



All Members

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Date 5 February 2018

Dear Member

Special Cabinet – 9 February 2018

I am now able to enclose, for consideration at the next meeting of the **Cabinet**, the following reports that were unavailable when the agenda was printed.

4. **Minutes of the Previous Meeting** *(Pages 3 - 11)*

Members to consider whether to approve the minutes as a correct record of the meeting held on 1st February 2018.

Yours sincerely

Julia Stuckey
Member Services Officer

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MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 1 February 2018 at 2.15 pm

Present

Councillors

C J Eginton (Leader)
R J Chesterton, P H D Hare-Scott,
C R Slade, Mrs M E Squires and
R L Stanley

Also Present

Councillor(s)

F W Letch, Mrs J Roach and F J Rosamond

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Director of Finance, Assets and Resources), Kathryn Tebbey (Group Manager for Legal Services and Monitoring Officer), Joanne Nacey (Group Manager for Finance), Adrian Welsh (Group Manager for Growth, Economy and Delivery), Alan Ottey (Tiverton Town Centre and Market Manager), Catherine Yandle (Group Manager for Performance, Governance and Data Security) and Sally Gabriel (Member Services Manager)

105. **APOLOGIES**

There were no apologies.

106. **GROUP MANAGER FOR FINANCE**

The Chairman introduced and welcomed Jo Nacey, the new Group Manager for Finance and Deputy S151 Officer to the meeting.

107. **DECLARATION OF INTERESTS UNDER THE CODE OF CONDUCT**

The following declarations of interest were provided:

Cllr R L Stanley - Agenda Item 12 (Land at Burlescombe – Award of Contract), Personal Interest as a Director of 3 Rivers Developments Limited

108. **PUBLIC QUESTION TIME**

There were no members of the public present.

109. **MINUTES OF THE PREVIOUS MEETING (00-01-58)**

The minutes of the previous meeting held on 4 January 2018 were approved as a true record and signed by the Chairman.

110. **SEVERE WEATHER EMERGENCY PROTOCOL AND EXTENDED WINTER PROVISION PROTOCOL (00-03-03)**

Arising from a report from the Group Manager for Housing, the Homes Policy Development Group had recommended that the Housing Service continues to work in partnership to deliver the Housing Options Severe Weather Emergency Protocol (SWEPP) and Extended Winter Provision Protocol.

The Cabinet Member for Housing outlined the contents of the report stating that the Council was a member of the Devon and Cornwall Housing Options Partnership (DCHOP). Members of the partnership worked together with the aim of preventing rough sleeping at any time of the year. The winter months presented the greatest risks to the health of rough sleepers. The service was available in Tiverton and there was one regular user.

Consideration was given to the recent survey and statistics available within the policy.

RESOLVED that the recommendations of the Policy Development Group be approved

(Proposed by Cllr R L Stanley and seconded by Cllr C R Slade)

Note: Report previously copy attached to minutes.

111. **DEVONWIDE HOUSING ASSISTANCE POLICY (00-07-35)**

Arising from a report from the Group Manager for Public Health and Regulatory Services, the Homes Policy Development Group had made the following recommendations:

- (1) The revised Housing Assistance Policy attached in Annex 1 be approved.
- (2) The ECO Flex Statement of Intent (SOI) attached in Annex 4, associated with the revised Housing Assistance Policy be approved.
- (3) Delegated authority be given to the Director of Operations in conjunction with the Cabinet Member for Housing to suspend some or all non-mandatory parts of the revised Housing Assistance Policy attached in Annex 1 if adequate funding is not available.
- (4) Delegated authority be given to the Director of Operations in conjunction with the Cabinet Member for Housing to determine continued participation in the Wessex Home Improvement Loans Scheme.

The Cabinet Member for Housing outlined the contents of the report stating that in 2015 the Government had introduced the Better Care Fund (BCF) in an attempt to bring health and social care together in an integrated way. The policy provided for flexibility and discretion for Councils to provide appropriate assistance to meet 4 objectives:

Objective 1 - Assist disabled residents to remain in their own homes through supporting the provision of adaptations (so far as this is necessary, appropriate and reasonably practicable) to prevent admissions to care and to assist with delayed transfers where possible.

Objective 2 – Safeguard the health and well-being of vulnerable residents by removing unnecessary hazards to health and safety in the home to reduce avoidable emergency admissions

Objective 3 – Provide adaptations that are suitable for the future by ensuring the scheme of works is dementia aware.

Objective 4 – Assist vulnerable people to afford to heat their homes through appropriate energy efficiency and heating measures.

He continued by outlining the summary of assistance that was also available, that of the Mandatory Disabled Facilities Grant, the Accessible Homes Grant, the Home Improvement Loan Scheme and the ECO Flex Top Up Scheme.

Consideration was given to the delegated authority being given to the Director of Operations in conjunction with the Cabinet Member for Housing to suspend some or all of the non-mandatory parts of the revised Housing Assistance Policy.

RESOLVED that the recommendations of the Policy Development Group be approved

(Proposed by Cllr R L Stanley and seconded by Cllr Mrs M E Squires)

Note: Report previously copy attached to minutes.

112. **MARKET ENVIRONMENTAL STRATEGY (00-14-40)**

Arising from a *report from the Chief Executive and Director of Growth, the Economy Policy Development Group had made the following recommendations:

- a) The Cabinet recommend to full Council that the Tiverton Market Environmental Strategy 2017-2022 be approved.
- b) Councillor S G Flaws be the nominated Group representative on the working party monitoring the effectiveness of the Strategy.

The Cabinet Member for Planning and Economic Regeneration outlined the report stating that the strategy sought to increase recycling, reduce the amount of waste and reduce the Council's carbon footprint within the market

Consideration was given to:

- The reduction of plastic waste by removing disposable plastic cups, the use of refillable containers and the provision of a water refill station, although the water refill station had been available for a few months it was recognised that this should be publicised

- Regular meetings held by the traders
- The reduction of plastic throughout the market area

RECOMMENDED to Council that the recommendation of the Policy Development Group be approved

(Proposed by Cllr R J Chesterton and seconded by Cllr C R Slade)

Note: - *Report previously circulated copy attached to minutes.

113. **FINANCIAL MONITORING (00-24-36)**

The Cabinet had before it and **NOTED** a *report of the Director of Finance, Assets and Resources presenting financial monitoring information for the income and expenditure of the 2017/18 financial year.

The Cabinet Member for Finance outlined the contents of the report, indicating that there had not been any material changes since his last report and that the budget gap remained at £182k an increase of £1k. The most significant movements were highlighted within the report. The Housing Revenue Account continued to be well managed as did the Capital Programme although there was some slippage on some of the projects.

The Cabinet Member for Planning and Economic Regeneration informed the meeting of the good news that the bids for funding for infrastructure projects at Junction 28 (£10m) and Phase B of the Eastern Urban Extension Junction (£8.2m) had been successful. This news was commended.

Consideration was given to:

- Issues with regard to the Right to Buy Scheme
- Strong lobbying and excellent bid writing for the above projects
- The capital project at Stoodleigh (following the Housing Needs Survey in that area) would be removed from the scheme for the time being and revisited at a later date.

Note: *Report previously circulated, copy attached to minutes.

114. **NATIONAL NON - DOMESTIC RATES (00-31-35)**

The Cabinet had before it a *report of the Revenues Manager providing Members with an update on the income generation and financial implications of the number of Business Rate properties in Mid Devon and requesting it to approve the NNDR1 (estimated income to be generated in 2018/19 from business rates).

The Cabinet Member for Finance outlined the contents of the report explaining that this annual report highlighted the forecasted annual amount of revenue that was expected to be generated from Business rates and how that money would be distributed. He highlighted the changes to the scheme announced by the Chancellor in the autumn of 2017:

- Central Government is to legislate to enable revaluations every three years following the next revaluation, currently due in 2022. To enable this, ratepayers will be required to provide regular information to the VOA on who is responsible for business rates and property characteristics including use and rent.
- From 1 April 2018 the multiplier calculation will be based on CPI not RPI
- The Government will legislate to reverse the “Staircase tax” which was introduced as a result of recent case law. Many small businesses that lost Small Business Rate Relief as a result of the Court judgement will once again be entitled to SBRR.
- The Business Rate relief scheme for Pubs (up to £1,000 discount for public houses with a rateable value of up to £100,000) subject to state aid limits for businesses with multiple properties, for one year from 1 April 2018 will continue.
- The Discretionary Rate Relief scheme introduced from 1st April 2017 will continue for a further three years.

RECOMMENDED to Council that:

1. That the calculation of the NNDR1 net yield of £ 15.510m from 3002 Business Rated properties is noted and approved for 2018/19;
2. That the proportions distributed to the respective authorities and central government be allocated as per the statutory regulations; and
3. That Members note and approve that central government will reimburse the Council through a Section 31 grant to compensate it for the reduction in collectable business rates as a result of introducing reliefs.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr R L Stanley)

Note: *Report previously circulated, copy attached to minutes.

115. **BUDGET (00-33-40)**

The Cabinet had before it a * report of the Director of Finance, Assets and Resources providing the proposals for the General Fund and the Housing Revenue Account for the year 2018/19.

The Cabinet Member for Finance outlined the contents of the report highlighting the process that had taken place to prepare the budget, the work of senior officers and the finance team and the consultation process with the Policy Development Groups and the Scrutiny Committee. He explained the continued decline in Government funding, the impact of the National Pay Award and the changes to the New Homes Bonus which would all impact on the budget. It was with regret that he had to report that the recommendation would be to increase Council Tax by 3% so that standard services could be maintained.

He stated that the Housing Revenue Account was very well run and rent collection was exceptional, although there were concerns regarding the impact of Universal Credit.

He felt that all Members had contributed to the formation of the budget and therefore put forward the recommendations below.

Consideration was given to:

- The benchmarking scheme that had taken place with Housemark
- Changes to the way in which the training budget was allocated
- The continuation of a budget for litter picking

RECOMMENDED to Council that:

- a) Council Tax is increased by 2.998% (£5.76) to £197.91.
- b) General Fund budget for 2018/19 is approved.
- c) The 2018/19 budget requires no transfer from the General Fund Balance.
- d) The General Fund Budget requires a transfer of £222k from New Homes Bonus.
- e) HRA budget for 2018/19 be approved as outlined in Appendix 5.
- f) HRA fees/charges are approved based on the attached schedule shown as Appendix 5a.
- g) Work on strategic planning for delivering balanced budgets in the future is commenced in the spring based on the funding levels contained in the fixed 4 year Government grant settlement & the major changes announced to Business Rates & New Homes Bonus.
- h) The authority continues to maintain a 25% General Fund Balance of our net operational expenditure as referred to in para 5.1

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr C R Slade)

Note: *Report previously circulated, copy attached to minutes.

116. **CAPITAL PROGRAMME (00-40-01)**

The Cabinet had before it a * report of the Director of Finance, Assets and Resources seeking approval of the 2018/19 Capital Programme and requesting that the draft 2019/20, 2020/21 & 2021/22 programmes be noted.

The Cabinet Member for Finance outlined the contents of the report explaining how the programme would be funded. He highlighted the reduction in the New Homes Bonus which would have an impact on future capital programmes, there would therefore be a need to explore more commercial options to balance budgets.

Consideration was given to:

- Monies proposed for asset acquisition and the need for a business case for each venture, it was highlighted that funds needed to be available if an opportunity arose to invest in property and therefore a sum had been proposed.
- The proposal for affordable housing at Post Hill, Tiverton (former Waddeton park site)
- The Mills Project and although the initial funding bid had failed, further funding was being sought.

RECOMMENDED to Council that:

- a) The detailed Capital Programme for 2018/19 be approved and the estimated amounts for 2019/20, 2020/21 & 2021/22 be noted.
- b) The earmarking of New Homes Bonus (NHB) monies of £828k to support the 2018/19 Capital Programme (see para 2.3) be agreed.

(Proposed by Cllr P H D Hare-Scott and seconded by Cllr R L Stanley)

Note: *Report previously circulated, copy attached to minutes.

117. LAND AT BURLESCOMBE - AWARD OF CONTRACT FOR DESIGN AND BUILD OF 6 AFFORDABLE DWELLINGS (00-51-45)

The Cabinet had before it a *report of the Director of Finance, Assets and Resources requesting agreement to award a contract to provide for the development of 6 affordable housing units at a site near Oakfields, Burlescombe.

The Cabinet Member for Housing outlined the contents of the report reminding the meeting that the detail of the scheme had been noted by the Cabinet on 4 January 2018, the funding from Homes England (formally the HCA) was time limited and that there was a need to award the contract and progress the project urgently.

Consideration was given to:

- The need for more affordable housing in the district
- The delay in the planning process

RESOLVED that the contract be awarded to 3 Rivers Developments Limited with a maximum budget of up to £850k.

(Proposed by the Chairman)

Notes:

- i) Cllr R L Stanley declared a personal interest as a Director of 3 Rivers Developments Limited ;

- ii) *Report previously circulated, copy attached to minutes.

118. ESTABLISHMENT (00-54-30)

The Cabinet had before it a *report of the Group Manager for Human Resources outlining the overall structure of the Council showing the management and deployment of officers.

The Cabinet Member for the Working Environment and Support Services outlined the contents of the report stating that a significant amount of change had taken place in the last 12 months with the introduction of the Group Manager cohort who were all being asked to undertake a comprehensive review of their service area. She also highlighted the fact that long term sickness levels had increased but that short term sickness levels had reduced. She outlined the annual turnover rate of staff and the priorities for the future.

Consideration was given to:

- Redundancies and restructuring
- Stress and sickness levels
- The additional staff put in place following the outcome of the Peer Review
- Flexible working

| **RECOMMENDED** to Council that the Establishment be approved.

(Proposed by Cllr Mrs M E Squires and seconded by Cllr C R Slade)

Note: *Report previously circulated, copy attached to minutes.

119. POLICY FRAMEWORK (1-02-31)

The Cabinet had before it a *report of the Chief Executive requesting it to endorse the Policy Framework for the year.

The Cabinet considered the policies and the review dates.

| **RECOMMENDED** to Council that the Policy Framework be adopted.

(Proposed by the Chairman)

Note: *Report previously circulated; copy attached to the Minutes.

120. ASBESTOS SURVEYING - LICENSED AND UNLICENSED REMOVAL 2017-2021 (1-03-12)

As the winning bidder withdrew, there is a need to reconsider a * report of the Director of Operations advising the Cabinet of the outcome of the recent tender

of the Asbestos Surveying and removal of Licensed and Unlicensed asbestos for the period 2018 – 2021. The scope of this work extended to Council Homes and Corporate properties. The contract had two lots; one for Licensed Work (Lot 1) and the other for Unlicensed Work (Lot 2).

The Cabinet Member for Housing outlined the contents of the report explaining that one of the contractors had withdrawn and that it was proposed to award the contract to the runner up of the original tender (Lot 1).

RESOLVED that the contract for Lot 1 be awarded to Supplier D with a forecasted annual budget of £100,000.

(Proposed by Cllr R L Stanley and seconded by Cllr P H D Hare-Scott)

Note: *Report previously circulated; copy attached to the Minutes.

121. PERFORMANCE AND RISK (1-04-51)

The Cabinet had before it and **NOTED** a * report of the Director of Corporate Affairs and Business Transformation providing Members with an update on the performance against the Corporate Plan and local service targets.

The Group Manager for Performance, Governance and Data Security outlined the contents of the report explaining that the Audit Committee had requested that the following projects be added to the risk register: the Eastern Urban Extension, the Garden Village project, the Local Plan and development at Palmerston Park.

Consideration was given to:

- End of year targets within the housing portfolio would be met
- The difficulty in achieving the 100% target for gas safety certificates as some tenants refused access.

Note: *Report previously circulated, copy attached to minutes.

122. NOTIFICATION OF KEY DECISIONS (1-10-02)

The Cabinet had before it, and **NOTED**, its rolling plan * for March 2018 containing future key decisions.

Notes:

- Update** - following the meeting a key decision by the Heart of the South West Joint Committee regarding the Productivity Strategy to take place on 2 March 2018 was announced, this had been added to the Forward Plan
- * Plan previously circulated; copy attached to the signed Minutes.

(The meeting ended at 3.25 pm)

CHAIRMAN

