5. Section 151 Officer comments:

5.1 Recharging tenants for the cost of repairs which are their liability will have a positive financial impact on the Housing Revenue Account. This will be beneficial to the wider housing tenant population, as it will ensure that more monies are available to meet the costs of delivering housing services and investment in housing stock.

6. What are the legal aspects?

6.1 The Council is able to charge tenants for the costs undertaking repairs where it is established that the repairs are the responsibility of the tenant. There is no obligation to carry out repairs where there is no legal responsibility placed on the Council as landlord to do so.

7. Monitoring Officer's comments:

7.1 The Monitoring Officer has no additional comments.

8. Report details:

8.1 The policy details what our responsibilities are in providing a repairs and maintenance service to tenants and leaseholders, clarifying those repairs that are the responsibility of the tenant or leaseholder.

8.2 It sets out when we will recharge our tenants and leaseholders for repairs to our properties which fall outside of our responsibilities.

8.3 Recharges will not be sought for any damage caused to the home of a tenant by someone behaving in a racist or anti-social way or due to domestic abuse, where these incidents are reported to us, however we will seek to pursue the costs from an identified perpetrator.

8.4 Consideration will be given to a residents' vulnerabilities or disabilities when deciding on potential recharges and tenants can choose to undertake and pay for required works themselves and sets out the criteria for doing so.

8.5 We have included the right to recharge any costs associated with the refusal to allow access for compliance checks to be undertaken to ensure the safety, of our tenants.

8.6 As void clearance costs are increasing significantly, any works required at the end of a tenancy will be recharged to the outgoing tenants or to the estate of a deceased tenant.

8.7 This policy has been taken to the Council Housing and Development Advisory Board (CHADAB), our Tenants' Voice group and suggestions made by these have been evaluated then incorporated into the definitive version. It has also been taken to the Senior Management Board for their review.

8.8 As it is purely departmental and follows the guidelines as set out by the Housing Ombudsman and the Regulator for Social Housing, it is not a requirement for this policy that further, public consultation is necessary.

8.9 We will refer to our Housing Residents' Vulnerabilities Policy at all times.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The delivery of the objectives within this policy accord with the intended outcomes as set out in the new Corporate Plan including:

- 'focusing on priorities, efficient delivery of services' and
- 'delivery of cost effective and accessible customer focused services'

10. What risks are there and how can they be reduced?

10.1 The Regulator of Social Housing will examine all our policies as part of their inspection regime, not having one in place could cause the service to be awarded a lower grade.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon/environmental impacts arising from the recommendations contained in this report.

13. Are there any other options?

13.1 There are no alternatives to the adoption of this policy as they fall under the jurisdiction of the Tenancy Standard, part of the Regulator of Social Housing's (RSH) consumer standards, which ensures social housing tenants have safe, secure, and well-maintained homes, with clear communication and good service from their landlord.

Strategic Director People and Communities Jo Yelland

Author: Lawrence Blake

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

1. [Annex 3: Consumer standards 1 April 2024 - GOV.UK](#)
2. [April 2024 - Tenancy Standard FINAL.pdf](#)

Contact for enquiries:
Democratic Services (Committees)
Room 4.36
01392 265275

Exeter City Council Housing Services

DRAFT Recharges Policy 2025 – 2030

Policy Control Sheet

Version History

Version	Version Created	Date approved	Date for Review	Author/s	Approved By	Revised By

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1. Introduction & purpose

- 1.1 Exeter City Council Housing Service (ECC Housing) undertakes repairs and maintenance works to our properties every year, so they remain in a safe condition. These works are mostly paid for from the rent payable through the Housing Revenue Account (HRA).

- 1.2 It is a requirement that the service represents value for money, and this must be demonstrated and shared with tenants so that they are able to scrutinise our spending.
- 1.3 It is important that we only spend money on legitimate repairs. However, it is sometimes necessary to charge tenants or leaseholders for a repair which falls outside of our responsibilities because of damage or neglect.
- 1.4 This policy details what our responsibilities are in providing a repairs service to tenants. It also clarifies our repair and maintenance responsibility towards our tenants and leaseholders.
- 1.5 The scope of this policy covers responsive repairs, void repairs, and repairs to the structure of leasehold properties.
- 1.6 It sets out when we will recharge our tenants and leaseholders for repairs to our properties.
- 1.7 It further details other recharges that can be made.

2. Policy Objectives

2.1 Our key priorities (from the Housing Strategy 2023-2027) are:

Priority 1: Enhancing Resident Experience

Priority 2: Providing the Right Homes in the Right Places

Priority 3: Providing Value for Money Services

Priority 4: Supporting our residents

Priority 5: Ensuring the Safety of our Homes and Residents

2.2 Within these priorities we have a number of key objectives for our tenants and leaseholders in respect of the way in which we respond to repairs and maintenance:

- Achieve and maintain the standards of living for our tenants and leaseholders
- Maximise our budget for repairs and improvements in our housing stock
- Use cost efficient methods to achieve the right balance of responsive and planned work
- Complete repairs within the timescales and to a high-quality standard
- Maximise the energy efficiency of our properties
- Ensure that our homes are in a safe condition.

3. Implementation of the policy

3.1 Repair obligations to tenants

We are responsible for maintaining our properties to minimum standards that are set out in the Decent Home Standard which is governed by law.

Generally, we are responsible for the maintenance, repair or replacement of;

- The building structure and any common areas e.g. roofing, walls, chimneys and communal staircases, lifts, door and door access systems.
- All fixtures and fittings (except light bulbs and toilet seats) that we provide including heating systems and appliances, smoke detectors, doors, windows, sanitary ware, plumbing, switches, sockets, guttering and drainage.

If any of the above has failed through defect or through fair wear and tear, we are responsible for carrying out a repair and/or making it safe.

3.2 Maintenance Obligations to Tenants

We have a duty to ensure that our homes are safe for our tenants to live in. We must, in accordance with the Gas Safety (Installation and Use) Regulations 1998 and subsequent revisions, arrange for an annual gas safety check to be undertaken for any home where gas is installed either for heating, cooking or both. We will also check tenant owned gas appliances to ensure they are safe.

3.3 Right to Repair

Certain repairs also governed by the right to repair. This means tenants can expect certain repairs to be undertaken within defined timescales. Whether a tenant has a right to repair depends on the tenancy type, but as a general rule, tenants with secure tenancies are covered by the right, whereas tenants with assured tenancies are not. Most of our tenancies are secure tenancies.

3.4 Repair obligations to leaseholders

3.4.1 Most leasehold properties exist because a flat in one of our blocks has been purchased under the Right to Buy scheme. Unlike tenants, our repairs responsibilities to leaseholders generally rest only in the maintenance of communal structures and services, and for this maintenance we recharge proportion of the cost to leaseholders as a service charge.

3.4.2 In addition to standard maintenance, in modern leases we also have the right to recharge for improvements, for example where we carry out structural improvements to a block such as a new roof or wall cladding. Where the total cost of each leaseholder exceeds £250, we are first obliged to undertake a consultation procedure under section 20 of the Landlord and Tenant Act 1985 (as amended) with all leaseholders in the block.

3.5 Tenant repairs responsibilities

3.5.1 Under the terms of their tenancy agreements, tenants are legally responsible for maintaining the internal decoration of their homes and keeping the property and grounds clean and tidy.

3.5.2 Tenants are also responsible for repairing any damage caused to the property, grounds and communal areas if this has been caused by the tenants, their family, householders, friends or visitors (whether invited or not). This includes damage caused deliberately or unintentionally. We will make a charge for the cost of such repairs including: (see also 3.53 below)

- Accidental or deliberate damage by tenant, their family, pets or other visitors to the home (in exceptional circumstances and a Police Crime Reference number is provided we may waive this)
- Unproven vandalism
- Clearance of properties that are excessively dirty, infested or have drug paraphernalia
- Unauthorised alterations or improvements
- Clearance of fly-tipping on our land
- Abortive callouts where the appointment has been arranged and a cancellation request has not been received
- Replacement of lost keys or door entry fobs
- Those that are revealed following a mutual exchange
- Clearance of property /gardens at tenancy end (see also Section 4 below)
- Removal and disposal of items left in communal areas in contravention of our Clear and Safe policy on escape routes.

3.5.3 A recharge will not be sought for any damage caused to the home of a tenant by someone behaving in a racist or anti-social way or due to domestic abuse, where these incidents are reported to ECC Housing, however we will seek to pursue the costs from an identified perpetrator.

3.5.4 A recharge may not be made to someone who has a vulnerability including tenants who are disabled and live alone, we will refer to our Housing Residents' Vulnerabilities Policy which details what will be considered.

3.5.5 If the property is not maintained to an acceptable standard, either through damage or neglect (such as large amounts of rubbish in the grounds or having an overgrown garden) tenants are required, under the terms of their tenancy agreement, to put the situation right.

3.5.6 Tenants have the option of using an external contractor or can carry out the work themselves; whichever option is chosen, the work must bring the property to a standard acceptable to us, otherwise this will be in breach of the tenancy agreement and other conditions.

3.5.7 Any replacements of doors, windows, units or other fixtures or fittings must be on a like-for-like basis, consent must be requested for this.

3.5.8 Works such as those covered by legislation for example where asbestos could be disturbed or electrical or gas works, must be repaired by suitably qualified operatives and appropriate certificates obtained.

3.5.9 If the repairs carried out by a tenant are not to our required standards, we are entitled to carry out the work and claim compensation from the tenant as a recharge.

3.6.0 Repeated compensation claims of this type may risk the future of the tenancy.

3.6.1 Tenants must, in accordance with their tenancy agreement, ensure that they permit any compliance checks to be undertaken. Any costs associated with the refusal to allow access will be re-charged to the tenant.

3.6.2 We will follow our detailed procedure for informing tenants about possible recharges when a repair is reported and it is evidently not fair wear and tear.

3.6.3 Tenants who are decanted and housed under a Decant Licence Agreement are also subject to these obligations.

4. Void Repairs

4.1 At the end of a tenancy, the tenant must leave our properties clear of all rubbish and in a good state of repair and any damage made good. Gardens must also be left in a tidy condition, which includes the removal of any unauthorised sheds or greenhouses.

4.2 A pre-void visit of the property will be carried out which will identify any aspects of disrepair which may be the tenant's responsibility.

4.3 If any defects are not remedied prior to the end of the tenancy, or if the work is not of a satisfactory standard, we will undertake the works after the tenant has

vacated the property. The cost of such repairs will be claimed from the outgoing tenant.

4.4 If a tenant dies and the tenancy is ended, it is expected that those responsible for the late tenant's estate should ensure that the property and garden is emptied of all belongings and rubbish. We may make a re-charge against the estate if we need to undertake clearance of the property.

4.5 A detailed set of moving-out standards has been drawn up in conjunction with our involved tenants.

5. Financial Hardship

5.1 We will follow our Debt Collection Policy and associated detailed procedure for the recovery of monies owed to the Council in respect of a rechargeable repair.

6. Review and Appeal Process

6.1 If tenants are not happy with the recharge requested, they have the right to appeal. Tenants also have the option to take advice from an independent source such as the Citizens Advice Bureau, Law Centre or Solicitor. At any time, they can use our dedicated Housing Complaints Service.

7. Performance Monitoring and Review

7.1 To ensure we maintain high service standards, we will monitor effects of the rechargeable repairs policy as follows:

- ✓ Number of rechargeable repairs (responsive and voids)
- ✓ Cost of rechargeable repairs
- ✓ Income received from rechargeable repairs (recover rate)
- ✓ This policy is reviewed by tenants and will be reviewed by tenants when updated or if legislation changes.

7.2 This information will be shared with our Tenants' Voice Group and the Council Housing and Development Advisory Board (CHADAB) who have oversight of the service we provide.

8. Charges

8.1 Charges for any of the costs incurred will be based on a guide price which is attached to our Recharge Procedure and will be updated regularly to reflect actual costs incurred.

9. References

Legal duties and statutory requirements:

Social Housing (Regulation) Act 2023

Equality Act 2010: guidance - GOV.UK (www.gov.uk)

Tenant Involvement and Empowerment Standard - GOV.UK (www.gov.uk)

The Housing Ombudsman's Complaint Handling Code

Gas safety (installation and Use) Regulations 1998

The Control of Asbestos at Work Regulations 2006

Building Regulations

Commonhold and Leasehold reform Act 2002

Defective premises Act 1972

Housing Act 2004

Public Health Act 1961

Health and safety at work Act 1974

Landlord and Tenant Act 1985

Decent home Standards

Regulator of Social Housing Consumer Standards

10. Other Documents linked to this policy

Tenants' Handbook

Rechargeable Repairs Procedure

Recharge consent form

Void Policy

Responsive Repairs Policy

Debt Management Policy

Code of Conduct for Contractors

Housing Residents Vulnerabilities Policy

Housing Domestic Abuse Policy

Housing Anti-Social Behaviour Policy

Housing Complaints Policy

Decant Policy and Procedure

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Equality Impact Assessment: Housing Recharges Policy

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive Committee Meeting on 23 rd September 2025	Housing Recharges Policy 2025 – 2030	To agree the updated policy	

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low**

assessment is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics. The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Neutral	Low	Many of our tenants have disabilities, both visible and hidden, this strategy and policy covers all.
Sex/Gender	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics such as sex/gender. The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework.
Gender reassignment	Neutral	Low	There is no evidence to suggest this will impact on any specific person based on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such	Neutral	Low	There is no evidence to suggest this will impact on any specific person based on this characteristic.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
as Buddhism and sects within religions).			
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Neutral	Low	There is no evidence to suggest this will impact on any specific person based on this characteristic.
Pregnancy and maternity including new and breast feeding mothers	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics.
Marriage and civil partnership status	Neutral	Low	As above as this is a protected characteristic

Actions identified that will mitigate any negative impacts and/or promote inclusion

Officer: Sarah Hemming

Date: 30.07.25

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REPORT TO EXECUTIVE

Date of Meeting: 23 September 2025

REPORT TO COUNCIL

Date of Meeting: 14 October 2025

Report of: Strategic Director Operations

Title: Home Adaptations for Council Housing Policy 2025-2030

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The report summarises the new Home Adaptations for Council Housing Policy 2025-2030. It is proposed that the revised Policy be adopted and implemented. A copy of the Policy document is appended.

2. Recommendations:

2.1 That Executive recommends that Council approve the adoption of the new Home Adaptations for Council Housing Policy for the period 2025-2030.

3. Reasons for the recommendation:

3.1 The Council is required by the Regulator of Social Housing under the Safety and Quality Standard (of the new Consumer Standards) to 'Assist tenants seeking housing adaptations to access appropriate services'

3.2 Within this standard the requirements are that social landlords: 'Must clearly communicate to tenants and relevant organisations how they will assist tenants seeking housing adaptations services.' and 'Must co-operate with tenants, appropriate local authority departments and other relevant organisations so that a housing adaptations service is available to tenants where appropriate.'

This is our proposed policy to ensure compliance.

4. What are the resource implications including non financial resources

4.1 Resource has already been committed from existing budgetary & staffing resources however, should there be an increase in demand or the need for change a further paper will be brought forward.

5. Section 151 Officer comments:

5.1 5.1 Whilst there are no direct financial implications arising from this report, any impact on demand upon the Adaptations capital budget will be reported to Members as part of the quarterly HRA budget monitoring reports or the annual budget setting cycle.

6. What are the legal aspects?

6.1 The Care Act 2014 (CA 2014) sets out provisions concerning adaptations to properties in order to promote individual wellbeing and enabling independent living. Local authorities have a duty to consider the suitability of living accommodation as part of their care and support functions. This includes the provision of housing adaptations to meet the needs of disabled individuals, which can contribute to their physical and mental wellbeing, personal dignity, and ability to live independently.

6.2 Under the Care Act 2014, local authorities may fund minor adaptations, such as grab rails and bath seats, which do not require structural work. These adaptations are considered "community equipment (aids and minor adaptations)" if their cost is £1,000 or less, as defined in the Care and Support (Preventing Needs for Care and Support) Regulations 2014.

6.3 For major adaptations, disabled facilities grants (DFGs) are available under the Housing Grants, Construction and Regeneration Act 1996 (HGCRA 1996). These grants are subject to means testing and can cover significant modifications, such as stair lifts or bathroom alterations, to enable disabled individuals to remain in their homes. Local authorities are required to assess the necessity and appropriateness of such adaptations to meet the disabled person's needs.

6.4 The Equality Act 2010 (EA 2010) is relevant to the requirement for adaptations under the Care Act 2014 (CA 2014) and the Housing Grants, Construction and Regeneration Act 1996 (HGCRA 1996) as it provides a framework to prevent discrimination against disabled individuals, ensuring that their needs are met equitably. The Act reinforces the obligations under the CA 2014 and HGCRA 1996 to provide necessary adaptations for disabled individuals, ensuring their rights are upheld and their needs are addressed in a non-discriminatory manner.

7. Monitoring Officer's comments:

7.1 Members will note the legal aspects at paragraph 6 of this report. The Monitoring Officer has no additional comments.

8. Report details:

8.1 In January 2024 the Housing Ombudsman published a report entitled 'Spotlight on attitudes, respect and rights – relationship of equals'.²

8.2 In summary the report recognised the challenging and complex environment that social landlords now must work within, including: the cost-of-living crisis, increase in mental health difficulties and housing shortages. The Ombudsman stressed the need for landlords to create human-centric policies, adapt to meet the needs of all their residents and ensure the most vulnerable residents are not left behind.

8.3 In January 2025 the Housing Ombudsman published a further report on Learning from severe Maladministration³ which directly addressed issues concerning requests for home adaptations.

8.4 Amongst the recommendations in the report the Housing Ombudsman stated that landlords have a responsibility to assess the feasibility of the adaptations and make informed decisions whether to proceed with them, ensuring residents are afforded respect by decisions being communicated in a timely way, clear explanations given, and expectations managed appropriately. It acknowledged that if a feasibility assessment concludes that the majority of the adaptations are not possible, landlords should continue working with the resident and the Occupational Therapist to find a suitable alternative property.

This policy includes these recommendations.

8.5 Before this policy was drafted a survey of tenants who had received an adaptation in their home was undertaken, consideration has been given to the suggestions and responses made.

8.6 This policy has also been taken to our Tenants' Voice group, Council housing and Development Advisory Board (CHADAB) and Senior Management Board, suggestions made by this group have been incorporated into the policy.

8.7 As it is purely departmental and follows the guidelines as set out by the Housing Ombudsman and the Regulator for Social Housing, it is not a requirement for this policy that further, public consultation is necessary.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 One of the intended outcomes under the 'Homes' section refers to

'Better quality, energy efficient and more affordable homes to buy or rent.'

Any work that improves our Council homes contributes to this outcome.

9.2 Under the 'A Well Run Council' section one of the outcomes is

'Effective investment and maintenance programmes for our assets that underpins our business'

Adapting our Council homes will contribute to this outcome.

10. What risks are there and how can they be reduced?

10.1 Prioritisation of cases based on need & ensuring cost effective procurement will assist in meeting the allocated budget.

10.2 There are reputational risks in not having an up-to-date Home Adaptations for Council Housing Policy; with the introduction of more stringent regulation any inspection of the housing service by the Regulator of Social Housing would include a review of our policies and strategies to ensure they are fit for purpose.

10.3 The Regulator of Social Housing under the Safety and Quality Standard (of the new Consumer Standards) requires registered providers to 'Assist tenants seeking housing adaptations to access appropriate services'

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 No direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

13.1 There are no alternatives to the adoption of this policy as it is one of the 'required outcomes' within the Safety and Quality Standard (part of the Regulator of Social Housing's Consumer Standards which came into force on 1st April 2024).

Strategic Director of Operations, Adrian Pengelly

Author: Michelle Davidson Head of Service - Asset Maintenance

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

1. [Annex 3: Consumer standards 1 April 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/annex-3-consumer-standards-1-april-2024)
2. [Spotlight on: Attitudes, respect and rights – relationship of equals \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk/spotlight-on-attitudes-respect-and-rights-relationship-of-equals)

Contact for enquiries:
Democratic Services (Committees)
Room 4.36
01392 265275

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Exeter City Council Housing Services

Home Adaptations Policy 2025-2030

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1. Introduction

1.1 Exeter City Council (ECC Housing) recognises that adaptations to a home can improve the independence, well-being and dignity of our tenants. Adaptations can improve access to and facilitation of essential functions of a home which can often prolong the ability for someone to remain in their own home independently and safely.

1.2 Sometimes simple adjustments and adaptations are all that is needed to achieve this and the timely provision of minor adaptations can often postpone the need for more substantial adaptations. The way in which this policy will be implemented is described in the Home Adaptations Procedure.

1.3 This policy contributes to the Corporate Plan in the following areas:

- Promoting healthy and active lifestyles
- Building great neighbourhoods
- Providing value for money services.

1.4 This Policy sets out the:

- Types of assistance available within the categories of Minor and Major Adaptations
- Eligibility requirements
- Assessment of applications
- Terms and conditions
- Monitoring and review arrangements
- Procedure if ECC Housing is unable to meet the assessed needs of the tenant.

2. Aims and objectives

The aims and objectives of this policy are:

2.1 To enable tenants to live safely and independently in their homes by providing safe access as well as essential facilities.

2.2 Where at all possible to follow the principles that govern the provision of Disabled Facilities Grants so that there is equality of treatment between ECC Housing tenants and everyone else.

- 2.3 To be fair, transparent, realistic and consistent in our decision making, agreeing only to carry out adaptations that are assessed as being necessary, reasonable and practical, and that fully meet the needs of the occupant(s).
- 2.4 To enhance the tenant's confidence, dignity and quality of life within their homes.
- 2.5 To provide advice and assistance regarding Home Adaptations which seek to make best use of our housing stock.
- 2.6 To ensure the available budget is used efficiently and effectively and delivers value for money.

3. Types of assistance available

3.1 ECC Housing will only carry out adaptations that are deemed reasonable and practicable for the property, having regard for the age and condition of the dwelling.¹

3.2 Eligible works for a disabled occupant include:²

- Facilitating access to and from the dwelling
- Making the dwelling safe for the disabled tenant and other occupants
- Enabling access to a:
 - Living room
 - Bedroom
 - Toilet
 - Wash hand basin
 - Bath and/or shower
- Facilitating the preparation and cooking of food
- Simplifying use of heating and lighting controls and ventilation

¹ In accordance with the Housing Grants, Construction and Regeneration Act 1996.

² See the 1996 Act (section 23)

- Easing access and movement around the home to enable the disabled person to care for another occupant who is normally resident there and in need of care
- Facilitating access to and from a garden or making access to the garden safe.

3.3 An application for funding will only be considered for one or more of these purposes, when we are satisfied that:³

- Social Services have been consulted and consider the relevant works to be necessary and appropriate to meet the needs of the disabled occupant
- It is reasonable and practicable to carry out the relevant works having regard to the age, type and condition of the property.

4. Categories of Adaptations

There are two categories of Home Adaptations covered by this policy:

- Minor Adaptations (works usually under £1,000)
- Major Adaptations (works over £1,000 up to £30,000) -

4.1 Minor adaptations

Definition of a minor adaptation:

Minor adaptations are those that are easily installed and do not require structural changes to the home. They include items such as grab, stair and bath rails.

These will be approved and installed

1. Minor Adaptations can sustain the independence of individuals in their homes and do not need a referral from an Occupational Therapist (OT).
2. Tenants, or those involved with a disabled occupant (such as family members, carers, social workers, GP's and so on), can contact ECC Housing directly to request Minor Adaptations.

³ See Section 24(3) of the 1996 Act

3. Provided that the adaptation request does not change the fabric of the property (such as grab rails or half steps) all Minor Adaptations will be approved.
4. However, if a Minor Adaptation requires a change to the property (such as internal door widening, division of a room and so on) the referral will be sent to a Works Surveyor, who will need to undertake a feasibility assessment before agreeing to the works.

4.2 Major adaptations

Definition of a major adaptation:

This is more complex. These tend to be adaptations over £1,000, using the minor adaptations definition as a guideline, however, although there is a maximum grant of £30,000, there is no minimum financial cut off point for provision, so this is not rigid. It requires consultation with Social Services to assess and make recommendations for, according to the legislation for provision of Disabled Facilities Grants.

1. Requests for major adaptations must be made via referrals from Devon County Council's (DCC) Occupational Therapy (OT) Service.
2. Initially, individuals should contact Care Direct to request an Assessment of Need.
3. ECC Housing also has an in-house OT who covers kitchen and bathroom refurbishments and rehousing who can offer advice and assistance and can recommend adaptations directly to the Adaptations Team.
4. We always aim for the most appropriate adaptation to meet the needs of the disabled occupant whilst offering the best value for money.
5. Prior to authorising any works we will ensure that they are necessary, appropriate, and reasonable and meet the immediate and longer-term requirements of the disabled person, while considering the age, type and condition of the property.⁴

⁴ As outlined in the Housing Grants Construction and Regeneration Act 1996 guidance.

5. Eligibility requirements

5.1 Applicants who have a recognised disability which has an effect on their ability to carry out normal day-to-day activities will be considered eligible for **Major Adaptations** provided that:

- they are an Exeter City Council tenant
- They are the child, spouse, partner or member of the immediate household of an Exeter City Council tenant. They should be permanently in residence at the relevant address for council tax or child benefit purposes, and if aged over eighteen years, should be registered on the electoral role.

5.2 For **Minor Adaptations** all Exeter City Council tenants are eligible.

In exceptional circumstances consideration may be given where referrals have been received for other persons such as lodgers, or where the property is not the primary residence. Each request will be decided on an individual basis and approval must be given by the Head of Service-Asset Management, who will give due consideration to all the circumstances of the case.

5.3 Any request for adaptations to properties where there is an active Right to Buy will not be considered.

5.4 Any request for an adaptation received where the tenant is registered with the Devon Home Choice scheme will be dealt with on an individual basis.

5.5 Any requests for adaptations that sit outside of this policy may be made at the discretion of, and must be agreed in writing by, the Head of Service-Asset Maintenance.

6. Assessment of applications

6.1 The Care Act 2014 Statutory Guidance states that:

‘An assessment must seek to establish the total extent of needs before the Local Authority (County Level) considers the person’s eligibility for care and support and what types of care and support can help to meet those needs’.

This must include looking at the impact of the adult’s needs on their wellbeing and whether meeting these needs will help the adult achieve their desired outcomes.

6.2 ECC Housing considers that all Minor Adaptation requests are deemed reasonable and practicable to install, free of charge, in any of its tenanted accommodation, and does not automatically require an assessment or referral, providing the adaptations can be carried out without having an adverse effect on the fabric of the property.

6.3 The Care Act legislation does not affect the provision of Major Adaptations, this is defined by the 1996 Housing Grants, Construction and Regeneration Act and provision of Disabled Facilities Grants.

‘For an Occupational Therapist to apply directly the Care Act eligibility criteria, in making the recommendation about necessity and appropriateness, would be legally misconceived’⁵

6.4 Applications for mandatory Disabled Facilities Grants (DFGs) can be made by residents in England, Wales and Northern Ireland for essential adaptations and the legislation governing this is the 1996 Housing Grants, Construction and Regeneration Act.

6.5 ECC Housing funds adaptations to its own housing stock from its Housing Revenue Account. This should result in the same level of service as that provided to other tenures receiving DFG funding.

6.6 ECC Housing does not seek to financially assess council tenants but will apply the same principles as the DFG model limits when considering a Major Adaptation request.

6.7 Major Adaptations requests will be assessed on a case-by-case basis taking the following factors into consideration:

- Property, age, type, condition and suitability for the required adaptation
- The request is supported by a Housing Statement of Need (HSON) referral from the Occupational Therapy Service or our in-house OT. This document is provided by Devon County Council containing recommendations for major adaptations
 - Funding must be available from within the existing budgets which are renewed each April. All applications received after the budget has been depleted will be entered onto a waiting list
 - Applicant circumstances, e.g. is the condition degenerative? Is there a prospect of improvement of a disability? Would the occupant(s) cope with the

⁵ Home Adaptations: The Care Act 2014 and related provision across the United Kingdom” Michael Mandelstam 2016 COT

works taking place? Are there other issues that may prevent or hinder the works? Is the property under/over occupied?

- Cost of works – are the costs of the works required reasonable?

7. Restrictions

7.1 There may be occasions when ECC Housing will have to restrict or refuse the adaptation of a property.

7.2 Restrictions or refusals may apply if it is not deemed reasonable or practicable for disabled adaptation works to be carried out due to any of the following circumstances where for example:

- There is suitable alternative accommodation available (or that will become available within a reasonable timeframe) that meets the person's needs and it is reasonable for the person to move to it; If this is the case all options will be discussed with the applicant(s). No one will be made to move if they do not wish and ultimately the decision will be the tenant's
- In exceptional circumstances, where a move would be detrimental to health the application may be considered outside of this policy at the discretion of the Head of Service- Housing Assets
- The value of the works exceeds the limits as set out in the DFG model limits (currently £30,000 per applicant). ECC Housing will assess such adaptation requests on an individual basis and may provide funding on a discretionary basis should alternative accommodation not be available or suitable. Shared costs will also be considered on schemes above this amount where appropriate
- Where a request for parking bays and access ramps will adversely affect the safety and amenity of the area
- Where the works would adversely affect the ability of ECC Housing to re-let the property with the requisite adaptations in the future
- Where a major adaptation is requested in a family-sized property which is under-occupied, or the property has access issues such as an above ground floor flat with no lift access
- Where the use of specialist washer/drier WCs is required, ECC Housing reserves the right to facilitate the use of re-conditioned systems wherever possible.
- Where Major Adaptations are required to a property already in need of major repairs

- Where ECC Housing is seeking possession of the property because the applicant or a member of the household is guilty of unacceptable behaviour which is so serious that it makes them unsuitable to be a tenant of ECC Housing
- Where it is deemed not reasonable or practicable to carry out a Major Adaptation to a particular property, any Minor Adaptation works identified as being required, to ensure the health and safety of the occupant, will be carried out.

7.3 The decision after proper consultation (with the tenant and any medical or social care advisor for example) on whether works are 'reasonable or practicable' is a matter for ECC Housing.

7.4 Major Adaptations will not normally be considered where the applicant is waiting for medical procedures which may improve their disability. Applications will be considered once the procedure has been carried out and recovery is complete. Temporary or Minor Adaptations may be considered during any interim period. Each case will be considered on case-by-case basis, taking into consideration any advice/recommendations from professional colleagues and stakeholders.

7.5 Where referrals for major adaptations are declined and rehousing to more suitable accommodation recommended, the tenant will be offered support and advice from the Housing Officer and in-house Occupational Therapist. Should the tenant wish to seek rehousing and apply to Devon Home Choice, the OT can arrange to visit and complete a housing needs assessment to support their application.

7.6 ECC Housing will give assistance with the reasonable costs of moving to a more suitable property (see Appendix E).

7.7 In exceptional circumstances, subject to the discretion of the Head of Service-Asset Maintenance, a Direct Match to an alternative ECC property may be considered.

8. Terms and conditions

- 8.1 When major adaptations have been undertaken, we would expect the tenant to live at the property for a minimum of five years from the date of completion of the works, or such shorter period as the person's health or other relevant circumstances permit.
- 8.2 Should the tenant vacate the property before the five years has passed, they may be requested to contribute toward the cost of the adaptation.
- 8.3 The amount charged will depend on the time the adaptations have been in place and the tenant(s)' ability to pay. Any charges will need to be authorised by the Head of Service-Asset Maintenance.

9. Maintenance of equipment

- 9.1 Any adaptation installed by ECC Housing or left in-situ when a property is vacated or there is a change in family circumstances, will be maintained and serviced (where appropriate) by ECC Housing. If the adaptation has deteriorated beyond economic repair, it will be considered for renewal or removal if no longer needed.
- 9.2 Tracked hoist systems will generally be provided by and serviced and maintained by the DCC OT service. ECC Housing will undertake the necessary adaptations to a property to accommodate the hoist system, but the provision and ongoing maintenance/servicing of the hoist system will remain the responsibility of the DCC OT service.

10. Void properties

- 10.1 ECC Housing needs to make the best use of its assets. It is therefore appropriate that when a property becomes empty and is identified as suitable for adaptations (for example ground floor accommodation, bungalows and older persons' accommodation) adaptations are undertaken whilst the property is vacant to make it suitable for prospective disabled tenants. Each suitable void will be evaluated by the in-house OT and where possible matched to those with needs for adaptations on the property shortlist provided by Devon Home Choice or ECC Housing's internal Direct Match list.
- 10.2 Where adaptations have been undertaken in properties such as ground floor units, bungalows or older persons' accommodation they will not be removed. If

they have been fitted in family-style accommodation every attempt will be made to find an applicant who requires such an adaptation. If this is not possible, consideration will be given to removing the adaptation if it is deemed more practical.

11. Access to gardens

11.1 Access to gardens is a tenant's legitimate entitlement.⁶ Access requests may include:

- Facilitating access to and from a garden by a disabled occupant, or
- Making access to a garden safe for a disabled person.

11.2 The Government has not defined what 'access to gardens' means; interpretation has been left to local councils. Given the diverse nature of gardens and their varied hard and soft landscaping features it is difficult to provide an exhaustive list of potential adaptations. However the following may give some indication of the type of works that we consider reasonable and practicable:

- Measures to make access to the garden safe - this might include the provision of handrails or replacing paths/paving where the existing path/paving is considered unsafe
- Access from a flat to an existing balcony – this may involve alterations to the doorway
- Clear Level Access. This may be by a ramp or a step-lift, whichever is the more appropriate and may include changing the threshold of a doorway
- Access to a patio area immediately adjacent to the property
- Access to a garden or yard area shared with others.⁷

⁶ See Disabled Facilities Grants (Maximum Amounts and Additional Purposes) (England) Order 2008 No 1189 which came into force on the 22nd May 2008.

⁷ Note: where the works are considered reasonable and practicable, they will be subject to the applicant having obtained the appropriate agreement/approval from the relevant people who have an interest in the garden e.g. neighbours (freeholders or leaseholders).

⁸ Note: Disabled Facilities Grant Delivery: Guidance for Local Authorities in England published 28 March 2022

11.3 The following will not be considered as reasonable and practicable and will not therefore be funded:

- Provision of wheelchair accessible paths around the entire garden
- Provision of a new patio area which is not immediately adjacent to the property
- Provision of ramps or step-lifts to front and back doors where access to the garden can be achieved from one of the doors based on provision of one ramp and meets the needs of the recipient
- Access to washing lines (current or relocated) where lack of mobility now inhibits safe use
- Access to feed birds and/or fish
- Building raised beds.

12. Awareness of the Home Adaptations Service

ECC Housing will ensure that the Home Adaptation Service is publicised to as many tenants as possible so that those tenants that have a need can have works undertaken. This will be achieved in the following ways:

- Regular articles in 'InSight', the tenants' magazine
- Production of a leaflet that will be included in the lettings pack
- A page of the Exeter City Council website will be dedicated to the Home Adaptation Service
- Tenant data will be used to ensure the service is targeted towards those with relevant needs
- Training will be provided to front line staff to ensure they are aware of the service and the types of works that can be done.

13. Performance monitoring

13.1 The ECC Housing will monitor the quality and performance of Major Adaptations using Tenant Satisfaction Surveys and Post Inspections, alongside monitoring Contractor Key Performance Indicators.

14. References

Legal duties and statutory requirements:

The Chronically Sick and Disabled Persons Act (1970, Section 2):

Disabled Person (Services, Consultation and Representation) Act 1986:

National Health Services and Community Care Act 1990:

The Housing Act 1996 (as amended):

Housing Grants, Construction and Regeneration Act 1996:

Human Rights Act 1998:

The Equality Act 2010:

The Care Act 2014:

The Social Housing (Regulation) Act 2023

Related documents:

ECC Housing Strategy

ECC Tenancy Policy

ECC Safeguarding Policy

ECC Equality, Diversity & Inclusivity Policy

ECC Housing Residents' Vulnerabilities Policy

Appendix A

List of minor adaptations

- Handrails
- Additional stair rails
- Outside handrails by steps
- Half steps to front and back doors
- Window winders
- Lever taps
- Level internal thresholds
- Moving door intercoms
- Door frame and wall protectors for wheelchair users
- Relocating electric sockets and lights switches
- Wider paths.

This list is not exhaustive.

Appendix B

List of major adaptations

- Stairlifts
- Through floor lifts
- Step lifts
- Ramps
- Wet rooms/Walk in showers
- Facilitate installation of hoists and tracks
- Heating
- Vehicular hardstandings
- Widening doorways
- Hoists and tracks
- Mobility standard Kitchens
- Altering entry and accessways to the property.

This list is not exhaustive.

Appendix C

Moving allowances

Once a referral for a Major Adaptation has been received and in discussion with the applicant a decision is made to move to more suitable accommodation, the following allowances will be paid:

- Up to £1,500 disturbance allowance (for carpets, curtains etc.)
- Up to £1,000 towards removal costs

Appendix D

For the purposes of a DFG application a person is disabled if:

- Their sight, hearing or speech is substantially impaired
- They have a mental disorder or impairment of any kind
- They are physically substantially disabled by illness, injury or impairment

And a person over 18 is taken to be disabled if:

- They are an adult who is or could be registered under section 77 of the Care Act 2014
- They are an adult who is or could be registered under section 18(5) of the Social Services and Well-being (Wales) Act 2014
- They are a child or young person registered under paragraph 2 of Schedule 2 to the Children Act 1989
- They are a disabled child as defined by s.17 of the Children Act 1989.

Equality Impact Assessment: Home Adaptations Policy

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive 23 rd September 2025	Home Adaptations Policy 2025-2030	To agree the updated policy	This policy is specifically designed to detail how adaptations for those people with a disability can be assessed and actioned.

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral	Low	This group of people are not adversely affected by this policy but where there may be language barriers if English is not the person's first language, there are mechanisms in place to provide translation services if needed.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Positive	Low	<p>Legislation governs all aspects of housing services provision in respect of protected characteristics such as those tenants with a disability.</p> <p>This policy is designed to recognise that adaptations however small can improve the lives of our tenants who have a disability (usually a physical disability) to enable them to live independently and safely in their home or to stay in their current homes whenever possible.</p> <p>The policy recognises the broad nature of disability including mental health and that this can fluctuate over time.</p>
Sex/Gender	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics.
Gender reassignment	Neutral	Low	.As above

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral	Low	As above
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral	Low	As above
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Positive	Low	As above
Pregnancy and maternity including new and breast-feeding mothers	Neutral	Low	As above as this is a protected characteristic
Marriage and civil partnership status	Neutral	Low	As above as this is a protected characteristic

Actions identified that will mitigate any negative impacts and/or promote inclusion

This policy has been designed to provide clarity over the aids and adaptations that can be carried out for our tenants. It provides guidance for officers including our occupational therapist. Adaptations are intended to help and enable tenants with disabilities to live independently within their home, this can also include support for the timely discharge from hospital of tenants, who require adaptations to enable them to return home. This policy also applies to new tenants with disabilities to move into their new home.

Officer: Sarah Hemming

Date: 30.07.25

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REPORT TO EXECUTIVE

Date of Meeting: 23rd September 2025

REPORT TO COUNCIL

Date of Meeting: 14th October 2025

Report of: Strategic Director for People and Communities

Title: Housing Compensation Policy 2025-2030

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The report summarises the new Housing Compensation Policy 2025-2030. It is proposed that the revised Policy be adopted and implemented. A copy of the Policy document is appended.

2. Recommendations:

2.1 That Executive recommends that Council approve the adoption of the new Housing Compensation Policy for the period 2025-2030.

3. Reasons for the recommendation:

3.1 This policy ensures a fair and consistent approach to offering redress and awarding compensation when service failures occur. It aligns with the Housing Complaints Policy and the Housing Recharges Policy and complies with the guidelines required by the Housing Ombudsman.

3.2 Compensation is considered when other remedies are insufficient. The policy promotes fairness, proportionality, and consistency, considering each case on its merits.

4. What are the resource implications including non financial resources

4.1 We are sometimes obliged to provide compensation to tenants as part of orders from the Housing Ombudsman. Other smaller compensation amounts are awarded in line with the Housing Ombudsman's guidelines. All funds come from existing budgets.

5. Section 151 Officer comments:

5.1 Whilst there are no direct financial implications arising from this report, levels of compensation payments will be monitored and any budgetary issues reported to Members as part of the quarterly HRA budget monitoring reports or the annual budget setting cycle.

6. What are the legal aspects?

6.1 The Housing Ombudsman's compensation policy is statutory guidance. All guidance issued by the Housing Ombudsman has statutory effect in accordance with section 51ZA of the Housing Act 1996.

6.2 Under section 51ZA of the Housing Act 1996, the Housing Ombudsman is empowered to issue guidance to scheme members regarding good practice in housing activities. This guidance is binding on the basis that the Ombudsman can require scheme members to assess their policies and practices for compliance with the guidance. The purpose of the proposed Housing Compensation Policy 2025-2030 is to ensure compliance with the Housing Ombudsman's statutory guidance.

7. Monitoring Officer's comments:

7.1 Members will note the legal basis for the council's compensation policy in paragraph 6 above. The Monitoring Officer has no additional comments.

8. Report details:

8.1 The Housing Ombudsman recommends that landlords have a compensation policy. The following is taken from their website: [Compensation policy | Housing Ombudsman](#)

8.2 *'The policy should be clear that the aim of providing redress is to restore a person to the position they would have been in had the service failure not occurred. It should also emphasise that there are other remedies available to put a situation right but that in some instances, financial compensation may be the only and appropriate form of redress.'*

8.3 *It should set out to ensure that compensation payments are fair and proportionate. The document needs to recognise that each case should be considered on its individual merits and that discretion and common sense need to be applied, while promoting consistency. It should also recognise that responsibility will be taken for any detriment or damage caused to an individual or their property and belongings by a third party (contractor) working on the landlord's behalf.'*

8.4 The Housing Compensation Policy is designed to comply with this guidance.

8.5 The policy outlines when compensation should be offered to one of our tenants or leaseholders.

8.6 Compensation is credited to rent/service charge accounts unless specific conditions apply, Housing Ombudsman guidelines will be followed at all times.

8.7 The categories of compensation are clearly set out in the policy.

- **Mandatory Payments:** For home loss, disturbance, improvements, and Right to Repair.
- **Quantifiable Loss Payments:** For demonstrable losses like increased heating bills or alternative accommodation costs.
- **Discretionary Payments:** For time, trouble, distress, and inconvenience.

8.8 The policy is clear that compensation recognises the unique impact on tenants, considering vulnerabilities as defined in the Housing Residents' Vulnerability Policy.

8.9 Any compensation offered will comply with Housing Ombudsman findings, offering proportionate remedies, including non-financial and financial compensation.

8.10 Other actions as alternatives to compensation are detailed in the policy such as practical solutions or goodwill gestures, we have stated that we will have a flexible approach to remedy solutions, with each case decided on individually.

8.11 Compensation amounts are based on the severity and duration of service failures, considering any tenant or household member vulnerabilities.

8.12 The policy also sets out when compensation will not be paid.

8.13 This policy has been taken to our Tenants' Voice group and suggestions made by this have been evaluated then incorporated into the definitive version. It has also been taken to the Senior Management Board for their review.

8.14 As it is purely departmental and follows the guidelines as set out by the Housing Ombudsman and the Regulator for Social Housing, it is not a requirement for this policy that further, public consultation is necessary.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The delivery of the objectives within this strategy accord with the principles of being a well-run council as set out in the Corporate Plan. For example, value for money services and well managed assets.

10. What risks are there and how can they be reduced?

10.1 The Regulator of Social Housing will examine all our policies as part of their inspection regime, not having one in place could cause the service to be awarded a lower grade.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon/environmental impacts arising from the recommendations contained in this report.

13. Are there any other options?

13.1 There are no other options as the having a Compensation Policy is required under the Housing Ombudsman's Code of Practice.

Strategic Director People and Communities Jo Yelland

Author: Lawrence Blake

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

1. [Compensation policy | Housing Ombudsman](#)

Contact for enquiries:
Democratic Services (Committees)
Room 4.36
01392 265275

Exeter City Council Housing Services

DRAFT Compensation Policy 2025 – 2030

Version:	Created By:	Approved By:	Effective Date:	Review Date:
1	SH			

1. Introduction

1.1 We in Exeter City Council Housing Services (ECC Housing) aim to provide excellent services to all our tenants. In some circumstances, we may make a compensation payment as a means of providing redress to restore a person to the position they would have been in had the service failure not occurred.

1.2 The aim of this policy is to ensure that we have a fair and consistent approach to offering redress and awarding compensation.

2. Policy Objectives

2.1 Our key priorities (from the Housing Strategy 2023-2027) are:

Priority 1: Enhancing Resident Experience

Priority 2: Providing the Right Homes in the Right Places

Priority 3: Providing Value for Money Services

Priority 4: Supporting our residents

Priority 5: Ensuring the Safety of our Homes and Residents

2.2 Within these priorities we have a number of key objectives for our tenants and leaseholders in respect of the way in which we respond to repairs and maintenance:

- Achieve and maintain the standards of living for our tenants and leaseholders
- Maximise our budget for repairs and improvements in our housing stock
- Use cost efficient methods to achieve the right balance of responsive and planned work
- Complete repairs within the timescales and to a high-quality standard
- Maximise the energy efficiency of our properties
- Ensure that our homes are in a safe condition.

3. Implementation of the policy

- 3.1 We recognise that there are other remedies available and these will be used to put a situation right but, in some instances, financial compensation may be the only and appropriate form of redress.
- 3.2 We want to ensure that compensation payments are fair and proportionate. We recognise that each case should be considered on its individual merits and that discretion and common sense need to be applied, while promoting consistency.
- 3.3 Responsibility will be taken for any detriment or damage caused to an individual or their property and belongings by a third party (contractor) working on our behalf.
- 3.4 The Housing Ombudsman has made it a requirement that all registered providers have a compensation policy; this policy contains all the necessary elements as set out in their regulations.
- 3.5 This policy is designed to run alongside the Housing Complaints Policy and the Housing Recharges Policy.

4 Circumstances in which compensation will be issued

- 4.1 We will consider making an offer of compensation when an apology alone will not suffice, and we recognise the impact the service loss or failure has had on the tenant.
- 4.2 Compensation may be considered when we have failed to follow our own policies and procedures or there is a service failure.
- 4.3 When an offer of compensation is made, the complainant must respond to the offer within one month.
- 4.4 If money is owed to ECC's Housing Services (and the arrears are not covered by Housing Benefit or Universal Credit), we will credit any compensation to the rent / service charge account, unless an existing arrangement is in place and being adhered to.

We will not allocate compensation to rent arrears where:

- the arrears are in dispute
- the arrears are the subject of the complaint
- we have a legal obligation, such as a statutory Home Loss or Disturbance payment
- it would not be fair to do so – for example where a maladministration resulted in the arrears in the first place the resident has incurred additional 'out of pocket' expenses as a direct result of our actions or inactions – for example where a property requires major repairs to make it habitable and the resident had to pay for hotel accommodation as a direct result of us not

arranging the works needed or not offering them alternative accommodation whilst works were done

4.5 If the Housing Ombudsman requires ECC Housing to award compensation, then this will be treated separately from any existing financial arrangements and will not be offset against arrears.

4.6 We might make any discretionary offers of goodwill.

4.7 This Policy applies to all current & former tenants, leaseholders and customers and any other person we deem appropriate.

4.8 This policy separates compensation payments into categories and explains in what circumstances payments will be made.

5 Compensation Categories

There are three types of compensation payment:

- Mandatory (such as statutory home loss payments)
- Quantifiable loss payments (where people can demonstrate actual loss)
- Discretionary payments (for time and trouble/distress and inconvenience)

Below we set out explain in what circumstances these payments will be made.

Mandatory payments

Examples of mandatory payments include home loss, disturbance, improvements and payments under the Right to Repair scheme.

5.1.1 Home loss

Home loss payments may be made to tenants who have lived in their property for a minimum of 12 months and are required to move home permanently as a result of redevelopment or demolition of their home. Home loss payment is only payable where a displacement (move) is compulsory. The amounts of compensation are set in statute. These figures are updated annually; the revised figures usually take effect from 1st October each year.

5.1.2 Disturbance

Disturbance payments may be made to secure tenants who are required to move to another property temporarily or to people who have lived at a property less than 12 months and are required to move home permanently. This payment is for reasonable moving costs.

Disturbance payments cover 'reasonable expenses' incurred by the entitled person during moving.

5.1.3 Improvements

If a secure tenancy has ended and the tenant completed improvements to the property after 1 April 1994 they may be entitled to compensation for those improvements.

The right to compensation for improvements is subject to certain qualifying criteria and regulations contained in The Secure Tenants of Local Authorities (Compensation for Improvements) Regulations 1994 Statutory Instrument 1994 No. 613.

To qualify for compensation, the tenant must have:

- Requested and obtained, in writing, the Council's permission before carrying out the work.
- Retained all invoices relating to the work to determine the compensation payment.
- Where appropriate, provide evidence of having official permission(s) needed such as planning permission, building control, listed building consent etc.
- Request compensation during the last 28 days of the tenancy or within 14 days after the tenancy ends.

Qualifying improvements will be compensated by calculations based on a formula set by Government and will be paid on a sliding scale according to the expected life expectancy of the improvement.

We will not pay compensation to a tenant that we are evicting due to breach of tenancy conditions, where a tenant exercises their right to buy, where there is a mutual exchange, or where a new tenancy is granted at the same property to the qualifying tenant.

5.1.4 Right to Repair

The Right to Repair Regulations ³ covers specific repairs, known as 'Qualifying Repairs' which cost less than £250 and should be done within a set time limit by our service for our secure tenants. If these are not carried out within that time we may need to pay compensation.

5.1 Quantifiable loss payments

5.2.1 Some issues resulting in a complaint may have meant loss has been incurred by the complainant. This could include things such as increased heating bills due to disrepair, having to pay for take away food if the kitchen was out of action, or taking time off work and ECC staff or contractors not attending etc.

5.2.2 ECC will require supporting information to consider any quantifiable loss being claimed. For Leasehold properties we will only accept a claim from the Leaseholder, not anyone the property is let to, and any compensation will be in line with the service charges the Leaseholder is liable for.

Examples of quantifiable loss could include:

- increased heating bills due to disrepair,

- having to pay for alternative accommodation or take away food,
- paying for cleaning or
- carrying out repairs where we as a landlord have failed to meet our obligations
- replacement of damaged household items.

5.2.3 There is a caveat to the above that such costs must have been reasonably incurred and evidence of such loss has been provided, this could include photographs or receipts. In addition, the tenant must allow us or our contractors access to inspect and/or put things right in respect of repairs requested.

5.3 Discretionary payments

5.3.1 In certain circumstances ECC will offer discretionary compensation. The table below shows the circumstances that officers will take into consideration when deciding whether an order of compensation should be made. This is not a prescriptive list and should never be treated as such

5.3.2 Our staff will consider the cumulative impact of our or our contractors' failures in a case and any vulnerability of the tenant or their household, following our Housing Residents' Vulnerabilities Policy.

5.3.3 We will follow the most up to date Housing Ombudsman guidance on the level of compensation that should be paid:

[Guidance on remedies | Housing Ombudsman \(housing-ombudsman.org.uk\)](https://www.housing-ombudsman.org.uk/guidance-on-remedies)

Impact on resident	Circumstances
Minor Short duration May not have significantly affected the overall outcome for the resident Might include upset and inconvenience, time and trouble, disappointment, loss of confidence, and delays in getting matters resolved.	There was minor failure by ECC in the service provided and it did not appropriately acknowledge these and/or fully put them right. ECC may have made an offer of action/compensation, but it does not reflect the detriment to the tenant and/or is not proportionate to the failings identified by any Housing Ombudsman investigation
Moderate (Significant impact physical and/or emotional impact)	There was a failure which adversely affected the tenant. ECC has failed to acknowledge its failings and/or has made no attempt to put things right.

Impact on resident	Circumstances
	<p>Or ECC has acknowledged failings and/or made some attempt to put things right but failed to address the detriment to the tenant and/or the offer was not proportionate to the failings identified by any Housing Ombudsman investigation.</p>
<p>Substantial (Significant impact physical and/or emotional impact)</p>	<p>There was a failure which had a significant impact on the tenant. The circumstances for maladministration (as set out by the Housing Ombudsman) apply and the redress needed to put things right is substantial</p> <p>Or</p> <p>The circumstances for severe maladministration apply but the redress needed to put things right is at the lower end of that scale</p>
<p>Severe long-term impact</p>	<p>There have been serious failings.</p> <p>There was a single significant failure in service or a series of significant failures which have had a seriously detrimental impact on the tenant.</p> <p>ECC's response to the failures (if any) exacerbated the situation and further undermined the landlord/tenant relationship.</p> <p>ECC repeatedly failed to provide the same service which had a seriously detrimental impact on the tenant; demonstrating a failure to provide a service, put things right and learn from outcomes.</p> <p>The failures accumulated over a significant period (however this will not necessarily be the case as a single significant service failure may be sufficient).</p>

6 Vulnerabilities

6.1 We will ensure that any award of compensation recognises the fact that the emotional, physical, or reputational impact experienced by an individual tenant is unique to them. Not all tenants will experience the same impact in response to the same instance of maladministration. This might be due to their particular circumstances, or as a result of a vulnerability.

6.2 We will refer to our Housing Residents' Vulnerability Policy for definitions of vulnerability.

6.3 Compensation may be considered at any stage of our complaints process. As part of our approach to resolving complaints ECC may offer compensation if any of the following apply:

- Following investigation of the complaint, it is found that a service has seriously or consistently failed
- Services have not been delivered appropriately or within acceptable timescales
- Other methods to resolve the complaint, such as an apology and/or explanation are not considered sufficient, or our previous responses have been inadequate
- We as a service have taken an unreasonable amount of time to resolve the issues complained about
- We have dealt poorly with our complaint handling
- Our ECC policies or procedures have not been followed
- We have failed to provide a service that had been paid for
- Our tenants have not been able to use part of their home

6.4 Each case will be considered on its own merits. Any discretionary payments will generally be of low value and are part of restoring positive customer relations.

6.5 Some complaints may result in a goodwill gesture for incidents where monetary compensation would not be appropriate.

7 Compensation payments ordered by the Ombudsman

7.1 The Housing Ombudsman provides fair and proportionate remedies to complaints where maladministration or service failure has been identified. There is a wide range of proportionate remedies, including both non-financial

remedies and compensation. We will comply with any finding, unless we have specific Council agreement not to do so.

8 Other remedies

8.1 Other actions may be taken to remedy a complaint either separately from or in conjunction with an offer of compensation. These include practical actions (such as offering to undertake repairs or redecoration which would otherwise be a tenant's responsibility) and gestures of goodwill (e.g. vouchers, chocolates, flowers).

8.2 We have a flexible approach to considering different remedy solutions

9 Calculation of compensation

9.1 There are various circumstances in which a set amount of compensation will be offered such as:

- missed appointments,
- loss of a room and
- complete/partial loss of an amenity such as heating, hot water, power and lighting.

9.2 There are set parameters for discretionary payments of compensation dependent upon the severity of any service failure and associated impact. These are separated into categories 'minor,' 'moderate' 'substantial' or 'severe.'

9.3 We have identified the factors that are considered in deciding upon the appropriate award of compensation which includes the duration of the problem and extent or severity of the service failure.

9.4 We will always account for vulnerabilities and identify that any impact is worsened through disability, old age, or the presence of young children.

10 Situations where compensation will not be considered

10.1 Compensation will not be considered for the following:

- claims for personal injury
- claims for damage caused by circumstances beyond a landlord's control (e.g. through storm or flooding)
- problems caused by a third party not working for the landlord

- instances where any damage is covered under tenant's home contents insurance
- wilful or negligent damage caused by tenant, their household, or visitors.

10.2 Where damage has been caused directly as a result of the actions or omissions of our service or contractor working on our behalf, consideration should be given to reimbursement without the need for the tenant to make a claim at further inconvenience and cost to themselves, and in particular, where the facts are not in dispute.

11. References

Legal duties and statutory requirements:

- Housing Act 1985
- Equality Act 2010
- Landlord & Tenant Act 1927
- Health and Safety at Work Act 1974
- Local Authorities (Compensation & improvements) Regulations 1994
- The Localism Act 2011
- Social Housing Regulation Act 2024
- Regulator of Social Housing Consumer Standards
- The Housing Ombudsman's Complaint Handling Code
- The Secure Tenants of Local Housing Authorities (Right to Repair) Regulations 1994

[Compensation policy | Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk/compensation-policy)

Related documents:

Knowledge & Information Management-report-v2-100523.pdf (housing-ombudsman.org.uk)

ECC Housing Strategy

ECC Tenancy Policy

Housing Residents Vulnerabilities Policy

Equality Impact Assessment: Housing Compensation Policy

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive Committee Meeting on 23 rd September 2025	Housing Compensation Policy 2025 – 2030	To agree the updated policy	

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions

planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics. The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Neutral	Low	Many of our tenants have disabilities, both visible and hidden, this strategy and policy covers all.
Sex/Gender	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics such as sex/gender. The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework.
Gender reassignment	Neutral	Low	There is no evidence to suggest this will impact on any specific person based on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral	Low	There is no evidence to suggest this will impact on any specific person based on this characteristic.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral	Low	There is no evidence to suggest this will impact on any specific person based on this characteristic.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Neutral	Low	There is no evidence to suggest this will impact on any specific person based on this characteristic.
Pregnancy and maternity including new and breast-feeding mothers	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics.
Marriage and civil partnership status	Neutral	Low	As above as this is a protected characteristic

Actions identified that will mitigate any negative impacts and/or promote inclusion

Officer: Sarah Hemming

Date: 14.07.25

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REPORT TO EXECUTIVE

Date of Meeting: 23 September 2025

REPORT TO COUNCIL

Date of Meeting: 14 October 2025

Report of: Strategic Director People and Communities

Title: Exeter City Council Housing Services Hate Crime Policy

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The report summarises the revised Housing Services Hate Crime Policy It is proposed that the Policy 2025-2030 adopted and implemented. A copy of the Policy document is appended.

2. Recommendations:

2.1 That Executive recommends that Council approve the adoption of the new Hate Crime Policy for the period 2025-2030.

3. Reasons for the recommendation:

3.1 Members will recall the introduction of a Housing Anti-Social Behaviour Policy in November 2024. This additional policy has been developed to address hate crimes and hate incidents within our Council housing communities.

3.2 In its 'Learning from severe maladministration report – November 2024'¹ the Housing Ombudsman recommends that landlords take firm actions and have policies that can deal with hate crime in a robust and timely manner. This policy is designed to comply with this recommendation.

4. What are the resource implications including non financial resources

4.1 Fortunately, the number of hate incidences recorded in recent years has been very low, but there is a requirement to monitor these and report them through the Electronic Local Authority Housing Statistics (ELAHS) data return. Housing Officers will deal with these as part of their anti-social behaviour cases.

5. Section 151 Officer comments:

5.1 There are no financial implications contained in this report.

6. What are the legal aspects?

6.1 Members approved the Exeter City Council Housing Services Anti-Social Behaviour Strategy and Policy in December 2024. The ASB policy complies with the Anti-Social Behaviour, Crime and Policing Act 2014. Members will note the purpose of the Residents' Hate Crime Policy is to address the issues raised in the Housing Ombudsman's report - Learning from Severe Maladministration Report – November 2024', particularly the sections of the report concerning hate crime in council-owned properties.

7. Monitoring Officer's comments:

7.1 Members will note the legal aspects above. The Monitoring Officer has no additional comments.

8. Report details:

8.1 This policy aims to provide clear guidelines for managing reports of hate crimes and incidents within our homes and estates, ensuring a victim-centred approach and reinforcing the Council's commitment to zero tolerance towards hate crimes.

8.2 It defines hate incidents and hate crimes, outlines the responsibilities of staff in reporting and recording these incidents, and emphasises the importance of supporting victims and witnesses. The policy also highlights the need for a multi-agency approach to effectively tackle hate crimes.

8.3 In the Crime and Policing Act 2014, a hate crime is defined as any criminal offence perceived to be motivated by hostility or prejudice based on race, religion, sexual orientation, disability, or transgender identity. Hate incidents are non-criminal actions perceived to be motivated by similar prejudices. The policy categorises hate crimes and incidents as Category 1 anti-social behaviour offences, requiring a response within 24 hours.

8.4 The policy includes references to the procedure for dealing with reports of hate incidence and hate crimes. reinforces outlines the following steps for implementation:

8.5 This policy was reported to our Tenants' Voice Group and reported to the Council Housing and Development Advisory Board (CHADAB) in June 2025.

8.6 It has also been taken to the Senior Management Board for their review.

8.7 As it is purely departmental and follows the guidelines as set out by the Housing Ombudsman and the Regulator for Social Housing, it is not a requirement for this policy that further, public consultation is necessary.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The delivery of this strategy will contribute to the Council's Corporate Plan, in particular the Intended Outcomes include:

People: *'A safe and thriving city....we will address anti-social behaviour'*

10. What risks are there and how can they be reduced?

10.1 There are reputational risks in not having an up-to-date Hate Crime Policy; with the introduction of more stringent regulation any inspection of the housing service by the Regulator of Social Housing would include a review of our policies and strategies to ensure they are fit for purpose.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon/environmental impacts arising from the recommendations contained in this report.

13. Are there any other options?

13.1 There are no alternatives to the adoption of this policy as it is one of the 'required outcomes' within the Neighbourhood and Community Standard (part of the Regulator of Social Housing's Consumer Standards which came into force on 1st April 2024) which state:

'1.3 Anti-social behaviour and hate incidents

1.3.1 Registered providers must work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents in the neighbourhoods where they provide social housing.

2.2 Anti-social behaviour and hate incidents

2.2.1 Registered providers must have a policy on how they work with relevant organisations to deter and tackle ASB in the neighbourhoods where they provide social housing.

2.2.2 Registered providers must clearly set out their approach for how they deter and tackle hate incidents in neighbourhoods where they provide social housing.'

Strategic Director People and Communities Jo Yelland

Author: Lawrence Blake

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

1. [Learning from severe maladministration report – November 2024](#)
2. [Neighbourhood and Community Standard - GOV.UK](#)

Contact for enquiries:
Democratic Services (Committees)
Room 4.36
01392 265275

Exeter City Council Housing Services

Residents' Hate Crime Policy 2025 – 2030

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1.Introduction & Purpose

- 1.1 This policy sets out Exeter City Council Housing Services (ECC) guidelines on managing reports of hate crime and hate incidences.
- 1.2 It is designed to be used alongside our new Housing Anti-Social Behaviour Policy as a framework for our approach by providing staff and residents with information to help identify and respond effectively to residents' needs.
- 1.3 The purpose of this Hate Crime Policy is to strengthen our commitment to tackling hate crime and incidents and to make sure support is available to people who are victims of hate crime and hate incidents, ensuring a victim-centered approach.

1. Policy Statement

- 2.1 It is our intention to promote a zero-tolerance approach to hate crime in all its forms.
- 2.2 The policy sets out to define hate incidents and hate crime and associated behaviour.
- 2.3 The policy sets out the responsibilities of staff in relation to reporting and recording hate incidents, supporting victims and witnesses and dealing effectively with perpetrators.
- 2.4 The new Housing Residents' Vulnerability Policy provides guidance in the assessment of vulnerability of victims of hate incidences or hate crimes.

- 2.5 It is recognised that ECC Housing cannot deal with hate crimes and hate incidences alone, but that it is important to have a multi-agency approach.
- 2.6 This policy is intended as guidance to set out a clear and effective response to deal with reports of hate incidents.
- 2.7 A detailed procedure has been drawn up which set out the risk assessment and action planning that will take place following receipt of a report of a hate incident or crime.
- 2.8 We as a landlord will monitor hate crime incidents across our housing and identify any persistent alleged perpetrators and use this information to improve our services to tenants.

3. Legal duties and statutory requirements

- 3.1 In its 'Learning From Severe Maladministration Report'¹, the Housing Ombudsman stated that 'Landlords must also ensure they have robust procedures for handling distinct but sometimes related ASB issues on domestic violence, hate crime, and reasonable adjustments under the Equality Act 2010'.
- 3.2 Under the Neighbourhood and Community Standard in the Consumer Standards it states that 'Registered providers must work in partnership with appropriate local authority departments, the police and other relevant organisations to deter and tackle anti-social behaviour (ASB) and hate incidents in the neighbourhoods where they provide social housing'.²

4. Definition of Hate Crime and Hate Incidences

- 4.1 In the Crime and Policing Act 2014, a hate crime is defined as 'Any criminal offence which is perceived by the victim or any other person, to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.'³
- 4.2 A hate incident is any incident which the victim, or anyone else, thinks is based on someone's prejudice towards them because of their race, religion, sexual orientation, disability or because they are transgender.
- 4.3 Evidence of the hate element is not a requirement. People do not need to personally perceive the incident to be hate related. It would be enough if another person, a witness or even a police officer thought that the incident was hate related.

- 4.4 Hate crime can include verbal abuse, intimidation, threats, harassment, assault, bullying, incitement to hatred as well as damage to property.
- 4.5 When hate incidents become criminal offences they are known as hate crimes.
- 4.6 Under the new Anti-Social Behaviour Policy, we have set out how we will categorise incidents of anti-social behaviour and the responses to these.
- 4.7 Hate crime and hate incidences will be treated as Category 1 offences and a response will be made within 24 hours of the first report.
- 4.9 A detailed procedure has been drawn up to deal with reports of hate incidences and training has been provided to all staff within Housing.

5. Implementation of the policy

- 5.1 This policy follows guidance and references from the Housing Ombudsman report 'On the record: Spotlight on Knowledge and Information Management'⁴ and its recommendations.
- 5.2 Staff will treat all reports seriously and confidentially and swiftly, responding to hate incidents by the next working day.
- 5.3 All staff will produce accurate, detailed reports on our housing management data system.
- 5.4 We will always treat our tenants (or leaseholders) with respect and gather supporting information.
- 5.5 We will meet the victim at a location of their choosing within an agreed period to identify the facts and impacts of the incidents and complete a detailed risk assessment.
- 5.6 We will work with partner agencies including the police to provide assistance, this could include a referral to a community based or specialist support service if the victim wants this course of action.
- 5.7 Staff will investigate all reports fully before drawing up an action plan and provide regular updates (at a frequency to be agreed) to complainants on progress made.
- 5.8 Contact with witnesses and other residents will only be made following consent from the victim.
- 5.9 Cases will be reviewed on a regular basis by senior officers and only closed after discussion with the victim.

6. References

Legal duties and statutory requirements:

Equality Act 2010: Guidance - GOV.UK (www.gov.uk)

Regulator of Social Housing Consumer Standard Tenant Involvement and Empowerment Standard - GOV.UK (www.gov.uk)

The Housing Ombudsman's Complaint Handling Code (housingombudsman.org.uk)

The Care Act 2014

Domestic Abuse Act 2021

Social Housing (Regulation) Act

Housing Acts 1985, 1988, 1996 and 2004

Anti-Social Behaviour Act 2003

Criminal Justice Act 2003

Anti-Social Behaviour, Crime and Policing Act 2014

Counter-Terrorism Security Act 2015.

Crime and Disorder Act 1998

Human Rights Act 1998

Regulation of Investigatory Powers Act 2000

Data Protection Act 2018

Related documents:

ECC Housing Strategy

ECC Tenancy Policy

ECC Housing Domestic Abuse Policy

ECC Housing Anti-Social Behaviour Policy

ECC Safeguarding Policy

ECC Equality, Diversity & Inclusivity Policy

ECC Residents' Vulnerabilities Policy

Footnotes:

1. [Learning from severe maladministration report – November 2024 \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk)
2. [April 2024 - Neighbourhood and Community Standard FINAL.pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk)
3. [What is hate crime? | Devon & Cornwall Police \(devon-cornwall.police.uk\)](https://devon-cornwall.police.uk)
4. [KIM-report-v2-100523.pdf](#)
5. [Anti-social behaviour powers: statutory guidance for frontline professionals \(accessible\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

Equality Impact Assessment: Housing Hate Crime Policy

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive Committee Meeting on 23 rd September 2025	Housing Hate Crime Policy 2025 – 2030	To agree the updated policy	Those people with disabilities including mental illness

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions

planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Positive	Low	This group of people may be adversely affected by Hate Crime therefore having a policy to address these issues will have a positive effect.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Neutral	Low	Many of our tenants have disabilities, both visible and hidden, this strategy and policy covers all. Tenants who are experiencing mental health issues could be more likely to experience hate incidences or hate crime or to be the perpetrators of such behaviour.
Sex/Gender	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics such as sex/gender.
Gender reassignment	Neutral	Low	As above
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Positive	Low	In the most recent statistic compiled by central Government 7 in 10 of all hate crimes were racially motivated Victims of racial and religious hate crime - GOV.UK Ethnicity facts and figures . This policy is designed to help people who are the victims of hate incidences or hate crime because of their religion.
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics such as sex/gender.

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
			This policy has been drawn up to help those who might be subjected to hate incidences or hate crimes because of their sexual orientation.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Neutral	Low	As above
Pregnancy and maternity including new and breast feeding mothers	Neutral	Low	As above
Marriage and civil partnership status	Neutral	Low	As above as this is a protected characteristic

Actions identified that will mitigate any negative impacts and/or promote inclusion

Officer: Sarah Hemming

Date: 30.07.25

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REPORT TO EXECUTIVE

Date of Meeting: 23rd September 2025

REPORT TO COUNCIL

Date of Meeting: 14th October 2025

Report of: Strategic Director for People

Title: Housing Allocations Policy 2025-2030

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The report summarises the new Housing Allocations Policy 2025-2030. It is proposed that the revised Policy be adopted and implemented. A copy of the Policy document is appended.

2. Recommendations:

2.1 That Executive recommends that Council approve the adoption of the new Housing Allocations Policy for the period 2025-2030.

3. Reasons for the recommendation:

3.1 The Council is required by the Regulator of Social Housing to provide a housing specific Allocations Policy which contains details of how lettings to our housing stock will be made showing permitted exceptions to Devon Home Choice (DHC) policy (appended)₂

4. What are the resource implications including non-financial resources

4.1 The operational elements contained in this policy will be undertaken by existing staff, there are no proposals to increase the number of staff nor the financial resources dedicated to this.

5. Section 151 Officer comments:

5.1 There are no financial implications contained in this report.

6. What are the legal aspects?

6.1 In accordance with Part 6 of the Housing Act 1996, every authority must have an allocation scheme stating how it allocates social housing. Local authorities must 'have regard to' guidance issued under section 169 of the Act. Members will note that the policy confirms that legislation and statutory guidance has been considered in order to prepare the policy.

7. Monitoring Officer's comments:

7.1 Members will note the legal aspects above. The Monitoring Officer has no additional comments.

8. Report details:

8.1 The policy aims to offer applicants a choice of accommodation while ensuring fair access to social housing amidst high demand and limited supply, prioritising those with the greatest housing need.

8.2 The policy addresses local issues outside the scope of the DHC policy and sets out exceptions including the allocation of homes through Local Letting Plans or to prioritise certain groups for specific properties or for Direct Matches and Management Moves; the latter are for urgent needs, protection of the public, and specific support requirements. These Direct Moves require the approval of the Head of Service-Housing.

8.3 The policy details the application process for DHC and outlines the verification checks to confirm housing circumstances and describes the 'banding' given for each application as an indication of housing need.

8.4 The policy sets out about how the properties from the ten registered providers who are partners in DHC are advertised including those designated for older persons or those needing adaptations, which are advertised with preference to the relevant applicants. It states that although people can choose to bid on any home that is advertised on DHC, but they will only be offered the property if it is suitable for their needs.

8.5 Following the introduction of the Tenancy Policy in 2024, new tenants are typically offered an Introductory Tenancy for 12 months, while existing tenants may receive a Secure Tenancy.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 Under the priority area of Homes, one of the intended outcomes is:

'The number of people on the social housing waiting list will reduce.'

As part of the operation of a Well Run Council

'Delivery of cost effective and accessible customer focused services'

10. What risks are there and how can they be reduced?

10.1 There is a risk in not having this policy in place if we are challenged about allocating one of our Council owned homes outside of Devon Home Choice without a policy decision to back this up.

In addition, the Regulator of Social Housing will examine all our policies as part of their inspection regime, not having one in place could cause the service to be awarded a lower grade.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon/environmental impacts arising from the recommendations.

13. Are there any other options?

13.1 There are no alternatives to the adoption of this policy as it falls under the jurisdiction of the Tenancy Standard, part of the Regulator of Social Housing's (RSH) consumer standards, which ensures social housing tenants have safe, secure, and well-maintained homes, with clear communication and good service from their landlord. 1

Strategic Director People and Communities Jo Yelland

Author: Lawrence Blake

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

1. [April 2024 - Tenancy Standard FINAL.pdf](#)
2. [Devon Home Choice Policy v13.1 April 2025.pdf](#)

Contact for enquires:
Democratic Services (Committees)
Room 4.36
01392 265275

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Exeter City Council Housing Services

Housing Allocation Policy

2025 – 2030

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1 Introduction

- 1.1 This policy has been drawn up to explain how the Exeter City Council's Lettings and Home Ownership Team (ECC Housing) will use Devon Home Choice to allocate properties that are available for rent.
- 1.2 It is ECC policy to offer applicants a choice of accommodation where possible. This is achieved through Devon Home Choice (DHC).
- 1.3 Devon Home Choice (DHC)¹ is the jointly operated Choice Based Lettings scheme adopted by ECC and other Local Authorities and includes most Registered Providers operating within Devon.
- 1.4 In Exeter, there is a high demand for accommodation but a very limited supply of social housing. Whilst ECC Housing is committed to delivering new social homes, there will still be a large imbalance between the number of applicants seeking social housing, and the relatively low number of properties which are available.
- 1.5 In this context, the allocations policy allows ECC Housing to allocate this scarce resource as fairly as possible whilst ensuring that everyone has fair access to

social housing.

- 1.6 In framing the allocations policy, regard has been given to the Homelessness Strategy and Tenancy Strategy.
- 1.7 The DHC Policy is a separate document which should be read in conjunction with this policy. ²

2 Aims and Objectives

- 2.1 This allocation policy will deal with local, specific issues outside of the scope of the DHC policy. It will set out exceptions to DHC policy.
- 2.2 In exceptional circumstances, ECC Housing reserves the right to depart from any aspect of this policy.
- 2.3 Any decision to depart from the policy will be taken by the Head of Service-Housing.

3 Background

- 3.1 In Exeter we have a retained Housing stock. DHC is the choice-based lettings system we have adopted alongside 10 other local authorities as well as Registered Providers working within Devon. This enables applicants the choice as to which properties they apply for, facilitating opportunities for mobility.
- 3.2 We at ECC Housing are committed to offering our existing and any future residents the choice in the allocation of social housing within Devon.
- 3.3 ECC Housing ensures that whilst the choice is compatible with the needs of the applicant, homes are allocated to those with the greatest housing need.
- 3.4 ECC Housing recognises that there is a high demand for affordable housing within Exeter and this demand cannot be fully met. Consequently, this means that more often than not, those in the greatest need of housing are most likely to obtain a social housing home.

4 Devon Home Choice

- 4.1 Devon Home Choice (DHC) is a choice based letting scheme that is transparent, easy to use and accessible for all. It aims to manage expectations through regular published reports of housing allocations.
- 4.2 ECC Housing coordinates DHC within Exeter and maintains the housing register for

all partners operating within the area.

4.3 The DHC policy sets out the fundamental principles upon which the scheme is based and forms the best part of this allocation policy.

4.4 For more information on the DHC scheme please visit: [Devon Home Choice](#)

5 Legal Context

5.1 In developing this policy, we have followed and fully considered the following:

5.2 Legislation:

- The Housing Act 1996, Part 6 as amended by the Homelessness Act 2002 and the Localism Act 2011
- The Housing Act 1996, Part 7 amended by the Homelessness Reduction Act 2017
- The Children Act 2004
- The Equality Act 2010
- The Domestic Abuse Act 2021

5.3 Statutory guidance:

- Allocation of Accommodation: Guidance for Local Housing Authorities in England (2012, DCLG) “the Code”
- Providing social housing for local people: Statutory guidance on social Housing allocations for local authorities in England (DCLG, December 2013) “Supplementary Code”
- Homelessness code of guidance for local authorities (February 2018).
- Improving access to social housing for members of the Armed Forces (MHCLG June 2020).
- Improving access to social housing for victims of domestic abuse (MHCLG January 2022)
- The Right to Move and social housing allocations (MHCLG March 2015)
- The Localism Act 2011 introduced significant amendments to Part 6 of the Housing Act 1996.

6 Allocations

6.1 For the purposes of Part 6 of the 1996 Act, a local authority allocates accommodation when it selects a person to be a secure or introductory tenant of accommodation held by that authority

6.2 The following are not allocations under this policy:

- Succession to a tenancy on a tenant’s death pursuant to s89 Housing Act 1985
- Assignment of a tenancy by way of mutual exchange

- Assignment of a tenancy to a person qualified to succeed to the tenancy on the tenant's death
- Transfer of the tenancy by a court order under family law provisions or under the Civil Partnership Act 2004
- An introductory tenancy becoming a secure tenancy
- A person being granted a family intervention tenancy
- Provision of non-secure temporary accommodation in discharge of any homelessness duty or power

7 Verification Checks and Offers

- 7.1 If an applicant is successful with their bid on DHC, a verification check of their housing application will be completed. This ensures the applicant's housing circumstances reflect that stated in their application, and that their banding and bedroom need is correct.
- 7.2 A provisional offer will be sent, requesting documentation from the applicant to verify their housing need. The information that we request is as follows:
- 7.3 Proof of ID (for all household members)
 - 5 years address history
 - Bank statements for all accounts held
 - Proof of benefits or income
 - Tenancy reference (only for existing social housing tenants)
- 7.4 When an applicant has been provisionally offered a property, their application will be set to 'bid shortlisted' and they will not be able to bid on any other properties, until they have accepted or refused that offer of accommodation.
- 7.5 Once all information has been received and verified, a formal offer will be sent to the applicant.
- 7.6 The applicant will get an opportunity to view the property with a Lettings and Home Ownership Officer. At the viewing the Officer will go through a schedule of works and confirm a completion date for the property.
- 7.7 If an applicant accepts an offer of accommodation from ECC Housing, their DHC application will be set to housed and closed.
- 7.8 Should the applicant refuse the property, a refusal reason will be added to the shortlist and the property will be reoffered to the next eligible applicant. Please see the DHC Policy for more information on refusals - [DHC Policy - Refusals \(4.15\)](#)

8 Tenancy Types

- 8.1 New tenants of ECC Housing will normally be offered an Introductory Tenancy for an initial 12-month period.
- 8.2 Existing tenants of ECC Housing or another Registered Provider, who have been tenants for 12 months or more, will normally be offered a Secure Tenancy.
- 8.3 More information on Tenancy Types can be found in the Tenancy Policy⁶

9 Withdrawal of Properties

- 9.1 ECC Housing reserve the right to withdraw properties from DHC at any time. For example, it is possible that some advertised properties may still be awaiting void inspections and may have to be withdrawn if it later becomes apparent that they require extensive maintenance works (major void).

10 Reasonable Preference

- 10.1 The Housing Act 1996 as amended requires all Councils to give 'reasonable preference' in their allocations scheme to groups in high housing need, such as the homeless, people with medical or welfare needs, or those living in overcrowded, insanitary or unsatisfactory circumstances.
- 10.2 The DHC application form incorporates questions to establish whether an applicant is in one of the reasonable preference categories. A full explanation of reasonable preference groups are listed in the [DHC Policy - DHC Policy - Reasonable Preference \(3.2.1\)](#)

11 Local Letting Policies and Priority Bidding

- 11.1 We reserve the right to consider the introduction of a Local Letting Plan.
- 11.2 ECC Housing may advertise properties giving additional preference to specific groups, this is known as Priority Bidding; these specific groups are listed below:
 - Allocations to existing ECC Housing tenants (transfers)
 - Allocations to homeless applicants owed the main housing duty and living in temporary accommodation provided by the Council
 - Allocations to applicants requiring adapted properties
 - Preference to larger families if it is a 4 or 5 bedroom property
 - Preference to those over 60 years of age if the property is categorised as 'Older Persons'
 - Other specific groups of applicants, determined by ECC Housing from time to time.

12 Direct Matches and Management Moves

12.1 In certain circumstances, ECC Housing has a discretion to make an allocation of accommodation through a 'direct match' to applicants, or a 'management move' for tenants, without the need to advertise through DHC.

12.2 Direct matches/management moves will only be permitted where these have been agreed by the Head of Service-Housing, the Tenancy Services Team Lead or another senior manager.

12.3 Direct matches will be decided on a case-by-case basis by looking at household vulnerabilities, risk to the tenant or their household either mentally or physically and if they stay with the DHC process it would take an unreasonable time to be allocated a home. (see also our Housing Residents Vulnerabilities Policy₃)
Illustrative examples of direct lets/management moves are as follows:

- Where a property is needed urgently to deal with an emergency
- Where in exceptional circumstances an offer is required to prevent the homelessness of an applicant who would otherwise be requiring temporary accommodation
- Where an allocation is required to ensure protection of the public, for example, following a decision made by a Multi-Agency Public Protection Arrangements meeting or to fulfil agreements made with offender management services, or where an applicant has been referred as part of the witness protection scheme
- Where a property has been fully adapted/partially adapted and would meet the needs of an applicant/tenant needing that type of accommodation
- Where an applicant/tenant has a specific need for support/adaptations. If they remained in their current accommodation, it would cause unnecessary hardship e.g. unable to meet their basic needs.
- Hospital discharge – when a vulnerable applicant is to be discharged from hospital who has nowhere suitable available to stay upon their discharge and temporary accommodation is not suitable.
- Where a property has been advertised at least once and cannot be let from that advert by applying the usual policy, it will be allocated outside of the bidding scheme.
- High risk domestic violence - in some urgent cases when the Domestic Abuse Partnership identifies that there is a high risk of further abuse to the victim/survivor.
- Life limiting illness - when an applicant has a life limiting illness and their current home is not suitable for their needs, it may be necessary to re-house them quickly into a home that is suitable.
- Similar alternative property - when an applicant has been offered a property and it is subsequently discovered that it will not be available to occupy within a reasonable timeframe, or even at all (for example if major works are discovered to

be required after the property was advertised) they can be awarded the next property of that type in the area that becomes available.

- ‘Other’ exceptionally urgent cases where an applicant/tenant needs to be rehoused
- The quota of properties made as a direct offer of social housing will be monitored and reported back to the Devon Home Choice Project Lead.

12.4 Homeless direct offer – applicants that are homeless and have been accepted under the relief or main duty:

- May be made one suitable offer either within or outside Exeter District, regardless of the areas requested by the applicant (unless the applicant(s) are fleeing in which case only areas considered to be safe will be offered) in order to prevent or relieve homelessness successfully.
- Offered a property that is not going to be advertised through DHC, as temporary accommodation for an interim period, to relieve the pressure on temporary accommodation use. These properties would be offered on a licence agreement and not as a Part 6 offer.
- ECC Housing may be required by the Housing Options team to hold an empty property, until such time as any appeal has been reviewed and a decision made.

13 Sensitive Lets

- 13.1 Occasionally ECC Housing may agree that an individual property be identified as a ‘sensitive let’. For example, if there has been significant anti-social behaviour in the local area and a property becomes available for re-let, we may aim for it to be allocated to an existing tenant as a transfer to prevent further issues arising.

14 Categorised Properties

- 14.1 ECC Housing will advertise properties which are specified as ‘Older Persons’ Housing’ with a preference to those over 60 years of age in the first instance.
- 14.2 ECC Housing will advertise adapted properties with a preference to those with a need for an such a home in the first instance, to ensure we are meeting the needs of those with mobility issues and making best use of our stock.
- 14.3 Our in-house Occupational Therapist will work closely with any incoming tenant who needs adaptations to identify suitable properties or suggest homes which can have the required adaptations installed.

15 Rent Arrears

- 15.1 The DHC policy stipulates that applicants who owe rent or a tenancy related debt, accrued within the last 2 years will not normally be offered a property and their

application placed into the E Band – no housing need.

- 15.2 There may be exceptional circumstances in which rent arrears can be waived in order to allocate a property. ECC Housing will only do this where it is viewed as an exceptional circumstance and where it is fair and just to do so.
- 15.3 ECC Housing reserves the right to exercise discretion (on a case-by-case basis) in relation to levels of rent arrears that would otherwise prevent an offer of accommodation from being made, if it is in the interest of ECC Housing to do so (for example, to reduce void periods of empty properties or to minimise the use of temporary accommodation).
- 15.4 For information relating to the DHC rent arrears policy, please visit – [DHC Policy - Rent arrears \(2.6\)](#)

16 Changes to the Allocation Policy

- 16.1 ECC Housing reserves the right to deviate, expand, change, or alter any element of the allocations policy as and when required to meet changes in housing need, capacity, operational demands, resource and legislation.

17 Prevention of Fraud

- 17.1 It is a criminal offence for any applicant and/or anyone providing supporting information to knowingly make a false statement or knowingly to withhold reasonably requested information relevant to the housing application.
- 17.2 ECC Housing will also seek to obtain possession of any home that has been obtained as a result of fraud. ECC Housing will decide when these provisions apply and when to begin legal proceedings.
- 17.3 Where an applicant provides false information in connection with their application this will be dealt with in line with the [DHC Policy - DHC Policy - Fraud \(4.18\)](#)
- 17.4 It is the applicant's responsibility to inform us of any change that could affect the priority that has been awarded. If we offer affordable housing to an applicant and, on further investigation, it appears that their circumstances had changed before the offer in a way that affected their housing priority, we reserve the right to withdraw the offer.

18 Right to Review

- 18.1 Any applicant has the right to request a review of decisions taken in regard to their application.

18.2 The review process is set out in the [DHC Policy - DHC Policy - Reviews \(4.21.1\)](#)

19 Complaints

19.1 Where an applicant considers that they have been treated unfairly or believes that there has been maladministration of the scheme, they can make a formal complaint.
[Comments, compliments and complaints - Making a complaint - Exeter City Council](#)

20 Footnotes

1. [Devon Home Choice](#)
2. [Devon Home Choice Policy v12.7 18 December 2024a.pdf](#)
3. [Tenancy Policy link here](#)
4. [Link to vulnerabilities policy](#)

Devon Home Choice



Policy Document

This policy can be made available in different formats (such as large print) or in other languages on request. Please contact your local authority housing team:

East Devon DC	(01395) 517469	www.eastdevon.gov.uk
Exeter CC	(01392) 265889	www.exeter.gov.uk
Mid Devon DC	(01884) 255255	www.middevon.gov.uk
North Devon DC	(01271) 388870	www.northdevon.gov.uk
Plymouth CC	(01752) 668000	www.plymouth.gov.uk
South Hams DC	(01803) 861234	www.southhams.gov.uk
Teignbridge DC	(01626) 215200	www.teignbridge.gov.uk
Torbay Council	(01803) 207126	www.torbay.gov.uk
Torridge DC	(01237) 428700	www.torridge.gov.uk
West Devon BC	(01822) 813600	www.westdevon.gov.uk

Devon Home Choice Policy

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1. Section 1: Introduction

1.1 Introduction

- 1.1.1 Devon Home Choice is a choice based letting scheme that covers the whole of Devon.
- 1.1.2 This Policy explains how local authority and housing association homes across Devon will be let. The Policy sets out:
 - How to apply for housing
 - Who is eligible for housing
 - How applicants will be assessed and prioritised
- 1.1.3 Devon Home Choice is a partnership between the 10 Devon local authorities and housing associations working in Devon.
- 1.1.4 All applicants are assessed in the same way, using the rules set out in this policy to ensure fairness and consistency.
- 1.1.5 Whilst all applicants are assessed in the same way, some partner housing associations may have different criteria to let their homes (for example the number of people that can live in a home of particular size etc.). Where this is the case any differences will be identified on the Devon Home Choice website.

1.2 Aims of Devon Home Choice

- 1.2.1 The aims of Devon Home Choice are to provide:
 - Choice for people seeking housing and the ability to move within Devon
 - A common scheme across Devon that is transparent, easy to understand and accessible to all
- 1.2.2 Under Devon Home Choice there is a common:
 - Application form
 - Housing register
 - Approach to assessing housing need and awarding priority
 - Approach to advertising available properties

1.3 The scheme in brief

- 1.3.1 Local authority and housing association homes available to let will be advertised every week. Households with active applications on the Devon Home Choice housing register can look at details of the homes, and apply for those that they are eligible for. This is called 'bidding', but it does not involve money.
- 1.3.2 The successful household will be selected from those that applied for a home based on:
 - Whether they meet any preferences for particular types of applicant that may have been specified in the advert (see section 4.7 for further details)
 - The band in which their application has been placed, which reflects their housing need
 - Their band start date within that band

- 1.3.3 Devon Home Choice endeavours to enable people to move within the county. This will greatly help people who need to move to get work or to benefit from support.

1.4 Statement of choice

- 1.4.1 The Devon Home Choice partnership believes in offering people seeking housing choice. There is very high demand for affordable housing in Devon and the provision of choice has to be balanced with the need to ensure that housing goes to those with the greatest need, and reflects as far as is proportionate the time applicants have spent registered and waiting for a home.
- 1.4.2 Devon Home Choice has been developed to enable applicants to view the details of available properties across Devon, choose between them and bid for those properties for which they are eligible.
- 1.4.3 Whilst the aim of Devon Home Choice partners is to provide choice in the allocation of social housing in Devon, there will be a number of exceptional situations where this will not be possible. For example, where a landlord needs to make an urgent management move (see Appendix 1 – Definitions). In such cases the home will be let as a direct offer rather than being advertised through Devon Home Choice.
- 1.4.4 Devon Home Choice provides people seeking housing in Devon with an understanding of:
- Their level of priority
 - The availability of accommodation which is suitable for them
 - The level of demand for social housing in Devon
 - Their likelihood of being successful
 - Whether to seek alternative housing solutions

1.5 Equal opportunities: Ensuring access to Devon Home Choice for all

- 1.5.1 There are many benefits of Devon Home Choice to people seeking a home, but it does require them to be proactive. People need to:
- Find information on available homes
 - Choose between homes
 - Bid for homes
- 1.5.2 Evidence from some of the early Choice Based Letting schemes found that vulnerable¹ applicants could lose out.
- 1.5.3 A range of people may be vulnerable and need support to participate in Devon Home Choice. Vulnerability can be a variable state, and can occur at particular points in life such as bereavement. It can be temporary, or episodic and recurring due, for example, to mental distress. Or it can be ongoing or can increase over

¹ A vulnerable adult is defined as someone aged 18 or over, who is or may be in need of support (for example from Social Services, the Community Mental Health Team or a voluntary agency) by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.

time.

- 1.5.4 For this reason every applicant will be considered as an individual. Their needs will be assessed so as to identify the barriers they may face in participating in Devon Home Choice. Having identified the barriers we will then be able to put solutions in place. The potential barriers are set out in Appendix 3.
- 1.5.5 A range of measures have been put in place to ensure that everyone can share in the benefits that Devon Home Choice offers, and that applicants who are vulnerable do not miss out. These measures are set out throughout this Policy.
- 1.5.6 Due to the high demand for housing in Devon, we can only ensure fair access to Devon Home Choice. Even though some applicants may be classed as 'vulnerable' and need support to participate in Devon Home Choice, this will not necessarily reflect a high level of current housing need. Therefore, in reality, they may not have a high chance of securing a home.
- 1.5.7 Devon Home Choice must comply with the Equality Act 2010 (which consolidates a number of previous Acts and Regulations), as well as the Human Rights Act 1998, the Freedom of Information Act 2000, the General Data Protection Regulation (Regulation (EU) 2016/679) and Data Protection Act 2018.
- 1.5.8 An Equalities Impact Assessment was undertaken on the initial Devon Home Choice policy. Further Equalities Impact Assessments will be undertaken when we periodically and substantially revise the policy.
- 1.5.9 A Data Protection Impact Assessment (DPIA) will be undertaken for any proposed changes to the policy or procedures where those changes are likely to result in a high risk to individuals' interests to ensure we comply with the requirements of General Data Protection Regulation (Regulation (EU) 2016/679) and Data Protection Act 2018.
- 1.5.10 Each of the organisations involved in the Devon Home Choice Partnership has an Equal Opportunities Policy to ensure that:
 - Everyone has equal access to services
 - No one is discriminated against on the grounds of ethnic origin, disability, age, gender, sexual orientation, religion, or for any other reason
- 1.5.11 Any allegations or concerns that an organisation has not acted appropriately have to be made directly to that organisation. All partner landlords have a complaints policy and an independent Ombudsman.
- 1.5.12 The following sections set out:
 - How to apply for housing
 - How applications will be assessed
 - How properties will be advertised
 - How applicants can bid for available properties
 - How the successful applicants will be identified

2. Section 2: Access to housing

2.1 How to apply

2.1.1 Anyone wishing to bid for a home must apply to join the Devon Home Choice housing register. An applicant can register by any of the following methods:

- Online via our website at www.devonhomechoice.com
- By completing a paper application form, available from any of the Devon local authorities

2.1.2 An advocate (for example family, friend or support agency) can complete the application form on behalf of a vulnerable person. The applicant's signature will always be required. Where forms are completed online, the signature will be required when an applicant goes to view a property they are being offered. Applicants may also contact their local authority for assistance. See the list in Appendix 2 for contact details.

2.1.3 The application form includes questions on whether applicants need any support complete the application form or to participate in Devon Home Choice. Local authority housing teams will provide assistance to those households who need support to complete the application form.

2.1.4 The application form will be available in different formats, for example large print upon request. The on-line application form can be translated into a number of different languages. The font size of the on-line form can be increased, can be zoomed in up to 400% and is compatible with screen reading software.

2.1.5 As set out in Section 4.18 below, any allocation made through Devon Home Choice is intended to accommodate the applicant and the confirmed household members. Applicants may be asked to provide a photograph of the adult members of their household with their application, or when updating their application, and to agree to being photographed at the time of allocation to safeguard against tenancy fraud

2.1.6 Please note that some partners may require applicants to undertake a housing options and assessment interview before completing an application form.

2.1.7 Advice and information on applying for housing is available from local authority housing offices. See the list in appendix 2 for contact details.

2.2 What properties are covered by Devon Home Choice?

2.2.1 Most local authority and housing association homes will be advertised for let through Devon Home Choice. This will include:

- General needs housing
- Sheltered homes
- Homes being let at the new 'affordable rent' or that have a fixed term tenancy (e.g. for 7 years)
- Disabled adapted properties which the landlord determines to have relatively common adaptations.

- 2.2.2 The only exceptions may be homes which have the benefit of relatively substantial and/or specialist adaptations, which may be directly offered to a household with matching needs.
- 2.2.3 A number of participating Housing Associations were subject to nomination agreements with local authorities. These agreements were replaced by the introduction of Devon Home Choice. This was subject to agreement that a Housing Association makes at least the same number of homes available through Devon Home Choice as would previously have been covered by nomination rights, and that these homes are allocated according to the eligibility and lettings criteria set out in this Policy.
- 2.2.4 Staff who occupy accommodation belonging to partner landlords of Devon Home Choice as part of their employment who need to move once they retire will be allocated accommodation outside Devon Home Choice as a direct let.
- 2.2.5 **However the scheme does not apply to the following types of tenancies: -**
- 2.2.5.1 **Non-Secure tenancies or 'temporary accommodation'** – Any accommodation that is provided to meet an interim duty under Part VII of the Housing Act 1996.
 - 2.2.5.2 **Specialist supported accommodation** – Accommodation providing support to particular groups of people, for example for people with disabilities or mental health problems
 - 2.2.5.3 **Mutual exchanges** – If local authority or housing association tenants exchange properties with each other. Permission to undertake a mutual exchange is dealt with separately by individual partners.
 - 2.2.5.4 **Temporary decants** – Secure or introductory tenants of a local authority or assured or assured shorthold tenants of Registered Providers who need to be moved temporarily whilst major work is carried out on their home.
 - 2.2.5.5 **Demoted tenancies** - Following a successful application for a demotion order under sections 14 and 15 of the Anti Social Behaviour Act 2003.
 - 2.2.5.6 **Succession** – Where the secure tenant dies, the tenancy is a periodic one, and there is someone who qualifies for the tenancy by succession.
 - 2.2.5.7 **Assignment** – Where tenancies are 'assigned' to another person or to a person who would be qualified to succeed to the tenancy
 - 2.2.5.8 **Court order** – Where a court orders a tenancy to be disposed of/transferred to someone else under:
 - The Matrimonial Causes Act 1973, s.24 (property adjustment orders in connection with matrimonial proceedings)
 - The Matrimonial and Family Proceedings Act 1984, s.17(1) (property adjustment orders after overseas divorce)

- The Children Act 1989, Schedule 1, paragraph 1 (orders for financial relief against parents)
- The Civil Partnership Act 2004, Schedule 8 (property adjustment orders in connection with civil partnership proceedings or after overseas dissolution of civil partnership, etc)."

2.2.5.9 Family Intervention Tenancies – Introduced by the Housing and Regeneration Act 2008, Family Intervention Tenancies are a form of residential tenancy without security of tenure. They may be offered by either a local housing authority or a housing association to anyone who is a tenant of a secure (or assured) tenancy subject to a possession order on the grounds of anti-social behaviour or domestic abuse or anyone who (if they had a secure or assured tenancy) could have had such a possession order made against them.

2.3 Who can apply for housing?

- 2.3.1 Anyone over 16 years of age who is eligible may apply. This includes people who are already secure, assured, introductory or assured short-hold tenants of any of the member partner landlords.
- 2.3.2 Partner landlords may have different policies in dealing with persons under the age of 18 and for more details please contact the individual landlord.
- 2.3.3 Individuals can only be on 1 application. Where someone has an application in their own name (or with a partner) they cannot also be included as a household member (e.g. a non-dependent child) on another application.
- 2.3.4 Households made up of non-family members (e.g. friends wanting to share a property) can register with Devon Home Choice. However please note that some partner landlords will not grant a tenancy to households which are made up of non-family members.

2.4 Who is not eligible?

- 2.4.1 The Localism Act 2011 amended the Housing Act 1996 to redefine eligibility and introduced the concept of qualifying persons (see Section 2.5 below).
- 2.4.2 The Localism Act (amending the Housing Act 1996) makes it clear that:
 - (1) A local housing authority in England shall not allocate housing accommodation:
 - (a) to a person from abroad who is ineligible for an allocation of housing accommodation by virtue of subsection (2) or (4), or
 - (b) to two or more persons jointly if any of them is a person mentioned in paragraph (a).
 - (2) A person subject to immigration control within the meaning of the Asylum and Immigration Act 1996 is ineligible for an allocation of housing accommodation by a local housing authority in England unless he is of a class prescribed by regulations made by the Secretary of State.
 - (3) No person who is excluded from entitlement to universal credit or housing benefit by section 115 of the Immigration and Asylum Act 1999 (exclusion from benefits) shall be included in any class prescribed under subsection (2).

- (4) The Secretary of State may by regulations prescribe other classes of persons from abroad who are ineligible to be allocated housing accommodation by local housing authorities in England.

- 2.4.3 Citizens of the United Kingdom, Republic of Ireland, Channel Islands and Isle of Man who have lived abroad for a number of years will have to pass the habitual residence test. They will not be eligible if they do not pass the habitual residence test.
- 2.4.4 The legislation setting out which classes of persons from abroad are eligible or ineligible for an allocation is s.160ZA of the Housing Act 1996 and the relevant regulations in force at the date of the application and allocation. At the date of this version of the Policy they are the Allocation of Housing and Homelessness (Eligibility) (England) Regulations 2006 (SI 2006 No.1294) ('the Eligibility Regulations'), as amended. The legislation is subject to change. For further details please see the Devon Home Choice Procedures Manual (available on the [Useful Information page of the Devon Home Choice website](#)).
- 2.4.5 Eligibility will be assessed at the time of application and again at the time of any offer of accommodation as advised by the Code of Guidance on allocation of social housing. Applicants need to be aware that eligibility at the time of application does not mean that they will necessarily be eligible at the time of any offer of accommodation, particularly if there has been a substantial gap of time between the two.
- 2.4.6 As stated above (para 2.4.2), the legislation prohibits a joint tenancy being granted where one member of the household is ineligible. However a tenancy can be granted to a person who is eligible where other members of their household are ineligible.
- 2.4.7 Households who are assessed as being eligible as defined above may be allocated social housing provided that they are accepted as qualifying persons (see below) by a Devon local authority.
- 2.4.8 People who are in doubt about whether they are eligible should seek detailed advice from their local authority's Housing Advice Team.
- 2.4.9 Applicants who have been denied the opportunity to register with Devon Home Choice or have had their priority reduced within Devon Home Choice will be informed in writing of:
- The decision and the reasons behind it
 - Their right to appeal and how to do this

2.5 Qualifying persons

- 2.5.1 The Localism Act 2011 provides local authorities with the power to determine for themselves what classes of persons are, or are not, persons qualifying to be allocated social housing in their areas.
- 2.5.2 Households assessed by one of the Devon local authorities as being guilty of unacceptable behaviour **will not** be considered as a qualifying person.
- 2.5.3 This will apply where a Devon local authority is satisfied that the applicant, or a

member of their household, have been guilty of unacceptable behaviour serious enough to make the applicants unsuitable to be a tenant.

2.5.4 This behaviour must normally have occurred in the previous two years (see below).

2.5.5 Examples of unacceptable behaviour could include, but is not limited to, households who have:

- Been evicted from a tenancy due to a breach of their tenancy terms and conditions
- Abandoned a tenancy without giving notice to the landlord
- Ended a tenancy, or vacated a property after possession proceedings have been commenced, where they would otherwise have been evicted for any breach of that tenancy
- Significant rent arrears (or tenancy² or mortgage related debt), or breach of tenancy obligations where no attempt is being made to repay the debt or remedy the breach (as a minimum it would be normally be expected that applicants had agreed and kept to a repayment schedule and/ or not breached their tenancy obligations for at least 3 months). See Section 2.6 below for further detail on rent arrears.
- Made unauthorised alterations to a social rented home where retrospective permission cannot or would not be granted
- A significant history of anti-social behaviour³
- Used accommodation or allowed it to be used for immoral or illegal purposes
- Seriously damaged or neglected a property
- Committed domestic, racist or homophobic abuse against people living with them or against people in their local area.
- Been served with a domestic abuse protection notice or order
- Knowingly given false or misleading information or withheld information that has been reasonably requested as part of their Devon Home Choice application or verification by a Devon Home Choice partner landlord
- Been found by a court or social landlord, to have unlawfully sublet a social housing tenancy, or to have obtained a social rented home falsely
- Been found guilty of benefit fraud

² Tenancy related debt refers to: Court costs, Rechargeable repairs, and former & current arrears. Each case will be considered individually. One factor that will be considered is whether any court costs were incurred as result of advice from a local authority.

³ The ASB, Crime and Policing Act (2014) 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.

This may include but is not limited to:

- verbal abuse
- harassment because of gender, race, disability or sexuality
- violence or threats of violence
- systematic bullying and/or intimidation
- noise which is part of a pattern of antisocial behaviour
- dumping rubbish
- vandalism, damage to property and graffiti

- Threatened, or perpetrated violence or abuse against members of staff of a Devon Home Choice partner organisation.

2.5.6 Local authorities will use their discretion to determine what unacceptable behaviour is, and cases will be considered on an individual basis. The following criteria will be applied in determining whether an individual or household should be denied the right to register with Devon Home Choice (as non-qualifying persons), because of their behaviour:

- There must be reliable evidence of violent or anti-social behaviour, domestic, racist or homophobic abuse
- The behaviour need not have led to possession, prosecution or other enforcement action by a statutory agency, provided that, on the balance of probability, the household is responsible
- In normal circumstances the behaviour concerned should have occurred within the last two years.
- There must be reasonable grounds for believing that the behaviour could continue or be repeated. For example, the applicant may have issued threats or there might be a history of repeat offending.

2.5.7 The Devon local authorities do not set out to exclude certain types of people from the Devon Home Choice register. However we do seek to exclude certain types of behaviour. Where households are willing to address their behaviour their application will be reconsidered. For example if the unacceptable behaviour was as a result of addiction problems, an application may be reconsidered if the applicant can demonstrate that they have taken positive steps to address these problems.

2.5.8 Exeter City Council, Teignbridge District Council and Torbay Council have agreed that they do not consider households they assess as having no housing need as qualifying persons.

2.5.9 Exeter City Council, Teignbridge District Council and Torbay Council will therefore not register applicants that they assess to have no housing need, and who would otherwise have had their application placed in Band E.

2.5.10 Applicants living in the Exeter, Teignbridge and Torbay council areas who have been assessed as having no housing need, will not be able to register with another Devon local authority, unless they have a local connection to that area.

2.6 Applicants with Rent Arrears

2.6.1 As stated above, households with rent arrears that led to a local authority or housing association in the previous 2 years obtaining an outright possession order, that led to an eviction or abandonment of the property, under section 84 of the Housing Act 1985 in relation to Grounds in Part 1 of Schedule 2 will normally be excluded from the Devon Home Choice register.

2.6.2 Where an applicant, or a member of their household, has rent arrears (or tenancy related debt) above £500 who have been (or would be) assessed as having accrued these rent arrears intentionally will normally be placed in the No housing need band (E) or removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need.

'Intentionally' means that the applicant deliberately did something (or failed to do something) that resulted in the rent arrears. Each case will be considered individually. Examples of when arrears will not be considered as deliberate include (this list is not exhaustive):

- An act or omission in good faith on the part of the applicant if they were unaware of any relevant fact.
- Victims of domestic abuse who have been subject to controlling behaviour, and have accrued rent arrears as a result

2.6.3 Either sanction will apply unless there are exceptional circumstances or until:

- They clear their debt, or
- The landlord is satisfied that the applicant is entitled to an amount of benefit sufficient to clear the arrears, or
- The applicant has shown a clear intention to pay. That payments are made in accordance with an agreed repayment schedule during a period of at least 3 months. In exceptional circumstances that period may be reduced with the agreement of the local authority, or
- If there are exceptional circumstances relating to need

2.6.4 Applicants with rent arrears (or tenancy related debt) to a social or private landlord that were accrued in the previous two years on their current or previous tenancy and who have been (or would be) assessed as having accrued these rent arrears intentionally will not normally be offered a property.

2.6.5 Tenants of Devon Home Choice partner landlords who are seeking to downsize to a smaller property who have accrued rent arrears due to the bedroom tax are exempt from the normal sanction on applicants with rent arrears over £500.

2.6.6 Partner social landlords within Devon Home Choice have different policies relating to applicants with rent arrears. Whether a bid for home is accepted will therefore be subject to the policies of the each partner social landlord. More information is available from each Devon Home Choice partner.

2.6.7 Applicants who have had their rent arrears included in a Debt Relief Order, bankruptcy declaration or individual voluntary agreement (IVA) will still have their applications placed into Band E or removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need, unless there is some additional and exceptional reason for not doing so.

2.6.8 The issue is not whether there is an enforceable debt, but whether or not the debt was accrued in the first place. This is similar to the situation with someone who has a debt relief order that covers credit card or other loan debts. The order would prevent the debt from being collected, but that would not mean that another lender would provide additional credit.

2.6.9 The sanctions referred to in paragraphs 2.6.7 and 2.6.8 above will apply unless there are exceptional circumstances or until:

- In relation to rent arrears included in a Debt Relief Order for 2 years from the date of discharge or until the debt is repaid in full.

- In relation to rent arrears included in a bankruptcy declaration for 2 years from the date of the order.

2.6.10 Partner local authorities in Devon Home Choice will review applications on request following the receipt of further information. This may include an applicant being able to demonstrate that there has been no further instance of such behaviour, and/or that they can show that they are engaged with support that will enable them to maintain a tenancy.

2.7 Applicants financial resources

2.7.1 Local authority and social landlord homes provided through Devon Home Choice are for people who are considered to have insufficient resources to meet their housing need by either renting privately or buying their own home.

2.7.2 The resources available to each household will be assessed to determine whether they are sufficient to meet their housing need.

2.7.3 Household Income

2.7.4 Households with a gross household income more than six times higher than the highest Local Housing Allowance level prevailing in Devon at the time will normally be considered to be able to meet their housing need, through either renting privately or owner occupation. Such households will normally have their applications placed in the No housing need band (E) or removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need.

2.7.5 Given the current Local Housing Allowance levels in Devon the income thresholds are as follows:

1 Bed Self Contained	2 Beds	3 beds or more
£45,250	£57,100	£68,500

2.7.6 Further information on the financial assessment and the Local Housing Allowance rates that apply across Devon is available in the Devon Home Choice Procedures Manual (available on the Useful Information page of the Devon Home Choice website: www.devonhomechoice.com). Information on Local Housing Allowance rates are also available at: <https://lha-direct.voa.gov.uk/search.aspx>

2.7.7 When considering gross household income the following types of income are fully disregarded:

- Attendance Allowance
- Disability Living Allowance
- Personal Independence Payment
- War pension

2.7.8 Capital, Savings and Equity

2.7.9 The capital, savings and equity available to a household will be assessed. If it is

determined that a households can resolve their own housing need within their local housing market their application will normally be placed in the No housing need band (E) or removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need. This assessment will be based on:

- The household's capital, savings and equity
- The size and composition of the household
- The local housing market (for example prices to buy or rent privately)

2.7.10 If a member of a household has a financial interest or owns any property and, having regard to the circumstances of the household, and to local housing conditions in the relevant district, the authority consider that it is "reasonable" for them to reside at the property then their application will be placed in the No Housing Need band (E) or removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need.

2.7.11 Local authorities will consider each case individually. Where an applicant has specific needs the financial thresholds for income and savings set out in the Devon Home Choice Procedures Manual will not apply if it is agreed that they could not meet their own housing needs on the private market. This will include households who own their own home. Examples include:

- The applicant has mobility needs that mean they require an accessible or specially adapted home that is either not available or affordable to buy or rent, or is not eligible for, or has been declined for a Disabled Facilities Grant.
- Victims of domestic abuse who have resources tied up in a joint home or joint savings etc. but cannot access them despite taking reasonable steps to do so.

2.7.12 Applicants can contact their local authority housing teams for details of how this assessment is made.

2.7.13 An exemption from the financial assessment will apply if the applicant(s) is a tenant of a partner landlord in Devon Home Choice.

2.7.14 Local authorities will not take any lump sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active service into account when assessing whether they have sufficient resources to meet their own housing need (see also 3.10 below).

2.7.15 Partner social landlords within Devon Home Choice have different policies relating to the levels of income and other assets of those households that they will accommodate. Whether a bid for home is accepted will therefore be subject to the policies of the each partner social landlord. More information is available from each Devon Home Choice partner.

2.7.16 Applicants may be required to demonstrate that they can afford the rent on any prospective tenancy before being allowed to sign for it.

2.7.17 The current capital, savings and equity thresholds are as follows (for more information see the Devon Home Choice Procedures Manual):

Size of home required	General needs Housing	Older persons accommodation
1 Bed Shared (e.g. under 25)	£16,000	n/a
1 Bed Self Contained	£16,000	£120,000
2 Bed	£16,000	£130,000
3 Bed or larger	£16,000	n/a

2.8 Which Devon local authority will manage an application?

- 2.8.1 When an applicant applies to Devon Home Choice one of the Devon local authorities will be responsible for assessing and managing their application. This will include:
- Issuing all correspondence
 - Addressing any enquiries
 - Assessing any health/ wellbeing or housing defect issues
 - Managing any reviews
- 2.8.2 Applications from households living in Devon will be managed by the local authority where the applicant lives.
- 2.8.3 Applications from households living outside Devon will be managed by the local authority where the applicant said that they would prefer to live.
- 2.8.4 Where a Devon local authority has accepted a homelessness duty towards an applicant they will manage their application, regardless of which local authority area the applicant would prefer to live in.
- 2.8.5 Whichever local authority manages an application will not restrict where applicants can bid, or their chances of being housed in other local authority areas.

2.9 Who will make decisions about applications?

- 2.9.1 Applications to join the Devon Home Choice register will be managed by the local authority housing team. This will include organisations that have been formally appointed to carry out this function on a local authority's behalf.
- 2.9.2 The local authority housing teams will be responsible for:
- Processing applications
 - Ensuring that all the required information is supplied
 - Undertaking any initial verification of the information that is required (e.g. to confirm that the household is eligible to join the Devon Home Choice register)
 - Assessing and awarding priority for some applicants seeking priority due to health and wellbeing and/or housing defect grounds (see Sections 3.12 and 3.13)
 - Carrying out financial assessments of applicants (see Section 2.5)
 - Notifying applicants of the outcome of their application
 - Receiving review requests and processing these in accordance with the Policy
 - Making enquiries necessary to make homelessness decisions
 - Assisting applicants who are homeless to bid
 - Setting up automatic bidding for homeless applicants who have not been bidding for homes (see Section 4.8)

- Discharging homelessness duties in accordance with the legislation and guidance
- Labelling properties to be advertised, working together with Housing Associations (see Section 4.5)
- Putting in place appropriate support for vulnerable applicants to participate in Devon Home Choice. This will involve working with a wide range of partner agencies,
- Monitoring the Devon Home Choice register to identify those applicants who, given their priority within Devon Home Choice, may soon be successful in bidding for a home, but who require a support package to enable them to live independently. It will be vital to confirm whether such a support package is to be offered, is accepted by the applicant, and can be arranged in an appropriate timescale that will enable an applicant to take up an offer of housing. This will require close partnership working between local authorities, housing associations and partner agencies.
- Reviewing details of applicants who have applied for homes and notifying the landlord of the applicant in the highest band who has the earliest band start date (**Note:** some Housing Associations may undertake this role. This will be set out in the Policy)
- Explaining the reasons why an applicant has not been selected for a home (when a local authority is the landlord of the home)
- Taking a decision to depart from the published policy due to exceptional situations (see Section 2.10)

2.9.3 Local authority Environmental Health teams will responsible for:

- Assessing and awarding priority for some applicants seeking priority due to housing defects

2.9.4 When an applicant is being considered for a home the landlord (either a local authority or Housing Association) will be responsible for:

- Undertaking a detailed verification of the information the applicant has supplied in order to ensure that they are eligible
- Providing the applicant with an opportunity to view the home (if it has been determined that they are eligible)
- Making a formal offer to an applicant
- Explaining the reasons why a formal offer is not being made

2.9.5 Multi-agency panels will be responsible for:

- Assessing some applicants whose health and wellbeing is affected by their current housing, and awarding priority
- Assessing whether applicants are ready to move-on from supported accommodation (see Definitions set out in Appendix 1)

2.10 Dealing with exceptional situations

2.10.1 In exceptional situations the Devon local authorities reserve the right to depart from any aspect of this Policy. As set out above, any decision to depart from the Policy will be taken by a local authority housing team.

2.10.2 In order to ensure fairness to all eligible applicants, the discretion is reserved to be considered only in relation to truly exceptional situations

3. Section 3: How is housing need assessed?

3.1 How is housing need assessed?

- 3.1.1 Once an application has been received it will be placed in the relevant Band detailed below depending upon the applicant's level of housing need, and whether or not the household has a local connection to Devon (see below).

3.2 How is priority awarded?

- 3.2.1 Whilst offering choice to applicants wherever possible, allocation schemes must still ensure that reasonable preference is given to applicants who fall into one of the following groups over those who do not:
- People who are homeless (within the meaning of Part 7 of the 1996 Housing Act as amended by the Homelessness Act 2002). This includes people who are intentionally homeless and those who are not in priority need
 - People who are owed a (homeless) duty by ANY local authority under section 190(2), 193(2) or 195(2) of the 1996 Act or who are living in accommodation secured by ANY housing authority under section 192(3). The letter detailing the outcome of a homeless application will specify whether one of these sections applies
 - People occupying unsanitary or overcrowded housing or otherwise living in unsatisfactory housing conditions
 - People who need to move on medical or welfare grounds including a disability
 - People who need to move to a particular locality in Devon, where failure to move would cause hardship to themselves or others

3.3 Banding

- 3.3.1 The following section provides details of the bands into which applications are placed. The band in which an applicant's application is placed will be determined by their housing need as set out below.
- 3.3.2 Further details of the criteria are provided in Appendix 1.

3.4 Emergency Housing Need (Band A)

- 3.4.1 Applicants will have their application placed in the Emergency housing need band (A) if their need for housing is assessed as so exceptional that they take priority over all other applicants.
- 3.4.2 Any application to be placed in the Emergency housing need band (A) must normally be submitted by an agency and not the applicant themselves. For example, if an applicant wants to move due to threat of serious domestic abuse or other violence, the police or an appropriate agency must contact a Devon local authority with evidence to support the request for an urgent move.

3.4.3 Applications to be placed in the Emergency Band will only be considered from applicants who are living within Devon. Applicants who are not living in Devon should approach their own local authority if they believe that they have an urgent housing need. Applicants who are fleeing domestic abuse from outside Devon who are assessed by a Devon virtual panel as meeting the conditions set in the Devon Home Choice Policy and Procedures for the award of an Emergency Band will be considered on a case by case basis.

3.4.4 Individual local authorities will assess Emergency applications. Substantial evidence must be provided to the assessing authority before such priority is awarded.

3.4.5 Local authorities will assess Emergency applications in the following ways:

- Cases that are due to health and/or wellbeing needs will be determined by a local authority manager or senior officer or a multi-agency health and wellbeing panel.
- Cases that are due to disrepair will be awarded on the recommendation of an Environmental Health Officer following a site visit. This will cover any defects in the property that cannot be remedied within an appropriate timescale, and where the most appropriate course of action would be to serve a Prohibition Order, Emergency Prohibition Order or to carry out emergency remedial action in accordance with the housing standards enforcement system set out in Part 1 of the Housing Act 2004.
- Cases where the applicant is seeking to be rehoused to escape serious domestic abuse or other violence or threat of violence, or serious harassment (where there is immediate and serious risk to a household living in Devon) will be put to a 'virtual' panel except in circumstances where temporary accommodation has been offered under Part 7 of the Housing Act and the referring local authority has deemed that it has been unreasonably turned down.

3.4.6 The following are examples of the type of situations that would qualify:

- Urgent health/ wellbeing need: (See below)
- Emergency housing defect: (See below)
- To escape serious domestic abuse or other violence or threat of violence or serious harassment where there is immediate and serious risk to a household living in Devon. The Police or another appropriate agency will usually provide supporting evidence that the risk exists. The person at risk may be the applicant, or a person who is a resident member of the household of the person at risk and might reasonably expected to reside with him/her".

For households at risk of serious domestic abuse or other violence or serious harassment etc. Band A will only be awarded where the local authority agrees that there are no appropriate housing options available (e.g. temporary accommodation, Sanctuary scheme etc), **and** where the risk can be managed at their current home.

Please note that cases of domestic abuse and harassment that are not considered to be an emergency (e.g. the applicant(s) don't need to move

urgently due to an immediate and serious risk) will be considered and assessed by the local authorities under the homelessness categories (see 'Statutory homeless households', and 'HRA Qualifying Applicants')

3.4.7 Applicants will be given this priority for 4 weeks. If an Emergency housing need band (A) applicant does not make bids for suitable homes available through Devon Home Choice (or refuses a suitable offer of a property) they will have their status reviewed and may be placed in 1 of the other bands dependent on their need. In very exceptional circumstances an applicant will be allowed to remain in the Emergency housing need band (A) for longer than 4 weeks.

3.4.8 The decision to extend or remove the Emergency housing need band (A) status will be made by the local authority and will be based upon: -

- Whether a vacancy occurred during the 4-week period that was considered by the local authority to have met the needs of the applicant.
- The reasons why the applicant failed to apply for the property and whether the reasons were valid.

3.4.9 Applications in Band A will be changed to Band D if the household is placed in temporary accommodation unless another priority band is applicable.

3.4.10 The Devon Home Choice Management Board will monitor the number of applications placed in the Emergency Band (Band A).

3.5 High Housing Need (Band B)

Section 4.12 below sets out how applications in Band B will be monitored every 3 months. Applicants will be encouraged or supported to bid if they have not been bidding.

Applicants in Band B who have not placed a bid in the previous 12 months will be suspended from bidding, and will be reviewed by the relevant local authority. The review may result in their application being cancelled, placed in a different Band (if the household no longer has that level of need) or remaining in Band B (e.g. if there were no appropriate homes advertised in the previous 12 months).

3.5.1 Statutorily Homeless Households

3.5.1.1 Wherever possible and appropriate local authorities in Devon will seek to assist households who are homeless to secure private rented accommodation. This reflects both the provisions of the Localism Act 2011, and the severe shortage of social housing.

3.5.1.2 Where it is assessed by a Devon Local Authority that it will be possible and appropriate to find private rented accommodation for households who are assessed as being homeless, in priority need and unintentionally homeless (under Part VII of The Housing Act 1996, as amended by the Homelessness Act 2002) their applications will be placed in Band D (see below). This will normally include those households who have income or capital above the Devon Home Choice financial limits (see above).

3.5.1.3 Where it is not considered possible and appropriate to find private rented accommodation for households who are assessed by a Devon Local

Authority as being homeless, in priority need and unintentionally homeless (under Part VII of The Housing Act 1996, as amended by the Homelessness Act 2002) their applications will be placed in Band B.

3.5.1.4 Reasons why it might be considered not possible and appropriate to secure private rented accommodation may include but are not restricted to the following:

- The household require an adapted home
- The household require accommodation of a type or size that is not available locally

3.5.1.5 Subject to the above provisions the following may be included in the Statutorily Homeless category:

- People fleeing domestic abuse living in refuges in Devon (including those who have escaped domestic abuse from outside Devon), or other temporary accommodation⁴,
- People fleeing domestic abuse from another part of the country who would be at risk in the area(s) where they have a local connection

3.5.1.6 Households who are assessed by a Devon Local Authority as being homeless, in priority need and unintentionally homeless (under Part VII of The Housing Act 1996, as amended by the Homelessness Act 2002) will have their applications placed in Band B, where the applicant or a resident member of their household who might reasonably be expected to reside with them satisfies one of the following categories:

- (i) s/he is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
- (ii) s/he formerly served in the regular forces,
- (iii) s/he has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- (iv) s/he is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

3.5.2 Homelessness Reduction Act – Qualifying Applicants

3.5.2.1 Applications will be placed in this category where all of the following are met:

- It is assessed that it will not be possible and appropriate to find private rented accommodation, and
- The household is subject to the Prevention or Relief duty of the Homelessness Reduction Act by a Devon Local Authority, and

⁴ This might include a hostel, short term supported housing, temporary accommodation provided under the homelessness legislation, or as part of the 'Places of Safety Schemes' operated by the Devon local authorities for people fleeing domestic abuse.

- The household is taking the actions set out in their Personalised Plan to ensure that they have, or are able to retain, suitable accommodation.
- 3.5.2.2 Reasons why it might be considered not possible and appropriate to secure private rented accommodation may include but are not restricted to the following:
- The household require an adapted home
 - The household require accommodation of a type or size that is agreed in their Personal Housing Plan
- 3.5.2.3 This category may include:
- People fleeing domestic abuse living in refuges in Devon (including those who have escaped domestic abuse from outside Devon), or other temporary accommodation (see para 3.5.1.5).
 - People fleeing domestic abuse from another part of the country who would be at risk in the area(s) where they have a local connection.
 - Prisoners who are due to be released within 56 days, have no accommodation to move to and meet the above criteria
 - Agricultural workers needing to move-on from tied accommodation covered by the Agricultural Dwelling Housing Advisory Committee
- 3.5.2.4 Where it is assessed by a Devon Local Authority that it will be possible and appropriate to find private rented accommodation for households subject to the Prevention or Relief duty of the Homelessness Reduction Act their applications will be placed in Band D (see below).
- 3.5.2.5 Households subject to the Prevention or Relief duty of the Homelessness Reduction Act by a Devon Local Authority will not be placed in, or will be removed from, this category in Band B (and have their applications placed in Band D – see below) if they are assessed to be deliberately and unreasonably refusing to co-operate with the required steps set out in their Personalised Plan.
- 3.5.2.6 Households who are assessed by a Devon Local Authority as being in the Homelessness Reduction Act – Qualifying Applicants category will have their applications placed in Band B, where the applicant or a resident member of their household who might reasonably be expected to reside with them satisfies one of the following categories:
- (i) s/he is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
 - (ii) s/he formerly served in the regular forces,
 - (iii) s/he has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
 - (iv) s/he is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service

3.5.3 National Witness Mobility Scheme

3.5.3.1 Where a National Witness Mobility Service (NWMS) referral is accepted (please see DHC Procedures Manual for full details), the application shall be placed in Band B.

3.5.3.2 Where an NWMS referral has not been accepted, the application will not be put onto the register and NWMS shall be re-directed to approach the Housing Options team for the preferred Local Authority Area(s) for housing advice and to provide information to the NCA as per the code of guidance in line with s85 of the Serious Organised Crime and Police Act 2005 (SOCPA) i.e. The public authority must take reasonable steps to provide the requested assistance.

3.5.4 Severe overcrowding

3.5.4.1 This category includes applicants who in their principle home:

- Currently lack 2 or more bedrooms given the size of their household, or
- Are lacking 1 bedroom but have 2 children that lack a bedroom. For example a couple with 4 same sex children in a 2 bed home, or a single parent with 2 children under 10 in a 1 bed home, or

3.5.4.2 This may include applicants staying with friends/ family, but only where this is not a short-term temporary arrangement and where this has been declared where required. Applicants' circumstances will be considered on a case by case basis but as a guide this may be taken as having been resident at the address for a period for 6 months. Evidence may be requested to confirm residence e.g. hospital letters, bills, etc. Applicants who are rough sleeping, have no fixed abode or are 'sofa surfing' with different friends/ family will be placed in Band D

3.5.4.3 Where there are 3 people or children sharing a bedroom which has been confirmed by an RP or Environmental Health as not being big enough for 2 people/ children to share the application will be placed in Band B as 2 children lacking a bedroom. Please note that any assessment will be made using the current room and space standards (as defined under Part 10 of the Housing Act 1985), rather than any maximum occupancy limits set down in tenancy agreements. Please also note that this will not affect the household's bedroom need.

3.5.5 Under occupying tenants of Devon Home Choice partner landlords

3.5.5.1 If the applicant is a tenant of a Devon Home Choice partner and wishes to move to a property with fewer bedrooms (thereby freeing up family accommodation.

3.5.5.2 Please note that this priority will only be awarded where the applicant:

- Is currently living in Devon
- Has at least 1 vacant bedroom within their current home, and
- Has been living in their current home for at least 12 months. This condition may be waived if the local authority assess that there are

exceptional circumstances.

3.5.5.3 Under occupying tenants of a Devon Home Choice partner landlord who wish to move to a property with fewer bedrooms who do not currently live in Devon will be awarded Band D.

3.5.4.4 Please note that some Devon Home Choice partner landlords may not allow under-occupation of homes even for applicants who are downsizing (e.g. an applicant with a one bedroom need downsizing from a 3 bedroom home may not be allocated a home with 2 bedrooms).

3.5.6 High health/ wellbeing need

3.5.6.1 See below – Health & Wellbeing section

3.5.7 High Housing Defect

3.5.7.1 See below – Housing Defect section

3.5.8 Ready for move on from supported accommodation within Devon

3.5.8.1 Where the applicant is living in supported accommodation in Devon and a multi-agency Move-On Panel has confirmed that they are ready to move on. This will include young people leaving care who are assessed by the local authority or a multi-agency panel as ready for independent living. Note: Applicants living in supported accommodation who are not assessed as being ready to move-on to independent living will remain in the No housing need band (Band E), as they are adequately housed, unless they qualify for another band due to other needs (for example health and wellbeing needs). In those local authority areas that do not register households with no housing need applicants living in supported accommodation will only be registered when they have been assessed by the local authority or a multi-agency panel as ready for independent living.

3.5.8.2 Applications will be placed in this category where it is assessed that it will not be possible and appropriate to find private rented accommodation. Reasons why it might be considered not possible and appropriate to secure private rented accommodation may include but are not restricted to the following:

- The household require an adapted home
- The household require accommodation of a type or size that is not available locally

3.5.8.3 Households living in supported accommodation in Devon assessed as being ready to move on, and that it will be possible and appropriate for them to find a private rented home will have their applications placed in Band D (see below).

3.5.8.4 Households living in supported accommodation in Devon assessed as being ready to move on will have their applications placed in Band B, where the applicant or a resident member of their household who might reasonably be expected to reside with them satisfies one of the following

categories:

- (i) s/he is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
- (ii) s/he formerly served in the regular forces,
- (iii) s/he has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- (iv) s/he is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service

3.5.8.5 Where supported accommodation is being decommissioned, residents will only have their application placed in Band B for move-on if it is assessed that they are ready for independent living. Those applicants who are not assessed as being ready for independent living will have their application assessed by their local authority in line with the Devon Home Choice policy

3.5.8.6 There is no standard definition of supported accommodation. Local authorities will determine what they consider to be supported accommodation in their area. This will be based on those projects that the Devon local housing authorities works with to meet their strategic needs.

3.5.8.7 A young person, who is confirmed by Devon County Council, Plymouth City Council or Torbay Council as being a Care Experienced Young Person* who will be moving from supported accommodation, care placement or fostering arrangement (e.g. Staying Put), and is assessed by a Devon local authority or Move on panel as being ready for move-on, has a support plan in place and for whom direct key worker contact details have been provided will be awarded Band B.

This Band will last for 3 months. Following a review, it may be extended for a further 3 months if applicants are assessed to have been effectively bidding for homes, pursuing other options or there were no suitable homes available. If applicants are found to have not been effectively bidding for homes or pursuing other options, or if they have rejected a reasonable offer of social housing or private rented accommodation with a tenancy of at least 6 months their application will be placed in Band D. This change is subject to be reviewed by way of Impact Assessment 6 months from the date the change is brought into effect.

*to be awarded the Band B, they must be a Care Experienced Young Person from Devon, Plymouth or Torbay Council.

3.5.9 Social need or to support the delivery of another service

3.5.9.1 This applies to applicants who, for exceptional reasons, fall outside of the rest of Devon Home Choice Assessment Policy, and need to be found

secure alternative accommodation. This may include child risk or concern issues where children would otherwise be accommodated by social services⁵.

- 3.5.9.2 This category includes applicants who are being considered by Devon County Council, Plymouth City Council or Torbay Council as prospective foster parents or for adoption, where a larger property is required in order for them to be approved. It will also include households who have been approved by an independent agency used by Devon County Council, Plymouth City Council or Torbay Council.
- 3.5.9.3 Households who are seeking to foster or adopt will also have the size of property they are assessed as needing increased by an additional bedroom. Please note that this is a maximum of 1 additional bedroom in order to be consistent with benefit rules unless there is evidence of a specific confirmed need for more.
- 3.5.9.4 This category also includes households who need to move to take on the role of a special guardian for a child/ children, where such an order has been made by the Family Court or to enable the Family Court to make such an order.
- 3.5.9.5 Exceptional cases may also be considered where there is a combination of factors or special circumstances, which make the overall effect disproportionately worse than any of those factors might normally be assessed as being.

3.5.10 Effective management of social housing within Devon

- 3.5.10.1 This priority will be awarded in a number of situations set out below to aid the efficient management of social housing stock. Further detail is provided in Appendix 1.

- **To release high need properties**

Social rented housing is a scarce resource. There will be times when it is not being used to its full potential. Re-housing will enable a 'high need' property to be released or to aid the wider management of the social rented housing stock.

This might include where applicants have no particular priority, but are occupying a property that is of a type in very limited supply and is needed to be returned to the stock of social housing for letting to meet an immediate and pressing need. An example would be a household occupying a property that has been extensively adapted, but where they have no further need of that type of accommodation. Given the need for accessible and adapted properties, it has been agreed that in such cases the household's Band Start Date will be backdated to the date they moved into that accommodation, to enable them to move as soon as possible.

- **Persons left in occupation**

⁵ Where Devon County Council, Plymouth City Council or Torbay Council identify that a child is, or is likely to be, subject to the Children Act 1989 (sections 17(6), 20 31, 43)

If a person is left in occupation after the death of a tenant, they will usually be expected to leave the property and find their own home. Where a tenancy is ended by the tenant it is the tenant's responsibility to ensure that the property is handed back to the social landlord.

There are some exceptions to this:

- Upon the death of a social tenant, if person(s) left in the home are legally entitled to be a 'successor', then the situation will be dealt with in accordance with the law. Sometimes this may mean that they are able to stay and in others it may mean that they are offered an alternative home
- When a social tenant leaves the home and ends the tenancy, there are some cases in which a potential 'successor' may qualify as above
- A 'Carer left in Occupation'. A person will only be seen as a 'Carer' when there is clear medical evidence of that care being essential and that the applicant has been providing care at the time the tenant left (e.g. to go into residential care) and/or had been providing care for at least 12 months.
- Where the person left in the home has been living there for most, if not all, of their lifetime and has been dependent upon the tenant for support. If as a result they have become vulnerable and less able to find their own home, then they may be made an offer of accommodation. The age, length of residence, life skills and experience of the person left in the home will be the deciding factors.
- Where the person left in the home has been living there for at least the last 12 months, and a grant for use and occupation has been issued.

- **As a management tool to resolve issues affecting a block or estate**

This priority may also apply where it was agreed as an appropriate solution to resolve an issue affecting a block or estate, but where all other tools available to the Social Landlord had proven ineffective. For example to move a victim of anti-social behaviour where all other courses of action (including action against the perpetrator) have been exhausted.

- **Demolition**

This need is recognised where there is a programme of regeneration which will require the re-housing of households whose homes will be demolished. This will be awarded once the demolition plans have been confirmed by the applicant's social landlord.

- **Major works**

Applicants in social housing who require permanent alternative accommodation as a result of major works needing to be carried out on their home.

- **Disposal**

Tenants in social housing in Devon who require permanent alternative accommodation as a result of a Devon Home Choice partner landlord disposing of their home.

- **Staff of Devon Home Choice partners who occupy tied accommodation**

Staff of Devon Home Choice partner local authorities and housing associations who occupy tied accommodation and need to move upon retirement.

3.6 Medium Housing Need (Band C)

3.6.1 Medium health/ wellbeing need

3.6.1.1 See below

3.6.2 Lacking 1 bedroom

3.6.2.1 Applicants who currently lack 1 bedroom given the size of their household, where this is their permanent address.

- This may also include applicants staying with friends/ family, but only where this is not a short-term temporary arrangement and where this has been declared where required. Applicants' circumstances will be considered on a case by case basis but as a guide this may be taken as having been resident at the address for a period for 6 months. Evidence may be requested to confirm residence e.g. hospital letters, bills, etc.

3.6.2.2 Applicants who are rough sleeping, have no fixed abode or are 'sofa surfing' with different friends/ family will be placed in Band D – see below.

3.6.2.3 Where there are 2 people or children sharing a bedroom which has been confirmed by an RP or Environmental Health as not being big enough for 2 people/ children to share the application will be placed in Band C as lacking a bedroom. Please note that any assessment will be made using the current room and space standards (as defined under Part 10 of the Housing Act 1985), rather than any maximum occupancy limits set down in tenancy agreements. Please also note that this will not affect the household's bed need

3.6.2.4 As stated above, where there are 2 children who are lacking a bedroom applications will be placed in Band B.

3.6.3 Members or former members of the armed forces in urgent housing need

3.6.3.1 Households where the applicant or a resident member of their household who might reasonably be expected to reside with them satisfies one of the following categories, who would otherwise have had their application placed in Band D:

- (i) s/he is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,

- (ii) s/he formerly served in the regular forces,
- (iii) s/he has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- (iv) s/he is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

3.6.4 Moves for work

- 3.6.4.1 Applicants who need to move to work in Devon, where they would otherwise need to travel more than 25 miles (each way) from home to their place of work and where they are unable to work from home. Work will be defined as having permanent employment with a minimum of a 16-hour contract per week. Proof of employment, or an offer of employment, will be required.

3.7 Low Housing Need (Band D)

3.7.1 No Permanent Home

3.7.1.1 This category includes households who are homeless (as set out in Part 7 of the Housing Act 1996) or at risk of homelessness. This includes:

- Households who are assessed as being in priority need and unintentionally homeless where it is assessed that a private rented home is appropriate (see Band B above). This includes those households who have income or capital above the Devon Home Choice financial limits, or have turned down a suitable final accommodation offer or Part 6 offer made during the section 189b(2) relief stage, or have been given notice under section 193B(2) due to their deliberate and unreasonable refusal to co-operate
- Households who are assessed as being owed the prevention or relief duties under the Homelessness Reduction Act 2017 (e.g. they are assessed as being at risk of becoming homeless within 56 days or are assessed as being homeless), where it is assessed that:
 - It will be possible and appropriate for them to find a private rented home, or
 - They are deliberately and unreasonably refusing to co-operate with the required steps set out in their Personalised Plan (see Band B above).
- People who have no permanent address, including those people who are staying with friends/ family on a very temporary basis and this has not been declared for Council Tax purposes. Applicants who are staying with friends/ family on a more permanent basis and where this has been declared for Council Tax purposes, will have their applications placed in Band C – see above.

3.7.1.2 This category also includes households living in supported accommodation in Devon assessed as being ready to move on, and that it will be possible and appropriate for them to find a private rented home.

3.7.1.3 This band reason will also be awarded to applicants in social housing outside Devon who require permanent alternative accommodation as a result of a Devon Home Choice partner landlord disposing of their home.

3.7.1.4 Households who are:

- Assessed as being homeless, in priority need and unintentionally homeless (under Part VII of The Housing Act 1996, as amended by the Homelessness Act 2002), or
- Assessed as being in the Homelessness Reduction Act – Qualifying Act category, or
- Living in supported accommodation in Devon assessed as being ready to move on

will have their applications placed in Band B, where the applicant or a resident member of their household who might reasonably be expected to reside with them satisfies one of the following categories:

- (i) s/he is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
- (ii) s/he formerly served in the regular forces,
- (iii) s/he has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- (iv) s/he is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

3.7.2 Low health/ wellbeing need

3.7.2.1 See below

3.7.3 Shared facilities (for example toilet, bath, shower or kitchen)

3.7.3.1 Where an applicant has accommodation but shares facilities with other persons. This will include applicants living with family that are not part of their household on their application, lodging or renting a room in a shared house with communal facilities.

3.7.4 Local Priority

3.7.4.1 Households who meet a local priority agreed by the local authority managing their application. Any local priorities are set out below:

3.7.4.2 Teignbridge District Council will use this category to provide priority to households making a 'community contribution' in rural areas. This will apply where a member of a household is working in a rural area and seeking affordable housing there and they have been working 16 hours or more a week continuously for a minimum period of 12 months.

3.7.4.3 The Teignbridge Band D award for community contribution only applies in the rural area in Teignbridge where the applicant is making the community contribution. Applicants will be considered as Band E if they bid for properties in any other areas.

3.7.5 Households with a housing need but no local connection to Devon

3.7.5.1 [See 3.9 below](#)

3.7.6 Households who have been assessed as having deliberately worsened their circumstances

3.7.6.1 Deliberate worsening of circumstances will arise where local authorities decide that an applicant made their own situation worse. Examples are given below, but this category includes households who have given up accommodation that was suitable for their needs where there was no requirement or obligation to do so, or in circumstances where the authority considers it was not reasonable to do so. To reduce the likelihood of applicants moving into poorer accommodation in order to qualify for higher priority and quicker re-housing, applicants who are deemed to have deliberately worsened their circumstances will normally be placed in the

Low housing need band (Band D). For high value deliberate deprivation of capital or assets the authority may place an application in the no housing need band (Band E) or remove the application from the register with no future review date.

3.7.6.2 This decision can be reviewed after 12 months.

3.7.6.3 Examples of deliberate worsening of circumstances might include:

- Households assessed to be intentionally homeless (as set out in Part 7 of the Housing Act 1996)
- Selling a property that is affordable and suitable for an applicant's needs
- Moving from a secure Assured Tenancy to insecure, overcrowded accommodation with family or friends, where there is no good reason for this move
- Where there is evidence that it was reasonable that an applicant could have remained in their original accommodation
- Households who move relatives in with them and make themselves overcrowded as a result (unless there are exceptional reasons)
- Deliberate deprivation of capital or assets

3.7.6.4 Where an applicant has no, or no effective, control over their move to alternative accommodation, this should not be considered as a deliberate worsening of circumstances.

3.7.6.5 An exception will be made for households where the applicant or a resident member of their household who might reasonably be expected to reside with them satisfies one of the following categories. Such households will have their application placed in Band C under the 'Members or former members of the armed forces in urgent housing need' category

- (i) s/he is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,
- (ii) s/he formerly served in the regular forces,
- (iii) s/he has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- (iv) s/he is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

3.8 No Housing Need (E)

3.8.1 Applicants with no housing need at the time of assessment. This will normally

include the following:

- Applicants who live in a property that is adequate to meet their housing need in terms of property type, size and facilities.
- Applicants who do not meet the housing need criteria within any of the other bands (Emergency, High, Medium or Low housing need)

3.8.2 If an applicant has a legal, proprietary, financial or beneficial interest in a property where the authority considers that it is reasonable to expect them to reside in that property then their application will be placed in the No Housing Need band (E).

3.8.3 As set out in the 'Qualifying Persons' section above, Exeter City Council, Teignbridge District Council and Torbay Council will not register applicants that they assess to have no housing need, and who would otherwise have had their application placed in Band E.

3.8.4 Applicants living in the Exeter, Teignbridge and Torbay council areas who have been assessed as having no housing need, will not be able to register with another Devon local authority, unless they have a local connection to that area.

3.8.5 Applicants living in the Teignbridge Council area who answer 'No' to all of the questions in Section 1 of the application form, thereby indicating that they do not have a housing need, will be prevented from completing the remainder of the online application. Applicants will be advised to contact Teignbridge District Council for housing advice.

3.9 No local connection to Devon

3.9.1 Applicants who have no local connection to Devon will have their application placed in either:

- The Low housing need band (D) if they are assessed as having a housing need (whether this be high, medium or low need), or
- The No housing need band (E) if they are assessed as having no housing need

3.9.2 Households applying to Exeter City Council, Teignbridge District Council or Torbay Council who have no local connection to Devon and are assessed as having no housing need will not be registered.

3.9.3 However exceptions to this will include where:

- They have been accepted by one of the Devon local authorities as statutorily homeless, and the requirement of a local connection has been waived for specific reasons
- Persons from outside of Devon fleeing domestic abuse and who are at the time of application living in Devon, in a refuge or other similarly provided emergency accommodation⁶
- People fleeing domestic abuse from another part of the country who would be at risk in the area(s) where they have a local connection

⁶ This might include a hostel, short term supported housing, temporary accommodation provided under the homelessness legislation, or as part of the 'Places of Safety Schemes' operated by the Devon local authorities for people fleeing domestic abuse.

- They need to move to Devon to give or receive support where failure to do so would cause hardship
- There are special circumstances such as health or support needs that are only available within Devon
- An applicant has no local connection in any district within the United Kingdom, then they will be deemed to have a local connection to Devon
- They are tenants of a Devon Home Choice partner landlord (see further below)
- They are members of the Armed Forces and former service personnel

3.9.4 In such circumstances applicants will be banded in line with the above policy, regardless of the fact that they have no local connection to Devon.

3.9.5 To demonstrate a local connection (defined in Part VII of the Housing Act 1996) with Devon applicants will:

- Normally be resident in Devon. Local Government Association guidelines define this as having resided in the area for six of the last twelve months, or three out of the last five years, where residence has been out of choice. In line with the Housing and Regeneration Act (2008) service personnel who have been based and living in Devon will be considered to have local connection with Devon. Their local connection will be to the local authority area where they are based or where they have been assessed.
- Work in Devon. The Local Government Association guidelines define this as employment other than of a casual nature. For the purposes of this policy this will be defined as having had permanent work with a minimum of a 16 hour contract per week for the previous 6 months, and without a break in the period of employment for more than three months.
- Have family connections in Devon. Reflecting the Local Government Association guidelines this is normally defined as the applicant, or a member of their household has parents, adult children or brothers or sisters who have been resident in Devon for at least the last 5 years. Only in exceptional circumstances would the residence of relatives other than those listed above be taken to establish a local connection, but the circumstances may be sufficient and all cases will be considered individually.
- Have special circumstances for moving to Devon: Because of particular special needs some applicants should be assessed as having a local connection to Devon because of a particular need to move to Devon. For example this may be because they have a specific medical condition and the only/ most appropriate treatment available is based in Devon.

3.9.6 Applicants will be required to provide proof of their local connection to Devon before their banding is assessed.

3.9.7 A number of housing associations with homes in Devon (who are partners in Devon Home Choice) operate across a wider regional or national area. Tenants of such associations may on occasion wish to transfer to Devon from outside the county, but will not meet the local connection criteria (e.g. they do not have a local connection to Devon). In such cases the local connection to Devon criteria shall not be applicable. In such circumstances the tenant will be placed in the band

determined by their housing needs, in the same way as applicants with a local connection to Devon. They will then be able to bid for homes in the same way as other applicants.

- 3.9.8 Section 315 of the Housing and Regeneration Act 2008 amended section 199 of the Housing Act 1996 so that someone serving in the Armed Forces will be able to establish a local connection through residence or employment in an area, in the same way as a civilian person, as set out in paragraph 3.9.5 above but subject to what follows below.
- 3.9.9 The Localism Act 2011 provides local authorities with the power to decide who qualifies for social housing. The Allocation of Housing (Qualification Criteria for Armed Forces) (England) Regulations 2012 (amended by The Allocation of Housing (Qualification Criteria for Armed Forces) (England) (Amendment) Regulations 2024) confirms that the local connection criteria cannot be applied to the following people when deciding who is, or is not, a qualifying person:
- (a) members of the Armed Forces and former service personnel,
 - (b) bereaved spouses and civil partners of members of the Armed Forces leaving Services Family Accommodation following the death of their spouse or partner (where the death was attributable, wholly or partly, to their service)
 - (c) serving or former members of the Reserve Forces who need to move because of a serious injury, medical condition or disability sustained as a result of their service
- 3.9.10 For the avoidance of doubt, there is no timescale applied to households in categories (b) and (c) above. Households in category (b), bereaved spouses and civil partners of members of the Armed Forces, will be exempt from any local connection criteria so long as they are applying from services family accommodation. However the local connection criteria will apply if they have left this accommodation and are applying from a new home (e.g. they left services accommodation and are applying from private rented accommodation). Households in category (c), serving or former members of the Reserve Forces who need to move because of a serious injury etc. will always be exempt from the local connection criteria.
- 3.9.11 In addition, the local connection criteria will not be applied to divorced or separated spouses or civil partners of service personnel who are required to move out of accommodation provided by the Ministry of Defence.
- 3.9.12 The local connection to Devon criteria will not therefore be applied to any households set out above. This, in line with the guidance from Government, recognises the special position of members of the Armed Forces (and their families) whose employment requires them to be mobile and who are likely therefore to be particularly disadvantaged by local connection requirements; as well as those injured reservists who may need to move to another local authority district to access treatment, care or support.
- 3.9.13 Following the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015 that came into force on 20th April 2015, the local connection criteria cannot be applied to existing social tenants seeking to transfer

from another local authority district in England who:

- (a) have reasonable preference under s.166(3)(e) because of a need to move to the local authority's district to avoid hardship, and
- (b) need to move because the tenant works in the district, or
- (c) need to move to take up an offer of work

3.9.14 The definition of a 'local connection' for young people leaving care was amended by the Homelessness Reduction Act 2017 so that a homeless care experienced young person has a local connection to the area of the local authority that looked after them. Additional provision is made for care experienced young people who have been placed in accommodation, under section 22A of the Children Act 1989, in a different district to that of the children's services authority that owes them leaving care duties. If they have lived in the other district for at least 2 years, including some time before they turned 16, they will also have a local connection with that district until they are 21.

3.9.15 Care Experienced Young People⁷ who have been looked after by Devon County Council, Plymouth City Council or Torbay Council will be considered to have a local connection to each of the Devon local authorities.

3.9.16 If a home is subject to more specific local connection criteria however these will still apply to tenants of partner and other social landlords with no local connection to Devon, including those who need to move to Devon for work. For example Section 106 planning conditions that mean the home can only be let to someone with a local connection to a specific local area.

3.10 Members of the Armed and Reserve Forces

3.10.1 The local connection provision will not apply to members of the armed forces and some former service personnel etc. In addition, the local connection criteria will not be applied to divorced or separated spouses or civil partners of service personnel who are required to move out of accommodation provided by the Ministry of Defence (see above).

3.10.2 The Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 came into force in November 2012, requiring local authorities to provide additional preference to households who fall within one or more of the reasonable preference categories (see above) and who have urgent housing needs, where the applicant or a resident member of their household who might reasonably be expected to reside with them satisfies one of the following categories:

- (i) s/he is serving in the regular forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service,

⁷ A Care Experienced Young Person is defined as a person aged between 18 until they reach their 25th birthday, who has been looked after by a local authority for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date

- (ii) s/he formerly served in the regular forces,
- (iii) s/he has recently ceased, or will cease to be entitled, to reside in accommodation provided by the Ministry of Defence following the death of that person's spouse or civil partner who has served in the regular forces and whose death was attributable (wholly or partly) to that service, or
- (iv) s/he is serving or has served in the reserve forces and is suffering from a serious injury, illness or disability which is attributable (wholly or partly) to the person's service.

3.10.3 The Devon local authorities have agreed to apply this legislation by placing the application of the types of person set out in 3.10.2 in Band C, where they would otherwise have been placed in Band D. This ensures that such applicants are provided with additional preference over those applicants in Band D, who are provided with reasonable preference only.

3.10.4 Under Devon Home Choice Bands A, B and C are for applicants in the reasonable preference categories (see above) who the Devon local authorities have agreed to provide with additional preference, given their housing need.

3.10.5 After careful consideration of the legislation and the government's guidance on allocations, the Devon local authorities have agreed not to award respective priority to service applicants in Bands A, B or C over those who have not served.

3.10.6 Applicants who have served in the UK armed forces will continue to have their application placed in Band A or Band B where a Devon local authority assess that their housing need meets one of the categories of either band.

3.10.7 Households in any of the following categories of person listed in 3.10.2 who are assessed as being homeless, in priority need and unintentionally homeless (under Part VII of The Housing Act 1996, as amended by the Homelessness Act 2002) or are assessed as being in the Homelessness Reduction Act – Qualifying Act category, or living in supported accommodation in Devon assessed as being ready to move on will have their applications placed in Band B.

3.10.8 The Devon local authorities have agreed not to award additional priority to serving or former service personnel who are assessed to have no housing need (e.g. where their application is placed in Band E). In line with other applicants, former service personnel applying to Exeter City Council, Teignbridge District Council or Torbay Council who are assessed to have no housing need will not be registered.

3.10.9 As well as awarding additional preference to serving and former members of the armed forces and their families in urgent housing need (see above), Devon Home Choice partner local authorities and landlords will agree locally whether to set aside a proportion of properties for former members of the Armed Forces under a local lettings policy (see also 4.7 below). Such a decision will be determined by locally agreed priorities and an assessment of the local housing market.

3.10.10 Local authorities will not take into account any lump sum received by a member of the Armed Forces as compensation for an injury or disability sustained on active service into account when assessing whether they have sufficient resources to

meet their own housing need (see 2.6 above).

3.11 Victims of domestic abuse

Domestic Abuse is defined in the [Domestic Abuse Act 2021](#) and includes but is not limited to:

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 sexual orientation. The abuse can encompass, but is not limited to: psychological, physical, sexual, economic and emotional forms of abuse.

Controlling behaviour is a range of acts designed to make a person subordinate and/or dependent by isolating them from sources of support, exploiting their resources and capacities for personal gain, depriving them of the means needed for independence, resistance and escape, and regulating their everyday behaviour.

Coercive behaviour is an act or a pattern of acts of assault, threats, humiliation and intimidation or other abuse that is used to harm, punish, or frighten a person.

3.11.1 This section clarifies the approach taken by the Devon Home Choice partners to victims of domestic abuse.

3.11.2 Domestic abuse is unacceptable. Perpetrators of domestic abuse will not be eligible to register with Devon Home Choice (see Qualifying Persons section above).

3.11.3 Every application is considered individually, but applications from victims of domestic abuse could be placed in Band A, Band B or Band D as follows:

- Band A would be appropriate where there is clear evidence of an immediate and serious risk to a household living in Devon, there are no appropriate housing options available, such as temporary accommodation or Sanctuary scheme measures etc., and where the risk can be managed at their current home.
- People fleeing domestic abuse living in a refuge or other temporary accommodation⁸ in Devon (including those who have escaped domestic abuse from outside Devon), or people fleeing domestic abuse from another part of the country who would be at risk in the area(s) where they have a local connection may be included in either the Statutorily Homeless or HRA Qualifying Applicants categories in Band B, where it is assessed that private rented accommodation is not appropriate or available.
- Where someone's health and wellbeing has been severely affected by domestic abuse, and they need to move on from a refuge (or other similarly provided emergency accommodation) in order to build a stable life, they would

⁸ This might include a hostel, short term supported housing, temporary accommodation provided under the homelessness legislation, or as part of the 'Places of Safety Schemes' operated by the Devon local authorities for people fleeing domestic abuse.

be assessed to have a high health and wellbeing need, and their application would be placed in Band B (see the health and wellbeing framework below).

- Victims of domestic abuse who have been accommodated in supported or 'move-on' accommodation⁹ could have their application placed in Band B if it is assessed that they are ready to move on to independent living, and that private rented accommodation is not appropriate or available.
- Where it is assessed that private renting is an appropriate and available option, victims of domestic abuse will have their application placed in Band D.

3.11.4 All Devon Home Choice partners will have regard to and comply with the requirements of the Domestic Abuse Act 2021 when granting tenancies to victims of domestic abuse.

3.11.5 The local connection provision will not apply to persons from outside of Devon fleeing domestic abuse and who are at the time of application living in Devon, in a refuge or other similarly provided emergency accommodation, or people fleeing domestic abuse from another part of the country who would be at risk in the area(s) where they have a local connection.

3.12 Households with more than 1 need

3.12.1 Where an application has more than 1 need from different bands, the application will be placed in the highest band.

3.12.2 No additional priority will be provided if a household has 2 or more needs from the same band.

3.13 Band Start Date

3.13.1 Applicants who have bid for properties will be prioritised:

- Firstly by their band. For example those applicants in the High housing need band (B) will be listed above applicants in the Medium housing need band (C), and
- Secondly **within** each band in order of their band start date, with the applicant with the earliest band start date at the top.

3.13.2 Where 2 or more applicants within the same band apply for the same property, it will be awarded to the applicant with the earliest band start date. Where two or more applicants within the same band have the same band start date, it will be awarded to the applicant recorded as having the earliest time on that band start date on the Devon Home Choice register.

3.13.3 The band start date is the date that the housing register application and all required supporting evidence was received for assessment, unless any of the

⁹ As stated above (see Section 3.5), there is no standard definition of supported accommodation. Local authorities will determine what they consider to be supported accommodation in their area. This will be based on those projects that the local authority, including Devon County Council, works with to meet strategic needs.

following apply:

3.13.3.1 Applicants whose housing need and/or circumstances changes

Applications that are re-assessed (e.g. because their circumstances have changed) and are placed in a higher band will have their band start date reset (see also Section 3.15). The band start date reflects how long they have had the higher level of housing need.

Applicants moved to a lower band following the removal of a higher band award will revert to the original lower band start date prior to the higher band award provided the application has remained active throughout and the change is notified within 56 days.

The band start date will also remain unchanged for applications that are re-assessed and remain in the same band, but for a different reason.

3.13.3.2 Homeless applicants accepted under Part VII of the Housing Act 1996:

The band start date will be the date that the prevention duty under the Homelessness Reduction Act 2017 commenced, unless the applicant was never owed a prevention duty, then the band start date will be the date the relief duty commenced..

During the Prevention and Relief stages of the Homelessness Reduction Act 2017 the applicant will be placed in the High housing need band (Band B) or the Low housing need band (Band D) as set out above.

If the homeless applicant was already placed in the High housing need band (Band B) or the Low housing need band (Band D) as a result of some other need (for example due to a high health/ wellbeing need) and the band remains unaltered their band start date remains the same and does not change to the date they were first owed the prevention or relief duty under the Homelessness Reduction Act 2017.

Applicants who have their application placed in the High Housing Need Band (Band B) in the HRA Qualifying applicants' category will keep the same band start date if a full homeless duty is accepted

3.13.3.3 Move on applicants (from Supported Housing):

Applicants living in supported accommodation within Devon who have been assessed as ready for 'move-on' into independent accommodation will have their band start date backdated to either the date that they first¹⁰ moved into the supported accommodation or the date they first became a homeless

¹⁰ The date someone first moved into supported accommodation refers to the date they started their current, continuous stay in supported accommodation. This will include people who have moved from high support to low support accommodation.

People who have had breaks in their stay in supported accommodation will have their Band Start Date backdated to the date that they moved into their current supported accommodation.

prevention case to a Devon local authority, whichever is the earliest. This approach is taken in order to free up scarce supported accommodation.

3.13.3.4 Care Experienced Young People leaving care

Young people leaving care who are assessed by the local authority or a multi-agency panel as ready for independent living will have their band start date backdated to their 16th birthday. This approach is taken in order to free up scarce care placements, and to give effect to the 'Care Leaver's Charter' and to 'The Children Act 1989 Guidance & Regulations. Volume 3: planning transition to adulthood care leavers'. This will also apply to Care Experienced Young People who are leaving supported accommodation or residential care having moved there directly from a care placement.

3.13.3.5 People downsizing from homes with 3 or more bedrooms

Applicants who are current Devon tenants of a Devon Home Choice Partner downsizing from a home with 3 or more bedrooms will have their band start date backdated by an additional 5 years from the current Band Start Date. This is done to assist in freeing up high demand scarce larger accommodation. *(This has been added as a trial for 1 year to be reviewed)*

3.14 People leaving prison

- 3.14.1 If an applicant is being held in custody pending trial or sentencing, or has to stay somewhere that is not their home as a condition of bail, they will remain in their previous band and keep their Band Start date for up to 52 weeks.
- 3.14.2 Similarly, if an applicant is sentenced to prison for up to 13 weeks they will remain in their previous band and keep their Band Start date.
- 3.14.3 If an applicant is sentenced to prison for more than 13 weeks they will be suspended from bidding. If the applicant wishes to remain on the Devon Home Choice register they, or their advocate, can contact their local housing team from 56 days prior to release to request that their application is re-activated, so that they can bid for homes. Any changes in circumstances will be taken into account when re-assessing the application. If an applicant's circumstances remain the same as they were before going to prison their application will remain in the same Band and retain the Band Start date.
- 3.14.4 People in prison can apply to the Devon Home Choice register. However their application will be placed in Band E (No housing need) in those local authority areas that register households with no housing need and they will be suspended from bidding until 56 days prior to release.
- 3.14.5 In those local authority areas that do not register households with no housing need people in prison will only be registered from 56 days prior to release, where it is assessed that the applicant has a housing need.
- 3.14.6 Please note that it is the responsibility of the applicant, or an advocate acting on their behalf, to contact their local housing team to confirm the release date is within 56 days. The local authority will then re-assess the application to determine

the appropriate band, as set out above, given the applicant's circumstances when they leave prison.

- 3.14.7 Before any known offender is offered housing, full consultation will be undertaken with the relevant support agencies to assess the risk involved

3.15 Changes in circumstances

- 3.15.1 Applicants must provide information about their current housing circumstances of the applicant and their household so that the following can be assessed:

- The band they are placed in
- What size, and where appropriate, what type of property they can bid for

- 3.15.2 Applicants must inform their local authority housing team of any changes in their housing need and/or circumstances straight away (such as any change of address or change in the composition of their household etc). This includes any change that may affect the priority which has been afforded to their application.

- 3.15.3 Applicants have the right to apply for their priority to be reviewed if there is a material change of housing need and/or circumstances.

- 3.15.4 If a person successfully bids for a property and it is later found that the housing circumstances of the applicant and their household was different from the details provided when the application was made the offer might be withdrawn.

3.16 Moving bands following a change in circumstances

- 3.16.1 Applicants whose housing need and/or circumstances changes will be reassessed. This may change the band their application has been placed in.

- 3.16.2 The band start date will remain unchanged for applications that are re-assessed and remain in the same band, but for a different reason provided the change is notified within 56 days.

Applicants moved to a lower band following the removal of a higher band award will revert to the original lower band start date prior to the higher band award provided the application has remained active throughout and the change is notified within 56 days which will determine their comparative priority within the new lower band.

- 3.16.3 Those applicants moved to a higher band will have their band start date changed to the date their change of circumstances request was received, which resulted in their move into the higher band. This is so that other applicants who have been in this higher band for a longer time will remain above applicants who have joined that band on a later date.

- 3.16.4 If it is accepted by 1 of the local authorities following a review that an applicant should have been placed in a higher band, their band start date will be backdated.

3.17 Notification

- 3.17.1 Once an application form has been entered online or received by a Devon local

authority housing team it will be assessed and the information entered onto the Devon Home Choice register.

3.17.2 If the applicant has provided all the information required (including any proof/evidence etc.), the local authority managing the application will aim to confirm their decision within **20 working days** of the receipt of their application form. This will include whether the application has been made active or has been rejected (e.g. if the applicant is assessed to have no housing need and has applied to Exeter, Teignbridge or Torbay as detailed above). If made active the local authority will confirm:

- The 'band' in which their application has been placed and brief details of why this decision has been made
- The size property the applicant is eligible for
- Their 'band start date'
- A unique reference number
- How their mobility needs have been assessed, and the category of home that they have been assessed as needing
- Information on how Devon Home Choice works, including where to find information on available homes and how to bid
- Information on sources of further advice and assistance
- A reminder of the need to notify any change in circumstances immediately
- Information on the review procedure

3.17.3 Local authorities will also aim to provide applicants with notification of their application details within **20 working days** if they have provided details about their change of circumstances.

3.18 Size of property

3.18.1 Applications will be assessed to determine the size of property that their household requires. A household is defined as "any other person who normally resides with the applicants as a member of his/her family or any other person who might reasonably be expected to reside with the applicant" (Housing Act 1996).

3.18.2 Under Devon Home Choice a separate bedroom is allocated to each:

- married or cohabiting couple
- adult aged 16 years or more
- pair of adolescents aged 10-15 years of the same sex
- pair of children aged under 10 years regardless of sex

3.18.3 Any unpaired person aged 10 to 15 years is paired, if possible, with a child aged under 10 years of the same sex or, if that is not possible, given a separate bedroom. The same applies to any unpaired child aged less than ten years.

3.18.4 Examples of the property sizes that households are able to bid for are set out below:

Size of Property	Who is eligible?
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Bedsit (not sheltered)	Single people under the age of 35. Please note that different eligibility criteria apply to sheltered bedsits.
1 Bedroom	Single people or couples with no children Single people with regular access to children, but who do not normally live with them (see below)
2 Bedroom	Applicants with 1 child or who are pregnant Applicants with 2 children of the same sex (or different sexes but who are both under 10 years old)
3 Bedroom	Applicants with 2 children of different sexes, with at least 1 child over 10 years of age Applicants with 3 children Applicants with 4 or more children
4 Bedroom	Applicants with 4 or more children (where at least 1 of the children is a different sex to the others and, either that child or the youngest of the other children is at least 10 years old)

3.18.5 **Please note:** This is not an exhaustive list. Applicants with a larger number of household members may require larger properties. The size of home required will be calculated as set out in paragraph 3.17.2 above.

3.18.6 **Please note: Pregnant household members.** It has been agreed to recognise an unborn child as an additional member of the household. Where a household includes someone who is pregnant this could increase their bedroom need (and in turn could affect their banding if it results in them being overcrowded). Proof of pregnancy will be required before the additional household member is added. This may be in the form of the MATB1 form, pregnancy notes, hospital or GP letters containing name and estimated due date. Please see section 14 of the Devon Home Choice Procedures Manual for further information.

3.18.7 **Please note:** Should a couple decide to continue living together following a relationship breakdown, additional bedroom need will not be awarded unless there are exceptional circumstances relating to need.

3.18.8 Applicants with a 3 bedroom need and 6 household members where all children are under the age of 10 will be allowed to bid for 3 bedroom 5 person homes. Whether or not a tenancy is allocated will be at the discretion of the landlord taking into account the household make up and size of property.

3.18.9 Given the severe shortage of larger homes, applicants assessed as needing a home with more than 4 bedrooms will be enabled to bid for 4 bedroom homes, wherever this does not exceed the maximum stated occupancy of the property or

lead to a category 1 overcrowding hazard¹¹ and where this is in line with the landlord's allocation policy. This will be done by landlords, when advertising 4 bed homes that can accommodate larger households, setting a restriction for the maximum number of occupants only.

- 3.18.10 Applicants who are owed a s193 Main Duty or are Band B Qualifying Applicants under the Homelessness Reduction Act or Band B Statutorily Homeless by a Devon local authority and who are assessed as needing a home with 4 bedrooms will be allowed to bid for homes with 3 bedrooms. Homes will still be subject to a maximum occupancy level and allocation will still be at the discretion of the landlord.
- 3.18.11 Applicants who are assessed as needing a home with 4 or more bedrooms and who are lacking 2 bedrooms will be allowed to bid for homes one bedroom larger than their current home. (e.g. households with a 4 bedroom need who are currently living in a home with 2 bedrooms will be allowed to bid for homes with 3 bedrooms). Homes will still be subject to a maximum occupancy level and allocation will still be at the discretion of the landlord.
- 3.18.12 **Please note:** Individual landlords letting policies or local planning policies may affect the size of households that may apply for particular properties. Any such restrictions will be included in the property advert.
- 3.18.13 These property sizes will not apply to existing tenants of a social landlord who are seeking to move to a home that is at least 1 bedroom smaller. For example a single person living in a 4 bedroom local authority or housing association home will be able to move into a 2 bedroom property. This is to make the most effective use of social housing and free up family accommodation.
- 3.18.14 Where households have particular needs (for example due to health issues) these will be taken into account in determining the size of property that they are eligible to apply for. In exceptional cases an additional bedroom may be awarded. In exceptional cases an additional room may be awarded.
- 3.18.15 To be awarded an additional bedroom the applicant must be entitled to the middle or higher rate care component of Disability Living Allowance, the daily living component of the Personal Independence Payment, or Attendance Allowance, and must provide evidence from a secondary care health professional (e.g. Mental Health Services or consultant level) to confirm that they meet at least one of the following criteria:
- Medical problems result in the applicant having such disturbed nights that the partner is unable to get essential sleep and having 2 single beds will not solve the problem.
 - Partner is full time carer and needs a separate bedroom to get sufficient sleep in order to continue in caring role.
 - The applicant has an unstable condition that requires someone to stay overnight in case of emergency. This has to be frequent, i.e. every night or for

¹¹ Housing Act 2004 Housing Health & Safety Rating System

prolonged periods of time throughout the year. Confirmation of the condition and the need for overnight care will be required from a relevant health professional. Where an applicant has family members to stay occasionally when not well it would be reasonable to expect them to make temporary arrangements.

- The applicant has a package of care including a night sleeper and a bedroom is required for the care assistant. A copy of the care package will be required to evidence this.
- A separate room is needed for medical treatment that has to be kept totally hygienic. Evidence will be required.
- A separate room is needed for medical equipment that is so large or numerous that it cannot reasonably be stored elsewhere. Evidence will be required.
- Where a diagnosis of exceptional degenerative condition(s) with rapid deterioration expected within 12 months (e.g. motor neuron disease, terminal illness) has been confirmed and 24 hour care will be required (within 12 months).

3.18.16 If a child is disabled and can't share a bedroom with another child because of their disability. The following conditions must be met:

- o The disabled child must be entitled to the middle or higher rate care component of Disability Living Allowance, and
- o The local authority must be satisfied that the child's disability means they can't share a bedroom with another child. Evidence will be required from secondary care health professionals (e.g. Child and Adolescent Mental Health Services or consultant level) to confirm this.

3.18.17 If an applicant takes in a child (e.g. cousin, nephew/ niece etc.) that they do not think can share with existing children in the household these will be considered on case by case.

3.18.18 If an extra bedroom is awarded local authorities need to make it clear that this assessment has been made for Devon Home Choice and will not affect their housing benefit claim.

3.18.19 Because of the very high demand for properties within Devon, children who do not have their primary residence with the applicant due to shared parenting and/or contact and/or other arrangements will be excluded when determining the size of property the applicant requires. Such decisions will be made on a case-by-case basis and will be determined by the local authority's decision as to which parent or guardian the child is dependent on in terms of their primary day-to-day care, and with whom the child would therefore be expected to ordinarily reside. One indication may be drawn, for example, by checking circumstances such as which parent receives the Child Benefit. Normally only one parent will be allocated a bed need sufficient to accommodate their child(ren). This follows the precedent set down in *Holmes-Moorhouse (FC) v London Borough of Richmond Upon Thames* [2009] House of Lords.

3.19 How is health and wellbeing priority awarded?

3.19.1 If an applicant needs re-housing because their health or welfare is being affected by their current housing they must complete a health and wellbeing assessment form.

3.19.2 Health and wellbeing priority is only awarded if a Devon local authority (or appropriate agencies working on their behalf) has determined that:

- An applicant's health and/ or wellbeing is made worse by their current home.
- An applicant's health means that their current home is unsuitable e.g. they cannot manage stairs up to the bedroom or bathroom, or
- An applicant has health and wellbeing needs arising from domestic abuse

3.19.3 Health and wellbeing priority **will not** be awarded in the following circumstances:

- Health problems that are not affected by housing or cannot be improved by moving
- Housing defects that can be rectified (these are covered below)
- Neighbour disputes
- Anti social behaviour¹²
- Homeless households who have been provided with temporary accommodation¹³
- Overcrowding
- Time-related medical problems (e.g. pregnancy-related problems or a broken leg)
- Disability of someone who is not on the Devon Home Choice application
- If the situation can be resolved by equipment or minor adaptations which are immediately available

3.19.4 Health and wellbeing priority will only be given if the applicant agrees to move to a more suitable home unless there are exceptional circumstances. For example, if an applicant cannot manage stairs they will only be considered for an accessible home or a bungalow, unless appropriate adaptations can be put in place (that aren't possible in the applicant's current home).

3.19.5 Applicants who require housing support to live independently will only be placed in the Emergency or High housing need bands as a result of a health and

¹² The only exceptions will be cases where the local authority is satisfied that landlord, police, Anti Social Behaviour team, or Environmental Health etc have done everything possible to resolve the anti social behaviour. An example might be where the landlord has a possession order but there will be some time before the offender is evicted, and there is a need to move the victim to avoid any further impact on their health and wellbeing. Any cases will need significant evidence from landlord, police, Anti Social Behaviour team, or Environmental Health etc, and of the impact on the applicant's health and wellbeing.

¹³ Any health and wellbeing issues arising from temporary accommodation provided by a Devon local authority should be challenged on the suitability of the accommodation. This exclusion may not be applied where someone's health & wellbeing has been severely affected by domestic abuse, and they need to move on from a refuge (or other similarly provided emergency accommodation) in order to build a stable life.

wellbeing assessment if an appropriate package of support has been put in place.

- 3.19.6 Applicants will not be placed in either the Emergency, High or Medium housing need bands unless supporting evidence is provided by a relevant health professional.
- 3.19.7 Each local authority, working together with partner agencies, will use the following guidelines for assessing health and wellbeing applications. This process can recommend access to a property size or type outside of the normal rules if there are special health or wellbeing needs.
- 3.19.8 Applicants are informed in writing of the outcome of their health and wellbeing assessment, and brief reasons explaining why the decision was made. If they disagree with the assessment there is a right to review but they must state the reasons for review in writing and provide any additional health and wellbeing evidence so the case can be reconsidered. The review procedure is set out below (see 4.20).
- 3.19.9 Each individual on the application with a health or welfare problem will be assessed. If there is more than 1 member of the household whose health and/or wellbeing is being affected by their housing, their application will be awarded the need relating to the severest problem.
- 3.19.10 Where an individual has more than 1 health and wellbeing need (for example physical and mental health problems), an assessment will be made of whether the combination of these factors should result in the person being placed in a higher band.
- 3.19.11 Where:
- Applicants have been placed in the Emergency housing need band as a result of a health and wellbeing assessment, this will be reviewed every 3 months
 - Applicants have been placed in the High housing need band as a result of a health and wellbeing assessment, this will be reviewed every 6 months
- 3.19.12 The review will determine whether the level of priority is still appropriate. The review may involve a phone-call to the applicant and/ or support agency, or a home visit.
- 3.19.13 Applicants must inform their local authority housing team straight away of any changes in their circumstances. This includes any change that may affect the priority that has been afforded to their application. A further health and wellbeing assessment will then be undertaken.
- 3.19.14 Cases that are likely to result in the award of high priority (e.g. either Emergency or High housing need bands) or require specialist input will be considered by a senior officer, a local authority manager or a multi-agency panel.
- 3.19.15 The make-up of the panels has not been prescribed but guidance has been provided on the types of agencies/ specialisms expected as a minimum. The panels use the framework, criteria and examples to make an assessment, thereby ensuring consistency across the county. The panels are be able to co-opt people

3.20 Health and Wellbeing Assessment Framework

3.20.1 Please note: 'Health' refers to both physical and mental health, people with learning disabilities etc.

3.20.2 A summary of why applications are placed in the different health and wellbeing categories is set out immediately below, whilst the tables that follow over the next three pages set out the criteria which staff will use to make an assessment.

- **Urgent/ Emergency health and wellbeing priority (Band A)**

The current accommodation is so completely unsuitable that should the applicant remain in it or return to it the affect on their health would be critical. This can only be averted by a move to alternative accommodation in the shortest time possible

- **High health and wellbeing priority (Band B)**

The housing situation is so severely affecting the applicant's health and wellbeing that it is resulting in them being completely housebound, at risk of injury, relapse or unable to live independently. Alternative housing is required to prevent serious risks to their health and wellbeing.

- **Medium health and wellbeing priority (Band C)**

The housing situation is seriously affecting the applicant's health and wellbeing and is having an unacceptable impact on their ability to live independently. Alternative housing is required to prevent a significant and serious deterioration to their health and wellbeing.

- **Low health and wellbeing priority (Band D)**

The housing situation is having a negative impact on the applicant's wellbeing but it is not causing any significant deterioration to their health or ability to live independently.

- **No health and wellbeing priority (Band E)**

Whilst it is recognised that there may be a health and wellbeing issue, this is not affected by the current accommodation. The applicant's health and wellbeing would not be improved by a move to alternative accommodation. Therefore no housing need actually exists.

Criteria by which to make an assessment:

Urgent/ Emergency	High	Medium	Low	No
<p>Will include:</p> <ul style="list-style-type: none"> - Where there is a significant threat to life - Where there is a significant risk of serious and permanent injury and/or permanent disability - Where someone cannot be discharged from hospital because their home is, and will remain, permanently entirely unsuitable or entirely inaccessible to live in. This priority will not be awarded where there is no home or tenancy to return to. Such cases should be dealt with by way of a homelessness approach. 	<p>Will include:</p> <ul style="list-style-type: none"> - Someone whose housing has rendered them housebound and has little or no support available - Where a move would avoid the need for another service (e.g. Social Services) from having to provide a significant level of support. This might include for example residential care; overnight care provision, or other support with similar resource implications - Where a move would avoid the continued inappropriate use of residential care - Where someone's health & wellbeing has been severely affected by domestic abuse, and they need to move on from a refuge (or other similarly provided emergency accommodation) in order to build a stable life. - Where someone is unable to return home (due to its unsuitability) from residential care or supported housing - Where it is impossible for the person to use essential facilities within the home and no adaptation is possible 	<p>Will include:</p> <ul style="list-style-type: none"> - Would be housebound, but where a sufficiently high level of support is available to enable them to get out of the house and reduce to a significant degree the impact of their circumstances - Can access their home, but is unable to access normal day-to-day facilities within it (e.g. bath/shower/toilet) without experiencing significant difficulty, pain or other discomfort. Where an adaptation is possible, practical and affordable this should always be pursued before any health & wellbeing priority is sought. If the adaptation is possible but will not be undertaken in the short term, this priority will be awarded in the interim. (The priority would be removed once the adaptation is undertaken) 	<p>Will include:</p> <ul style="list-style-type: none"> - Can access their home, but is unable to do so without appreciable difficulty, pain or other discomfort. Not completely housebound but there will be a significant reduction in the person's frequency of leaving and entering their home due to these circumstances. Often these cases may involve liaison with the Social Services team dealing with adaptations. Where adaptations are later provided and this improves the circumstances of the person concerned, then any earlier health/ wellbeing award should be removed and a new assessment carried out 	<p>Will include:</p> <ul style="list-style-type: none"> - Mobility issues (regardless of severity) where current property and locality unlikely to be bettered in terms of accessibility. - Where there is no perceived link between the current accommodation and a person's condition.

Criteria by which to make an assessment (Continued):

Urgent/ Emergency	High	Medium	Low	No
<ul style="list-style-type: none"> - Where the applicant is prevented from having access to kidney dialysis, respiratory, or other similar essential equipment. This will normally apply where these circumstances are likely to prevent someone from remaining in their home for all or most of the time. Such a condition would be likely to be ongoing, rather than a temporary condition - Where the applicant has experienced a traumatic event which results in their current accommodation being so completely unsuitable that should the applicant remain or return to it the effect on their health, wellbeing or safety would be critical 	<p>Will include:</p> <ul style="list-style-type: none"> - Inability to cope is solely and directly related to the housing situation. It is causing a breakdown in essential relationships and is requiring urgent mental health intervention - Where someone suffers with epilepsy or other conditions that cause frequent and unpredictable falls and all medical interventions to prevent them have been investigated; or where a diagnosis of exceptional degenerative condition(s) with rapid deterioration is expected within 12 months (e.g. motor neuron disease, terminal illness) has been confirmed. The layout of the accommodation, for example the number and nature of steps, stairs or other hazards is a major factor in increasing the risk of serious injury 	<p>Will include:</p> <ul style="list-style-type: none"> - The person is suffering from a mental health condition and that situation has existed for a significant period of time, and is being exacerbated by housing. There is usually not only GP involvement, but GP referral to other specific mental health intervention. 	<p>Will include:</p> <ul style="list-style-type: none"> - Mobility issues - where current property is suitable, but location is likely to have detrimental effect upon the individual, e.g. unable to access any transport, shops, or other essential services. - Mental health - where the layout, location, or environment around home is a contributory factor. These will frequently be less severe conditions. They are likely to be prescribed medication, but not often be in receipt of ongoing support other than from their GP. 	

Criteria by which to make an assessment – People needing to move to give or receive support:

Note:

- These criteria apply to the person requiring support, whether they need to move to receive support or a family member/ friend needs to move to provide support to them (please note that in the latter example the priority is given to the person who will be moving to provide support rather than the applicant with the health & wellbeing need).
- Each case would need to be reviewed to assess which areas are appropriate for an applicant seeking to move to give/ receive support to bid for. They will only receive any priority for this need for homes in the agreed area(s).

Urgent/ Emergency	High	Medium	Low	No
	<p>Will include:</p> <ul style="list-style-type: none"> - Applicant's or their immediate carer's health or safety are at risk unless they move to a location that enables family (or other significant support network, such as a support service, hospital or long established friend) to provide vital support at least 3 times a week to minimise their risk. This support will avoid the need for: <ul style="list-style-type: none"> - residential care - hospital admission - a large use of social care - a breakdown in essential relationships and/ or urgent mental health intervention - The support is not available in their current location. 	<p>Will include:</p> <ul style="list-style-type: none"> - Applicant's independence would be significantly improved by living in a location that enables family (or other significant support network, such as a long established friend) to provide support at least 3 times a week to enable this. - The support is not available in their current location. 	<p>Will include:</p> <ul style="list-style-type: none"> - Quality of life would be greatly enhanced by living in a location that would allow family (or other significant support network, such as a long established friend) to provide social support at least 3 times a week. The support will enable for example the person to access transport, shops, or other essential services - The support is not available in their current location. 	

3.21 How is priority awarded due to housing defects?

- 3.21.1 An Environmental Health Officer may be asked to investigate the defects that are reported by an applicant where the problem might lead to the award of Emergency or High housing need bands. The main objective of the Environmental Health Officer is to help bring sub standard homes up to an acceptable standard.
- 3.21.2 Where a housing defect exists applicants are expected to have already raised the problem with the landlord in writing before an Officer visits. This will give the landlord the opportunity to carry out the necessary improvements before involving the local authority and possible enforcement action. Applicants should be made fully aware that if an Officer visits and identifies serious defects (Bands A and B) the officer is under a statutory duty to take appropriate steps to ensure that the defects are remedied and this will involve contacting the landlord and/or agent.
- 3.21.3 Where applicants are living in a property in a poor condition where defects are a potential risk to the health and safety of occupants, priority will be awarded as follows. Please note that applicants will not receive any additional priority if remedial action is planned to rectify the defect(s). In such circumstances applicants may be re-housed temporarily if necessary until any works are complete. Priority will only be awarded where remedial action is not possible (or not possible within an appropriate timescale)
- 3.21.4 This section will only apply to applicants who are currently living in Devon. Applicants who are currently living outside of Devon should approach their own Local Authority for assistance in the case of housing defects. It should be noted that overcrowding is dealt with by other sections of the Devon Home Choice Policy (see Section 3.3: High housing need band & Medium housing need band) and is not covered by this section.
- 3.21.5 Emergency housing need band (Band A)**
This will only be given in an emergency, on the recommendation of an Environmental Health Officer following a site visit. This will cover any defects in the property that cannot be remedied within an appropriate timescale, and where the most appropriate course of action would be to serve a Prohibition Order, Emergency Prohibition Order or to carry out emergency remedial works.
- 3.21.6 High housing need band (Band B)**
This will only be given where an Environmental Health Officer has inspected the property and identified serious health and safety issues within the property and the most appropriate course of action would be to serve an Improvement Notice. These are most likely to be a Category 1 hazard and the Officer has a statutory duty to take appropriate steps to rectify the problem and will contact the landlord and/or agent. Priority will only be awarded where remedial action is not possible (or not possible within an appropriate timescale). Any priority

will be removed when the hazard is rectified.

Applications awarded this priority will be reviewed every 3 months. Priority will be removed in cases where the applicant is preventing the landlord from undertaking the required repairs.

3.21.7 Local authority and Registered Social Landlord tenants

Tenants of local authorities and Registered Social Landlords will not normally be given any additional priority due to disrepair. There are other policies and procedures that will be used by the individual landlord to assist where there is disrepair in these properties.

3.22 Tenants of Partner Landlords on Fixed Term Tenancies

- 3.22.1 Tenants of Devon Home Choice partner landlords subject to a fixed term tenancy that is not being renewed will be assessed in line with the Devon Home Choice policy (e.g. if they are lacking a bedroom their application will be placed in Band C or if they are underoccupying their application will be placed in Band B etc.). Landlords will encourage such tenants to bid for homes via Devon Home Choice, and could extend their tenancy if required to provide more time for them to find an alternative home.

3.23 Pets

- 3.23.1 Households registering with Devon Home Choice are asked to confirm whether they have pets, and if so, what these are. This is because pets are not allowed in some homes that are advertised on Devon Home Choice.
- 3.23.2 Assistance dogs (e.g. guide dogs for the blind, hearing dogs etc.) are not classified as pets. Assistance dogs should not be included as a pet on applications. Evidence of the need for an assistance dog is required from secondary health services or the charity that provided the animal. Feedback from a GP would generally not be seen as sufficient.

3.24 Review of the Devon Home Choice register

- 3.24.1 All local authorities in Devon will review the applicants on the housing register at least once every 3 years in order to:
- Confirm that the details on the register are still correct
 - Check whether there have been any changes in an applicant's circumstances
 - Confirm that the applicant wants to stay on the housing register.
- 3.24.2 Local authorities will contact applicants by email or letter to advise them that their application is due for renewal. If the application is not renewed within 14 days a reminder will be sent giving a further 7 days notice. If an applicant not identified as being vulnerable does not reply to either of the 2 review letters or emails it will be assumed that housing is no longer required and the application will be cancelled. The applicant will have to apply again if they later want re-

housing. In such cases an applicant will lose their previous band start date and their band start date will be determined by their fresh application.

3.24.3 Where applicants who have been identified as vulnerable do not reply to either of the 2 review letters or emails, the local authority will seek to contact them again and/ or any advocate (e.g. family, friend or support agency) working with them. This is so that that vulnerable people are not removed from the register inappropriately. If this final attempt to contact the applicant and/ or their advocate fails their application will be cancelled.

3.24.4 If an applicant updates their application within 13 weeks of it being cancelled as part of the renewal process the original band start date will be retained. If an applicant updates their application over 13 weeks after their application has been cancelled a new band start date will be applied, unless there are exceptional circumstances. For example an applicant was in hospital and the review letters did not come to their attention.

3.25 Cancelling applications

3.25.1 An application will be cancelled from Devon Home Choice in the following circumstances:

- At the request of an applicant
- Where an applicant does not respond to an application review, within the specified time limit
- Where a local authority or a Registered Provider has housed the applicant
- When a tenant on the housing register completes a mutual exchange
- Where the applicant moves and does not provide a contact address
- Where the applicant has died
- Where the applicant has not supplied the relevant information requested within 28 days

3.25.2 Where an applicant has been highlighted as potentially vulnerable, the local authority will contact the applicant, or agency that they are working with if appropriate, to check their circumstances before cancelling the application.

3.25.3 Any applicant whose application has been cancelled has the right to ask for a review of the decision.

3.26 Rejoining Devon Home Choice

3.26.1 Where an applicant wishes to re-join Devon Home Choice at a later date their new band start date will be determined by the date they re-apply. Their housing need will be reassessed and they will be placed in the appropriate band as set out above.

4. Section 4: Applying for properties

4.1 Finding a home

- 4.1.1 Once applicants have received notification that they have registered with Devon Home Choice they can start applying for homes for which they are eligible.

4.2 Moves between local authorities in Devon

- 4.2.1 A key aim of Devon Home Choice is to provide people seeking housing with choice and the ability to move within Devon. For example to access work or move closer to support networks.
- 4.2.2 As set out below, some homes may only be advertised to certain groups of applicants. For example where planning conditions apply, or a home has particular adaptations. Any restrictions as to who is eligible for a particular property will clearly be set out in the advert. To maximise choice and potential mobility for applicants within Devon, anyone registered with Devon Home Choice will be able to apply for the remaining properties for which they are eligible (e.g. according to the number of bedrooms they need) .
- 4.2.3 In order to ensure that moves between local authorities do not adversely impact on one or more local authority areas, these moves will be monitored each month. In particular the following will be monitored:
- (A) The number of households moving into a local authority area in the previous month who have no local connection with that area
 - (B) The number of households moving out of that local authority area in the previous month who have no local connection to their new local authority area
 - (C) The balance between these figures (e.g. A – B)
- 4.2.4 Where the cumulative balance of these figures (C) over a rolling 12 month period accounts for 2% or more of the number of lets made within that local authority area, homes in that local authority area may be labelled in the following month(s) so as to provide preference to applicants with a local connection to that particular local authority¹⁴. If no applicants with a local connection to the local authority bid for a home, applicants from other areas will be considered.
- 4.2.5 When the balance of these figures (C) goes back below 2% of lets within that local authority area, homes in that local authority area will again be advertised without being labelled as preference to applicants with a local connection (unless this is required for another

¹⁴ Unless a landlord specifically requests, and it is agreed by the local authority, that certain properties (e.g. hard to let properties) are advertised without a local connection preference.

reason set out above or below).

4.2.6 The following groups are excluded from the calculation of, and any restrictions on, cross border moves:

- Tenants of Devon Home Choice partner landlords. For the avoidance of doubt, following the Allocation of Housing (Qualification Criteria for Right to Move) (England) Regulations 2015, this includes those tenants who need to move between local authorities in Devon for work.
- Existing tenants of other social landlords living outside Devon who need to move to Devon for work.
- Applicants assessed through a homelessness application by a Local Housing Authority as a household fleeing domestic abuse or homeless as a result of fleeing domestic abuse.
- People who have left the UK armed forces

4.2.7 As stated above (Section 3.9) however, if a home is subject to more specific local connection criteria these will still apply to the groups set out above. For example Section 106 planning conditions that mean the home can only be let to someone with a local connection to a specific local area.

4.3 Accessing Information

4.3.1 We provide:

- The Devon Home Choice User Guide is available on the Devon Home Choice website. This explains what Devon Home Choice is and how it works. The guide will be sent to those applicants who cannot access the internet
- A range of information on the Devon Home Choice website explaining how the scheme works and setting out the full range of housing options
- Awareness raising sessions and training for councillors, parish councillors and partner organisations

4.3.2 We provide information in a range of different formats on request, for example:

- Large print
- Information in a range of community languages is available on the website.
- Use of symbols, pictograms and photos

4.3.3 Research has found that even though help and information was available in community languages in some choice based letting schemes, some applicants were unaware that it existed. We will work closely with both the Devon and Plymouth Racial Equality Councils, and other community organisations to ensure that we publicise the availability of information in a range of community languages and

language line interpretation services appropriately and effectively.

- 4.3.4 We will test information with different groups of people to ensure that it is easy to use and understand.
- 4.3.5 Information will be available from a wide range of sources. For example:
- Local Authorities
 - Housing associations
 - Support agencies
 - Parish councils
- 4.3.6 As well as advertising available local authority and housing association homes, other housing options such as low cost home ownership opportunities will be included in Devon Home Choice. The tenure of a property will be made very clear. Information will be provided on people's rights in different tenures.
- 4.3.7 The key barrier preventing people in Devon from accessing social housing is the overall shortage of homes. Choice Based Letting in itself will not increase the number of available homes. However it is clear that Devon Home Choice will improve the way that homes are let. It will be made clear in all the information provided on Devon Home Choice that there is very high demand for social housing in Devon and that most of the people who register are unlikely to be successful and should therefore consider other housing options as well.
- 4.3.8 Despite this some applicants may have their expectations raised about getting housed (for example due to the fact that they will be able to see the available homes to let). This may impact on some groups who are encouraged to access the scheme, but do not have enough priority to be housed. Some applicants may find this more difficult than others, and may lack the knowledge or capacity to find other solutions to their housing need. All of the local authorities across Devon have developed a housing options approach to help such people. Staff will be able to discuss a whole range of options with applicants including private renting and low cost home ownership, as well as sources of support.

4.4 Advertising of properties

- 4.4.1 Homes are advertised each week in the following ways:
- Online at the Devon Home Choice website
 - On the Devon Home Choice Smartphone App, which is available to download from the Devon Home Choice website
 - On newsletters that are distributed across Devon. Details of where newsletters can be collected are available from local authority housing teams
 - Personalised information will be sent to applicants who have been identified as vulnerable and who are in either the Emergency

housing need, High housing need and Medium housing need bands

4.4.2 All documentation, adverts and the website will be fully accessible to all community groups within Devon.

4.4.3 Homes are advertised on a weekly cycle, from 12.00 a.m. on Wednesday to 11.59 p.m. the following Monday. No homes are advertised on Tuesdays.

4.5 Property Descriptions

4.5.1 Properties advertised will include a photograph of the home and a full description. The description will include:

- Type of property
- Whether the home is being let at an 'affordable rent' or on a fixed term tenancy
- Any age restrictions
- Any special criteria (e.g. local letting plans/ sensitive lets)
- Number of bedrooms
- The maximum size of household that can apply (for example '3 bed, maximum 5 person house')
- Location of property (street & city/town/village)
- Floor level (if appropriate)
- Any adaptations (for example disabled facilities) – see further information below
- Access to the property (for example the number of steps, whether there is a ramp or lift)
- Type of parking (if any)
- Heating type
- Rent charged per week (& number of rent weeks per year)
- Any service charges
- Type of tenancy
- Information about the surrounding area (for example whether local shops and public transport are easily accessible)
- Services provided (for example warden, caretaker, cleaning)

4.6 Accessible Housing Register

4.6.1 Many applicants who register with Devon Home Choice have mobility issues that mean they require accessible accommodation. However, there is a shortage of such accommodation across Devon.

4.6.2 In order to make the most effective use of homes that meet the needs of people with mobility issues an assessment is made of:

- The accessibility need of each household registering with Devon Home Choice
- The accessibility of each property advertised through Devon Home Choice (e.g. whether they can meet the needs of applicants with mobility needs which requires accessible accommodation)

4.6.3 Depending on the assessment that is made applicants and properties

will be assigned to one of the following accessibility categories:

Accessibility Category	Applicant requires property with the following/ Property can meet the needs of applicants with the following requirements:
Wheelchair Accessible	<p>Applicant requires wheelchair accessible accommodation, into and throughout the property.</p> <p>Applicant is likely to be a full time or regularly use a wheelchair for prolonged periods.</p> <p>Note: Applications will only be placed in this category where there is appropriate supporting evidence (e.g. from a GP or an Occupational Therapist etc.)</p>
Step-Free	<p>Applicant is able to mobilise but cannot use steps without close supervision and assistance.</p> <p>Applicants who use a wheelchair outside, but do not need one indoors, should normally be assessed as needing step-free accommodation. However applicants with a long term progressive condition who currently only use a wheelchair outdoors would be more appropriately assessed as needing a wheelchair accessible home.</p> <p>Applicant will normally use a mobility aid (such as a walking stick or walking frame).</p>
Maximum of 3 steps	<p>Applicant is able to manage only up to 3 steps. Applicant will often require less specialist walking aids such a stick or crutch.</p> <p>Please note: properties advertised as having a maximum of 3 steps will refer to external steps. In some cases these might be properties which have internal stairs which may be suitable for a stair-lift.</p>
General Needs	Applicant does not have any severe mobility issues

4.6.4 When a property is advertised the landlord will confirm the accessibility category of the property.

4.6.5 Preference for accessible homes will be given to those who have been assessed as needing that type of home, and this will normally be highlighted in adverts. Households with a need for a home in one of the three accessibility categories will therefore be considered before other applicants in higher bands and/ or with longer Band Start dates for properties that meet their mobility needs.

4.7 Labelling Properties

4.7.1 In some cases homes may be advertised to certain groups of applicants, or to provide preference to certain groups. This will be

agreed locally between local authorities and partner landlords. Should there be any disagreement between local authorities and landlords as to how a home (or homes) should be advertised, they will seek to resolve this as set out in the Local Tenancy Strategy.

4.7.2 For example:

- Where a home meets the needs of people with mobility needs it will be advertised with preference to people who have those needs. This is to make the most effective use of accessible housing.
- Where, due to planning restrictions or a local authority's Allocation Policy, applicants are required to have a local connection to a particular area within Devon
- Where a preference is being given to existing tenants who wish to transfer, including those who wish to move to a smaller property
- Where a preference is being given to households who have been accepted as homeless by a specific Devon local authority
- Where a preference is being given to other groups such as:
 - o Working households (please note that households who cannot work e.g. due to disability etc. should not be automatically skipped because they are not working), or
 - o Households who are making a positive community contribution to that rural area
 - o Former members of the regular UK armed forces.

4.7.3 Where a Devon local authority is seeking to reduce the numbers of homeless households in temporary accommodation within its area, it will be able to advertise certain properties in its area as 'Preference to households who've been accepted homeless by xxx Council'. Where the local authority is not the landlord this will be subject to agreement with the housing association.

4.7.4 Where a property is advertised with preference to certain groups as set out above, applicants in those specified groups will be considered before other applicants in higher bands and/ or with longer Band Start dates. See the Accessible Housing Register section above for more details of how accessible homes will be allocated.

4.7.5 There may also be occasions where 'local letting policies' need to be applied by Devon Home Choice partners.

4.7.6 Local letting policies may include a system to ensure a mix of household types, for example the number of children in order to ensure that there are not too many within a particular area. Where agreements have been reached adverts will clearly state how such schemes will be allocated and the applicants eligible to bid.

4.7.7 Local letting policies may be introduced where a new estate has been built in order to help create a new community. Alternatively, a local letting policy may be required where there are issues that have occurred within an established community, and action is required to assist that community to improve or encourage sustainability.

- 4.7.8 The decision to undertake a local letting policy will be made by the partners involved including the local authority's housing department.
- 4.7.9 Whilst being designed to reflect local needs, local letting policies will still be compatible with the aim of meeting housing need in Devon as well as the requirements of relevant 'Codes of Guidance.'
- 4.7.10 The use of local letting policies should not lead to vulnerable households being disadvantaged but lead to increased tenancy sustainability.
- 4.7.11 Further information can be obtained from the relevant local authority.

4.8 Sensitive letting – individual properties

- 4.8.1 Occasionally there may be a requirement to assist in dealing with issues that impact on a small, specific location that may be only 1 dwelling within an estate. This may be to:
- Reduce the concentration of certain needs groups which is impacting on housing management
 - Promote a more balanced community by seeking to select/not select households with particular characteristics
- 4.8.2 This will be agreed by a process between the local authority housing department and the housing association (where the local authority is not the landlord itself).
- 4.8.3 The decision to apply particular requirements will be undertaken by the relevant Devon Home Choice Partners.
- 4.8.4 The success of this will be the sensitive matching of a household to the vacant home where some flexibility has been identified.

4.9 Bidding for a home

- 4.9.1 Where an applicant meets the criteria for a home set out in the advert they may bid for that home within the deadline given.
- 4.9.2 Applicants may bid for homes:
- Online at the Devon Home Choice website www.devonhomechoice.com
 - Using the Smartphone App, which is available to download from the Devon Home Choice website
 - In person at the offices of any of the Devon local authorities
- 4.9.3 The staff within the Local authority housing offices will be available to explain to applicants how to bid. They will also encourage applicants to make use of all the bidding options available to them, so if their circumstances change, and one method will no longer be available to

them, they will be able to use another.

- 4.9.4 Advocacy bidding will be allowed to make use of existing networks of support from family, friends, neighbours, and support agencies. To bid an advocate will need the applicant's reference number and their consent to make a bid¹⁵.
- 4.9.5 Applicants who are unable to bid will be offered the opportunity for bids to be placed automatically on homes they are eligible for. These applicants will be identified in a number of ways:
- Through the application process
 - Analysis of bidding patterns amongst high priority applicants
 - A request from the applicant themselves¹⁶
 - Representation from an agency.
- 4.9.6 Applicants can bid for 3 homes each week.
- 4.9.7 Please note that normal weekly advertising cycle may be altered over Xmas and New Year. This will be clearly advertised.
- 4.9.8 In the event that they have the highest band and earliest band start date for more than 1 home, applicants will be required to choose which home they wish to be considered for. In order to ensure effective housing management applicants will not be able to be considered for more than 1 home at any one time.
- 4.9.9 Applicants who apply and are put forward for sheltered housing will have their support needs assessed by a member of the local authority's or housing association's sheltered housing team.

4.10 Deadlines for Bids

- 4.10.1 Homes will be advertised each week. The advert will indicate the deadline by which time applications for homes must be received (normally this will be Monday at 11.59 p.m.). Any applications received after the deadline has been reached will not be considered.

4.11 Automatic Bidding

- 4.11.1 Households who have been awarded Band A, accepted as statutorily homeless by a Devon local authority, those placed in the 'Homelessness Reduction Act – Qualifying Applicants' category and those assessed as being ready to move on from supported

¹⁵ When there is a formal advocacy role, for example from a Council team or another agency, a form will need to be signed by the applicant to ensure compliance with the General Data Protection Regulation (Regulation (EU) 2016/679) and Data Protection Act 2018.

¹⁶ Automatic bidding will only be available for those people who **cannot** apply themselves. It will not be available to those people who would reasonably be expected to bid for homes themselves (except for households who've been accepted as statutorily homeless and have not been bidding for homes).

accommodation (all High housing need band) will be advised in their initial registration letter or email that they may be placed on autobid, where the local authority managing their application determines that this is appropriate. This could include households being placed on autobid as soon as they are placed in one of these four categories.

- 4.11.2 When assessing whether to place households on autobid local authorities will take into account whether doing so would mean that households would be less likely to become homeless, or that households in temporary accommodation could secure permanent accommodation more quickly.
- 4.11.3 Households in these three categories, who are not initially placed on autobid, may also be placed on autobid if they are not bidding for all available appropriate homes
- 4.11.4 Before automatic bids are placed the relevant local authority will carry out an assessment as to what type of property would be suitable. This may include location. Automatic bids will be limited to the local authority area managing the application.
- 4.11.5 If an automatic bid is successful the household will be expected to accept the offer of accommodation unless there is good reason why they should refuse a property. Any 'unreasonable' refusal of such an offer will lead to a local authority discharging any applicable duty under the homelessness legislation.
- 4.11.6 This requirement and the associated procedure will be clearly set out in the decision letter sent to households when they have been assessed as being statutorily homeless.

4.12 Review of Applications in Band B

- 4.12.1 Applications in Band B will be monitored every 3 months. Applicants will be encouraged or supported to bid if they have not been bidding.
- 4.12.2 Applicants in Band B who have not placed a bid in the previous 12 months will be suspended from bidding, and will be reviewed by the relevant local authority. The review may result in their application being cancelled, placed in a different Band (if the household no longer has that level of need) or remaining in Band B (e.g. if there were no appropriate homes advertised in the previous 12 months).

4.13 Selection procedure

- 4.13.1 Applicants who have bid for homes will be prioritised:
- Firstly by their band. For example those applicants in the High housing need band (Band B) will be listed above applicants in the Medium housing need band (Band C), and
 - Secondly **within** each band in order of their band start date, with the applicant with the earliest band start date at the top.
- 4.13.2 For each home advertised the successful applicant will be the one

who is eligible for the home, meets any preferences that have been stated on the advert where appropriate, is in the highest band and has the earliest band start date.

- 4.13.3 Each successful applicant's details will be checked to ensure they are eligible for the home and that there has been no material change of circumstances since their banding was assessed. Only those applicants who meet the criteria at the time that the offer is made can be offered the home.
- 4.13.4 Before making a final decision on the offer, the applicant will be able to view the property. As set out above, where an applicant has the highest band and earliest effective band for more than 1 home in any 1 week, they will be required to choose which home they wish to be considered for. In order to ensure effective housing management applicants will not be able to be considered for more than 1 home at any one time.
- 4.13.5 If an applicant confirms that they wish to be considered for a home they will not be able to bid on any other further homes, whilst they are being considered. Any open bids that an applicant has on other homes will not be progressed (e.g. landlords will 'bypass' the applicant and move to the next applicant. The 'Bypass reason' will be recorded as 'Applicant offered on another shortlist') whilst they are being considered for a home.
- 4.13.6 Landlords will make contact with the applicant being considered for the property to arrange a time for them to view the property. This will normally be within 3 working days, but is at the discretion of the landlord depending upon the circumstances.
- 4.13.7 Partners in Devon Home Choice will be able to offer advice to applicants to help them make an informed choice. It will be important however that any guidance offered does not override an applicant's own choices.
- 4.13.8 Applicants offered a home will normally be expected to make a decision whether to accept the offer within 24 hours of the formal offer being received by them. Where an applicant requires additional support or time to make such a decision this can be offered by the local authority and/ or housing association, or a support agency.
- 4.13.9 Where applicants have indicated that they are working with a support agency and are happy for information to be shared with the agency, the support agency will be informed if they are being put forward for a property. This will enable the agency to offer support to the applicant in deciding whether to accept an offer.

4.14 Verification of eligibility

- 4.14.1 Local authorities will undertake an initial check and verification of the information supplied by an applicant when they apply to join the

Devon Home Choice register.

- 4.14.2 When an applicant has bid for a home and they are in the highest priority band and have the earliest band start date, there will be a further check on their application (normally undertaken by the landlord) to ensure that they are eligible for the home.
- 4.14.3 If an applicant with the highest priority and earliest band start date is not considered to be eligible for a home this will be recorded on the Devon Home Choice website, together with the reason for this decision. This information will be accessible to the applicants themselves.
- 4.14.4 A more detailed verification and eligibility check will then be undertaken by the landlord of the home (either a local authority or Housing Association) before a formal offer is made.
- 4.14.5 There will be clear grounds for refusals or bypassing applicants by landlords agreed with partner landlords. A landlord will inform an unsuccessful applicant of the reason behind their decision. This may include suggested action that the applicant take in order to improve their chances of successfully finding a home through Devon Home Choice.
- 4.14.6 All offers of accommodation with landlords will be subject to the policies of the individual organisation. The landlord may require additional criteria to be met. The letting policies of partner landlords are available on the Partners page of the Devon Home Choice website.
- 4.14.7 Where it is found that an applicant's circumstances have changed from the information held on the Devon Home Choice register, or are incorrect, their application will be re-assessed. If this re-assessment finds that their priority band is reduced they will not be offered the property if they are no longer the applicant with the highest priority band. Cases may be referred to the relevant lead on fraud for the local authority managing the application.
- 4.14.8 The detailed verification check will include assessing whether applicants are still eligible for social housing (see Section 2.4) and qualifying persons (see Section 2.5). Applicants found to be ineligible or no longer a qualifying person since registering with Devon Home Choice will be removed from the register, and will not be offered the home.
- 4.14.9 The verification process will also involve a check on an applicant's rent account where appropriate. Applicants with rent arrears to a social landlord, that were accrued in the previous two years on their current or a previous tenancy, will not normally be offered a property. Those applicants with rent arrears above £500 will be placed in the No housing need band (Band E) or removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need. Further details are set out above

(see 'Applicants with rent arrears').

- 4.14.10 Applicants with rent arrears to a private landlord will be considered on a case-by-case basis by Devon local authorities. Applicants who have rent arrears to a private landlord over £500 who have been (or would be) assessed as having accrued these rent arrears intentionally will be placed in the No housing need band (Band E) or removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need. 'Intentionally' means that the applicant deliberately did something (or failed to do something) that resulted in the rent arrears. An act or omission in good faith on the part of the applicant will not be treated as deliberate if they were unaware of any relevant fact. Further details are set out above (see 'Applicants with rent arrears').
- 4.14.11 If the verification process highlights issues (set out above) that lead to a reduction in an applicant's priority band, they will not be offered the property if they are no longer the applicant with the highest priority band.
- 4.14.12 Applicants who have their priority reduced within Devon Home Choice will be informed in writing of:
- The decision and the reasons behind it
 - Their right to appeal and how to do this
- 4.14.13 Each applicant's circumstances will be considered on a case-by-case basis, for example if an emergency move is needed or serious harm would result then their priority may be maintained, enabling the move to progress. The tenant would be charged and expected to pay back the cost of any work needed to put right wilful damage or neglect.
- 4.14.14 Transfer applicants need to check with their landlords on the criteria they should meet before being offered a transfer to alternative accommodation. Social landlords can prevent a transfer in certain situations, for example if the applicant has outstanding rent arrears.
- 4.14.15 Partners in Devon Home Choice reserve the right to prevent an offer going ahead where the home is not considered to be suitable for the applicant.
- 4.14.16 This may include issues of public safety, risk, or sustainability of the tenancy. An offer may not be made or may even be withdrawn if the support needs of the applicant are such that the landlord, in consultation with the local authority deems that the applicant will be unable to maintain an independent tenancy. This decision may also be informed by the input from other partner agencies involved in a case.
- 4.14.17 In these circumstances there must be a sufficient care or floating support package available to ensure that the tenancy is likely to be

successfully maintained.

4.15 Refusals

4.15.1 A refusal of a property is considered to have occurred if the applicant has either:

- Failed to respond to contact from a landlord, or
- Failed to turn up for a viewing, or
- Declined the initial suggested match when contacted by a landlord, or
- Declined a formal offer¹⁷.

4.15.2 If an applicant decides to refuse an offer of a home it will be offered to another applicant who is eligible and has the next highest band and/or earliest band start date and, where appropriate, meets any preferences specified on the advert.

4.15.3 Applicants who have been accepted as statutorily homeless by a Devon local authority are still able to exercise choice through Devon Home Choice, to apply for those homes they feel meet their needs. However, if they refuse a formal offer of accommodation, the refusal will be referred to the local authority managing the case. They will investigate whether or not the refusal is 'reasonable' and inform the landlord within 24 hours. If the refusal is 'reasonable' then the second placed applicant will be made an offer of the home. However, if the refusal is deemed 'unreasonable' then the applicant will be advised by the local authority that their duty will be discharged and the applicant re-offered the home.

4.15.4 Homeless applicants will also be advised that if they refuse an offer, the home will be offered to another household with the next highest band and/or earliest band start date who applied. Rather than refusing an offer of accommodation, homeless households will therefore be advised to accept the offer and request a review of suitability once they have been accommodated. Further advice and information is available from each of the Devon local authorities.

4.15.5 If an Emergency housing need band (A) applicant refuses a suitable offer of a property through Devon Home Choice, they will have their status reviewed and may be placed in one of the other bands dependent on their need. In very exceptional circumstances an applicant will be allowed to remain in the Emergency housing need band (A) for longer than 4 weeks.

4.15.6 Applicants who refuse 3 homes that are considered reasonable by the local authority managing their case will have their priority reduced to No housing need (Band E) or be removed from the Devon Home Choice register in those local authority areas which do not register households with no housing need for 12 months. Local authorities

¹⁷ Applicants who have been accepted as statutorily homeless by a Devon local authority will only be considered to have refused a home, if they refuse a formal offer of accommodation (see paragraph 4.14.3)

will review each case individually, in order to ensure that there are sufficient safeguards for vulnerable applicants (e.g. who may have refused a property due to mental health issues or learning disabilities etc.).

4.16 Feedback

- 4.16.1 An important part of Devon Home Choice will be to provide feedback on properties that have been let.
- 4.16.2 Personalised feedback will also be available to each applicant on the 'My CBL' section of the Devon Home Choice website to let them know the outcome of their applications for properties. This will help to inform any future choices they make about applying for homes. Feedback will also be available from local authority housing teams.
- 4.16.3 This information will help applicants understand where properties are more likely to become available and their chances of success.

4.17 Difficult to let properties

- 4.17.1 If a vacancy cannot be filled through Devon Home Choice then the property can be let in any way deemed appropriate by the landlord. This may include re-advertising the property and removing any restrictions previously attached, or making a direct offer.
- 4.17.2 Details (for example the number, type and location) of properties that are difficult to let will be monitored each quarter. Information will be fed into the Devon Home Choice Management Board.

4.18 Fraud

- 4.18.1 S.171 Housing Act 1996 makes it an offence for anyone, in connection with the exercise by a housing authority of its functions under Part VI:
 - To knowingly or recklessly give false information
 - To knowingly withhold relevant information which the housing authority has reasonably required the applicant to give in connection with the exercise of those functions.
- 4.18.2 The circumstances in which an offence is committed could include providing false information:
 - On the Devon Home Choice application form
 - When updating a Devon Home Choice application
 - In response to a request for further information in support of the application
 - During a review proceeding
- 4.18.3 This may include any applicant who fails to notify the local authority of any relevant change in their circumstances which may affect their

application.

- 4.18.4 Any applicant found guilty of such an offence may:
- Be liable to a fine, which could currently be as much as £5000
 - Have their application refused or withdrawn from the Devon Home Choice register
 - Have any offers made withdrawn
- 4.18.5 Ground 5 in Schedule 2 to the Housing Act 1985 (as amended by s.146 of the 1996 Act) enables the landlord to take action to repossess any tenancy obtained by the provision of false information or by the withholding of relevant information, by the tenant or a person acting at the tenant's instigation.
- 4.18.6 All Devon Home Choice partner landlords are committed to taking legal action against any applicant found to have gained a tenancy based on false information in their application form.
- 4.18.7 The Prevention of Social Housing Fraud Act 2013 identifies tenant fraud as a criminal matter and local authorities have the power to prosecute those who unlawfully sublet their social housing
- 4.18.8 Any allocation made through Devon Home Choice is intended to accommodate the applicant and the confirmed household members. Applicants may be asked to provide a photograph of the adult members of their household with their application, or when updating their application, and to agree to being photographed at the time of allocation to safeguard against tenancy fraud.
- 4.18.9 Any applications where there are concerns that the applicant has knowingly or recklessly made a statement which is false, or knowingly withheld information should be reported to the relevant lead on fraud for the local authority managing the application.

4.19 Data Protection

- 4.19.1 In accordance with our legal obligation under the General Data Protection Regulation (Regulation (EU) 2016/679) and Data Protection Act 2018, the Privacy Notice that is available on the Devon Home Choice website and application, sets out how we will process applicants' personal data, the lawful basis for doing this, and the rights that applicants have.
- 4.19.2 All personal data will be processed in accordance with the requirements of the General Data Protection Regulation (Regulation (EU) 2016/679) and Data Protection Act 2018.
- 4.19.3 The Privacy Notice on the Devon Home Choice website (www.devonhomechoice.com) explains what personal data we collect from you and how we use it.
- 4.19.4 Personal data will be deleted 7 years after an applicant has been

housed, or their application is cancelled or rejected.

4.20 Policy review

- 4.20.1 The Devon Home Choice scheme is reviewed annually. The Devon Home Choice Management Board will agree any changes that need to be made to the policy and/ or operation of the scheme as a result of the policy review.
- 4.20.2 Following the annual review, a Barrister will be commissioned to review any agreed changes, and ensure that the policy reflects any legislation, guidance or case law from the previous year.
- 4.20.3 Changes will only be made to the Devon Home Choice policy following the annual review, except in exceptional circumstances (e.g. new government legislation etc.).

4.21 Reviews

- 4.21.1 Any applicant has the right to request a review of decisions taken in regard to their application.
- 4.21.2 Once an applicant has been notified in writing of the band in which they have been placed, or their ineligibility, they will have a right of review against the assessment. Requests for reviews must be submitted in writing, to the local authority housing office within 21 days of the date on the notification letter or email.
- 4.21.3 Review requests will only be considered where it can be demonstrated that the policy has been incorrectly applied. The request should refer to the relevant section or paragraph of the policy. Cases where new or additional evidence is provided will be considered by the relevant team as a re-assessment rather than a review.
- 4.21.4 Requests for reviews of a decision not to allocate a property for which the applicant has bid and has the highest priority and earliest band start date should be submitted to the landlord that has taken the decision.
- 4.21.5 All requests for reviews for any of the other reasons listed above must be submitted in writing to the local authority housing office.
- 4.21.6 Where an applicant requests a review of their priority awarded as a result of a health & wellbeing assessment the review will be carried out by a senior officer who played no part in the original assessment or a multi-agency panel in another area of Devon. A response will be provided to the applicant in writing within 56 days of the receipt of the request for review letter. Review requests relating to health & wellbeing assessments must refer to the relevant section of the Health & Wellbeing Assessment Framework.
- 4.21.7 The local authority or landlord will acknowledge the review request

within 7 days. A Senior Officer who played no part in the original assessment will carry out a review of the case and respond in writing, to the applicant within 56 days of the receipt of the request for review letter. Following the review, the applicant will be informed in writing of the outcome together with the reasons for the decision.

4.21.8 If an applicant is dissatisfied with the review decision they are advised to seek advice from a solicitor or the Citizens Advice Bureau etc.

4.21.9 Any complaints regarding the operation of the scheme should be directed initially to a local authority housing office. Details of applicants, allocations and complaints will be monitored in relation to diversity to ensure equality of access.

4.21.10 See Procedures Manual paragraphs 26.48 – 26.57 for full complaints procedure.

4.22 Monitoring

4.22.1 Effective monitoring is in place and will be regularly reviewed to ensure that Devon Home Choice is accessible, and is working as fairly and effectively as possible.

4.22.2 The monitoring system includes information on:

- The participation and outcomes for vulnerable groups
- The number of applicants stating that they wish to be supported (for example with completing the application form or with bidding), why, and how this support was provided
- Applicants who have been awarded a high priority (for example Emergency, High or Medium Housing Needs Bands) but haven't been bidding or haven't been bidding effectively. This will be followed up to assess the reasons why and whether any additional support is required
- How applicants have accessed information on available homes
- How applicants have bid for homes
- How long applicants who have been accepted as statutorily homeless take to move into permanent accommodation
- The number of applicants who have been bypassed or refused by partner landlords, and the reasons for these decisions
- The occasions when, and reasons why local authorities have used their residual discretion to depart from of the Policy due to exceptional circumstances
- The number and type of homes diverted by partner landlords for lettings outside Devon Home Choice, and the reasons for this

4.22.3 A range of questions have been included on the application form that will enable equal opportunities monitoring. This information will help reveal whether there are certain groups within the community who are not accessing information about Devon Home Choice and not participating in the scheme.

4.22.4 As with any monitoring it will only serve a purpose if the results are

used effectively to develop and further improve Devon Home Choice to ensure that applicants who are vulnerable do not lose out.

- 4.22.5 Similarly good practice from other schemes and guidance from central government will be incorporated into Devon Home Choice.

4.23 Partnership working

- 4.23.1 A wide range of agencies across the statutory and voluntary sectors work with people who may require support to participate in Devon Home Choice.
- 4.23.2 Local authorities monitor the housing register to identify those applicants who, given their priority within Devon Home Choice, may soon be successful for a property, but who require a support package to enable them to live independently. It will be vital that such a support package is put in place, or can be arranged in an appropriate timescale that will enable an applicant to take up an offer of housing. This requires close partnership working between local authorities, housing associations and partner agencies.
- 4.23.3 Research has shown that Choice Based Letting schemes have not always engaged well with partner agencies. Many support agencies have not been fully aware of how schemes work and therefore have not been well placed to support the applicants they work with to participate. It will be important that we continue to work, on an ongoing and regular basis, with a wide range of agencies to raise awareness of Devon Home Choice in order:
- That partner agencies are aware of how Devon Home Choice works, and are able to support applicants to participate
 - That understanding of the scheme is not lost with changes in staff
 - That the scheme is developed taking on the views of applicants who may require support to participate and the agencies who work with them
- 4.23.4 We recognise that all agencies, statutory and voluntary, have pressures on their time and resources. As a result not all agencies will be able to assist in supporting applicants to participate in Devon Home Choice. However it is only through an open and honest discussion with partner agencies that this will become apparent.
- 4.23.5 As well as explaining how Devon Home Choice works it will be important to ensure that partner agencies are given a realistic view of the demand for social housing in Devon, and information on the full range of housing options. This will be achieved through briefing and training events, and information produced specifically for support agencies. This will help to make sure that applicants who may require support do not build unrealistic expectations that they will be successful, and that they are guided through all housing options.
- 4.23.6 Each week local authorities email or send out details of the available homes to partner agencies and advocates across the county.

4.24 Training

- 4.24.1 Ongoing training will be provided to ensure that staff in local authorities, housing associations and other partner organisations are:
- Able to identify applicants who may require support to participate
 - Able to put in place the support required
 - Fully making use of the resources to help vulnerable applicants

5. Appendix 1: Definitions

5.1 Efficient management of social housing stock within Devon (High housing need band [Band B])

5.1.1 This priority will be awarded in a number of situations set out below to aid the efficient management of social housing stock.

- **To release high need properties**

As social rented housing is a scarce resource there will be times when it is not being used to its full potential. Re-housing will enable a 'high need' property to be released or to aid the wider management of the social rented housing stock.

This will include:

- 'High need' property
Where the re-housing of a tenant or household would assist with the better use of social rented housing. This might include where applicants have no particular priority, but are occupying a property that is of a type in very limited supply and is needed to be returned to the stock of social housing for letting to meet an immediate and pressing need. An example would be a household occupying a property that has been extensively adapted, but where they have no further need of that type of accommodation. Given the need for accessible and adapted properties, it has been agreed that in such cases the household's Band Start Date will be backdated to the date they moved into that accommodation, to enable them to move as soon as possible.
- Persons left in occupation
If a person is left in occupation after the death of a tenant, they will usually be expected to leave the property and find their own home. Where a tenancy is ended by the tenant it is the tenant's responsibility to ensure that the property is handed back to the social landlord.

There are some exceptions to this: -

- Upon the death of a social tenant, if person(s) left in the home are legally entitled to be a 'successor', then the situation will be dealt with in accordance with the law. Sometimes this may mean that they are able to stay and in others it may mean that they are offered an alternative home
- When a social tenant leaves the home and ends the tenancy, there are some cases in which a potential 'successor' may qualify as above
- A 'Carer left in Occupation'. A person will only be seen as a 'Carer' when there is clear medical evidence of that care being essential and that the applicant has been providing care at the time the tenant left (e.g. to go into residential care) and/or had been providing care for at least 12 months.

- Where the person left in the home has been living there for most, if not all, of their lifetime and has been dependent upon the tenant for support. If as a result they have become vulnerable and less able to find their own home, then they may be made an offer of accommodation. The age, length of residence, life skills and experience of the person left in the home will be the deciding factors.
 - Where the person left in the home has been living there for at least the last 12 months, and a grant for use and occupation has been issued.
- **As a management tool to resolve issues affecting a block or estate**
- This priority may also apply where it was agreed as an appropriate solution to resolve an issue affecting a block or estate, but where all other tools available to the Social Landlord had proven ineffective. For example to move a victim of anti-social behaviour where all other courses of action (including action against the perpetrator) have been exhausted
- A decision on these grounds would normally only be made where leaving the particular household in their existing property would seriously and negatively impact upon the quiet enjoyment of the tenant or neighbouring residents. Where agreed it should normally be seen as part of a package of support measures for that particular household, but only rarely would it be the only support measure being employed to achieve a solution. Typically it will arise out of a multi-agency strategy.
- It should not be used as an alternative to enforcement action for anti-social behaviour, nuisance, or any other breaches of tenancy.
- A completed Devon Home Choice application form will accompany all such requests. The applicant will be able to identify their own preferred housing solutions in the normal way, however it will need to be recognised that where restrictions are made as to the type or location of properties which may be acceptable, that this may well reduce the prospects of such accommodation becoming available.
- **Demolition**
- This need is recognised where there is a programme of regeneration which will require the re-housing of households whose homes will be demolished. This will be awarded once the demolition plans have been confirmed by the applicant's social landlord.
- **Major works**
- Applicants in social housing who require permanent alternative accommodation as a result of major works needing to be carried out on their home.

- **Disposal**

Tenants in social housing in Devon who require permanent alternative accommodation as a result of a Devon Home Choice partner landlord disposing of their home.

- **Staff of Devon Home Choice partners who occupy tied accommodation**

Staff of Devon Home Choice partner local authorities and housing associations who occupy tied accommodation and who need to move upon retirement. This will not apply to staff who need to move because they have found a new job, resigned or been dismissed.

This will only apply to those members of staff of Devon Home Choice partners who occupied tied accommodation on or before 31 December 2009.

5.2 Escape serious domestic abuse or other violence or threat of violence or serious harassment (Emergency housing need band [Band A])

- 5.2.1 In exceptional circumstances it will be appropriate to support the removal of households from the risk that they are facing by remaining in their current home. This will assist in ensuring that the household does not become homeless for this reason. The decision will be subject to regular reviews and could lead to the status being withdrawn if there is a change in circumstances.
- 5.2.2 This need will be awarded to applicants where there is immediate risk to the household, and usually with evidence from the police or another appropriate agency. The person at risk may be the applicant, or another person who might be reasonably expected to reside with them.
- 5.2.3 The purpose of this need is the removal of applicants from the risk that they are facing.
- 5.2.4 The definition of this risk will be where the person concerned is suffering from serious domestic abuse or other violence or threats of violence that are likely to be carried out. This would need to be an **imminent** threat of significant physical or mental harm to the applicant or a member of their household.
- 5.2.5 Band A will only be awarded where the local authority agrees that there are no appropriate housing options available (e.g. temporary accommodation, Sanctuary scheme etc), **and** where the risk can be managed at their current home.
- 5.2.6 Where the request relates to anti-social behaviour, it will only qualify where there is a serious risk of physical or psychological harm to the applicants due to serious domestic abuse or other violence or anti-social behaviour. It will also need to be clear that the landlord or appropriate agency have tried all approaches to prevent such

behaviour within their anti-social behaviour policy.

5.2.7 Harassment is defined as personalised, deliberate, unwanted acts of violence (verbal or physical) or other behaviour that is designed to cause harm or damage to people or property which is suffered by individuals or groups. This may include harassment on the grounds of age, disability (including HIV status) faith or belief, gender, race, ethnic or national origin, sexual orientation, or specific individual or family circumstances.

5.2.8 To achieve this level of priority there must be a significant assessed level of harassment and a consequent risk to the household, and that this cannot be reduced or resolved to an acceptable level within a reasonable timescale.

5.2.9 This is likely to arise where either there is an immediate risk to the household or where there has been prolonged harassment that is causing a serious impact on the well-being of the household.

5.3 Overcrowding (High housing need band [Band B] or Medium housing need band [Band C])

5.3.1 Overcrowding refers to the situation where there are not enough bedrooms to satisfactorily accommodate the number of people that make up a household.

5.3.2 The Severe Overcrowding category (Band B) includes applicants who:

- Currently lack 2 or more bedrooms given the size of their household, or
- Are lacking 1 bedroom but have 2 children that lack a bedroom. For example a couple with 4 same sex children in a 2 bed home, or a single parent with 2 children under 10 in a 1 bed home, or
- Where there are 3 people or children sharing a bedroom which has been confirmed by an RP or Environmental Health as not being big enough for 2 people/ children to share the application will be placed in Band B as 2 children lacking a bedroom. Please note that any assessment will be made using the current room and space standards (as defined under Part 10 of the Housing Act 1985), rather than any maximum occupancy limits set down in tenancy agreements. Please also note that this will not affect the household's bedroom need

5.3.3 Where a household is assessed as lacking 1 bedroom given their household size, they will be placed in Medium housing need band (Band C). As stated above, where there are 2 children who are lacking a bedroom applications will be placed in Band B.

5.3.4 The best use should be made for the bedroom resources available so that, for example, a bedroom used for storage should be counted as a bedroom.

5.3.5 The number of bedrooms required for households of different sizes is

set out in the [Size of property](#) section above. The following assessments will normally be made under Devon Home Choice about the ages and sex of children who can share a bedroom, or who need separate bedrooms (except in exceptional circumstances):

- 2 children of the same sex (up to 16 years of age) can share a bedroom
- A boy & girl who are both under 10 years old can share a bedroom
- A boy & girl, where at least 1 is over 10 years old need separate bedrooms

5.3.6 No additional priority will be awarded for overcrowding if the applicant is assessed to have deliberately worsened their circumstances (see Section 3.7.6. above).

5.4 Social need or supporting delivery of another priority service (High housing need band [Band B])

5.4.1 This need applies to applicants whom, for exceptional reasons, fall outside of the rest of Devon Home Choice assessment framework, and need to be found secure alternative accommodation.

5.4.2 This may include child risk or concern issues where children would otherwise be accommodated by social services.

5.4.3 This category includes applicants who are being considered by Devon County Council, Plymouth City Council or Torbay Council as prospective foster parents or for adoption, where a larger property is required in order for them to be approved. It will also include households who have been approved by an independent agency used by Devon County Council, Plymouth City Council or Torbay Council.

5.4.4 Households who are seeking to foster or adopt will also have the size of property they are assessed as needing increased by an additional bedroom (please note that this will usually be a maximum of 1 additional bedroom in order to be consistent with benefit rules unless there is evidence of a specific confirmed need for more).

5.4.5 Exceptional cases may also be considered where there is a combination of factors or special circumstances which make the overall effect disproportionately worse than any of those factors might normally be assessed as being.

5.4.6 This should not be used to prioritise applicants who could be assessed under the Health and Wellbeing Assessment process set out above, or whose problems relate to such issues as overcrowding that are assessed and banded separately.

5.4.7 Requests for acceptance into the above need should be referred to a Devon local authority's Housing Department.

5.5 Urgent Management Move

5.5.1 In exceptional circumstances partner landlords within Devon Home Choice may need to make an urgent management move and allocate a home outside of Devon Home Choice. Situations when a landlord might need to make an urgent management move include:

- To escape serious domestic abuse or other violence or the threat of serious violence
- To escape serious harassment
- To resolve issues affecting a particular area or block

5.5.2 The situations will be such that an immediate move is required.

5.6 Young people leaving care and Care Experienced Young People

5.6.1 For all intents and purposes any reference to young people leaving care and Care Experienced Young People referred to in this Policy refers to a person aged between 18 until they reach their 25th birthday, who has been looked after by a Devon local authority for at least 13 weeks since the age of 14; and who was looked after by the local authority at school-leaving age or after that date. *(In Devon we have replaced the term 'Care Leavers' with 'Care Experienced Young People' to better reflect their ongoing journey and experiences.)*

6. Appendix 2: Devon Home Choice Partners

6.1 Local authorities

<p>East Devon District Council Blackdown House Border Road Heathpark Industrial Estate Honiton Devon EX14 1EJ</p> <p>T: (01395) 517469 E: devonhomechoice@eastdevon.gov.uk W: http://eastdevon.gov.uk/</p>	<p>Exeter City Council Civic Centre Paris Street Exeter Devon EX1 1JN</p> <p>T: (01392) 265889 E: devonhomechoice@exeter.gov.uk W: http://exeter.gov.uk/</p>
<p>Mid Devon District Council Phoenix House Phoenix Lane Tiverton Devon EX16 6PP</p> <p>T: 01884 255255 E: devonhomechoice@middevon.gov.uk W: https://www.middevon.gov.uk/</p>	<p>North Devon District Council Lynton House Commercial Road Barnstaple Devon EX31 1DG</p> <p>T: 01271 388870 E: customerservices@northdevon.gov.uk W: www.northdevon.gov.uk</p>
<p>Plymouth City Council Housing Options Floor 3 Ballad House West Hoe Road Plymouth PL1 3BJ</p> <p>T: 01752 668000 E: housingneeds@plymouth.gov.uk W: www.plymouth.gov.uk</p>	<p>South Hams District Council Follaton House Plymouth Road Totnes Devon TQ9 5NE</p> <p>T: 01803 861234 E: devonhomechoice@southhams.gov.uk W: www.southhams.gov.uk</p>

Local authorities

Teignbridge District Council Forde House Brunel Road Newton Abbot Devon TQ12 4XX T: 01626 215200 E: devonhomechoice@teignbridge.gov.uk W: www.teignbridge.gov.uk	Torbay Council Town Hall Castle Circus Torquay TQ1 3DR T: 01803 207126 E: https://forms.torbay.gov.uk/HousingEnquiry W: www.torbay.gov.uk
Torridge District Council Riverbank House Bideford Devon EX39 2QG T: 01237 428700 E: devonhomechoice@torridge.gov.uk W: http://www.torridge.gov.uk/article/12059/Residents	West Devon Borough Council Kilworthy Park Tavistock Devon PL19 0BZ T: 01822 813600 E: devonhomechoice@westdevon.gov.uk W: www.westdevon.gov.uk

6.2 Registered Providers operating in Devon

<p>Abri Lupin Way Yeovil Somerset BA22 8WN</p> <p>01935 404 500 www.abri.co.uk</p>	<p>Aster Genesis Building Office 37 235 Union Street Plymouth PL1 3HQ</p> <p>0333 400 8222 www.aster.co.uk</p>
<p>Clarion Housing 12 Elstree Way Borehamwood Herts WD6 1JE</p> <p>03005008000 www.clarionhg.com</p>	<p>Cornerstone Cornerstone House Western Way Exeter EX1 1AL</p> <p>01392 273462 mail@cornerstonehousing.net www.cornerstonehousing.net</p>
<p>Falcon Rural Housing Ltd Falcon House 3A South Street Wellington Somerset TA21 2NR</p> <p>01823 667343 www.falconruralhousing.com</p>	<p>Guinness Hillfields House (Ground Floor) Matford Court Sigford Road Exeter EX2 8NL</p> <p>01392 822900 www.guinnesspartnership.com</p>
<p>Hastoe Housing Association Ltd Fleur de Lis Middlemarsh Street Poundbury Dorchester Dorset DT1 3GX</p> <p>0845 601 8865 southwest@hastoe.com www.hastoe.com</p>	<p>Legal & General Affordable Homes 12 Cock Lane London EC1A 9BU</p> <p>020 8132 4665 www.legalandgeneral.com/affordable-homes</p>
<p>LiveWest 1 Wellington Way Skypark Exeter EX5 2FZ</p> <p>01392 814550 lettings@livewest.co.uk www.livewest.co.uk</p>	<p>Magna Housing Association Hollands House Poundsbury Road Dorchester Dorset DT1 1SW</p> <p>01305 216000 hollands@magna.org.uk www.magna.org.uk</p>

Registered Providers operating in Devon

<p>New Arch Homes 6th Floor 33 Holborn London EC1N 2HT</p> <p>https://www.newarchhomes.com/</p>	<p>North Devon Homes Westacott Road Barnstaple Devon EX32 8TA</p> <p>01271 312500 webresponse@ndh-ltd.co.uk https://www.ndh-ltd.co.uk/</p>
<p>Pinnacle Group 8th Floor Holborn Tower 137-144 High Holborn London WC1V 6PL</p> <p>020 7017 2000 enquiries@pinnaclegroup.co.uk www.pinnaclegroup.co.uk</p>	<p>Places for People 305 Gray's inn Road London WC1X 8QR</p> <p>020 784 33820 CSC.General@placesforpeople.co.uk www.placesforpeople.co.uk</p>
<p>Plymouth Community Homes Plumer House Tailyour Road Plymouth PL6 5DH</p> <p>Tel: 0800 694 3101 www.plymouthcommunityhomes.co.uk</p>	<p>Salvation Army Housing Association Salvation Army Housing Association Customer Service Centre 2nd Floor 53-55 Victoria Square Bolton BL1 1RZ</p> <p>0800 970 6363 info@saha.org.uk www.saha.org.uk</p>
<p>Sanctuary Woodview House Torbay Business Park Woodview Road Paignton TQ4 7HP</p> <p>Or</p> <p>21 Elliott Road Prince Rock Plymouth PL4 9NJ</p> <p>0800 083 9283 www.sanctuary-housing.co.uk</p>	<p>Sovereign Network Group Unit 2 Orchard Court Heron Road Sowton Industrial Estate Exeter Devon EX2 7LL</p> <p>01392 888000 enquiries@sovereign.org.uk www.sovereign.org.uk</p>

Registered Providers operating in Devon

<p>Stonewater For former Jephson tenants: 450 Woodlands Court Ash Ridge Road Bradley Stoke Bristol BS32 4LB</p> <p>For Raglan tenants: Unit 4 Vincent Court 89 Soundwell Road Staple Hill Bristol BS16 4QR</p> <p>0800 011 6420 www.stonewater.org</p>	<p>Teign Housing Millwood House Collett Way Newton Abbot TQ12 4PH</p> <p>01626 322722 info@teignhousing.co.uk www.teignhousing.co.uk</p>
<p>Westward Housing Group Templar House Templar's Wharf Collett Way Newton Abbot TQ12 4PH</p> <p>0300 100 1011 www.westwardhousing.org.uk</p>	<p>Willow Tree Housing Partnership Eastbridge House Pill Road Rooksbridge Axbridge Somerset BS26 3TN</p> <p>www.willowtreehousing.org.uk customerservices@willowtreehousing.org.uk</p>

7. Appendix 3: Potential barriers to participating in Devon Home Choice

There are considered to be five key areas where applicants may face barriers participating in Devon Home Choice (these lists are not exhaustive):

7.1 Accessing information

7.1.1 Some applicants may have difficulty accessing information because they:

- Have literacy problems
- Don't speak English as their first language
- Have a chaotic lifestyle
- Have negative perceptions of the service and likely the outcome
- Don't know about the scheme or where to find information or support
- Are visually and/ or hearing impaired
- Have learning difficulties
- Have mobility issues
- Are geographically isolated
- Currently live outside Devon
- Have mental health issues
- Are suffering a crisis
- Don't have access to the internet
- Are not IT literate

7.2 Completing the Application Form

7.2.1 Some applicants may have difficulty registering for Devon Home Choice because they:

- Have literacy problems
- Don't know how to register and/ or where to get information
- Are visually impaired
- Don't have access to the internet
- Are not IT literate

7.3 Bidding for homes

7.3.1 Some applicants may have difficulty bidding for homes because they:

- Have a chaotic lifestyle
- Have learning difficulties
- Are visually and/ or hearing impaired
- Are geographically isolated
- Have mental health problems
- Have literacy problems
- Don't speak English as their first language
- Don't have access to the internet
- Are not IT literate

7.4 Decision making

7.4.1 Some applicants may have difficulty deciding whether to bid for a property or accepting an offer because they:

- Lack general life skills
- Lack confidence

- Have a chaotic lifestyle
- Have learning difficulties
- Have mental health problems

7.5 Appeals

7.5.1 Some applicants may have difficulty in making an appeal (for example if they don't agree with the band they've been placed in) because they:

- Lack general life skills
- Lack confidence
- Have a chaotic lifestyle
- Have a learning difficulties
- Have mental health problems
- Don't know that they are able, or how, to appeal

Equality Impact Assessment: Housing Allocations Policy

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive Committee Meeting on 23 rd September	Housing Allocations Policy 2025 – 2030	To agree the updated policy	Those people with disabilities including mental illness

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions

planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics including race and gender. The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework and will apply to all housing applicants to Exeter City Council
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Neutral	Low	Many of our tenants have disabilities, both visible and hidden, this strategy and policy covers all. Properties with specific adaptations will be allocated to those who need them. Other properties can be adapted to make them suitable for people with disabilities.
Sex/Gender	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics such as sex/gender. The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework.
Gender reassignment	Neutral	Low	As above
Religion and belief (includes no belief, some philosophical beliefs such	Positive	Low	As above

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
as Buddhism and sects within religions).			
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics such as sex/gender.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Neutral	Low	ECC Housing will advertise properties specified as 'older persons' housing' and will allocate these to applicants over 60 years of age. There is a separate nominations agreement between Devon County Council and Exeter City Council over the allocation of homes at the extra care housing scheme, Edwards Court.
Pregnancy and maternity including new and breast feeding mothers	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics such as sex/gender.
Marriage and civil partnership status	Neutral	Low	As above as this is a protected characteristic

Actions identified that will mitigate any negative impacts and/or promote inclusion

The Housing Act 1996 as amended requires all Councils to give 'reasonable preference' in their allocations scheme to groups in high housing need, such as the homeless, people with medical or welfare needs, or those living in overcrowded, insanitary or unsatisfactory circumstances.

The Localism Act 2011 introduced a range of measures intended to give landlords the ability to make decisions based on local circumstances with a greater focus on need. Local authorities were given more freedom to set their own rules for admitting people onto the housing waiting list in the first place.

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

Officer: Sarah Hemming
Date: 30.07.25

REPORT TO EXECUTIVE

Date of Meeting: 23 September 2025

REPORT TO COUNCIL

Date of Meeting: 14 October 2025

Report of: Strategic Director for People and Communities

Title: Housing Complaints Policy 2025-2030

Is this a Key Decision?

No

Is this an Executive or Council Function?

Council

1. What is the report about?

1.1 The report summarises the new Housing Complaints Policy 2025-2030. It is proposed that the revised Policy be adopted and implemented. A copy of the Policy document is appended.

2. Recommendations:

2.1 That Executive recommends that Council approve the adoption of the new Housing Complaints Policy for the period.

3. Reasons for the recommendation:

3.1 Following the Social Housing (Regulation) Act 2023 the Housing Ombudsman issued a Complaint Handling Code became statutory from 1st April 2024. This code was introduced to enable 'a positive complaints culture across the social housing sector'.

3.2 A Housing Complaints Policy for Exeter City Council was introduced from April 2024.

3.3 The Housing Ombudsman has a statutory duty to monitor compliance with the Code, as part of this, landlords are expected to have a Housing Complaints Policy and complete a Self-Assessment against the requirements of the code.

3.4 In May 2025, the Housing Ombudsman asked to see a copy of our Housing Complaints Policy and the Self-Assessment document in order to undertake a review, they also reviewed information about complaints on the Council's website.

4. What are the resource implications including non financial resources

4.1 The dedicated complaints handling team which is already in place will fully comply with the recommendations and revised policy requirements to ensure that we provide a compliant and excellent service, at this time no additional staffing or other resources are required.

5. Section 151 Officer comments:

5.1 There are no financial implications contained in this report.

6. What are the legal aspects?

6.1 The Social Housing (Regulation) Act 2023 requires all social landlords, including local authorities, to have a clear and accessible complaints policy. The Housing Ombudsman and the Regulator of Social Housing both set expectations for how complaints should be handled. For example, the Housing Ombudsman requires local authorities that are registered providers of social housing to comply with the Housing Ombudsman's Complaint Handling Code. The Regulator of Social Housing sets expectations in the form of consumer standards requiring landlords to, inter alia, provide accessible, clear, and responsive complaints procedures. The Regulator also has the power to carry out regular inspections and assess whether providers are meeting new Consumer Standards, including those on complaints handling in accordance with the provisions of the Social Housing (Regulation) Act 2023.

7. Monitoring Officer's comments:

7.1 Members will note the legal aspects above. The Monitoring Officer has no additional comments.

8. Report details:

8.1 The Housing Ombudsman wrote to our Chief Executive on 1st August saying '*Our review is focussed on ensuring landlords have met the requirements of the Code based on what residents can reasonably expect to be included in a policy document.*'

8.2 The Housing Ombudsman attached a list of 16 recommendations where it found that some elements of the existing policy and information on our website needed to reflect the most up to date guidance.

8.3 The letter went on to say '*We encourage all landlords to carefully consider any recommended changes to policy and to take time to ensure that any changes are embedded across the organisation.*'

8.4 Having studied their recommendations in detail it was decided to act upon these without delay and a thorough review of the policy was undertaken. The letter provides a deadline for updating the policy:

8.5 '*In the case of Exeter City Council, we would expect the submission to be provided within 6 months of the financial year-end, and no later than 30 September 2025.*'

8.6 The 'submission' they refer to is our up-to-date Self-Assessment document which references the new policy and revised website information.

8.7 The Housing Complaints Policy has therefore been updated to ensure compliance with the Complaint Handling Code and is appended to this report.

8.8 As the content of the policy is prescribed by the Housing Ombudsman it is not proposed to publish the policy for public consultation.

9. How does the decision contribute to the Council's Corporate Plan?

9.1 The delivery of the objectives within this policy accord with the intended outcomes as set out in the new Corporate Plan including:

'focusing on priorities, efficient delivery of services' and

'delivery of cost effective and accessible customer focused services'

10. What risks are there and how can they be reduced?

10.1 The Regulator of Social Housing will examine all our policies as part of their inspection regime, not having one in place could cause the service to be awarded a lower grade.

11. Equality Act 2010 (The Act)

11.1 Under the Act's Public Sector Equalities Duty, decision makers are required to consider the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

11.2 In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

11.3 In making decisions the authority must take into account the potential impact of that decision in relation to age, disability, race/ethnicity (includes Gypsies and Travellers), sex, gender identity, religion and belief, sexual orientation, pregnant women and new and breastfeeding mothers, marriage and civil partnership status in coming to a decision.

11.4 In recommending this proposal potential impact has been identified on people with protected characteristics as determined by the Act and an Equalities Impact Assessment has been included in the background papers for Member's attention.

12. Carbon Footprint (Environmental) Implications:

12.1 There are no direct carbon/environmental impacts arising from the recommendations contained in this report.

13. Are there any other options?

13.1 There are no other options as the Housing Ombudsman's Complaint Handling Code is statutory and as responsible social landlords we are required to adhere to it.

Strategic Director People and Communities Jo Yelland

Author: Lawrence Blake

Local Government (Access to Information) Act 1972 (as amended)

Background papers used in compiling this report:-

[Compensation policy | Housing Ombudsman](#)

Contact for enquiries:
Democratic Services (Committees)
Room 4.36
01392 265275

Exeter City Council Housing Services

Housing Complaints Policy 2025-2030

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1. Introduction

- 1.1 Following The Social Housing (Regulation) Act 2023 The Housing Ombudsman issued a Complaint Handling Code which is statutory from 1st April 2024. This code was introduced to enable 'a positive complaints culture across the social housing sector'.¹
- 1.2 The Housing Ombudsman has a statutory duty to monitor compliance with the Code; as part of this, landlords are expected to have a Housing Complaints Policy.
- 1.3 This policy has been updated to reflect new guidelines issued by the Housing Ombudsman and following their review of the policy and the recommendations provided therein
- 1.4 This is Exeter City Council's Housing Complaints Policy

2. Statutory/Regulatory requirements

2.1 This Policy has been produced in line with legislation including:

- Localism Act 2011,
 - Housing Act 1996 (schedule 2),
 - General Data Protection Act 2018,
 - Equality Act 2010,
- 2.2 It also incorporates guidance from the Housing Ombudsman Service and meets the requirements of the Consumer Standards where appropriate i.e. The Tenant Involvement and Empowerment Standard.

Note: We have referred to residents throughout this document-this includes both tenants and leaseholders who occupy former Council owned homes.

3. Policy aims and objectives

- 3.1 At Exeter City Council we aim to provide an excellent standard of service to our residents; but acknowledge that on occasions we don't always get it right and residents may be dissatisfied and wish to complain.
- 3.2 When a resident contacts us with a complaint, it is treated as an opportunity to find ways to learn and improve the service. We will ensure that action is taken promptly to initiate an investigation.
- 3.3 We value that communication, and we will spend time and effort investigating to see where we can prevent similar complaints arising in the future; if we're doing something wrong, we need to put it right.

- 3.4 We have commitment and culture to make service improvements and learn from mistakes made. Monthly internal meetings are held where complaints received are discussed. This is an opportunity to share ideas and consider what we can learn from the situation so that procedures can be amended, practices reviewed and services improved. (See also the Monitoring of Complaints section below.)
- 3.5 It is Exeter City Council's aim to resolve complaints in a timely fashion and be open and accountable to our residents being outcome focused. Our policy is based on the Housing Ombudsman's Dispute Resolution Principles of: Being Fair, Putting Things Right and Learning from Outcomes.
- 3.6 We will treat all our residents in a fair manner, taking into account their needs and possible vulnerabilities.
- 3.7 We have set up a tenant led Complaints & Performance Group who meet on a quarterly basis to review our performance data and how the complaints service is operated. This group will help our service to identify any areas for improvement from a tenant's point of view. Feedback is provided in our Annual Report and in our in-house magazine to tenants, 'InSight', which is published twice a year.
- 3.8 Each year we will assess our service against the Housing Ombudsman's Complaint Handling Code and we will also produce an Annual Complaints Performance & Service Improvement Report; These will be brought to the Council Housing & Development Advisory Board (CHADAB), to the Complaints & Performance Group and ultimately published on our website.
- 3.9 Exeter City Council has appointed one of its Councillors to be the 'Member Responsible for Complaints'. See Appendix B

4 Definitions

- 4.1 The recognition of the difference between a formal complaint and a service request is important. The following indicates our definitions of both terms:

- i. [Service Request](#)

- 4.2 A service request can come from a tenant or someone who might have visited their home. For example, reporting a repair issue or reporting anti-social behaviour-these will be logged and forwarded to the relevant department for action.
- 4.3 Service requests can become formal complaints when, for example a repair has been logged, the resident has been in contact, but no action has been taken; the resident advises the issue has been raised previously with an officer and not actioned or the resident wishes to make a formal complaint straight away.

- ii. [Complaint](#)

- 4.4 Exeter City Council follows the Housing Ombudsman's definition of a complaint *'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the landlord, its own staff, or those acting on its behalf, affecting a resident or group of residents.'*
- 4.5 A resident does not have to use the word 'complaint' for it to be treated as such and that any residents that express dissatisfaction are given a choice to make a complaint.
- 4.6 Complaints need to be brought to our attention within 12 months of when the issue was first noticed. We will not normally consider a complaint made after that time.
- 4.7 Residents can follow the information on our website², making a formal complaint if they consider that we have:
- done something wrong
 - behaved unfairly or impolitely
 - not carried out a service to an agreed standard
 - not responded to their request for a service within our stated timescale
- 4.8 Residents can make a complaint in a number of different ways. Anyone can make a complaint on the resident's behalf, if they unable to do so. They will need signed authorisation from the resident.
- 4.9 Complaints can be made in writing by email, (we have a dedicated in-box for complaints), letter, via the Housing Complaints form accessible from our website, the telephone, during a visit by one of our officers or at one of our Housing Surgeries.
- 4.10 Complaints can also be made via social media (including our Housing Services Facebook page³), if this method is used it will be handled through our normal processes (outside of the social media platform itself).
- 4.11 Councillors can put forward complaints made directly to them by residents, these will be acknowledged and progressed in accordance with this policy.
- 4.12 If we understand that a resident is dissatisfied with our response to a service request, we will ensure that this is treated as a complaint and will inform the resident of this.
- 4.13 It will be made clear to the resident that making a complaint will not prevent, stall or impact on actions needed to resolve their original request made.

5. Processing Complaints

- 5.1 Exeter City Council has a team within Housing services dedicated to the processing of any complaint received from one of our tenants or leaseholders.
- 5.2 This team follow a strict process to ensure that the Housing Ombudsman's Code of Conduct is adhered to at all times.
- 5.3 The team will ensure that the investigation into any complaint that is made about the conduct or attitude of staff will be conducted by someone who is independent of the situation to avoid bias. There is a distinction between a complaint about alleged misconduct of a member of staff that would normally be handled under an HR procedure, and what is effectively a service complaint directed at an individual member of staff that can be handled under this complaints procedure.
- 5.4 Any correspondence will be in line with the guidance issued by the Housing Ombudsman (see Appendix A)

There are two stages to our complaints process.

i. Stage One

- 5.5 The specialist team take the initial complaint or enquiry and log it on our Housing database system.
- 5.6 If it is unclear about any aspect of the complaint, a member of the complaints team will contact the resident to ensure we have a clear understanding of the nature of the complaint.
- 5.7 The complaint is acknowledged, defined and logged within 5 working days of receipt and the resident is provided with a response deadline. This is often done much sooner than this.
- 5.8 The acknowledgement will set out our understanding of the complaint and the outcomes the resident is seeking; it will also detail which aspects that we are and are not responsible for.
- 5.9 The complaint is allocated to an investigating officer within 5 working days of receipt, who will investigate and provide a full response within 10 working days of the complaint being acknowledged.
- 5.10 This may be extended by 10 working days if the investigation is complex, but we will always contact the resident to explain the reasons behind this and the Housing Ombudsman's contact details will be provided to the resident. Responses will be made within this extended deadline unless there are exceptional circumstances.
- 5.11 Where additional investigation time would take the complaint outside of the extension period, e.g. beyond the extended deadline date, an agreement will be made by both parties

- 5.12 Where agreement over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details so the resident can contact them directly.
- 5.13 The team provide advice to the officers on their proposed responses and can arrange (with the agreement of the resident) for short extensions to the response times-this is always within guidance provided by the Housing Ombudsman.
- 5.14 The complaint response will be sent when the answer is known, or by the deadline provided and will not wait until any outstanding actions required to address the issue are completed. Any outstanding actions will be detailed in the response. This applies at Stage One and Stage Two of our complaints process.
- 5.15 If the resident raises additional complaints, these can be incorporated into the Stage One response if this has not already been sent. If, however the Stage One response has been sent or the issues raised are unrelated to the original complaint, or it would cause an unreasonable delay to the response then this will be logged as a new complaint.

Examples of actions to be taken at Stage One:

- i. The housing officer or surveyor contacts the complainant and they are happy with the outcome
- ii. A repair is completed and the resident is satisfied with the work & workmanship
- iii. Financial compensation is offered to recompense for any inconvenience or distress caused

ii. Stage Two

- 5.16 A complaint can be escalated to Stage two once it has completed Stage One of the Complaints process. We will make every effort to try to understand why the resident is unhappy with their response.
- 5.17 The request to escalate a complaint to Stage Two complaint will be acknowledged, defined and logged within 5 working days of receipt and the resident is provided with a response deadline.
- 5.18 We will not refuse a reasonable request to escalate a complaint to Stage Two of our process, unless for example legal proceedings have commenced.
- 5.19 If the resident remains dissatisfied after the Stage One investigation, they can request an escalation where a new senior officer will conduct an independent review. The request must be made within 3 months of the conclusion of the Stage One complaint. The Stage Two review will be completed within 20 working days and a final response will be sent to the resident.
- 5.20 This timescale may be extended by 10 working days if the investigation is complex-with the agreement of the resident, but we would always contact the resident to explain the reasons behind this and the Housing Ombudsman's contact details will be provided to the resident. A response will be provided within the additional 10-day extended deadline unless there are exceptional circumstances.

- 5.21 Where agreement over an extension period cannot be reached, we will provide the Housing Ombudsman's contact details so the resident can contact them directly.
- 5.22 Residents cannot add additional elements to their complaint at stage 2. These will need to be investigated as separate complaint at stage 1.

Actions to be taken at Stage Two

- i. The issue is resolved with the agreement of the resident and to the resident's satisfaction.
 - ii. Compensation, agreed by the resident is offered and accepted
 - iii. Any financial compensation offered is in line with guidance from the Housing Ombudsman.
- 5.23 The complaint response will be sent when the answer is known, or by the deadline provided and will not wait until any outstanding actions required to address the issue are completed. Any outstanding actions will be detailed in the response.

6. The Housing Ombudsman Service

- 6.1 If the complaint remains unresolved at the end of our complaints process the resident has the following options available:
- I. They can use the Housing Ombudsman's Early Resolution Service. This is an alternative process to formal investigation where they will work with the resident and us to resolve the dispute as fairly and quickly as possible
 - II. The resident can refer their complaint to the Housing Ombudsman to be formally investigated.

7. Exclusions

- 7.1 We reserve the right to refuse a complaint; if this is the case, a detailed explanation will be provided to the resident, setting out the reasons why the matter is not suitable for the complaints process and the right to take the decision to the Housing Ombudsman
- 7.2 We will use the following exclusions:
- if it is determined to be a service request e.g., a repair or enquiry
 - If more than 12 months has elapsed since the issue arose-we will use our discretion over this and will consider each complaint individually
 - It duplicates another complaint already made or in process
 - Legal proceedings have commenced. This is defined as details of the claim, such as the Claim Form and Particulars of Claim, having been filed at court.
 - If there is an accident or incident – this will be handed over to the Housing Compliance team for their expertise
 - There is a Housing Disrepair Protocol in progress

- The complaint is made in a vexatious manner (see below).

8. Written responses

- 8.1 We will ensure that all written responses are clearly referenced to show the stage that the complaint has reached. Templates are used that provide clear and direct guidance to residents on how to escalate a complaint to the next stage of our procedure if they remain dissatisfied. See also Appendix A
- 8.2 Complainants are asked to be clear about why they disagree with a decision and what more they want the Council to do to put it right.

9. When a complaint is closed

- 9.1 We have the discretion to close complaints early with details of what circumstances this would apply. Examples of when a complaint would be closed:
- The investigation is complete and a response has been sent to the resident
 - After sending a response and attempting to make contact to discuss it, there is no further contact from the complainant after 90 days
 - When a resolution is agreed and we have committed to deliver an action

10. Use of discretion

- 10.1 Exeter City Council reserves the right to use discretion when applying this policy and may deal with a complaint differently where individual circumstances merit it. Any discretion needs to be applied fairly and appropriately and that complaints should be progressed as far as possible to maximise the opportunity to resolve a dispute.

11. Complaints made in a vexatious manner

- 11.1 Examples of these are listed below:
- i. Complaints which are obsessive, harassing, abusive or repetitive
 - ii. Insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes
 - iii. Insistence on pursuing what may be meritorious complaints in an unreasonable manner
 - iv. Complaints which are designed to cause disruption or annoyance
 - v. Demands for redress which lack any serious purpose or value.

This list is not exhaustive:

- 11.2 Exeter City Council takes each complaint seriously and will always raise genuine issues and concerns for its residents. However, we will follow our internal processes when dealing with complaints made in a vexatious manner.

11.3 *Our Response to such complaints:*

- We will refer to the Council's Unacceptable Behaviour Policy
 - Understand the complainant's perspective
 - Collate all the facts before categorising as vexatious
 - Explore and understand each situation fully
 - Take each complaint seriously to avoid missing key information or genuine issues through being complacent
 - We will be open and transparent
 - We will continue to engage with the complainant
 - We will be consistent
 - Review the case regularly
- 11.4 When a resident demonstrates persistent and vexatious behaviour, we invoke our 'Acceptable Behaviour Contract' which manages communication in line with the Unacceptable Customer Behaviour Policy.

12. Legal Obligations

- 12.1 Where key issue of a complaint relates to the parties' legal obligations, we will clearly set out the legal obligations of all parties concerned.

13. Compensation and redress policy

- 13.1 Exeter City Council has a number of options available to put things right when there has been a service failure.

Some of the options available are:

- i. Offering rent-free weeks
- ii. Supplying shopping or decoration vouchers
- iii. Offering financial compensation

The level of compensation offered will be in line with the Housing Ombudsman Compensation Policy – Guidance for landlords

13. Equality and diversity

- 13.1 Exeter City Council already has an Equality and Diversity Policy⁴ and is committed to be fair, accountable and transparent and to promote equality of opportunity to ensure that all residents are treated fairly.
- 13.2 We recognise that many of our residents may have vulnerabilities so as each complaint is considered individually reasonable adjustments will be made as and when required.

14. Representation and support agencies

- 14.1 Residents are free at any time to seek the support and advice from other organisations or agencies. We will signpost our residents to these.

15. Monitoring Complaints

- 15.1 We recognise the need to monitor our complaints, both in terms of ensuring that deadlines are met, but also to determine the type of complaints we receive, trends and in which service area they relate to. Housing Managers take responsibility for complaints within their service area. Detailed timelines are produced for each complaint and these are communicated to the managers on a weekly basis so that they in turn can monitor their teams for timely responses.
- 15.2 A detailed database is held for complaints so that these can be closely monitored and areas for improvement acknowledged and proposals for solutions agreed.
- 15.3 A detailed spreadsheet with key performance indicators including complaints statistics is produced which is discussed at monthly Operational Management Team meetings.

16. Learning from Complaints

- 16.1 A new Complaints Clinic has been established where lead investigating officers can discuss cases and identify service improvements.
- 16.2 Staff training is provided at away days and for individuals or teams so that they are fully aware of the complaint process and service delivery expectations.

17. Self-Assessment

- 17.1 As part of our ongoing commitment to enhance and improve our Complaints process, we complete annually the Housing Ombudsman Self-Assessment Form and Service Improvement Plan. Once completed, these are scrutinised by our Complaints and Performance Group and CHADAB before being published on our website.

18. Confidentiality

- 18.1 Exeter City Council Housing Services complies with the collection, storage, access to, provision and disclosure of data in accordance with the Data Protection Act 2018.

19. Storing Information

- 19.1 Complaints files are confidential and are kept secure on 'OPEN Housing' the Department's database software system.
- 19.2 In line with the Retention & Disposal Policy, Ombudsman complaint files are destroyed after 6 years and all other complaint files after 3 years. This applies to electronic information as well as hard copy files.
- 19.3 We reserve the right to retain complaint information on a resident's service file because the information is relevant to the resident's relationship with the Council. This will only be considered if holding this information will not cause the complainant any undue damage or distress. However, where there is no continued need for that information, the file or information will be deleted at the same time as the complaint file. Any concerns will be raised with the Council's Data Protection lead.

20. Increasing awareness of this Policy

- 20.1 This Housing Complaints Policy will be publicised in the following ways:

- The Exeter City Council Website
- Tenant Annual Report
- InSight magazine
- Social Media₃
- Leaflets distributed by officers
- Housing Drop-In Surgeries
- Housing Complaints Stage One & Two responses
- Posters in communal spaces and Customer First (public facing service)

References:

1. <https://www.housing-ombudsman.org.uk/wp-content/uploads/2024/02/01.-Complaint-Handling-Code-09.02.24.pdf>
2. <https://exeter.gov.uk/housing/information-for-council-tenants/tenants-advice-and-information/housing-complaints-and-feedback/>
3. <https://www.facebook.com/ECCHousing>
4. [Equality and Diversity Policy September 2020 \(exeter.gov.uk\)](#)
5. [Compensation policy - Housing Ombudsman \(housing-ombudsman.org.uk\)](#)

Appendix A

Responding to Complaints

[Responding to a complaint - Housing Ombudsman \(housing-ombudsman.org.uk\)](https://housing-ombudsman.org.uk)

Language and tone - be open, use plain English, avoid jargon and show empathy.

Labelling - clearly label each response, for example, Stage 1, Stage 2 or your 'final' response.

Respond to the original complaint and dissatisfaction - respond to all elements of the original complaint plus any that you may have later agreed to include in the formal complaint. Set out why the complainant was dissatisfied with the previous response.

Findings and conclusions - set out your findings and conclusions on each issue referencing any evidence on which those findings are made.

Policy and law - refer to any relevant policy, procedure, legislation or good practice when explaining a decision.

Apology and explanation - acknowledge and apologise for any mistake or service failure and provide an explanation of what went wrong.

Outcome - consider the outcome the complainant is looking for and how you might be able to provide this or go some way towards providing it.

Timescales and actions - give details and timescales for any actions you plan to take, for example, inspections or repairs.

Redress - give details of any redress offered, for example, compensation, discretionary repairs or decorations, or other actions.

Learning - explain what you have learnt from the complaint and what changes or improvements will be made as a result.

Signposting - signpost the complainant to other sources of advice or support, such as Citizens' Advice, the Leasehold Advisory Service (LEASE), Shelter, Age UK, Local Government and Social Care Ombudsman (LGSCO).

Appendix B

The Member Responsible for Complaints (MRC)

The MRC's responsibilities include ensuring that our complaint handling promotes service improvement for residents and learning and business improvement for the City Council.

The role of the MRC is to champion a positive complaint handling culture and build effective relationships with complaints teams, residents, its audit and risk committees as well wider teams and the Housing Ombudsman Service.

The MRC should be looking to seek assurances from the complaints team and where appropriate the operational teams that complaints are being managed, change is happening and that residents are being heard through the process.

The role is described in detail on the Housing Ombudsman's Service website-a precis is provided below:

Responsibilities - Governing Body Assurance

1. To promote a culture of openness and transparency where complaints made by residents are seen as form of insight into the how the organisation is managed. To provide assurance that systems are in place to capture learning from complaints and that the Council Housing & Development Advisory Board (CHADAB) is engaged with this. To ensure senior level ownership of learning and accountability stemming from complaints.
2. To provide assurance to CHADAB, through engagement with operational teams, that complaints are valued as an opportunity to learn, to give an early warning of ineffective processes, policies, or behaviours, to identify areas for improvement and to improve awareness and accessibility; and how this is happening across the Council .
3. To engage with the chair of the Audit and Governance Committee, to discuss any risks emerging from complaints and any recommendations for improvement in service areas which may be relevant to internal audit's activities.
4. To engage in, oversee, and ratify the annual self-assessment against the Complaint Handling Code, providing assurance that an accurate self-assessment is produced and published each year. This may include engaging residents in the self-assessment exercise.

5. To alert CHADAB of any concerns they have about the handling of complaints, the substantive issues giving rise to complaints, or the outcome of an individual complaint.
6. To ensure CHADAB understands its responsibilities to deliver a positive complaint handling culture and that complaints are given the status they deserve within the senior leadership's work.

Responsibilities - Complaint Handling Code

7. To review the communication of the Housing Services through its complaints to ensure it is empathetic, effective, and appropriate.
8. To gain assurance of the organisation's timely compliance with Housing Ombudsman evidence requirements and orders promoting a Council wide culture that demonstrates the learning and the changes to services that are provided for residents.
9. To promote a culture where every employee supports effective complaint handling, where complaint handlers have the authority and respect within the Council to help put things right when they go wrong. This should also extend to where we use contractors and other service providers. To have a visible presence that is organisation wide and has access to individual staff members to be able to 'test' that proactive complaint handling is embedded across all staff.
10. To gain assurance following the self-assessment, that the complaints team has the resources available to fulfil its obligations.
11. To receive regular updates on the volume, categories, and outcome of complaints, alongside complaint handling performance and take an inquisitorial approach when reviewing this information. The aim is to ensure that information presented to the governing body, provides sufficient assurance of a well-managed and customer focused complaints handling culture.

Responsibilities - Learning

12. To commission from the executive a self-assessment against Housing Ombudsman Spotlight reports and future good practice and facilitate a discussion with the CHADAB on how Housing Services can learn and improve from its recommendations. This should include consideration of relevant policies and procedures.
13. To require intelligence provided by the Housing Ombudsman is used to develop and improve services, gaining assurance that recommendations are actioned and, where necessary, reviewing policies, procedures and approaches to service delivery following Ombudsman reports.
14. To encourage a culture of effective cross-organisational and cross-department learning where operational teams collaborate with each other to produce improved service delivery.

15. To encourage a culture where senior management regularly review issues and trends arising from complaint handling with themes or trends being assessed and reported to CHADAB, which identify potential systemic issues, serious risks or policies and procedures that require revision. To gain assurance that where revision or change is required, this is followed through and communicated to CHADAB and that residents are central to any change.

Equality Impact Assessment: Housing Complaints Policy

The Equality Act 2010 includes a general duty which requires public authorities, in the exercise of their functions, to have due regard to the need to:

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

In order to comply with the general duty authorities must assess the impact on equality of decisions, policies and practices. These duties do not prevent the authority from reducing services where necessary, but they offer a way of developing proposals that consider the impacts on all members of the community.

Authorities which fail to carry out equality impact assessments risk making poor and unfair decisions which may discriminate against particular groups and worsen inequality.

Committee name and date:	Report Title	Decisions being recommended:	People with protected characteristics potentially impacted by the decisions to be made:
Executive Committee Meeting on 23 rd September 2025	Housing Complaints Policy 202-2030	To agree the updated policy	

Factors to consider in the assessment: For each of the groups below, an assessment has been made on whether the proposed decision will have a **positive, negative or neutral impact**. This must be noted in the table below alongside brief details of why this conclusion has been reached and notes of any mitigation proposed. Where the impact is negative, a **high, medium or low assessment** is given. The assessment rates the impact of the policy based on the current situation (i.e. disregarding any actions planned to be carried out in future).

High impact – a significant potential impact, risk of exposure, history of complaints, no mitigating measures in place etc.

Medium impact – some potential impact exists, some mitigating measures are in place, poor evidence

Low impact – almost no relevancy to the process, e.g. an area that is very much legislation led and where the Council has very little discretion

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Race and ethnicity (including Gypsies and Travellers; migrant workers; asylum seekers).	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics. The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework.
Disability: as defined by the Equality Act – a person has a disability if they have a physical or mental impairment that has a substantial and long-term adverse impact on their ability to carry out normal day-to-day activities.	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics such as those tenants with a disability. The policy will ensure a consistent approach is taken when exercising our duties within the current legal and policy framework.
Sex/Gender	Neutral	Low	There is no evidence to suggest this will impact on any specific person based on this characteristic.
Gender reassignment	Neutral	Low	There is no evidence to suggest this will impact on any specific person based on this characteristic.
Religion and belief (includes no belief, some philosophical beliefs such as Buddhism and sects within religions).	Neutral	Low	As above

Protected characteristic/ area of interest	Positive or Negative Impact	High, Medium or Low Impact	Reason
Sexual orientation (including heterosexual, lesbian, gay, bisexual).	Neutral	Low	Legislation governs all aspects of housing services provision in respect of protected characteristics.
Age (children and young people aged 0-24; adults aged 25-50; younger older people aged 51-75/80; older people 81+; frail older people; people living with age related conditions. The age categories are for illustration only as overriding consideration should be given to needs).	Neutral	Low	
Pregnancy and maternity including new and breast-feeding mothers	Neutral	Low	As above as this is a protected characteristic
Marriage and civil partnership status	Neutral	Low	As above as this is a protected characteristic

Actions identified that will mitigate any negative impacts and/or promote inclusion

Officer: Sarah Hemming
Date: 21.08.25

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