

MID DEVON DISTRICT COUNCIL

MINUTES of a **MEETING** of the **CABINET** held on 6 July 2021 at 10.00 am

Present

Councillors

R M Deed (Leader)
R J Chesterton, Mrs C P Daw, D J Knowles,
B A Moore, C R Slade and Mrs N Woollatt

Apologies

Councillor(s)

R Evans

Also Present

Councillor(s)

G Barnell, B G J Warren and A Wilce

Also Present

Officer(s):

Stephen Walford (Chief Executive), Andrew Jarrett (Deputy Chief Executive (S151)), Jill May (Director of Business Improvement and Operations), Dean Emery (Corporate Manager for Revenues, Benefits and Recovery), Catherine Yandle (Operations Manager for Performance, Governance and Health & Safety), Tim Powell (Corporate Projects Officer), Keith Ashton (Facilities Manager for Corporate Property and Commercial Assets), Carole Oliphant (Member Services Officer) and Sally Gabriel (Member Services Manager)

26. **APOLOGIES (00-02-59)**

Apologies were received from Cllr R B Evans.

27. **PROTOCOL FOR HYBRID MEETINGS (00-03-12)**

The protocol for hybrid meetings was NOTED.

28. **PUBLIC QUESTION TIME (00-03-30)**

The Chairman read a statement from Mr Quinn referring to Item 13 (3 Rivers Developments Limited – Annual Report)

Paragraph 2.1 of this report states that: “Attached to this report are the Company’s Annual Report and Financial Statements for the period from 1 April 2020 to 31 March 2021”.

All of the attachments for this agenda item have been classified as ‘Restricted’ and have not been published.

However, I am aware that this Annual Company Information is published on the Companies House website – available for all to see.

Which means that this particular information should not be ‘restricted’ and

withheld from the Mid Devon public.

So my question is: Will Cabinet please remove the 'restriction' and allow the public to see the 'Annual Report and Financial Statements for the period from 1 April 2020 to 31 March 2021'?

The Chairman indicated that an answer would be provided when the item was discussed.

29. MINUTES OF THE PREVIOUS MEETING (00-04-59)

The minutes of the previous meeting were approved as a correct record and signed by the Chairman.

30. DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (00-07-30)

Cabinet Members made the following declarations of interest:

Cllr C R Slade declared a personal interest in item 8 on the agenda (Tiverton Town Centre CCTV Options for future use) as a member of Tiverton Town Council and as the Devon County Council representative on the Town Centre Partnership.

Cllr D J Knowles declared a personal interest in item 8 on the agenda (Tiverton Town Centre CCTV Options for future use) as a member of Tiverton Town Council.

Cllr Mrs C P Daw declared a personal interest in item 8 on the agenda (Tiverton Town Centre CCTV Options for future use) as a member of Tiverton Town Council and as a member of the Town Centre Partnership.

31. FINANCIAL OUTTURN REPORT 2020/21 (00-07-46)

The Cabinet had before it a * report of the Deputy Chief Executive (S151) presenting the Revenue and Capital Outturn figures for the financial year 2020/21.

The Cabinet Member for Finance outlined the contents of the report stating that the financial year 2020/21 had been a huge challenge due to the impact of the pandemic, however the final overspend had been £65k. He highlighted the work of the Revenues and Benefits Team who had worked hard to maintain the income stream and continued to pay grant funding to local businesses and the community. With regard to the Capital Programme, he outlined the monies that would be carried forward into the current year due to the inability to progress projects during the pandemic. The outturn provided a statement of facts and the external auditors would consider this with regard to value for money.

Consideration was given to:

- The overspend of £65k was an achievement in the current circumstances
- The budget gap in the current financial year and that the membership of the Council had been promised a strategic discussion with the Cabinet with regard to closing that gap – the Cabinet Member for Finance reminded the meeting that the outturn was for the financial year 20/21 a balanced budget had been

set for 2021/22 and options were being considered, member involvement would come when options were available.

- With regard to the loans to 3 Rivers Development Limited, how much of this was for projects and operational costs and what monies had been repaid – the Leader stated that a written response would be provided.
- The reports that were being considered by the External Auditor.

RESOLVED that:

1. The General Fund Outturn achieved in 2020/21 which shows an overall overspend of £65k be noted. This deficit is proposed to be taken from General Fund reserve which will still leave the balance at £2,186k; above the minimum recommended level of £2,000k.
2. The Net Transfers to Earmarked Reserves of £6,559k detailed in the General Fund Service Budget Variance Reports shown in Appendix 1 and summarised in Appendix 3 be approved. Note, this includes £3,411k of Section 31 Grant to smooth the Collection Fund deficits over the next three years, as defined by the Government as separately identified on Appendix 1.
3. The positive position achieved on the Housing Revenue Account which shows a saving of £94k be noted and the transfer to HRA Earmarked Reserves of the extra £94k shown in paragraph 5.2, as well as the utilisation of reserves totalling £404k identified in Appendices 2 and 3 be approved.
4. The carry forward of £26,041k from the 2020/21 Capital Programme (see paragraph 7.3) be approved as all of the schemes will be delivered in 2021/22 or later years. Also the transfer to Earmarked Reserves of the unspent £734k identified in Appendix 4 be approved.

(Proposed by Cllr B A Moore and seconded by Cllr C R Slade)

Reason for decision – The Outturn report indicates how the Council’s resources have been used to support the delivery of budgetary decisions.

Note: *Report previously circulated copy attached to minutes.

32. ANNUAL TREASURY MANAGEMENT REPORT (00-16-44)

The Cabinet had before it a * report of the Deputy Chief Executive (S151) providing Members with a review of activities and the Prudential Treasury Indicators on actuals for 2020/21.

The Cabinet Member for Finance outlined the contents of the report stating that this was a specialist area and vital in keeping council finances healthy; the council had maintained an under borrowed position and it had been able to use resources, balances and cash flow to meet its needs. Investments had conformed to the approved strategy and there were no liquidity difficulties, returns from investments were ahead of expectations.

Consideration was given to:

- The £10m loan to 3 Rivers Developments Limited had come from cash reserves rather than borrowing and whether the S151 Officer could explain the risks as well as the benefits of this
- Information with regard to the 'credit loss model' and the impact of this on external lending and the changes to accountancy rules
- What was Mid Devon's unrealised fair value movement?

RECOMMENDED to Council that:

- a) the treasury activities for the year be **NOTED**.
- b) the actual 2020/21 Prudential and Treasury Indicators in the report be approved.

(Proposed by Cllr B A Moore and seconded by Cllr R J Chesterton)

Reason for the decision – there is a need for Council to consider the Annual Treasury Management review in line with CIPFA guidance.

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

33. **TIVERTON TOWN CENTRE CCTV OPTIONS FOR FUTURE USE (00-24-10)**

The Cabinet had before it a *report of the Corporate Manager for Property, Leisure and Climate Change providing Members with the options on completing essential maintenance on the Tiverton Town Centre CCTV system.

The Cabinet Member for Community Wellbeing outlined the contents of the report stating that the reason for the report was to consider funding and options to upgrade the CCTV system in Tiverton. All the legal implications had been considered. The PSS CCTV was a discretionary service to which the Council had a limited budget to maintain the system. The monitoring of the CCTV system was on a voluntary basis and that the Council paid the volunteer for 7 hours per week. There was a need to upgrade the system to protect against cyber security issues.

Consideration was given to:

- The value of the CCTV system and how it was appreciated by local residents
- The grants from the OPCC and Tiverton Town Centre Partnership would be well received
- Crediton and Cullompton had been offered the opportunity to apply for funding from the OPCC – Cullompton Town Council had not responded to the approach
- The need to approach Tiverton Town Council for a further financial contribution and that this be included in the resolution.

RESOLVED that

1) Delegated authority be given to the Cabinet Member for Community and Wellbeing and the Deputy Chief Executive (151), in consultation with Property Services to seek the remainder of external funding required for the delivery of Option 2 as a minimum, but to aim to achieve Option 3 and complete the works within the current calendar year.

- 2) The grant of £25k from the OPCC be accepted, subject to the terms and conditions on Annex C.
- 3) The fund of £3,161 from the OPCC be accepted, subject to the terms and conditions on Annex D and as detailed in section 11.
- 4) £5k from the Tiverton Town Centre Partnership be accepted, as detailed on paragraph 9.1.
- 5) The Council approach Tiverton Town Council for a further financial contribution and hold discussions with regard to the future ownership of the system.

(Proposed by Cllr D J Knowles and seconded by Cllr C R Slade)

Reason for decision – There is a need to consider the offer of funding for this project.

Notes:

- i) Cllr C R Slade declared a personal interest as a member of Tiverton Town Council and as the Devon County Council representative on the Town Centre Partnership;
- ii) Cllr D J Knowles declared a personal interest as a member of Tiverton Town Council;
- iii) Cllr Mrs C P Daw declared a personal interest as a member of Tiverton Town Council and as a member of the Town Centre Partnership;
- iv) *Report previously circulated, copy attached to minutes.

34. CONTRACT AWARD FOR CARBON DECARBONISATION PROJECT (00-32-16)

The Cabinet had before it a report of the Corporate Manager for Property, Leisure and Climate Change seeking approval to deliver a grant-aided project(s) to reduce the carbon emissions of our leisure facilities.

The Cabinet Member for the Environment and Climate Change outlined the contents of the report stating that the receipt of the grant funding was excellent news which would allow decarbonisation works to take place at the three leisure facilities. He outlined the timescales for the project and the tender process that had taken place which had been based on quality rather than on price. The project would support the work taking place with regard to climate change.

RESOLVED that:

- (1) That the Cabinet accepts the grant from the Public Sector Decarbonisation Scheme and agrees to implement the works to reduce the Council's carbon emissions.
- (2) That the Cabinet agrees to approve and award the contract for the supply and installation of low energy efficient LED lighting to Contractor 1.

- (3) That the Deputy Chief Executive (S151) and the Deputy Leader and Cabinet Member for Housing and Property Services are given delegated authority to take all necessary actions to deliver the Salix funded projects as detailed in para 1.3, for any contract variations and approval of any necessary significant design changes.

(Proposed by Cllr C R Slade and seconded by Cllr B A Moore)

Reason for the decision – there is a need to deliver the three grant aided projects to reduce the carbon emissions of our facilities.

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

35. **PERFORMANCE AND RISK OUTTURN (00-34-50)**

The Cabinet had before it a * report of the Operations Manager for Performance, Governance and Health & Safety providing Members with an update on the performance against the Corporate Plan and local service targets for 2020/21.

The Leader outlined the contents of the report stating that there had been some impact on performance due to the pandemic and he then looked forward to a period of normality in the near future. He highlighted the following:

- Recycling and residual waste – he would like to see an increase in recycling rates.
- The green approach – he referred to the receipt of grant funding for decarbonisation.
- Homes – achievements had been low, but that the authority were working with Community Land Trusts and other agencies to improve the number of new homes and social rented housing in the current year.
- Economy – he highlighted the challenges caused by the pandemic and how the Government had supported people and that there was a need for the authority to provide assistance for regeneration and community and economic confidence in Mid Devon, outlining the South West Mutual Bank as an example.
- Digital connectivity – there were major issues in Mid Devon that needed to be addressed
- Corporate – the council industrial units were fully occupied
- The work of the Revenues and Benefits Team
- The work taking place with the Devon and Somerset Metro Bid

Consideration was given to:

- Digital connectivity and the need for achievements to be made in this area
- The work taking place installing fibre optic in the area
- Statistical errors with regard to the number of houses converted and those 'Right to Buy' properties brought back.
- The need to look forward to the regeneration of the town centres, there were an abundance of plans in place with some grant funding, however there was a need for additional funding (via the Capital Programme) for match funding and partnership working.

- The need for a strategy for town centre regeneration and renewal.

RESOLVED that:

- a) The report be **NOTED**
- b) The 4 year KPI targets against the Corporate Plan be approved.

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

Reason for the decision – there is a need to monitor performance against the Corporate Plan.

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

36. **UPDATE FROM THE CABINET MEMBER FOR CONTINUOUS IMPROVEMENT (00-48-22)**

The Cabinet Member for Continuous Improvement informed the meeting that:

- This was her first Cabinet update since being appointed. Her role was to drive business and process improvement in services across the entire span of Council activity.
- The aim was to ensure that the responsiveness and agility demonstrated by the Council throughout the pandemic was harnessed to deliver better outcomes for residents as the Council transitions to the new normal.
- She had been taking time to ensure that Members and Officers were engaged in the process and that they understood the outcomes they were trying to achieve. She had met with directors and officers to understand the deadlines and Performance Indicators across the Council's activity.
- In order to ensure customers were getting a high quality service, she had proactively engaged Members on a number of issues, whilst also taking forward a number of other cases in other areas that had been sent directly to her.
- To date, she had received 31 cases from Members and the public. 5 of which were now closed, and 5 of which had been actioned. The other 21 cases were with directors for action.
- Alongside this she had agreed to receive and monitor monthly figures on planning enforcement, and separately looked at the Council's activity around Ash Die Back.

She outlined the monthly meetings that she had organised and the caseload that was before the Leadership Team. She intended to provide a monthly report to the Cabinet outlining her on-going work.

37. **NOTIFICATION OF KEY DECISIONS (00-56-01)**

The Cabinet had before it and **NOTED** its *rolling plan for August 2021 containing future key decisions.

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

38. **3 RIVERS DEVELOPMENTS LIMITED ANNUAL REPORT (00-57-02)**

The Cabinet had before it and **NOTED** a *report of the Deputy Chief Executive providing Cabinet with an Annual Report which also includes the Company's Accounts as per the conditions of the Shareholder Agreement.

The Cabinet Member for Finance outlined the contents of the report stating that the Cabinet had received a wealth of information via regular reports on the work taking place by the company. The pandemic had impacted on progress with projects but that the business was now moving forwards.

The Deputy Chief Executive (S151) in response to the question posed in public question time stated that at the time of the publication of the agenda, the accounts had not been approved formally by the company's board of directors and that the Shareholder had to note the contents of the annual report at this meeting, the accounts would then be sent to Companies House where they would become public knowledge. The other attachments within the report were of a commercially sensitive nature.

Consideration was given to:

- A request to send written questions with regard to the various sites and the prospects for 3 Rivers Developments Limited to be answered – it was suggested that these be sent to the clerk who would circulate them and coordinate the written responses.
- The proposed open day at St Georges Court for Members on 20 July.

Note: *Report previously circulated.

(The meeting ended at 11.06 am)

CHAIRMAN