

Mid Devon District Council – Decisions taken by the Cabinet on Thursday, 5 February 2015

| Agenda Item No | Topic | Decision |
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| Part A – Items considered in public | | |
| 4. | The Anti-Social Behaviour, Crime and Policing Act 2014 (00-01-45) | Arising from a report of the Head of Housing and Property Services and a recommendation from the Community Well-Being Policy Development Group regarding new legislation, the PDG had recommended that: the Anti-Social Behaviour, Crime and Policing Act 2014 be adopted and that delegated authority be given to Chief Executive for the appointment of Officers under the Act and to coordinate a consistent level of fines across all Devon authorities. This was approved. |
| 5. | Open Spaces and Play Area Strategy | Arising from a report of the Head of Housing and Property Services and a recommendation from the Managing the Environment Policy Development Group regarding a review of the strategy, the PDG had recommended that the Cabinet adopt the Open Spaces and Play Area Policy subject to part 2 of the document (area profiles) being made available to Parish Councils and Ward Members for ratification. This was approved. |
| 7. | Harlequin Valet (00-23-26) | <p>Arising from a report of the Head of Planning and Regeneration, the Scrutiny Committee had made the following recommendations:</p> <ul style="list-style-type: none"> • Following the initial assessment and any remedial action to make a dangerous structure safe, the structures shall (unless fully demolished or fully repaired) if instructed by the Council, be monitored every two months (employing a structural Engineer where necessary) to ensure any further decay is identified as early as possible. A detailed record of those inspections and any actions requested to be kept. • Ward Members, the Media, the website and Town and Parish Councils to be notified following inspections of the findings and any proposed action, ensuring maximum publicity. |

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| | | <ul style="list-style-type: none"> • A leaflet to be published on the Council’s website identifying the powers the Council has with regard to dangerous structures and the actions the Council may pursue where public safety is being put at risk where no action is taken by the owner. The proposed policies are set out below. • Information should also be displayed on the Council’s website, of the risks that poorly maintained cob structures can create and owner responsibility regarding dangerous structures. • Delegated authority be given to Building Control officers to take action under Section 77 and 78 of the Building Act, as deemed necessary, and that expenditure incurred in those cases be agreed by the Cabinet Member for Planning and the Head of Finance as an expenditure outside of set budgets on a case by case basis. (The Council will always seek to recover its costs in such circumstances but recovery cannot be guaranteed). • When proposals for enforcement action are taken to Planning Committee regarding dangerous structures the report to include a risk assessment on the building. • The Council will set out the following policies (subject to Cabinet and Council approval) on its website for dealing with dangerous structures as follows:- <ul style="list-style-type: none"> a) In an <u>EMERGENCY</u> situation the Council shall, if reasonably practical to do so give notice to the owner of their intention to take action. The Council will employ a contractor to do the minimum amount of work necessary to remove |

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| | | <p>the danger. The owner, if not previously informed, will later be notified of the action and the fact that he/she is liable for the Council's full costs.</p> <p>b) Where a dangerous structure is identified <u>BUT IS NOT AN EMERGENCY</u>, the Council will attempt to obtain a verbal commitment from the owner to remove the danger immediately. If not achieved, formal notice will be sought and served on the owner via the Magistrates Court under section 77 of the Building Act, requiring that the danger is removed. If the owner fails to comply, the Council will employ a contractor to do the minimum amount of work necessary to remove the danger.</p> <p>This was approved subject to amendments to bullet points 1 and 2 to read:</p> <ul style="list-style-type: none"> • Following the initial assessment and any remedial action to make a dangerous structure safe, the structures shall (unless fully demolished or fully repaired) if instructed by the Council, be monitored <i>not less than</i> every two months (employing a structural Engineer where necessary) to ensure any further decay is identified as early as possible. A detailed record of those inspections and any actions requested to be kept. • Ward Members, the Media, the website and Town and Parish Councils to be notified following inspections of the findings and any proposed action, ensuring maximum publicity <i>including featuring on the Council's website if possible and where appropriate</i>. |

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| 8. | Reorganisation and Redundancies within the Council (00-35-28) | The Scrutiny Committee had recommended that the Chairman of the Scrutiny Committee be consulted, along with the Leader, when the Chief Executive proposed to use reserves to make payments for redundancies. This was rejected by the Cabinet |
| 10. | Authority's Monitoring Report (01-00-20) | <p>The Cabinet had before it a report* of the Head of Planning and Regeneration presenting the Authority's Monitoring Report for the period 1 April 2013 – 31 March 2014.</p> <p>The following was agreed:</p> <ul style="list-style-type: none"> a) the AMR 2013/14 be approved; b) Delegated authority be given to Head of Planning and Regeneration, in consultation with the Cabinet Member for Planning and Economic Development to make minor editorial changes to the text before the AMR is published on the Monitoring webpage. |
| 12. | Budget | |
| 13. | Capital Programme 2015/16 - 2018/19 (1-16-18) | |
| 14. | Treasury Management Strategy and Annual Investment Strategy (1-24-09) | <p>The Cabinet had before it a report of the Head of Finance outlining the proposed Treasury Management Strategy and Annual Investment Strategy for 2015/16. It was:</p> <p>RESOLVED that</p> <ul style="list-style-type: none"> a) The proposed Treasury Management Strategy and the Annual Investment |

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| | | <p>Strategy for 2015/16, see paragraph 15.4, including the prudential indicators for the next 3 years and the Minimum Revenue Provision Statement (Appendix 4), be approved;</p> <p>b) In addition to a continuation of the current investment strategy, the Council consider the options outlined in paragraph 15.5 of the report;</p> <p>c) the increase to the 2014/15 Authorised Limit, as detailed in paragraph 7.3 be approved</p> <p>d) the Council using the Municipal Bond Agency for future loans, outlined in paragraph 13.1 be agreed.</p> |
| 15. | National Non-Domestic Rates 2015/16 (1-26-27) | <p>The Cabinet had before it a report* of the Head of Finance providing it with an update of 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 2015/16 from business rates).</p> <p>a) The calculation of the NNDR1 net yield be noted and approved for 2015/16;</p> <p>b) That the proportions distributed to the respective authorities and central government be allocated as per the statutory regulations; and</p> <p>c) 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 further reliefs was noted and approved</p> |

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| 16. | Policy Framework Document 2015/16 (1-30-06) | |
| A1 | | |
| A2 | | |