

Mid Devon District Council

Cabinet

Thursday, 26 March 2020 at 6.00 pm
Exe Room, Phoenix House, Tiverton

Next ordinary meeting
Thursday, 16 April 2020 at 6.00 pm

Those attending are advised that this meeting will be recorded

Membership

Cllr R M Deed
Cllr L D Taylor
Cllr G Barnell
Cllr S J Clist
Cllr D J Knowles
Cllr Ms E J Wainwright
Cllr A White
Cllr Mrs N Woollatt

A G E N D A

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

1. **Apologies**
To receive any apologies for absence.
2. **Public Question Time**
To receive any questions relating to items on the Agenda from members of the public and replies thereto.
3. **Declarations of Interest under the Code of Conduct**
Councillors are reminded of the requirement to declare any interest, including the type of interest, and reason for that interest, either at this stage of the meeting or as soon as they become aware of that interest.
4. **Minutes of the Previous Meeting** (*Pages 7 - 20*)
Members to consider whether to approve the minutes as a correct record of the meeting held on 13 February 2020.
5. **Environment Educational Policy** (*Pages 21 - 76*)
Following a report of the Group Manager for Street Scene and Open Spaces, the Environment Policy Development Group have made the following recommendations: that subject to the suggested amendments

(as attached):

- 1) Fixed Penalty Notices for fly tipping be increased from £200 to £400 and the powers to use CCTV footage be adopted to assist with fly tipping Fixed Penalty Notices and to include this within Council policy (Appendix A).
- 2) The new powers set out in the Littering from Vehicles Regulations (Policy) 2018 be adopted and this be included within the new Council policy (Appendix B).
- 3) Changes to the Council Compulsory Recycling Policy be adopted following government guidance (Appendix C).
- 4) The amended Abandoned Vehicle (Act) legislation be adopted and included within the Council Policy (Appendix D) which will enable Officers to investigate vehicles within the 'open air'.
- 5) The Stray Dog Policy (Appendix E) be updated and authority sought for the Environment and Enforcement Manager to be the officer appointed under section 149 of the Environmental Protection Act 1990 to keep the public register which contains the prescribed particulars of, or relating to dogs seized under this section.

6. **Public Spaces Protection Order** (*Pages 77 - 254*)

Following a report of the Group Manager for Street Scene and Open Spaces, the Environment Policy Development Group have made the following recommendation that:

1. Authority be given to consult with members of the public and other relevant stakeholders to introduce a Public Spaces Protection Order (PSPO) under Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014.
2. The fixed penalty for breach of the order be set at the maximum level permitted of £100.

7. **Climate Change Advisory Group** (*Pages 255 - 258*)

Arising from a report of the Head of Legal (Monitoring Officer), the Environment Policy Development Group have made the following recommendations: that

- (a) a Net Zero Advisory Group be established;
- (b) the membership of the Group comprise eight Members – 3 Conservative, 2 Liberal Democrat, 2 Independent and 1 Green (not politically balanced); and

- (c) the terms of reference be finalised by the Group, unless the Cabinet wishes to set the general terms in line with those in this report.
8. **Car Parking Management Policy** (*Pages 259 - 270*)
Following a report of the Group Manager for Housing, the Homes Policy Development Group has made the following recommendation: that the revised policy be approved.
9. **Garage Management Policy** (*Pages 271 - 282*)
Following a report of the Group Manager for Housing, the Homes Policy Development Group has made the following recommendation: that the revised policy be approved.
10. **Cullompton Railway Station Project** (*Pages 283 - 294*)
To consider a report of the Head of Planning, Economy and Regeneration setting out the proposed governance arrangements in order to establish clear lines of decision making for the project and to identify the next steps for taking forward the project.
11. **Corporate Asbestos Policy** (*Pages 295 - 316*)
To consider a report of the Group Manager for Property and Commercial Assets providing an updated policy on asbestos management.
12. **Management of Legionella Policy** (*Pages 317 - 328*)
To consider a report of the Group Manager for Property and Commercial Assets providing an update on the procedures for ensuring compliance with managing the risk of Legionella.
13. **Financial Monitoring**
To receive a verbal report of the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure so far in the year.
14. **Performance and Risk** (*Pages 329 - 372*)
To consider 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.
15. **Cleaning Contractors** (*Pages 373 - 392*)
To consider a report of the Group Manager for Property and Commercial Assets
Reviewing the results of the tender exercise for the corporate cleaning that includes offices, leisure centres and public conveniences.
16. **Cabinet Member Decision**
To note the following decision made by the Cabinet Member for Housing and Property Services:

1. That the review of the Housing Assistance Policy 2019-2022

made no substantive changes to the policy and that it remains fit for purpose.

2. That the Housing Assistance Policy 2019-2022 will be reviewed again in 2 years rather than the annual review detailed in the policy.
3. That a review of the policy could be triggered sooner where there are funding or legal changes.

Reason

Following the annual review of the Housing Assistance Policy 2019 - 2022 the policy remains fit for purpose with no changes necessary. The policy states that there will be an annual review, however the policy is due to be renewed in 2022 and no substantial changes are envisaged so a review in 2 years' time is more appropriate.

A review will be triggered sooner where there are significant changes to funding availability or legal requirements relating to the policy.

All assistance grants including Disabled Facilities Grants provided under the policy are funded from ring-fenced capital 'Better Care Fund' monies provided directly by Devon County Council and this policy is supported by them and adopted Devon-wide.

17. **Crediton Hub**
To receive an update report from the Deputy Chief Executive (S151) – to follow.
18. **Notification of Key Decisions** (*Pages 393 - 402*)
To note the contents of the Forward Plan.

Stephen Walford
Chief Executive
Wednesday, 18 March 2020

Anyone wishing to film part or all of the proceedings may do so unless the press and public are excluded for that part of the meeting or there is good reason not to do so, as directed by the Chairman. Any filming must be done as unobtrusively as possible from a single fixed position without the use of any additional lighting; focusing only on those actively participating in the meeting and having regard also to the wishes of any member of the public present who may not wish to be filmed. As a matter of courtesy, anyone wishing to film proceedings is asked to advise the Chairman or the Member Services Officer in attendance so that all those present may be made aware that is happening.

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

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

An induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, or

If you would like a copy of the Agenda in another format (for example in large print) please contact Sally Gabriel on:

Tel: 01884 234229

E-Mail: sgabriel@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.