

Mid Devon District Council

Cabinet

Tuesday, 30 November 2021 at 10.00 am
Phoenix Chamber, Phoenix House, Tiverton

Next ordinary meeting
Tuesday, 4 January 2022 at 10.00 am

PLEASE NOTE: - this meeting will take place at Phoenix House and members of the Public and Press are encouraged to attend via Zoom wherever possible. The Protocol for Hybrid Meetings explains how this will work. Please do not attend Phoenix House without contacting the committee clerk in advance, in order that numbers of people can be appropriately managed in physical meeting rooms.

Join Zoom Meeting

<https://zoom.us/j/95009389895?pwd=YjVOTFJXd0NrUHNwN2hDc0xEa3djUT09>

Meeting ID: 950 0938 9895

Passcode: 082982

One tap mobile

08002605801,,95009389895#,,,,*082982# United Kingdom Toll-free

08003582817,,95009389895#,,,,*082982# United Kingdom Toll-free

Dial by your location

0 800 260 5801 United Kingdom Toll-free

0 800 358 2817 United Kingdom Toll-free

0 800 031 5717 United Kingdom Toll-free

Meeting ID: 950 0938 9895

Passcode: 082982

Membership

Cllr R M Deed

Cllr R J Chesterton

Cllr Mrs C P Daw

Cllr R Evans

Cllr D J Knowles

Cllr B A Moore

Cllr C R Slade

Cllr Mrs N Woollatt

AGENDA

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 - 12*)
Members to consider whether to approve the minutes as a correct record of the meeting held on 26 October 2021.
5. **Air Quality Action Plan** (*Pages 13 - 94*)
Following a report of the Corporate Manager for Public Health, Regulation and Housing, the Community Policy Development Group have made the following recommendations:
 1. That the updated Air Quality Actions Plan attached in Annex 1 be adopted;
 2. That the details and timelines for the adoption of the updated Air Quality Supplementary Planning Document via the Planning Policy Development Group as set out in section 5.3 of the report be noted.
6. **Recommendations from Scrutiny Committee (Planning Enforcement Working Group)**. (*Pages 95 - 116*)
To consider the recommendations from the Scrutiny Committee following receipt of the report of the Planning Enforcement Working Group and a review of those recommendations
7. **Public Space Protection Order - Dogs** (*Pages 117 - 136*)
To consider a report of the Operations Manager for Street Scene and Open Spaces considering whether to make a proposed variation to the Mid Devon (Public Spaces Protection) (Dog Control) Order 2021 (the 'PSPO'), for which further consultation and consideration of responses will be required before the Order is made, to add two locations to the list of areas in the PSPO where dogs are only allowed, add one location to the list of areas in the PSPO where dogs are excluded; and correct a plan within the existing PSPO which shows the wrong area of land.
8. **Staff Recognition and Wellbeing Appreciation** (*Pages 137 - 142*)
To receive a report of the Chief Executive considering how best to address the current workforce issues and recognise the work done by all

staff throughout the pandemic and to show the council's appreciation for their efforts.

9. **Phase 3 Public Sector Decarbonisation Bid and Delegation of Authority** *(Pages 143 - 160)*
To receive a report of the Corporate Manager for Property, Leisure and Climate Change outlining the latest opportunity presented by the Public Sector Decarbonisation Scheme and the Council's ambition to seek substantial funding from Phase 3 of the scheme. The Council was successful in obtaining £348,821 under Phase 2 of the same scheme. Approval is being sought now, subject to a successful bid, to receive and expend circa £3m funding from Salix Finance, a Non-Departmental Public Body (NDPB). This project will undertake low carbon retrofit projects on Exe Valley (Evlc) and Lords Meadow (Lmlc) Leisure Centres. Grant Funding Awards will be announced during January 2022, with a delivery timeframe of 12 months.
10. **Disposal of Crediton Town Square** *(Pages 161 - 166)*
To receive a report of the Corporate Manager for Property, Leisure and Climate Change seeking approval for the lease of the Town Square Crediton to Crediton Town Council.
11. **Infrastructure Funding Statement - Infrastructure List** *(Pages 167 - 186)*
To receive a report of the Director of Place requesting approval of the list of Infrastructure items, including affordable housing to be included in the Council's Infrastructure Funding Statement, which is required to be published on the Council's website by 31 December 2021.
12. **Cullompton Town Centre Relief Road (CTCRR) Project** *(Pages 187 - 190)*
To receive a report of the Director of Place provided in relation to the LUF (Levelling-up Fund) application and requesting approval of the recommendations in order to allow officers to continue to examine potential opportunities to secure the additional funding required to support the delivery of the Cullompton town centre relief road.
13. **Devon Procurement Partnership** *(Pages 191 - 200)*
To consider a report of the Deputy Chief Executive (S151) seeking approval to enter into a long term partnership with Devon County Council to provide procurement advice and support to the Council.
14. **Mid Year - Treasury Management Update** *(Pages 201 - 210)*
To consider a report of the Deputy Chief Executive (S151) informing the Cabinet of the treasury performance during the first six months of 2021/22, to agree the ongoing deposit strategy for the remainder of 2021/22 and a review of compliance with Treasury and Prudential Limits for 2021/22.

15. **Financial Monitoring** (Pages 211 - 236)
To receive a report of the Deputy Chief Executive (S151) presenting a financial update in respect of the income and expenditure so far in the year.
16. **Performance and Risk** (Pages 237 - 290)
To consider 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.
17. **Schedule of Meetings for 2022/23** (Pages 291 - 292)
To consider the Schedule of Meetings for 2022/23 and make recommendation to Council
18. **Notification of Key Decisions** (Pages 293 - 306)
To note the contents of the Forward Plan.
19. **3 Rivers Development Ltd Business Plan** (Pages 307 - 336)
During discussion of this item it may be necessary to pass the following resolution to exclude the press and public having reflected on Article 12 12.02(d) (a presumption in favour of openness) of the Constitution. This decision may be required because consideration of this matter in public may disclose information falling within one of the descriptions of exempt information in Schedule 12A to the Local Government Act 1972. The committee will need to decide whether, in all the circumstances of the case, the public interest in maintaining the exemption, outweighs the public interest in disclosing the information.

To consider passing the following resolution so that exempt information may be discussed.

Recommended that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the next item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 3 respectively of Part 1 of Schedule 12A of the Act, namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

To consider a report of the Deputy Chief Executive (S151) requesting Cabinet to consider the 5 year Business Plan

Both the Scrutiny and Audit Committees have considered the Business Plan and have made the following comments:

Scrutiny Committee – 8 November 2021

Members had raised questions with regard to the availability of certain sites for development, the need for the report on the possible creation of a Teckal company to be considered and noted that the financial risk of the company would be considered by the Audit Committee

Audit Committee – 16 November 2021

Having considered the Business Plan, the Committee made the following recommendations to the Cabinet:

- a. That the language used within the Business Plan be written in such a way as to be as understandable as possible and that all acronyms used to be explained by way of a Glossary of Terms;*
- b. That an external audit firm be appointed by the company to audit the company's financial statements;*
- c. That the Cabinet continue to closely monitor the progress of the company's Business Plan reporting any areas of concern, particularly relating to lending, back to Council.*

Stephen Walford

Chief Executive

Monday, 22 November 2021

Covid-19 and meetings

From 7 May 2021, the law requires all councils to hold formal meetings in person. However, the Council is also required to follow government guidance about safety during the pandemic. The Council will enable all people to continue to participate in meetings via Zoom.

You are strongly encouraged to participate via Zoom to keep everyone safe - there is limited capacity in meeting rooms if safety requirements are to be met. There are restrictions and conditions which apply to those in the building and the use of the building. You must not attend a meeting at Phoenix House without complying with the requirements in the new protocol for meetings. You must follow any directions you are given.

Please read the new meeting protocol which is available here: <https://democracy.middevon.gov.uk/documents/s23135/MeetingProtocolUpdateOct2021nextreviewFeb2022.pdf>

If you want to ask a question or speak, email your full name to Committee@middevon.gov.uk by no later than 4pm on the day before the meeting. This will ensure that your name is on the list to speak and will help us ensure that you are not missed – as you can imagine, it is easier to see and manage public speaking when everyone is physically present in the same room. Notification in this way will ensure the meeting runs as smoothly as possible.

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

E-Mail: sgabriel@middevon.gov.uk

Public Wi-Fi is available in all meeting rooms.

1.

5

Committee Administrator: Sally Gabriel
Tel: 01884 234229

Email: sgabriel@middevon.gov.uk

This document is available on the Council's Website at: www.middevon.gov.uk